

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, FEBRUARY 2, 2010
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**3:00 P.M. (MAYORS CONFERENCE ROOM,
ROOM 10)**

1. CALL TO ORDER AND ROLL CALL

Mayor Gorin called the meeting to order at 3:00 p.m. in the Mayor's Conference Room.
Councilmembers present: Mayor Gorin, Vice Mayor Wysocky, Councilmembers Bender, Sawyer, Jacobi, Vas Dupre and Olivares.

Councilmember Vas Dupre arrived at 3:30 p.m.

2. STUDY SESSION

3. ANNOUNCEMENT OF CLOSED SESSION ITEM(S) AND ADJOURNMENT TO CLOSED SESSION(S) IN MAYOR'S CONFERENCE ROOM (ROOM 10, CITY HALL) [4:19:07 PM](#)

PUBLIC COMMENT ON CLOSED SESSION ITEMS

3.1 CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Greg Scoles, Deputy City Manager, Fran Elm, Human Resources Director and Chris Sliz, Employee Relations Manager.

Employee Organizations: Santa Rosa Firefighters Association – Local 1401 (representing City Employee Unit 2); Operating Engineers Local 3, Maintenance and Utility System Operators (Employee Units 3 and 16); Santa Rosa City Employees Association (Employee Units 4, 6, 7); Santa Rosa Police Officers Association, (Employee Unit 5); Service Employees International Union Local 707, (Employee Units 8 and 14); Public Safety Management Association (Employee Unit 9); Santa Rosa City Attorneys' Association (Employee Unit 17), Santa Rosa Management Association (Employee Unit 18).

Unrepresented Executive Management, Middle Management, and Confidential Employees (Employee Units 10, 11 and 12).

3.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [4:19:14 PM](#)

(Subdivision (a) of Government Code Section 54956.9)

Case Name Unspecified: Case filed under seal in the United States District Court for the Central District of California.

3.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION [4:19:27 PM](#)

(Subdivision (a) of Government Code Section 54956.9)

City of Santa Rosa v. Sonoma County Water Agency, et al., Sonoma County Superior Court Case Number SCV – 245844

3.4 ADJOURN CLOSED SESSION(S) AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER [4:18:40 PM](#)

4:00 P.M. (CITY COUNCIL CHAMBER)

4. ANNOUNCEMENT OF ROLL CALL [4:19:32 PM](#)

Mayor Gorin reconvened the meeting in open session in the Council Chamber at 4:19 p.m. All members of the Council were present. Teen Council member Rena Wang was also in attendance.

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:19:35 PM](#)

City Attorney Fowler reported that the Council had voted unanimously on item 3.2 to intervene on the case.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION – JOSEF KELLER – 30TH ANNIVERSARY [4:20:05 PM](#)

Mayor Gorin presented the proclamation honoring Josef Keller, owner Josef's Restaurant and Bar in Hotel la Rose. It was noted that Mr. Keller initiated the first non-smoking restaurant in Santa Rosa.

6.2 PRESENTATION – RECOGNITION OF FIELD CREWS WORKING DURING LAST STORM [4:24:00 PM](#)

Mayor Gorin and Council recognized field crews, many of whom were in attendance at the meeting, for the work completed during January storms. Joe Schiavone, Street Maintenance Superintendent, provided an overview of some of the work that was completed.

7. STAFF BRIEFINGS

7.1 SANTA ROSA POLICE DEPARTMENT'S DOWNTOWN AMBASSADOR PROGRAM [4:30:55 PM](#)

Tom Schwedhelm, Police Chief, and Sergeant Alyssa Johnson presented the staff briefing. Sergeant Johnson noted that during the holiday season, volunteers from the Santa Rosa Police Department participated in the Downtown Ambassador Program providing information, assistance and directions to those visiting our downtown area. Volunteers worked Mondays, Wednesdays and Saturdays from 9:00 a.m. to 4:00 p.m. Volunteers Joe McClelland and John Guralgia stated they received positive feedback from local merchants and shoppers about the program.

8. APPROVAL OF MINUTES – NONE

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS [4:41:26 PM](#)

Councilmember Sawyer stated he would abstain from item 10.1 due to his business being located within the parking district.

10. CONSENT ITEMS [4:41:50 PM](#)

PUBLIC COMMENT

MOVED by Councilmember Bender, seconded by Councilmember Sawyer, carried unanimously, to add item 10.2 to the agenda

MOVED by Vice Mayor Wysocky, seconded by Councilmember Olivares, carried 6-0-1 (Councilmember Sawyer abstaining), to adopt and waive reading of the text of the resolutions in items 10.1 as follows:

10.1 RESOLUTION – PARKING GARAGES 1, 3, AND 9 STRUCTURAL REPAIRS FUNDING

RESOLUTION NO. 27567 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING APPROPRIATIONS IN PROJECT NUMBER 7405 BY \$86,000 AND PROJECT NUMBER 7417 BY \$90,000 TO COMPLETE STRUCTURAL REPAIRS TO PARKING GARAGE 3 AND PARKING GARAGE 9

MOVED by Vice Mayor Wysocky, seconded by Councilmember Olivares, carried unanimously, to adopt and waive reading of the text of the resolutions in item 10.2 and introduce and waive reading of the ordinance in item 10.3 as follows:

***10.2 RESOLUTION – AMENDMENT OF BUDGET DEFICIT REDUCTION MEASURE DATED DECEMBER 1, 2009**

RESOLUTION NO. 27568 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING RESOLUTION 27530 TO REINSTATE THE COMMUNITY DEVELOPMENT POSITION FROM THE BUDGET DEFICIT REDUCTION MEASURE DATED DECEMBER 1, 2009

10.3 ORDINANCE INTRODUCTION -- COMMERCIAL VEHICLE PROHIBITIONS

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SECTIONS 11-28.110 AND 11-28.120 OF THE SANTA ROSA CITY CODE TO REVISE RESTRICTIONS ON VEHICLES USED FOR COMMERCIAL PURPOSES

11. REPORT ITEMS

11.1 REPORT -- NORTH BAY CORPORATION CONTRACT AMENDMENT [4:44:47 PM](#)

Greg Scoles made the staff representation. On January 21, 2003, the City entered into a collection services contract with North Bay Corporation for the hauling of refuse, yardwaste and recyclable materials in accordance with Chapter 9-12 of the City Code. This contract granted an exclusive franchise to North Bay Corporation from February 1, 2003, to December 31, 2012, and established specific performance requirements to be complied with during this period. In April of 2008, North Bay Corporation made a request to extend the term of the franchise contract for 15 years in exchange for payment of a franchise extension fee along with other enhancements to benefit the ratepayers. The request was modified to include a five year

extension with a potential for an additional five years. The request was reviewed by the Council's Solid Waste Subcommittee and satisfied the outstanding financial audit that was prepared for calendar years 2005-2008 and required all street sweeping to be provided by North Bay Corporation. and recommended that the Council approve an amendment to the existing collection services.

PUBLIC COMMENT

Murray Cockerill, appeared on behalf of Rutan and Tucker, LLP to confirm that correspondence faxed to the City Manager's Office at 3:22 p.m. was received by Council and would be made a part of the record. Mr. Cockerill requested acknowledgement that there is an objection by citizens to this.

Pam Davis, North Bay thanked the Council for the opportunity to provide quality service to Santa Rosa.

MOVED by Vice Mayor Wysocky, seconded by Councilmember Bender, carried unanimously to adopt and waive reading of the text of the resolution in item 11.1 as follows:

RESOLUTION NO. 27569 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE EXISTING COLLECTION SERVICES CONTRACT BETWEEN THE CITY OF SANTA ROSA AND NORTH BAY CORPORATION FOR EXCLUSIVE SOLID WASTE AND RECYCLING SERVICES

12. PUBLIC COMMENTS ON NON-AGENDA MATTERS

No public appearances were made.

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

13.1 BOARD ATTENDANCE REPORTS

14. MAYOR'S/COUNCILMEMBERS' REPORTS
[5:20:11 PM](#)

Vice Mayor Wysocky announced that Michael Allen had resigned from the Planning Commission, creating a vacancy.

Mayor Gorin welcome Interim City Manager Wayne Goldberg back to the City of Santa Rosa.

There were no further announcements made.

15. CITY MANAGER'S/CITY ATTORNEY'S REPORTS

16. [IF NEEDED] – ANNOUNCEMENT OF ADDITIONAL CLOSED SESSION ITEMS(S), ADJOURNMENT TO CLOSED SESSION(S), RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY

17. ADJOURNMENT OF MEETING [5:38:09 PM](#)

Hearing no further business, Mayor Gorin adjourned the meeting at 5:38 p.m. The next regularly scheduled meeting will take place on February 9, 2010, at a time to be set by the Mayor.

Approved on: March 2, 2010

Susan Stoneman
City Clerk