

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, MARCH 30, 2010
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**2:00 P.M. (MAYORS CONFERENCE ROOM,
ROOM 10)**

1. CALL TO ORDER AND ROLL CALL

Mayor Gorin called the meeting to order at 2:00 p.m. Councilmembers present: Mayor Gorin, Vice Mayor Wysocky, Councilmembers Bender, Sawyer, Jacobi, Vas Dupre and Olivares.

PUBLIC COMMENT

Duane DeWitt asked that emergency service personnel share in budget cuts, noting career firefighters sometimes retire without ever actually fighting a fire and that the value of those services may be overestimated. He also recommended that the current real property owners pay for toxic or other waste cleanup.

**2.1 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 1021, (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).

**2.2 CONFERENCE WITH REAL PROPERTY
NEGOTIATOR**

Property: 1400 Burbank Avenue, Santa Rosa, CA 95407APN 125-331-001

Agency Negotiator: Marc Richardson, Director of Recreation, Parks and Community Services

Negotiating Parties: SBRI 1400 Burbank, LLC

Under Negotiations: Price and terms of payment

**2.3 CONFERENCE WITH REAL PROPERTY
NEGOTIATOR**

Property: 983 Sonoma Avenue, Santa Rosa CA 95404 APN 009-171-029

Agency Negotiator: Josh Maresca, Right-of-Way Agent

Negotiating Parties: Housing Authority of Santa Rosa

Under Negotiations: Price and terms of payment

**2.4 CONFERENCE WITH LEGAL COUNSEL -
EXISTING LITIGATION**

(Subdivision (a) of Government Code section 54956.9)

City of Santa Rosa v. Helen Baum, et al.

Sonoma County Superior Court No. SCV 245886

**2.5 ADJOURN CLOSED SESSION(S) AND
RECONVENE TO OPEN SESSION IN THE
COUNCIL CHAMBER**

3:15 P.M. (CITY COUNCIL CHAMBER)

**3. JOINT STUDY SESSION WITH THE
PLANNING COMMISSION**

**3.1 CALL TO ORDER AND ROLL CALL OF
CITY COUNCIL AND THE PLANNING
COMMISSION**

Mayor Gorin called the joint study session to order at 3:27 p.m. All members of the Council were present as noted above.

Members of the Planning Commission present: Chair Vicki Duggan; Commissioners Scott Bartley and Caroline Banuelos. Absent: Vice Chair Nick Caston, Commissions Patti Cisco and David Poulsen.

**3.2 JOINT STUDY SESSION WITH THE
PLANNING COMMISSION**

**3.3 ANNUAL REVIEW OF THE GENERAL
PLAN AND GROWTH MANAGEMENT AND
HOUSING ALLOCATION PLAN
ORDINANCES [3:29:27 PM](#)**

Lori MacNab, City Planner, Peter Brown, Senior Planner, and Lisa Kranz, Supervising Planner, reviewed the General Plan and Growth Management and Housing Allocation Plan ordinances as is done on an annual basis in accordance with state planning and zoning law. Staff reviewed General Plan actions in 2009, housing needs information, as well as the operation of the Growth Management program and the Housing Allocation Plan over the last year.

3.4 PUBLIC COMMENT

Duane DeWitt did not want to alter the Growth Management Ordinance. He recommended purchasing empty homes for affordable housing. He also supported the Downtown Corridor Plan.

Kay Tokerud, Santa Rosa Area Business Association, opposed making permanent the Humboldt Avenue Bike Boulevard. She supported purchasing foreclosures for affordable housing.

3.5 ADJOURN JOINT STUDY SESSION AND SPECIAL MEETING OF THE PLANNING COMMISSION AND RECONVENE CITY COUNCIL IN REGULAR SESSION

4:00 P.M. (CITY COUNCIL CHAMBER) [4:20:13 PM](#)

4. ANNOUNCEMENT OF ROLL CALL

All Councilmembers were present as noted above. Teen Council member Rena Wang was also in attendance.

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:21:58 PM](#)

Interim City Manager Goldberg reported that the Council had met in a joint study session with the Planning Commission to General Plan and Growth Management and Housing Allocation Plan ordinances.

City Attorney Fowler announced that the Council had met in closed session to discuss Items 2.1 and 2.3 as listed on the agenda and that no action had been taken and there were no announcements to be made. She reported Items 2.2 and 2.4 had not been taken up and would be continued to the next meeting.

Mayor Gorin announced that Item 10.7 would be pulled from the Consent Agenda.

6. PROCLAMATIONS/PRESENTATIONS -- NONE

7. STAFF BRIEFINGS [4:23:36 PM](#)

7.1 2010 AMGEN TOUR OF CALIFORNIA STAGE 2 ROUTE ANNOUNCEMENT

David Guhin, Deputy Director of Engineering – Utilities, briefed the Council on Santa Rosa's participation on the Stage 2 Route of the Amgen Tour of California bike race which will take place on May 17, 2010. He noted that Levi Leipheimer and Lance Armstrong would be riding in the tour. The Stage 2 route is the 109 mile leg of the race from Davis to Santa Rosa. He outlined the activities and events planned for the day of the race and anticipated road closures and parking restrictions along the route.

8. APPROVAL OF MINUTES – NONE

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS [4:35:14 PM](#)

No statements of abstention were made.

10. CONSENT ITEMS [4:35:24 PM](#)

Item 10.7 was pulled from the Consent Agenda for discussion.

PUBLIC COMMENT

Jack Osborne, 5636 Del Monte Court, objected to adoption of Item 10.2 as a consent item on the principle that items taken up in study session should not be subsequently adopted on the consent agenda. He also asked for and received clarification on Item 10.3 and objected to the expenditure without a cost analysis justification during a budget crisis. He similarly objected to Item 10.6. He asked for and received clarification on Item 10.4. Regarding Item 10.7, he suggested across the board pay cuts instead of eliminating positions.

Duane DeWitt echoed Mr. Osborne's comments regarding Item 10.2, requesting it be a full report item. He also spoke in opposition to Item 10.3.

MOVED by Vice Mayor Wysocky, seconded by Councilmember Sawyer, carried unanimously, to adopt the motion in item 10.1 and adopt and waive reading of the text of the resolutions in items 10.2 through 10.6 as follows:

10.1 MOTION -- CONTRACT EXTENSION - AUTO PARTS SUPPLY

MOTION: EXTENDING CONTRACT NO. 06-8558 FOR AUTO PARTS SUPPLY WITH SMOTHERS PARTS INTERNATIONAL, SANTA ROSA, CALIFORNIA, FOR AN ADDITIONAL ONE-YEAR TERM, WITH NO CONTRACT PRICE INCREASES. THE TOTAL AMOUNT OF THE CONTRACT EXTENSION IS \$160,000. FUNDS FOR THIS

OPERATIONAL EXPENSE HAVE BEEN ALLOCATED IN FY 2009-10 BUDGETS OF THE PUBLIC WORKS OPERATIONAL CHARGE NUMBER 1054-41, GENERAL FUND INVENTORY ASSET ACCOUNT NUMBERS 0710-1301 AND 0710-1304, AND TRANSIT FUND INVENTORY ASSET ACCOUNT NUMBER 0650-1304 AND WILL BE ALLOCATED IN SUBSEQUENT FISCAL YEAR BUDGETS WHEN APPROVED BY COUNCIL.

10.2 RESOLUTION -- ANNUAL REVIEW OF THE GENERAL PLAN AND THE GROWTH MANAGEMENT AND HOUSING ALLOCATION PLAN ORDINANCES

RESOLUTION NO. 27594 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RECEIVING A REPORT REGARDING THE ANNUAL REVIEW OF THE CITY'S GENERAL PLAN AND THE GROWTH MANAGEMENT AND HOUSING ALLOCATION PLAN ORDINANCES

10.3 RESOLUTION -- AWARD TO NEW FLYER OF AMERICA, INC. FOR SEVEN GASOLINE HYBRID ELECTRIC BUSES THROUGH A COOPERATIVE PURCHASE

RESOLUTION NO. 27595 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE DIRECTOR OF THE TRANSIT DEPARTMENT TO EXECUTE A PURCHASE AGREEMENT FOR AND ON BEHALF OF THE CITY OF SANTA ROSA WITH NEW FLYER OF AMERICA, INCORPORATED, FOR SEVEN, 40-FOOT, GASOLINE HYBRID ELECTRIC BUSES

10.4 RESOLUTION -- ACCEPTANCE OF A GRANT FROM THE CALIFORNIA HIGHWAY PATROL AS PART OF A STATEWIDE CALIFORNIA EVERY 15 MINUTES PROGRAM

RESOLUTION NO. 27596 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING A GRANT FOR THE EVERY 15 MINUTES PROGRAM

10.5 RESOLUTION -- ACCEPTANCE OF A GRANT FROM THE CALIFORNIA ALCOHOLIC BEVERAGE CONTROL DEPARTMENT (ABC) AS PART OF AN IMPLEMENTATION OF THE SHOULDER TAP PROGRAM

RESOLUTION NO. 27597 ENTITLED: RESOLUTION OF THE CITY OF SANTA ROSA AUTHORIZING THE POLICE DEPARTMENT TO ACCEPT THE AWARD OF A SHOULDER TAP

PROGRAM GRANT FROM THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

10.6 RESOLUTION -- AUTHORIZING INTERAGENCY AGREEMENT FOR COUNTYWIDE ENERGY EFFICIENCY BUILDING RETROFIT PROGRAM

RESOLUTION NO. 27598 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING INTERAGENCY AGREEMENT FOR COUNTYWIDE ENERGY EFFICIENCY BUILDING RETROFIT PROGRAM

MOVED by Vice Mayor Wysocky, seconded by Councilmember Sawyer, carried 6-1 (Councilmember Jacobi voting NO), to adopt and waive reading of the text of the ordinance in item 10.8 as follows:

10.8 ORDINANCE ADOPTION – ORDINANCE REZONING 5150 SONOMA HIGHWAY – VISTA GABRIELLE SUBDIVISION

ORDINANCE NO. 3939 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE – RECLASSIFICATION OF PROPERTY LOCATED AT 5150 SONOMA HIGHWAY (VISTA GABRIELLE SUBDIVISION) – FILE NUMBER MJP07-007

10.7 RESOLUTION -- BUDGET DEFICIT REDUCTIONS MEASURE: REVISED MARCH 16, 2010 GENERAL FUND DEFICIT REDUCTION ITEMS

Councilmember Jacobi requested information on the feasibility of training volunteers to serve as crossing guards. Mayor Gorin responded that an effort is underway to do so in collaboration with the School Board.

PUBLIC COMMENT

Scott Enbysk introduced the City's maintenance workers in attendance, spoke of the wide range of services they perform for wages ranging from 5 to 8% below that of mostly smaller surrounding cities. He spoke of concessions already made, participation in benefit costs and lack of social security, and the fact that they have been put out of work by the elite and their outrageous incomes. He quoted Lincoln who said "there is no America without labor, and to fleece one is to rob the other."

Bob Lorenzini spoke of the many hard-working men and women who work in the field and are the face of the city the public sees and needs. He

added that projects may not come out of the general fund but once established general fund dollars maintain them.

Don Dietrich spoke of the attack on workforce benefits and pay and provided an actuarial study which disputes there is a financial benefit to the City of creating a two tiered retirement system. He said that eliminating every maintenance worker would not fix the structural deficit problem which was not caused by employees.

Duane DeWitt recommending cutting wages at the top and retaining public works people. He also suggested an across the board wage cut.

Joanna Schaeffer recommended the City become more fiscally responsible, and that instead of rebuilding the Round Barn the city maintain the facilities it has already built, like the Howarth Park bathrooms. She objected to paying a volunteer coordinator over \$100,000 when a temporary employee is already doing most of the work and could continue doing so. She recommended looking at internal efficiencies before laying off employees.

Richard Canini cautioned against spending and borrowing and the expenditure of redevelopment funds on Courthouse Square and Vineyard Creek. He also hoped the Council would allow City employees to resume participation in Social Security. He objected to spending reserves and excessive overtime pay for police and fire personnel which resulting in one employee receiving \$188,000 in overtime pay.

COUNCIL COMMENT [5:13:21 PM](#)

Councilmember Jacobi stated she did not want to vote to support items 9, 11, 26, 82, 85, 87 and 88, and requested reconsidering the Council's earlier motion and bring it back for discussion at a future meeting. There was no other support for pulling certain items out of the resolution.

RESOLUTION NO. 27599 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DIRECTING STAFF TO IMPLEMENT BUDGET DEFICIT REDUCTION MEASURES TO BE EFFECTIVE NO LATER THAN APRIL 30, 2010, AND FOR THOSE ITEMS SPECIFICALLY STATING A LATER START DATE, TO BE EFFECTIVE NO LATER THAN STATED IMPLEMENTATION DATE, SUBJECT TO COMPLETION OF THE MEET AND CONFER PROCESS

RESOLUTION NO. 27600 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY

OF SANTA ROSA AMENDING THE CITY CLASSIFICATION AND SALARY PLAN BY ELIMINATING, RECLASSIFYING OR ADDING CERTAIN GENERAL FUND POSITIONS, AND AUTHORIZING THE CITY MANAGER TO IMPLEMENT THESE CHANGES SUBJECT TO COMPLETION OF THE MEET AND CONFER PROCESS

11. REPORT ITEMS

11.1 REPORT -- MAPLE AVENUE SURPLUS PROPERTY SALE [5:46:54 PM](#)

Josh Maresca, Right-of-Way Agent, made the staff presentation for the sale of surplus property on Maple Avenue. The City had received a number of parcels from CalTrans after the construction of Highway 12 east of Highway 101. Most of the parcels had been sold to adjoining property owners as surplus property, the last transaction occurring in 2001. There had been some interest expressed by adjoining property owners to extend fence lines to the back of the sidewalk at Maple Avenue. The two subject properties were the last remaining parcels left on Maple Avenue and staff recommended that the Council declare these parcels undevelopable and surplus and authorize staff to sell them in accordance with Council Policy 000-10. He noted one triangular parcel may be of interest as a park, but that sale of the parcels would benefit the City as cleanup and maintenance would no longer be the City's responsibility.

In response to a question by Vice Mayor Wysocky, Mr. Maresca said there was potential for an art installation on the triangular parcel near the freeway.

MOVED by Councilmember Sawyer, seconded by Councilmember Olivares, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.1 as follows:

RESOLUTION NO. 27601 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE SALE OF SURPLUS PROPERTY AT 750 OAK STREET IDENTIFIED AS APN 009-321-044 AND 0 MAPLE AVENUE IDENTIFIED AS APN 009-321-051

11.2 REPORT -- TRANSIT MALL RELOCATION AND DETOUR PLAN [5:53:41 PM](#)

Jason Parrish, Administrative Services Officer – Transit, made the staff presentation for the temporary relocation of the Transit Mall and the related detour plan. The Transit Department is finalizing the design portion of the Transit Mall Revitalization Project, which is expected to take 12

to 16 weeks to construct and require closure of the Transit Mall, requiring a temporary relocation during construction. First Street between Santa Rosa Avenue and D Street had been evaluated for the recommended site of relocation, and staff was recommending approval for this site relocation as well as installation of a temporary mid-block crosswalk on First Street during the relocation and construction and closure of that portion of First Street to all non-transit vehicular traffic except emergency vehicles.

PUBLIC COMMENT

Duane DeWitt spoke in support and requested bike lockers.

MOVED by Councilmember Olivares, seconded by Vice Mayor Wysocky, carried unanimously, to adopt the motion in item 11.2 as follows:

MOTION: APPROVING THE RELOCATION OF THE TRANSIT MALL TO FIRST STREET BETWEEN D STREET AND SANTA ROSA AVENUE DURING CONSTRUCTION OF THE TRANSIT MALL REVITALIZATION PROJECT, ALLOWING CLOSURE OF THAT PORTION OF THE STREET TO ALL TRAFFIC EXCEPT PUBLIC TRANSIT AND EMERGENCY SERVICES VEHICLES.

MOVED by Councilmember Olivares, seconded by Councilmember Bender, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.2 as follows:

RESOLUTION NO. 27602 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE INSTALLATION OF A MID-BLOCK CROSSWALK ON FIRST STREET, APPROXIMATELY 175 FEET EAST OF SANTA ROSA AVENUE, DURING THE DURATION OF CONSTRUCTION FOR THE TRANSIT MALL REVITALIZATION PROJECT

11.3 REPORT – REVISION TO CHAPTER 11-08 OF THE CITY CODE RELATING TO STAFF DELEGATIONS [6:12:17 PM](#)

Rick Moshier, Director of Public Works, made the staff presentation. He explained the proposed revisions were needed as a result of the recently vacated Deputy Director – Traffic which remaining unfilled, so those duties set forth in Chapter 11-08 of the City Code must be reassigned. He presented the revisions to the chapter making changes to the delegated authorities of the City Traffic Engineer and allowing the City Manager to assign the City Traffic Engineer function to an appropriate staff member. In addition, the ordinance establishes a

City Parking Manager function to be assigned by the Director of Economic Development and Housing to manage the City’s urban parking activities.

PUBLIC COMMENT

Jack Osborne asked for and received clarification on the appropriate to function as a traffic engineer.

MOVED by Councilmember Bender, seconded by Councilmember Vas Dupre, carried 6-0-1 (Councilmember Sawyer absent) to introduce and waive reading of the text of the ordinance in item 11.3 as follows:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING STAFF DELEGATIONS IDENTIFIED IN CHAPTER 11-08 OF THE SANTA ROSA CITY CODE

Mayor Gorin reordered the agenda as follows:

11.6 PUBLIC HEARING – REZONING 1846 AND 1865 MEDA AVE – VISTAS AT KAWANA SPRINGS [6:20:28 PM](#)

Erin Morris, Senior Planner, made the staff presentation. On February 11, 2010, the Planning Commission adopted resolutions (5-1-0) recommending adoption of a Mitigated Negative Declaration and Rezoning of the site located at 1846 and 1865 Meda Avenue from the PD Planned Development district to the R-1-6 Single Family Residential district. The Planning Commission also approved a Tentative Map, Hillside Development Permit, Conditional Use Permit, and Zoning Variance to subdivide the 10 acre parcel to allow development of 95 single family attached and detached homes. The proposed zoning was consistent with the site’s Medium Low Density Residential General Plan designation. The Planning Commission and the Community Development Department recommended adoption of the Mitigated Negative Declaration for the Vistas at Kawana Springs project at 1846 and 1865 Meda Avenue, and rezoning of the site to the R-1-6 Single Family Residential district.

PUBLIC HEARING [6:28:48 PM](#)

Bruce Aspinall, planning consultant for the applicant, briefly described the proposed rezoning to the R-1 district which is consistent with the General Plan, noting it is a medium low density designation in a developing neighborhood. He also discussed the initial proposal and design changes resulting from the Planning Commission’s review.

Sean Faber, project architect, reviewed the project design and features of the site plan, the townhouses and single family homes and custom architectural features. He described how the design efforts had prioritized saving trees and utilizing the tree cover on the site. He also spoke of the green features including situating the dwellings to maximum solar benefit as well as construction and appliances for energy efficiency. He noted the street design incorporated traffic calming.

Doug Spiker, WRA Inc., the biological consultant on the project, estimated that the wetlands mitigation measures for the project probably exceeded standards as the construction and mitigation ratio was two to one, with mitigation in a very desirable location next to Colgan Creek. He said the wetland swale goes into an existing culvert.

Marty Goldsbrough, LDSI Civil Engineers, explained the location of the existing storm drain discharge into a 60-inch storm drain, and described the routing of the storm drain discharge with rain gardens built into the plan.

Jack Osborne objected to approving any new projects as the City presently had enough projects approved and permitted to expand the City by 10% despite the lack of available water or sewer capacity for an additional 10% build-out. He also stated there wasn't sufficient economic base for further growth.

Duane DeWitt concurred with Mr. Osborne, and also objected to the loss of trees.

Hearing no further testimony, Mayor Gorin closed the public hearing at [6:56:54 PM](#)

MOVED by Councilmember Vas Dupre, seconded by Councilmember Sawyer, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.6 as follows:

RESOLUTION NO. 27603 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE VISTAS AT KAWANA SPRINGS PROJECT LOCATED AT 1846 AND 1865 MEDA AVENUE – ASSESSOR'S PARCEL NUMBERS 044-031-046 AND 044-032-004; FILE NO. MJP08-020

MOVED by Councilmember Vas Dupre, seconded by Councilmember Jacobi, carried unanimously, to introduce and waive reading of the ordinance in item 11.6 as follows:

ORDINANCE ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE – RECLASSIFICATION OF PROPERTY LOCATED AT 1846 AND 1865 MEDA AVENUE TO THE R-1-6 SINGLE FAMILY RESIDENTIAL DISTRICT – FILE NUMBER REZ08-025

11.4 REPORT -- PROPOSITION 16: THE CALIFORNIA TAXPAYERS RIGHT TO VOTE ACT [6:59:02 PM](#)

Pat Fruht, Assistant to the City Manager, made the staff presentation. Proposition 16, originally named the "Taxpayers Right to Vote Act" and presently known as the "New Two-Thirds Vote Requirement For Local Public Electricity Providers" recently qualified for the June ballot. The proposition would require cities and counties who are interested in forming their own electric utility or participate in the Community Choice Aggregators (CCA) to require a 2/3 voter approval prior to implementation, rather than a simple majority. Staff recommended passage of a resolution opposing Measure 16.

PUBLIC COMMENT [7:01:54 PM](#)

Woody Hastings, Sebastopol, spoke in support encouraged a strong resolution in opposition to prop 16 and also announced a forum to be held the next evening regarding Prop 16.

Mike Sandler, co-founder of the Climate Protection Campaign, urged support and spoke of the benefits of Community Choice Aggregation.

Ann Hancock, Climate Protection Campaign from climate protection campaign also spoke in support.

Kay Tokerud opposed the proposed resolution, stating support for Prop 16.

Duane DeWitt commented on PG&E's financial ability to sponsor this when almost ten years ago it was bankrupt.

Jack Osborne supported the 2/3 approval requirement.

Steve Birdlebaugh, Sierra Club, supported the staff recommendation.

Colleen Fernald supported the resolution.

MOVED by Councilmember Sawyer, seconded by Vice Mayor Wysocky, carried unanimously, to adopt and waive reading of the text of the resolution in item 11.4 as follows:

RESOLUTION NO. 27604 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY

OF SANTA ROSA OPPOSING THE PROPOSED CALIFORNIA CONSTITUTIONAL AMENDMENT BALLOT MEASURE REFERRED TO AS THE "TAXPAYERS RIGHT TO VOTE ACT"

11.5 REPORT – CLEAR ACT – SUPPORTING CARBON LIMITS AND ENERGY FOR AMERICA'S RENEWAL [7:21:02 PM](#)

Pat Friht, Assistant to the City Manager, made the staff presentation. In December 2009, Senator Cantwell introduced the CLEAR Act which would cap the emissions of greenhouse gases in 2012 by requiring oil, coal and natural gas companies to purchase monthly permits that would allow them to sell their fuels. Seventy-five percent of the money from the permits would be returned to the public every month in the form of a dividend check and the remainder would go towards renewable energy studies and conservation programs. She recommended support and authorization of the Mayor to send a letter of support to members of Congress.

PUBLIC COMMENT [7:29:26 PM](#)

Mike Sandler, Climate Protection Campaign, spoke in support.

Ann Hancock, Climate Protection Campaign, also spoke in support.

Kay Tokerud recommended a more clear understanding before acting.

Duane DeWitt supported what was being said about carbon emissions and providing a dividend to the community.

Jack Osborne objected as the cost would just be passed through to the public.

Colleen Fernald said she wished everyone would listen to all sides.

Steve Birdlebaugh also spoke in support.

John Jenkel was neither for nor against.

MOVED by Councilmember Jacobi, seconded by Vice Mayor Wysocky, carried unanimously, to adopt the motion in item 11.5 as follows:

MOTION: SUPPORTING THE CLEAR ACT AND AUTHORIZING THE MAYOR TO SEND A LETTER OF SUPPORT TO OUR MEMBERS OF CONGRESS

12. PUBLIC COMMENTS ON NON-AGENDA MATTERS [7:57:06 PM](#)

The following people made comments concerning items not listed on the agenda:

Wayne Clarke suggested a town hall meeting on school sports and asked that the proposed Sonoma Market Hall at the fairgrounds that competes with the Railroad Square project not be approved.

Anne Seeley, announced the Fourth Annual Electric Aircraft Symposium to be held at the Doubletree on April 23 and 24.

Rachel Bell read about a court case against John Jenkel.

Callie Bell read about court case against John Jenkel.

Duane DeWitt, spoke about downtown planning.

John Jenkel, wanted an agenda item on constitutional wars and spoke out against corruption.

Colleen Fernald spoke against war.

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) [8:18:14 PM](#)

13.1 LETTER OF INTEREST TO LAFCO APPOINTMENT [8:18:28 PM](#)

MOVED by Councilmember Jacobi, seconded by Vice Mayor Wysocky, carried unanimously, to nominate Pam Stafford to serve on LAFCO.

13.2 LETTER OF INTEREST - LAFCO APPOINTMENT

13.3 LETTER OF INTEREST - APPOINTMENT TO THE AIRPORT LAND USE COMMISSION [8:18:58 PM](#)

MOVED by Councilmember Bender, seconded by Councilmember Vas Dupre, carried unanimously, to nominate Councilmember Sawyer to serve on the Airport Land Use Commission.

Mayor Gorin reordered the agenda as follows:

14.1 BUSINESS IMPROVEMENT ASSESSMENT DISTRICT [8:19:35 PM](#)

Requested the Council consider formation of a Business Improvement District in lieu of levying an increase in the transient occupancy tax to fund services including the Convention and Visitors Bureau (CVB).

Keo Hornbostel, General Manager of the Hyatt Vineyard Creek, requested the Council bring this item forward for consideration, noting the benefit to the City through economic stimulus and allowing the City to stop funding the CVB. He said this would help the tourism industry as well as the City.

MOVED by Councilmember Bender, seconded by Councilmember Sawyer, carried unanimously, to direct staff to bring this forward as a report item before Council for further consideration.

14. MAYOR'S/COUNCILMEMBERS' REPORTS

[8:28:20 PM](#)

Councilmember Jacobi announced her appointment of Mark Perry to the Design Review Board.

The Mayor and members of the Council made further announcements and reports of interest to the Council.

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

The City Manager and City Attorney made further announcements and reports of interest to the Council.

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

18. ADJOURNMENT OF MEETING [8:39:02 PM](#)

Hearing no further business, Mayor Gorin adjourned the meeting at 8:39 p.m. in the memory of former Mayor Gerry Poznanovich. The next regularly scheduled meeting will take place on April 6, 2010, at a time to be set by the Mayor.

Approved on April 13, 2010:

Susan Stoneman
City Clerk