

**SANTA ROSA CITY COUNCIL MEETING MINUTES  
TUESDAY, JULY 13, 2010  
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE  
REGULAR MEETING**

Mayor Gorin participated via teleconference from 13165 Falcon Point Road, Truckee, California, at a location which was publicly accessible.

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

**1. CALL TO ORDER AND ROLL CALL**

Vice Mayor Wysocky called the meeting to order at 3:00 p.m. Councilmembers present: Vice Mayor Wysocky, Councilmembers Bender, Sawyer, Jacobi, Vas Dupre and Olivares. Mayor Gorin participated via telephone from the location noted above.

**2. STUDY SESSION – NONE [4:17:21 PM](#)**

**3. ANNOUNCEMENT OF CLOSED SESSION ITEM(S) AND ADJOURNMENT TO CLOSED SESSION(S) IN MAYOR'S CONFERENCE ROOM (ROOM 10, CITY HALL)**

**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 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).

**3.2 PUBLIC EMPLOYEE APPOINTMENT**

(Government Code Section 54957)

Title: City Manager

**3.3 CONFERENCE WITH LABOR NEGOTIATORS**

Agency Designated Representative: Mayor Susan Gorin.

Unrepresented Employee: City Manager

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

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

**4. ANNOUNCEMENT OF ROLL CALL**

Councilmembers were present as noted above. Councilmember Gorin was absent, but participated telephonically for item 11.2.

**5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) [4:17:33 PM](#)**

City Attorney Caroline Fowler reported that the Council had met to discuss Item 3.1 as listed on the agenda and there were no actions taken or announcements to be made. Mayor Gorin had participated via telephone, and no other closed session items had been taken up.

**6. PROCLAMATIONS/PRESENTATIONS**

**6.1 PROCLAMATION –PARKS AND RECREATION MONTH [4:18:17 PM](#)**

Councilmember Jacobi presented the Proclamation for Parks and Recreation Month which was accepted by Don Hicks, Recreation Supervisor with the Recreation and Parks Department.

**7. STAFF BRIEFINGS -- NONE**

**8. APPROVAL OF MINUTES – NONE**

**9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**

There were no statements of abstention made.

**10. CONSENT ITEMS [4:25:46 PM](#)**

**PUBLIC COMMENT**

Jack Osborne, objected to the waiver of competitive bidding on the janitorial services

July 13, 2010  
Regular Meeting Minutes

contract, despite the 10% cost reduction, particularly given it is a Richmond firm rather than a local firm.

Damian Finley also requested that the janitorial services contract be put out for competitive bid given that changes in the economy in the past five years may yield savings, and he also preferred a local firm.

Item 10.2 was pulled from the consent agenda for further discussion.

MOVED by Councilmember Jacobi, seconded by Councilmember Bender, carried 6-0-1 (Mayor Gorin absent), to adopt and waive reading of the text of the resolution in items 10.1, 10.3 and 10.4 as follows:

**10.1 RESOLUTION -- ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 721 MCDONALD AVENUE**

**RESOLUTION NO. 27674 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE AMOUNT OF A SPECIAL ASSESSMENT, CONFIRMING AND ORDERING THE RECOVERY OF PENALTIES AND COSTS ASSESSED AND IMPOSED BY THE ADMINISTRATIVE HEARING OFFICER FOR VIOLATIONS OF CITY CODE PROVISIONS OCCURRING ON THE PROPERTY AT 721 MCDONALD AVENUE, SANTA ROSA, A.P.N. 180-810-032, AND ORDERING THE ASSESSMENT BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR

**10.3 RESOLUTION -- ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 3642 BELLAGIO COURT**

**RESOLUTION NO. 27675 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA CONFIRMING THE AMOUNT OF A SPECIAL ASSESSMENT, CONFIRMING AND ORDERING THE RECOVERY OF PENALTIES AND COSTS ASSESSED AND IMPOSED BY THE ADMINISTRATIVE HEARING OFFICER FOR VIOLATIONS OF CITY CODE PROVISIONS OCCURRING ON THE PROPERTY AT 3642 BELLAGIO COURT, SANTA ROSA, A.P.N. 173-430-023, AND ORDERING THE ASSESSMENT BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR

**10.4 RESOLUTION -- ACCEPTANCE OF THE**

**2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

**RESOLUTION NO. 27676 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE ACCEPTANCE OF THE 2010 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM

**10.2 RESOLUTION -- CONTRACT EXTENSION - JANITORIAL SERVICES [4:33:02 PM](#)**

Council discussion ensued, with it being noted that the current contractor has performed quality services to city standards with few performance issues, noting the cost of going out to bid and the efficiency of continuity of service. Councilmember Sawyer stated he would prefer to go to bid again after at the conclusion of the contract extension. Staff responded that the current contractor had performed to high standards, unlike previous contractors, which has reduced demands on staff time, and that despite the firm being headquartered in Richmond the workers were local residents. Vice Mayor Wysocky stated he would be voting against the item due to the length of time since going out to bid and because it is not a local company and Councilmember Jacobi stated she would also not support it at this time. Councilmember Olivares stated support based on the firm's performance history and because they are employing local residents but that the City does need to look at future cost savings through a future bid; Councilmember Sawyer concurred; Councilmember Vas Dupre asked for information on the number of local employees; Councilmember Bender stated support due to the impact of going out to bid when the city is short staffed after layoffs.

MOVED by Councilmember Olivares, seconded by Councilmember Sawyer, carried 4-2-1 (Councilmember Jacobi and Vice Mayor Wysocky voting NO; Mayor Gorin absent), to adopt and waive reading of the text of the resolution in item 10.2 as follows:

**RESOLUTION NO. 27677 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA WAIVING COMPETITIVE BIDDING AND, ON A SOLE SOURCE BASIS, EXTENDING CONTRACT NO. 05-8222 FOR JANITORIAL SERVICES WITH UNIVERSAL BUILDING SERVICES COMPANY, INC., RICHMOND, CALIFORNIA, WITH A 10% REDUCTION IN CONTRACT UNIT PRICES FOR

A TWO-YEAR PERIOD IN THE TOTAL AMOUNT OF \$599,582

Vice Mayor Wysocky reordered the agenda as follows:

**12. PUBLIC COMMENTS ON NON-AGENDA MATTERS** [4:43:56 PM](#)

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

Jack Osborne was concerned that Item 10.2 had come at the last minute, after the expiration of the existing contract, precluding the Council from taking action to go to bid. He also objected to the lack of public input on the selection of the City Manager.

Anne Seeley noted the importance of the City's pools and called attention to the opportunity the public has to donate to the city's aquatics program by going to the city's website.

Isabella Licursi requested that bike lanes not be placed on Sonoma Avenue as it would prohibit parking for residents on Sonoma Avenue.

Dorothy Friberg requested that the labor be more equitably distributed between City staff and Senior Center staff at events such as the Senior Picnic just held at Howarth Park, saying that the senior center staff had done all the work for the picnic.

**14. MAYOR'S/COUNCILMEMBERS' REPORTS** [4:56:39 PM](#)

Councilmember Sawyer reported on the Sonoma County Transportation Authority (SCTA) and Regional Climate Protection Authority (RCPA) meetings, saying they had voted to send a letter of support to the Governor regarding the plastic bag ban and paper bag fee. He said there was a majority concern regarding the role of the RCPA reviewing projects similar to a Planning Commission which was outside the scope of powers for the authority when formed.

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

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

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

**11.1 PUBLIC HEARING – STONY POINT ROAD UNDERGROUND UTILITY DISTRICT NO. 3** [5:01:14 PM](#)

James Cameron, Supervising Engineer, introduced the other members of the project team: Lori Urbanek, Associate Civil Engineer, and Cindy Mikelson, PG&E. PG&E's Rule 20A Program provided funds in the form of credits from PG&E to underground their utilities in districts as designated by the Council. Each year the City of accumulates approximately \$800,000 in credits toward this program to improve the safety and aesthetics in areas of high use by the community. The City had accrued \$8,762,000 in Rule 20A fund credits to date. The proposed Stony Point Road Underground Utility District No. 3 would utilize approximately \$4,764,000 credits to underground the overhead PG&E electrical, AT&T and Comcast communication lines and remove the utility distribution poles within the proposed district boundary, leaving approximately \$4 million available for future projects. As part of the road widening project, the overhead high power transmission poles and lines will be relocated and will remain overhead, as undergrounding these lines is cost prohibitive. Staff recommended establishing the Stony Point Road Underground Utility District No. 3 between Sebastopol Road and approximately 800 feet south of Hearn Avenue.

In response to a question by Councilmember Jacobi regarding Smart Meters, Ms. Mikelson stated that Smart Meter technology would be built into the infrastructure within the project, but that underground systems have no bearing on Smart Meters.

**PUBLIC HEARING** [5:11:37 PM](#)

Angela Mathews asked for and received clarification on service impacts during construction and whether the same considerations for Phase I would be in place during this project.

Hearing no further testimony, Vice Mayor Wysocky closed the public hearing at [5:16:47 PM](#).

MOVED by Councilmember Olivares, seconded by Councilmember Sawyer, carried 6-0-1 (Mayor Gorin absent) to adopt and waive reading of the text of the resolution in item 11.1 as follows:

**RESOLUTION NO. 27678 ENTITLED:**  
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING THE STONY POINT ROAD UNDERGROUND UTILITY DISTRICT NO. 3

Vice Mayor Wysocky recessed the meeting from 5:17 until 5:25 p.m. Upon reconvening the meeting, all members of the Council were present, including Mayor Gorin who participated via telephone.

**11.2 PUBLIC HEARING -- AGGRESSIVE ADDITIONS TO THE ECONOMIC SUSTAINABILITY PLAN – ZONING CODE AMENDMENTS [5:25:28 PM](#)**

Community Development Director Chuck Regalia introduced the item, requesting Council direction on the proposed changes to zoning code development regulations designed to foster a climate of economic sustainability in Santa Rosa. Upon Council review and direction, staff will return with a proposed ordinance incorporating those directives. He noted the changes would be implemented over a three- to five-year period.

Mr. Regalia provided background information. On May 4, 2010 the Council reviewed the aggressive augments to the Economic Sustainability Work Plan prepared by the Economic Development and Community Development departments. At the conclusion of that review, the Council, by resolution, adopted the Economic Sustainability Work Plan and directed that the necessary ordinance regarding amendments to Title 20 (Zoning) of the City Code be scheduled for public hearing and consideration by the Planning Commission before bringing it back to the Council for final decision.

In collaboration with Economic Development, Community Development staff originally prepared 17 potential changes to development-related regulations for consideration by the Council. Subsequent to the May 4 presentation to Council, Economic Development and Community Development staff members developed eight additional aggressive augments, for a combined total of 25 changes.

On June 10, 2010, after conducting a public hearing, the Planning Commission supported all recommendations except Item 9 as listed in the staff report. The Planning Commission found that restaurants with incidental bars should be permitted by right in the Core Area only, and not city-wide.

On June 17, 2010 the Design Review Board considered the report, and supported all recommendations except Items 17, 18 and 19 as written. The Board wished to add criteria upon

which Board review would be triggered (17), did not support delegation of final design review to staff (18), and did not support the allowance of freeway oriented signs (19).

Mr. Regalia provided and outlined each of the 25 proposed changes.

**PUBLIC HEARING [6:36:29 PM](#)**

Anne Seeley stated her support for the changes which would help builders who had been hard-hit by the economy, but echoed the Design Review Board's objection to automatic delegation to staff of reviews dealing with substantive design review. She also had concerns about freeway oriented signs, suggesting a sign policy as part of these changes. She also supported the City-initiated rezonings.

Doug Hilberman, representing the Construction Coalition who had submitted a letter, thanked Mr. Regalia and his staff on the good collaborative process used to formulate this list, and applauded the inclusion of the deferred impact fees. He asked for support on expanding the over-the-counter tenant improvement process for minor modifications in order to help facility timely move-ins for tenants.

Dorothy Friberg spoke in support of keeping the senior center as a senior center, rather than an art center, in the redevelopment plan.

Peter Tcherneff spoke regarding various unrelated topics.

Hearing no further business, Vice Mayor Wysocky closed the public hearing at [6:47:05 PM](#).

Council discussion centered on the Design Review process, freeway signage, restaurant restrictions and new car dealerships. The consensus was to leave freeway signage language as drafted; allow restaurants as a matter of right citywide; to allow the Design Review Board to delegate final design review to the Community Development Director following preliminary Design Review Board approval; and to allow the current new auto dealership process to go forward as proposed by the Design Review Board with an evaluation after six months.

MOVED by Councilmember Bender, seconded by Councilmember Sawyer, carried unanimously, to introduce and waive reading of the text of the ordinance in item 11.2, as amended, as follows:

**ORDINANCE ENTITLED:** ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADDING NEW SECTION 18-12.050 AND NEW CHAPTER 20-15 TO TITLE 20 ZONING ADOPTING AGGRESSIVE ECONOMIC DEVELOPMENT MEASURES TO THE CITY CODE

**12. PUBLIC COMMENTS ON NON-AGENDA MATTERS [7:03:49 PM](#)**

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

Carol Ann Daniel had concerns about Summerfield Road speed limits which go up to 40 mph just before they hit the school zone, suggesting a consistent 35 mph instead. She thanked Parks for keeping the gate at Dan Galvin Park closed and asked that some light be provided for the security of softball players after the field lights are turned off. She also requested the hours of operation at city facilities be posted on the local government access cable channel, including the Bennett Valley Senior Center.

Peter Tcherneff spoke about keeping the janitorial contract local.

John Jenkel spoke against war.

Mikhaila Rubke spoke regarding a court case involving John Jenkel.

Wylie Emmert spoke about his life experiences.

Colleen Fernald spoke against war.

**13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION) -- NONE**

**13.1 LOCAL GOVERNMENT COMMISSION REPORTS – MAY 2010**

**13.2 LIVABLE PLACES UPDATE – MAY 2010**

**16. [IF NEEDED] – ANNOUNCEMENT OF ADDITIONAL CLOSED SESSION ITEM(S), ADJOURNMENT TO CLOSED SESSION(S), RECONVENEMENT TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY [7:26:11 PM](#)**

The Council adjourned to closed session at 7:26 p.m. with all seven council members present to discuss items 3.2 through 3.4 as listed on the agenda.

At 8:45 p.m. City Attorney Fowler announced in open session that no action had been taken and there were no announcements to be made.

**17. ADJOURNMENT OF MEETING**

Hearing no further business, Mayor Gorin adjourned the meeting at 8:45 p.m. The next regularly scheduled meeting will take place on July 20, 2010, at a time to be set by the Mayor.

Approved on: August 17, 2010

---

Susan Stoneman  
City Clerk