

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, NOVEMBER 9, 2010
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**2:30 P.M. (MAYORS CONFERENCE ROOM,
ROOM 10)**

1. CALL TO ORDER AND ROLL CALL

Vice Mayor Wysocky called the meeting to order at 2:30 p.m. Councilmembers present: Vice Mayor Wysocky, Councilmembers Bender, Sawyer, Jacobi, Vas Dupre and Olivares. Mayor Gorin absent.

2. STUDY SESSION

**2.1 2010 URBAN WATER MANAGEMENT
PLAN UPDATE**

**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**

Prior to adjournment into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session.

**3.1 CONFERENCE WITH LABOR
NEGOTIATORS**

Agency Designated Representatives: Fran Elm, Human Resources Director, Chris Sliz, Employee Relations Manager and Pat Thompson, Interim Assistant City 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 CONFERENCE WITH LEGAL COUNSEL -
EXISTING LITIGATION**

(Subdivision (a) of Government Code section 54956.9)
Name of case: Country Mobile Home Investments v. City of Santa Rosa, et al., Sonoma County Superior Court Case No. SVC 247980

**3.3 CONFERENCE WITH LEGAL COUNSEL -
ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b)(1) of Government Code section 54956.9. One potential case.

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

**4. ANNOUNCEMENT OF ROLL CALL [4:00:56
PM](#)**

Councilmembers were present as noted above.

**5. REPORT, IF ANY, ON STUDY AND
CLOSED SESSION(S) [4:01:22 PM](#)**

City Manager Millison reported that the Council had met in study session to discuss the 2010 Urban Water Management Plan.

City Attorney Fowler announced that the Council had met in Closed Session on Items 3.1, 3.2 and 3.3 as listed on the agenda and that there had been no action taken and there were no announcements to be made.

6. PROCLAMATIONS/PRESENTATIONS

**6.1 PROCLAMATION –RECOGNIZING
LANDPATHS FOR CONTRIBUTIONS TO
OUR COMMUNITY**

7. STAFF BRIEFINGS - NONE

8. APPROVAL OF MINUTES – NONE

**9. STATEMENTS OF ABSTENTION BY
COUNCILMEMBERS**

Vice Mayor Wysocky stated he would abstain from item 10.3.

10. CONSENT ITEMS [4:07:22 PM](#)

PUBLIC COMMENT

Dewey Nelson spoke in support of item 10.1.

MOVED by Councilmember Vas Dupre, seconded by Councilmember Bender, carried 6-0-1 (Mayor Gorin absent), to adopt waive reading of the text of the resolutions in items 10.1 and 10.2 as follows:

10.1 RESOLUTION -- INSTALLATION OF A SPEED TABLE ON THOMAS LAKE HARRIS DRIVE AT STONEFIELD LANE (NORTH INTERSECTION)

RESOLUTION NO. 27758 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO INSTALL A SPEED TABLE ON THOMAS LAKE HARRIS DRIVE AT STONEFIELD LANE (NORTH INTERSECTION)

10.2 RESOLUTION -- ELNOKA VILLAGE ENVIRONMENTAL IMPACT REPORT CONTRACT AMENDMENT NO. 2

RESOLUTION NO. 27759 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A SECOND AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL SERVICES WITH MICHAEL BRANDMAN ASSOCIATES FOR PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT AND RELATED SERVICES FOR THE ELNOKA VILLAGE PROJECT, AND AUTHORIZING THE DEPARTMENT OF COMMUNITY DEVELOPMENT TO DEPOSIT THE ADMINISTRATIVE FEES COLLECTED FOR THE MANAGEMENT OF THE ELNOKA VILLAGE ENVIRONMENTAL IMPACT REPORT INTO THE DEPARTMENT'S BUDGET, FOR THE PROJECT LOCATED AT 6160 SONOMA HIGHWAY (APN: 031-050-062, 031-050-071, 031-050-072, 031-050-014); FILE NO. MJP08-013

MOVED by Councilmember Vas Dupre, seconded by Councilmember Bender, carried 5-1-1 (Vice Mayor Wysocky abstaining and Mayor Gorin absent), to adopt waive reading of the text of the resolution in item 10.3 as follows:

10.3 RESOLUTION -- ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 1274 MATANZAS WAY

RESOLUTION NO. 27760 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 1274 MATANZAS WAY, SANTA ROSA, A.P.N. 014-023-012, AND ORDERING THE ASSESSMENT BE COLLECTED ON THE TAX ROLL BY THE SONOMA COUNTY TAX COLLECTOR

11. REPORT ITEMS

11.1 REPORT -- REQUEST TO APPROVE THE RELEASE OF THE HOUSING ALLOCATION PLAN (HAP) CONTRACT FOR THE WOODBRIDGE SUBDIVISION TO ACCOMMODATE THE SHORT SALE OF CALIFORNIA HOUSING FINANCE AGENCY (CALHFA) FINANCED UNITS
[4:10:57 PM](#)

PUBLIC COMMENT

Jack Osborne, spoke in opposition to this item.

Karen Maxwell - Mega Real Estate, appeared as the agent representing both of the short sale homeowners and introduced one of the homeowners, Jose. She explained that both families have expended great effort over the last eight months in attempting to save their homes.

Jose shared the difficulty his family has experienced and asked Council to approve this item.

MOVED by Councilmember Sawyer, seconded by Councilmember Jacobi, 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. 27761 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE RELEASE OF THE HOUSING ALLOCATION PLAN (HAP) CONTRACT FOR THE WOODBRIDGE SUBDIVISION TO ACCOMMODATE THE SHORT SALE OF CALIFORNIA HOUSING FINANCE AGENCY (CALHFA) FINANCED UNITS

Vice Mayor Wysocky reordered the agenda as follows:

13. MAYOR'S/COUNCILMEMBERS' REPORTS
[4:25:25 PM](#)

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

14. CITY MANAGER'S/CITY ATTORNEY'S REPORTS [4:41:31 PM](#)

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

Vice Mayor Wysocky recessed the meeting from 4:44 p.m. until 5:02 p.m.

12. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

12.1 BOARDS AND COMMISSIONS QUARTERLY ATTENDANCE REPORTS

12.2 LIVEABLE PLACES UPDATE - SEPTEMBER 2010

12.3 LOCAL GOVERNMENT COMMISSION REPORTS - SEPTEMBER 2010

15. [IF NEEDED] – ANNOUNCEMENT OF ADDITIONAL CLOSED SESSION ITEM(S), ADJOURNMENT TO CLOSED SESSION(S), RECONVENEMENT TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY

16. PUBLIC COMMENTS ON NON-AGENDA MATTERS

5:00 PM

11.2 PUBLIC HEARING – MITIGATED NEGATIVE DECLARATION - SANTA ROSA CREEK TRAIL DUTTON AVENUE ACCESS PROJECT – 330 HEWETT STREET [5:02:56 PM](#)

PUBLIC HEARING

Hearing no further testimony, Vice Mayor Wysocky closed the public hearing at 5:08 p.m.

MOVED by Councilmember Jacobi, seconded by Councilmember Olivares, carried 6-0-1 (Mayor Gorin absent) to adopt and waive reading of the text of the resolution in item 11.2 as follows:

RESOLUTION NO. 27762 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING A MITIGATED NEGATIVE DECLARATION FOR

THE SANTA ROSA CREEK TRAIL DUTTON AVENUE ACCESS PROJECT

11.3 PUBLIC HEARING – VEHICLES AND TRAFFIC CODE REVISION - COMMERCIAL LOADING ZONE PERMIT AND PERMIT FEE [5:09:09 PM](#)

PUBLIC HEARING

Brian Anderson spoke in favor of this item.

Hearing no further testimony, Vice Mayor Wysocky closed the public hearing at 5:17 p.m.

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

ORDINANCE NO. 3959 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SECTION 11-20.020 OF THE SANTA ROSA CITY CODE, REVISING YELLOW ZONE RESTRICTIONS

MOVED by Councilmember Jacobi, seconded by Councilmember Olivares, carried 6-0-1 (Mayor Gorin absent) to adopt and waive reading of the text of the resolution in item 11.3 as follows:

RESOLUTION NO. 27763 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A COMMERCIAL LOADING ZONE PERMIT PILOT PROGRAM AND PERMIT FEE FOR CALENDAR YEAR 2011

****11.4 PUBLIC HEARING -- COUNTRY MOBILE HOME PARK CONVERSION APPEAL - 1180 FULTON ROAD [5:19:36 PM](#)**

PUBLIC HEARING

The following spoke in opposition to this item:

Roger McConnell, Richard Root, Barbara Wilson, Bill Sleeth, Larry Martin, Dawn Wright, Phillip Dion, Jean Warnes, Jim McKinley, Helen Eisenstark, Michael L. Roman, Chris Snyder, Audrey McDonald, Suzanne Angeo, Len Carlson, Bob Fleak, John Jenkel and Edna Droegemeyer.

Will Constantine spoke in support of this item.

Hearing no further testimony, Vice Mayor Wysocky closed the public hearing at 6:39 p.m.

MOVED by Councilmember Olivares, seconded by Councilmember Jacobi, carried 6-0-1 (Mayor Gorin

absent) to adopt and waive reading of the text of the resolution in item 11.4 as follows:

RESOLUTION NO. 27764 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY
OF SANTA ROSA DENYING THE COUNTRY
MOBILE HOME PARK CONVERSION
TENTATIVE MAP LOCATED AT 1180 FULTON
ROAD - FILE NUMBER MAJ06-046

17. ADJOURNMENT OF MEETING

Hearing no further business, Vice Mayor Wysocky adjourned the meeting in honor of Veterans at 6:48 p.m. The next regularly scheduled meeting will take place on November 16, 2010, at a time to be set by the Mayor.

Approved on: December 7, 2010

Gayle Petersen
Acting City Clerk