

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

**2:45 P.M. (MAYORS CONFERENCE ROOM,
ROOM 10)**

1. CALL TO ORDER AND ROLL CALL

Mayor Gorin called the meeting to order at 4:03 p.m. Councilmembers present: Mayor Gorin, Vice Mayor Wysocky, Councilmembers Bender, Jacobi, Vas Dupre, Olivares, and Sawyer. Teen Councilmember Alison Berk was present.

2. INTERVIEWS FOR THE PERSONNEL BOARD

The Council interviewed four applicants for two vacancies on the Personnel Board.

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

3.1 CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: 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).

PUBLIC COMMENT

Jack Osborne spoke on the lack of detail regarding specific employees' names under Conference with Labor Negotiators for the Closed Session.

3.2 ADJOURN CLOSED SESSION(S) AND CONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER @ 4:00

**4. ANNOUNCEMENT OF ROLL [4:03:55](#)
[PM](#)CALL**

Councilmembers were present as noted above.

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) – There was no report.

**6. PROCLAMATIONS/PRESENTATIONS
[4:07:07 PM](#)**

6.1 IFAS TEAM RECOGNITION

Brian Tickner and IFAS Team accepted the proclamation.

7. STAFF BRIEFINGS - NONE

8. APPROVAL OF MINUTES – NONE

9. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

10. CONSENT ITEMS [4:14:42 PM](#)

MOVED by Vice Mayor Wysocky, seconded by Councilmember Sawyer, carried 7-0-0, to adopt the motion in items 10.1 and 10.2, adopt and waive reading of the text of the resolutions in item 10.3 to 10.5 and adopt and waive reading of the text of the ordinance in item 10.6 as follows:

**10.1 MOTION - CONTRACT AWARD 113010
– FINLEY COMMUNITY CENTER
COGENERATION SYSTEM**

This motion, recommended by the Public Works Department, awards construction Contract No. C01548, Finley Community Center Cogeneration System in the total amount of \$ 434,953.00 to the lowest responsible bidder, R-E Corporation of Santa Rosa, CA and establishes a total contract

amount of \$500,195.95 (the original contract amount plus a 15% contingency). Funding for this project has been appropriated to Account No. 02038. The source of funds is Park Development fees. No City General Fund money is included in this project.

PUBLIC COMMENT

[4:22:09 PM](#) **Jack Osborne** questioning what the system consists of and the cost to run and maintain it.

[4:23:50 PM](#) Norm Avidon, Public Works, responded to questions from the public and Council, explaining the project in further detail.

10.2 MOTION - SANTA ROSA SENIOR CENTER KITCHEN LEASE

This motion, recommended by the Recreation, Parks & Community Services Department, authorizes the City to enter into a lease agreement between Michael Quigley and the City of Santa Rosa for use of the commercial kitchen located at the Santa Rosa Senior Center, 702 Bennett Valley Road, Santa Rosa, California.

10.3 RESOLUTION - BENEFIT FINDINGS FOR THE SMART TRAIL – SOUTHWEST REDEVELOPMENT PROJECT AREA

PUBLIC COMMENT

[4:22:50 PM](#) **Jack Osborne** commented that the benefits of this project go to the County.

[4:27:27 PM](#) **Kim Nadeau**, EDH, commented on the significant benefit to SW Santa Rosa.

RESOLUTION NO. 27771 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING CERTAIN BENEFIT FINDINGS FOR THE DESIGN AND CONSTRUCTION OF THE SMART TRAIL FROM HEARN AVENUE TO THE JOE RODOTA TRAIL NEAR HIGHWAY 12

10.4 RESOLUTION - PARKING FINE INCREASE

RESOLUTION NO. 27772 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE REVISED SCHEDULE OF PARKING FINES AND PENALTIES

PUBLIC COMMENT

[4:28:41 PM](#) Peter Tscherneff suggested an even larger increase in parking fines.

10.5 RESOLUTION - SPEED LIMIT ON MONTECITO AVENUE AND YOLANDA AVENUE

RESOLUTION NO. 27773 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING RADAR-ENFORCEABLE SPEED LIMITS ON MONTECITO AVENUE AND YOLANDA AVENUE

The following item was removed from the Consent Calendar for further discussion and separate action by the Council:

10.6 ORDINANCE ADOPTION - DENSITY BONUS ORDINANCE

ORDINANCE NO. 3960 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA REPEALING EXISTING CITY CODE CHAPTER 20-31 (RESIDENTIAL DENSITY BONUSES, INCENTIVES, AND CONCESSIONS) AND ADDING CITY CODE CHAPTER 20-31 (DENSITY BONUS AND OTHER DEVELOPER INCENTIVES) WITH REVISED PROVISIONS IMPLEMENTING THE STATE DENSITY BONUS LAW (GOVERNMENT CODE SECTION 65915)

City Council discussion ensued regarding moving forward with the adoption of the ordinance with the Housing Allocation Plan issue being included at this time.

[4:35:07 PM](#) Lisa Kranz clarified what is before the Council and noted that the wording is stated as follows: **20-31.090 General Provisions for Density Bonuses and Incentives/Concessions:** "A. An affordable unit provided in order to be eligible under this Chapter shall also be considered an allocated unit under the City's Housing Allocation Plan.

MOVED by Councilmember Jacobi, seconded by Vice Mayor Wysocky, to adopt the ordinance as

proposed. **Motion CARRIED** 6-1, (Councilmember Bender voting no.)

11. REPORT ITEMS

11.1 REPORT - DEADLINE EXTENSION OF SONOMA COUNTY MUSEUM EXPANSION [4:50:49 PM](#)

RESOLUTION ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE EXTENSION OF THE COVENANT WITH THE SONOMA COUNTY MUSEUM FOR COMPLETING THE WEST LOT EXPANSION UNTIL DECEMBER 31, 2011

Marc Richardson made the presentation and it was recommended by the Recreation, Parks & Community Services Department, that the Council extend the Covenant with the Sonoma County Museum for completing the west lot expansion until December 31, 2011 and allow the Museum to satisfy the terms of the Covenant by developing the property as an outdoor sculpture garden and exhibit space.

Diane Evans provided additional information on the museum design and financial constraints.

PUBLIC COMMENT

The following individuals spoke in opposition to the resolution:

[5:27:56 PM](#) Jack Osborne

[5:36:51 PM](#) Kristen Lehrer

The following individuals spoke in support of the proposed resolution:

[5:31:58 PM](#) Bill Knight

[5:30:15 PM](#) Bill Carle

[5:35:25 PM](#) Jean Kapolchok

City Council discussion ensued regarding the timing of this request, permitted uses on the site and good neighbour issues.

City Attorney Fowler noted that the proposed resolution did not include the appropriate amended attachment that is being proposed. She suggested that the Council make a motion to approve the extension of the covenant with the Sonoma County museum for completing the west lot expansion until

December 31, 2011 and allow the Museum to satisfy the terms of the Covenant by developing the property as an outdoor sculpture garden and exhibit space; and to direct staff to place this proposed Resolution with the corrected attachments on the December 7, 2010 City Council Agenda under the Consent Calendar.

MOVED by Councilmember Olivares, seconded by Vice Mayor Wysocky, carried 7-0, to move approval of the extension of the covenant with the Sonoma County Museum for completing the west lot expansion until December 31, 2011 and allowing the Museum to satisfy the terms of the Covenant by developing the property as an outdoor sculpture garden and exhibit space; and to direct staff to place this proposed Resolution with the corrected attachments on the December 7, 2010 City Council Agenda under the Consent Calendar.

[6:01:39 PM](#) Council took 10 minute break

11.2 REPORT -- HIGHWAY 101 BICYCLE AND PEDESTRIAN BRIDGE FEASIBILITY STUDY, FUNDING AGREEMENT AND BENEFIT FINDINGS [6:17:43 PM](#)

Otto Bertolero made the presentation and noted it is recommended by the Department of Public Works that the Council, by three resolutions, 1) accept the Santa Rosa Bicycle and Pedestrian Feasibility Study and adopt its bridge design guidelines, 2) make certain benefit findings for the Highway 101 Bike/Pedestrian bridge, approve a Funding Agreement with the Redevelopment Agency to accept \$100,000 in Gateways Redevelopment Project Area funds for the bridge and authorize the expenditure of funds for the bridge; and 3) direct staff to work with Caltrans on developing a cooperative agreement for a Project Initiation Document (PID), negotiate a professional services agreement for a consultant to prepare the PID and focus the PID work on an overcrossing in the vicinity of the Elliott Avenue/Edwards Avenue alignment.

Steven Grover and Megan Sweeny gave an additional presentation on the feasibility study and initial phases of project.

Council took a recess to view the models.

Council discussion ensued regarding construction costs, safety of the residents and students impacted by this project, the use of Redevelopment

Funds as they relate to SCTA priorities and the economic development potential for this project.

PUBLIC COMMENT:

The following individuals spoke in opposition to the project:

[7:16:19 PM](#) Roger McConnell

The following individuals spoke in favor of the project:

[7:18:32 PM](#) Willard Richards

[7:21:52 PM](#) Nica Poznanovich

[7:24:15 PM](#) Ken Wells

[7:25:11 PM](#) Christine Culver

[7:27:56 PM](#) Linda Picton

[7:30:04 PM](#) Barbara Moulton

[7:30:31 PM](#) Julia Donaho

Vice Mayor Wysocky requested consideration of a motion to direct the City Manager to send a letter to the SRJC to have them appoint a member of their management team to join our planning team on this project.

Councilmember Bender indicated that she supports the project but her biggest issue is with the timing in relation to the SMART station relocation matter. She would recommend putting off action on this until February or March.

MOVED by Councilmember Jacobi, seconded by Vice Mayor Wysocky, carried 5-2 (Councilmembers Olivares and Bender voting no), to adopt and waive reading of the text of the resolution as follows:

RESOLUTION NO. 27774 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING THE SANTA ROSA BICYCLE AND PEDESTRIAN BRIDGE FEASIBILITY STUDY

MOVED by Councilmember Jacobi, seconded by Vice Mayor Wysocky, carried 5-2 (Councilmembers Olivares and Bender voting no), to adopt and waive reading of the text of the resolution as follows:

RESOLUTION NO. 27775 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA MAKING CERTAIN BENEFIT FINDINGS FOR THE HIGHWAY 101

BIKE/PEDESTRIAN BRIDGE AND APPROVING A FUNDING AGREEMENT WITH THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA ROSA TO ACCEPT FUNDS FOR THE BRIDGE

MOVED by Councilmember Jacobi, seconded by Vice Mayor Wysocky, carried 5-2 (Councilmembers Olivares and Bender voting no), to adopt and waive reading of the text of the resolution as follows:

RESOLUTION NO. 27776 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA DIRECTING STAFF TO CONTINUE WORK TO DEVELOP A BICYCLE AND PEDESTRIAN CROSSING OVER HIGHWAY 101

MOVED by Vice Mayor Wysocky, seconded by Councilmember Jacobi, carried 6-1 (Councilmember Olivares voting no) to direct the City Manager to send a letter to the SRJC to request that they have a member of their management team participate with our planning team on this project planning effort.

12. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

12.1 LOCAL GOVERNMENT COMMISSION REPORT- None

12.2 LIVABLE PLACES UPDATE - None

13. MAYOR'S/COUNCILMEMBERS' REPORTS[8:03:19 PM](#)

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

MOVED by Councilmember Jacobi, seconded by Mayor Gorin to support the application of Councilmember VasDupre to the Regional Water Quality Control Board. Motion carried unanimously.

MOVED by Vice Mayor Wysocky, seconded by Councilmember Jacobi, carried on a 5-1-1 vote (Councilmember Sawyer voting no and Councilmember Bender abstaining) to direct staff to place a Study Session on the February 1, 2011 City Council Agenda to discuss a proposed Local Hire Ordinance, with the understanding that a

proposed ordinance be brought to the City Council the first meeting in March..

13.1 APPOINTMENTS TO THE PERSONNEL BOARD[8:00:32 PM](#)

The Council cast ballots and made two appointments to the Personnel Board. The appointees were Max Bridges and Karen Furukawa.

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

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

[8:29:55 PM](#) Roger McConnell thanked Jane Bender for her years of service and her work in with the Manufactured Homeowners Association and presented her with flowers.

[8:33:07 PM](#) Peter Tscherneff spoke on various items.

[8:36:26 PM](#) John Jenkel spoke regarding unconstitutional wars.

17. ADJOURNMENT OF MEETING [8:39:47 PM](#)

Hearing no further business, Mayor Gorin adjourned the meeting at 8:39 PM. The next regularly scheduled meeting will take place on

December 7, 2010, at a time to be set by the Mayor.

Approved on: December 7, 2010

Gayle Petersen
Acting City Clerk