

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, DECEMBER 14, 2010
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**3:30 P.M. (MAYORS CONFERENCE ROOM,
ROOM 10)**

1. CALL TO ORDER AND ROLL CALL

Mayor Olivares called the meeting to order at 3:30 p.m. Councilmembers present: Mayor Olivares, Vice Mayor Ours, Councilmembers Bartley, Gorin, Sawyer, and Wysocky. Councilmember Vas Dupre was absent.

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)

PUBLIC COMMENT ON CLOSED SESSION ITEMS – There were none.

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 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 CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION. (Subdivision (a) of Government Code section 54956.9) Name

of Case: Valerie Barber et al v. City of Santa Rosa, et al., United States Northern District Case No. C-08-5649 MMC.

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

4. ANNOUNCEMENT OF ROLL CALL

The meeting was called to order at 4:13 p.m. Councilmembers were present as noted above.

5. [4:13:43 PM](#) REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S) There was nothing to report.

6. PROCLAMATIONS/PRESENTATIONS

[4:13:47 PM](#) **6.1 Recognizing Recreation, Parks and Community Services Fundraising Efforts** - Marc Richardson gave the presentation and introduced other staff members who reported on their fundraising efforts.

[4:24:16 PM](#) **6.2 Thanking Chief Varner on his Retirement** – Councilmember Sawyer read the proclamation and presented it to Chief Varner.

Councilmembers continued by making various comments about Chief Varner's exemplary service to the City of Santa Rosa.

7. STAFF BRIEFINGS

[4:31:03 PM](#) **Parting comments by Chief Varner.**

Chief Varner expressed his thanks to the City Council, City staff and the citizens for their support for the Fire Department.

[4:38:26 PM](#) **7.1 Fire Chief Status Report** – The City Manager, Kathy Millison, announced that Deputy Chief Mark McCormick will become the Acting Fire Chief until a new Fire Chief has been appointed.

8. [4:40:26 PM](#) APPROVAL OF MINUTES – December 7, 2010

The December 7, 2010 City Council Meeting Minutes were approved with Vice Mayor Ours and Councilmember Barley abstaining and Councilmember Vas Dupre being absent.

9. A [4:41:15 PM](#) **MAYOR'S/COUNCILMEMBERS' REPORTS**

1. STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

2. REPORTS BY COUNCILMEMBERS REGARDING VARIOUS AGENCY MEETINGS ATTENDED (IF NEEDED)

- Sonoma County Transportation Authority (SCTA)
- Sonoma County Water Agency (SCWA)
- Solid Waste Advisory Group (SWAG)
- Other

Councilmember Gorin reported on various meetings attended.

Councilmember Wysocky reported on various meetings attended.

Mayor reported on two new task forces he intends on creating in the coming year which include:

- Mayor's Task Force on Economic Development, with Vice Mayor Ours representing the City Council; and
- Mayor's Task Force on Pension Reform with Councilmember Bartley representing the City Council.

The Mayor concluded by stating the Members who are to be a part of those Task Forces will be announced and brought forward to the City Council on Feb. 1st.

9.B [4:49:54 PM](#) **CITY MANAGER'S/CITY ATTORNEY'S REPORTS**

10. [4:52:08 PM](#) **CONSENT ITEMS**

PUBLIC COMMENT

MOVED by Vice Mayor Ours, seconded by Councilmember Sawyer (Councilmember Vas Dupre absent), carried unanimously, to adopt the

motion and adopt and waive reading of the texts of the resolutions in items 10.1 through 10.5.

10.1 RESOLUTION NO. 27783 ENTITLED: APPROVING EXHIBIT "A" OF THE CITY'S CONFLICT OF INTEREST CODE.

10.2 RESOLUTION NO. 27784 ENTITLED: SPEED LIMIT ON BARNES ROAD.

This Resolution, recommended by the Public Works Department, establishes a radar-enforceable speed limit on Barnes Road between 600 feet north of Camino del Prado and North City Limits (200 feet north of Dennis Lane).

PUBLIC COMMENT

PeterTscherneff addressed the City Council with concerns with respect to public safety.

10.3 RESOLUTION NO. 27785 ENTITLED: SPEED LIMIT ON BENNETT VALLEY ROAD, DUTTON AVENUE, FOUNTAINGROVE PARKWAY, MELITA ROAD, NORTHPOINT PARKWAY, RANGE AVENUE AND THIRD STREET.

This resolution, recommended by the Public Works Department, establishes radar-enforceable speeds limits on Bennett Valley Road between Santa Rosa Avenue and Brookwood Avenue, Dutton Avenue between South Avenue and Sebastopol Road, Fountaingrove Parkway between Mendocino Avenue and Stagecoach Road, Melita Road between Highway 12 (Sonoma Avenue) and Montgomery Drive, Northpoint Parkway between Fresno Avenue and Stony Point Road, Range Avenue between Jennings Avenue and Guerneville Road and Third Street between B Street and E Street.

PUBLIC COMMENT

Peter Tscherneff addressed the City Council with concerns with respect to public safety.

10.4 RESOLUTION NO. 27786 ENTITLED: ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 2029 TERRY ROAD.

This resolution recommended by the Department of Community Development, confirms the special assessment lien in the amount of \$9,022.98 against the property located at 2029 Terry Road for violations of the City Code that remain uncorrected by the responsible party, Daniel J. Renz and authorizes recording of a lien and placing the assessment on the property tax roll for collection.

10.5 RESOLUTION NO. 27787 ENTITLED: ASSESSMENT LIEN AGAINST THE REAL PROPERTY LOCATED AT 401 SOUTH A STREET/430 SEBASTOPOL AVENUE

This resolution, recommended by the Department of Community Development, confirms the special assessment lien in the amount of \$23,761.46 against the real property located at 401 South A Street/430 Sebastopol Avenue for violations of the City Code that remain uncorrected by the responsible party, Ananda Institute, and authorizes recording of a lien and placing the assessment on the property tax roll for collection.

MOVED by Councilmember Sawyer, seconded by Councilmember Wysocky, carried on a 4-0-2-1 vote (Vice Mayor Ours and Councilmember Bartley abstaining and Councilmember Vas Dupre absent), to adopt and waive reading of the text of the Ordinance under 10.6:

10.6 ORDINANCE NO. 3961 ENTITLED: URBAN GROWTH BOUNDARY AMENDMENT PURSUANT TO NOVEMBER 2, 2010 GENERAL MUNICIPAL ELECTION.

This ordinance, introduced at the December 7, 2010, Regular Meeting, amends Section 17-28.010 to extend the Urban Growth Boundary which was approved by the Voters in Measure O in the recent municipal election. The proposed ordinance was originally presented to council on June 29, 2010, at the time the council voted to place the issue on the agenda.

11. REPORT ITEMS

11.1 4:54:54 PM REPORT – ANALYSIS OF PROPOSAL FOR TENANT-OCCUPIED PASSENGER VEHICLE USE OF TRANSIT MALL TO ACCESS FORMER AT&T BUILDING.

Pat Thompson, Assistant City Manager made the staff presentation and noted in July 1986 the City

converted Second Street between B Street and Santa Rosa Avenue to a Transit Mall dedicated almost exclusively to transit access. At that time an easement limiting access to the rear of the mid-block AT&T building from Second Street was obtained by the City from AT&T, owners of the property at the time. The developer has asked that the City consider allowing access to his project from the Transit Mall by the residential tenants in addition to commercial vehicles.

City Council discussion ensued regarding the proposals and greater detail regarding how the area currently operates.

Diane Evans, representing the Museum, commented on the proposal and indicated having a successful restaurant is key to their success. She noted the drive-through would limit their space and wants the Council to decide as soon as possible so the project can move forward.

[5:55:30 PM](#) Hugh Futrell made an additional presentation to address some of Council's expressed concerns and questions.

[6:11:17 PM](#) PUBLIC COMMENT

Willard Richards spoke in support of automobile access in the Transit Mall. He does not recommend pedestrian crosswalks and sees no need for the "bump outs."

Richard Canini spoke in opposition to automobile access in the Transit Mall.

Peter Tscherneff spoke in support of allowing automobiles in the Transit Mall.

Dorothy Friberg spoke in opposition to the proposal, referenced the Rosenberg Building and asked for equity.

City Council discussion ensued regarding various options or restrictions the Council would like to see.

Councilmember Gorin indicated she would like to see restrictions during peak times; use by residents only; flow-through traffic and access from B Street and concluded by indicating the City should not be out any money.

Councilmember Bartley indicated he feels Option B is a workable solution; restricting access off of "B" Street, as well as need to be mindful of the costs to the City.

Vice Mayor Ours indicated his support of the automobile access to the Transit Mall.

Councilmember Wysocky indicated that he would be supportive of Option B.

Mayor Olivares indicated his support for the project and favoured the B Street access.

MOVED by Councilmember Sawyer, seconded by Vice Mayor Ours, carried, unanimously (with Councilmember Vas Dupre being absent), to direct staff to pursue modifications of the access easement allowing private vehicles to have ingress and egress to the Museum on the Square from within the Transit Mall allowing a somewhat larger museum and café.

[6:38:55 PM](#) (THE COUNCIL MAY RECESS DURING THE EVENING FOR 30 MINUTES FOR A DINNER BREAK)

5:00 P.M.

11.2 [7:04:45 PM](#) PUBLIC HEARING – ADOPT MITIGATED NEGATIVE DECLARATION – HUMBOLDT STREET BIKE BOULEVARD PROJECT AND APPROVE PROJECT. --

Nancy Adams, Transportation Planner, Public Works, made the staff presentation and noted on September 28, 2010, the City Council provided staff direction on project alternatives for the Humboldt Street Bike Boulevard traffic calming project to evaluate in the California Environmental Quality Act (CEQA) document.

In November 2010, City staff prepared an Initial Study (IS) consistent with the California Environmental Quality Act guidelines, resulting in a Mitigated Negative Declaration.

The Initial Study (IS)/Mitigated Negative Declaration (MND) evaluated these alternatives: Traffic Circles, Diverter and Speed Table and Speed Tables.

Council discussion ensued.

Rob Sprinkle, Traffic Engineer, addressed the Council's questions regarding speed tables versus stop signs.

[7:58:26 PM](#) PUBLIC HEARING

The Mayor opened the Public Hearing

PUBLIC COMMENT:

The following persons spoke in support of the project:

Paul Klassen spoke in support of staff's recommendation.

Peter Tscherneff spoke in support of staff's recommendation.

Cornelius Shea spoke in support of staff's recommendation, but opposed to the cost.

Nica Poznanovich spoke in support of staff's recommendation.

Judy Kennedy spoke in support of the project.

Barbara Moulton spoke in support of the project but would like to see the temporary circles retained.

Elizabeth Hegarty spoke in support of the project, but didn't support taking out the circles.

Tanya Narath spoke in support of the project, but would like to see the traffic circles remain.

Sandra Lupien spoke in support of the project but would like to see the City retain the traffic circles.

Fred Smith spoke in support of the project, but urged retention of the traffic circles.

Robin MacQuarry spoke in support of the project and for leaving the traffic circles in.

Heidi Zimmer spoke in support of the project. And for adding the central line plus four-way stops in addition to the tables.

Jenny Bard spoke in support of the project.

Tamar Mesel spoke in support of the project, plus keeping the traffic circles.

Jeff Brown spoke in support of the project.

Christine Culver spoke in support of the project and to not remove the traffic circles.

Tom Bahning spoke in support of the project and diverters.

Anne Seeley spoke in support of a reduced project and to retain the traffic circles.

Jay Zimmer spoke in support of the project.

Al Hawkins spoke in support of the project and to retain the traffic circles.

THE FOLLOWING PEOPLE SPOKE IN OPPOSITION TO THE PROJECT.

Kay Tokerud spoke in opposition to staff's recommendation for speed tables.

Patricia Foster, SR Neighborhood Coalition spoke in opposition to the project.

Diane Test spoke in opposition to the project and indicated she would like to see the current circles removed.

Maryann Laughlin spoke in opposition to the project.

Rosa Koire spoke in opposition to the project.

Sheila Moore spoke in opposition of the project,

Scott Hassler spoke in opposition to the project and in opposition to the Mitigated Negative Declaration.

Kevin Ryan spoke in opposition to the project

James Bennett spoke in opposition to the project and would prefer 4 way stops, more police presence, modest speed limits and additional signage.

Dr. Lisa Wyatt spoke in opposition to the project.

Dion Whitmeyer spoke In opposition to the project.

Abby Begomolny spoke in opposition to the project.

[9:09:40 PM](#) **Hearing no further requests to speak the Mayor closed the public hearing.**

Staff responded to questions from the Council and clarified that center line stripping is not included at this point.

Council discussion ensued regarding the merits of the plan.

Councilmember Sawyer stated he is not in favor of creating a bicycle boulevard on Humboldt Street.

Councilmember Bartley supported the staff recommendation, with the phasing in of some of the segments.

Vice Mayor Ours supported the staff recommendation.

Councilmember Wysocky supported the staff recommendation as it is consistent with the Council's General Plan Goals as well as the Traffic Goals, but he feels the numbers for the proposed costs are high and that it will be much less. He would like to see the traffic circles stay, but if the

circles go, the crosswalks should be stripped. He questioned the east/west stop controls at Silva, Carr and Spencer. He indicated the project is working and when it is in its final form it will be great, but he has reservations about a few of the components of the plan. He asked staff to come back in six months with a report on if it's working or not.

Mayor Olivares indicated that he does support most of staff's recommendations, but not all the items. He would like to see this move forward and will support staff's recommendation.

Councilmember Gorin thanked staff and the neighbors for their work on this project. She stated her support for the project and the suggestion to come back in 6 mos. or a year to see what is or is not working.

MOVED by Councilmember Gorin, seconded by Councilmember Bartley, carried unanimously (with Councilmember Vas Dupre absent), to adopt and waive reading of the text of the resolution in item 11.2 as follows:

**RESOLUTION NO. 27788 ENTITLED:
APPROVING AND ADOPTING A MITIGATED
NEGATIVE DECLARATION FOR THE HUMBOLDT
STREET BIKE BOULEVARD TRAFFIC CALMING
PROJECT.**

MOVED by Councilmember Gorin, seconded by Councilmember Bartley, carried on a 5-1-1 vote (with Councilmember Wysocky voting NO and Councilmember Vas Dupre being absent), to adopt and waive reading of the text of the resolution in item 11.2 as follows:

**RESOLUTION NO. 27789 ENTITLED:
APPROVING THE BIKE BOULEVARD TRAFFIC
CALMING PROJECT FOR HUMBOLDT STREET.**

Staff pointed out to the Council that the components of the Bike Boulevard Traffic Calming Project will be a part of the CIP Budget process and Council will have an opportunity for further input on various components of this plan during that time.

**12. [9:45:05 PM](#) WRITTEN COMMUNICATIONS
(AND POSSIBLE COUNCIL ACTION)**

**12.1 COMPREHENSIVE ANNUAL FINANCIAL
REPORT (CAFR), REDEVELOPMENT
AGENCY ANNUAL FINANCIAL REPORT,
HOUSING AUTHORITY ANNUAL
FINANCIAL REPORT, CAFR REQUIREED**

COMMUNICATIONS LETTER, CAFR-RELATED INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL, AND REDEVELOPMENT ANNUAL REPORT OF FINANCIAL TRANSACTIONS FOR FISCAL YEAR ENDED JUNE 30, 2010.

- 12.2 **FINAL MAP NOTIFICATION FOR SUMMERFIELD ROAD TOWNHOUSES.**
- 13. **[IF NEEDED] – ANNOUNCEMENT OF ADDITIONAL CLOSED SESSION ITEM(S), ADJOURNMENT TO CLOSED SESSION(S), RECONVENEMENT TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY**
- 14. [9:45:47 PM](#) **PUBLIC COMMENTS ON NON-AGENDA MATTERS** - There were none.
- 15. [9:45:52 PM](#) **ADJOURNMENT OF MEETING**

Hearing no further business, Mayor Olivares adjourned the meeting at 9:45 p.m. The next regularly scheduled meeting will take place on January 11, 2011, at a time to be set by the Mayor.

Approved on: January 11, 2011

Gayle Petersen
Interim City Clerk