

**SANTA ROSA CITY COUNCIL MEETING MINUTES
TUESDAY, JUNE 28, 2011
COUNCIL CHAMBER, CITY HALL, 100 SANTA ROSA AVENUE
REGULAR MEETING**

**1:30 PM (MAYOR'S CONFERENCE ROOM,
ROOM 10)**

1. CALL TO ORDER AND ROLL CALL

Mayor Olivares called the meeting to order at 1:32 p.m. Council Members present: Mayor Olivares, Vice Mayor Ours, Council Members Bartley, Gorin, and Sawyer.

Council Member Wysocky arrived at 1:33 p.m.

Council Member Vas Dupre arrived at 2:25 p.m.

2. 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

2.1 CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Fran Elm, Human Resources Director, Chris Sliz, Employee Relations Manager and Jennifer Phillips, 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).

2.2 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION (Subdivision (a) of Government Code section 54956.9)

Name of Case: Building Industry Association of the Bay Area f/k/a Home Builders Association of Northern California, Inc. v. City of Santa Rosa, et al., Sonoma County Superior Court No. SCV 244441

2.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager

2.4 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Attorney

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

3. STUDY SESSION [3:03:25 PM](#)

3.1 PENSION REFORM TASK FORCE REPORT

This is the final report from the Mayor's Task Force on Pension Reform which was formed to gather and review information that would inform the Council and community about matters relating to pension reform in California; to specifically review the current pension programs approved and utilized by the City as a part of total compensation for employees; to review the limitations and requirements of the California Public Employee Retirement System; and to present options for pension reform that the Mayor and City Council may wish to consider.

[4:19:51 PM](#)

Fred Levin, Executive Director of the Sonoma County Taxpayers Association, spoke regarding changes to the pension system.

The meeting was recessed at 4:24 p.m. and reconvened at 4:33 p.m. [4:33:30 PM](#)

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

4. ANNOUNCEMENT OF ROLL CALL

Council Members were present as noted above, with the exception of Council Member Wysocky.

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSION(S)

6. PROCLAMATIONS/PRESENTATIONS
6.1 PROCLAMATION - THANKING OFFICER DAVID MACDONALD AS COORDINATOR FOR THE EVERY 15 MINUTES PROGRAM

Council Member Wysocky arrived at 4:37 p.m.

7. STAFF BRIEFINGS

7.1 CALIFORNIA CITIZENS REDISTRICTING COMMISSION [4:40:58 PM](#)

Staff will review with the Council the California Citizens Redistricting Commission's first draft of maps for the Congressional, State Board of Equalization, State Senate, and State Assembly districts.

[4:47:31 PM](#) Council Member Wysocky read into the record the Proposition 20 definition of "community of interest," as follows: "A community of interest, which is the basis for these lines, is a contiguous population which shares common social and economic interests that should be included within a single district for purposes of effective and fair representation."

Elizabeth Gatley spoke regarding the proposed redistricting.

8. APPROVAL OF MINUTES – MAY 17, 2011, JUNE 7, 2011, JUNE 14, 2011, REGULAR MEETING MINUTES AND JUNE 15, 2011, ADJOURNED REGULAR MEETING MINUTES [4:58:07 PM](#)

The Minutes of the Regular Meeting of May 17, 2011 were approved unanimously as submitted.

Council Member Wysocky requested that the Minutes of the Regular Meeting of June 14 be amended to change "(Continuing on June 15 and 16, 2011)" to "(Continuing on June 15, 2011)" in the heading of those Minutes.

The Minutes of the Regular Meeting of June 14, 2011 were approved unanimously, with Council Member Sawyer abstaining, amended as requested above.

The Minutes of the Adjourned Regular Meeting of June 15, 2011 were approved unanimously as submitted.

The Minutes of the Regular Meeting of June 7, 2011 were approved unanimously as submitted, with Council Members Sawyer and Vas Dupre abstaining.

9A MAYOR'S/COUNCILMEMBERS' REPORTS
1. STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

No statements of abstention were made.

2. REPORTS BY COUNCILMEMBERS REGARDING VARIOUS AGENCY MEETINGS ATTENDED (IF NEEDED)
[4:59:06 PM](#)

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

9B CITY MANAGER'S/CITY ATTORNEY'S REPORTS

10. CONSENT ITEMS

Because Item No. 10.6 did not appear on the Preliminary Agenda, it was pulled to enable a vote by Council to add it to this agenda.

MOVED by Vice Mayor Ours, **seconded** by Council Member Gorin, **carried** unanimously, to add Item 10.6 to the agenda.

PUBLIC COMMENT

Jack Osborne spoke regarding Items 10.2, 10.5 and 10.6.

MOVED by Vice Mayor Ours, **seconded** by Council Member Bartley, **carried** unanimously, to adopt the motion and adopt and waive reading of the text of the resolution in items 10.1 through 10.6 as follows:

10.1 RESOLUTION - CONTRACT EXTENSION - COMMUNITY MEDIA ACCESS CENTER, INC.

This resolution, recommended by the City Manager's Office, extends the agreement with Community Media Access Center, Inc., three additional months.

RESOLUTION NO. 27916 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING SECOND AMENDMENT TO AGREEMENT WITH SANTA ROSA COMMUNITY MEDIA ACCESS CENTER, INC.

10.2 RESOLUTION - APPROVAL OF FOURTH AMENDMENT TO THE AGREEMENT FOR DISSOLUTION OF THE SOUTH PARK COUNTY SANITATION DISTRICT AND TRANSFER TO THE CITY OF SANTA ROSA

This resolution, recommended by the Board of Public Utilities and Utilities Department, authorizes the Mayor to execute the Fourth Amendment to the Agreement for Dissolution of the South Park County Sanitation District and Transfer to the City of Santa Rosa extending, at no cost, the term of the contract for one additional year.

RESOLUTION NO. 27917 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE APPROVAL OF THE FOURTH AMENDMENT TO THE AGREEMENT FOR DISSOLUTION OF THE SOUTH PARK COUNTY SANITATION DISTRICT AND TRANSFER TO THE CITY OF SANTA ROSA

10.3 RESOLUTION - AGREEMENT FOR THE OPERATION AND USE OF THE SAMUEL L. JONES HALL HOMELESS SHELTER

This resolution, recommended by the Department of Economic Development and Housing, approves the Agreement for the Operation and Use of the Samuel L. Jones Hall Homeless Shelter between the City of Santa Rosa and Catholic Charities of the Diocese of Santa Rosa in the amount of \$470,303 for the period of July 1, 2011 to June 30, 2012.

RESOLUTION NO. 27918 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND CATHOLIC CHARITIES OF THE DIOCESE OF SANTA ROSA FOR THE OPERATION OF THE SAMUEL L. JONES HOMELESS SHELTER LOCATED AT 4020 FINLEY AVENUE

10.4 RESOLUTION - CALIFORNIA GANG REDUCTION, INTERVENTION AND PREVENTION GRANT AWARD

This resolution, recommended by the Recreation, Parks & Community Services Department, authorizes the acceptance of the grant award for the 2010 California Gang Reduction, Intervention and Prevention Program (CalGRIP) for Cities in the amount of \$315,098, for two years with a dollar-for-dollar match requirement being met from in-kind

existing staff time and operating costs from sub-recipients; and upon receipt of the grant award, authorizes the Chief Financial Officer to establish JL Key 09730 - CalGRIP Gang Prevention Grant Program and appropriate the amount of the grant award; and authorizes the Director of Recreation, Parks & Community Services to conduct all negotiations, sign and submit all documents that may be necessary for the completion of the grant scope. This resolution further recommends that the Council authorize the Director of Recreation, Parks, and Community Services to enter into funding agreements with CYO in the amount of \$137,943 and CAP in the amount of \$157,800.

RESOLUTION NO. 27919 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING THE GRANT AWARD FROM THE 2010 CALIFORNIA GANG REDUCTION, INTERVENTION AND PREVENTION PROGRAM (CALGRIP) FOR CITIES AND APPROVING THE FUNDING AGREEMENTS WITH CALIFORNIA YOUTH OUTREACH IN THE AMOUNT OF \$137,943 AND COMMUNITY ACTION PARTNERSHIP IN THE AMOUNT OF \$157,800

10.5 RESOLUTION - ADOPTION OF CITY OF SANTA ROSA VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN FOR POLICE MANAGERS

This resolution, recommended by the Human Resources Department, adopts the City of Santa Rosa VantageCare Retirement Health Savings (RHS) Plan for Police Managers. This plan is completely funded by employee contribution and there is no cost to the City.

RESOLUTION NO. 27920 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO AMEND THE CITY OF SANTA ROSA VANTAGECARE RETIREMENT HEALTH SAVINGS (RHS) PLAN TO ADD POLICE MANAGERS

***10.6 RESOLUTION - WAIVER OF COUNCIL POLICY ON DESIGNATION OF GENERAL FUND FUNDING FOR HOMELESS AND AFFORDABLE HOUSING PRODUCTION**

This resolution, recommended by the Department of Finance, authorizes the waiver of City Council Policy Number 000-48 – Policy to Designate General Fund Funding for Homeless and

Affordable Housing Production – for the fiscal year 2011/12.

RESOLUTION NO. 27921 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING THE WAIVER OF CITY COUNCIL POLICY NUMBER 000-48 – POLICY TO DESIGNATE GENERAL FUND FUNDING FOR HOMELESS AND AFFORDABLE HOUSING PRODUCTION- FOR THE FISCAL YEAR 2011/2012

11. REPORT ITEMS [5:18:53 PM](#)

11.1 REPORT -- ADOPTION OF MOU – UNIT 18 – MISCELLANEOUS MID- MANAGEMENT REPRESENTED BY THE SANTA ROSA MANAGEMENT ASSOCIATION

BACKGROUND: The City's representatives and representatives from Unit 18 - Miscellaneous Mid-Management, represented by the Santa Rosa Management Association, have met and conferred concerning a new Memorandum of Understanding. In recognition of the City's financial difficulty, the Unit has agreed to 68.5 hours of unpaid furlough as well as changes in the health care premium and plan design. The savings to the City over the term of this one year contract is approximately \$515,000 with \$230,000 savings to the City's general fund.

RECOMMENDATION: It is recommended by the City's Negotiating Team that the Council, by resolution, adopt the Memorandum of Understanding for and on behalf of the City's Unit18 – Miscellaneous Mid-Management represented by the Santa Rosa Management Association. The adoption of this one-year agreement will be effective July 1, 2011 and will end on June 30, 2012.

Chris Sliz made the staff presentation

PUBLIC COMMENT

Jack Osborne spoke regarding shortcomings of the proposed MOU.

Keith Hinton thanked the Council and negotiating team in this process.

MOVED by Council Member Bartley, **seconded** by Council Member Gorin, **carried** unanimously, to adopt and waive reading of the text of the resolution in item 11.1 as follows:

RESOLUTION NO. 27922 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ADOPTING A MEMORANDUM

OF UNDERSTANDING FOR AND ON BEHALF OF THE EMPLOYEES IN THE CITY OF SANTA ROSA'S UNIT 18 – MISCELLANEOUS MID-MANAGEMENT REPRESENTED BY THE SANTA ROSA MANAGEMENT ASSOCIATION FOR A ONE YEAR CONTRACT 2011-2012

11.2 REPORT -- TRANSIT MALL EASEMENT AND OPERATING MEMORANDUM FOR RESIDENTIAL VEHICULAR ACCESS – AND PARKING AGREEMENT – FORMER AT&T BUILDING, 520 THIRD STREET

[5:27:56 PM](#)

BACKGROUND: An access easement and parking agreement are proposed to facilitate the redevelopment of the former AT&T site at Courthouse Square into Museum on the Square, a mixed use development with museum, restaurant, office and residential uses. The easement, and an accompanying operational memorandum, would allow limited passenger vehicle access for the Project's residential tenants to drive through the Transit Mall to the site. The parking agreement would allow the developer the right to purchase 100 non-reserved parking permits in a City parking facility in order to assure a lender that parking is available for future tenants and to secure project financing.

The City's Traffic Engineer analyzed traffic studies that were prepared for the Project along with plans for revitalization of the Transit Mall and made recommendations that are incorporated into the Project and Transit Mall design that would maximize safety and minimize potential conflicts between the residential drivers and Transit Mall operations.

The Museum on the Square Project will benefit the City because it will activate a very inactive downtown block and create hundreds of jobs, net revenues to the City, and stimulate the local economy.

RECOMMENDATION: It is recommended by the City Manager's Office and the Department of Economic Development and Housing, that the Council, by two resolutions, 1) approve conveyance of an easement to the Redevelopment Agency of the City of Santa Rosa that allows vehicular access through the Transit Mall for future residents at the former AT&T site, 520 Third Street, and approve an operating memorandum that addresses operational details of the easement; and 2) approve an agreement to make available 100

parking permits for purchase by Museum on the Square, LLC, for the benefit of the Museum on the Square project.

Frank Kasimov made the staff presentation

PUBLIC COMMENT:

Roberta Maxwell spoke regarding getting the public involved in solving the City's problems.

MOVED by Council Member Wysocky, **seconded** by Council Member Gorin, **carried** unanimously, to adopt and waive reading of the text of the resolution in item 11.2 as follows:

RESOLUTION NO. 27923 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND CONVEYING AN EASEMENT TO THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA ROSA THAT ALLOWS LIMITED PASSENGER VEHICLE ACCESS THROUGH THE TRANSIT MALL FOR FUTURE RESIDENTS AT THE FORMER AT&T SITE, 520 THIRD STREET, AND APPROVING AN OPERATING MEMORANDUM THAT ADDRESSES OPERATIONAL DETAILS OF THE EASEMENT

MOVED by Council Member Wysocky, **seconded** by Council Member Gorin, **carried** unanimously, to adopt and waive reading of the text of the resolution in item 11.2 as follows:

RESOLUTION NO. 27924 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A PARKING AGREEMENT TO MAKE AVAILABLE ONE HUNDRED PARKING PERMITS TO MUSEUM ON THE SQUARE, LLC, FOR THE BENEFIT OF THE MUSEUM ON THE SQUARE PROJECT

5:00 PM

11.3 REPORT – DAUENHAUER RANCH SUBDIVISION HOUSING ALLOCATION PLAN CONTRACT WITH MERITAGE HOMES OF CALIFORNIA, INC.

BACKGROUND: On November 13, 2003, the Planning Commission approved the 162-unit Dauenhauer Ranch Subdivision located at 1600 Aston Avenue. Pursuant to the City's Housing Allocation Plan, Chapter 21-02 of the City Code (HAP), the Dauenhauer Ranch HAP Contract with the original owner/developer of the subdivision (Dauenhauer Village Investors, LLC, of which Christopherson Homes, Inc. is the managing

member) for the provision of a 24-unit affordable rental complex for low income households was recorded on May 30, 2007. On June 29, 2010, in a negotiated foreclosure sale by Wells Fargo Bank (the construction lender for the market rate portion of the subdivision), Meritage Homes of California, Inc. (Meritage) purchased the market rate portion of the subdivision, including 65 single family home lots in Phase 1 of the subdivision, and Phase 2 of the subdivision which is tentatively mapped for an additional 73 single family homes. Due to a number of factors, including the downturn in the economy and decline of the housing market, the affordable rental complex has not yet been constructed. Because Meritage has commenced construction of the single family homes, and construction of the affordable rental complex has not yet begun, Meritage is proposing to make available up to 20 for-sale affordable housing units for moderate income households as an interim solution to address the HAP requirement for the subdivision, until such time as construction of the affordable apartment complex is completed. In the case of a HAP contract for ownership units, Council approval is required.

RECOMMENDATION: It is recommended by the Department of Community Development, the Department of Economic Development and Housing, and the City Attorney's Office that the Council, by resolution, approve the proposed Housing Allocation Plan Contract with Meritage Homes of California, Inc. for the Dauenhauer Ranch Subdivision Ownership Units.

Chuck Regalia, Director of Community Development, made the staff presentation. [5:53:21 PM](#)

Council Member Gorin stated she is not comfortable about the affordable deed restrictions being lifted at some time in the future.

PUBLIC COMMENT:

Anne Seeley requested Council approve 65 market rate units, conditioning all additional construction on building of the 24 units for low-income buyers.

Josh Roden of Meritage Homes discussed the difference in price between categories of units to be built, as well as disclosures to buyers.

MOVED by Council Member Sawyer, **seconded** by Council Member Bartley, **carried** on a vote of 5-2, Council Members Gorin and Vas Dupre voting

“No,” to adopt and waive reading of the text of the resolution in item 11.3 as follows:

RESOLUTION NO. 27925 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A HOUSING ALLOCATION PLAN CONTRACT WITH MERITAGE HOMES, INC. FOR THE PROVISION OF AFFORDABLE OWNERSHIP UNITS IN THE DAUENHAUER RANCH SUBDIVISION

11.4 REPORT – ACCEPTANCE OF FUNDING RECOMMENDATIONS FOR MEASURE O CHOICE GRANT PROGRAM FUNDED AGENCIES AND THE APPROVAL OF CALIFORNIA YOUTH OUTREACH FUNDING AGREEMENT FOR CYCLE V FISCAL YEAR 2011-2012

BACKGROUND: This is the fifth cycle of Measure O funded gang prevention/intervention services grants to qualifying community organizations with \$460,443 in available funding. Commencing March 2011 the CITY implemented an annual Request for Qualifications (RFQ) process to identify non-profit service agencies qualified to provide gang prevention and intervention services in eight eligible service areas including:

- Personal Transformation Through Cognitive Development and Youth Support Groups
- Short Term Curriculum Based Youth Support Groups
- Social Recreational, Cultural, and Community Service Intervention Activities
- Gang Mediation/Intervention Response
- Outpatient Substance Abuse Services
- Services for Adjudicated Youth
- Parent and Family Support
- Domestic Violence Services to Youth and Children

Community Crime Prevention Associates and city staff conducted a number of community forums from October 2010 – January 2011 with youth, parents, Burbank Housing managers, schools, and service providers to determine the highest needs in the community for Cycle V. In addition to information from the 2007 California Healthy Kids Survey and Parent Survey, the results of these community forums were utilized to assist in framing the Cycle V Request for Qualifications (RFQ) that was published in March 14, 2011. The City received twenty RFQ applications. The application included the criteria against which proposals would be evaluated. A seven member team comprised of

volunteers and city staff evaluated the proposals submitted against the published criteria in the RFQ and determined those that were most responsive.

RECOMMENDATION: It is recommended by the Department of Recreation, Parks & Community Services that the Council, by resolution, accept the funding recommendations of the Grant Review Team as shown in Attachment C for Cycle V of the CHOICE gang prevention/intervention grant program for Fiscal Year 2011-12 and direct staff to finalize funding agreements with service providers. It is further recommended that the Council, by resolution, authorize the Director of Recreation, Parks, and Community Services to enter into a funding agreement with Breakout Prison Outreach doing business as California Youth Outreach (CYO) in the amount of \$127,000; and authorize the Director of Recreation, Parks & Community Services to act as the signing authority for contracts and payments related to the CHOICE Cycle V funded agencies.

Serena Lienau, Administrative Technician, Recreation, Parks & Community Services, made the staff presentation.

PUBLIC COMMENT: NONE

MOVED by Council Member Vas Dupre, **seconded** by Council Member Gorin, **carried** unanimously, to adopt and waive reading of the text of the resolution in item 11.4 as follows:

RESOLUTION NO. 27926 ENTITLED:
RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ACCEPTING THE FUNDING RECOMMENDATIONS FOR CYCLE V OF THE CHOICE GANG PREVENTION/INTERVENTION GRANT PROGRAM FOR FISCAL YEAR 2011-12 AND APPROVING THE FUNDING AGREEMENT WITH CALIFORNIA YOUTH OUTREACH IN THE AMOUNT OF \$127,000

The meeting was recessed at 6:48 p.m. and reconvened at 7:12 p.m. [7:12:15 PM](#)

11.5 PUBLIC HEARING -- ORDINANCE TO ADD CHAPTER 6-87, TAXICAB SERVICES, TO THE SANTA ROSA CITY CODE, TO ADOPT FRANCHISE AGREEMENT, FEES, APPROVE CODE VIOLATION FINES FOR TAXICAB STANDS, AND AUTHORIZE REQUESTS FOR CRIMINAL RECORD INFORMATION FROM THE DEPARTMENT OF JUSTICE FOR TAXICAB PERMIT PURPOSES

BACKGROUND: The City of Santa Rosa currently does not have an ordinance regulating the operation of taxicabs. California Government Code section 53075.5 requires that all cities and counties adopt an ordinance or resolution regarding the provision of taxicab transportation services. The Police Department is proposing a new Taxicab Services Ordinance to permit and regulate taxicab services within the City. The proposed ordinance requires that all taxicab operators enter into a non-exclusive franchise with the City. A franchise fee of 2% of the gross annual revenues generated by the taxicab business is proposed.

This ordinance will also establish annual vehicle and driver permit fees, \$110 and \$160 respectively, to be set and adjusted by Council resolution. The ordinance will also provide for the designation of taxicab stands, and a revised schedule of parking fines and penalties will be proposed related to violations of posted taxicab stand restrictions.

In addition to accompanying resolutions related to permit fees, revised parking fines and a form non-exclusive franchise agreement, a resolution will be requested to authorize the City to access criminal history information for licensing taxicab drivers and companies.

RECOMMENDATION: The Police Department recommends that the Council adopt an ordinance to regulate taxicab services within the City and to require a non-exclusive franchise agreement with any person or entity who desires to provide taxi service in the City. It is further recommended that the Council adopt resolutions concerning: 1) the establishment of an annual vehicle permit fee of \$110 and an annual driver permit fee of \$160; 2) approval of a revised schedule of parking fines and penalties; 3) approval to access criminal history information for licensing purposes; and 4) approval of a form non-exclusive franchise agreement.

Lt. Jerry Soares, Police Department, made the staff presentation and responded to questions from Council. [7:32:53 PM](#)

Assistant City Attorney Michael Casey [7:41:11 PM](#) explained that the City Charter requires a minimum 2% franchise fee. In addition, State law considers taxicabs a public utility and prohibits charging a business license tax if a franchise fee is being levied.

PUBLIC HEARING

The public hearing was **opened** at 7:45 p.m. [7:45:44 PM](#)

Kevin Kroh, [7:49:39 PM](#) operator of a taxi business, said the old ordinance worked fine; the new ordinance will be complicated to administer.

John Myerson, [7:52:59 PM](#) Golden Cab, offered suggestions to improve a number of aspects of the ordinance and resolutions.

Megan McGill, [7:56:08 PM](#) Manager of the Belvedere, requested a taxi stand on Carrillo St., around the corner from the business.

James Hooper [7:58:22 PM](#) spoke regarding requirements to provide service to everyone who asks, time limits on waiting at the request of the customer, yearly re-permitting, and other aspects of the proposed ordinance.

David Abrahams, [8:01:34 PM](#) driver for AC Taxi, said the process for this law is flawed and costs are too high;

Jeffery Hamel, [8:09:33 PM](#) Sam's Taxi, said the ordinance is a good thing but some of the charges are high.

Mike Moriarty, [8:07:21 PM](#) driver for AC Taxi, requested and received clarification about areas of permitted parking for taxis.

Robert Flett, [8:05:04 PM](#) Sam's Taxi, said the ordinance is basically a good one but some of the charges are high.

Steve Asgid, [8:10:29 PM](#) owner of Safe Ride Taxi, spoke in support of the ordinance but said there is a need for one ordinance to be enacted that covers all areas of the county, with standard fees and insurance requirements.

Steve Isdahl [7:46:15 PM](#) said there are too many new cabs taking business away from established cabs.

John Jenkel [8:12:54 PM](#) spoke regarding unconstitutional wars.

The public hearing was **closed** at 8:14 p.m. [8:14:50 PM](#)

Council Member Wysocky moved to amend the resolution establishing fees for taxicab permits to provide for a two-year permit rather than a one-year permit. The motion failed for lack of a second.

Council consensus, following discussion, was to provide a 15 minute unattended standing time

rather than 10 minutes, and to remain with a one-year permit at present. Efforts will be made by staff to move toward a multi-jurisdictional franchise.

MOVED by Council Member Gorin, **seconded** by Council Member Vas Dupre, **carried** unanimously, to introduce and waive reading of the text of the ordinance in item 11.5 as follows:

ORDINANCE NO. 3964 ENTITLED: ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA ADDING CHAPTER 6-87, TAXICAB SERVICES, TO THE SANTA ROSA CITY CODE

MOVED by Council Member Gorin, **seconded** by Council Member Vas Dupre, **carried** unanimously, to adopt and waive reading of the text of the resolution in item 11.5 as follows:

RESOLUTION NO. 27927 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA ESTABLISHING FEES IN CONNECTION WITH THE ISSUANCE OF TAXICAB PERMITS

MOVED by Council Member Gorin, **seconded** by Council Member Vas Dupre, **carried** unanimously, to adopt and waive reading of the text of the resolution in item 11.5, amended to provide a 15-minute unattended standing time, as follows:

RESOLUTION NO. 27928 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE REVISED SCHEDULE OF PARKING FINES AND PENALTIES

MOVED by Council Member Gorin, **seconded** by Council Member Vas Dupre, **carried** unanimously, to adopt and waive reading of the text of the resolution in item 11.5 as follows:

RESOLUTION NO. 27929 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING REQUESTS FOR CRIMINAL RECORD INFORMATION FROM THE DEPARTMENT OF JUSTICE FOR TAXICAB PERMIT PURPOSES

MOVED by Council Member Gorin, **seconded** by Council Member Vas Dupre, **carried** unanimously, to amend Section 06-87.330(C) of Ordinance No. 3964 to read, "No taxicab shall be parked unattended in any taxicab stand for a period of time exceeding fifteen (15) minutes."

MOVED by Council Member Gorin, **seconded** by Council Member Vas Dupre, **carried** unanimously,

to adopt and waive reading of the text of the resolution in item 11.5 as follows:[8:41:30 PM](#)

RESOLUTION NO. 27930 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING FRANCHISE AGREEMENT FOR TAXICAB SERVICES AND AUTHORIZING EXECUTION OF AGREEMENTS

12. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

12.1 LIVABLE PLACES UPDATE

12.2 LOCAL GOVERNMENT COMMISSION REPORTS

12.3 LETTER TO REPRESENTATIVES IN OPPOSITION TO SB 491 - PUBLIC EMPLOYEE ORGANIZATIONS.

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

14. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Art Bock [8:45:18 PM](#) spoke in favor of a ban on plastic bags.

John Jenkel [9:08:54 PM](#) spoke regarding organized crime and illegal wars.

Colleen Fernald [8:48:41 PM](#) spoke regarding a Supreme Court decision on violent video games; and offered comments about wars and nuclear dangers .

Richard Hannan [8:55:12 PM](#) spoke regarding illegal war.

Kristie Degan [8:52:13 PM](#) spoke regarding war and terrorism.

Carol Pascoe [9:02:24 PM](#) spoke regarding the dangers of a weather modification program.

Deborah Tavares [8:58:43 PM](#) spoke regarding the military's weather modification program.

Lou Tavares [9:06:22 PM](#) spoke regarding immunizations for children.

Michele C. Miller [9:12:09 PM](#) spoke regarding national and international topics.

15. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Olivares adjourned the meeting at 9:15 p.m. The next regularly scheduled meeting will take place on July 12, 2011, at a time to be set by the Mayor.

[9:15:24 PM](#)

Approved on: July 19, 2011

Sara J. Anna
Interim City Clerk