

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING AND
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF SANTA ROSA MINUTES
SPECIAL MEETING
CITY HALL, 100 SANTA ROSA AVENUE
AUGUST 14, 2012**

1. CALL TO ORDER AND ROLL CALL

Mayor Olivares called the meeting to order at 2:30 p.m. in the Mayor's Conference Room. Council Members present: Mayor Olivares, Vice Mayor Sawyer, Council Members Bartley, Gorin, Ours, Vas Dupre and Wysocky.

2. ANNOUNCEMENT OF CLOSED SESSION ITEM IN MAYOR'S CONFERENCE ROOM (ROOM 10, CITY HALL)

2.1 PUBLIC COMMENT ON CLOSED SESSION ITEMS – None.

2.2 ADJOURN TO CLOSED SESSION IN MAYOR'S CONFERENCE ROOM

Mayor Olivares adjourned the meeting to closed session at 2:30 p.m.

**2.3 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)**

Name of Case: DeSantis v. City of Santa Rosa, et al.
U.S.D.C. Northern District Case No.: C 07 3386 JSW

**2.4 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
(Subdivision (a) of Government Code Section 54956.9)**

Name of Case: City of Santa Rosa v. Cobblestone Homes, Inc., et al. Sonoma County Superior Court Case No. SCV 250424

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

Mayor Olivares adjourned the closed session at 2:45 p.m. and reconvened the City Council meeting to open session in the Council Chamber at 3:00 p.m.

3. STUDY SESSION

3.1 UPDATE ON THE COMMUNITY CORRECTIONS PARTNERSHIP REALIGNMENT BUDGET FOR FISCAL YEAR 2012/2013

On April 5, 2011, Assembly Bill 109 (The Public Safety Realignment Act of 2011) was signed into law. It went into effect on October 1, 2011.

Realignment legislation designates the Community Corrections Partnership (CCP) as the body responsible for developing and recommending an implementation plan for Public Safety Realignment to the Board of Supervisors. This legislation also creates an Executive Committee of each County's CCP, which constitutes its voting membership.

Tom Schwedhelm, Chief of Police, and Bob Ochs, Chief Probation Officer, provided an update on the Community Corrections Partnership (CCP) Realignment budget for the 2012/2013 fiscal year and the next steps related to realignment and responded to Council questions. No action was taken by the Council.

Because it was not yet 4:00 p.m., Mayor Olivares recessed the City Council meeting at 3:29 p.m. Mayor Olivares reconvened the meeting at 4:03 p.m.

4. ANNOUNCEMENT OF ROLL CALL

Council Members present: Mayor Olivares, Vice Mayor Sawyer, Council Members, Bartley, Gorin, Ours, Vas Dupre, and Wysocky.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION -- WOMEN'S EQUALITY DAY

Council Member Vas Dupre read and presented the proclamation to Rebecca Hollingsworth, Director, Youth Outreach & Education for the National Women's History Project.

5. REPORT ON STUDY AND CLOSED SESSIONS

City Attorney Fowler reported that the Council met in closed session with its legal counsel regarding Items 2.3 and 2.4, and there were no actions taken during the closed sessions.

City Manager Millison reported on the study session regarding the Community Corrections Partnership Realignment Budget for Fiscal Year 2012/2013.

7. STAFF BRIEFINGS

7.1 COMMUNITY ENGAGEMENT DINE (Discussions Inspiring Neighborhood Engagement) EVENT REPORT OUT

Georgia Pedgrift, Community Engagement Coordinator, presented an analysis of the first DINE event including discussion trends, participant feedback, and plans for the next event scheduled for September 14, 2012, and responded to Council questions.

7.2 UTILITIES DIRECTOR UPDATE

Miles Ferris, Director of the City's Utilities Department for the past 27 years, addressed the City Council to announce his pending retirement date and thanked the City Council and the public for their continued backing and support.

8. APPROVAL OF MINUTES

The Council approved the July 31, 2012, Regular Meeting Minutes as submitted.

9. MAYOR'S/COUNCILMEMBERS' REPORTS

9.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS

No statements of abstention were made.

9.2 MAYOR /COUNCILMEMBERS' REPORTS

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

Council Member Vas Dupre announced her appointment of David Chung to the Community Advisory Board as a northeast representative.

9.3 REPORTS BY MAYOR/COUNCILMEMBERS REGARDING VARIOUS AGENCY MEETINGS ATTENDED AND POSSIBLE COUNCIL DIRECTION TO ITS REPRESENTATIVES ON PENDING ISSUES BEFORE SUCH BOARDS (IF NEEDED)

- Sonoma County Transportation Authority (SCTA) – Council Member Wysocky announced a ribbon cutting on the Novato Narrows and the upcoming opening of the 6th Street Undercrossing.
- Other – Vice Mayor Sawyer reported on the Sonoma County Mayors' and Councilmembers' Association meeting held in Sonoma.

9.4 LEAGUE OF CALIFORNIA CITIES RESOLUTIONS

There are five separate issues that have been submitted to the General Resolutions Committee at League of California Cities for recommendation and voting at the General Assembly in September.

The resolutions are:

1. Resolution calling upon the Governor and Legislature to enact legislation that would correct inefficiencies in the audit system, distribution system and inequities in the formulas for distributing court ordered arrest and citation fines, fees and assessments generated by local government;
2. Resolution raising public awareness and supporting tougher laws related to internet crimes against children;
3. Resolution encouraging California Cities to oppose the California Desert Protection Act of 2011;
4. Resolution requesting consideration of suspension of implement or revision of the California Global Warming Solutions Act (AB32 of 2006); and
5. Resolution calling for an Emergency Management Mission for California Cities.

It is recommended by the City Manager's Office, that the Council, by motion, consider taking a position on each individual resolution to provide direction to its Voting Delegate for the meeting of the League General Assembly.

Jennifer Phillips, Assistant City Manager, made the staff presentation and responded to Council questions.

PUBLIC COMMENT

Anne Seeley spoke in favor of the staff recommendations regarding these resolutions, particularly Resolutions 3 and 4.

Jack Osborne expressed concerns regarding the lack of public input regarding the resolutions.

Phaedra Glidden spoke in opposition to AB 32 and SB 375 and the bills' impacts on the price of homes and encouraged the Council to support Resolution 4.

Following Council discussion, it was **MOVED** by Council Member Gorin, seconded by Vice Mayor Sawyer, and carried unanimously to direct the City's Voting Delegate to vote in support of League Resolutions 1, 2, and 5 and in opposition to League Resolutions 3 and 4 at the League General Assembly meeting.

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

City Manager Millison reported on the discussion by the Mayors' and Councilmembers' Association regarding the Sonoma County Library Joint Powers Authority and a recommendation by representatives of the Board of Supervisors to establish an ad hoc committee to review changes to the Joint Powers Authority.

City Attorney Fowler announced her upcoming absence from the September 11 and 18 meetings due to her attendance at a civil court trial and reported that the League of California Cities filed an amicus brief in support of the City on the Home Builders litigation.

11. CONSENT ITEMS

City Manager Millison noted that an updated cover sheet to the resolution exhibit was distributed on the dais for Item 11.4.

Council Member Wysocky pulled Item 11.3 for discussion.

MOVED by Vice Mayor Sawyer, seconded by Council Member Bartley, and carried unanimously to waive reading of the text and adopt Items 11.1, 11.2 and 11.4 as follows:

11.1 RESOLUTION – APPROVING THE COOPERATIVE AGREEMENT BETWEEN THE CITY OF SANTA ROSA, COUNTY OF SONOMA, AND THE SONOMA COUNTY WATER AGENCY AND APPROVAL OF EDITS TO THE ADOPTED STORM WATER LOW IMPACT DEVELOPMENT TECHNICAL DESIGN MANUAL FOR PURPOSES OF IMPLEMENTATION OF THE STORM WATER NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT REQUIREMENTS

RESOLUTION NO. 28175 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND AUTHORIZING EXECUTION OF THE COOPERATIVE AGREEMENT BETWEEN THE CITY OF SANTA ROSA, COUNTY OF SONOMA, AND THE SONOMA COUNTY WATER AGENCY AND APPROVAL OF EDITS TO THE ADOPTED STORM WATER LOW IMPACT DEVELOPMENT TECHNICAL DESIGN MANUAL FOR PURPOSES OF IMPLEMENTATION OF THE STORM WATER NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT REQUIREMENTS

11.2 RESOLUTION -- AMENDING THE CITY CLASSIFICATION AND SALARY PLAN TO ADD ONE (1.0) FTE LIMITED TERM UTILITIES TECHNICIAN POSITION FOR THE PERIOD OF ONE YEAR

RESOLUTION NO. 28176 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA TO AMEND THE CITY CLASSIFICATION AND SALARY PLAN TO ADD ONE (1.0) FTE LIMITED TERM UTILITIES TECHNICIAN POSITION FOR THE PERIOD OF ONE YEAR

11.4 RESOLUTION -- APPROVING CENTRAL PARKING ANNUAL BENEFIT ASSESSMENT DISTRICT BUDGET (Continued from the August 7, 2012, Regular Meeting)

RESOLUTION NO. 28177 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE BUDGET OF THE CENTRAL PARKING ANNUAL BENEFIT ASSESSMENT FOR FISCAL YEAR 2012/13 -- SANTA ROSA CENTRAL PARKING SERVICE FACILITIES DISTRICT -- SERIES 1998

11.3 RESOLUTION -- RATIFICATION OF THE FIRST AMENDMENTS AND APPROVAL OF THE SECOND AMENDMENTS TO FRANCHISE AGREEMENT FOR VEHICLE TOW SERVICES

Rich Celli, Police Sergeant, and Karin Pruitt, Field & Evidence Technician, responded to Council questions regarding the basis for the proposed increases to tow and storage fees. Michelle Inskeep from Yarbrough Towing provided additional information regarding the history of tow and storage fees.

PUBLIC COMMENT

Jack Osborne spoke in favor of awarding tow franchises to two companies based on bids.

Following Council discussion, it was **MOVED** by Vice Mayor Sawyer, seconded by Council Member Bartley, and carried 4-3 (Council Members Gorin, Vas Dupre, and Wysocky voting no) to waive reading of the text and adopt:

RESOLUTION NO. 28178 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RATIFYING FIRST AMENDMENTS AND APPROVING SECOND AMENDMENT TO FRANCHISE AGREEMENT FOR VEHICLE TOW SERVICES

Mayor Olivares recessed the regular meeting of the Santa Rosa City Council at 5:19 p.m. and convened to a special meeting of the Successor Agency to the Redevelopment Agency of the City of Santa Rosa.

**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF SANTA ROSA
CITY COUNCIL CHAMBER
TUESDAY, AUGUST 14, 2012
SPECIAL MEETING**

1. CALL TO ORDER AND ROLL CALL

Chair Olivares called the special meeting to order at 5:19 p.m. Board Members present: Chair Olivares, Vice Chair Sawyer, Board Members Bartley, Gorin, Ours, Vas Dupre and Wysocky.

2. PUBLIC COMMENT

Jack Osborne spoke regarding the Successor Agency being a separate entity and questioned why the Successor Agency is taking a recommendation from the City's Department of Economic Development and Housing.

Richard Canini spoke regarding the lawsuit against the Gateways Redevelopment Project and the cleanup of Deerfield Park.

Dave Gouin, Director of Economic Development and Housing, and Lawrence Chiu, Director of Finance, responded to Board questions.

3. CONSENT ITEM

MOVED by Vice Chair Sawyer, seconded by Board Member Bartley, and carried unanimously to waive reading of the text and adopt amended Item 3.1 as follows:

3.1 RESOLUTION -- ADOPTION OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR JANUARY – JUNE 2013

RESOLUTION NO. SA-2012-09 ENTITLED: RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA ROSA, APPROVING AND ADOPTING AN ADMINISTRATIVE BUDGET AND RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(j)-(l)

4. REPORT ITEM

4.1 REPORT – AUTHORIZATION FOR LOAN OF \$183,000 TO THE SUCCESSOR AGENCY FROM THE CITY'S GENERAL FUND TO MEET ADDITIONAL COMPLIANCE REQUIREMENTS OF AB 1484

BACKGROUND: AB 1484, a trailer bill to the Fiscal Year 2012/13 State Budget, requires Successor Agencies to complete various tasks by certain dates in order to receive a finding of completion from the State Department of Finance. Obtaining this finding will permit repayment of City loans in the amount of \$7,000,000 from the former redevelopment agency beginning in Fiscal Year 2013/2014. This item establishes a new project account with appropriations in the amount of \$183,000 from General Fund reserves to complete the necessary work as defined in AB 1484 and authorizes the Successor Agency to enter into a loan agreement with the City of Santa Rosa in order to fund completion of the work required by this Bill.

RECOMMENDATION: It is recommended by the Department of Economic Development and Housing and the Finance Department that the Successor Agency adopt a resolution that: 1) authorizes the Successor Agency to accept a loan from the City in the amount of \$183,000 for administrative costs necessitated by additional compliance requirements imposed by AB 1484, and which loan is authorized by section 34173(h) of the Health and Safety Code; 2) approves the execution of a Promissory Note in the amount of \$183,000 for delivery to the City; and 3) authorizes that the loan and Promissory Note be reflected on the ROPS.

Nancy Manchester, Program Specialist, provided the staff report and responded to Board questions.

Following Board discussion, it was **MOVED** by Board Member Ours, seconded by Board Member Bartley, and carried unanimously to waive reading of the text and adopt:

RESOLUTION NO. SA-2012-10 ENTITLED: RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA ROSA AUTHORIZING THE ACCEPTANCE OF A LOAN IN THE AMOUNT OF \$183,000 FROM THE CITY OF SANTA ROSA, AND EXECUTION OF PROMISSORY NOTE, TO ALLOW THE SUCCESSOR AGENCY TO MEET THE ADDITIONAL REQUIREMENTS IMPOSED BY AB 1484

Chair Olivares adjourned the special meeting of the Successor Agency to the Redevelopment Agency of the City Of Santa Rosa at 5:40 p.m.

Mayor Olivares reconvened the regular meeting of the City Council and recessed the meeting for a short dinner break at 5:40 p.m. Mayor Olivares reconvened the City Council regular meeting at 6:05 p.m.

12. REPORT ITEMS

12.1 REPORT -- APPROPRIATION OF FUNDING FOR IMPLEMENTATION OF ASSEMBLY BILL 1484 IMPOSING ADDITIONAL TASKS ON THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA ROSA

BACKGROUND: AB 1484, a trailer bill to the Fiscal Year 2012/13 State Budget, requires Successor Agencies to complete various tasks by certain dates in order to receive a finding of completion from the State Department of Finance. Obtaining this finding will permit repayment of City loans in the

amount of \$7,000,000 from the former redevelopment agency beginning in Fiscal Year 2013/2014. This item establishes a new project account with appropriations in the amount of \$183,000 from General Fund reserves to complete the necessary work as defined in AB 1484 and authorizes loaning of the funds to the Successor Agency.

RECOMMENDATION: This resolution, recommended by the Department of Economic Development and Housing and the Finance Department recommends the adoption of a resolution that: 1) authorizes the Chief Financial Officer to establish Project No. 02065 (AB 1484 – RDA Dissolution), with appropriations in the amount of \$183,000, the source of funds being a loan from the General Fund Reserves to the Successor Agency, so that work associated with meeting the requirements of AB 1484 may be completed; and 2) authorizes acceptance of delivery of a Promissory Note from the Successor Agency in the amount of \$183,000.

Nancy Manchester, Program Specialist, provided the staff report and responded to Council questions.

MOVED by Council Member Ours, seconded by Council Member Wysocky, and carried unanimously to waive reading of the text and adopt:

RESOLUTION NO. 28179 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROPRIATING FUNDS TO LOAN TO THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SANTA ROSA TO ALLOW THE SUCCESSOR AGENCY TO IMPLEMENT ASSEMBLY BILL 1484 WHICH IMPOSES ADDITIONAL TASKS ON THE SUCCESSOR AGENCY AND ACCEPTANCE OF PROMISSORY NOTE

12.2 REPORT – BUDGET FOLLOW UP - REVIEW OF RECREATION AND PARKS RESTROOM MAINTENANCE PROGRAM

BACKGROUND: During the budget process, City Council asked staff to report on the cost of increasing the level of service for park restroom maintenance. The City's park inventory includes twelve (12) parks that feature a total of sixteen (16) restroom facilities available to the public. Restrooms are cleaned and serviced once per day between 6:30 am and 8:00 am with additional service available on an emergency basis. Howarth Park, the City's busiest park, has temporary employees that service the restrooms throughout the day to keep up with demand. Prior to the budget reductions that occurred in 2009, restroom maintenance was privately contracted with a non-profit organization. Given the resources available after budget reductions, restroom maintenance was analyzed and utilizing a combination of permanent and temporary City employees was determined to be the most cost effective approach. Increasing the frequency of restroom servicing will either require reprioritizing current service levels and reducing programming delivered by the department in another area or identifying an additional funding source.

RECOMMENDATION: This report is provided as information only in response to Council questions.

Marc Richardson, Director of Recreation and Park, provided the staff report and responded to Council questions. No action was taken by the Council.

12.3 REPORT -- MUNICIPAL SERVICES CENTER SOUTH RE-ROOF AND ROOF MODIFICATIONS

BACKGROUND: The roof on the City-owned Municipal Service Center South building leaks and is starting to incur interior building damage. Replacing the roof before the rainy season with a cool membrane roof would save money on roof repairs and interior building damage and would reduce energy costs. The estimated cost to replace the existing roof is \$350,000. The cost would be funded by Utilities funds and General funds, proportionate to the square footage use of the building. Under an expedited process to replace the leaking roof before the rainy season, bids are scheduled to be opened on August 13, 2012. Bid results will be announced at the Council meeting.

RECOMMENDATION: It is recommended by the Utilities Department and the Transportation and Public Works Department that the Council, by motion, establish the Municipal Services Center South Re-Roof and Roof Modifications Project, JL Key 17517, award construction Contract C01749 to the lowest responsive and responsible bidder and approve a construction contingency of 10%.

Colleen Ferguson, Deputy Director – Engineering, provided the staff report and responded to Council questions. Because the successful bid is within the City Manager's award authority, no action was taken by the Council.

12.4 REPORT – BALLOT ARGUMENTS IN SUPPORT OF CHARTER AMENDMENTS REGARDING BINDING ARBITRATION, DESIGN-BUILD PROCUREMENT AND CLEAN-UP AMENDMENTS

BACKGROUND: On July 24, 2012 the City Council, by motion, indicated that it wished to prepare the ballot arguments in favor of Ballot Measure 2 (Binding Arbitration), Ballot Measure 3 (Design Build) and Ballot Measure 4 (Clean up Amendments). The Council further suggested that the City seek additional Community Leaders to sign in favor of the three measures in accordance with the Election Code provisions. The deadline for submission of ballot arguments is August 20, 2012.

If arguments for and against any measure are submitted, any rebuttal arguments to the measure are required to be filed by August 30, 2012. Since the City Council will not be meeting prior to that date, the Mayor should be authorized to sign and file the primary arguments and, if necessary, rebuttal arguments on behalf of the City Council for each of the three ballot measures subject to review of the City Attorney.

RECOMMENDATION: It is recommended that the Council, by resolution, approve the wording of the ballot arguments in support of Measure 2, Measure 3 and Measure 4, authorize the Mayor to sign the arguments on behalf of the City Council, authorize the Mayor to sign on behalf of the City Council any rebuttal arguments that may be necessary, and timely file the arguments with the City Clerk as required under the Elections Code.

It is further recommended that the Council, by motion, approve the addition of the signatures of community members to join the Council in support of these ballot arguments in accordance with the requirements of the Elections Code and authorizes these community members to also sign any rebuttal arguments if necessary or for the Mayor to seek additional signatures for the rebuttal after consultation with the City Manager and City Attorney.

Caroline Fowler, City Attorney, provided the staff report and responded to Council questions.

Following Council discussion, it was **MOVED** by Council Member Gorin, seconded by Council Member Ours, and carried 6-1 (Council Member Wysocky voting no) to waive reading of the text and adopt as amended to substitute Measure Numbers 2, 3, and 4 with the designated letters R, S, and T:

RESOLUTION NO. 28180 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE WORDING OF BALLOT ARGUMENTS IN SUPPORT OF MEASURE R, MEASURE S AND MEASURE T; AUTHORIZING THE MAYOR TO EXECUTE THE ARGUMENTS AND ANY REBUTTAL ARGUMENTS THAT MAY BE NECESSARY ON BEHALF OF THE COUNCIL; AND DIRECTING THE TIMELY FILING OF THE ARGUMENTS AND ANY REBUTTAL ARGUMENT WITH THE CITY CLERK AS REQUIRED UNDER THE ELECTION CODE

MOVED by Council Member Gorin, seconded by Council Member Ours and carried unanimously to approve the addition of the signatures of community members to join the Council in support of these ballot arguments in accordance with the requirements of the Elections Code and authorize these community members to also sign any rebuttal arguments if necessary or for the Mayor to seek additional signatures for the rebuttal after consultation with the City Manager and City Attorney.

 *** 12.5 REPORT - SONOMA MARIN AREA RAIL TRANSIT (SMART) JENNINGS AVENUE GRADE SEPARATED BICYCLE AND PEDESTRIAN CROSSING ENVIRONMENTAL REVIEW AND DESIGN FUNDING AGREEMENT**

City Manager Millison explained the need for Council to make a motion to consider this item as this issue arose after publication of the preliminary agenda. It was **MOVED** by Council Member Wysocky seconded by Council Member Vas Dupre and carried unanimously add Item 12.5 to the agenda for Council consideration and action.

BACKGROUND: The Sonoma Marin Area Rail Transit (SMART) began track reconstruction in June 2012 along the rail corridor. This work includes the area between Guerneville Road in Santa Rosa to San Rafael.

According to SMART staff, their contractor is expected to begin work on the track reconstruction in the vicinity of Jennings Avenue in October 2012.

SMART staff and their contractor believe that a grade separated bicycle and pedestrian crossing could be constructed at the Jennings Avenue location. Due to the ongoing construction of the tracks, a timely determination of the feasibility of this option is needed.

RECOMMENDATION: This resolution, recommended by the Transportation and Public Works Department, approve and authorize the City Manager to execute a Funding Agreement with Sonoma Marin Area Trail Transit (SMART) in an amount not to exceed \$200,000 to complete the environmental review and design of a grade separated bicycle and pedestrian crossing at Jennings Avenue with the source of funds being Capital Facilities Fees (CFF) budgeted in CIP project number JL Key P17485 – Jennings Avenue Crossing, pending approval of the SMART District Board.

Rick Moshier, Director of Transportation and Public Works, provided the staff report and responded to Council questions.

PUBLIC COMMENT

Gary Helfrich, Executive Director of Sonoma County Bicycle Coalition, spoke in favor of studying the bicycle and pedestrian crossing at Jennings Avenue and recommended looking at the number of at-grade crossings regionally.

Following Council discussion, it was **MOVED** by Council Member Wysocky, seconded by Council Member Gorin, and carried unanimously to waive reading of the text and adopt the following resolution, the final paragraph of which was amended to read: "NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa authorizes a Funding Agreement with the Sonoma Marin Area Rail Transit District for the completion of environmental review and design alternatives of a grade separated bicycle and pedestrian crossing at Jennings Avenue in an amount not to exceed \$200,000, pending approval of the SMART District Board and subject to review and approval of the City Attorney."

RESOLUTION NO. 28181 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING A FUNDING AGREEMENT WITH THE SONOMA MARIN AREA RAIL TRANSIT DISTRICT TO COMPLETE AN ENVIRONMENTAL REVIEW AND DESIGN ALTERNATIVES FOR A GRADE SEPARATED BICYCLE AND PEDESTRIAN CROSSING AT JENNINGS AVENUE

12.6 PUBLIC HEARING – PLACEMENT OF ANNUAL STORM WATER ENTERPRISE CHARGES ON THE GENERAL TAX ROLL

BACKGROUND: The annual charges of the storm water enterprise have been fixed by the Council at \$28.52 per equivalent residential unit (ERU) for Fiscal Year 2012/13. To simplify the payment process for property owners and to reduce collection expenses, the City, as directed by Council, proposes to collect the charges on the Sonoma County property tax roll.

RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, place the storm water enterprise charges on the tax roll to be collected by the County Tax Collector at the same time and in the same manner as County taxes are collected.

Elizabeth Smith, Accountant, provided the staff report and responded to Council questions.

PUBLIC HEARING

Mayor Olivares opened the public hearing at 7:37 p.m. Seeing no one wishing to speak, Mayor Olivares closed the public hearing at 7:37 p.m.

Following Council discussion, it was **MOVED** by Council Member Bartley, seconded by Vice Mayor Sawyer, and carried unanimously to waive reading of the text and adopt:

RESOLUTION NO. 28182 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AND ADOPTING A REPORT AND ORDERING THAT ANNUAL CHARGES OF THE CITY'S STORM WATER ENTERPRISE CHARGES BE COLLECTED ON THE TAX ROLL.

13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

13.1 FOURTH QUARTER REPORT ON THE BOARDS AND COMMISSIONS ATTENDANCE

- 13.2 **LETTER OPPOSING AB 2231 (FUENTES) SIDEWALKS: REPAIRS (INCREASED LIABILITY FOR LOCAL AGENCIES)**
14. **ANNOUNCEMENT OF ADDITIONAL CLOSED SESSION ITEM(S), ADJOURNMENT TO CLOSED SESSION(S), RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS** – None.

15. **PUBLIC COMMENTS ON NON-AGENDA MATTERS**

James Bennett spoke in opposition to SMART and ICLEI.
Peter Tscherneff spoke regarding various topics.

16. **ADJOURNMENT OF MEETING**

Hearing no further business, Mayor Olivares adjourned the meeting at 7:46 p.m. The next regularly scheduled meeting will take place on September 11, 2012, at a time to be set by the Mayor.

Approved on: September 11, 2012

/s/ Terri A. Griffin, City Clerk