

**SANTA ROSA CITY COUNCIL MINUTES
REGULAR MEETING
CITY HALL, 100 SANTA ROSA AVENUE
OCTOBER 15, 2013**

1. CALL TO ORDER AND ROLL CALL

Mayor Bartley called the regular meeting to order at 3:00 p.m. in the Mayor’s Conference Room. Council Members present: Mayor Bartley, Council Members Combs, Olivares, Ours, Swinth and Wysocky. Vice Mayor Carlstrom participated via teleconference on Items 12.1 through 12.6.

2. ANNOUNCEMENT OF CLOSED SESSION ITEMS

City Attorney Fowler announced the Council will meet in Closed Session regarding the Closed Session items as listed on the agenda.

2.1 PUBLIC COMMENT ON CLOSED SESSION ITEMS

None.

2.2 RECESS TO CLOSED SESSION IN MAYOR’S CONFERENCE ROOM

Mayor Bartley recessed the meeting to closed session at 3:00 p.m. to discuss the following matters as listed on the agenda.

**2.3 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)**

Agency Designated Representatives: Fran Elm, Human Resources Director, Chris Sliz, Employee Relations Manager, and Carol Stevens of Burke, Williams & Sorensen, LLP.

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).

**2.4 CONFERENCE WITH LABOR NEGOTIATORS
(Government Code Section 54957.6)**

Agency Designated Representatives: Kathleen Millison, City Manager and Jennifer Phillips, Assistant City Manager. Unrepresented Executive Management, Middle Management, and Confidential Employees (Employee Units 10, 11 and 12).

2.5 RECESS CLOSED SESSIONS AND RECONVENE TO OPEN SESSION IN THE COUNCIL CHAMBER

Mayor Bartley recessed the closed sessions at 3:53 p.m. and reconvened the meeting to open session in the Council Chamber at 4:03 p.m.

3. STUDY SESSION – NONE

4. ANNOUNCEMENT OF ROLL CALL

City Clerk Griffin announced all Council Members were present with the exception of Vice Mayor Carlstrom. Teen Council Member Taylor Wang was also present until 5:00 p.m.

5. REPORT, IF ANY, ON STUDY AND CLOSED SESSIONS

City Attorney Fowler reported that the Council met in Closed Session regarding Items 2.3 and 2.4 and there were no actions to report.

6. PROCLAMATIONS/PRESENTATIONS

6.1 PROCLAMATION - NORTH BAY DISCOVERY DAY

Council Member Swinth read the proclamation and presented it to Dr. Julie Mangada, The Buck Institute,

6.2 PROCLAMATION - SPECIAL OLYMPICS DAY

Council Member Combs read the proclamation and presented it to Colleen Metz Rouleau, Coach for Special Olympics Northern California.

7. STAFF BRIEFINGS

7.1 COMBINED HEAT AND POWER FACILITY COMMISSIONING

The new Combined Heat and Power Facility at the Laguna Treatment Plant was formally commissioned on September 18, 2013. The facility replaces a 40 year old facility and uses recovered digester gas to generate 1/3 of the Plant's summertime power needs. Staff will update the Council on the purpose and benefit of the project, as well as the \$2.4 million incentive the project qualified for from PG&E.

David Guhin, Director of Utilities, and Mike Prinz, Deputy Director Subregional Operations, provided the staff briefing and responded to questions.

PUBLIC COMMENT

Jack Osborne spoke regarding the cost savings and questioned whether the plant works in the summer time.

8. APPROVAL OF MINUTES – NONE.

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 other announcements and reports of interest to the Council. Teen Council Member Taylor Wang also provided a report.

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)

- a) Sonoma County Transportation Authority/Regional Climate Protection (SCTA/RCPA) - Council Member Combs provided a report.
- b) Sonoma County Water Agency (SCWA) – Water Advisory Committee
- c) Association of Bay Area Governments (ABAG) – None.
- d) Sonoma County Agricultural Preservation and Open Space District Advisory Committee – Council Member Wysocky provided a report.

- e) Sonoma Clean Power Authority (SCPA) – Council Member Ours reported on the upcoming meeting to be held on October 17.

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

City Manager Millison reported on her trip to Dover, Delaware.

City Attorney Fowler reported on a meeting with the executive director and attorney from the Sonoma County Waste Management Agency in which they agreed to submit to the agency board a proposed amendment to the Joint Powers Agreement that would specifically state that the agency has the authority to adopt ordinances and provide that cities may elect to opt out of programs enacted by an agency ordinance.

11. CONSENT ITEMS

MOVED by Council Member Olivares seconded by Council Member Ours and **CARRIED** 6-0-1 (Vice Mayor Carlstrom absent) by roll call vote to add Item 11.3 to the agenda as it did not appear on the Preliminary Agenda.

PUBLIC COMMENT

Jack Osborne spoke on Items 11.2 and 11.3.

Frank Kasimov, Program Specialist II, responded to questions.

MOVED by Council Member Ours, seconded by Council Member Olivares and **CARRIED** 6-0-1 (Vice Mayor Carlstrom absent) by roll call vote to waive reading of the text and adopt Consent Items 11.1 through 11.3 as follows:

11.1 MOTION CONTRACT AWARD FOR MAIL SERVICES WITH THE COUNTY OF SONOMA

MOTION TO APPROVE THE AGREEMENT WITH THE COUNTY OF SONOMA, CALIFORNIA FOR THE PROVISION OF MAIL SERVICES DURING THE PERIOD OF DECEMBER 10, 2013 THROUGH JUNE 30, 2016, IN AN AMOUNT NOT TO EXCEED \$400,000, FUNDS FOR WHICH OPERATIONAL EXPENSE HAVE BEEN ALLOCATED IN THE FY 2013 14 BUDGET OF THE FINANCE DEPARTMENT, KEY NUMBER 050203, OBJECT CODE 5340, AND WILL BE ALLOCATED IN SUBSEQUENT FISCAL YEAR BUDGETS WHEN APPROVED BY COUNCIL.

11.2 RESOLUTION FIFTH AMENDMENT TO COOPERATIVE AGREEMENT TO IMPLEMENT ENERGY INDEPENDENCE PROGRAM

RESOLUTION NO. 28360 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIFTH AMENDMENT TO COOPERATIVE AGREEMENT TO IMPLEMENT ENERGY INDEPENDENCE PROGRAM EXTENDING THE COOPERATIVE AGREEMENT WITH SONOMA COUNTY FOR AN ADDITIONAL YEAR AND MAINTAINING PARTICIPATION IN THE SONOMA COUNTY ENERGY INDEPENDENCE PROGRAM (SCEIP)

11.3 RESOLUTION RELEASE OF THE CITY'S LIENS RECORDED AGAINST THE FORMER AT&T PROPERTY, LOCATED AT 520 THIRD STREET

RESOLUTION NO. 28361 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA AUTHORIZING RELEASE OF THE CITY'S LIENS AGAINST THE FORMER AT&T PROPERTY, LOCATED AT 520 THIRD STREET

Vice Mayor Carlstrom joined the meeting via teleconference from 445 Denton Way, Santa Rosa, at 4:45 p.m.

12. REPORT ITEMS

12.1 REPORT ADOPTION OF MEMORANDUM OF UNDERSTANDING UNIT 2 FIREFIGHTING, REPRESENTED BY INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, IAFF, LOCAL 1401

BACKGROUND: The City's representatives and representatives from Unit 2 Firefighting, represented by International Association of Firefighters, IAFF, Local 1401, have met and conferred concerning a successor Memorandum of Understanding.

The significant changes in the proposed agreement are: In the first year, there will be no increase to salary, employees will begin payment of full member 9% PERS contribution, an additional 24 hours in vacation accrual at employment year 15 and 20, and transition to a firefighter/paramedic program. In the second year, employees will received a 2% salary increase which will be offset by an additional 1.5% contribution to PERS for a total PERS contribution of 10.5%, and begin paying 5% of the combined dental and vision premium. In the third year, employees will receive a 2.5% salary increase, which will be offset by an additional 2% contribution to PERS for a total PERS contribution of 12%, which is the maximum allowable under Government Code Section 20516.5. RECOMMENDATION: It is recommended by the Finance Department that the Council, by resolution, authorize the Chief Financial Officer to enter into Voluntary Disclosure Agreements to waive penalties where the amount of the unremitted Utility Users Tax is \$50,000 or less.

RECOMMENDATION: It is recommended by the City's Negotiating Team that the Council:

1. By resolution, adopt the Memorandum of Understanding for and on behalf of the City's Unit 2, Firefighting, represented by International Association of Firefighters, IAFF, Local 1401. This agreement will be effective October 15, 2013 to June 30, 2016 and;
2. By resolution, effectuate the changes with PERS and implement the 9% employee member contribution.

Fran Elm, Director of Human Resources, provided the staff report and responded to questions. Tim Aboudara, President of IAFF, Local 1401, provided additional remarks to the Council on behalf of Unit 2. Tony Gossner, Deputy Fire Chief, John Bartel, Bartel Associates, and Carol Stevens, Burke, Williams & Sorensen, LLP responded to questions.

PUBLIC COMMENT

Peter Tscherneff spoke regarding transparency and various other topics.

Richard Canini spoke regarding Council Member Wysocky's due diligence and collegiality.

Tim Aboudara addressed questions regarding the firefighter candidate pool, hire rates, salaries, the prior health care concession, and net increase to compensation.

MOVED by Council Member Swinth and seconded by Council Member Olivares to waive reading of the text and adopt:

RESOLUTION NO. 28362 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 2 – FIREFIGHTING REPRESENTED BY INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, IAFF, LOCAL 1401, FOR A THREE YEAR CONTRACT OCTOBER 15, 2013- JUNE 30, 2016

Following Council discussion, the motion **CARRIED** 5-2 (Council Members Combs and Wysocky voting no) by roll call vote.

MOVED by Council Member Swinth, seconded by Council Member Olivares and **CARRIED** unanimously by roll call vote to waive reading of the text and adopt:

RESOLUTION NO. 28363 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA FOR PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS

Mayor Bartley recessed the Council meeting at 5:52 p.m. and reconvened the meeting at 6:00 p.m.

12.2 REPORT - UTILITY CERTIFICATE FOR 3319 PRIMROSE COURT (AVENUE) - UC13-008

BACKGROUND: On August 27, 2013, the applicant applied for a Utility Certificate in response to a request from the Sonoma County Permit and Resource Management District (PRMD) to get the City of Santa Rosa’s approval before applying for a building permit for a proposed 1,050 square foot addition to the home at the subject site. The site has had City sewer service since 1974.

RECOMMENDATION: It is recommended by the Department of Community Development that the Council approve, by resolution, a Utility Certificate to continue to provide sewer service for the property located at 3319 Primrose Court.

Susie Murray, City Planner, provided the staff report and responded to questions.

PUBLIC COMMENT

MOVED by Council Member Wysocky and seconded by Council Member Combs to waive reading of the text and adopt:

RESOLUTION NO. 28364 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A UTILITY CERTIFICATE FOR SEWER SERVICE FOR A SINGLE FAMILY RESIDENCE LOCATED AT 3319 PRIMROSE COURT – ASSESSOR’S PARCEL NUMBER 134-271-062; FILE NO. UC13-008

Following Council discussion, the motion **CARRIED** unanimously by roll call vote.

12.3 REPORT APPROVAL OF POLICY DELEGATING APPROVAL OF MEMORANDA OF UNDERSTANDINGS TO RECREATION AND PARKS DIRECTOR

BACKGROUND: The Recreation and Parks Department frequently has opportunities to expand recreation programs and utilize service groups for the benefit of both the community and the Department. These opportunities become available in a variety of ways, including volunteer efforts and partnerships with community groups, the County of Sonoma, other cities, schools, and non profit organizations. Each year, these efforts have a significant impact on Recreation and Parks’ ability to provide recreation programs and enhanced maintenance of parks and certain facilities. Currently, there is no policy in place for delegation of signing authority for such agreements, requiring Council action for each agreement.

RECOMMENDATION: It is recommended by the Department of Recreation and Parks that Council, by resolution, approve a policy that authorizes the Director of Recreation and Parks to approve and execute Memoranda of Understandings with other parties related to community services, activities and events.

Nanette Smejkel, Director of Recreation & Parks, provided the staff report and responded to questions.

MOVED by Council Member Olivares and seconded by Council Member Wysocky to waive reading of the text and adopt:

RESOLUTION NO. 28365 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING A POLICY GRANTING AUTHORITY TO THE DIRECTOR OF RECREATION AND PARKS TO APPROVE AND EXECUTE MEMORANDA OF UNDERSTANDINGS (MOUs)

Following Council discussion, the motion **CARRIED** unanimously by roll call vote.

12.4 REPORT FIRST AMENDMENT TO THE LEASE BETWEEN THE CITY OF SANTA ROSA AND THE COMMUNITY CHILD CARE COUNCIL OF SONOMA COUNTY

BACKGROUND: Northwest Community Park located on Marlow Road is developed with a day care building, fenced play yard and play structure that been leased and operated as a day care facility since 1999, in addition to the 4.5 acres of parkland. The Community Child Care Council of Sonoma County (4Cs) began leasing the Site on July 1, 2007 at a rate of \$600.00 per month. The lease, approved by Council in June 2007, had a one year term and allowed for two consecutive one year extensions to June 30, 2010. The terms of the lease provided 4Cs with holdover tenancy on a month to month basis if they did not vacate the Site; if the tenant held over, the monthly payment shall be equal to one hundred twenty five percent (125%) of the rent payable prior to the end of the term or \$750 per month. 4Cs wishes to continue occupying the Site and is requesting that the Council set the monthly rental rate of \$750.00 to become effective July 1, 2013.

RECOMMENDATION: It is recommended by the Department of Recreation and Parks that Council, by resolution, approve the First Amendment to the Lease between the City of Santa Rosa and the Community Child Care Council of Sonoma County located at 2536 Marlow Road, Santa Rosa, and establish the monthly rental rate of \$750.00 to become effective July 1, 2013.

Nanette Smejkel, Director of Recreation & Parks, provided the staff report and responded to questions.

MOVED by Council Member Combs and seconded by Council Member Olivares to waive reading of the text and adopt:

RESOLUTION NO. 28366 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE FIRST AMENDMENT TO THE LEASE BETWEEN THE CITY OF SANTA ROSA AND THE COMMUNITY CHILD CARE COUNCIL OF SONOMA COUNTY FOR THE CHILD CARE CENTER LOCATED AT 2536 MARLOW ROAD

Following Council discussion, the motion **CARRIED** unanimously by roll call vote.

12.5 REPORT BENNETT VALLEY GOLF COURSE REPORT

BACKGROUND: The Bennett Valley Golf Course (BVGC) is owned by the City of Santa Rosa and was built in 1969. In 1974 the City entered into an agreement with John Flachman for the supervision and operation of the BVGC.

In 1997 the City entered into a new five year agreement with John Flachman for the supervision and operation of the BVGC. In 2001 Flachman requested, and the City approved, an amendment to this agreement adding Robert Borowicz (“Operator”) to the agreement. In 2002, the agreement was extended for three years, expiring in June 2005. In 2005 the City and Borowicz removed Flachman from the agreement and extended the agreement for five years, through 2010 with an additional five year option to June 2015.

In June 2012, the City approved Amendment No. 1 to the Agreement between the City and Robert Borowicz that altered the annual payments to the Operator by reducing the annual cost of living increase from 2.75% to 1.5% for six of the remaining terms of the agreement until the final term of the agreement in FY 2018 19 at which time the Operator would receive a 15.33% increase. Although this amendment was projected to save over \$433,000 over the life of the contract, the course continued to experience financial challenges.

As another step towards improving the operations and financial stability of BVGC and within the terms of the agreement, the City solicited bids in September 2012 for a performance review of the golf course operations in the areas of revenue generation, customer service, and maintenance. The City selected Sirius Golf Advisors and their work was conducted in February 2013 with a draft report provided to the City in March 2013 and final report delivered in April 2013.

The purpose of the review and evaluation conducted by Sirius Golf Advisors was to identify areas for improvement of the operations with this goal of increasing revenues and reducing costs. Overall, the review and evaluation found the operation was well managed. Areas for improvement were found in five general areas: capital improvements, financial controls, operational changes, fee restructuring and improved marketing. Staff has reviewed the report in detail with the Operator.

Based on the outcome of both the operational and contractual reviews, the City initiated negotiations with the Operator. A first phase in this process was to negotiate a one year agreement for FY 2013 14 that reduces the payments made to the Operator, increases the Operator's responsibilities and requires that the Operator hire a marketing consultant and work collaboratively with the City in preparing a five year strategic business plan.

RECOMMENDATION: It is recommended by the City Manager's Office, that the City Council, by motion, accept this report and direct staff to negotiate a new, multi year agreement with the Operator that would begin in FY 2014-15.

Jennifer Phillips, Assistant City Manager, provided the staff report and responded to questions. Lawrence Chiu, Chief Financial Officer, Timothy Krisch, Chief Executive Officer for Maze & Associates, and Robert Borowicz, Golf Course Operator, also responded to questions.

PUBLIC COMMENT

Gregory Fearon, Bennett Valley Golf Club Board of Directors, spoke in support of the staff recommendations.

Bill Ward spoke in support of the staff recommendations.

MOVED by Council Member Ours and seconded by Council Member Wysocky to accept the Bennett Valley Golf Course report and direct staff to negotiate a new, multi year agreement with the Operator that would begin in FY 2014-15.

Following Council discussion and feedback to staff regarding provisions of the operations agreement, the motion **CARRIED** unanimously by roll call vote.

12.6 REPORT SECOND AMENDMENT TO BENNETT VALLEY GOLF COURSE MANAGEMENT AND OPERATIONS AGREEMENT AND ROBERT BOROWICZ

BACKGROUND The Bennett Valley Golf Course (BVGC) is a valued community asset and is a well regarded and heavily played golf course in Sonoma County. The City and operator are both committed to preserving and enhancing this community asset and have been meeting regularly to develop both a short term and long term strategy focused on fiscal

stability for the BVGC. The City and operator agree that a short term goal for FY 2013 14 is to balance revenues and expenditures, thereby not drawing from reserves.

The current agreement provides the operator with a 1.5% increase for FY 2013 14 and a monthly payment of \$74,158. The operator has agreed to reduce the monthly payment to \$70,000 for the entire FY 2013 14. This amounts to a savings of \$49,896. In addition, the operator agrees to assume financial responsibility for the supplies account up to a maximum amount of \$45,000 for the entire FY 2013 14. Lastly, in an initial step towards a long term strategy, the operator agrees to hire, at his sole expense, a marketing consultant to assume all marketing and advertising duties and responsibilities for the BVGC, which includes active on line, print and other media to increase play at the course.

RECOMMENDATION: It is recommended by the City Manager’s Office that the City Council, by resolution, authorize the Mayor to execute the Second Amendment to the Bennett Valley Golf Course Management and Operations Agreement with Robert Borowicz and authorize the Director of Recreation and Parks to administer the Amended Agreement.

Jennifer Phillips, Assistant City Manager, provided the staff report and responded to questions. Robert Borowicz, Golf Course Operator, also responded to questions.

PUBLIC COMMENT

Peter Tscherneff spoke regarding free golf play, marketing, and homeless issues.

MOVED by Council Member Olivares and seconded by Council Member Ours to waive reading of the text and adopt:

RESOLUTION NO. 28367 ENTITLED: RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF SANTA ROSA AND ROBERT BOROWICZ FOR THE MANAGEMENT AND OPERATION OF THE BENNETT VALLEY GOLF COURSE

Following Council discussion, the motion **CARRIED** unanimously by roll call vote.

13. PUBLIC HEARINGS

13.1 PUBLIC HEARING BENNETT VALLEY GOLF COURSE GREEN FEE INCREASE

BACKGROUND Bennett Valley Golf Course (BVGC) is operated as an enterprise fund generating revenue through green fees, sales at the pro shop and lease revenue from the adjacent Legends restaurant.

The City increased green fees in 2008, 2009, and 2010 which was part of the strategy to fund the construction of the new buildings which were completed in 2007. Green fees were increased again for FY 2012 13, an average of five percent (5%) which equated to an additional \$1 per round of golf.

An independent, third party survey of other Sonoma county municipal and public courses shows that current Bennett Valley Golf Course fees continue to be competitive with fees charged at other courses in the area and therefore it is anticipated that an increase in green fees will not adversely affect the number of rounds played.

The proposed green fees increases range from \$1 to \$3 per individual round, increase the annual pass by approximately seven percent (7%), and add new pricing for play at various times of the day to optimize use of the course.

Council Policy 000 56 states that reserves “shall be maintained at a level of between six and eight months of operating expenses, with an additional \$200,000 kept in reserve for

emergency expenditures.” Currently BVGC is not meeting the minimum reserves required. A plan to increase the reserves over a 5 7 year period will include restructuring the golf course operator’s agreement; the proposed fee increase for FY13 14; a reduction in controllable expenditures; and an updated branding and marketing plan to increase the number of golfers.

RECOMMENDATION: It is recommended by the City Manager’s Office and Recreation and Parks that the Council, by resolution, approve the proposed restructured green fees for the Bennett Valley Golf Course as set forth in the Green Fee Schedule, effective January 1, 2014.

Jennifer Phillips, Assistant City Manager, provided the staff report and responded to questions. Robert Borowicz, Golf Course Operator, also responded to questions.

PUBLIC HEARING

Mayor Bartley opened the public hearing at 7:48 p.m.

Vernon Schuck spoke in support of the fee increases, year-round play, and additional improvements to the course.

John Flachman spoke regarding not asking the golfers to fully fund the pro shop and clubhouse.

Charles Hoefler, former Director of Recreation and Parks, spoke regarding the history of the golf course agreements and enterprise fund.

Gerry Niimi spoke in opposition to the green fee increases and in favor of contributions by the City General Fund to the cost of the clubhouse and restaurant.

Greg Parker spoke in opposition of increasing green fees to fund the cost of the clubhouse and restaurant.

Hearing no one else wishing to speak, Mayor Bartley closed the public hearing at 8:08 p.m.

MOVED by Council Member Swinth and seconded by Council Member Olivares to waive reading of the text and adopt:

RESOLUTION NO. 28368 ENTITLED:

Following Council discussion, the motion **CARRIED** unanimously by roll call vote.

Vice Mayor Carlstrom discontinued her teleconference participation in the meeting at 8:12 p.m.

13.2 PUBLIC HEARING DICK’S SPORTING GOODS CLEVELAND RETAIL DESIGN REVIEW APPEAL 1975 CLEVELAND AVENUE, FILE NO. DR12 037 (THIS APPEAL WAS WITHDRAWN BY THE APPELLANT.)

BACKGROUND On August 15, 2013, the Design Review Board granted preliminary design review and delegated final design review approval to staff for an approximately 49,862 square foot, single occupant retail building and an approximately 2,480 square foot, free standing (frontage) building on the approximately 3.7 acre site located at 1975 Cleveland Avenue.

On August 26, 2013, an appeal was filed by the Community Connector Bridge Advocacy Group.

RECOMMENDATION: This appeal was withdrawn by the appellant.

14. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

14.1 LETTER TO GOVERNOR REQUESTING VETO ON AB 792 (MULLIN) UTILITY USER TAX: EXEMPTION

Provided for informational purposes.

15. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Peter Tscherneff spoke regarding various topics.

16. ANNOUNCEMENT OF CONTINUED CLOSED SESSION ITEM(S), RECESS TO CLOSED SESSION(S) IN THE MAYOR’S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS, IF ANY – NONE.

17. ADJOURNMENT OF MEETING

Hearing no further business, Mayor Bartley adjourned the meeting at 8:16 p.m. The next regularly scheduled meeting will take place on October 29, 2013, at a time to be set by the Mayor.

Approved on:

Terri A. Griffin
City Clerk