

**SANTA ROSA CITY COUNCIL MINUTES  
REGULAR MEETING  
CITY HALL, 100 SANTA ROSA AVENUE  
MAY 14, 2013**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Bartley called the meeting to order at 12:00 p.m. in the City Council Chamber. Council Members present: Mayor Bartley, Council Members Combs, Olivares, Ours, Swinth, and Wysocky. Vice Mayor Carlstrom arrived at 12:08 p.m.

**2. STUDY SESSION**

**2.1 REVIEW OF FY 2013/14 DEPARTMENT BUDGET REQUESTS, CAPITAL IMPROVEMENT PROGRAM FUNDING REQUESTS AND COMMUNITY PROMOTIONS FUNDING REQUESTS**

Lawrence Chiu, Chief Financial Officer, provided an overview of the study session schedule. Jean Gill, Budget and Financial Analysis Manager reviewed the Community Promotions funding requests and responded to questions from Council members. Representatives from the Sonoma County Book Festival and the Cultural Arts Council of Sonoma County also responded to questions from Council members.

Jean Gill, Budget and Financial Analysis Manager, and Robert Hamud, Principal Financial Analyst, reviewed the City's proposed FY 2013/14 Operations and Maintenance budget requests for Economic Development and Housing, Community Development, and Information Technology and responded to questions from Council members.

Staff from the Economic Development and Housing Department (Dave Gouin, Director of Economic Development and Housing and Kate Goldfine, Administrative Service Officer) Community Development (Chuck Regalia, Director of Community Development), and Information Technology (Eric McHenry, Chief Technology Officer, and Kristie Bartlett, Information Technology Section Manager) provided additional information on their respective department budgets and proposed changes and responded to questions from Council members.

Mayor Bartley recessed the meeting at 2:06 p.m. and reconvened the meeting at 2:17 p.m.

Lawrence Chiu, Chief Financial Officer, Jean Gill, Budget and Financial Analysis Manager, and Robert Hamud, Principal Financial Analyst, reviewed the City's proposed FY 2013/14 Operations and Maintenance budget for Transportation and Public Works and Utilities and the FY 2013/2014 Capital Improvement Program.

Staff from the Transportation and Public Works (Rick Moshier, Director of Transportation and Public Works, and Anita Winkler, Deputy Director of Transit) and Utilities Department (David Guhin, Director of Utilities, and Linda Reed, Administrative Service Officer) provided additional information on their respective department budgets and proposed changes and responded to questions from Council members.

Staff from the Capital Improvement Program team (Glen Wright, Deputy Director Engineering Services, Megan Basinger, Recreation and Parks Administrative Service Officer, and Rick Moshier, Director of Transportation and Public Works) reviewed the proposed 2013-14 Capital Improvement Program and responded to questions from Council members.

Jean Gill summarized the General Fund position changes, position additions related to Measure O baseline funding, position additions for Non-General Fund departments Citywide Expenditures for all departments and next steps in the budget process.

**PUBLIC COMMENT**

Duane DeWitt spoke in favor of restoring services before hiring additional staff, maintaining existing parks and improving Roseland Creek.

Peter Tscherneff spoke regarding various topics.

Mayor Bartley recessed the meeting at 4:44 p.m. and reconvened the meeting at 5:00 p.m.

**3. ANNOUNCEMENT OF ROLL CALL**

City Clerk Griffin announced that all Council Members were present. Teen Council Member Wang was also present.

**4. REPORT, IF ANY, ON STUDY SESSION**

City Manager Millison provided a report regarding the study session held for review of FY 2013/14 department budget requests, Capital Improvement Program funding requests and community promotions funding requests.

**5. PROCLAMATIONS/PRESENTATIONS**

**5.1 PRESENTATION – LUTHER BURBANK ROSE PARADE GRAND MARSHALL ANNOUNCEMENT**

Henry Trione, Chair of the Luther Burbank Rose Parade Advisory Committee, Tony Alvernaz, President, and Board Members Marla Peter, Sue Flanigan, Christopher Stewart, Ambrosio Vigil, Greg Darcy, and Judy Griffin-Walker announced the 119th Annual Luther Burbank Rose Parade to be held on Saturday, May 18, 2013. President Alvarez announced The Champions will be this year's Parade Grand Marshals.

**PUBLIC COMMENT**

Peter Tscherneff spoke regarding Luther Burbank and various other topics.

**5.2 PROCLAMATION – NATIONAL POLICE WEEK**

Council Member Olivares read the proclamation and presented it to Police Chief Tom Schwedhelm, Police Captain Hank Schreeder, Police Lieutenant John Noland, and Police Officer Stephen Bussell.

**PUBLIC COMMENT**

Peter Tscherneff spoke regarding law enforcement and various other topics.

**6. STAFF BRIEFINGS – NONE**

**7. APPROVAL OF MINUTES**

Council approved the April 16 and April 30, 2013, Regular Meeting Minutes as submitted.

**8. MAYOR'S/COUNCILMEMBERS' REPORTS**

**8.1 STATEMENTS OF ABSTENTION BY COUNCILMEMBERS**

Council Member Combs announced she would be abstaining on the Southeast Greenway under Item 11.1 because she owns property within 500' of the proposed greenway.

**8.2 MAYOR /COUNCILMEMBERS' REPORTS**

The Mayor and members of the Council made other announcements and reports of interest to the Council. Teen Council Member Wang also provided an update regarding Teen Council activities.

Council Member Wysocky requested a future agenda item regarding the Bennett Valley Golf Course.

Mayor Bartley announced that he requested the City Manager perform a full financial audit of the Recreation and Parks Department.

**8.3 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 (SCTA) – Vice Mayor Carlstrom provided a report on the May 13<sup>th</sup> meeting.
- b) Sonoma County Water Agency (SCWA) – Water Advisory Committee – None.
- c) Solid Waste Advisory Group (SWAG) – Council Member Wysocky indicated he would provide a report at the next meeting.
- d) Association of Bay Area Governments (ABAG) – None.
- e) Other: Council Member Ours reported on the Economic Development Committee meeting held on May 13<sup>th</sup>.

**9. CITY MANAGER'S/CITY ATTORNEY'S REPORTS**

City Manager Millison announced a \$5,000 donation to the Fire Department from AAA for the purchase of additional equipment for paramedics to use in responding to cardiac arrests. She also reported on the large artwork project exhibited in the Council Chamber, which was created by students from Art Quest Visual Fine Arts and the Santa Rosa Charter School for the Arts as part of the nationwide Circle Painting Project.

City Attorney Fowler reported on her attendance at the Annual League of California Cities City Attorney Conference.

**10. CONSENT ITEMS - NONE****11. REPORT ITEMS****11.1 REPORT – 2013-2015 STRATEGIC OBJECTIVES AND COUNCIL GOALS SCORECARD (Continued from April 16, 2013, meeting)**

**BACKGROUND:** Following a special meeting held February 14 and 15, 2013, to reaffirm the Council Goals and discuss strategic objectives for 2013-15, the strategic objectives were presented to the City Council on April 16, 2013 for consideration. The Council discussed each Goal and related strategic objectives, and then individual Council Members expressed interest in modifying or adding strategic objectives. Council continued this item to May 14, 2013, for further discussion.

**RECOMMENDATION:** It is recommended by the City Manager's Office that the Council, by motion, provide direction for recommended changes and/or additions prior to final approval of the 2013-2015 Council Goals and Strategic Objectives.

Kathy Millison, City Manager, provided the staff report and responded to questions from Council members.

## PUBLIC COMMENT

Duane DeWitt spoke in favor of the annexation of Roseland.

Tony White spoke in favor of requiring community impact reports for all new major construction or development projects.

Craig Litwin spoke in favor of making medical cannabis ordinance changes in 2013.

Sonia Taylor spoke in favor of the annexation of Roseland, the development of a work plan by April 2014, and identifying the annexation of Roseland as a specific Council Goal.

Lance Goller spoke in favor of the proposal to consider a tobacco ordinance.

Pamela Granger, Chair of Sonoma County Tobacco-free Coalition, expressed appreciation regarding inclusion of the smoking ordinance.

Thea Hensel spoke in favor of the inclusion of the Southeast Greenway in Goal 4 and requested information regarding the need for environmental review and how they can achieve their goal.

Peter Tscherneff spoke regarding various topics.

Anu Dhaliwal spoke in favor of the annexation of Roseland and the development of a work plan by April 2014.

Ken Kreisler encouraged the Council to talk with contractors regarding project labor agreements and expressed concerns regarding increased costs associated with such agreements.

Bill Haluzak spoke in favor of the annexation of Roseland.

Keith Woods, Chief Executive Officer of North Coast Builders Exchange, spoke in opposition to project labor agreements on public works projects.

Council Member Swinth left the meeting at 6:30 p.m.

Following Council discussion, it was **MOVED** by Council Member Ours, seconded by Council Member Olivares and **CARRIED** 6-0-1 (Council Member Swinth absent) to direct the City Manager to incorporate the items agreed to by Council and bring this item back for final adoption on the May 21 consent calendar:

## 11.2 **REPORT – INCREASE CONTRACT CONTINGENCY – SONOMA MARIN AREA RAIL TRANSIT (SMART) MULTI-USE PATH WEST EIGHTH STREET TO WEST COLLEGE AVENUE**

**BACKGROUND:** On September 25, 2012, Contract No. C01562, SMART Multi-Use Path West Eighth Street to West College Avenue, was awarded by City Council in the amount of \$866,901.20 which included a 10% contingency. The project will construct a Class 1 multi-use asphalt concrete path within the SMART right of way from West Eighth Street, north to West College Avenue. Preconstruction testing indicated 30% of the excavated soil would require disposal at a Class 1 landfill. After the contract award, the landfill required additional testing prior to disposal; the results indicated 85% of the excavated material will require disposal at a Class 1 landfill with an estimated cost \$270,000, exceeding the contract contingency. There are sufficient funds in IFAS KEY 17463 to increase the existing contingency. No City General Fund money is included in the project.

**RECOMMENDATION:** It is recommended by the Transportation and Public Works Department that the Council, by motion, approve an increase in contingency to Contract No. 1562, SMART Multi-Use Path West Eighth Street to West College Avenue, increasing the contract amount by \$270,000 of Gas Tax Funds to a total of \$1,136,901. No City General Fund money is included in this project.

Lori Urbanek, Interim Supervising Engineer, provided the staff report and responded to questions from Council members.

**MOVED** by Council Member Combs, seconded by Vice Mayor Carlstrom and **CARRIED** 6-0-1 (Council Member Swinth absent) to approve an increase in contingency to Contract No. 1562, SMART Multi-Use Path West Eighth Street to West College Avenue, increasing the contract amount by \$270,000 of Gas Tax Funds to a total of \$1,136,901.

### 11.3 REPORT – DRAFT PLAN BAY AREA AND ENVIRONMENTAL IMPACT REPORT

**BACKGROUND:** Draft Plan Bay Area and its Environmental Impact Report are the culmination of a two and a half year planning process led by the Association of Bay Area Governments and the Metropolitan Transportation Commission. Plan Bay Area is the Sustainable Communities Strategy required by Senate Bill 375 for California's metropolitan regions. The purpose of this item is to outline the general components of Plan Bay Area and describe where the plan varies from Santa Rosa policy.

**RECOMMENDATION:** It is recommended by the Departments of Community Development and Transportation and Public Works that the Council, by motion, authorize the Mayor to execute a letter providing comments regarding the Draft Plan Bay Area and Environmental Impact Report.

Council Member Wysocky and Vice Mayor Carlstrom left the Council Chamber at 7:11 p.m.

Lisa Kranz, Supervising Planner, and Nancy Adams, Transportation Planner, provided the staff report and responded to questions from Council members.

City Attorney Fowler announced that Council Member Wysocky and Vice Mayor Carlstrom recused themselves from this item and left the Council Chamber because they each own property within 500' of the Priority Development Areas identified in the Draft Plan.

#### PUBLIC COMMENT

**MOVED** by Council Member Olivares and seconded by Council Member Ours to authorize the Mayor to execute a letter providing comments regarding the Draft Plan Bay Area and Environmental Impact Report. The maker and seconder of the motion accepted a friendly amendment made by Council Member Combs to include a bullet in the letter indicating the City's concern regarding how the regional housing needs allocation is not linked to funding for inter-county transit and intra-county transit. Following Council discussion the motion as amended **CARRIED** 4-0-3 (Vice Mayor Carlstrom and Council Member Wysocky absent/recused and Council Member Swinth absent).

Vice Mayor Carlstrom and Council Member Wysocky returned to the dais at 7:19 p.m.

### 12. PUBLIC HEARINGS – NONE

### 13. WRITTEN COMMUNICATIONS (AND POSSIBLE COUNCIL ACTION)

#### 13.1 LETTER OF OPPOSITION, AB 325 - LAND USE AND PLANNING: CAUSE OF ACTIONS: TIME LIMITATIONS

#### 13.2 LETTER OF OPPOSITION, AB 371 - LAND APPLICATION OF SEWAGE SLUDGE IN KERN COUNTY

### 14. PUBLIC COMMENTS ON NON-AGENDA MATTERS

Peter Tscherneff spoke regarding various topics.

### 15. ANNOUNCEMENT OF CLOSED SESSION ITEMS, RECESS TO CLOSED SESSIONS IN THE MAYOR'S CONFERENCE ROOM, RECONVENE TO OPEN SESSION, AND ANNOUNCEMENTS – NONE.

**15.1 RECESS OPEN SESSION(S) AND RECONVENE TO CLOSED SESSION IN THE MAYOR'S CONFERENCE ROOM**

Mayor Bartley recessed the meeting to closed session at 7:26 p.m.

**15.2 PUBLIC COMMENT ON CLOSED SESSION ITEMS – NONE.**

**15.3 RECESS TO CLOSED SESSION IN MAYOR'S CONFERENCE ROOM**

**15.4 CONFERENCE WITH LABOR NEGOTIATORS**

Agency Designated Representatives: Fran Elm, Human Resources Director, 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).

**15.5 CONFERENCE WITH LABOR NEGOTIATOR**

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)

**15.6 CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**

(Subdivision (d)(1) of Government Code Section 54956.9)

Name of Case: DeSantis, et al. v. City of Santa Rosa, et al., U.S.D.C. Northern District Case No. 3:07-cv-03386-JSW.

**15.7 RECESS CLOSED SESSION AND RECONVENE TO OPEN SESSION IN THE MAYOR'S CONFERENCE ROOM**

Mayor Bartley reconvened the meeting to open session in the Mayor's Conference Room at 8:47 p.m.

**15.8 REPORT, IF ANY, ON CLOSED SESSIONS – NONE.**

**16. ADJOURNMENT OF MEETING**

Hearing no further business, Mayor Bartley adjourned the meeting at 8:47 p.m. The next regularly scheduled meeting will take place on May 21, 2013, at a time to be set by the Mayor.

Approved on:

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Terri A. Griffin  
City Clerk