



MINUTES OF THE CONCURRENT MEETINGS OF THE CITY OF ROHNERT PARK
City Council
Community Development Commission
Rohnert Park Financing Authority

Tuesday
July 8, 2008

The Concurrent Meetings of the City of Rohnert Park City Council, Community Development Commission and Rohnert Park Financing Authority met this date for a Regular Meeting to commence at 6:00 p.m. at the Rohnert Park City Hall, 6750 Commerce Boulevard, Rohnert Park, with Mayor Mackenzie presiding.

CALL TO ORDER

The Regular Meeting of the City Council of the City of Rohnert Park was called to order by Mayor Mackenzie at 6:01 p.m.

ROLL CALL

Present: Jake Mackenzie, Mayor
Pam Stafford, Vice-Mayor
Tim Smith, Council Member
Vicki Vidak-Martinez, Council Member
Absent: Amie Breeze, Council Member (excused)

Staff present for all or part of the Regular Meeting: Stephen Donley, City Manager; Michelle Marchetta Kenyon, City Attorney; Daniel Schwarz, Assistant City Manager; Benjamin Winig, Assistant City Attorney; Thomas Bullard, Public Safety Chief; David Frazer, Public Safety Commander; Jack Rosevear, Public Safety Fire Commander; Jim Brady, Public Safety Officer; Darrin Jenkins, Director of Public Works/City Engineer; John McArthur, Director of Utilities/General Services; Terri Griffin, Deputy City Clerk and Linda Beltz, Videographer.

CLOSED SESSION

Mayor Mackenzie adjourned the City Council to Closed Session at 6:02 p.m. to discuss the following Litigation Matters:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Subdivision (a) of Government Code section 54956.9)
Stutrud v. City of Rohnert Park, Sonoma County Superior Court Case No. SCV 237482
Court of Appeal 1st Appellate District Case No. A118408

REGULAR SESSION

Mayor Mackenzie reconvened the Regular Session at 7:00 p.m. All members were present with the exception of Council Member Breeze.

1. MAYOR'S REPORT ON CLOSED SESSION [taken out of agenda order]

Mayor Mackenzie announced that the Council had met in closed session regarding the litigation matters as described on the agenda and that no reportable action had been taken.

PLEDGE OF ALLEGIANCE:

Mayor Mackenzie led the Pledge of Allegiance.

2. MAYOR'S PRESENTATIONS

- a. Mayor's Presentation of a Proclamation Recognizing Public Safety Officer Jim Brady: Mayor Mackenzie read and presented Public Safety Officer Brady with a Proclamation of Recognition. Council Member Vidak-Martinez shared remarks of appreciation to Public Safety Officer Brady. Public Safety Officer Brady provided a brief report regarding his participation on a fire strike team near Redding.
- b. City Manager Donley introduced new Public Works employee, John McArthur, Director of Utilities/General Services and highlighted his background and experience. Council Members extended welcoming comments.

3A. UNSCHEDULED PUBLIC APPEARANCES/COMMENTS

- a. Jim McKillop, Rohnert Park, shared concerns regarding early morning noise from scheduled activities at the Honeybee Park pool.

Council **CONCURRED** to direct City Manager Donley to report back regarding the hours of operation at Honeybee Pool and whether some of the early morning activities could be directed to other pools.

- b. Dawna Gallagher, Rohnert Park, requested that the Council take an advisory vote on the November ballot regarding the casino.
- c. Peter Tscherneff shared remarks regarding various issues and read a poem.
- d. Robert Weil, Rohnert Park, shared concerns regarding a noise nuisance created by Latitude Restaurant and **SUBMITTED** materials to the Council.
- e. Phil and Jeanette Jennings, Rohnert Park, shared concerns regarding a noise nuisance created by Latitude Restaurant.

Council **CONCURRED** to direct City Manager Donley to provide a report at the July 22, 2008, City Council meeting regarding the status of the use permit at Latitude Restaurant.

3B. CONSENT CALENDAR

1. Approval of Minutes for:
 - City Council Special Meeting – June 10, 2008
 - City Council Portion of Regular Concurrent Meetings – June 10, 2008
 - City Council Portion of Regular Concurrent Meetings – June 24, 2008
2. Approval of City Bills/Demands for Payment in the amount of \$2,057,996.00.
3. Accepting Cash/Investments Reports for:
 - Months Ending November and December, 2007
 - Month Ending January, 2008
4. Resolutions for Adoption:
 - 2008-97 Acknowledging and Honoring Friends of the Library**
 - 2008-98 Recognizing and Honoring Robert “Bob” Jehn upon His Resignation from the Cloverdale City Council**
 - 2008-99 Honoring and Thanking Carl W. Allyn on the Occasion of His Retirement for 21 Years of Dedicated Service in the City’s Department of Public Works**
 - 2008-100 Honoring and Thanking Robert E. Kofoid on the Occasion of His Retirement for 29 Years of Dedicated Service in the City’s Department of Public Works**
 - 2008-101 Honoring and Thanking Carron L. McClatchey on the Occasion of Her Retirement for 22 Years of Dedicated Service in the City’s Department of Public Works**
 - 2008-102 Honoring and Thanking Michael Phillips on the Occasion of His Retirement for 31 Years of Dedicated Service in the City’s Department of Public Works**
 - 2008-103 Approving and Adopting the Plans & Specifications for the 2008 Various Streets Surface Repairs Project, Project No. 2007-13 and Awarding the Contract to Valley Slurry Seal Company**

MOVED by Council Member Vidak-Martinez, seconded by Council Member Smith, and carried 4-0-1 with Council Member Breeze absent, reading was waived, and the Consent Calendar was **ADOPTED**.

4. SEWER RATES INITIATIVE

Consideration of Matters related to the Sewer Rates Initiative Petition

1. Deputy City Clerk Griffin and City Manager Donley reviewed the contents of the staff report.
2. Public Comments:
 - a. Cheryl Fonseca spoke in support of the sewer rates initiative and submitted written remarks.
 - b. John Hudson spoke in support of the sewer rates initiative.
 - c. Richard Egan spoke in support of the sewer rates initiative.
3. Resolution for Adoption:

2008-104 Receiving City Clerk’s Certificate of Sufficiency of Initiative Petition

MOVED by Council Member Smith, seconded by Vice-Mayor Stafford and carried 4-0-1 with Council Member Breeze absent, to waive reading and **ADOPT** Resolution No. 2008-104.

4. **MOVED** by Mayor Mackenzie, seconded by Council Member Vidak-Martinez and carried 4-0-1 with Council Member Breeze absent to **ADOPT** a motion to: (1) order an Impact Report pursuant to Elections Code section 9212 to include all impacts enumerated in Elections Code section 9212, as well as the health and safety impacts of an under-funded sewer system and the effects on business sewer rates; and (2) establish July 22, 2008, as the deadline for presentation of the report.

5. COUNCIL BENEFITS

Consideration of Authorizing Certain Benefits for the Rohnert Park City Council

1. Assistant City Manager Schwarz reviewed the contents of staff report.
2. Public Comments: None
3. **MOVED** by Council Member Stafford, seconded by Council Member Smith to consider Resolution No. 2008-105. Following Council discussion, Council **CONCURRED** to: (1) refer to the City Attorney the issues of: (a) whether current Council members can upon retirement purchase health insurance at the Council member's full cost, and (b) whether current term can be applied toward the vesting period for the defined contribution program; (2) include retired Council members under Use of City Facilities; and (3) continue this matter to the July 22nd Council meeting.

6. COUNCIL COMMITTEE AND/OR OTHER REPORTS

Council members provided reports regarding attendance at meetings and events as indicated below:

1. Economic Development Subcommittee meeting, 6/25: Council Member Vidak-Martinez.
2. League of California Cities Environmental Quality Policy Committee meeting, 6/26: Mayor Mackenzie.
3. Community Workshop on Sustainability, 6/28: Council Member Smith, Council Member Vidak-Martinez, Vice-Mayor Stafford, and Mayor Mackenzie.
4. Water Issues Subcommittee meeting, 7/2: Vice-Mayor Stafford.
5. Other informational reports, if any:

Council Member Smith: Relay for Life, 6/28; Commander Jack Rosevear's Swearing-in Ceremony; Sonoma County Agricultural Preservation and Open Space Advisory Committee meeting, 6/26.

Council Member Breeze: Absent

Council Member Vidak-Martinez: Senior Center Old & New Market, 6/28; Relay for Life, 6/28. Council Member Vidak-Martinez announced the next Old & New Market to be held on July 26th.

Vice-Mayor Stafford: Relay for Life, 6/28; Creeks Master Plan Subcommittee meeting, 7/3.

Mayor Mackenzie: Relay for Life, 6/28; Creeks Master Plan Subcommittee meeting, 7/3. Mayor Mackenzie announced an upcoming meeting of the Santa Rosa Plain Conservation Strategy Implementation Committee on 7/16, current vacancies on the Sonoma-Marin Area

Rail Transit Board and the Metropolitan Transportation Commission, and the expansion of the Marin Conservation Corps into Sonoma County.

7. COMMUNICATIONS

Council Member Smith called attention to Sonoma County Waste Management Agency and Russian River Watershed Association ad in the Voice regarding disposal of compact fluorescents and Home Depot's CFL Bulb Recycling Initiative. Council **CONCURRED** to place a resolution recognizing Home Depot on the July 22, 2008, City Council consent calendar.

Vice-Mayor Stafford called attention to a Toxic Waste Collection Event at the Community Center to be held on July 15, 2008.

Mayor Mackenzie called attention to communications from Harvey Bell and Sherie Breining regarding the Tennis Courts at S-Park.

8. MATTERS FROM/FOR COUNCIL

1. Calendar of Events: Document provided in Council agenda packets.
2. City Council Agenda Forecast: Document provided in Council agenda packets.
3. League of California Cities Annual Conference (September 24-27, 2008) – Consideration of Designating Voting Delegate and Alternate

Council direction/action: **MOVED** by Council Member Vidak-Martinez, seconded by Council Member Smith and carried 4-0-1 with Council Member Breeze absent to **ADOPT** a motion designating Mayor Mackenzie as the voting delegate at the League of California Cities Annual Conference to be held September 24-27, 2008.

4. Santa Rosa Mayor's Gang Prevention Task Force – Consideration of Rohnert Park's Membership and Participation in Task Force

Council direction/action: Council **CONCURRED** to: (1) approve Rohnert Park's participation in the Santa Rosa Mayor's Gang Prevention Task Force, (2) appoint Council Member Vidak-Martinez as the Council representative on the task force; and (3) direct staff to prepare for the Mayor's signature a letter to Santa Rosa Mayor John Sawyer regarding the appointment.

5. Senate Bill 1420 (Padilla) – Consideration of Supporting Senate Bill 1420, Food facilities: nutritional information

Council direction/action: Council **CONCURRED** to direct staff to prepare for the Mayor's signature a letter of support for Senate Bill 1420 (Padilla).

6. Other informational items, if any:

Council Member Smith indicated he would be out of the area July 23rd through July 30th and announced that the Public Safety Department would be providing an update regarding Public Safety activities over the 4th of July holiday at the July 22nd Council meeting.

9. CITY MANAGER’S/CITY ATTORNEY’S REPORTS

1. Other informational items, if any:

City Manager Donley reported on the status of formal recognition for former Mayor Jimmie Rogers.

10. PUBLIC COMMENTS

Dawna Gallagher, Rohnert Park, requested an advisory vote on the casino.

ADJOURNMENT: There being no further business, Mayor Mackenzie adjourned the City Council meeting at 8:43 p.m. to consecutively and separately convene the meetings of the Community Development Commission and the Rohnert Park Financing Authority.

**MINUTES FOR THE COMMUNITY DEVELOPMENT COMMISSION
OF THE CITY OF ROHNERT PARK**

Tuesday, July 8, 2008

CALL TO ORDER

The Regular Meeting of the Community Development Commission of the City of Rohnert Park was called to order by Chair Mackenzie at 8:43 p.m.

ROLL CALL

- Present: Jake Mackenzie, Chair
Pam Stafford, Vice-Chair
Tim Smith, Commissioner
Vicki Vidak-Martinez, Commissioner
Absent: Amie Breeze, Commissioner (excused)

Staff present: Stephen Donley, Executive Director; Benjamin Winig, Assistant General Counsel; Daniel Schwarz, Assistant Executive Director; Terri Griffin, Deputy Secretary; and Linda Beltz, Videographer.

Unscheduled Public Appearances: None.

1. CDC CONSENT CALENDAR

1. Approval of Meeting Minutes for:
- CDC Portion of Regular Concurrent Meetings – June 10, 2008
 - CDC Portion of Regular Concurrent Meetings – June 24, 2008
2. Approval of CDC Bills/Demands for Payment in the amount of \$25,988.24.
3. Accepting CDC Cash/Investments Reports for:
Months Ending January, February, and March, 2008

MOVED by Commissioner Smith, seconded by Commissioner Vidak-Martinez, and carried 4-0-1 with Commissioner Breeze absent, reading was waived, and the CDC Consent Calendar was **ADOPTED**.

- 2. ADJOURNMENT:** There being no further business, Chairperson Mackenzie adjourned the CDC meeting at 8:44 p.m.

**MINUTES FOR THE
ROHNERT PARK FINANCING AUTHORITY**

Tuesday, July 8, 2008

CALL TO ORDER:

The Regular Meeting of the Rohnert Park Financing Authority was called to order by Chair Mackenzie at 8:44 p.m.

ROLL CALL:

Present: Jake Mackenzie, Chair
Pam Stafford, Vice-Chair
Tim Smith, Board Member
Vicki Vidak-Martinez, Board Member
Absent: Amie Breeze, Board Member (excused)

Staff present: Stephen Donley, Executive Director; Benjamin Winig, Assistant General Counsel; Daniel Schwarz, Assistant Executive Director; Terri Griffin, Deputy Secretary; and Linda Beltz, Videographer.

Unscheduled Public Appearances: None.

1. RPFA CONSENT CALENDAR

1. Approval of Meeting Minutes for:
RPFA Portion of Regular Concurrent Meetings – June 10, 2008
2. Accepting RPFA Cash/Investments Reports for:
Months Ending January, February, and March, 2008

MOVED by Board Member Vidak-Martinez, seconded by Board Member Smith, and carried 4-0-1 with Board Member Breeze absent, reading was waived, and the RPFA Consent Calendar was **ADOPTED**.

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- 2. ADJOURNMENT:** There being no further business, Chairperson Mackenzie adjourned the meeting of the RPFA at 8:45 p.m.
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Terri Griffin
Deputy City Clerk
City of Rohnert Park

Jake Mackenzie
Mayor
City of Rohnert Park