



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

Tuesday
July 22, 2008

The Concurrent Meetings of the Rohnert Park City Council, Community Development Commission of the City of Rohnert Park, 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 6:00 p.m.

ROLL CALL

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

Staff present for all or part of the Regular Meeting: Stephen Donley, City Manager; Michelle Marchetta Kenyon, City Attorney; Daniel Schwarz, Assistant City Manager; James Atencio, Assistant City Attorney; Judy Hauff, City Clerk; Thomas Bullard, Public Safety Chief; David Frazer, Public Safety Commander; Jack Rosevear, Public Safety Fire Commander; Vince Amato, Public Safety Lieutenant; Ron Bendorff, Director of Community Development; Darrin Jenkins, Director of Public Works/City Engineer; John McArthur, Director of Utilities/General Services; and Linda Beltz, Videographer.

CLOSED SESSION

Mayor Mackenzie adjourned the City Council to Closed Session at 6:01 p.m. to discuss the following litigation matter:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: one potential case.

RECONVENE REGULAR SESSION

Mayor Mackenzie reconvened the Regular Session at 6:30 p.m. All members were present.

PLEDGE OF ALLEGIANCE

Mayor Mackenzie led the Pledge of Allegiance.

1. MAYOR'S REPORT ON CLOSED SESSION (Government Code § 54957.1)

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

2. PUBLIC COMMENTS

- a. Linda Beltz made an announcement for Christmas in July, an event by Sutter Women's Breast Cancer Center (Leukemia/Lymphoma Society), on Friday, July 25th, from 5:00 to 9:00 p.m.
- b. Shannon Hanaway expressed concerns regarding closure of Boys and Girls Clubs and not busing from local schools.

Mayor Mackenzie directed City Manager Donley to request that Dan Hubley, Chairman of the Boys and Girls Club, provide a report on the status of operations for the upcoming school year.

- c. Mike Harris, City of Petaluma, City Council Member, referred to submittal of his letter and expressed his interest in the SMART appointment to be considered later on tonight's agenda.

3. CONSENT CALENDAR

City Manager Donley indicated the need to pull Resolution No. 2008-120 for the award of contract for park cleaning services to respond to policy issues raised by Council Member Smith that were not addressed in the staff report. Council **CONCURRED** to defer this item to a future meeting.

Council Member Amie Breeze indicated she would abstain on the approval of the minutes as she was not present at the July 8th meeting.

1. Approval of Minutes for:
City Council Portion of Regular Concurrent Meetings – July 8, 2008
2. Approval of City Bills/Demands for Payment in the amount of \$1,636,334.24.
3. Resolutions for Adoption:
 - 2008-106 Commending James E. Herold, Public Safety Property Technician, on the Occasion of His Retirement**
 - 2008-107 Commending James LaTorre, Public Safety Officer, on the Occasion of His Retirement**
 - 2008-108 Commending Scott Mitchell, Public Safety Officer, on the Occasion of His Retirement**
 - 2008-109 Commending Larry Pelton, Public Safety Officer, on the Occasion of His Retirement**
 - 2008-110 Commending David Stubblebine, Public Safety Officer, on the Occasion of His Retirement**
 - 2008-111 Proclaiming Tuesday, August 5, 2008, as National Night Out**
 - 2008-112 Declaring August 2008 "Climate & Energy" Month**
 - 2008-113 Authorizing and Approving an Agreement with Sonoma County Water Agency for Administration of the City of Rohnert Park Water Conservation Program Funded in Fiscal Year 2007/2008**
 - 2008-114 Authorizing and Approving Task Order No. 2008-04 with Coastland Civil Engineering for Inspection, Construction Management, and Pre-Construction Services for the City Center Plaza Project, City Project No. 2006-02**

- 2008-115 Approving and Adopting the Plans & Specifications for the Copeland Creek Bike Path Project, City Project No. 2006-11 and Awarding the Contract to Fedco Construction Inc.**
- 2008-116 Authorizing and Approving a Utilities Agreement with the State of California Department of Transportation for the Highway 101 & Wilfred Avenue Interchange Water System Valve Relocation, Project No. 2006-17**
- 2008-117 Approving and Adopting the Plans & Specifications for the Highway 101 & Wilfred Avenue Interchange Water System Valve Relocation Project, City Project No. 2006-17 and Awarding the Contract**
- 2008-118 Authorizing and Approving an Easement Agreement with Sonoma County Water Agency and Acceptance of Easement Property for the Copeland Creek Bike Path Project, City Project No. 2006-11**
- 2008-119 Authorizing and Accepting a Grant from the Department of Alcoholic Beverage Control for Grant Assistance Program Funds**
- 2008-121 Authorizing Purchase of Furniture and Fixtures for the New City Hall**

MOVED by Council Member Vidak-Martinez, seconded by Council Member Breeze, and carried 5-0 with the exception of Resolution No. 2008-120 and Council Member Breeze's abstention from approval of the July 8, 2008, minutes, reading was waived, and the Consent Calendar was **ADOPTED**.

4. FOURTH OF JULY UPDATE

Update regarding Public Safety Activity over the 4th of July Holiday

- 1. Public Safety Lieutenant Amato reviewed the contents of the staff report.
- 2. Public Comments: None
- 3. Council **CONCURRED** to direct staff to prepare for Council's consideration ~~an ordinance a~~ proposal¹ restricting fireworks to one day on the 4th of July.

5. SEWER RATES INITIATIVE

Consideration of Matters Related to the Sewer Rates Initiative:

- A. Consideration of the Report on the Effects of the Proposed Initiative as Allowed under Elections Code section 9212
 - 1. Assistant City Manager Schwarz provided a power point presentation for review of the staff report and its attachments related to Council's consideration of the Report on the Effects of the Proposed Initiative as Allowed under Elections Code section 9212. Assistant City Attorney Atencio reviewed the legal analysis for this item.
 - 2. Public Comments:
 - a. John Hudson supported the initiative.
 - b. Dawna Gallagher supported the initiative.
 - c. Dan Schurman, Executive Director of Laguna Foundation, opposed the initiative.

¹ **AMENDMENT** made by Vice-Mayor Stafford at the August 12, 2008, City Council meeting. (Additions underlined/Deletions lined out)

3. Council **CONCURRED** to receive said report.

B. Consideration of Ordering the Submission to the Qualified Electors of the City of Rohnert Park a Measure to Reduce City Of Rohnert Park's Current Sewer Service Charges to those Charges in Effect on January 1, 2006, at the General Municipal Election to Be Held on Tuesday, November 4, 2008, Requesting the Sonoma County Board of Supervisors to Consolidate said Election with the November 4, 2008 Statewide General Election, Providing for Submission of Ballot Arguments and Rebuttals, and Directing the City Attorney to Prepare an Impartial Analysis – OR – Adopting an Ordinance Reducing the City of Rohnert Park's Current Sewer Service Charges to those Charges in Effect on January 1, 2006

1. City Clerk Hauff reviewed the contents of the staff report related to the Council's consideration of whether to adopt a resolution ordering an election or adopt the ordinance pursuant to Elections Code section 9215.

2. Public Comments: None.

3. Resolution for Adoption:

2008-122 Ordering the Submission to the Qualified Electors of the City of Rohnert Park a Measure to Reduce City Of Rohnert Park's Current Sewer Service Charges to those Charges in Effect on January 1, 2006, at the General Municipal Election to Be Held on Tuesday, November 4, 2008, Requesting the Sonoma County Board of Supervisors to Consolidate said Election with the November 4, 2008 Statewide General Election, Providing for Submission of Ballot Arguments and Rebuttals, and Directing the City Attorney to Prepare an Impartial Analysis

MOVED by Council Member Smith, seconded by Vice Mayor Stafford, and carried 5-0, to waive reading and **ADOPT** Resolution No. 2008-122.

Mayor Mackenzie noted **FOR THE RECORD** that the Sonoma-Mendocino-Lake Building and Construction Trades Council voted unanimously to adopt a resolution in opposition to the sewer rates initiative. Mayor Mackenzie further noted that he was authorized by Shirley Zane, Third District Candidate for Board of Supervisors, to convey that she will not support the sewer rate roll back initiative as it will harm valuable services for the citizens of Rohnert Park and bankrupt the city.

Assistant City Attorney Atencio indicated that employees can support or oppose the measure but they cannot use public funds to advocate a position on the measure and are prohibited from doing so during work hours or on city property. Staff can respond to public questions with factual information.

6. SONOMA COUNTY REGIONAL CLIMATE CHARTER COORDINATION PLAN – Consideration of Directing Staff to Formalize the Climate Protection Partnership, Approving the Project Charter, Approving the Organizational Structure, and Approving Sonoma County Transportation Authority Acting as the Interim Policy Committee

1. City Manager Donley reviewed the contents of the staff report by PowerPoint presentation.

2. Public Comments: None

3. **MOVED** by Council Member Smith, seconded by Vice Mayor Stafford, and carried 5-0, to **ADOPT** a motion directing staff to formalize the Climate Protection Partnership, approving the

Project Charter, approving the Organizational Structure, and approving Sonoma County Transportation Authority acting as the Interim Policy Committee.

7. COUNCIL COMMITTEE AND/OR OTHER REPORTS

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

1. Sonoma County Transportation Authority Board of Directors meeting, 7/14: Mayor Mackenzie.
2. Rohnert Park-Cotati Regional Library Advisory Board meeting, 7/15: ~~Council Member Breeze~~² and Council Member Smith.
3. Economic Development Subcommittee meeting, 7/16: Council Member Breeze and Council Member Vidak-Martinez.
4. Santa Rosa Plain Conservation Strategy Implementation Committee (California Tiger Salamander) meeting, 7/16: Mayor Mackenzie.
5. Sonoma Marin Area Rapid Transit (SMART) Board meeting, 7/16: Mayor Mackenzie.
6. Other informational reports, if any:

Council Member Smith: Cotati Kids Day Parade & Festival and Federated Indians of Graton Rancheria Picnic, 7/12.

Mayor Mackenzie: Cotati Kids Day Parade & Festival and Federated Indians of Graton Rancheria Picnic, 7/12.

8. COMMUNICATIONS

Vice Mayor Stafford called attention to a letter from League of California Cities urging opposition to the legislative efforts on paid sick leave.

Council Member Vidak-Martinez called attention to a letter from Connie Coddling of Coddling Foundation on impediments of the state's policies compared with environmental ambition of AB 32, California's Global Warming Solutions Act.

Council Member Vidak-Martinez called attention to a memorandum from Guy Miller, Recreation Services Manager, on recent concerns regarding the facility rental fees for classes offered by Santa Rosa Junior College at the Senior Center.

Council Member Vidak-Martinez called attention to a booklet distributed by the Santa Rosa Mayor's Gang Prevention Task Force regarding unhealthy life choices.

Council Member Smith called attention to a notice from the Attorney General's Office regarding energy efficiency and noted that Rohnert Park is on each of the lists.

Mayor Mackenzie called attention to Connie Coddling's letter and shared that Coddling's Chief Sustainability Officer, Geof Syphers, presented this letter to the Governor.

9. MATTERS FROM/FOR COUNCIL

² **AMENDMENT** made by Council Member Smith at the August 12, 2008, City Council meeting. (Additions underlined/Deletions lined out)

1. Calendar of Events: Document provided in Council agenda packets.
2. City Council Agenda Forecast: Document provided in Council agenda packets.
3. Sonoma County Mayors' & Councilmembers' Association
Consideration of letters of interest for vacancies to be considered at Special Meetings of the City Selection Committee and the Board of Directors on July 24, 2008
 - a. City Selection Committee - Selection for Submission to Board of Supervisors:

Metropolitan Transportation Commission Term expires 2/2011 (4-year term)

Council **CONCURRED** to support the appointment of Mayor Jake Mackenzie but allowed him to support Steve Allen, Windsor Town Councilmember, and John Sawyer, Mayor, City of Santa Rosa, ~~if he has opportunity to do so~~ at his discretion³.
 - b. Board of Directors – Appointment:

Sonoma-Marín Area Rail Transit Board of Directors Term expires 1/2011 (4-year term)

Council **CONCURRED** to support the appointment of Mike Harris, Petaluma City Councilmember.
4. Other informational items, if any

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

1. Status Report regarding Conditional Use Permit for Latitude Restaurant

Director of Community Development Bendorff reported on the status of the conditional use permit issued to Latitude Restaurant.

Public Comments:
 - a. Robert Weil expressed concerns about the loud music on Friday and Saturday nights from the Latitude Restaurant.
 - b. Latitude Restaurant representatives Dave Keegan and Mark Young, reviewed efforts to provide a place to enjoy in the community, including \$5,000 expended on two Noise Studies, one they did and the second one as instructed and authorized by the City.
With the exception of Council Member Breeze, Council **CONCURRED** to refer this use permit to the Planning Commission for review.
2. City Hall Event

City Manager Donley reviewed the contents of his memorandum regarding options for the City Hall Event. Following Council discussion, Council **CONCURRED** with Mayor Mackenzie's appointments of Council Member Smith and Vice Mayor Stafford to serve on an ad hoc

³ **AMENDMENT** made by Council Member Smith at the August 12, 2008, City Council meeting. (Additions underlined/Deletions lined out)

committee for the City Hall Event, said committee to report back to the full Council by the second meeting in August.

3. Other informational items, if any:

City Manager Donley reported on the status of noise concerns at Honeybee Pool.

11. PUBLIC COMMENTS

Robert and Heidi Weil shared comments regarding lack of compliance with the Latitude Restaurant Noise Study.

ADJOURNMENT

There being no further business, Mayor Mackenzie adjourned the City Council meeting at 9:40 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 (CDC)

Tuesday, July 22, 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 9:40 p.m.

ROLL CALL

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

Staff present: Stephen Donley, Executive Director; James Atencio, Assistant General Counsel; Daniel Schwarz, Assistant Executive Director; Judy Hauff, 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 – July 8, 2008
2. Approval of CDC Bills/Demands for Payment in the amount of \$49,195.77.
3. Accepting CDC Cash/Investments Report for:
Months Ending April and May, 2008

MOVED by Commissioner Vidak-Martinez, seconded by Commissioner Breeze, and carried 5-0, reading was waived, and the CDC Consent Calendar was **ADOPTED**.

ADJOURNMENT

There being no further business, Chairperson Mackenzie adjourned the CDC meeting at 9:41 p.m.

**MINUTES FOR THE
ROHNERT PARK FINANCING AUTHORITY (RPFA)**
Tuesday, July 22, 2008

CALL TO ORDER

The Regular Meeting of the Rohnert Park Financing Authority was called to order by Chair Mackenzie at 9:41 p.m.

ROLL CALL

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

Staff present: Stephen Donley, Executive Director; James Atencio, Assistant General Counsel; Daniel Schwarz, Assistant Executive Director; Judy Hauff, Secretary; and Linda Beltz, Videographer.

Unscheduled Public Appearances: None

1. RPFA CONSENT CALENDAR

1. Approval of Minutes for:
RPFA Portion of Regular Concurrent Meetings – July 8, 2008
2. Accepting RPFA Cash/Investments Report for:
Months Ending April and May, 2008

MOVED by Board Member Vidak-Martinez, seconded by Board Member Breeze, and carried 5-0, reading was waived, and the RPFA Consent Calendar was **ADOPTED**.

ADJOURNMENT

There being no further business, Chairperson Mackenzie adjourned the meeting of the RPFA at 9:42 p.m.

Judy Hauff
City Clerk
City of Rohnert Park

Jake Mackenzie
Mayor
City of Rohnert Park