



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

Tuesday
August 26, 2008

The City Council of the City of Rohnert Park met this date for Regular Concurrent Meetings of the Rohnert Park City Council, Community Development Commission of the City of Rohnert Park, and Rohnert Park Financing Authority, 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; Daniel Schwarz, Assistant City Manager; James Atencio, Assistant City Attorney; Ron Bendorff, Director of Community Development; Thomas Bullard, Public Safety Chief; Darrin Jenkins, Director of Engineering Services/City Engineer; John McArthur, Director of Utilities/General Services; Patrick Barnes, Deputy City Engineer; Terri Griffin, Deputy City Clerk; 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 matters:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Indian Springs, Ltd., et al. v. City of Rohnert Park, et al.
Sonoma County Superior Court No. 241227; Related Case No. 241225

RECONVENE REGULAR SESSION

Mayor Mackenzie reconvened the Regular Session at 6:45 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 first litigation matter listed on the agenda and that no reportable action had been taken. Regarding the second litigation matter listed on the agenda, Mayor Mackenzie read an announcement advising concerned citizens that said litigation matter is still pending and has not been settled.

2. PRESENTATIONS

Mayor's Presentation of Resolution No. 2008-97 Acknowledging and Honoring Friends of the Library: The Mayor read aloud and presented the resolution to Charlotte Pedersen, Treasurer, Friends of the Library. Mayor Mackenzie also recognized attendance by Friends of the Library volunteers Pam Novelly, Joan Schmutz, Chloe de Bruener, Olwen Petersen, and Barbara Mackenzie.

3. CHAMBER OF COMMERCE QUARTERLY REPORT

Amy Ahanotu, Board Member, Rohnert Park Chamber of Commerce, announced future Chamber/City Hall annual events and creation of a Business Focus Committee. Mr. Ahanotu introduced new Executive Director Roy Gugliotta. Mr. Gugliotta provided an overview of future Chamber activities, including building relationships with businesses, creation of a visitor's center, development of a marketing program, attracting young people to Rohnert Park, and bringing economic development into one system. Mr. Gugliotta also provided a summary of his background and experience.

4. PUBLIC COMMENTS

1. Lew Taber, Rohnert Park, submitted a letter and photographs regarding his receipt of a code enforcement violation for building a non-compliant redwood fence. Mr. Taber requested Council review of the City's fence ordinance.

Council **CONCURRED** to direct staff to stay the enforcement action pending further review of the City's Municipal Code provisions regarding fences.

2. Peter Tscherneff spoke regarding various topics.
3. Erin Armstrong, Rohnert Park, spoke in opposition to Measure L.
4. Dawna Gallagher, Rohnert Park, spoke in favor of competitive bidding and a preference for local vendors, and expressed concerns regarding threatened litigation.

5. CONSENT CALENDAR

1. Approval of Minutes for:
 - City Council Portion of Regular Concurrent Meetings – August 12, 2008
2. Approval of City Bills/Demands for Payment in the amount of \$1,954,830.93.
3. Resolutions for Adoption:

2008-137 Recognizing the Month of September as National Alcohol and Drug Addiction Recovery Month

- 2008-138 Rejecting the Claim of Patricia Smith, Individually and as Guardian ad Litem of Kyle Lee Billings [Police Matter]**
- 2008-139 Approving and Authorizing the Execution of an Amendment No. 1 to Reimbursement Agreement with the Community Development Commission of the City of Rohnert Park for the Construction of the Phase I Eastside Sewer Line Project (Project No. 2004-05)**

Council Member Smith signified removal of the City Council Portion of the Regular Concurrent Meetings Minutes for August 12, 2008.

MOVED by Council Member Smith, seconded by Council Member Vidak-Martinez, and **CARRIED** 5-0, reading was waived and the Consent Calendar was **APPROVED** with the exception of the City Council Portion of the August 12, 2008, Regular Concurrent Meeting Minutes.

Item for consideration:

City Council Portion of Regular Concurrent Meeting Minutes – August 12, 2008

Item 13, Communications (p. 10): Council Member Smith amended the minutes to include Council's concurrence to direct the Mayor or staff to send a response letter to Sonoma State University.

MOVED by Council Member Smith, seconded by Vice-Mayor Stafford, and **CARRIED** 4-0-1 with Council Member Breeze abstaining, reading was waived and the City Council Portion of the Regular Concurrent Meeting Minutes for August 12, 2008, were **APPROVED AS AMENDED**.

6. PARK CLEANING SERVICES

Consideration of Awarding a Contract for Park Cleaning Services

1. City Manager Donley and Assistant City Attorney Atencio reviewed the contents of the staff report and responded to Council questions.
2. Public Comments: The following individuals spoke in favor of retaining the park cleaning services contract with Rohnert Park Services/Old Adobe Developmental Services (O.A.D.S.):
 1. Linda Skogberg, Rohnert Park Services.
 2. Michael Sturm, Santa Rosa.
 3. Travis Stockton, Rohnert Park Services.
 4. Mary Payne, Rohnert Park Services. Ms. Payne circulated a City Council resolution recognizing Linda Skogberg and Carl Helton of O.A.D.S.
 5. Theresa Mwangi, Rohnert Park Services.
 6. Judith Hager, Program Director, Rohnert Park Services.
 7. ~~Paul Stutrud, Rohnert Park.~~¹
 7. Nicky Boyette, Executive Director, O.A.D.S.
 8. Bonnie Black, Rohnert Park.
 9. Rick Drips.

¹ **AMENDMENT** made by Vice Mayor Stafford at the September 8, 2008, City Council special meeting. (Additions underlined/Deletions lined out)

10. Nancy Wilkins, parent of Rohnert Park Services employee.
 11. Pat Eskew, Rohnert Park.
 12. Regina Livingston, North Bay Industries.
 13. Cami Weaver, Becoming Independent.
 14. Creighton Bell, Rohnert Park.
 15. Diane Reilly Torres, Petaluma. Ms. Torres submitted written materials.
 16. Peter Tscherneff.
 17. Pat Keller, Rohnert Park.
3. Resolution for Adoption:
2008-140 Awarding a Contract for Park Cleaning Services

- OR -

2008-140 Rejecting All Bids for Park Cleaning Services

MOVED by Council Member Smith seconded by Council Member Vidak-Martinez, and **CARRIED** 5-0, reading was waived and Resolution No. 2008-140, Rejecting All Bids for Park Cleaning Services, was **ADOPTED**.

Council **CONCURRED** to direct staff to re-bid the contract in order to retain the current contract employees and to return to Council with the revised bid package for park cleaning services by the first meeting in October.

RECESS

Mayor Mackenzie called a recess at 8:23 p.m.

RECONVENE

Mayor Mackenzie reconvened the regular session at 8:39 p.m. All members were present.

7. WATER SERVICE RATES

Consideration of Adopting Ordinance No. 801 Amending Chapter 13.04 of the Rohnert Park Municipal Code to Increase Water Service Rates

1. City Manager Donley reviewed the contents of the staff.
2. Public Comments: None
3. Ordinance for Adoption:
No. 801 Amending Chapter 13.04 of the Rohnert Park Municipal Code (City Water System) To Increase Water Service Rates

MOVED by Council Member Smith, seconded by Vice-Mayor Stafford, and **CARRIED** 5-0, reading was waived and Ordinance No. 801 was **ADOPTED BY ROLL CALL VOTE**.

8. SPEED LIMIT ORDINANCE

Consideration of Adopting Ordinance No. 802 Amending Section 10.20.010 of the Rohnert Park Municipal Code Declaring Prima Facie Speed Limits on Certain Streets

1. Deputy City Engineer Barnes reviewed the contents of the staff report and responded to Council questions.
2. Public Comments: None.
3. Ordinance for Adoption:
No. 802 Amending Section 10.20.010 of the Rohnert Park Municipal Code Declaring Prima Facie Speed Limits on Certain Streets

MOVED by Council Member Stafford and seconded by Council Member Vidak-Martinez to waive further reading and adopt Ordinance No. 802. Following Council discussion, Council **CONCURRED** to direct staff to bring back to Council at the earliest opportunity an ordinance establishing a speed limit of 45 miles per hour on Rohnert Park Expressway from Snyder to Petaluma Hill Road. The motion **CARRIED** 4-1, with Council Member Smith voting against, reading was waived and Ordinance No. 802 was **ADOPTED BY ROLL CALL VOTE**.

9. CITY WORK PLAN

Six-month Review of the City Council Goals, Objectives, Strategies, and Tactics regarding Implementation of the City's Work Plan

1. Mayor Mackenzie summarized the process used for development of the City's Work Plan. City Manager Donley provided an update regarding implementation of the City's Work Plan. Assistant City Manager Schwarz reviewed economic development activities accomplished under Goal I: Raise Revenues and Goal II: Partnerships/Cooperation. Public Safety Director Bullard reviewed Public Safety Department recruitment and retention activities accomplished under Goal III: Increase Safety. Director of Engineering Services Jenkins reviewed the status of projects and Engineering Department activities accomplished under Goal IV: Maintain/Increase Infrastructure. Community Development Director Bendorff reviewed the status of projects and Community Development Department activities accomplished under Goal IV. City Manager Donley reviewed the status of projects and accomplishments under Goal V: Sustainability.
2. Public Comments: None.
3. Council Members commended staff for their hard work and accomplishments on the City's Work Plan. No action was taken.

10. COUNCIL COMMITTEE AND/OR OTHER REPORTS

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

1. Mayors' and Councilmembers' Association meeting, 8/14: Mayor Mackenzie. The meeting was also attended by Council Member Smith and Council Member Vidak-Martinez.
2. City Hall Ad Hoc Subcommittee meeting, 8/18: Vice-Mayor Stafford and Council Member Smith.

City Hall Plaque: Council Member Breeze requested that the "L." be stricken from her name. Mayor Mackenzie requested the addition of former Council Member Armando Flores. Council **CONCURRED** to: (1) direct staff to proceed with a plaque for the new City Hall as depicted in the example and incorporating the requested changes; and (2) permit the City Manager to add staff names at his discretion.

3. Economic Development Subcommittee meeting, 8/20: Council Member Breeze and Council Member Vidak-Martinez.
4. Sonoma County Waste Management Agency meeting, 8/20: Council Member Smith.
5. Other informational reports:

Councilmember Smith: League of California Cities Ballot Measure Academy, 8/14; California Parenting Institute Rehabilitation Facility.

Council Member Breeze: None.

Council Member Vidak-Martinez: 8/13 Santa Rosa Mayor's Gang Task Force Policy Committee meeting, 8/13; Concerned Citizens of Rohnert Park (C-CORP)/Sonoma County Health Forum, 8/16; Explorer Pancake Breakfast at Senior Center, 8/23; County Climate Action Plan meeting, 8/23; volunteered at Association for the Arts Library Photo Show, 8/26.

Vice-Mayor Stafford: Library Art Show, 8/26; various pancake breakfasts.

Mayor Mackenzie: Way to Go! Expo; Santa Rosa Wednesday Night Market.

11. COMMUNICATIONS

Mayor Mackenzie called attention to an e-mail message from David Grabill congratulating the City on obtaining its affordable housing goals.

12. MATTERS FROM/FOR COUNCIL

1. Calendar of Events
2. City Council Agenda Forecast
3. League of California Cities Annual Conference – Consideration of 2008 Annual Conference Resolutions:
 - (a) League Bylaws Amendments
 - (b) 2-1-1 California Telephone Service
 - (c) Extension of Federal Section 45 Production Tax Credit
 - (d) Comprehensive Statewide Water Infrastructure Plan

Council **CONCURRED** that the Mayor may support or oppose the 2008 Annual Conference resolutions at his discretion.

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

1. Response to Questions Regarding Additional Effects of Sewer Service Charges Initiative

Assistant City Manager Schwarz provided a brief report regarding the effects of City bankruptcy on property values, the impacts of the sewer rates initiative on school bonds, and the effects of a Regional Water Quality Control Board Cease and Desist Order on the City of Dixon. Mr. Schwarz distributed to Council: (1) an article from The Mercury News entitled

“Bankrupt Calif. City losing cops amid rising crime; an article from TheReporter.Com entitled “Dixon to get directive on wastewater”; and a copy of “California Regional Water Quality Control Board Cease and Desist Order Requiring the City of Dixon, Dixon Wastewater Treatment Facility, Solano County to Cease and Desist from Discharging Contrary to Requirements.”

14. PUBLIC COMMENTS

None.

ADJOURNMENT

There being no further business, Mayor Mackenzie adjourned the City Council meeting at 10:44 p.m. to consecutively and separately convene the meetings of the Community Development Commission and the Rohnert Park Financing

MINUTES FOR THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF ROHNERT PARK (CDC)

Tuesday, August 26, 2008

CALL TO ORDER

The Regular Meeting of the Community Development Commission of the City of Rohnert Park was called to order by Chairperson Mackenzie at 10:44 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; 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 – August 12, 2008.
2. Approval of CDC Bills/Demands for Payment in the amount of \$5,374.70.
3. Accepting CDC Cash/Investments Report for Month Ending June, 2008.
4. Resolution for Adoption:
2008-08 Approving and Authorizing the Execution of an Amendment No. 1 to Reimbursement Agreement with the Community Development Commission of the City of Rohnert Park for the Construction of the Phase I Eastside Sewer Line Project (Project No. 2004-05)

2008-09 Authorizing a Request for Proposals Solicitation Process for the Purpose of Selecting a Qualified Developer to Construct an Affordable Housing Project on 100 Avram Avenue, 120 Avram Avenue and 6750 Commerce Boulevard

MOVED by Commissioner Smith, seconded by Commissioner Vidak-Martinez, and **CARRIED** 5-0, reading was waived and the CDC Consent Calendar was **APPROVED**.

ADJOURNMENT

There being no further business, Chairperson Mackenzie adjourned the CDC meeting at 10:45 p.m.

**MINUTES FOR THE
ROHNERT PARK FINANCING AUTHORITY (RPFA)
Tuesday, August 26, 2008**

CALL TO ORDER

The Regular Meeting of the Rohnert Park Financing Authority was called to order by Chairperson Mackenzie at 10:45 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; Terri Griffin, Deputy Secretary; and Linda Beltz, Videographer.

Unscheduled Public Appearances: None

1. RPFA CONSENT CALENDAR

1. Approval of Minutes for RPFA Portion of Regular Concurrent Meetings – August 12, 2008.
2. Accepting RPFA Cash/Investments Report for Month Ending June, 2008.

MOVED by Board Member Vidak-Martinez, seconded by Board Member Smith, and **CARRIED** 5-0, reading was waived and the RPFA Consent Calendar was **APPROVED**.

ADJOURNMENT

There being no further business, Chairperson Mackenzie adjourned the meeting of the RPFA at 10:45 p.m.

Terri Griffin
Deputy City Clerk
City of Rohnert Park

Jake Mackenzie
Mayor
City of Rohnert Park