

**CITY OF ROHNERT PARK CONCURRENT MEETING MINUTES FOR:
City Council
Community Development Commission
Rohnert Park Financing Authority**

**April 10, 2007
Tuesday**

The Concurrent Meetings of the City of Rohnert Park for the City Council, the Community Development Commission and the 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 Pro Tem Mackenzie presiding.

CITY COUNCIL REGULAR MEETING

Call to Order: Mayor Pro Tem Mackenzie called the Regular Meeting to order at 6:00 p.m.

Roll Call: Breeze, Mackenzie, Smith, Stafford

Absent: Vidak-Martinez (Excused: Recovering from surgery)

Staff present for all or part of the Regular Meeting: City Manager Pro Tem Schwarz, City Attorney Kenyon, City Engineer/Director of Public Works Jenkins, Director of Community Development Bendorff, Senior Planner Rich, Housing and Redevelopment Manager Ellena, and Videographer Beltz.

PLEDGE OF ALLEGIANCE:

Sabrina Corley, student from Monte Vista Elementary School, led the Pledge of Allegiance. Mayor Pro Tem Mackenzie PRESENTED Sabrina with a card and a pen.

1. SCHEDULED APPEARANCES/PRESENTATIONS:

Darrin Jenkins, City Engineer/Director of Public Works, City of Rohnert Park, was recognized and **DISTRIBUTED AND REVIEWED** a handout regarding the Street Maintenance Asphalt Overlay Project. He noted dates for lane closures and detours, and he indicated more information is available through the City Engineer's office.

AGENDA ITEM REQUEST:

At the request of Mayor Pro Tem Mackenzie, Council **CONCURRED** to take Agenda Item 7.5 between Agenda Items 4 and 5.

2. CONSENT CALENDAR:

All items on the consent calendar will be considered together by one action of the Council unless any Council Member or anyone else interested in a consent calendar item has a question about the item. Council Member Smith signified removal of Resolution Nos. 2007-53 and 2007-55.

- A. Approval of Minutes for:
City Council Special Meeting/Work Session – March 20, 2007
City Council Portion of Concurrent Meetings – March 27, 2007

- B. Approval of City Bills/Demands for Payment in the amount of \$798,430.36
- C. Accepting Cash/Investments Report for:
Month Ending January, 2007 -- **ITEM DEFERRED**
- D. Resolutions for Adoption:
 - 2007-52 Proclaiming May 14-18, 2007, as Affordable Housing Week**
 - 2007-54 Authorizing and Approving the Second Amended Cooperative Agreement Between and Among the Sonoma County Water Agency, the County Of Sonoma, the Cities Of Cotati, Rohnert Park, Santa Rosa, and Sebastopol, the Town Of Windsor, and Cal American Water Company to Provide Funding and Support Information for the Santa Rosa Plain Groundwater Study**
 - 2007-56 Calling for Sealed Bids for the Sewer Force Main Breach Repair Project No. 2006-07**
 - 2007-57 Rejecting Bid for the SCADA System Maintenance and Upgrade Contract**
 - 2007-58 Proclaiming April 27, 2007 as Children's Memorial Day in Memory of Children Who Have Died by Violence**

Upon **MOTION** by Council Member Smith, seconded by Council Member Breeze, and **APPROVED 4-0-1** with Mayor Vidak-Martinez absent, reading was waived and the Consent Calendar, with the exception of Resolution Nos. 2007-53 and 2007-55, was **ADOPTED**.

Items for Consideration:

- 2007-53 Approving an Agreement for Services between the City of Rohnert Park and EIP Associates (a Division of PBS&J) for the Preparation of an Environmental Impact Report for the Sonoma Mountain Village Project**

Council Member Smith noted the preparation of the EIR for Sonoma Mountain Village (SMV) is moving forward, and he acknowledged the presence of representatives from SMV in the audience this evening. Upon **MOTION** by Council Member Smith, seconded by Council Member Breeze, and **APPROVED 4-0-1** with Mayor Vidak-Martinez absent, reading was waived and Resolution 2007-53 was **ADOPTED**.

- 2007-55 Authorizing Submission of a Grant Application to the Sonoma County Agricultural Preservation & Open Space District's Matching Grant Program for the Crane Creek Regional Trail Project**

Council Member Smith discussed how this is an opportunity to get Open Space monies for an important linkage of trails. A **MOTION** was made by Council Member Smith, seconded by Council Member Breeze, to adopt Resolution 2007-55. Under discussion, Mayor Pro Tem Mackenzie explained the mapping of said trail. After the motion, which was **APPROVED 4-0-1** with Mayor Vidak-Martinez absent, reading was waived and Resolution 2007-55 was **ADOPTED**.

3. PLANNING AND ZONING MATTERS:

1. Public Art Ordinance – Consideration of Proposed Addition of Chapter 17.18 (Public Art) to the Rohnert Park Municipal Code (Planning File: PL2006-029MC):

1. Staff Report: Director of Community Development Bendorff reviewed the contents of the Staff Report.
2. Public Comments: None.
3. Ordinance for Adoption:

Waive Further Reading and Adopt Ordinance by reading title:

No. 785 Adding Chapter 17.18, “Public Art,” to the Rohnert Park Municipal Code

Upon **MOTION** by Council Member Breeze, seconded by Council Member Stafford, and **APPROVED 4-0-1** with Mayor Vidak-Martinez absent, reading was waived and Ordinance No. 785 was **ADOPTED BY ROLL CALL VOTE**.

2. Tree Preservation and Protection - Consideration of Proposed Rohnert Park Municipal Code Amendments to Chapters 12.24 (Public Tree Care) and 17.04 (Definitions) and Addition of Chapter 17.15 (Tree Preservation and Protection) of Title 17 - Zoning (File Number PL2006-031MC):

1. Staff Report: Senior Planner Rich reviewed the contents of the Staff Report and responded to Council questions, comments, and suggestions.
2. **PUBLIC HEARING:** Mayor Pro Tem Mackenzie opened the Public Hearing at 6:31 p.m. There being no one interested in speaking, Mayor Pro Tem Mackenzie closed the Public Hearing at 6:31 p.m.
3. Ordinance for Introduction:

Waive Further Reading and Introduce Ordinance by reading title:

No. 769 Amending Chapter 12.24 (Public Tree Care) and Title 17 (Zoning Ordinance) of the Rohnert Park Municipal Code to Address Tree Preservation and Protection

A **MOTION** was made by Council Member Breeze, seconded by Council Member Smith, to introduce Ordinance No. 769 with language added at the end of Section 17.15.070, Security Deposits, Subsection D, to include “and returned within 60 days of the expiration of the 24 months, as referenced in Section 17.05.070(B).” Under discussion, Council Members all thanked staff, and they agreed with a **FRIENDLY AMENDMENT** made by Mayor Pro Tem Mackenzie, and accepted by the maker and the second of the motion, (1) to direct the current City Arborist to work out the guidelines per said ordinance, and (2) to direct staff to make such guidelines available to the public in the form of a leaflet or brochure. After the motion, which was

APPROVED 4-0-1 with Mayor Vidak-Martinez absent, reading was waived and Ordinance No. 769 was **INTRODUCED, AS AMENDED, BY ROLL CALL VOTE.**

4. REPORTING REQUIREMENTS FOR ANIMAL-TO-ANIMAL BITE INCIDENTS:

Consideration of an Ordinance Amending Rohnert Park Municipal Code Section 6.04.350, "Biting Animals – Notification and Disposition":

1. Staff Report: City Manager Pro Tem Schwarz reviewed the contents of the Staff Report, and staff responded to Council questions, comments, and suggestions. He also **DISTRIBUTED AND REVIEWED** suggested language, as recommended by Council Member Smith, for said ordinance.
2. Public Comments: None.
3. Ordinance for Introduction:

Waive Further Reading and Introduce Ordinance by reading title:

No. 786 Amending Section 6.04.350, "Biting Animals – Notification and Disposition" of the Rohnert Park Municipal Code

A **MOTION** was made by Council Member Smith, seconded by Council Member Breeze, to introduce Ordinance No. 786. Under discussion, Council Members Breeze and Smith expressed support for the owner of a biting dog to provide some type of contact information upon request by the other party. Council Member Stafford expressed concern about providing addresses. Council Members agreed with the **FRIENDLY AMENDMENT** suggested by Mayor Pro Tem Mackenzie, and accepted by the maker of the motion and the second, to direct staff to draft language regarding the provision of accurate and current contact information in the event of a dog-bite incident. After the motion, which was **APPROVED 4-0-1** with Mayor Vidak-Martinez absent, reading was waived and Ordinance No. 786 was **INTRODUCED, AS AMENDED, BY ROLL CALL VOTE.**

7. COUNCIL COMMITTEE AND/OR OTHER REPORTS: [Taken out of agenda order by Council concurrence.]

5. Sonoma State University Subcommittee meeting, 4/3: Mayor Pro Tem Mackenzie and Council Member Smith commented on discussions with SSU regarding the Sewer Agreement, the Green Music Center, the University District Specific Plan, areas of future cooperation, and future meetings with SSU representatives. Vice President of University Affairs, Dan Condron, was recognized and discussed SSU's plans regarding the Tuscany student housing project, and he noted the May 15th meeting with the Board of Trustees in Long Beach to include discussions regarding said project. Mr. Condron responded to Council questions and comments.

Council discussion/direction/action: Council **CONCURRED** to direct staff to start meeting with SSU staff and all parties involved regarding the student housing project and the variety of impacts related thereto. Mayor Pro Tem Mackenzie noted Council support for SSU's removal of faculty and staff housing from the specified 88 acres.

5. AESTHETIC TREATMENT OPTIONS FOR THE WILFRED INTERCHANGE PROJECT:

Consideration of Aesthetic Pattern for Bridge Railing and Retaining Walls for the Highway 101 HOV/Wilfred Interchange Project: City Engineer/Public Works Director Jenkins reviewed the contents of the Staff Report.

Council discussion/direction/action: Council **CONCURRED** to direct staff to proceed with the rock pattern.

6. LEGISLATIVE UPDATE AND ADOPTION OF POSITIONS:

Consideration of Proposed Legislative Positions and Support for SB 966 Regarding Pharmaceutical Drug Disposal:

1. Legislative Update: City Manager Pro Tem Schwarz reviewed the contents of the Staff Report, and he responded to Council comments.
2. Public Comments: None.
3. Council discussion/direction: Council **CONCURRED** to direct the Mayor to write a letter of support for SB 861 (Wiggins) per the request from North Coast Rail Authority.
4. Resolution for Adoption:

2007-59 Supporting SB 966, "Pharmaceutical Drug Disposal," Requiring Pharmacies to Take Back Unused Pharmaceuticals for Proper Disposal

A **MOTION** was made by Council Member Smith, seconded by Council Member Breeze, to adopt Resolution 2007-59. Under discussion, Council Member Smith noted that the League of California Cities, the Sonoma County Waste Management Agency, and the City of Santa Rosa support SB 966. Mayor Pro Tem Mackenzie noted that the Russian River Watershed Association will be supportive as well. Council Member Stafford called attention to a typographical error in the resolution, wherein "AB 1193" should be corrected to read SB 966. After the motion, which was **APPROVED 4-0-1** with Mayor Vidak-Martinez absent, reading was waived and Resolution 2007-59 was **ADOPTED**.

7. COUNCIL COMMITTEE AND/OR OTHER REPORTS:

1. Water Issues Subcommittee, 3/28: Mayor Pro Tem Mackenzie and Council Member Breeze discussed the Sewer Lateral Program, and City Engineer/Director of Public Works Jenkins shared additional comments.
2. Creek Master Plan Ad Hoc Subcommittee, 3/28: Mayor Pro Tem Mackenzie **REQUESTED TO AGENDIZE** for the next Council meeting consideration of endorsing the Laguna Ecosystem Restoration and Management Plan. Council Member Breeze discussed the vegetative buffer proposed for the Copeland Creek Bike Path.

3. Association of Bay Area Governments (ABAG) Successful Community Engagement Workshop, 3/29: Mayor Pro Tem Mackenzie indicated that he was unable to attend said workshop.
4. League of California Cities Policy Committee Meeting – Environmental Quality, 3/30: Mayor Pro Tem Mackenzie noted the discussion on the League’s climate change position, and City Manager Pro Tem Schwarz reported on discussions regarding the same topic in the Housing and Community Development Committee.
5. Sonoma State University Subcommittee meeting, 4/3:

Council discussion/direction/action: Taken out of order by Council concurrence and noted between Agenda Items 4 and 5.

6. Redwood Empire Municipal Insurance Fund (REMIF) meeting, 4/5: Council Member Smith noted discussions regarding various insurance rates.
7. Sonoma County Transportation Authority meeting, 4/9: Mayor Pro Tem Mackenzie reported on future plans to upgrade Stage Gulch Road.
8. Other informational reports, if any:

Sonoma Mountain Village Business Cluster Open House, 3/30: Council Member Smith noted that he made a speech at said open house.

State of the Laguna Conference, 3/31: Mayor Pro Tem Mackenzie noted his attendance at all three days of said conference.

Climate Protection Campaign – Community Climate Action Plan meeting, 4/2: Council Member Smith reported briefly on said meeting.

Meeting with American Community Garden Association, 4/3: Mayor Pro Tem Mackenzie reported briefly on said meeting.

Rohnert Park Chamber of Commerce Noon Times – Annual City Update, 4/4: Council Member Smith noted City Manager Donley’s speech at said meeting.

Sonoma County Local Agency Formation Commission (LAFCO) meeting, 4/4: City Manager Pro Tem Schwarz provided a brief update on annexation matters.

Public Hearings Regarding Draft Environmental Impact Statement for Proposed Federated Indians of Graton Rancheria Casino/Hotel, 4/4 and 4/5: Mayor Pro Tem Mackenzie and Council Member Smith reported on attendance and various request for extension of the comment period.

Annual Rohnert Park Public Safety Officers Association Easter Egg Hunt, 4/7: Mayor Pro Tem Mackenzie and Council Member Smith noted their attendance at said event.

Sonoma County Alliance Political Action Committee Legislative Reception, 4/5: Council Member Breeze and Mayor Pro Tem Mackenzie noted their attendance at said reception.

8. COMMUNICATIONS:

Council Member Smith called attention to various communications including the Board of Supervisors' medical retiree vote, mention of the Rohnert Park City Center and Arbors project in a League of California Cities' article, Cotati's support for AB 1542, and attendance at the Rancho Grande Town Hall on 4/4.

At the suggestion of Mayor Pro Tem Mackenzie, Council **CONCURRED TO AGENDIZE** consideration of having the Rohnert Park Community Band and the Moonlighters Swing Band put on a July 4th program.

9. MATTERS FROM/FOR COUNCIL:

1. Schedule of Events and Meetings: Document provided to Council in agenda packets.
2. City Council Agenda Forecast: Document provided to Council in agenda packets.
3. Re-designation of Delegate and Alternate from Council Members Breeze and Stafford to Vice Mayor Mackenzie and Council Member Smith for the Association of Bay Area Governments (ABAG) General Assembly Business Meeting on April 19, 2007:

Council discussion/concurrence: Council Member Breeze indicated that she would not be able to attend said meetings. Council **CONCURRED** with Mayor Pro Tem Mackenzie's suggestion to delegate Council Member Stafford as the delegate and himself as the alternate.

4. Other informational items, if any: None.

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

1. Other informational items, if any: None.

11. PUBLIC COMMENTS:

Members of the public desiring to speak were called forward. No members of the public responded.

ANNOUNCEMENT: Mayor Pro Tem announced the 65th birthday of Videographer Linda Beltz. He noted that cake and refreshments would be served after the Council meeting. Council Members wished Videographer Beltz a happy birthday.

ADJOURNMENT: Mayor Pro Tem Mackenzie adjourned the City Council meeting at 8:21 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, April 10, 2007

Call to Order: 8:21 p.m.

Roll Call: Breeze, Mackenzie, Smith, Stafford

Absent: Vidak-Martinez (Excused)

Also present: Executive Director Pro Tem Schwarz, General Counsel Kenyon, and Recorder Leonard

Unscheduled public appearances: None.

1. CONSENT CALENDAR:

Chairperson Pro Tem Mackenzie asked the Commissioners if there were any questions about matters on the CDC Consent Calendar. No matters were raised.

1. Approval of CDC Portion of Concurrent City Meeting Minutes for:
Regular Meeting – March 27, 2007
2. Approval of CDC Bills/Demands for Payment in the amount of \$215,429.09
3. Accepting CDC Cash/Investments Report for:
Month Ending January, 2007 -- **ITEM DEFERRED**
4. CDC Resolutions for Adoption:

2007-04 Authorizing Submittal of an Application to the California State Department of Housing and Community Development for Funding under the CalHome Program; the Execution of a Standard Agreement if Selected for Such Funding and any Amendments Thereto; and any Related Documents Necessary to Participate in the CalHome Program

2007-05 Authorizing a Request for Qualifications Solicitation Process for the Purpose of Establishing a Short List of Qualified Developers for a Future Affordable Housing Development in the City of Rohnert Park Including the City Hall Site and Other Potential Sites

A **MOTION** was made by Commissioner Stafford, seconded by Commissioner Breeze, to approve the Consent Calendar. After the motion, reading was waived, and the CDC Consent Calendar, as outlined in the agenda, was **APPROVED 4-0-1** with Chairperson Vidak-Martinez absent.

- 2. ADJOURNMENT:** There being no further business, Chairperson Pro Tem Mackenzie adjourned the CDC meeting at 8:21 p.m.
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**MINUTES FOR THE
ROHNERT PARK FINANCING AUTHORITY**

Tuesday, April 10, 2007

Call to Order: 8:21 p.m.

Roll Call: Breeze, Mackenzie, Smith, Stafford

Absent: Vidak-Martinez (Excused)

Also present: Executive Director Pro Tem Schwarz, General Counsel Kenyon, and Recorder Leonard

Unscheduled public appearances: None.

1. CONSENT CALENDAR:

Chairperson Pro Tem Mackenzie asked the Members if there were any questions about matters on the RPFA Consent Calendar. No matters were raised.

1. Approval of RPFA Portion of Concurrent City Meeting Minutes for:
Regular Meeting – March 27, 2007
2. Accepting RPFA Cash/Investments Report for:
Month Ending January, 2007 -- **ITEM DEFERRED**

A **MOTION** was made by Member Smith, seconded by Member Breeze, to approve the RPFA Consent Calendar. After the motion, reading was waived, and the RPFA Consent Calendar, as outlined in the agenda, was **APPROVED 4-0-1** with Chairperson Vidak-Martinez absent.

2. **ADJOURNMENT:** There being no further business, Chairperson Pro Tem Mackenzie adjourned the Meeting of the RPFA at 8:22 p.m.
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Katy Leonard
Certified Shorthand Reporter
C.S.R. 11599

Jake Mackenzie
Mayor Pro Tem
City of Rohnert Park