



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

**February 12, 2008
Tuesday**

The Concurrent Meetings of the City of Rohnert Park for the City Council and the Community Development Commission met this date for a Special Meeting/Work Session, to commence at 5:00 p.m., followed by a Regular Meeting at the Rohnert Park City Hall, 6750 Commerce Boulevard, Rohnert Park, with Mayor Mackenzie presiding.

SPECIAL MEETING/WORK SESSION

Call to Order: Mayor Mackenzie called the Special Meeting/Work Session to order at 5:02 p.m.

Roll Call: Breeze, Smith, Stafford, Vidak-Martinez, Mackenzie

Staff present for all or part of the Special Meeting: City Manager Donley, City Attorney Kenyon, Director of Public Safety Bullard, Public Safety Lieutenant Amato, Public Safety Interim Commander Frazer, Public Safety Officer Douglas, Community Development Assistant Espino (as translator), Deputy City Clerk Griffin, and Videographer Beltz.

Unscheduled Public Appearances:

Trish Luna expressed concern about alcohol consumption in Alicia Park and its impact on the scheduling of Girl Scout events.

Christine Alexander shared reasons in opposition to the ordinance banning alcohol in City parks.

1. ALCOHOL BAN IN PUBLIC PARKS:

Public Safety Lieutenant Amato noted that Community Development Assistant Espino was present in the audience to translate as necessary. Lieutenant Amato and Public Safety Officer Douglas provided an oral report, circulated photos of alcohol and graffiti activities in City parks, and **DISTRIBUTED** two graphs depicting vandalism in various City parks. Staff responded to Council questions and comments.

Council direction: Council discussion concluded with **DIRECTIONS FOR STAFF** to reestablish the ordinance banning alcohol from City parks except by permit, with said ordinance (1) to take effect prior to the end of the school year, and (2) to be reviewed in one year.

REGULAR MEETING

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

Roll Call: Breeze, Smith, Stafford, Vidak-Martinez, Mackenzie

Staff present for all or part of the Regular Session: City Manager Donley, City Attorney Kenyon, Director of Public Safety Bullard, Director of Public Works/City Engineer Jenkins, Recreation Services Manager Miller, Deputy City Clerk Griffin, and Videographer Beltz.

CLOSED SESSION

Mayor Mackenzie adjourned Council to Closed Session to discuss Litigation Matters as outlined in the agenda.

CITY COUNCIL REGULAR SESSION

Mayor Mackenzie reconvened the Regular Meeting at 6:31 p.m.

PLEDGE OF ALLEGIANCE:

Jennifer Lopez Prinskowski, Student, John Reed Elementary School, led the Pledge of Allegiance. Mayor Mackenzie **PRESENTED** Jennifer with a card and a pen.

1. MAYOR'S REPORT ON CLOSED SESSION:

Mayor Mackenzie stated that there was no reportable action.

2. SCHEDULED PRESENTATIONS:

Mayor's Presentation of Resolution No. 2008-11 Acknowledging Scott Weaver for His Magnificent Holiday Display on Cielo Circle: Mayor Mackenzie **READ AND PRESENTED** Mr. Weaver with Resolution No. 2008-11. Mr. Weaver provided brief comments.

3. SONOMA STATE UNIVERSITY (SSU) STUDENT REPORT:

Heather Hanson, University Affairs Director, **DISTRIBUTED** copies of The Star, as well as copies of the Associated Students, Inc. (ASI) sustainability resolution. She reported on the "Focus the Nation Celebration" for global-warming solutions, the State budget impacts on SSU, the status of the Green Music Center, and ASI elections.

4. CHAMBER OF COMMERCE QUARTERLY REPORT

Rohnert Park Chamber of Commerce Quarterly Report by Catharine Bramkamp: Ms. Bramkamp provided an oral update regarding new members of the Chamber, and she highlighted upcoming events, including the Joint Open House with the Cotati Chamber at the Green Music Center on April 24th and the Business Showcase on May 1st.

5. UNSCHEDULED PUBLIC APPEARANCES/COMMENTS:

John Borba expressed concerns about proposed development at Sonoma Mountain Village, specifically the addition of 1700 units.

6. CONSENT CALENDAR:

Council Member Breeze signified removal of the City Council Portion of Special Concurrent Meetings for January 22, 2008, and the City Council Portion of Regular Concurrent Meetings for January 22, 2008, as well as Resolution Nos. 2008-20, 2008-21, 2008-22, and 2008-23, for further discussion. City Manager Donley responded to Council Member Breeze's request for clarification regarding the Public Safety Bay issue at the January 22nd Council meeting, and he noted that Public Facilities Fees were reallocated from the West Side station to the main station.

2. Approval of City Bills/Demands for Payment, January 22 – February 6, 2008, in the amount of \$3,090,115.77

3. Resolutions for Adoption:

2008-17 Commending United Parcel Service (UPS) for Use of the Zap Car in Day-to-Day Delivery Operations

2008-18 Rejecting the Government Tort Claim of David A. Clark [Alleged Police Action]

2008-19 Rejecting the Claim of Hugh Herbold [Alleged Police Action]

Upon **MOTION** by Council Member Vidak-Martinez, seconded by Council Member Breeze, and **UNANIMOUSLY APPROVED**, reading was waived and the Consent Calendar was **ADOPTED**.

Items for consideration:

1. Approval of Minutes for:

City Council Portion of Special Concurrent Meetings – January 22, 2008

City Council Portion of Regular Concurrent Meetings – January 22, 2008

On page 1 of the Special Meeting/Work Session, Council Member ~~*Breeze~~ Vidak-Martinez pointed out that under "Council direction" and "Reconvene," notation of Council Member Vidak-Martinez as "Vice Mayor Vidak-Martinez" should be amended. With no formal motion, the City Council Portion of Special Concurrent Meetings for January 22, 2008 and City Council Portion of Regular Concurrent Meetings for January 22, 2008, were **APPROVED AS AMENDED 4-0-1** with Council Member Vidak-Martinez abstaining. ***CORRECTION ABOVE** made by Council Member Breeze at the February 26, 2008 City Council meeting. (Additions underlined/Deletions lined out)

2008-20 Approving as Amended the Outline of Certain Conditions of Employment, Fringe Benefits and Salary Adjustments for the Confidential Unit

Council Member Breeze noted that the date in the final paragraph should read November 27, 2007, not November 13, 2007. She also suggested that staff inform other bargaining units regarding the difference in dental implant coverage. City Manager Donley stated that the dental coverage issue will be revisited. Upon **MOTION** by Council Member Vidak-Martinez, seconded by Vice Mayor Stafford, and **APPROVED 4-0-1 AS AMENDED**, with Council Member Breeze dissenting, reading was waived and Resolution 2008-20 was **ADOPTED**.

2008-21 Approving as Amended the Outline of Certain Conditions of Employment, Fringe Benefits and Salary Adjustments for the Management Unit

Upon **MOTION** by Council Member Vidak-Martinez, seconded by Vice Mayor Stafford, and **APPROVED 4-0-1** with Council Member Breeze dissenting, reading was waived and Resolution 2008-21 was **ADOPTED**.

2008-22 Approving and Adopting the Memorandum of Agreement with the Rohnert Park Employees' Association (RPEA)

Council Member Breeze noted that on page 18, Item (f), the numerical percentage should read "8%," not "78%." Council discussion concluded, and upon **MOTION** by Vice Mayor Stafford, seconded by Council Member Vidak-Martinez, and **APPROVED 4-0-1 AS AMENDED**, with Council Member Breeze dissenting, reading was waived and Resolution 2008-22 was **ADOPTED**.

2008-23 Approving and Adopting the Memorandum of Agreement with the Rohnert Park Public Safety Officers Association (RPPSOA)

Council discussion concluded, and upon **MOTION** by Vice Mayor Stafford, seconded by Council Member Vidak-Martinez, and **APPROVED 4-0-1**, with Council Member Breeze dissenting, reading was waived and Resolution 2008-23 was **ADOPTED**.

7. WINTER FLOOD UPDATE:

Update regarding the City's Response to Flood Activity during the Recent Winter Storms and Drainage Issues in Rohnert Park:

1. Staff Report: Mayor Mackenzie provided brief opening comments, and he noted that Community Development Assistant Espino was present in the audience to translate as necessary. Director of Public Works/City Engineer Jenkins provided the Staff Report via a PowerPoint presentation, and he responded to Council questions and comments. Mike Thompson from the Sonoma County Water Agency was also present to respond to Council inquiries.
2. Public Comments:
 - a. Vickie Swing circulated pictures regarding flooding issues in Rancho Verde Mobile Home Park, and she **DISTRIBUTED** correspondence from the Law Offices of Gilchrist & Rutter regarding flood control issues.

- b. Janet Behrends displayed a newspaper article from 1982 and reviewed the history of flooding in Rancho Verde Mobile Home Park.
 - c. Marshall Fenstermaker expressed concerns about constant flooding at Rancho Verde Mobile Home Park.
 - d. Richard Close, attorney for Rancho Verde Mobile Home Park, discussed solutions to the flooding problems at the park.
 - e. Ray Will, Consulting Engineer, reviewed the conditions causing the flooding in Rancho Verde Mobile Home Park.
 - f. Deborah Paulson discussed the County work done in 1998, and she noted that flooding again is a problem in that area.
 - g. Pamela Miller reviewed the dangerous conditions that the flooding creates in the area.
 - h. Evan Griffiths discussed how the flooding problem has gotten much worse in the area.
 - i. Fred Soares discussed the effects of the flooding on nearby communities like Bellevue.
 - j. Geraldine Duncan **SUBMITTED** a petition signed by the residents of Rancho Verde and entitled, "Rancho Verde Residents Call for the City to Stop Increasing the Flooding within Rancho Verde Mobile Home Park."
3. **Council discussion/direction:** Director of Public Works/City Engineer Jenkins shared additional comments, and he and Mr. Thompson responded to Council questions. Council discussion concluded with direction for the Water Issues Subcommittee as follows: (1) discuss Rancho Verde flooding issues at tomorrow's subcommittee meeting; (2) create a list of permitting agencies in priority order, and provide a copy of that list to all of this evening's public speakers and make additional copies available to all of the Rancho Verde Park residents; (3) report back to Council under "Council Committee and/or Other Reports" at the February 26th City Council meeting.

RECESS: Mayor Mackenzie declared a recess at 9:15 p.m.

RECONVENE: Council reconvened at 9:26 p.m. with all Council Members present.

8. CAL RIPKEN/BABE RUTH FIELD MAINTENANCE AGREEMENT:

Consideration of a Revocable License Agreement with Cal Ripken/Babe Ruth Baseball League for Use of City Facilities: Alicia, Benicia, and Colegio Vista Parks:

- 1. Staff Report: City Manager Donley provided background on this item. Recreation Services Manager Miller reviewed the contents of the Staff Report, and staff responded to Council questions and comments.
- 2. Public Comments: None.

3. Resolution for Adoption:

2008-24 Approving a Revocable License Agreement for Use of City Facilities: Alicia, Benicia, and Colegio Vista Parks

A **MOTION** was made by Council Member Smith, seconded by Vice Mayor Stafford, to approve Resolution 2008-24. At the conclusion of Council discussion, reading was waived for said resolution, which was **UNANIMOUSLY APPROVED** and thereby **ADOPTED**.

9. COUNCIL COMMITTEE AND/OR OTHER REPORTS:

1. Redwood Empire Municipal Insurance Fund Annual Risk Management Seminar and Board meeting, 1/31-2/1: Council Member Smith provided a brief report.
2. Other informational reports, if any:

Councilmember Smith: State of the County Breakfast, 1/23; Noon Times Council Panel, 2/6; North Bay Economic Outlook Conference, 2/8. Other, if any: Council Member Smith noted his attendance at the Sonoma County Transportation Authority (SCTA) meeting on behalf of Mayor Mackenzie, the Sonoma County Agricultural and Open Space District meeting, and the Education Foundation event.

Council Member Breeze: State of the County Breakfast, 1/23. Other, if any: Council Member Breeze noted her attendance at the Senior Center Super Bowl Party and the retirement party for Nancy Thompson from the Public Safety Department.

Council Member Vidak-Martinez: Other, if any: Council Member Vidak-Martinez noted her attendance at the "Everybody Profits" Climate Protection Workshop and the leadership talk regarding sustainability to the Rancho Cotate High School Key Club.

Vice-Mayor Stafford: Noon Times Council Panel, 2/6. Other, if any: Vice Mayor Stafford Smith noted her attendance at the Education Foundation event and "Literacy Read" at Goldridge School.

Mayor Mackenzie: State of the County Breakfast, 1/23. Other, if any: Mayor Mackenzie noted his attendance at the meeting of the Technical Advisory Committee to the Water Advisory Committee, the Mayors' & Councilmembers' Legislative Committee meeting, the SCTA Ad Hoc Committee meeting on February 11, and the meeting with Dan Condon, Vice President of Student Government Affairs at Sonoma State University.

10. COMMUNICATIONS:

Council Member Smith **SUBMITTED** a communication from the City of Sebastopol to Mayor Mackenzie regarding car-free days.

Letters regarding request for a Council resolution in support of saving the state's regional parks from budget cuts: At the suggestion of Council Member Smith, Council **CONCURRED TO AGENDIZE** for the February 26 meeting consideration of a proposed letter addressing State budget items regarding the matters of state parks and college student admissions.

Letter from Joanne Holcomb regarding NOAH report for January 30, 2008: Council Member Vidak-Martinez called attention to said letter.

Letter from Kevin Pohlson of Brookfield Homes: Mayor Mackenzie called attention to said letter regarding the Hinebaugh Creek Drainage Restoration Plan, and he suggested that the letter be provided to the people that spoke on the "Winter Flood Update" item earlier in the agenda,

11. 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. At the suggestion of Council Member Smith, City Attorney Kenyon indicated that she would provide a report on pertinent matters regarding the sewer initiative at the February 26 City Council meeting.
3. Other informational items, if any: None.

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

1. Other informational items, if any: City Attorney Kenyon provided a brief oral report on Propositions 98 and 99. She noted that the League of California Cities will be asking for support of Proposition 99.

FOR THE RECORD, Council Member Smith thanked City Manager Donley for presenting health benefit calculations per SB 840 in response to public speaker Stan Gold's comments at the January 22, 2008 City Council meeting.

13. PUBLIC COMMENTS:

Richard Pope, Sonoma Mountain Village, discussed the Attorney General's interest in using Sonoma Mountain Village as a model development. At the request of Mr. Pope, Council **CONCURRED** to have Sonoma Mountain Village representatives consult with Building Official Peter Bruck to clarify any regulatory or other matters that need to be addressed.

ADJOURNMENT: Mayor Mackenzie adjourned the City Council meeting at 10:06 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, February 12, 2008

Call to Order: 10:06 p.m.

Roll Call: Breeze, Smith, Stafford, Vidak-Martinez, Mackenzie

Also present: Executive Director Donley, General Counsel Kenyon, Deputy Secretary Griffin, and Videographer Beltz

Unscheduled public appearances: None.

1. CDC CONSENT CALENDAR:

1. Approval of Meeting Minutes for:
CDC Portion of Regular Concurrent Meetings – January 22, 2008
2. Approval of CDC Bills/Demands for Payment in the amount of \$63,330.69

A **MOTION** was made by Commissioner Smith, seconded by Commissioner Vidak-Martinez, to approve the Consent Calendar. After the motion, reading was waived, and the CDC Consent Calendar, as outlined in the agenda, was **UNANIMOUSLY APPROVED**.

2. COMMUNITY DEVELOPMENT COMMISSION AUDIT:

Update regarding the Status of the Annual Independent Auditor's Report for Fiscal Year 2006-2007:

1. Staff Report: Executive Director Donley reviewed the contents of the Staff Report.
2. Public Comments: None.
3. **Council discussion/direction:** Council discussion concluded with **DIRECTIONS FOR STAFF** to proceed with the timely filing of the Annual Independent Auditor's Report for Fiscal Year 2006-2007.

- 3. ADJOURNMENT:** There being no further business, Chairperson Mackenzie adjourned the CDC meeting at 10:11 p.m.
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**MINUTES FOR THE
ROHNERT PARK FINANCING AUTHORITY**
Tuesday, February 12, 2008

Call to Order: 10:11 p.m.

Roll Call: Breeze, Smith, Stafford, Vidak-Martinez, Mackenzie

Also present: Executive Director Donley, General Counsel Kenyon, Deputy Secretary Griffin, and Videographer Beltz

Unscheduled public appearances: None.

1. RPFA CONSENT CALENDAR:

1. Approval of Minutes for:
RPFA Portion of Regular Concurrent Meetings – January 22, 2008

A **MOTION** was made by Member Smith, seconded by Vice Chair Stafford, to approve the RPFA Consent Calendar. After the motion, reading was waived, and the RPFA Consent Calendar, as outlined in the agenda, was **UNANIMOUSLY APPROVED**.

2. **ADJOURNMENT:** There being no further business, Chairperson Mackenzie adjourned the meeting of the RPFA at 10:12 p.m.
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***Katy Leonard**
Certified Shorthand Reporter
C.S.R. 11599

Jake Mackenzie
Mayor
City of Rohnert Park

*(Minutes written in absentia)