



City of Petaluma, California
REGULAR MEETING OF THE PETALUMA CITY COUNCIL
AND PETALUMA COMMUNITY DEVELOPMENT
COMMISSION

City Council/PCDC Minutes
Monday, July 14, 2003 – 2:00 P.M.
Regular Meeting

2:00 P.M. – CITY COUNCIL CLOSED SESSION

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CALL TO ORDER

A. Roll Call

Present: Members Harris, Canevaro, O'Brien, Mayor Glass, Torliatt,
Moynihan
Absent: Healy

PUBLIC COMMENT

There was no public comment.

ADJOURN TO CLOSED SESSION

- **CONFERENCE WITH LEGAL COUNSEL** - Anticipated Litigation-Significant Exposure to Litigation (Gov. Code §54956.9(b))
- **CONFERENCE WITH LEGAL COUNSEL** - Initiation of Litigation (Government Code §54956.95) (2 matters)

The City Council adjourned to Closed Session at 2:05 p.m.

3:00 P.M. - JOINT CITY COUNCIL/PCDC SESSION

CALL TO ORDER

A. Roll Call

Present: Members Harris, Canevaro, O'Brien, Mayor Glass, Torliatt,
Moynihan
Absent: Healy

1 **B. Pledge of Allegiance**

2
3 **PUBLIC COMMENT**

4
5 There was no public input.

6
7 **REPORT OUT OF CLOSED SESSION ACTIONS TAKEN**

8
9 There was no reportable action taken.

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11 **CITY COUNCIL COMMENTS**

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13 **Council Member Torliatt** reported on having attended the Cotati Kids Parade
14 and 40th Anniversary of the City of Cotati on Saturday.

15
16 **Mayor Glass** reported on having attended the Grand Opening of the offices of
17 Dr. Gordon Wong, Optometrist, on Saturday and the Ribbon Cutting for the Jelly
18 Belly store on Friday.

19
20 Mayor Glass also mentioned that he attended a conference in Santa Rosa on
21 Friday afternoon that was also attended by Assembly Members Patty Berg, Pat
22 Wiggins and Joe Nation. He thanked Assembly Member Nation for keeping him
23 informed about the State Budget. It does not appear that they are much closer
24 to any kind of budget resolution.

25
26 Mayor Glass also mentioned a press release coming out of Washington, D.C.
27 from the office of Congresswoman Lynn Woolsey on Friday. He thanked
28 Congresswoman Woolsey for spearheading the successful request through the
29 subcommittee that will determine the initial request for the appropriation of our
30 flood control project. He also commended Paul Marangella, as well, for his
31 outstanding presentations in Washington, D.C. and thanked Council Member
32 Torliatt who joined him, along with City Manager Mike Bierman and Director of
33 River Projects Tom Hargis on their most recent trip in May. He added they had
34 requested \$7.3M and that \$7.3M has been recommended by the House
35 Subcommittee in addition to another \$1M to contribute toward the dredging.
36 He concluded by indicating the \$7.3M would complete the flood control
37 project. This action still needs to go through the Senate and come out of the
38 President's budget, but hopefully all three can agree that it is a project that can
39 be and should be completed this year.

40
41 **CITY MANAGER COMMENTS**

42
43 **City Manager Bierman** commented that the County Youth Volunteer Corps
44 would be working to clean up the depot area next Monday and Wednesday.
45 Mr. Marangella will be treating them to lunch on that day.

46
47

1 **AGENDA CHANGES AND DELETIONS** to current agenda only. **There were none.**

2
3 1. **APPROVAL OF PROPOSED AGENDA** for August 4, 2003.

4
5 **MOTION** to approve the proposed agenda:

6
7 M/S O'Brien, Torliatt. **CARRIED UNANIMOUSLY.**

8
9 2. **CONSENT CALENDAR**

10
11 A. **Resolution No. 2003-135 N.C.S.** of the City Council of the City of
12 Petaluma Regarding its **Intention to Issue Tax-Exempt Obligations.**
13 (Thomas)

14
15 **MOTION** to adopt the resolution:

16
17 M/S Torliatt and Glass. **CARRIED UNANIMOUSLY.**

18
19 3. **NEW BUSINESS**

20
21 A. PCDC Discussion and Action Regarding a **Status Report on the**
22 **Keller Street Garage Pay Parking Program.** (Marangella)

23
24 **Paul Marangella, Economic Development and Redevelopment**
25 **Director,** gave a status report on the Keller Street Garage Pay
26 Parking Program.

27
28 **Commission Member Moynihan** referenced having received
29 correspondence from Mr. David Rabbitt regarding citations that
30 are being given.

31
32 Mr. Marangella noted there were a good number of citations given
33 and explained that anyone who had a technical problem with the
34 parking machines had their citation thrown out. Persons who had
35 to pay citations were those who were in violation of the time limit.

36
37 Council Member Moynihan commented that he feels people are
38 intimidated by the parking machines and have been avoiding the
39 parking garage. He would like that addressed going forward.

40
41 He also mentioned the number of short-term parking spots in front
42 of Tuttle's Pharmacy. He would like to see more than one space
43 installed for that purpose – he would like to see two more added.

44
45 Staff responded they would like to refer that issue to the Task Force
46 and Council Member Moynihan was supportive of doing that.
47

1 **Commission Member Torliatt** indicated when this was originally
2 approved, she was concerned by the fact that we wouldn't meet
3 the revenue numbers projected. She added she would hope, with
4 this Task Force, we could get a minimum of 83 people signed up for
5 the remaining spaces on the 2nd and 3rd floors. She commented on
6 the raised awareness that the Keller Street Garage is there, is clean,
7 is secure and is safe.

8
9 **Commission Member O'Brien** clarified with staff that they are
10 continuing with security and that the Redevelopment Agency is
11 subsidizing the free parking on the ground floor for two months.

12
13 **Commission Member Harris** indicated the last thing anyone wants
14 to do is hurt business in the downtown, so it is the prudent thing to
15 do by instituting the 60-day moratorium on parking fees on the
16 ground floor.

17
18 **Commission Member Canevaro** added he feels you won't get full
19 usage of the garage until there is metered parking installed in the
20 City.

21
22 **Chair Glass** indicated he hoped the Downtown Association gets
23 businesses to utilize the upper floors of the garage.

24
25 *The City Council accepted the status report.*

- 26
27 B. **PCDC Resolution No. 2003-05 Accepting the Completion of the**
28 **Keller Street Parking Structure Improvements Phase II**, Project No.
29 9993 Estimated Maximum Total Project Cost: \$807,249. Funded by
30 Central Business District Fund 901. (Marangella)

31
32 **Paul Marangella, Economic Development and Redevelopment**
33 **Director**, gave an overview of the improvements made.

34
35 **MOTION** to adopt the resolution:

36
37 M/S Torliatt and O'Brien. **CARRIED UNANIMOUSLY.**

- 38
39
40 C. **PCDC Resolution No. 2003-06 Authorizing the Executive Director to**
41 **Enter Into a Long-Term Lease of the Petaluma Railroad Depot with**
42 **the NWPRA.** (Marangella)

43
44 **Paul Marangella, Economic Development and Redevelopment**
45 **Director**, gave the staff report regarding the long-term lease.
46

1 Commission discussion ensued, pointing out this is for the eastern
2 most parcel of the depot. The lease of the other portion of the
3 property is in the works. The issue is we have to move the team
4 tracks off the larger parcel before we can entertain a lease with
5 SMART. Once the tracks are relocated, we would be free to enter
6 into an agreement.

7
8 **MOTION** to adopt the resolution:

9
10 M/S O'Brien and Harris. **CARRIED UNANIMOUSLY.**

- 11
12 **D.** Presentation and **PCDC Resolution No. 2003-07** Approving the Plans
13 and Specifications Prepared by Architectural Resources Group,
14 Approving the Project budget and Awarding the **Contract for the**
15 **Petaluma Railroad Depot Renovation Project**, Phase 1, Project No.
16 9040. (Marangella)

17
18 **Paul Marangella, Economic Development and Redevelopment**
19 **Director**, gave a brief staff report.

20
21 **Commission Member Torliatt** suggested going out to bid again on
22 the roofing.

23
24 **Commission Member Moynihan** concurred with Commission
25 Member Torliatt's request and asked that staff come back with the
26 roof re-bid and to revisit the parking component as soon as
27 possible.

28
29 There was consensus on the Council to bid the roofing and bid
30 parking lot improvements as soon as possible.

31
32 **MOTION** to adopt the resolution:

33
34 M/S Torliatt and Moynihan. **CARRIED UNANIMOUSLY.**

- 35
36 **E.** **PCDC Resolution No. 2003-08** Authorizing the Purchase of **Historic**
37 **Streetlight Fixtures for Downtown Improvements**, Phase I, Project
38 9053. (Marangella)

39
40 **Paul Marangella, Economic Development and Redevelopment**
41 **Director**, gave the staff report.

42
43 PCDC discussion ensued regarding construction, which would
44 occur at night and the water line in the street to provide for
45 sprinkling in the downtown. It was also noted they will try avoid
46 disruption to merchants in the downtown during the holidays.

47
48 **MOTION** to adopt the resolution:

M/S O'Brien and Harris. **CARRIED UNANIMOUSLY.**

JULY 14, 2003 – EVENING SESSION: CITY COUNCIL

CALL TO ORDER

A. Roll Call

Members Harris, Canevaro, Healy, O'Brien, Mayor Glass, Torliatt, Moynihan

B. Pledge of Allegiance

C. Moment of Silence

PUBLIC COMMENT

David Libchitz, Petaluma, addressed the City Council regarding the Campaign Finance Reform Ordinance and implied there may have been Brown Act violations due to the majority of the Council being familiar with the proposal ultimately proposed by Council Member Moynihan. He urged the Council to consider a citizens committee to review any potential changes to the City's current ordinance.

Stan Gold, Petaluma, addressed the City Council regarding the Campaign Finance Ordinance and the billable legal hours wasted on behalf of the City Attorney in proposing changes to the ordinance, when ultimately Council Member Moynihan made other, different changes. He stated he was troubled with the doubled cap on contributions and the elimination of public financing.

CORRESPONDENCE

There was none.

COUNCIL COMMENT AND LIAISON REPORTS

Council Member Torliatt reported on the Zone 2A Meeting to take place on Thursday, July 17, 2003 at 2 p.m.

Council Member Moynihan commented on VLF (Vehicle License Fee) funding, indicating there will be no backfill for the last 10 days, which will be a \$500,000 hit to the City. He stressed the result of needing to draw down on reserves further. Given this situation, he recommended bringing this issue back for discussion to the Council in order to amend the budget.

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City Manager Bierman indicated he feels it is premature to discuss that issue at this time and it would be more appropriate to have that discussion when the State budget is adopted.

Mayor Glass reported on having attended a NCLOCC Meeting regarding the State budget and indicated he is guardedly optimistic that there will be a State budget adopted soon.

CITY MANAGER COMMENTS - There were none.

4. PUBLIC HEARINGS

- A. Discussion and Adoption of **Resolution No. 2003-136 N.C.S.** Ordering **Abatement of Nuisance Consisting of Weeds** Growing on Public/Private Property in the City of Petaluma and Ordering the Fire Chief to Remove Said Weeds by Contract or His Own Forces. (Ginn)

Battalion Chief Art Fanucchi gave the staff report.

Mayor Glass opened the public hearing.

Richard Parker, Petaluma, addressed the City Council regarding the Greystone property and the amount of weeds on that property. He remarked further that land owned by the school district is also filled with weeds and something should be done about that. He thanked the Fire Department for the excellent EMS service they provide.

Hearing no further requests to speak, Mayor Glass closed the Public Hearing.

MOTION to adopt the resolution:

M/S Healy and O'Brien. **CARRIED UNANIMOUSLY.**

- B. Public Meeting to Hear Testimony Regarding the **Annual Assessments for the Landscape Assessment Districts** and the Setting of a Public Hearing. (Anchordoguy)

- 1. **Resolution No. 2003-137 N.C.S.** Describing Improvements and Directing Preparation of Engineer's Report for Fiscal Year 2003-2004.
- 2. **Resolution No. 2003-138 N.C.S.** of Preliminary Approval of Engineer's Report for Landscape Assessment Districts for Fiscal Year 2003-2004.

3. **Resolution No. 2003-139 N.C.S.** of Intention to Order the Levy and Collection of Assessments for Fiscal Year 2003-2004.

Mayor Glass opened the public hearing. Hearing no further requests to speak, Mayor Glass closed the Public Hearing.

MOTION to adopt the above referenced resolutions:

Separate votes were taken on the following areas so as to allow for abstentions due to conflicts of interest.

All resolutions with exception of the listed areas:

With regard to **LAD Area #32 – Wisteria:**

M/S Torliatt and O'Brien: **CARRIED** by the following vote:

AYES: Canevaro, Healy, O'Brien, Glass, Torliatt, Moynihan
NOES: None
ABSTAIN: Harris

With regard to **LAD Area #39 – Willow Glen:**

M/S Healy and O'Brien. **CARRIED** by the following vote:

AYES: Harris, Healy, O'Brien, Glass, Torliatt, Moynihan
NOES: None
ABSTAIN: Canevaro

With regard to **LAD Area #30 – Kingsfield and LAD Area #27 – Graystone Creek:**

M/S O'Brien and Glass. **CARRIED** by the following vote:

AYES: Canevaro, Harris, Healy, O'Brien, Glass, Moynihan
NOES: None
ABSTAIN: Torliatt

All resolutions including all the remaining areas:

M/S Healy and O'Brien. **CARRIED UNANIMOUSLY.**

C. Discussion and Introduction (First Reading) of **Ordinance No. 2157 N.C.S. Approving a Development Agreement with Basin Street Properties** for the Redevelopment of the Theatre District and Approving **Resolution No. 2003-140 N.C.S.** Adopting a **Mitigated Negative Declaration** Thereon. (Marangella)

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Council Member Moynihan recused himself from discussion and/or action on this item to avoid the perception of a conflict of interest, as he knows a number of the parties involved.

Council Member Moynihan left the Council Chambers at 7:25 p.m.

Paul Marangella, Economic Development and Redevelopment Director, gave the staff report and introduced Matt White, who went over the proposed project in greater detail.

Mayor Glass opened the public hearing:

Superb 7, Petaluma, addressed the City Council in support of the Downtown Theatre District.

Hans Grunt, Petaluma, addressed the City Council in support of the Downtown Theatre District.

Derek Simmons, Petaluma, addressed the City Council, indicating that although staff is recommending additional wording to the development agreement to protect river-dependent industries, it is not the wording he had recommended. He urged the Council to adopt the wording he had recommended.

Katherine Rinehart, Petaluma, addressed the City Council, referring to the two letters she submitted regarding the warehouses currently occupying the land that were identified as visual landmarks in the Central Petaluma Specific Plan and have been determined to be significant resources that contribute to a historic district. She asked that the Council pay careful attention to the way Petaluma remains connected to its heritage as these valuable resources are replaced. She recommended the developer make a substantial financial contribution to a "City of Petaluma Historic Preservation Fund" and to consider retaining parts of the buildings or creating some other structural reference to the warehouses, and incorporating this into the proposed open space at the foot of E Street. She concluded by stating the project has not received the kind of public review and input that it warrants, given its importance to Petaluma in economic and urban design terms. She suggested the developer solicit comments on addressing the historic context of the project and appropriate mitigation from a cross section of individuals in the community with an interest in the project.

Skip Sommer, Petaluma, addressed the City Council, indicating he is very excited about the proposal and development of Petaluma's Historic downtown. He commented he likes the idea of history windows and urged Council's support of the project.

1
2 **City Manager Bierman** gave a recap of the proposed project.
3

4 **Council Member Torliatt** commented this is the first major step toward
5 redevelopment and enhancement of the downtown. She indicated the
6 basic deal points are fair to both parties. She added this was an incredibly
7 well negotiated and well-written document and it is a good financial deal
8 for the City. She pointed out this will result is the public use of 216 public
9 parking spaces for a 20-year period and the project will improve
10 dilapidated infrastructure and streets, will create jobs for construction
11 workers which pay prevailing wages; and the document includes anti-
12 discrimination clauses. She concluded by stating, "*timing is everything*"
13 and credited the City Manager for pulling it all together.
14

15 **Council Member Harris** commented the project is consistent with the
16 Central Petaluma Specific Plan and will expand the City's tax base. He
17 stated when this is approved, it will be one more step closer to Petaluma's
18 "*renaissance.*" He indicated he feels the issues have been addressed.
19

20 **Council Member Canevaro** stated his support for the project and echoed
21 comments made by others.
22

23 **Council Member Healy** commented on the issues raised earlier. He
24 indicated the notification language as proposed by staff is adequate and
25 appropriate. He agreed with other Council Members that this would be a
26 jumpstart to the revitalization of the downtown. He thanked Matt White
27 and his team, recognized City staff as well, and noted there is a lot of
28 paper and a lot of detail that is before the Council. Council Member
29 Healy additionally recognized the Superb 7 for their never-wavering vision
30 and recognized the SPARC and Historic SPARC for the number of hours of
31 review they put into this project. Council Member Healy concluded by
32 commenting on the adaptive reuse of the historic structures.
33

34 **Vice Mayor O'Brien** thanked staff, the City Manager and Matt White for
35 their efforts in bringing this project forward. He also commended the
36 Superb 7 for spurring this exciting revitalization of the Downtown Theatre
37 District. He shared concerns of Derek Simmons regarding language in the
38 agreement, but after talking with staff has been assured the river uses will
39 be protected.
40

41 **Mayor Glass** thanked Council Members Harris, Canevaro and O'Brien for
42 their insightfulness and patience as the Council worked through the
43 Central Petaluma Specific Plan and added without a growth measure,
44 this would not have happened. He thanked Matt White and indicated it
45 took courage to bring this project forward.
46

1 **MOTION** to introduce the ordinance with the recommended
2 amendments to the Development Agreement and to adopt the
3 resolution:

4
5 M/S Torliatt and Healy. **CARRIED UNANIMOUSLY.** (Moynihan
6 recused.)
7

- 8 **D.** PCDC Discussion and **PCDC Resolution No. 2003-09** Adopting an
9 **Owner Participation Agreement with Basin Street Properties**
10 Involving the PCDC Financing of Capital Improvements in the
11 Downtown Theatre District and Adopting a Mitigated Negative
12 Declaration Thereon. (Marangella)
13

14 **MOTION** to adopt the resolution with the recommended
15 amendment to the Owner Participation Agreement:

16
17 M/S Torliatt and Healy. **CARRIED UNANIMOUSLY.** (Moynihan
18 recused.)
19

- 20 **E.** Discussion and Introduction (First Reading) of **Ordinance No. 2158**
21 **N.C.S. Amending Ordinance No. 1072 N.C.S. (Zoning Ordinance)**
22 **Adding Article 19.7 "T-C, Theatre Combining District"** with Findings
23 Recommended by the Planning Commission. (Marangella)
24

25 **MOTION** to adopt the ordinance:

26
27 M/S Torliatt and Healy. **CARRIED UNANIMOUSLY.** (Moynihan
28 recused.)
29

30 *The Council took a recess at 8:30 p.m. to 8:40 p.m. Council Member*
31 *Moynihan returned to the Council Chambers at 8:40 p.m.*
32

- 33 **F.** Discussion and Possible Action Regarding Recommendation from
34 the Planning Commission to Approve: (A) Resolution Adopting a
35 Mitigated Negative Declaration for a 47 Single-Family Lot And **46**
36 **Town Home Lot Subdivision Located on the 17-Acre Gatti Nursery**
37 **Parcel** at 710 Sonoma Mountain Parkway; (B) Resolution Approving
38 Rezoning the Property To a Planned Unit District for the "Gatti"
39 Subdivision; (C) Resolution Approving a Tentative Subdivision Map
40 for the "Gatti" Subdivision; and (D) Resolution Approving Planned
41 Unit District Development Guidelines for the "Gatti" Subdivision.
42 APN 137-070-079. (Moore/Robbe)
43

44 **Tiffany Robbe, Associate Planner,** gave the staff report and
45 indicated that the Planning Commission and staff recommend
46 support for the subdivision.
47

1 **Council Members Torliatt, Canevaro and Mayor Glass** indicated
2 they had met with the developer independently earlier in the week
3 to discuss this project.
4

5 **Matt Hudson, Developer,** addressed the City Council indicating
6 they agreed with the conditions and conclusions in the draft
7 resolution rezoning the property to PUD, except as noted:
8

9 #7. They did not believe there is a nexus sufficient to place on this
10 subdivision the entire cost to construct the bridge. They agreed to
11 work with the City to determine a location for the bridge and to
12 contribute their fair share of the cost to construct the bridge. If
13 Council decides they are responsible, they requested the City to
14 require them to deposit funds for the construction and that the City
15 or Junior College build the bridge. Since design and placement
16 depend on action by the City and Junior College and may take
17 considerable time, they requested to be allowed to post a bond
18 for any obligation placed on them rather than delay subdivision
19 approvals.
20

21 #8. Their objections and requests are the same as in #7.
22

23 #12. The pond is on property they will dedicate to the City for the
24 Urban Separator. They do not believe they are responsible to
25 landscape or improve the pond. If Council decides they are, since
26 they do not know when the City will resolve the issue, they asked to
27 be allowed to post a bond for any obligation placed on them
28 rather than delaying the subdivision approvals.
29

30 #21. They agreed to this condition except the timing. They do not
31 believe the final map and improvement plans should be delayed
32 for a streambed alteration permit. They agreed to not work in the
33 channel until they obtain such a permit.
34

35 #31. They agreed to this condition so long as condition 13 is
36 incorporated into it.
37

38 #32. They objected to this condition regarding the width of Public
39 Road E. For most of its length, Road E is 28 feet wide. They have
40 created traffic calming devices by narrowing the roadway to 24
41 feet wide for a distance of 30 feet from the intersection at both
42 ends of the street. This is consistent with (and suggested by) the
43 Corona/Ely Specific Plan for entrances into neighborhoods. Mr.
44 Hudson indicated widening these areas would make it impossible
45 to meet the Fire Marshal's radius requirements and the Planning
46 Commission's desires for design of the town homes without losing 2
47 additional units.
48

1 #33. They objected to this condition regarding requirement of a
2 cul-de-sac. The hammerhead shown on the plans provides a
3 reasonable means for motorists to turn around and meets the
4 requirements of the Fire marshal. A cul-de-sac will take substantially
5 more room from the park.
6

7 #34. They objected to this condition, as the alleys are 24 feet wide
8 wherever cars will make turning movements into garages. They
9 narrow to 20 feet only at the entrances off Casella and off
10 Yorkshire. The 20-foot width extends only 55 feet in both places and
11 meets the Fire Marshal's requirements. The reasons for this are: 1)
12 to delineate the difference between the public street and the
13 private alley, and 2) to avoid the loss of 2 additional units while
14 respecting the Planning Commission's desires for design of the town
15 homes. The rolled curbs are limited to this same short area and are
16 intended to meet the requirements of the Fire Marshal; emergency
17 vehicles will be allowed to drive off the road and onto the walkway
18 to obtain access to the town homes fronting the interior park. The
19 rolled curbs make this easier.
20

21 #53. They objected to this condition, as the installation of a
22 rainfall/stream gauge station is a matter of Citywide concern and
23 not related to this subdivision. He indicated they pay flood
24 mitigation fees for this purposed.
25

26 #54. They objected to this condition, as the installation of the pipe
27 is a matter of Citywide concern and not related to this subdivision.
28

29 **Mr. Doyle Heaton** addressed the City Council in support of the
30 recommendations of Mr. Hudson.
31

32 **Mayor Glass** opened the public hearing.
33

34 **Lianne Smith, Petaluma**, addressed the City Council with traffic and
35 safety issues and concerns. She asked that Yorkshire Road not be
36 used as the entrance to the subdivision. She would like to see a
37 redesign to allow for an entrance at the corner by the Santa Rosa
38 Junior College.
39

40 **Jeri Shubert, Petaluma**, addressed the Council with concerns
41 regarding the Buckingham neighbors, who would prefer the
42 properties abutting their backyards be limited to eight properties
43 and to move the fence six feet further away with an added
44 elevation to increase privacy for them.
45

46 **James Peavy, Petaluma**, addressed the City Council with concerns
47 regarding the elevation of the homes and the fence abutting the
48 Buckingham neighbors. He indicated there were many others who

1 wanted to attend the hearing tonight but couldn't due to child
2 care issues.

3
4 **Stan Gold, Petaluma**, addressed the City Council expressing his
5 concern that this development is not paying its fair share of
6 development impact fees.

7
8 **Vince Landof, Petaluma**, addressed the City Council regarding the
9 traffic impacts on City streets resulting from this development.

10
11 Hearing no further requests to speak, Mayor Glass closed the Public
12 Hearing.

13
14 **Mr. Hudson** noted they cannot lower the subdivision pads at the
15 back of the project and there is no extra space for the fence.

16
17 **Council Member Torliatt** commented on the number of open points
18 of contention and expressed concerns regarding the number of
19 units behind the Buckingham residents, elevation differences, traffic
20 circulation, dual irrigation piping, solar hookups, the park issue as it
21 relates to being a public passive park and the need for setting up a
22 Landscape Assessment District, who should be responsible for
23 installing the bridge, the need for story poles along Buckingham,
24 and the hope that new developer fees will be in place before
25 December.

26
27 In response to questions from the Council, the Traffic Consultant
28 explained how traffic counts were taken and stated he feels they
29 are accurate and reflect school conditions.

30
31 Council discussion continued regarding the substantial amount of
32 time the Planning Commission has spent on this project. The noise
33 from air-conditioning units behind G & G Market was noted as well.

34
35 **Council Member Canevaro** indicated he would consider looking at
36 losing one home behind the Buckingham residents; the elevation
37 for drainage, and to review the traffic concerns. He indicated
38 concerns with adding a bridge but indicated the general concept
39 of the plan is good.

40
41 Support for the requirement for the purpose pipe, to allow bonding
42 around some requirements, allowing the backyards of the
43 subdivision to abut the backyards of the Buckingham residents,
44 and allowing for 24-foot street widths was expressed by **Council**
45 **Member Healy**.

46

1 Council discussion focused on the need to have this matter
 2 referred back to staff to work more closely with the developer and
 3 surrounding residents on the issues and concerns expressed.
 4

5 **Council Member Moynihan** stated the Gatti Park design would be before
 6 the Recreation, Music, and Parks Commission on Wednesday. He also
 7 indicated his agreement with the developer on conditions #7 and #53.
 8

9 **MOTION** to continue this matter to August 4, 2003 for the evening session:
 10

11 M/S Healy and Harris. **CARRIED UNANIMOUSLY.**
 12

13 *The City Council recessed from 10:15 p.m. to 10:23 p.m.*
 14

15 **5. UNFINISHED BUSINESS**
 16

17 **A.** Discussion and Consideration of (1) Approving a **Charter**
 18 **Amendment to Allow the City to Collect a Utility Users Tax (UUT)**,
 19 Subject to Voter Approval; (2) **Approving an Ordinance Adopting a**
 20 **UUT on the Use of Gas and Electricity, Subject to Voter Approval;**
 21 and (3) Adopting **Resolutions Placing the Charter Amendment and**
 22 **Ordinance on the November 4, 2003 Ballot.** (Rudhansky/Petersen)
 23

24 **1. Resolution No. 2003-141 N.C.S. Calling and Giving Notice of**
 25 **a Special Municipal Election** to be Held on Tuesday,
 26 November 4, 2003 for a **Charter Amendment and**
 27 **Companion Measure Regarding a Utility Users Tax.**
 28

29 **2. Resolution No. 2003-142 N.C.S. Requesting the Sonoma**
 30 **County Board of Supervisors to Consolidate a Special**
 31 **Election for the City of Petaluma on Tuesday, November 4,**
 32 **2003 with any Other Election Held on the Same Date in**
 33 **Territory That is the Same or is in Part the Same.**
 34

35 **3. Resolution No. 2003-143 N.C.S. Providing for the Filing of**
 36 **Arguments for City Measures** Submitted at the November 4,
 37 2003 Special Election.
 38

39 **4. Resolution Authorizing Submission of Written Arguments**
 40 **Regarding the Charter Amendment and Companion**
 41 **Measure Regarding a Utility Users Tax. (Optional) *This***
 42 ***resolution was not acted upon by the City Council.***
 43

44 **5. Resolution No. 2003-144 N.C.S. Directing the City Attorney to**
 45 **Prepare an Impartial Analysis of the Ballot Measures to be**
 46 **Voted on at the November 4, 2003 Special Election**
 47 **Regarding a Utility Users Tax.**

1
2 **City Attorney Richard Rudnansky** gave an overview of the
3 proposed ballot measure and asked for Council guidance
4 regarding including the list of streets and the amount of the cap to
5 be used for non-residential users.
6

7 **Mayor Glass** opened the public hearing:
8

9 **Richard Parker, Petaluma**, addressed the City Council in opposition
10 to a Utility Users Tax and indicated he feels it should be a parcel tax
11 instead.
12

13 **Stan Gold, Petaluma**, addressed the City Council, pointing out the
14 relationship of this pothole tax to the fact that development fees
15 are not up to par. He recommended that prior to placing this
16 matter before the voters, the Council consider increasing
17 development fees.
18

19 **Janice Cader-Thompson, Petaluma**, addressed the City Council,
20 urging them to be specific about the streets to be done. She also
21 asked that they consider placing the measure on the March 2004
22 or November 2004 ballot.
23

24 **Vince Landof, Petaluma**, addressed the Council and indicated he
25 agreed with Janice Cader-Thompson. He also encouraged the City
26 to check to see the number of renters in town and to hold the
27 titleholder of the property accountable for the tax.
28

29 Hearing no further requests to speak, Mayor Glass closed the Public
30 Hearing.
31

32 **Council Member Moynihan** agreed with comments by Janice
33 Cader-Thompson regarding the need to list the streets to be fixed.
34 He also supported placing the measure on the ballot in March 2004
35 and not this November. He indicated he was opposed to the
36 suggestion of striking the words "electrical, energy, gas" from the
37 first paragraph of the proposed Charter Amendment language.
38

39 After a brief City Council discussion regarding the striking of those
40 three words, the City Attorney agreed that they should be left in.
41

42 **Council Member Torliatt** indicated her support for moving forward
43 for placement of the measure on the November 2003 ballot and
44 asked the statement regarding "*Petaluma has the worst streets in*
45 *Sonoma County*" in the County be removed from the Ordinance
46 language.
47

1 **Council Member Harris** agreed with the timing of the proposed
 2 measure, but would prefer March. He also indicated support for
 3 listing the streets and would support a \$15,000 cap.
 4

5 **Council Member Canevaro** commented that March 2004 may be
 6 a better time and expressed concern that if we were to list the
 7 streets it doesn't leave any room for error.
 8

9 **Council Member Healy** commented if the Council were to wait
 10 until March 2004 for the election, it would possibly compete with
 11 other tax ballot measures. He additionally supported the \$15,000
 12 cap and supported Option #1 for the "Use of Tax Proceeds"
 13 segment of the ordinance.
 14

15 **Vice Mayor O'Brien** supported a November 2003 election,
 16 supported Option #1 for the "Use of Tax Proceeds" section,
 17 supported a \$15,000 cap, and indicated his willingness to
 18 campaign for the Utility Users Tax out in the community.
 19

20 **Mayor Glass** indicated his support for a November 2003 election
 21 and for Option #1 regarding the "Use of Tax Proceeds" language.
 22

23 **Council Member Harris** indicated he would support the CAC to be
 24 the designated group to submit the ballot argument.
 25

26 **MOTION** to adopt the resolutions as proposed, with the ballot
 27 measure language to include Option #1 regarding "Use of Tax
 28 Proceeds," setting the cap at \$15,000, and leaving in the words
 29 "electrical, energy, gas."
 30

31 M/S Healy and Glass.
 32

33 AYES: Harris, Canevaro, Healy, O'Brien, Mayor Glass, Torliatt
 34 NOES: Moynihan
 35

36 **MOTION** to continue with the remainder of the agenda **CARRIED ON A 6-1 VOTE**
 37 (Torliatt voting NO).
 38

39 **6. NEW BUSINESS**
 40

- 41 **A.** Discussion and Possible Direction on **Cross-Town Mobility**
 42 **Enhancement Options** for Inclusion in General Plan 2004-2025
 43 Alternative Analysis. (Tuft)
 44

45 **Pamela Tuft, Director of General Plan**, gave a presentation on the
 46 Cross-Town Mobility Enhancement Options for inclusion in the
 47 General Plan.
 48

1 City Council discussion ensued regarding the various options and
2 the need to gather as much information as possible on all the
3 options listed. Concerns were raised regarding the expansion of
4 Old Redwood Highway and the need to look at an underpass or
5 an overpass with regard to Rainier.
6

7 **Public Input:**

8
9 **Janice Cader-Thompson, Petaluma**, addressed the City Council,
10 stating it seems as though some alternatives are missing from the
11 list. She commented on the Corona Road northbound and
12 southbound off-ramps and cautioned that it is not good to have
13 too many on and off ramps too close together.
14

15 **Vince Landof, Petaluma**, addressed the City Council and indicated
16 if the people of Petaluma recognized the funding for this would
17 come out of their pockets they wouldn't vote for it.
18

19 **Duane Bellinger, Petaluma**, addressed the City Council, indicating
20 they should allow people to shop in their own areas by designing a
21 community so people do not have to drive across town. He also
22 suggested schools be within walking distance of subdivisions.
23

24 **Council Member Torliatt** noted that CalTrans is running out of
25 money on all of their contracts and if any of these interchanges
26 were to be done, they would have to be locally funded. She
27 questioned what basis is the Council making their decision to
28 remove any of the options, as it is not clear in the staff report. She
29 indicated there is a need to see what projects are the best cost
30 benefit ratio and focus on trip reduction, not necessarily building for
31 the peak demand.
32

33 **Council Member Moynihan** noted the Council had voted on a 4-3
34 vote to include a cross-town connector and highway interchange
35 into the design for the Sonoma Marin Narrows project. He noted
36 the Council did not get the support of the SCTA at that time to
37 include it in the list and the design criteria. He indicated we are
38 missing out on state funds for environmental clearance work that is
39 being done and eventual design and construction of that. He
40 added he feels we have the opportunity to achieve state funds if
41 the Council acts. The Council needs to act to say they want a
42 highway interchange at approximately this location and we could
43 work with CalTrans to process that forward. He continued by stating
44 that for us to be able to make this a reality and to provide the
45 circulation improvements and public safety necessary for our
46 community, the Council needs to be decisive in moving this
47 forward. He stressed the necessity to not be broad based with this
48 and to narrow the decisions.

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Council Member Healy suggested going ahead and looking at all the alternatives, as well as Rainier with an overpass and with an underpass. He suggested getting the first cut and coming back with the results for Council input.

City Manager Bierman commented on the reality that there is not enough money to do any of these alternatives at this time, but expressed the validity of including all of them in the alternatives analysis.

There was no City Council action taken, but direction was given to model all of the alternatives, including 3A and 3B, in the alternatives analysis.

B. Discussion Regarding Composition of and Upcoming Appointments to the City of Petaluma's Various Boards, Commissions, and Committees.

(Due to time constraints, this item was continued to the August 4, 2003 City Council Agenda.)

ADJOURN

The meeting was adjourned at 12:00 p.m. midnight to Monday, August 4, 2003.


David Glass, Mayor

ATTEST:


Gayle Petersen, City Clerk
