

City of Petaluma, California
**PETALUMA CITY COUNCIL/
PETALUMA COMMUNITY DEVELOPMENT COMMISSION**

Monday, July 6, 2009

Council Chambers, City Hall, 11 English Street, Petaluma, California 94952

Regular Meeting Agenda

City Manager's Office: Phone 707•778•4345 Fax 707•778•4419 E-mail: citymgr@ci.petaluma.ca.us

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City Website: cityofpetaluma.net

MONDAY, JULY 6, 2009

CLOSED SESSION – 6:00

CALL TO ORDER – CLOSED SESSION

A. Roll Call

Vice Mayor Barrett; Council Members Glass, Harris, Healy, Rabbitt, and Renée;
Mayor Torliatt

CLOSED SESSION

- **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:** Subdivision (a) of California Government Code §54956.9: Sandalwood Estates LLC v. City of Petaluma, Sonoma Superior Court No. SCV 244110.
- **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:** Subdivision (a) of California Government Code §54956.9: State of California, et al., ex rel. Armenta v. James Jones Co., et al, and City of Banning, et al., v. James Jones Co., et al.

PUBLIC COMMENT ON CLOSED SESSION ITEMS

*Prior to adjournment into Closed Session, the public may speak up to **3 minutes** on items to be addressed in Closed Session.*

ADJOURN TO CLOSED SESSION

MONDAY, JULY 6, 2009

EVENING SESSION – 7:00 P.M.

CALL TO ORDER – EVENING SESSION

A. Roll Call

Vice Mayor Barrett; Council Members Glass, Harris, Healy, Rabbitt, and Renée;
Mayor Torliatt

B. Pledge of Allegiance



In accordance with the Americans with Disabilities Act, if you require special assistance to participate in this meeting, please contact the City Clerk's Office at (707) 778-4360 (voice) or (707) 778-4480 (TDD). Translators, American Sign Language interpreters, and/or assistive listening devices for individuals with hearing disabilities will be available upon request. A minimum of 48 hours is needed to ensure the availability of translation services. In consideration of those with multiple chemical sensitivities or other environmental illness, it is requested that you refrain from wearing scented products. The City Clerk hereby certifies that this agenda has been posted in accordance with the requirements of the Government Code. In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a regular meeting of the City Council that are provided to a majority of the members less than 72 hours before the meeting will be made available on-line and at the City Clerk's Office, 11 English Street, during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the City or a member of its legislative body, or the next business day after the meeting if prepared by some other person.

C. **Moment of Silence**

AGENDA CHANGES AND DELETIONS (Changes to current agenda only.)

REPORT OUT OF CLOSED SESSION (Actions Taken)

PUBLIC COMMENT

Public comments are limited to 3 minutes per person. When you address the City Council, you should fill out a speaker card and submit it to the City Clerk so the order of speakers may be determined and an official record of speakers obtained. Please be ready to step forward to the microphone as soon as the previous speaker has concluded his/her comments. The public is invited to make comments on items of public interest not listed on the agenda at this time.

COUNCIL COMMENT

CITY MANAGER COMMENT

1. **APPROVAL OF MINUTES**

- A. Approval of **Minutes of Special City Council/PCDC Budget Workshop of Monday, June 8, 2009.**
- B. Approval of **Minutes of Special City Council/PCDC Budget Workshop of Monday, June 15, 2009.**

2. **APPROVAL OF PROPOSED AGENDA**

- A. **Approval of Proposed Agenda for Regular City Council/PCDC Meeting of Monday, July 20, 2009.**

3. **CONSENT CALENDAR**

- A. **Discussion and Possible Adoption of Resolution Accepting Claims and Bills for May 2009.** (Haas)
- B. **Adoption (Second Reading) of Ordinance 2335 N.C.S. Authorizing the City Manager to Execute All Documents Relating to the Granting of Easement with David P. Frym and Dale E. Daniels, on Sonoma County Assessor's Parcel Numbers 007-071-009 and 007-071-010 in Connection with the Petaluma River Trail Enhancement Project.** (Marengo/Zimmer)
- C. **Adoption (Second Reading) of Ordinance 2336 N.C.S. Amending Specified Provisions Of Chapter 8.20, "Regulation of Smoking in Certain Public Places," and Chapter 13.28, "Use of Public Parks," of the Petaluma Municipal Code to Prohibit Smoking in City Parks.** (Brodhun)
- D. **Adoption (Second Reading) of Ordinances 2337, 2338, and 2339 N.C.S. Consolidating the Planning Commission and Site Plan and Architectural Review Committee into a Reconstituted Planning Commission and Updating the Municipal Code Implementing Zoning Ordinance, and SmartCode® to Reflect the Consolidation.** (Brown)
- E. **Discussion and Possible Action to Adopt of Resolution of Support for AB 1443 - Gaming Compacts: Local Support (Huffman).** (Brown)
- F. **Discussion and Possible Adoption of Resolution Supporting the City of Petaluma Application to be Designated a Priority Development Area as Part of FOCUS, a Regional Planning Initiative of the Association of Bay Area Governments, the**

Metropolitan Transportation Commission, the Bay Area Air Quality Management District and the Bay Conservation and Development Commission. (Brown/Duiven)

- G. **Discussion and Possible Adoption of Resolution Authorizing the Filing of an Application for FTA Section 5307 Funding for Vehicle Purchase and Preventative Maintenance Projects and Committing the Necessary Local Match for the Projects(s) and Stating the Assurance of the City of Petaluma to Complete the Project.** (Marengo/Rye)
- H. **Discussion and Possible Introduction (First Reading) of an Ordinance Authorizing City Manager to Execute First Amendment to the Franchise Agreement Between the City of Petaluma and GreenWaste Recovery, Inc. for Solid Waste, Recyclable Materials, and Yard Trimmings Services.** (Marengo)
- I. **Consideration and Possible Adoption of a Resolution Opposing AB761 Establishing Mobile Home Vacancy Decontrol** (Gaebler/Brown)

4. UNFINISHED BUSINESS

- A. **Discussion and Possible Adoption of a Resolution Accepting the Resignation of Joel Solomon from the Senior Advisory Committee; Resolution of Appointment of Patricia Wapp to the Senior Advisory Committee or Direction to Staff.** (Cooper)
- B. **Discussion and Possible Adoption of Resolutions Appointing Members to the Planning Commission.** (Cooper)

5. NEW BUSINESS

- A. **Public Meeting to Hear Testimony Regarding the Annual Assessments for the Landscape Assessment Districts and the Setting of a Public Hearing and Possible Action to Adopt Resolutions Describing Improvements and Directing Preparation of Engineer's Report; Preliminary Approval of Engineer's Report; and Intention to Order the Levy and Collection of Assessments Pursuant to the Landscaping and Lighting Act of 1972 for Landscape Assessment Districts Fiscal Year 2009-2010.** (DeNicola)
- B. **Discussion and Possible Adoption of Resolution Amending Memorandum of Understanding Executed by the Duly Authorized Representatives of the City and the American Federation of State, County, and Municipal Employees, Local 675, For Employees of Unit 1 (Confidential), Unit 2 (Maintenance), and Unit 3 (Clerical/Technical).** (Brown/Robbins)

6. PUBLIC HEARING

- A. **Discussion and Possible Action to Rezone the 2.2-acre Vacant Property at 870 Wood Sorrel Drive to a Planned Unit District and to Adopt a Mitigated Negative Declaration for The Birches, a 21-Unit Single-Family Residential Subdivision.** (Robbe)

ADJOURN

TENTATIVE AGENDAS

All Regular Meetings include Closed Session at 6:00 p.m. unless otherwise stated.

MONDAY, JULY 20, 2009
EVENING SESSION – 7:00 P.M.
Regular Meeting

MONDAY, JULY 20, 2009 - EVENING - 7:00 P.M.
Regular Meeting

Last day to route reports is June 29th; packet delivered July 14, 2009.

PRESENTATION

Presentation on Transferral of Utility Billing/Customer Service Function to the Water Resources and Conservation Department from the Finance Department. (Ban)

Final Verbal Update for Progress on Construction of the Ellis Creek Water Recycling Facility. (Orr)

CONSENT CALENDAR

Discussion and Possible Adoption of Resolution Amending the Classification Plan by Revising the Classification Specifications of Firefighter and Firefighter/Paramedic. (Brown/Robbins)

Discussion and Possible Adoption of Resolution Adopting FY 2009-2010 Gann Appropriations Limit. (Haas)

Discussion and Possible Adoption of Resolution Authorizing the Submittal of an Application to the California State Department of Housing and Community Development for Funding Under the HOME Program. (Gaebler)

Adoption (Second Reading) of an Ordinance Authorizing City Manager to Execute First Amendment to the Franchise Agreement Between the City of Petaluma and GreenWaste Recovery, Inc. for Solid Waste, Recyclable Materials, and Yard Trimmings Services. (Marengo)

Discussion and Possible Adoption of a Resolution Approving the Project Budget and Authorizing Award of Contract for the Crinella Drive Reconstruction Project. (Marengo/Zimmer)

Discussion and Possible Adoption of Resolution Approving the Project Budget and Authorizing Award of Contract for the American Recovery and Reinvestment Act (ARRA) of 2009 Project-Petaluma Various Street Rehabilitation. (Marengo/Zimmer)

Discussion and Possible Adoption of Resolution Accepting Completion of the Washington Street 16-inch Water Main and Sewer CIPP Project. (Ban/Gothard)

Discussion and Possible Adoption of Resolution Accepting Completion of the Emergency Repair of 8-inch Water Main Near Petaluma Boulevard North. (Ban/Gothard)

Discussion and Possible Adoption of Resolution Accepting Completion of the Sewer Outfall Replacement Project. (Ban/Orr/Gothard)

NEW BUSINESS

Discussion and Possible Adoption of Resolution Approving GreenWaste Recovery, Inc. Rate Period 4 Compensation and Rates. (Marengo)

Discussion and Possible Adoption of Resolution Approving Authorizing Award of Contract for Janitorial Services. (Marengo/Lackie)

Discussion and Possible Adoption of Resolution to Award Contract for Planning Services. (Brown)

Discussion and Possible Adoption of Resolution to Award Contract for Operation of Visitors' Center. (Brown)

Discussion and Possible Introduction (First Reading) of an Ordinance Authorizing the Expenditure of \$5,500, Plus Costs and Fees, to Purchase Easements from Sonoma Marin Area Rail Transit (SMART) in Connection with the Caulfield Lane Extension At-Grade Railroad Crossing Project and Authorizing the City Manager to Execute All Required Documents. (Marengo/Zimmer)

Discussion and Possible Introduction (First Reading) of an Ordinance Authorizing the Expenditure of \$35,000, Plus Costs and Fees, to Purchase Easements from MacPhail Properties, Inc. in Connection with the Caulfield Lane Extension At-Grade Railroad Crossing Project and Authorizing the City Manager to Execute All Required Documents. (Marengo/Zimmer)

PUBLIC HEARINGS

Public Hearing and Possible Action to Adopt Resolutions Ordering the Improvements and Confirming the Diagrams and Annual Assessments for Landscape Assessment Districts for Fiscal Year 2009-2010. (DeNicola)

Discussion and Possible Action 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 Force. (Anderson/Fergus)

MONDAY, AUGUST 3, 2009
EVENING SESSION – 7:00 P.M.
Regular Meeting

PROCLAMATION

ARTSonoma – The Sonoma County Arts Festival, August 29-October 4, 2009

CONSENT CALENDAR

Discussion and Possible Adoption of Resolution Accepting Claims and Bills for June 2009. (Haas)

Adoption (Second Reading) of an Ordinance Authorizing the Expenditure of \$5,500, Plus Costs and Fees, to Purchase Easements from Sonoma Marin Area Rail Transit (SMART) in Connection with the Caulfield Lane Extension At-Grade Railroad Crossing Project and Authorizing the City Manager to Execute All Required Documents. (Marengo/Zimmer)

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Discussion and Possible Adoption of Resolution Authorizing Award of the Construction Contract for Shollenberger Park Dredge Materials Removal and Disposal for 2005/2006 Disaster City Project Number PW 3348 and PW 3803. (Marengo/Lackie)

Discussion and Possible Adoption of Resolution Approving a Cooperative Agreement between SCTA and the City of Petaluma Defining the Scope of Work for the Old Redwood Highway Interchange Project. (Marengo/Lackie)

Discussion and Possible Adoption of Resolution Accepting Completion of the Construction Contract for the Airport Underground Storage Tank Removal Project No. C00100208. (Marengo/Zimmer)

Resolution Establishing Classification of Customer Service Manager. (Robbins)

PUBLIC HEARINGS

Public Hearing to Confirm Cost of Abatement of Weeds. (Anderson/Fergus)

Ellis Creek Facility – Annexation of City-Owned Property (74.9 acres):

- A. **Approve a Class 8 Categorical Exemption to CEQA;**
- B. **General Plan Amendment to Designate APN 019-330-009 as Open Space;**
- C. **Prezone the Subject Parcel to P.C.D. (Planned Community District Consistent with the Ellis Creek Water Recycling Facility PCD) with an Floodplain Overlay Designation; and,**
- D. **Authorize Staff to Prepare and Submit Annexation Application Paperwork to LAFCO to Initiate and Complete the Annexation Process for the Subject Parcel; Including Detachment from County Service Area No. 40 (Fire Services) and County Serve Area No. 41 (Multiple Services).** (Ban/Tuft)

MONDAY, AUGUST 17, 2009
EVENING SESSION – 7:00 P.M.
Regular Meeting

NO MEETING IS PLANNED FOR THIS DATE