

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

**Monday, March 15, 2010**

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

**Regular Meeting Agenda**

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City Website: [cityofpetaluma.net](http://cityofpetaluma.net)

**MONDAY, MARCH 15, 2010**  
**CLOSED SESSION – 6:00 P.M.**

**CALL TO ORDER – CLOSED SESSION – 6:00 P.M.**

**A. Roll Call**

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

**CLOSED SESSION**

- **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:** Subdivision (a) of California Government Code §54956.9: BCC Property Holdings, Inc. v. City of Petaluma, Sonoma Superior Court No. SCV 246196.
- **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:** Subdivision (a) of California Government Code §54956.9: Regency Centers Corporation v. City of Petaluma, Sonoma Superior Court No. SCV 246634.
- **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION:** Subdivision (a) of California Government Code §54956.9: Gonzales-Fuentes v. Hammerman, et al, Sonoma Superior Court No. SCV 245373
- **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:** Significant exposure to litigation pursuant to subdivision (b) of §54956.9: 1 potential case.
- **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION:** Initiation of litigation pursuant to subdivision (c) of California Government Code §54956.9: 1 potential case.
- **PUBLIC EMPLOYEE PERFORMANCE EVALUATION:** Pursuant to California Government Code §54957: City Manager.

**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**



*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.*

**MONDAY, MARCH 15, 2010**  
**EVENING SESSION – 7:00 P.M.**

**CALL TO ORDER – EVENING SESSION – 7:00 P.M.**

**A. Roll Call**

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

**B. Pledge of Allegiance**

**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 PROPOSED AGENDA**

A. **Approval of Proposed Agenda for Regular City Council/PCDC Meeting of Monday, April 5, 2010.**

**2. CONSENT CALENDAR**

A. **Resolution Declaring Weeds Growing Upon Parcels of Public and Private Property a Public Nuisance and Setting Public Hearing for Objections.** (Anderson/Fergus)

B. **Adoption (Second Reading) of Ordinances Amending Ordinances 2355, 2356, 2357, 2358 and 2334 N.C.S. to Change Certain Appropriations for the Operations of the City of Petaluma from July 1, 2009 to June 30, 2010.** (Brown)

C. **Resolution of the City Council of the City of Petaluma Authorizing Staff to Apply for Caltrans Community-Based Transportation Planning Grant for the Historic Trolley Feasibility Study, Authorizing the City Manager to Sign Federal Application Forms and Agreements, Consenting to the Use of \$13,000 in Petaluma Community Development Tax Increment Funds for the Grant, and Adopting Findings Required by Health & Safety Code Section 33445; PCDC Resolution Authorizing the Use of \$13,000 of Tax Increment Funds in the Central Business District and/or Petaluma Community Development Project Areas, and Adopting Findings Required by Health and Safety Code Section 33445 for the Historic Trolley Feasibility Study; and Approving the Necessary Budget Adjustment.** (Marengo/Zimmer)

D. **Resolution Approving Second Amendment to 2007-2009 Agreement Between the City of Petaluma and Petaluma People Services Center for the Provision of Paratransit Services.** (Marengo/Rye)

3. **UNFINISHED BUSINESS**

- A. **Resolution Appointing Members to City Boards, Committees, and Commissions.** (Cooper)
- B. **Status of Capital Improvement Projects.** (Sato) – *The Staff Report for this item will be provided Thursday, March 11, 2010.*
- C. **Discussion and Action Regarding the Sonoma County Water Agency's Draft FY10-11 Operations and Maintenance Budget.** (Ban) – *The Staff Report for this item will be provided Thursday, March 11, 2010.*
- D. **Discussion and Possible Direction to (1) Modify Garbage Franchise with Petaluma Refuse and Recycling, Incorporated, an Affiliate of The Ratto Group of Companies, Inc. ("PR&RI"); and, (2) Enter Into Agreements with Petaluma, Old Adobe, and Waugh School Districts to Provide, Collectively, for the following:**
- **Allow PR&RI to use Reserve Garbage Trucks in Petaluma that are Not Exclusively Dedicated for Use in Petaluma.**
  - **Stipulate the PR&RI will Provide Free Garbage and Recycling Service for all K-12 Public Schools Located Within the Petaluma City Limits;**
  - **Provide that the Petaluma, Old Adobe, and Waugh Districts will Continue to Allow the Public to Recreate on Their Campuses After Hours as Has Been Allowed In the Past; and,**
  - **Provide Direction to Staff to Negotiate Any Further Benefits from PR&RI that Can Be Achieved.** (Healy, Harris)  
*No Staff Report was provided for this item.*

**ADJOURN**

## **TENTATIVE AGENDA**

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

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**MONDAY, APRIL 5, 2010 – EVENING – 7:00 PM**

Regular Meeting

### **PROCLAMATION**

April 2010 – Big Read, Sonoma County Month

### **PRESENTATION**

Presentation of Aesthetics for US 101 Sound Walls to be Located in Petaluma. (Marengo/Lackie)

### **APPOINTMENTS**

Recommendation to the Mayors' & Councilmembers' Association on Appointments to the Local Agency Formation Commission, the Airport Land Use Commission, and the Sonoma County Child Care Planning Council Committee.

### **CONSENT CALENDAR**

Resolution Accepting Claims and Bills for February 2010. (Sato)

Resolution to Approve the Purchase of a 2010 18-Foot Enclosed Custom Adoption/Rescue Trailer From Deerskin Mfg in the Amount of \$39,865.28. (Fish/Evans)

Resolution Approving Application for FAA Airport Improvement Program. (AIP) 21 Grant. (Marengo/Patterson)

Resolution Accepting Completion of the Petaluma Municipal Airport Improvements AWOS III System Project. (Marengo/Zimmer)

Resolution Approving the Project Budget and Authorizing the Award of Contract for the Recycled Water Booster Pump Station No. 2 Improvements Project. (Ban/Gothard)

Resolution Authorizing the City Manager to Execute a Professional Services Agreement with Alpha Analytical Labs, Inc. for Environmental Laboratory Services. (Ban/Orr)

Resolution Authorizing Award of Contract for the On-Call Emergency Repair of the Recycled Water Pipeline System. (Ban/Orr)

Resolution Authorizing Award of Contract for the On-Call Emergency Repair of Pumping Systems for the City of Petaluma Wastewater Collection System, Recycled Water System, and the Ellis Creek Water Recycling Facility. (Ban/Orr)

### **UNFINISHED BUSINESS**

Resolutions to Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program; to Approve or Deny a Planned Unit District Unit Development Plan and Development Standards; and to Approve or Deny a Vesting Tentative Map for a 19-lot Subdivision to Allow for

the **Construction of Single-family Homes for the Sunnyslope II Project Located** within the **Sunnyslope Planned Unit District**, at **674 Sunnyslope Road, APN 019-203-008, File # 03-TSM-0460.** (Bradley/Gardiner) – *Continued from the February 22, 2010 meeting.*

### **NEW BUSINESS**

**Ordinance to Add the Petaluma Property Maintenance Code to the Existing Nuisance Violations, Amending Chapters 1.10, 1.11, 1.14 and 1.15 of the Petaluma Municipal Code and Repealing, in its entirety, Chapter 8.24 of the Petaluma Municipal Code.** (Fish/Garcia)

**Discussion Regarding Potential Petaluma Boulevard South Road Diet and Authorization to Apply for a Transportation for Livable Communities (TLC) Grant.** (Marengo/Zimmer)

**City Council Resolution Authorizing the City Manager to Accept a Permanent Easement for the Purpose of Extending Auto Center Drive to its Connection with Petaluma Boulevard North and to Enter into a Three Party Purchase Agreement, Consenting to the Expenditure of Tax Increment Funds for the Auto Center Drive Extension Project C00201204, and Adopting Findings Required by Health and Safety Code Section 33445; and PCDC Resolution Adopting Findings Required by Health and Safety Code Section 33445, and Authorizing Expenditure of Tax Increment Funds on the Project.** (Marengo/Lackie)

**Resolution Setting the City of Petaluma Living Wage Rate.** (Brown/Robbins)

### **PUBLIC HEARINGS**

**Discussion and Resolution Approving the 2010-2015 Consolidated Plan Strategy for the City of Petaluma.** (Gaebler)

**Resolution Approving the Community Development Block Grant Action Plan and Authorizing the City Manager to Sign All Documents Required by the Department of Housing and Urban Development.** (Gaebler)