



City of Petaluma, California

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

Telephone 707/778-4301 / Fax 707/778-4498

E-Mail planning@ci.petaluma.ca.us

Web Page <http://www.ci.petaluma.ca.us>

1
2 **DRAFT Planning Commission Minutes**

3 **February 27, 2001 – 7:00 PM**

4
5 Commissioners: *Present:* Barrett, Broad*, Glass, Monteschio, O'Brien, Vieler, Vouri

6
7 * Chair

8
9 Staff: Mike Moore, Community Development Director
10 Jan Tolbert, Administrative Secretary

11
12
13 **PLEDGE OF ALLEGIANCE**

14 **PUBLIC COMMENT:** Susan Zanoliti - 1420 Sarkesian; Representing Eastside Neighborhood Alliance
15 – thanks for listening to concerns regarding Salvation Army – requested more time (past March 27th
16 meeting).

17 **DIRECTOR'S REPORT:** Work Program for completion of EIR and General Plan; reminder –
18 workshops with Tom Jacobsen

19 **COMMISSIONER'S REPORT: Commissioner Vieler** – (to Mike Moore) – What about other issues in
20 Specific Plan area regarding Basin Street? How can this be accomplished/agendized for action? **Mike**
21 **Moore** – Listed on March 5th City Council Agenda (listed more generally – still discussing with City
22 Attorney); not specific to Basin Street application at this time. **Commissioner Vieler** – City Council
23 specifically agreed how this was to be agendized/discussed. **Mike Moore** – there are due process/legal
24 issues still to be determined.

25 **CORRESPONDENCE:** None.

26 **APPEAL STATEMENT:** Was read.

27 **LEGAL RECOURSE STATEMENT:** Was read.
28

29
30 **NEW BUSINESS:**

31 **PUBLIC HEARINGS:**

- 32
33 **I. CBD Project Area Amendment EIR: Planning commission review of the second**
34 **amendment to the Redevelopment Plan for the Central Business District Redevelopment**
35 **Project and review and comment on the redevelopment plan amendment Draft**
36 **Environmental Impact Report (DEIR).**
37

1 **Paul Marangella** – Director of Economic Development/Redevelopment – This expansion/study was
2 initiated by the Planning Commission last year; review of EIR and proposed amendments to
3 redevelopment plan requested. Introduced Mark Sullivan – Siefel Consulting and John Wagstaff (EIR
4 author); City Attorney wrote Draft Redevelopment Plan; here to answer questions, ask for support of
5 Commission.

6 **Commissioner Monteschio** – The CPSP and CBD maps do not match, why?

7 **Paul Marangella** – Some areas are not in this existing project area, but in the same redevelopment area.

8 **Mark Sullivan** – CPSP area contained with CBD or CPSP area – one small area taken out (Turning Basin
9 area) has urbanization requirement.

10 **Commissioner Monteschio** – How was it determined what areas would be in the plan?

11 **Mark Sullivan** – Intent along Petaluma Blvd. Was to take in area/underutilized.

12 **Commissioner Monteschio** – Can you explain “tax pass through”?

13 **Mark Sullivan** – Base value for entire area; taxes paid on incremental growth – taxes go to
14 redevelopment area.

15 **Commissioner Monteschio** – Why is eminent domain being used this time and not last?

16 **Mark Sullivan** – City does not have plans at this time to use eminent domain, but could in the future –
17 not to be used on residential properties.

18 **Mike Moore** – Eminent domain is there as a tool if needed – also includes process/hearing, legal
19 determination procedure; some property owners prefer this because of possible tax advantages.

20 **Commissioner Monteschio** – Tax advantages regarding historic preservation?

21 **Mark Sullivan** – That’s a good point, other mechanisms for housing tax credits, etc.

22 **Commissioner Glass** – Danger in causing problems for School Districts – revenues should be released to
23 Schools.

24 **Mark Sullivan** – Schools are a special case – will not lose any revenues; full amount per student still
25 paid.

26 **Paul Marangella** – As part of due diligence, Attorney for School District actually prefers this.

27 **Commissioner Vouri** – (to Mark Sullivan) – Has Planning Department received any complaints
28 regarding being included in project area?

29 **Paul Marangella** – Has held three citizen meetings, three notices; minutes of these meetings were given
30 to Planning Commission; meetings have been great – cosponsored by Chamber of Commerce and
31 Downtown Merchants Association.

32

33 The public hearing was opened.

34

35 There were no speakers.

36

37 The public hearing was closed.

38

39 **Commissioner Vouri** – (to John Wagstaff) – Will the Tree Advisory Committee or public be allowed to
40 comment on the Eucalyptus trees?

41 **John Wagstaff** – That can be added if appropriate.

42 **Commissioner Vouri** – Questions regarding emissions increases at buildout.

43 **John Wagstaff** – Threshold is 80 lbs. per year – cumulatively, overall emissions will drop.

44 **Chair Broad** – Questions regarding draft mitigation measures – land use impacts/land use separation –
45 any particular reliances to assure this is done?

46 **John Wagstaff** – City’s development review process will assure this – CPSP process will assure this.

47 **Chair Broad** – Regarding visual factors – Water Street – current SPARC Design Guidelines – specific
48 policies to be relied on – this plan has not been adopted, how can this be incorporated?

- 1 **John Wagstaff** – If not adopted, then adopt into SPARC Design Guidelines; if Specific Plan is not
2 adopted, then SPARC Guidelines need to be revised (within next 15 years).
- 3 **Commissioner Vieler** – Mitigations structured through SPARC – why no mention of Planning
4 Commission involvement? Why aren't land use criteria not referred to Planning Commission?
- 5 **John Wagstaff** – Visual impacts only referred to SPARC.
- 6 **Chair Broad** – Could mitigation measure be crafted to indicate Planning Commission review?
- 7 **John Wagstaff** – Yes, that could be included.
- 8 **Chair Broad** – Regarding construction noise? Current language in Zoning Ordinance?
- 9 **Mike Moore** – Yes, language is from Municipal Code; Planning Commission has further limited this on
10 occasion.
- 11 **Commissioner Vouri** – Regarding the EIR (public facilities/infrastructure) no reference to parking
12 garages – add parking garages to this section.
- 13 **Commissioner Monteschio** – Add tax credits for historic property rehabilitation (also Mills Act).
- 14 **Commissioner Glass** – Infrastructure findings are not enough – put more money into traffic mitigation.
- 15 **Commissioners Barrett, O'Brien** – No additional comments.
- 16 **Chair Broad** – Well organized document – photos good, help in understanding.
- 17 **Commissioner Vouri** – Change wording from Draft CPSP to “and other versions; regarding Police and
18 Fire – these are not mitigations; Eucalyptus trees on Copeland – public nad Tree Committee to be notified
19 as well as a certified arborist to make a recommendation to Tree Committee: add mitigations to satisfy
20 local lead agency; address air quality due to construction – add “not to exceed State and Federal
21 Standards”; shared parking garages added to this mitigation.
- 22 **Commissioner Vieler** – Would eminent domain allow demolition of blighted buildings?
- 23 **Paul Marangella** – No properties have been identified for eminent domain; taxing agencies have to know
24 that there is blight in this area.
- 25 **Mike Moore** – City already has authority to make (unsafe) URM determinations; URM and eminent
26 domain are two different issues; eminent domain can only be used for a public purpose.
- 27 **Commissioner Monteschio** – How can we do localized elements – must be looked at regionally; no one
28 will want to be downtown with added traffic; fire concerns; traffic infrastructure, noise, air quality
29 concerns.
- 30 **Chair Broad** – Need to make sure land use/visual mitigation measures are in place; struggling with in-fill
31 projects; inadequate tools to review projects, make measures as strong as possible in these areas; should
32 not minimize that these are regional impacts.
- 33 **Commissioner Vouri** – (to Commissioner Monteschio) How should these issues be handled in EIR?
- 34 **Commissioner Monteschio** – Would like real traffic mitigations noted, real timelines.
- 35 **Commissioner Vouri** – This would be a huge task.
- 36 **Commissioner Vieler** – Part of congestion addressed with addition of parking structures;
37 parking/emergency response are issues.
- 38 **Chair Broad** (to Mike Moore) – Is Wagstaff doing EIR on CPSP? (Answer – yes.) Will CPSP EIR be a
39 “program EIR”? Will Planning Commission have another chance to comment on scoping session for
40 CPSP?
- 41 **John Wagstaff** – Yes, Planning Commission could chair a scoping session for CPSP EIR.
- 42 **Mike Moore** – May have already done a scoping session on this.
- 43 **Commissioner Monteschio** – When will Planning Commission see these drafts?
- 44 **Mike Moore** – End of May.
- 45 **Chair Broad** – (regarding Amended and Restated Development Plan) – Is this a standard document?
- 46 **Paul Marangella** – From time to time more stringent development agreements may be entered into.
- 47 **Commissioner Vieler** – Make this more specific, state it.
- 48 **Paul Marangella** – Maximum flexibility in development agreements.
- 49 **Commissioner Vouri** – PCDC should refer project to SPARC or Planning Commission.

1 **Mike Moore** – PCDC could negotiate a more stringent development agreement after Planning
2 Commission/SPARC review (example would be hotel at the Marina).

3 **Chair Broad** – Additional review by PCDC could be subsequent to Planning Commission/SPARC
4 review; should this be added to wording?

5 **Commissioner Vieler** – Why is that authority needed?

6 **Mike Moore** – Applies only to Development Agreement negotiations; intent is not for project review –
7 for negotiation with developer – determines what level of participation needed; can get more definition of
8 intent from City Attorney.

9 **Commissioner Vieler** – That would not be a relaxation of development standards?

10 **Paul Marangella** – No, not a relaxation.

11 **Commissioner Vouri** – Regarding eminent domain – supports Redevelopment Commission being given
12 this authority; doesn’t think it will need to be exercised; regarding assistance to owners/tenants –
13 unclear/alarmed that this language is in here.

14 **Paul Marangella** – Asked City Attorney about this – referred to relocation of tenants.

15 **Commissioner Vieler** – How would this pertain to Petaluma Hotel, etc.?

16 **Paul Marangella** - Would not be acquired under eminent domain.

17 **Commissioner Monteschio** – Questions regarding parking structure?

18 **Paul Marangella** – Document states that structures would be considered, does not state they will be built.

19 **Commissioner Monteschio** – If property owner wanted to develop their own parcel, would they be able
20 to?

21 **Paul Marangella** - PCDC has final decision on land use policy question.

22 **Commissioner Monteschio** – Does every owner have to agree to owner participation agreement?

23 **Paul Marangella** – Development Agreement requires that all involved must participate; agreement only
24 required if property owner seeking something from agency.

25 **Commissioner Vieler** – Change wording to “encourage” parking structures – example: if owner of
26 Golden Eagle Shopping Center does not want to participate in a redevelopment agreement – how does
27 eminent domain apply in that case?

28 **Paul Marangella** – Eminent domain to be used only as a last resort (with special conditions); has not
29 been used in history of Redevelopment Agency.

30 **Commissioner Vieler** – Add wording as discussed “residential uses in commercial areas to be exempt”.

31 **Chair Broad** – How will changes proposed by Planning Commission be forwarded to City Council and
32 City Attorney?

33 **Commissioner Vieler** – Can these items be included in these Minutes?

34 **Commissioner Glass** – Bond market is favorable now – this should be fast-tracked.

35

36 A motion was made by Commissioner Glass and seconded by Commissioner Monteschio to adopt the
37 proposed Resolution including amendments discussed at this meeting.

38

39 Commissioner Barrett: Yes

40 Commissioner Glass: Yes

41 Commissioner Monteschio: Yes

42 Commissioner O’Brien: Yes

43 Commissioner Vieler: Yes

44 Commissioner Vouri: Yes

45 Chair Broad: Yes

46

47

48

49 **II. Lafferty Ranch Park. Proposed General Plan text and Land Use map amendments and**
50 **related Final Environmental Impact Report (FEIR) relating to the future use of the Lafferty**

Ranch site as a public park per the goals, objectives, policies and actions recommended in the Lafferty Ranch Draft Management Plan.

(The following are verbatim Minutes supplied by the Lafferty Park Project Manager's Office.)

Pamela Tuft: Gave presentation of the project.

I would like to introduce Leonard Charles, of Leonard Charles and Associates and he'll summarize the Final.

Leonard Charles: Thank you. Good evening. On the Draft EIR we received 40 letters from 35 different individuals, 8 of which were public agencies; the other 27 were individuals or groups. As you see, there is all lot of comments there. There is actually probably another 500 pages of stuff that was turned in that is on file that was reports and stuff that were already public record so they are not included in there. There's about 2,000 pages of material that were submitted.

Probably the primary thing that changed in there, you'll notice, is that since the time the Draft EIR was put out, Sudden Oak Death Syndrome was found on Lafferty Ranch. We had one of the State's experts go out and map the presence of Sudden Oak Death Syndrome in there and its in your map there and Master Response. One, it is widespread. There were some comments that Lafferty shouldn't be open to public use because there is some indications that foot traffic might spread Sudden Oak Death Syndrome and, in fact, that's not the case and, in particular, since it is already on this site, it will spread to whatever trees that are susceptible, whether there are humans there or not, since there is wildlife running all over the site.

The second issue that was brought up about this Sudden Oak Death Syndrome, is that perhaps it caused a more significant fire hazard and was looked at in the Draft EIR. Again, we had two experts who are both on the Sudden Oak Death Syndrome State Task Force look at that, including our Fire Ecologist and that effect is not that significant, though we have amended one of the mitigation measures. One of the aspects of the Draft Management Plan to call for some additional prescribed burning at the woodland edge and/or mechanical treatment, if prescribed burning is going to happen in the near future and I won't go into the whole discussion, unless you ask me a specific question, but basically, the end result of that was is that it wouldn't substantially increase the fire hazard on the site and that there are methods of dealing with it. And in any case, the impact of increased fire risk on the site has already been identified as a significant impact in the Draft Environmental Impact Report, although I would note that it's still not expected, even if a fire does start on Lafferty Ranch and escapes the property, they would become a major fire.

There were also a number of comments about virtually every other issue on the Draft EIR by some people who thought that the impact hadn't been addressed adequately, to make it as significant as the commenter might of thought and those have all been responded to. On the other hand, though there were people who thought that it overemphasized the impact, and again, those have all been responded to. So basically, the Final EIR does have some additional, revised and amended mitigations in the front. I believe there is 13, most of which are fairly minor. The conclusions of the Final EIR are the same as they as they were in the Draft. That there are three significant impacts: increased fire risk, impacts from grazing on Steelhead and Yellow-Legged Frogs and traffic safety impact on Sonoma Mountain Road. And the conclusions remain the same, as does the environmentally superior alternative, which is the reduced use if it's not a no project alternative.

So with that I should have questions right now open to public hearing.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

Chairman Broad: Any Commission questions for Mr. Charles at this point in time?

Pamela A Tuft: We ask for the record anyone testifying on this to clearly state their name and address for the record. If you wouldn't mind so that we can keep accurate information to forward onto the Council. Thank you.

Chairman Broad: Thank you. I will go ahead and open up the public hearing and anyone wishing to speak on this item, please come forward. State your name and address clearly, please.

PUBLIC HEARING OPEN

Les Perry/703 2nd Street, Santa Rosa, CA 94952: Good evening Mr. Chairman, members of the Commission, I am the attorney for the Sonoma Mountain Conservancy. The Conservancy is a group of landowners and residents in the area of Sonoma Mountain. It is an organization that has been dedicated to the preservation of rural and agricultural quality of the Sonoma Mountain area. It is obviously not news that this organization has been involved with the Lafferty Ranch project for a long time from the beginning and we will continue to be so.

There is not enough time, I think allotted in this evening, to discuss all of the critical environmental issues that have been raised in this matter. Hope that they have all been addressed by us in the comments to the Draft Environmental Impact Report. Hope that you have had an opportunity to appreciate some of those issues that have been raised. Some of which, actually, have been resolved as a result of the discussion in the environmental review. There are, however, two that my clients asked me to address specifically tonight that are of critical importance to them; one you have already heard about to some extent.

That first issue is the discovery of Sudden Oak Death Syndrome on the Lafferty property after publication of circulation of the Draft Environmental Impact Report. It is our position that, that presents significant new information, raises issues of mitigation measures that are required--all of which lead to the need to recirculate an environmental document, at least on that issue, at least a (*could not understand*) environmental review on that document on that issue. There is, in fact, a body of evidence contrary to what is found in the Final Environmental Impact Report in the Master Response. There is a body of credible evidence, some of which is cited here that the death rate from Sudden Oak Death Syndrome far exceeds the 5% or 10% mentioned in the Final EIR--as much as 80%. There is again substantial evidence in the record that this virus is spread by hikers. It has been found most prevalent in areas that are most heavily accessed by the public. There is substantial evidence again cited by us in comments that we made to both of those issues, all of which require the airing of that issue in a formal environmental document, which this has not. The EIR chooses to ignore this issue. It does so at the peril of Lafferty Ranch. It certainly does so at the peril of the adequacy of the environmental review.

The other critical issue that we have monitored from the beginning that requires a frank and open discussion here, as other places, is that of road safety. The manner in which road safety has been handled is inadequate from the perspective of adequate environmental review, and perhaps more importantly, it is inadequate from a public policy perspective. By further introduction, I fear that anything I say or my group says is going to be viewed with skepticism or simply dismissed, and as tempting as that might be, it would be a mistake to treat this issue in that manner as it relates to road safety. It is an issue that has been with this project from the very beginning and I would like to, in order to emphasize that and emphasize the objectivity of this, take you back to 1992 when the issue of Lafferty Ranch was first raised. Your own

1 City staff, when asked to look at the prospects of having Lafferty Ranch as a public access facility, wrote
2 a staff report steering the City away from that conclusion and one of the main basis for doing that, and I
3 quote is, “access to Lafferty Ranch is via Sonoma Mountain Road, the road is narrow with blind sections
4 of roadway and extremely steep grades, due to the severe elevation change.” At the same time, way back
5 in 1992, the County Public Works Department stood on the same issue, and again this is a time before this
6 became a political hot button when opinions could be readily dismissed, based upon political affiliation.
7 The County Public Works Department said for safety and monetary reasons the Sonoma County Public
8 Works Department is concerned about this proposal which will encourage increased vehicular traffic. The
9 County Public Works Department does not recommend the opening of this parcel of land to public access,
10 unless the impact on or to the roadway is remediated by bringing it up to current standards, with grade
11 drainage facilities and alignment.

12
13 Now the point is that they’re just as attractive as this project may be. There are just some places where a
14 project is inappropriate. At least inappropriate without undertaking the necessary and recommended
15 infrastructure improvements. It’s like most things in life. There are lots of things out there that I would
16 like to have but can’t afford, but I don’t have the right or the ability to just go out and take it when I can’t
17 pay for it and that’s the path this project is proceeding down now. Wanting something, having it clear that
18 there is a cost to that and not being prepared to pay that cost. That is the infrastructure improvements.
19 Again, these are not cited objective opinions that date way back on this issue and it’s real on the road.
20 There is a reality here that generates these concerns. They are not make weight arguments. When the
21 original Draft EIR came out talking about road safety, my clients were convinced that the number of
22 accidents and the severity of accidents were being dramatically underreported. So they took it upon
23 themselves to monitor for approximately a year and take pictures to the extent they could of accidents that
24 were occurring on the Sonoma Mountain Road and we submitted the results of that over a thirteen-month
25 period. They are in the Final EIR and I believe that there are something like 17 accidents over a thirteen-
26 month period. That is an extraordinary number of accidents on a very short stretch of road. Many of those
27 pictures reveal very, very serious life threatening accidents. That evidence is dismissed in the Final EIR as
28 saying well if it is underreported here, it is probably underreported on all roads; therefore, it is all equal. It
29 is nothing of the sort. What is demonstrated is you are, and we are, faced with a truly special, unique
30 situation on Sonoma Mountain Road. There are no other roads like it anywhere in the County and there
31 are reasons for all this. There is a combination of grade, inadequate site distances, narrow widths, no
32 shoulders and very, very restricted site distances that all converge to make this a truly unique and
33 extraordinarily dangerous situation. And it is more so, I think, because of the deceptive nature of the road.
34 I am sure most of you have been up there. I have been up there many times. It’s deceptive how steep it is.
35 It is deceptive how short the site distances are and that explains, I believe, we believe, why you see so
36 many accidents and why it’s not fair to simply dismiss that by saying well there are other roads in County
37 that don’t meet “ ASHTO Standards”; therefore, we don’t have to fuss with Sonoma Mountain Road.
38 That, I submit, is an unfair and short-sided public policy perspective. It is, I believe, inappropriate to
39 approve a public project in the face of that kind of evidence without making the necessary repairs and
40 certainly inappropriate to make a statement of overriding consideration when you are facing this kind of
41 very real, dangerous situation. I submit that the decision the City is faced with is the same decision the
42 City of Santa Rosa, in the Santa Rosa School District made a couple of years ago when they approved and
43 opened Elsie Allen High School in the face of much of the same evidence that you have in front of you-
44 unsafe roads without spending the money necessary to accommodate that issue and the young man was
45 killed as a result. These are very real issues. To say there simply going to be dealt with later is not sound
46 public policy. Fortunately, I believe lessons are learned. Just in the paper, a couple of days ago, there is an
47 article about Piner-Olivet School District in Santa Rosa where they were unable to open until somebody
48 stepped up and came up with the money to create walkways around their school and they were committed
49 not to open until that money was found, either by the School District or by the City.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

That brings me finally to two specific points on the inadequacy of the environmental review as it relates to this issue and that is that it is incorrect legally to attempt to advocate responsibility for this road by suggesting, as the EIR does, that as a County road and is the County responsibility we don't know what the County would want; therefore, we can't address the mitigation. This is simply not true. There is a specific government code section that grants to this City the right to control, maintain, improve and condemn, frankly, land between boundaries and parks that wants to have outside jurisdiction. That is the statute upon which the City will rely to get access to the property across Dr. Bettman property and Mr. Pfendler's property. That same statute that allows the City to do that, gives the City clear authority to undertake these mitigations measures so it is not adequate to say it is in somebody else's jurisdiction, and, in fact, is in your jurisdiction, should you choose to open up a park.

The second technical flaw in the environmental review, as it relates to this issue, is this notion that because allegedly we can't afford, it's infeasible to mitigate this impact down to a level of insignificance. We can't do all of that--it is just too expensive so we're not going to do any of it and that is the posture that it is in. Where there is the EIR as presented, as saying because we can't do it all, were not going to do any of it. We are ready to open up this park without a firm commitment to adopt feasible mitigation measures. This is certainly not possible. All the road improvements are infeasible, but that is the posture this is in and I submit to you that I've never seen any jurisdiction attempt to make that kind of an end run around CEQA's obligations--CEQA's instruction to you that all feasible mitigation measures have to be adopted before you can approve a project and I submit to you that, that does not pass legal muster. So based upon that, I respectfully request that you not certify the EIR as presented, and you certainly not recommend approval of the project without specifically addressing, especially the road safety issues. I appreciate the opportunity to meet you all face-to-face and comment on these issues. Thank you.

Chairman Broad: Thank you Mr. Perry. Anyone else wishing to speak on this item?

Larry Modell/1705 Brompton Street, Petaluma, CA 94954: Mr. Chairman, Commissioners, I am a strong supporter of this park. I have been for many years. It is long overdue and I think it will provide a great benefit to all the people in this town and in this valley for many years to come.

The specific comment that I had tonight is not on the EIR but on the General Plan Amendment that's proposed and specifically, it appears that a new category of parks is being created to hold this Lafferty Park because nothing else apparently fits currently and this new category is to be called Habitat Preserve. My question is why choose a name which to many people might suggest a lower level of public access than is being proposed for Lafferty. It seems like that opens up another area of vulnerability unnecessarily and I would suggest an alternative category name--something like Open Space Park. That's the name that they used in the County's Draft Outdoor Recreation Plan for parks that are similar to Lafferty that are minimally developed, allow full public access but very little development otherwise, just trails and trailhead facilities. So, what I'm asking for, I suppose, is if we could get some clarification from staff as is there some compelling reason to call this Habitat Preserve and, if not, perhaps it could be changed to something like Open Space Park. Thank you.

Chairman Broad: Thank you Mr. Modell. Anyone else wishing to speak on this item? Mr. Hagen.

Bruce Hagen/145 Grevillia Drive, Petaluma, CA 94952: Good evening Commissioners, I am currently Chairman of the Recreation, Music and Parks Commission, which last Wednesday adopted a Resolution supporting the efforts of a local group to proceed and raise funds for this park and also

1 recommends to the City Council approve the EIR and the project. I think a copy of that is in the record. I
2 don't have copies to pass out tonight. What I have here is my draft, but wanted to call attention to that.
3 The group unanimously supports this park and the support of the EIR the first time it came around.
4 Supports it even more the second time and wants to see us go ahead with that.

5
6 I wanted to also draw your attention here to some photographs that I was fortunate enough to be able to
7 take a couple of days ago and I think maybe (*could not understand*) has enough pictures of them and I
8 will pass them up to you. Those pictures were taken during the six inches of snow that we had up there
9 about a week ago. I do agree with Larry, the Open Space Park is a better designation. This is probably the
10 fourth time I've had to bring this up at the Park and Rec. Commission meetings and Lafferty Access
11 Committee that Habitat Preserve speaks of something that is privately owned, that is off limits to general
12 public availability and doesn't fit with the City's plan for this park.

13
14 I also wanted to talk a little about the context of this because I think that, first of all, I wanted to thank
15 Pamela and Leonard and his organization again for the fine job and all the work they have done on this.
16 Here are the first two volumes here. Not long ago I was on Lafferty with Fran Brigmann, who is the
17 General Manager of the Marin Open Space District. You probably heard this before, Robert has brought it
18 up a couple of times, and she confirmed it with me that Marin has probably 10 to 20 times the acreage that
19 Petaluma or that Sonoma County has, certainly the acreage of this project. All of that has been set into
20 public access without an EIR of any kind--quite a bit of it. I have an article that's part of the record here
21 that talks about variety of endangered species, narrow roads. All the issues that have been raised by the
22 Conservancy were in effect down there. They are insignificant issues by any measure. Probably don't
23 have to tell you, but I want to say it again for the record because it is starting to really bother me, that the
24 level of scrutiny the City is having to put into this, is part of a strategy to kill a project flat out and simple.
25 You've heard it before, it needs to be said, it needs to be understood. When we develop this kind of EIR
26 and it is accepted by all the three major agencies; Parks and Rec., Planning Commission and City Council
27 and we get comments on that EIR that generate another couple of inches of stuff. I have to tell you that
28 when I first got involved with this back in 1995, I looked at the first brief that was sent by a law firm
29 called Pedit (sp) and Martin hired by somebody on Sonoma Mountain. It was about 16 pages long and I
30 looked at it and I thought, oh my gosh, it is really a mistake to have a park on Lafferty with all these
31 problems and it was kind of scary and it set me back and as I read these things and studied it more and
32 dug into it, I found out that most of these were bogus and, in fact, if they weren't bogus, they were a
33 matter of degree, like the road--how dangerous is the road? Well, it's very dangerous--keep off the
34 mountain. But that's what they've been doing all along is trying to inundate the City to scare the people
35 away. You read this stuff and you think this place is truly is different than all these places in Marin, in the
36 East Bay, in Santa Clara County where they have developed parks and open space like this, have opened
37 them up year round to the public without registration, without supervision. But you look at this stuff, and
38 you look at the attorneys that come in here and talk to us, and you think, by God, they must have
39 something on the ball--look at all the stuff they produced. Well its just a lot of paper to get in the way of
40 what the people need and what the people want and what we ought to be doing here. I want to quote a
41 couple examples and I hope you bear with me here because this is probably the last chance that I am
42 going to get to do this. A fellow named Granger Hunt, I believe, he's been a wildlife advisor biologist
43 hired by Mr. Pfendler and perhaps the Conservancy and claiming that there is sensitive eagle habitat on
44 Lafferty. The illusion was made in the beginning that there are actually eagle nests on Lafferty--you can't
45 take tours up there. We found out, subsequently, there were no eagle nests. The eagles could someday
46 build nests there. People can co-occupy the land with eagles but he writes in this latest comment, page
47 116 of this volume "why not consider preserving Lafferty Ranch as a wildlife sanctuary, rather than a
48 thoroughfare of human foot traffic." So, to this person and perhaps a lot of others, Lafferty Ranch does
49 not represent the opportunities to go up and walk in the snow or be with nature. It's simply a thoroughfare

1 of human foot traffic and if that's the assessment that they make of this, it is no wonder they don't think
2 there should be a statement of overriding public benefit for a thoroughfare of human foot traffic. That's
3 not the experience that I, nor anybody else, who's been up has had.

4
5 Another comment and ..let's see. I had these marked and it slipped out. Here we go. John's name and one
6 of the neighbors up there. By the way, I should tell you this story to, that the.. you wonder what is it that
7 the Sonoma Mountain Conservancy wants? Well there is a lot of people who signed on the Sonoma
8 Mountain Conservancy and they want to be safe, they want all the things that we have provided for in this
9 EIR and the many mitigations that are in there--the water tank, rerouting the trails so that they don't come
10 close to the neighbor's property, all the efforts that we've made to mend fences literally and figuratively
11 are in the plan. There is a few people, they want something different, and what it is, is this--I was at the
12 County Outdoor Recreation Plan hearings in Santa Rosa about two years ago and had the opportunity to
13 talk with John Saemann and Al Bettman, Dr. Bettman, out in front of facility and said you know we're
14 going to bring law abiding people up in there just like Oak Hill Park, if you followed that issue. You get
15 people who are good with their dogs, they look out, they clean up and they help enforce the rules, they
16 help keep people law abiding. We're going to be bringing these people up there and were going to be
17 watching out for law breakers and litterers and fire starters and all that--why wouldn't you want that? And
18 he said well I agree with that, they told me, that's just fine, what we want is, we want a gate at the bottom
19 of Sonoma Mountain Road and we want to have limited access to the people who live there and people
20 who have permission from the people who live there. So, I think its got to be really clear that what they
21 are looking for is not preservation of the wildlife up there and non of these other things, it's to put a gate
22 at the bottom and have a private estate. Now that's fine, I think, that is something a lot of people would
23 like. I don't think they deserve it. I don't think they we should give up on this long effort to give them
24 that, but that indeed is there goal.

25
26 Another thing to draw into question all this stuff, and I think Leonard Charles and the staff have done a
27 really great job of addressing these criticisms, point, by point, by point. It's a bewildering read to have to
28 go through all of this stuff, but you can see that it is all a lot of smoke. If they were that concerned about
29 these issues, why for instance, would one of the neighbors build an eight-foot high cyclone fence around
30 the entire border? When I was up there, with Ms. Brigmann, she pointed out this would be considered a
31 hazard to wildlife. If the concern was about wildlife, why was that fence built? If the concern was about
32 eagles, when I was up there recently, and in fact, got a letter from the Sonoma Mountain Conservancy
33 threatening to take action against the City because we were causing a risk to the fragile eco-structure of
34 Lafferty. One of the risks was that we would be disturbing the eagles. I had people go up, we got to the
35 top, we were quiet, we broke into small groups, all the mitigations that are called for in the plan. We were
36 coming up over a rise and all of a sudden heard a rifle shot and whoa, I wonder if it is deer season so
37 another rifle shot and, Matt Maguire will attest to this, as will the seven or eight other people that were up
38 there--then all of a sudden it sounded like Vietnam. There were semi-automatic rifle fire that went on for
39 about 20 rounds. We came up over the rise and it just turned out to be one of the neighbors target practice
40 or something. We said hi and they asked us what we were doing. We told them what, they said fine and
41 that was it. This is at a time when the eagles were supposedly nesting. A week later we get a letter from
42 their attorney saying that we were posing a threat to the eagles nesting. So another great example of BS.
43 That is what this stuff is.

44
45 Another example to is the cows. Now we're comparing the environmental impact with a no cow situation
46 and infact cows were grazing on this property for a long time. There is plenty of evidence that the damage
47 that cattle have done up there and I am not against cattle grazing. I think cattle grazing is fine. I drink milk
48 and all that sort of stuff but to claim that the hikers up are going to cause all this damage and their so
49 concerned about that damage, yet for years they had no problem with the rifle shooting and the cows

1 walking around the creek and walking on the stream banks and causing it to cave in. Again, the whole
2 purpose of all this stuff is to put a gate in at the bottom. That's the whole purpose of it and to here these
3 complaints and charges that this thing is so grossly inadequate is just part of the strategy.
4

5 One other note, that I think that I will say before I go, the 1992, I went back and looked at the record of
6 information in 1992 and saw the letters that were written by the City and the County staff and it brings to
7 mind my days on Capital Hill. I used to work for Senator Bob Packwood, before he became infamous,
8 and it was quite common for influential members of congress, if they happened to be chairs of certain
9 committees, to have influence over agencies and get agency members to write letters that would support a
10 piece of legislation that they wanted to have passed for political reasons. I was involved in even writing
11 some of those letters for those agencies to the Department of Agriculture for a service, and it was true
12 enough they would bend in a certain direction. They weren't actually lying or jeopardizing their job, but
13 they would really make it look like what Mr. Packwood or any other member of congress would want it to
14 look like and that's precisely what happened back then. There was no support politically for Lafferty at
15 that point. Lafferty was unknown. People were starting to find out about it. The opponents of this park
16 came out soon and strong and they made a very strong effort to keep people from seeing Lafferty. At the
17 same time, influence was placed through County government, elected and appointed officials to paint a
18 very grim picture of this park and that's been going on all the this time, right to the point where we have
19 all of these comments here. That's where that stuff came from and if you go back and if you get a
20 different set of people to look at that stuff, they will give you a different answer, as we've come up with.
21 So, I think the bottom line here is this is an extraordinary piece of work. It's extraordinary because it's
22 way more thorough than it needed to be. It's more than adequate and it's about a piece of property that the
23 people of this community, not just Petaluma, but South County and Northern Marin need to have. As
24 others have pointed out, we're about half of what of the accessible open space that we're supposed to
25 have for the County General Plan and that's about half or a quarter compared to our neighbors in the
26 South (Marin, East Bay, Peninsula and so on). I urge you, this isn't something that we can just kind of
27 glide on. This isn't something we say yea this is ok and we're going to put it out there. If we want to have
28 Lafferty as a place where we can hike whenever we want, whenever it's safe, not come down to City Hall
29 and sign up, not be supervised by somebody from whomever, but as so many people found out when the
30 air is clear, when I need a break from work, I want to get into my car, I want to drive up there and walk up
31 to the top. That's the kind of experience we need to have here and we need to push for this. We need to
32 push it in this Committee, we need to push it at the City Council, we need to get support from the
33 Community, all across the Community to show that this is a project. It's beyond the case of politics. I
34 think that Mike would agree and some of the people in the past, this used to be an issue of trying of to
35 capture the City Council majority and it's no longer that. It is now simply a matter of do we need this park
36 for the people of Petaluma and are we going to let a few people stop us? I would like you all to support
37 this tonight and not just vote for it but lobby for it, speak out in public for it, talk to your friends and
38 members of the Community and make this thing happen. Thank you.
39

40 Chairman Broad: Thank you Mr. Hagen. Mr. Ramirez
41

42 Robert Ramirez/611 West Street Petaluma, 94952: I first got started with Lafferty Ranch in 1971 and
43 so some of you have heard this story and some you haven't so I will be brief. I was a junior at Petaluma
44 High School and that was our Ecology project in a class called Ecology. Mr. Eisrich was a teacher and I
45 think he still at Petaluma High. Did he retire? (audience-about 2 years ago). I see him once in a while at
46 the 24 hour relay, but that's too bad. I'm going to have to look him up. I might need him now. But me and
47 that class, which was about 20-30 kids, did the first Environmental Impact Report. It is on public record.
48 It's in the Environmental Impact Report and we built a trail. The trail is still there. We actually designed a

1 master plan for subsequent trails. The plan was to have the next year's class continue on where we left
2 off. Course, being in High School you have a very short-term attention span so that is what we did that
3 semester and then I went on to the rest of my life. I don't know when the ball was dropped but it never got
4 continued. I do know that, up until somewhere in the late 80's, they were still doing field trips up there
5 because I had a nephew that had gone up there. It wasn't until in the tours that were promoted, I believe
6 1995, it was when Matt Maguire was first on the Council and some other people—Jane Hamilton and
7 they finally got a City tour up there. That's when they got back up there and have been hearing about this
8 thing and couldn't figure out what all the noise was about. What is this? When I got up there I basically
9 remembered a park and it all came back to me. I didn't know why but later more information came. I got
10 to look at my Environmental Impact Report and read it and there it was, my name, and I realized oh yea,
11 that is what Joe and I did. We were up there just having a good time trying to meet girls, really, but at the
12 same time we were out in the outdoors learning about it. Because we didn't know, you know. It was great.
13 We learned a lot about the outdoors and built a trail and put something in document. At that point we had
14 Sonoma State University as an advisor. Park Rangers from the Point Reyes National Seashore worked on
15 the project, as well as a local historian here, Mr. Walker, who was very active and was one of the school
16 principals that died many years ago that encouraged kids to get out in the outdoors and learn about nature.
17 So that brings me to here. So here I am. Five years later I thought this was going to be easy. I was out here
18 to build a park. You know a park. That be simple right. Just gonna go up there and hike but unfortunately,
19 we had some people up there that decided that they wanted the park for themselves and that's what this is
20 about and I will truly hope that you will see this. This group, the Conservancy, who we don't really know
21 who they really are because they will not say who they are. But there's a group out there and we know
22 there is a few of them seem to come forward, say they are trying to preserve a piece of land. However,
23 what they are really trying to do is preserve their neighborhood. They've decided that we are not worthy
24 to be in their neighborhood--the people in Petaluma. Who is worthy to be up there are people that are their
25 friends, their relatives, people they hire to clean their homes, people they hire to work on their gardens,
26 people they hire to work on their farms. But for some reason everybody else, especially a hiker because
27 those hikers are just horrible people--they shouldn't be up there.

28
29 They talk about the traffic, ok and Councilmember O'Brien this is a California drivers license and I've
30 looked on this thing a million times now and no where on this thing says that I am restricted, that I am
31 allowed to drive every road in California except Sonoma Mountain Road. Now this is the most dangerous
32 road in the world, we've heard--they've put it in letters. But for some reason California has not found that
33 fit to point that out, but if I live on Sonoma Mountain Road I somehow understand how to navigate that
34 road, but nobody else can. All of a sudden, if anybody drives up there, especially a hiker, we don't know
35 how to drive. Ok, so let's just close the park because everyone's gonna die on there way up to hike or on
36 the way down--whatever it might be. This is some of the ridiculous stuff they talk about. They talk about
37 improving the road, ok. They want to make it to ASHTO Standards. We don't have any roads to ASHTO
38 Standards in the County for parks. We barely have roads to ASHTO Standards that are non-park roads,
39 ok. But they want to do this. Ok, let's just say we do it. I have no problem with that, frankly. Let's all
40 share the road. We've got about, I think about 40 feet of frontage--that's usually how you do it based on
41 your frontage. Let's improve the whole road. They don't want to improve the road. They could do it
42 through road assessment district if they're so concerned about the danger in people's live--they're not. It's
43 just something else to throw out there. We didn't need to do that. If you even go along with the idea of it,
44 your basically damming every other future park in this County to this type of thing. Fortunately, our
45 esteemed Planning Department, under the supervision of Pamela Tuft, has done an awesome job of trying
46 to respond to these reams of, well you saw them, Bruce had them. It is unbelievable. Mr. Perry would like
47 you to believe that he's here for your benefit. That he's here to look out for us and that he's just doing the
48 right thing. Mr. Perry is the enemy, everybody. He is the enemy. He is hired by the Conservancy to do a
49 job. It's only to bad that we didn't have the money to be on our side, because if he was on our side he

1 would have the reverse comments. That's what he is supposed to do--he's an attorney. He was paid to say
2 you are to block this situation--figure it out. I don't care how you do it. Be an obstacle, try to make a fool
3 out of the City, try to make a fool out of our engineer, Mr. Charles. Take every argument that he has, twist
4 it around, turn it upside down, confuse it, delay it and that's what they've done, ok. Fortunately, we have
5 come back and figured out a way to say look, you know, we've figured it out, ok. We've basically put
6 down all mitigation measures that is reasonable and sometimes more than reasonable, frankly, and we're
7 going to handle this. We can't prevent a fire on Lafferty. I can't prevent fully a fire happening in my
8 house, nor my neighbor's house. I just have to believe my neighbors gonna do some safe practice in his
9 life and that he's not going to burn his house down and he's gonna cast mine on fire. It's just how the real
10 world works, ok. Not to mention, if I were going to be in a fire, I'd love to live in Peter Pfendler's house.
11 I feel pretty darn safe. He's got a 1,000 acres around him. The chances of that fire hitting his house is
12 probably pretty remote--like me hitting the lottery. The Cheda property (*could not understand*) there is no
13 risk there. We're actually putting in a 20,000 gallon holding tank. That is more water than anybody has on
14 a hill on any property. I guess if I felt that they were sincere about this, than I would say why don't you do
15 this on your own properties? Why is it that you guys ride motorcycles, dirt bikes, (*could not understand*),
16 horses, cattle grazing, erosion problems, drainage issues? You do all this on your property--we don't go
17 there and say hey stop that, ok. We don't worry about the golden eagles that are flying over their property.
18 We don't go over and tell them about that, because they are. If by Peter Pfendler's own admission, it's in
19 his notes, that him and Connie have a little journal when they watch the birds on the hill. Get a chance to
20 read it--it's pretty entertaining. They have a little journal showing where they watch the bird. They go out
21 and they're planting their flowers one day and they see the bird and they happen to have their watch and
22 it's 10:15--saw the bird fly over, oh it's 10:12 he stopped from his flight and waved at us. You know and
23 then we saw him on the perch. It's funny because this bird still flies over Saemann's and Cheda,
24 everybody else's property, but never seems to land on their properties, except there a few times he lands
25 on a pole near Saemann's property. He lands on a fence sort of near Cheda's. He sorta flew over the barn
26 of Peter's house but they never seem to stop except at Lafferty. Interesting how that works, you know, but
27 that's there little journal, ok.

28
29 I think the name of a Habitat is a trap. I think people much wiser than I have brought that to you. This
30 preserve is a trap--it's a park. It's not going to be really any different than Mt. Tamalpais. Well it will be
31 different. It will be the most heavily restricted park ever in the history of parks. I was on the Access
32 Committee. I fought all the time with my members because we didn't get to do anything. We don't get to
33 have horseback riding. We don't get to have mountain bikes. We don't get to have dogs, ok. We have to
34 hike this little path and we almost have like a little markers where to hold onto or something, you know,
35 because we're supposed to go here. I mean it's what we've created is for the public benefit of the
36 neighbors, this very limited use, restricted, hiking park. I am asking you not to endorse it. It's the best
37 we've got. Where you guys are at this point is trying to think about, that you are not only making a
38 decisions for this park for yourselves, but your making a choice of this park for future, future generations
39 and I'm serious about that. There is no land in this area available for another park, ok. Without giving up
40 huge compromise to housing--this is it. This is the only piece of land left on Sonoma Mountain Road that
41 we're going probably have with this type of potential. Last year, this month closed escrow on a piece of
42 property up the street from Lafferty, across from Peter Pfendler 80 acres for \$1,050,000--80 acres, we
43 have 277 acres. They can build one house there and they have no water and they have a spring-fed pond.
44 That's the market value. We almost sold it four years ago for \$675,000. There is no other land up there. If
45 you let this go and even think about quitting because when you approve it tonight, which I'm praying you
46 will, like Bruce said, you guys have to continue to fight with us because they're going to be throwing
47 things (*could not understand*) at you. We've spent \$600,000 of whatever it might be. To me that's
48 pennies. It's sad that we did it because all we did is put money basically in their pockets. Had they taken
49 the same money, we would have been up there already with our trails built, our water storage system in,

1 our parking lot done. It would have been done. If we spent another \$1,000,000 up there, it will be a good
2 deal. It'll still be one of the cheapest parks we'll ever own. The Parks and Recreation Committee can tell
3 you that. Find out what a park, Kenilworth Park, Walnut Park what they own to maintain--what do they
4 cost to build. How could you put a price on it right now if you said we're going to sell it, you know. What
5 price would you put on that--you couldn't it's priceless. That's how parks are. This is one of those also.

6
7 The (*could not understand*) have been mitigated fire--we can only do so much to a fire. They've made all
8 the requested mitigation factors--it could happen, ok, it could happen. A child can fall off of a swing in a
9 park and break its arm. That's the risk we take for that child having to have fun in a park. We don't close
10 all the parks. We don't say a kids going to slip in the sandbox or something. We still have the park. It's
11 just a risk that goes along with it. The overriding public benefit is worth the risk and that's what we have
12 to take here.

13
14 Mr. Perry brought up something that I thought was pretty, pretty tacky. He talked about the child killed up
15 in Santa Rosa, Elsie Allen High School, because the School District neglected to build a proper road and
16 so maybe that will happen to us. I don't know. I guess it is possible. I guess anything is possible. I might
17 drive home tonight and get killed on a perfectly ASHTO approved road with ASHTO approved lighting
18 and I might get side-swiped by a drunk driver, or I might just lose control and die, ok. Some people in this
19 town may rejoice for all I know. It may happen to you. My point is there is risk in everything and that's
20 just life and I want this park to be open, not for me. I'm not making it just for me. I'm willing to share the
21 park with the neighbors up there. They just don't seem to want to share it with me. I have no problem
22 with them coming to the park. I'll hike right with them. If Peter wants to go for a hike, fine--go for a hike.
23 For some reason he doesn't want to hike with me. There is something inherently wrong with that--can you
24 get that? Me and everybody in the City. You guys are the only things standing between that happening.
25 You're the beginning of it right here and I really hope you guys will hang in there for all the years that all
26 the people have fought this war, if you want to compare it to something, because you know it's in your
27 hands. We're not going to give up but you guys are going to have to be the next push on to the City
28 Council, on to the Budget Committees and whatever might be next.

29
30 Thank you very much and appreciate all your hard work as being Commissioners. I no this is a tough job.
31 A lot of late hours. I wouldn't do it. Thank you very much.

32
33 Chairman Broad: Thank you Mr. Ramirez. Patricia Tuttle Brown

34
35 Patricia Tuttle Brown/513 Petaluma Boulevard South: What I wanted to say, first of all my
36 daughter was going to speak but it is 9:00 and we put her to bed and she wanted me to tell you about how
37 wonderful. Mr. O'Brien already heard this, but at the Council meeting during public comment, but how
38 amazing it was to go up on February 12th and see the snow, and for me, as a parent, my parents took me
39 up, once in my life to see the snow on Sonoma Mountain and I was determined to take my daughter up to
40 see the snow and she may never see it again in her life and it snowed on Lafferty. I first got involved with
41 Lafferty in 1992 because I had this feeling that it was a beautiful, incredible, wonderful place, once I saw
42 it. Now that snow has been added to the fact that it is a place where we can experience the elements, it
43 makes it even more precious in my mind. What I wanted to say, after Mr. Perry got finished to you was,
44 first of all he left. He's a hired gun so your dealing with hired guns vs. people who are here in this late
45 hour because we really feel we want to speak from the heart about something we want to give you the
46 courage to do, which is to certify the EIR. He's wrong. Lafferty Ranch was a "hot potato" in 1992 and
47 when this EIR was just coming up and when we were all asked if we wanted to give comments, I
48 submitted a letter with 88 attachments to it because I've been keeping a document, a journal from the

1 newspapers and other stuff that's about 14 volumes long of all the articles that have come out since
2 Lafferty emerged on *(tape was cut off)* stuff like that. So if you go back to 1992 and he said oh well we
3 were listened to in 1992 and it wasn't a 'hot potato' wasn't true. 1992 the headlines from 11/15/1992,
4 were Lafferty neighbors seek rezone of Lafferty Ranch and it is quoted out of the paper. Petaluma's hopes
5 for public access to Lafferty Ranch have hit a snag because neighboring residents on Sonoma Mountain
6 have asked County officials to rezone the City-owned property to block most types of visits. This was
7 unknown to the City Council at that time, that the County newly formed Sonoma Mountain Conservancy
8 had gone behind the City's back to rezone the property and that's a very important fact because, as other
9 people have pointed out, those kind of tricks have been going on since the very beginning, and indeed the
10 very next document I have in this set of attachments that I sent, they succeeded and their recommendation
11 was to change Sonoma Mountain Specific Plan text describing the regional parks side at Lafferty Ranch
12 to limit use to supervised field trips or other educational endeavors. This is just one example of what we
13 are up against. And so, what I would like to say is, I just want to give you the courage, because you are
14 important, this body right here is important next step to pass this on. To have the courage to not be scared
15 about Sudden Oak Death or road safety. Road safety, in my opinion, is ridiculous. This road does not
16 need to be up to ASHTO Standards. The day that it snowed the City of Petaluma could have, if all of
17 these people weren't fighting desperately to keep us off there. We could have had busses that went up
18 there and took people. We could have prevented traffic jams by having City busses go up to our park,
19 which is what I hope we can do in the next 10 years, if it snows again. So, I'm here to give you courage
20 because it's a long battle and it's been going on for many years and you are just the next step in it and I
21 thank you for doing that.

22
23 Chairman Broad: Thank you. Is there anyone else wishing to speak on this item?

24
25 Patricia Jadith/3272 Adobe Road: I was a member of the Lafferty Committee and I am a direct land
26 owner next to Lafferty. You just heard it said that all the City has planned for with this park. Well, if you
27 think that what you have in your EIR is what these people want, there sits Mr. Leonard that threw his
28 hands up, at one of our meetings, when he said I was hired to do probably what is done. These people
29 wanted tents for overnight. I was with one of the members of the Committee up there on a subcommittee
30 meeting. You could have your tent here and you could have your tent here. These are just all things that,
31 after Mr. Leonard settled down and the Committee settled down, he will admit that he has once already
32 before the Planning Commission. He said he did it. That they wanted so much, he says that I was hired to
33 do this. I wasn't hired to plan for BBQ's, overnight stays, stargazing. This is in all their future plans and
34 they're planning and if I'm understood right, or remember right, that he said that you could do this in
35 future EIR's or whatever it takes to do it I don't know, this is all new to me. But this is all in the future
36 and this is what is scary as far as I am concerned. We have had a neighbor already with a trespasser and
37 had a knife drawn on him. This is already without any park. I'm not saying the park is good or bad. I'm
38 just telling you things that we have had up there already. So they do have a lot of plans for the future and
39 the if the City of Petaluma can take care of all of this and I think maybe that's where some of the traffic
40 comes in. I don't know all of this, this is not mine. I am just telling you what these people have in mind
41 for the future. It is only the beginning. The door is just opening. This is for you to make up your mind
42 how far you want to go with this. Thank you.

43
44 Chairman Broad: Thank you.

45
46 Gabe Kearney: My name is Gabe Kearney. I don't talk much in public at these kind of meetings so I
47 will try to make it quick, in respect to the time. I just want to address a couple of issues. One that was
48 addressed by Mr. Perry earlier in the evening, the Sudden Oak Death Syndrome. I just wanted to state that

1 it has not been found to have an increase rate of spreading, when human contact is involved. I am more
2 than willing to get all that documentation for you and show it to you, but what he's saying is false, it's not
3 true, don't believe it.
4

5 Another thing, cows on Lafferty will cause no more impact on the creek than those cows on the ranches
6 along the creek for the rest of the mountain. I think you'll agree with me I'm just reiterating these facts
7 just cause they were brought up earlier.
8

9 I just wanted to share with you my plans for the future because I am one of the younger generations that
10 would like to access this park in the future. I, at one point, would like to take my nephews and my niece
11 up there to show them this beautiful gem on top of the mountain. I would like the High School students,
12 the Junior High students, the Elementary School students to be able to go up there to see the ecological
13 systems that Mr. Ramirez has stated that he did when he was a student. I think that everyone should have
14 that opportunity. Everyone in Petaluma should have that opportunity. I think that what this comes down
15 to, in its basic form, is "not in my backyard." The people on Sonoma Mountain don't want this in their
16 backyard but I don't think that the small amount of people opposed have the right to keep 50 some odd
17 thousand people in Petaluma from seeing this park at one time in their life. I don't think we're going to
18 have this mad rush as they would put it. In their letters apposing, I think that having access to is not going
19 to create the stampede of foot traffic that would warrant the precautions that they're asking for. And with
20 that I draw to a close. Thanks.
21

22 Chairman Broad: Thank you. Is there anyone else wishing to speak on this item? Mr. Mobley.
23

24 Mr. Mobley/143 Acorn Drive, Petaluma, CA 94952: Good morning, I'm glad I made it in time. I was
25 at another meeting so excuse my lateness. I'm also on the Parks and Rec. Commission. I was also co-chair
26 to Lafferty Access Committee and I believe that we have done a great service to this Community and
27 effort that we went forth in getting this plan together. I believe that Leonard Charles was the right
28 consultant. I think that he addressed all the issues and I think it's really reprehensible that we've had to
29 spend over \$600,000 on this plan when we should have been able to build this park a lot sooner. I think to
30 put it off and to make mitigations to this would only serve the interest of a few. I think we need to stay to
31 course. I do believe it is an excellent plan. I do believe some of the assumptions are just assumptions and
32 just that. I do believe if they're not requiring ASHTO Standards to all the other roads in all the other parks
33 in Sonoma County, why should we have to adhere to those standards on this road. I think accidents are
34 caused by people doing stupid things. You could have an accident anywhere and I think we really need to
35 realize that just because you approve the plan, doesn't mean that we're going to develop this park in a
36 year. It's going to take--we're going to have to phase it in, we're going to have to find the money for it
37 and I do believe that this is the right course and we need to stay to course. I think if you vote against this
38 or vote for mitigations, I think all we're asking for is a withdrawn, protracted battle that's just going to
39 exacerbate everybody's patience and I think we really need to look at how we serve the community. I
40 think this park is needed. I think we have done a disservice by the Open Space District and the money
41 they spent for trying to open up Moon Park. I think we ended up being the losers and I think we need to
42 be the winners now and I think I would really like to see it stay to course. I think it is really important. I
43 think the money we spent has been well spent and I think we deserve a chance to visit Lafferty without
44 any restrictions. Thank you.
45

46 Chairman Broad: Thank you Mr. Mobley. Mr. Kortum.
47

1 Mr. Kortum/540 Pacific Avenue, Santa Rosa, 95404: I think you all know the politics of this issue that
2 has been around a long, long time. The County politics, the road politics, etc. That the original document
3 was probably quite adequate, but now that it's twice as thick, I think, you're very safe in approving it and
4 it should be approved. Pass it on to the City Council. It is a very thorough document. I think that the
5 attorney sitting here probably is charging \$250.00 an hour is symbolic of the whole Lafferty affair. If he
6 such an expert on roads, he called Sudden Oak Death a virus, it's not, it's a fungus. Doesn't sound very
7 thorough to me. And the fact that he is still harking on the roads is very interesting. He didn't go into
8 other aspects of this thing and to call that the worst road in Sonoma County is just not true and there are a
9 lot of people outside this City that use Lafferty, including myself and it's a County responsibility. It is
10 because politics got in the way of the County taking responsibility is no reason for Petaluma not to go
11 ahead with this project, put continuous pressure on the County, which is in the road business and
12 responsible for that road so please pass this and let's carry on. Thank you.
13

14 Chairman Broad: Thank you. Is there anyone else wishing to speak on this item?
15

16 Janice Cader-Thompson/732 Carlsbad Court, 94954 (Councilmember speaking as a citizen of
17 Petaluma): Thank you. I actually wasn't going to speak because I'll be making my comments in I assume
18 30 days but I just wanted to bring some institutional knowledge that Lafferty Ranch had been used in the
19 past by City Officials, City employees and by residents of this Community, as a hunting area and I just
20 want this Commission to know it has never been the preserve that people never used and it's just
21 important to know that information. Thank you.
22

23 Chairman Broad: Thank You. Is there anyone else wishing to speak on this item? I will go ahead
24 and close the public hearing and would anyone on the Commission like to ask any questions of either staff
25 or our consultant before we discuss this item? Commissioner Vouri.
26

27 PUBLIC HEARING CLOSED
28

29 Commissioner Vouri: (To Pamela Tuft) Pamela, could you address the issue of naming the land use
30 as Habitat Preserve vs. other suggested designations such as Open Space Park or Passive Use Park?
31

32 Pamela Tuft: Let me start out by saying I apologize for my flippant answer. I made it up.
33

34 Commissioner Vouri: I appreciate your honesty.
35

36 Pamela Tuft: When you look at the General Plan, we don't have a whole lot of classifications--we
37 have neighborhood parks, we have community parks. I didn't want to call it a Regional Park, even though
38 it will serve as a Regional Park because that's not the business that Petaluma's typically in. There was a
39 great deal of issue, very early on, about the habitat, the quality of the habitat, the quality of the plant life
40 and the wild life. The intent, of both the citizens group and the City, has always been to preserve the
41 quality of the site. To me as a planner, with an environmental background, it made sense to me. It's not
42 something I own, or has to be, if the Planning Commission would like to recommend it to be an Opens
43 Space Park, that's fine. It's whatever works. We just wanted to differentiate it from a very active type of
44 use. That this is a beautiful site to observe habitat, the views and the wildlife. Does that make sense? Ok.
45 Thank you.
46

1 Chairman Broad: I have another question for you while you're still there. Can you respond to the
2 issue regarding how the park will be used?

3
4 Pamela Tuft: The park usage, as proposed, is very passive in my opinion. Leonard can get into the
5 more details but I know I won't be able to take my dog, certainly can't take my horse so if one chooses to
6 go up there, one will hike around. I guess you could probably jog up the hills, if you were in good enough
7 shape.

8
9 Someone in the Audience: Wheelchairs?

10
11 Pamela Tuft: There is wheelchair access in the lower portion of it.

12
13 Chairman Broad: Specifically, I guess I am asking about the suggestion that this is opening the door
14 to an onslaught of much more intensive uses.

15
16 Pamela Tuft: If you thought activating and reviewing the environmental review for passive park was
17 intense, I can't imagine what it is going to be like if we try amend the project to greatly enhance or
18 expand the intensification of use. I wasn't project planner for the EIR, back when the Lafferty Access
19 Committee was meeting so I can't give you any historical perspective on the discussions about campfires
20 and tents. I'm just not.

21
22 Chairman Broad: I'm not looking for that but process wise, therefore, to change the use from what is
23 being specifically proposed.

24
25 Pamela Tuft: We'd be back right where we are now. It would require additional environmental
26 review because those would be changed conditions of operations and it would require substantial change
27 of the mitigation measures that are presented as part of this project so we would be back with additional
28 environmental review. To what scope or scale, I can't tell you until we define whatever was going to be
29 proposed at some future date, but that's not been discussed during the two years I've been managing the
30 EIR.

31
32 Chairman Broad: Any other questions for Ms. Tuft? Yes, Commissioner Vieler.

33
34 Commissioner Vieler: When Les Perry was talking earlier and he spoke of the journaling that the
35 neighbors had done, with regards to something like 17 accidents, I think he said, within a little over a year
36 period of time, was any effort to determine the nature, the age groups, you know, any kind of
37 demographics with regards to who were involved in those accidents--was anything of that nature done?

38
39 Pamela Tuft: Yes, we did. The Traffic Engineer did a great deal analysis on cause of accidents, and I
40 don't know if Leonard can quote them off the top of his head. I'm not a traffic engineer, but a lot of it was
41 due to lateness of hour, alcohol use and I believe, by far, the greater percentage of them were operator
42 error.

43
44 Commissioner Vieler: The reason I ask, I'd like collaboration on this, is that I know that I've read
45 several newspaper articles, with regards to traffic accidents that have occurred on Sonoma Mountain Road
46 and involving teenagers, fatalities, drinking, hot rodding, things like that and I just wondered if the 17

1 accidents had perhaps looked at the profiles with regards to a person going to hike as opposed to a person
2 drinking at 11 PM or 1 AM in the morning and racing down the road?
3

4 Pamela Tuft: We did study that and certainly the park will be closed at 11:00 at night so park use
5 won't have an impact to those types of activities, but I can relate a particular incident--I've only been up
6 to Lafferty a half a dozen times, but on one of those times, as we drove up to the site we passed a carload
7 of teenage boys with alcohol. We were very official looking, being in a City car, and the trip was very,
8 very quick. We were not hiking it. I just had to go up and do something. On the way back they were
9 packing up their stuff and leaving and so we had kind of ruined their party. One could take the position
10 that an increased surveillance increases presence of an adult; or just usage, will discourage the clustering
11 and informal partying, parking, and drinking that could go on. It is common knowledge that is a site for
12 high school kids to go after school with a six-pack. I have teenage children.
13

14 Chairman Broad: Any other questions? Thank you.
15

16 Pamela Tuft: Thank you.
17

18 Chairman Broad: Any questions for Mr. Charles or Mr. White, the attorney on the review? I have a
19 question for Mr. White. Unfortunately, Mr. Perry, as has already been mentioned, has already left so he
20 won't get to hear your response to this but I wanted to ask you about a couple of points he made. He
21 questioned the adequacy of the EIR in two areas. One related to the way Sudden Oak Death was treated
22 and the way the EIR was circulated and secondly related to the roadway and the mitigation or lack, as he
23 termed it the lack of mitigation measures for the roadway or partial mitigation measures. Could you
24 comment in those areas in terms of the adequacy of the document?
25

26 Bill White: Sure. We've reviewed the document. We find that it is more than adequate than what is
27 required under CEQA. With respect to the Sudden Oak Death Syndrome, the standard for recirculation
28 after a Draft EIR has been released to the public, is whether or not there's substantial new information
29 that deprives the public from commenting on a new, significant impact or on an impact, a significant
30 impact that's already been identified but which the new information indicates it's severity will be
31 substantially increased. The information on sods is new information. It's not something that was in the
32 EIR, prior to the time it was circulated. However, we analyzed the information, we had someone look at
33 sods on the site, we had experts look at both the fire impacts and the impacts of possible spread and in
34 both cases we found that the new information doesn't indicate there would be a new significant impact or
35 that the severity of the significant impacts, for example, fire has already been identified as a significant
36 impact. The severity of that impact would not be substantially increased by the new information, so for
37 that reason, it was concluded that recirculation was unnecessary. In addition, there were additional or
38 revised mitigation measures that would further insure that these issues raised by sods would be addressed.
39 For example, additional fire fuel treatments were recommended just to ensure that if it does become a
40 unforeseen problem, there will be measures in place that will address the increase fire hazard.
41

42 Chairman Broad: And with respect to his concerns on the roadway?
43

44 Bill White: On the roadway improvements, again, road safety was already identified as a significant
45 impact so he had several concerns with respect to the roadway and I won't go through all of them.
46

1 Chairman Broad: Specifically, as far as his question about the lack, as he termed it, partial
2 mitigations.
3

4 Bill White: The EIR actually identifies measures that could mitigate the road safety impacts. It
5 concludes that those measures can't be relied upon by the City to mitigate the impacts to a less than
6 significant level. The reason is that the City really has no control over a road improvement program on a
7 County road. So even if the City was in favor of doing all the road improvements, which may or may not
8 be in favor of, it cannot rely on that fact to conclude that this impact is less than significant; therefore, the
9 EIR was forced to conclude that, that impact would remain significant. Non the less, those mitigations
10 measures have been identified in the EIR. The EIR spells out what is necessary to bring the road up to
11 ASHTO Standards. In fact, it has a very detailed analysis of the segment-by-segment. There is something
12 like 76 segments between Adobe Road and the entrance to the park and it indicates exactly what would
13 need to be done to improve the road and gives an actual prioritization of each one of those segments.
14 There is a full disclosure of information in the EIR with respect to what has to happen to improve the road
15 but again, because it is a County road there is nothing the City can do about it. The City can choose to
16 work with the County and the EIR recommends that the City does work with the County. That's about all
17 the City commit to.
18

19 I guess I will get into one other issue that was raised by Mr. Perry, which is this issue of condemnation.
20 He suggested that the City does have the power to basically condemn Sonoma Mountain Road, make it a
21 City road and then can go ahead and do these improvements and maintain it themselves. Well, that is just
22 not the case. The City does have the power under State Statute to condemn the road in order to obtain
23 access to it's park and if it does need to do that, it will do that for that small segment between Sonoma
24 Mountain Road and the entrance to the park. It's not clear, at this point, whether that will actually be
25 necessary, but that is an available tool in that case. The comments on the EIR stated essentially, you
26 know, Mr. Perry's interpretation of the law is that the City automatically obtains jurisdiction over all the
27 County roads between City limits and the park and that is simply not the case. If the City was to condemn
28 a road because it needed access and then it was to become a City road for that purpose, then yes, it would
29 have jurisdiction to maintain and repair, etc., but there is no indication that it has the power to condemn
30 pieces of a County road and then assume maintenance jurisdiction over those pieces or to make repairs for
31 mitigation purposes for a City project.

32 Chairman Broad: Thank you. Any other questions for Mr. White? Thank you. If there are no other
33 questions, then let's go ahead and get comments from individual Commissioners on the Final EIR and the
34 project itself. Commissioner Barrett.
35

36 Commissioner Barrett: I'm amazed at how much paper was generated by the Final EIR. I
37 remember our meeting with the Park and Recreation Committee and the Planning and the City Council
38 when we went over the Draft EIR and I was pretty convinced, at that time, that a very through job had
39 been done and again, I want to thank Pamela Tuft and Mr. Leonard and all the people who did all the
40 work to get it to where its been over this very long haul. So I just I don't have any comments other than I
41 wish we would just go ahead and approve it.
42

43 Chairman Broad: Thank you. Commissioner Vieler.
44

45 Commissioner Vieler: I also support this EIR. I'd like to see it move forward to the City Council.
46 It's been a long time coming and I really don't have anything else to say.
47

1 Chairman Broad: Commissioner Vouri.

2

3 Commissioner Vouri: Mr. Chairman, I thought I was going to be pretty happy sitting up here
4 tonight, haven't participated officially in the Lafferty process before this Final EIR. I welcome this
5 opportunity to help push it on its way but I'm actually overcome with sadness. Lafferty is a very deep and
6 old wound in our City, in our Community body and I'm pained to see this dragged on through the civil
7 process. We need to heal. This wound is one of our arms and we've got to heal this old wound so that we
8 can move on to healing the larger rift that is in this community and begin to work together as a
9 community. I don't have any comments on the Draft EIR itself and I will be voting for it.

10

11 Chairman Broad: Thank you. Commissioner Glass.

12

13 Commissioner Glass: First of all, Mr. Modell expressed a wish that it be called an Open Space
14 Park. I want to make sure that we do that. I don't want any wiggle room here or any misconfusion in any
15 way. The burden here, it's important to know, right in the very beginning, is this EIR process. I've got it
16 highlighted so you see about where it is on the page there. It says that the Planning Commission and the
17 City Council certified as being legally adequate. That is the charge. Are we legally adequate? If this isn't
18 legally adequate then I don't know what is because this is an embarrassment. If the people on Sonoma
19 Mountain want to go through an EIR every time that they buy an automobile. I think that's where we're
20 headed. If we just use common sense here and logic. I'm happy that the lady, I didn't catch her name,
21 came down to this process tonight and she can find out her greatest fear is not gonna happen. That it
22 would it take another complete process before this park changed in any way, shape or form. I'm
23 wondering about that habitat for the eagle and how helicopters landing affects eagles because what's good
24 for the goose is good for the gander. You just can't have it both ways. So I'm ready to vote for it. It's
25 legally adequate. I have no problem making that determination. I'm only embarrassed that it took this
26 level, this length of time, this amount of paper work and I understand why it did and I'm sorry for it.

27

28 Chairman Broad: Commissioner Monteschio.

29

30 Commissioner Monteschio: I'm also ready to vote for it and I really don't have any other
31 comments.

32

33 Chairman Broad: Commissioner O'Brien.

34

35 Commissioner O'Brien: Thank you Mr. Chairman. First off, Ms. Tuft, I would like to complement
36 you on the scope and volume of work and the long hours that you put in to get this process. You know, as
37 Commissioner Glass said, we have to make sure that this is legally adequate and I think it more than
38 supercedes adequate. I am ready to vote for it.

39

40 Chairman Broad: Thank you. I also want to compliment staff and all the consultants that were
41 involved with this including many of the consultants who did work on this as part of the EIR but who are
42 not here. Tonight I think it is clearly in an exhaustive document and something that can sit on the shelves
43 among probably the most thoroughly reviewed projects in something, I don't know quite know what.
44 Biotechnology pilot plants involving toxic materials on Freeway 80 that have had EIR's that aren't nearly
45 to the size of this one, so as my fellow commission members said, the scope of this and the amount of
46 effort that went into it, is pretty much mind boggling for establishing a park and having said that I'm

1 ready to vote to move this ahead. Both for the Final EIR and for the General Plan Amendment and the
2 project.

3
4 Commissioner Glass: Mr. Chairman could we ask if we have consensus on that Lafferty be
5 referred to as an Open Space Park?

6
7 Chairman Broad: That's fine as long as staff didn't have any problem with that change.

8
9 Commissioner O'Brien: Unless Ms. Tuft can make up a better name.

10
11 Chairman Broad: Would someone like to make a motion?

12
13 Commissioner Barrett: I move that we accept the Final EIR for Lafferty Ranch Park Open Space
14 Park as presented.

15
16 Commissioner Monteschio: I will second it.

17
18 Chairman Broad: And just to clarify that includes both item #1 and #2 in the staff report
19 recommendations. Ok, we have a motion and a second. Are we hooked up for voting? Ok lets have a vote.

20
21 A motion was made by Commissioner Barrett and seconded by Commissioner Monteschio to approve the
22 Final Environmental Impact Report for Lafferty Ranch Open Space Park as presented and to include both
23 items 1 and 2 in the staff report.

24
25 Commissioner Barrett: Yes

26 Commissioner Broad: Yes

27 Commissioner Glass: Yes

28 Commissioner Monteschio: Yes

29 Commissioner O'Brien: Yes

30 Commissioner Vieler: Yes

31 Commissioner Vouri: Yes

32
33 Chairman Broad: And thank you also to all the members of the community who have worked so
34 hard towards this end as well.

35
36
37 COMMISSION BUSINESS:

38
39 III. General Plan Workbook 1987 – 2005 Goals, Objectives and Policies Evaluation Workbook:
40 Planning Commission review and discussion of applicability/inapplicability of existing policies to
41 Petaluma General Plan 2000 – 2020.

42
43 **Pamela Tuft** – Presented background of Workbook. Update on balance of General Plan process;
44 tentatively identifying dates for meetings, water resources element greatly enhanced, draft scope to
45 City Council March 19. Would like Workbooks back by March 9.

46
47 **Chair Broad** – If General Plan scope changes, bring this back to Planning Commission for comment.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IV. LIAISON REPORTS:

- City Council - None**
 - **SPARC Shollenberger parking lot becoming very crowded (will speak to Jim Carr).**
 - **Petaluma Bicycle Advisory Committee – None**
 - **Tree Advisory Committee – Reported on tree planting along Lynch Creek Trail.**
-

COMMISSION DISCUSSION:

Commissioner Vieler apologized to **Chair Broad** regarding a letter presented to City Council regarding Basin Street project.

Chair Broad – Understands, accepts apology.

Commissioner Glass – How can Planning Commission let all interested parties have input?

Commissioner O’Brien – We have spent time on this item the last three meetings, should be agendaized for City Council.

Chair Broad – Would like item brought to City Council?

Commissioner Vouri – Is it the will of City Attorney to speak about specific project at City Council? Planning Commission would like to see this discussed specifically or in general at least.

Commissioner Vieler – Will be verbal (or written) liaison at City Council meeting regarding Planning Commission’s opinion of process for Basin Street project.

Chair Broad – Will support that if discussion is not expanded beyond review allowed; would like City Attorney comments; does not agree with all points in letter.

ADJOURNMENT: 11:20 PM.