

**CONCURRENT REGULAR MEETINGS OF THE  
SONOMA CITY COUNCIL  
&  
SONOMA CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE  
DISSOLVED SONOMA COMMUNITY DEVELOPMENT AGENCY**

Community Meeting Room, 177 First Street West, Sonoma CA



**Monday, September 21, 2015**

**6:00 p.m.**

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**MINUTES**

City Council  
David Cook, Mayor  
Laurie Gallian, Mayor Pro Tem  
Madolyn Agrimonti  
Gary Edwards  
Rachel Hundley

**OPENING**

Mayor Cook called the meeting to order at 6:00 p.m. Bruce Cohn led the Pledge of Allegiance.

CITY COUNCILMEMBERS PRESENT: Edwards, Gallian, Hundley, Agrimonti and Mayor Cook  
ABSENT: None

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, City Attorney Walter, Planning Director Goodison, Public Works Director Takasugi, Finance Director Hilbrandts.

**1. COMMENTS FROM THE PUBLIC**

Frank Windes, Michelle Richey, Dave Ransom and Christine Missmer spoke about the lack of affordable housing and urged the City Council to address the matter.

Lin Marie deVincent, Bonnie Joy Kaslan and Gary Hermes urged the City Council to continue their support of the Mobilehome Park Rent Control ordinance.

Paul Watts stated his concern that Caltrans was not using the Continental Crosswalk model in Sonoma and requested the City Council to put pressure on them to do so.

Matt Metzler asked the City Council to revisit the issue of the Newcomb Street bicycle bridge.

**2. MEETING DEDICATIONS**

Mayor Cook dedicated the meeting to all those who were helping the Lake County fire victims.

**3. PRESENTATIONS**

**Item 3A: Sonoma Music Festival Weekend Proclamation**

Mayor Cook read aloud the proclamation naming October 2-4, 2015 Sonoma Music Festival Weekend and presented it to Bruce Cohn.

**4. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL**

**Item 4A: Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only.**

**Item 4B: Approval of the Minutes of the September 9, 2015 City Council Meeting.**

**Item 4C: Adoption of a resolution distributing Growth Management allocations for the 2015-16 development year. (Res. No. 33-2015)**

**Item 4D: Adoption of a Resolution denying an appeal of the Planning Commission's decision to approve the application of Darrel Jones for an Exception to the FAR standards associated with a residential addition at 348 Patten Street. (Removed from consent, see below)**

**Item 4E: Adoption of a Resolution upholding an appeal of the Planning Commission's approval of an amendment to the Use Permit for Williams-Sonoma (605 Broadway) allowing events subject to a one-year review, among other conditions. (Res. No. 35-2015)**

#### 4. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL, Continued

- Item 4F:** Adopt Resolution Approving a Program Supplement Agreement 011-N to Administering Agency-State Agreement No. 04-5114R between the City of Sonoma and the State of California related to the Reimbursement of \$250,000 in Federal Aid Funding for the Napa Road Rehabilitation Project. (Res. No. 36-2015)
- Item 4G:** Approve a Resolution Authorizing the City Manager to Acquire and Certify Right-of-Way and to Execute Utility Agreements for Federally Funded Projects Administered by Caltrans. (Res. No. 37-2015)
- Item 4H:** Approve the Job Specification for the Classification of a Public Works Administrative Manager Position to the City's Classification Plan and Establish a Salary Range. (Res. No. 38-2015)

Clm. Agrimonti removed item 4D for separate discussion. The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Agrimonti, to approve the items remaining on the consent calendar. The motion carried unanimously.

- Item 4D:** Adoption of a Resolution denying an appeal of the Planning Commission's decision to approve the application of Darrel Jones for an Exception to the FAR standards associated with a residential addition at 348 Patten Street.

Clm. Agrimonti stated that she felt the appeal situation would have been a good opportunity for conflict resolution. It was moved by Clm. Gallian, seconded by Clm. Agrimonti, to adopt Res. No. 34-2015 entitled A RESOLUTION OF THE SONOMA CITY COUNCIL DENYING THE APPEAL OF DENNIS AND JOYCE DONNELLY REGARDING THE PLANNING COMMISSION DECISION TO APPROVE AN EXCEPTION TO FLOOR AREA RATIO STANDARDS IN ORDER TO LEGALIZE A RESIDENTIAL ADDITION ON THE PROPERTY LOCATED AT 348 PATTEN STREET. The motion carried unanimously.

#### 5. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL AS SUCCESSOR AGENCY

- Item 5A:** Approval of the Portions of the Minutes of September 9, 2015 City Council Meeting Pertaining to the Successor Agency.
- Item 5B:** Adoption of the FY 15-16B Recognized Obligation Payment Schedule [ROPS] for the period January 1, 2016 through June 30, 2016.

The public comment period was opened and closed with none received. It was moved by Clm. Hundley, seconded by Clm. Gallian, to approve the consent calendar as presented. The motion carried unanimously.

#### 6. PUBLIC HEARINGS

- Item 6A:** Discussion, consideration and possible action on an appeal of the Planning Commission's decision to deny the application of Richard Konecky for an Exception to the garage setback requirements associated with a residence located at 753 Third Street East.

**Clm. Edwards recused.** Clm. Edwards stated he would have to recuse because of a conflict of interest due to proximity. He stepped down from the dais and left the room.

Planning Director Goodison reported that in August 2014 the Planning Commission approved an application for exceptions to side yard setback requirements in conjunction with a proposal to substantially remodel and expand the residence located at 753 Third Street East. As presented to the Planning Commission, the project called for increasing the gross living area of the home from ±1,200 to ±2,320 square feet. The project design, as approved by the Planning Commission, included an attached carport on the north side of the property in line with the front of the home. The carport fulfilled a requirement for covered parking, as the garage associated with the residence was to be converted to living space as part of the remodel project. A carport was proposed at that time, rather than a garage, because the Development Code required that in new construction garages be placed 20 feet back from the face of the residence, a requirement that did not apply to carports. In February 2015, while the project was under construction, the applicant applied for an exception to enclose the carport as a garage. Although the applicant was able to demonstrate broad neighbor support for the proposal, it was ultimately not supported by the Planning Commission, which voted 5-0 to deny the application. That

**Item 6A:      Appeal - 753 Third Street East, Continued**

decision was not appealed. Subsequently, the applicant filed a second application to enclose the carport. Although this limitation was not specifically set forth in the Development Code, staff routinely discouraged the reapplication for a proposal that had been denied, especially during the first 12 months following the decision. However, because the applicant modified the request by changing the design of the proposed garage enclosure and raised a second and previously not considered alternative, the application was accepted and reviewed by the Planning Commission at its meeting of August 13, 2015. After holding a public hearing on the matter, the Commission voted 6-1 to deny the application. That decision was appealed by the property owner. Goodison stated that, in accordance with the standard practice of supporting Commission decisions, staff recommended that the City Council deny the appeal, thereby upholding the decision of the Planning Commission. Goodison read a letter of support for the appeal from a neighboring property owner that had been received after the agenda packet was prepared.

Clm. Hundley confirmed that the setback requirement had been added to the Development Code in 2003 after the development of most of the homes in that area.

Mayor Cook invited comments from the public. Appellant Richard Konecky stated that his goal had been to enlarge the home in keeping with the style and feel of the neighborhood. He noted that although he could have, he did not build to the maximum Floor Area Ratio and did not construct a second story. He explained that that after construction began a robbery occurred at the property causing security to become a paramount concern and he felt the carport was no longer a good idea. Konecky stated that he had the overwhelming support of his neighbors who would prefer to see an enclosed garage rather than the carport. He asked the Council to look at the common sense of his proposal and to consider the security of the future residents of the home.

Paula Parks stated her support for the appeal. She noted other instances of burglaries in the neighborhood and stated that she had to install a security system at her home.

Kathy O'Neil supported the appeal. She also stated the need for security in the neighborhood and felt a garage would be an esthetic improvement.

Andrew Fenton stated his concern about security and that a garage would look better.

Matt McGinty stated he did not understand why the Planning Commission did not approve the request for a garage.

In response to the question by Clm. Agrimonti, Goodison explained that the second exception application was accepted because they had made design changes. Clm. Gallian commented that the garage should have been included with the first application enabling the Planning Commission to consider the full scope of the project. She stated her agreement with the Planning Commission's decision.

Clm. Hundley stated she also agreed with the Planning Commission and could not think of a reason to overturn their decision. Mayor Cook agreed. It was moved by Clm. Gallian, seconded by Clm. Hundley, to deny the appeal. The motion carried unanimously, Edwards absent.

**Clm. Edwards returned.** Clm. Edwards returned to the dais.

**Item 6B:      Discussion, consideration and possible action on an Ordinance amending the Development Code to define "Prescribed Grazing" and identify it as a conditionally-allowed use in the Park zone.**

Planning Director Goodison provided the history of the Montini Preserve and explained that a code amendment was necessary to allow the continued grazing of the land. The proposed ordinance would identify Prescribed Grazing as a conditionally-allowed use in the "Park" zone. Prescribed Grazing refers to the practice of grazing as a means of vegetation management. The Planning Commission reviewed the ordinance and recommended its adoption.

In response to the question from Clm. Agrimonti, Goodison explained that grazing was authorized in the Montini Preserve Management Plan. The public comment period was opened and closed with none received. It was moved by Clm. Edwards, seconded by Clm. Gallian, to introduce the ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING TITLE 19 OF THE SONOMA MUNICIPAL CODE BY ESTABLISHING 'PRESCRIBED GRAZING" AS A CONDITIONALLY-ALLOWED USE IN THE "PARK" ZONE. The motion carried unanimously.

**7. REGULAR CALENDAR – CITY COUNCIL**

**Item 7A: Discussion, consideration and possible action to introduce an ordinance relating to the automatic appointment of commission alternates**

City Manager Giovanatto reported that the ordinance had been prepared pursuant to Council's June 1, 2015 direction to make appointment of alternate commissioners automatic. She explained that when the alternate position was created, the Council determined that alternates must be qualified electors of the City {an elector is a US citizen, 18 years of age and a resident of the City}. For that reason staff drafted the ordinance to effectuate the automatic appointment of an alternate only when the vacancy was that of an elector position. To do otherwise would, in some instances, result in there not being any non-electors on the commissions.

Mayor Cook invited comments from the public. Jack Wagner spoke in favor of the change.

Clm. Hundley stated that she felt Alternates should be bumped up in all instances not just when the position was for a City resident. It was moved by Clm. Gallian, seconded by Clm. Edwards, to introduce the ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING SECTION 2.40 OF THE SONOMA MUNICIPAL CODE RELATING TO THE APPOINTMENT OF ALTERNATE COMMISSIONERS. The motion carried four to one, Clm. Hundley dissented.

**8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY**

**9. COUNCILMEMBERS' REPORTS AND COMMENTS**

Clm. Hundley reported on the Legislative Committee meeting.

Clm. Edwards requested discussion of additional restrictions of vacation rentals be on a future agenda.

Clm. Gallian reported on the Transportation and Regional Climate Protection Authority meetings.

Clm. Agrimonti also reported on the Transportation Authority meeting.

Clm. Edwards reported on his trip to Penglai China with the Sonoma Penglai Sister City group and display gifts to the City that had been sent back with him.

Mayor Cook reported on the Library Advisory Committee meeting.

**10. CITY MANAGER COMMENTS AND ANNOUNCEMENTS INCLUDING ANNOUNCEMENTS FROM SUCCESSOR AGENCY STAFF**

City Manager Giovanatto reported that the CDC released an RFP for development of affordable housing on the Broadway property previously owned by the Sonoma Community Development Agency. She also reported the kickoff of the 2015 slurry seal project and on the vacation rental monitoring program.

**11. COMMENTS FROM THE PUBLIC - None**

**12. ADJOURNMENT**

The meeting was adjourned at 7:45 p.m. Mayor Cook dedicated the meeting to all those who were helping the Lake County fire victims.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 5<sup>th</sup> day of October 2015.

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Gay Johann  
Assistant City Manager / City Clerk