

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

Community Meeting Room, 177 First Street West, Sonoma CA



**Monday, October 19, 2015**

**6:00 p.m.**

\*\*\*\*

**AGENDA**

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

Be Courteous - **TURN OFF** your cell phones and pagers while the meeting is in session.

**OPENING**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**  
**ROLL CALL** (Gallian, Hundley, Agrimonti, Edwards, Cook)

**1. COMMENTS FROM THE PUBLIC**

*At this time, members of the public may comment on any item not appearing on the agenda. It is recommended that you keep your comments to three minutes or less. Under State Law, matters presented under this item cannot be discussed or acted upon by the City Council at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for Council consideration. Upon being acknowledged by the Mayor, please step to the podium and speak into the microphone. Begin by stating and spelling your name.*

**2. MEETING DEDICATIONS**

**3. PRESENTATIONS**

**Item 3A:** Presentation by the Sonoma County Water Agency (SCWA) regarding their Proposed Sewer Lateral Regulations

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

*All items listed on the Consent Calendar are considered to be routine and will be acted upon by a single motion. There will be no separate discussion of these items unless members of the Council, staff, or public request specific items to be removed for separate action. At this time Council may decide to change the order of the agenda.*

**Item 4A:** Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only. (Standard procedural action - no backup information provided)

**Item 4B:** Approval of the allocation of a City funded rental at the Sonoma Veteran's Memorial Building as requested by Sonoma Community Center for the annual Thanksgiving Dinner.  
Staff Recommendation: Approve the allocation.

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

**Item 4C:** Adopt resolution approving the Final Parcel Map for the 7-lot Parcel Map at 800 West Spain St. known as Hatchery Lane Subdivision Parcel Map No. 441.  
Staff Recommendation: Adopt resolution.

**Item 4D:** Execution of purchase agreement for a new 2016 Chevrolet Tahoe 4x4 command/utility vehicle for the fire department.  
Staff Recommendation: Authorize the purchase.

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

**6. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL AS BOARD OF APPEALS**

**Item 6A:** **ADOPTION OF A RESOLUTION PARTIALLY GRANTING THE APPEAL OF THE JULY 17, 2015 NUISANCE AND SAFETY VIOLATION AND ORDER ISSUED BY THE CITY BUILDING DEPARTMENT FOR 20141 BROADWAY.**  
Staff Recommendation: Adopt the resolution partially granting the appeal.

**7. PUBLIC HEARING - None scheduled**

**8. REGULAR CALENDAR – CITY COUNCIL**

*(Matters requiring discussion and/or action by the City Council)*

**Item 8A:** Discussion, consideration, and possible action to Approve the Principles for Developing Governance Options for the Sonoma Valley Groundwater Basin under the Sustainable Groundwater Management Act (SGMA). (Public Works Director/City Engineer)  
Staff Recommendation: Receive presentation and approve the Principles for Developing Governance Options for the Sonoma Valley Groundwater Basin under the Sustainable Groundwater Management Act.

**Item 8B:** Discussion, Consideration and Possible Action to Provide Direction on Options for an Ordinance Regulating Second-Hand Smoke by Prohibiting Smoking in and Around Workplaces, Public Places and Multi-Unit Housing.  
Staff Recommendation: Staff is seeking direction on provisions for consideration in a future update to Sonoma Municipal Code Chapter 7.24: Smoking Regulations.

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

*(Matters requiring discussion and/or action by the Council as the Successor Agency)*

**10. COUNCILMEMBERS' REPORTS AND COMMENTS**

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

**12. COMMENTS FROM THE PUBLIC**

*At this time, members of the public may comment on any item not appearing on the agenda*

**13. ADJOURNMENT**

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on October 15, 2015. Gay Johann, Assistant City Manager/City Clerk

***Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are normally available for public inspection the Wednesday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the City Council regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the City Clerk's office, No. 1 The Plaza, Sonoma CA during regular business hours.***

***If you challenge the action of the City Council in court, you may be limited to raising only those issues you or someone else raised at the public hearing described on the agenda, or in written correspondence delivered to the City Clerk, at or prior to the public hearing.***

***In accordance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk (707) 933-2216. Notification 48-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.***



**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 3A

Meeting Date: 10/19/2015

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**Department**

Public Works

**Staff Contact**

Dan Takasugi, Public Works Director / City Engineer

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**Agenda Item Title**

Presentation by the Sonoma County Water Agency (SCWA) regarding their Proposed Sewer Lateral Regulations

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**Summary**

Sewage works systems (facilities for collecting, pumping, treating and disposing of sewage or wastewater) are designed to handle sewage flows from houses and businesses plus some additional flow from infiltration and inflow. However, infiltration and inflow entering the system can be much higher than the collection, pumping, or treatment systems' designed capacity when there is infiltration above design parameters due to deteriorated sewer pipes or significant sources of rainwater inflow. Such stresses on sewer collection, pumping, and/or treatment capacity can result in sewage spills which may pose a risk to public health and the environment. In addition to causing sewage spills, high flows can also affect the ability of the treatment plant to adequately treat the wastewater to permit required standards.

The SCWA is proposing Sewer Lateral Regulations to reduce inflow and infiltration into the collection systems, thereby preventing or lowering the potential for sanitary sewer overflows to occur and reducing the amount of influent into the treatment plants, thereby potentially reducing the cost to operate the wastewater treatment and disposal facilities. Reducing additional flows may also result in less need to increase the size of sewer mains and trunks and for expansion of treatment and disposal facilities, further reducing costs to sewer ratepayers.

The Sonoma Valley County Sanitation District (District) currently has no specific requirement or program for testing of side sewers or repair or replacement of privately-owned building sewers which connect to residences and other commercial, industrial, and agricultural structures. The District believes there may be a significant contribution to infiltration and inflow from deteriorated building sewers. The purpose of the Proposed Sewer Lateral Regulations is to establish triggers for when testing of side sewers shall occur and when repair or replacement of building sewers will be necessary.

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**Recommended Council Action**

Receive the presentation and if desired, provide input to the Council's Sonoma Valley County Sanitation District Board Members (Mayor and Mayor Pro Tem) to present at the next scheduled Board meeting.

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**Alternative Actions**

Council discretion.

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**Financial Impact**

Future SCWA regulations may impact City sewer rate payers in yet-to-be-determined means and methods.

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**Environmental Review**

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

**Status**

- Approved/Certified
- No Action Required
- Action Requested

**Attachments:**

None.

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**Alignment with Council Goals:**

Indirectly supports the Infrastructure Council goal of providing reliable, safe and effective infrastructure throughout the City.

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**cc:**

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**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 4C

Meeting Date: 10/19/2015

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**Department**

Public Works

**Staff Contact**

Dan Takasugi, Public Works Director/City Engineer

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**Agenda Item Title**

Adopt resolution approving the Final Parcel Map for the 7-lot Parcel Map at 800 West Spain St. known as Hatchery Lane Subdivision Parcel Map No. 441

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**Summary**

The Tentative Map application for this proposed Final Parcel Map was approved by the Planning Commission on October 9, 2014. The project involves developing the 0.86-acre site with a residential Planned Development consisting of 7 detached single-family homes on individual lots. The City Engineer has reviewed the Final Map and has determined that it is in compliance with the Subdivision Map Act and the City's development code, and is in substantial compliance with the approved Tentative Map. Conditions of approval required for the Final Map approval will be met prior to recordation of the Final Map.

The public improvements of approved Improvement Plans have been constructed. A developer's letter of credit is being used for warranty security on the improvements.

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**Recommended Council Action**

Adopt resolution approving the Final Parcel Map for the 7-lot Parcel Map No. 441

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**Alternative Actions**

Council discretion.

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**Financial Impact**

The City will assume responsibility for the public improvements when the parcel map is recorded.

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**Environmental Review**

**Status**

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

- Approved/Certified
  - No Action Required
  - Action Requested
- 

**Attachments:**

Resolution  
Final Map

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**Alignment with Council Goals:**

This item is not directly related to any stated in Council Goals.

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**cc:**

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**CITY OF SONOMA**

RESOLUTION NO. \_\_ -2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA  
APPROVING THE FINAL MAP FOR THE 7-LOT HATCHERY LANE SUBDIVISION  
PARCEL MAP NUMBER 441 AT 800 WEST SPAIN STREET  
AND ACCEPTING OFFERS OF DEDICATION

WHEREAS, the City Council is requested to approve the Final Map for the 7-lot Hatchery Lane Subdivision Parcel Map Number 441 at 800 West Spain Street and accept offers of dedication made thereon;

WHEREAS, the required improvements of the approved Improvement Plans have been completed and accepted by the City Engineer;

WHEREAS, the City Engineer has reviewed the Final Map and has determined that it complies with all applicable provisions of the development code and the Subdivision Map Act; and,

WHEREAS, the City Engineer has reviewed the Final Map and has determined that it is in substantial compliance with the Tentative Map approved on October 9, 2014.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sonoma hereby approves the Final Map and accepts all of the offers of dedication made thereon, subject to meeting conditions of approval required for the Final Map.

ADOTPED the 19<sup>th</sup> day of October, 2015, by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
David Cook, Mayor

ATTEST:

\_\_\_\_\_  
Gay Johann  
Assistant City Manager / City Clerk

**OWNER'S STATEMENT**

I HEREBY CERTIFY THAT CAYMUS CAPITAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY IS THE SOLE OWNER OF AND HAS THE RIGHT, TITLE, AND INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND IS THE ONLY BODY WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, AND THAT CAYMUS CAPITAL, LLC. CONSENTS TO THE MAKING AND FILING OF SAID MAP OF THE SUBDIVISION SHOWN WITHIN THE BORDER LINES, AND HEREBY DEDICATE TO PUBLIC USE, PUBLIC UTILITY EASEMENTS, EMERGENCY VEHICLE ACCESS EASEMENTS, PUBLIC WATER EASEMENTS, EXCEPT EASEMENTS DESIGNATED AS PRIVATE, AS SHOWN ON SAID MAP, WITHIN SAID SUBDIVISION.

OWNER: CAYMUS CAPITAL, LLC, A DELAWARE LIMITED LIABILITY COMPANY.

BY:

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
ED ROUTHIER

A notary or other public officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

**NOTARY PUBLIC CERTIFICATE**

STATE OF CALIFORNIA  
COUNTY OF SONOMA

ON, \_\_\_\_\_, 2015, BEFORE ME, \_\_\_\_\_, NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY COMMISSION NO. \_\_\_\_\_

**TRUSTEE'S CERTIFICATE**

FIDELITY NATIONAL TITLE INSURANCE COMPANY, A CALIFORNIA CORPORATION, TRUSTEE UNDER DEED OF TRUST RECORDED UNDER DOCUMENT NUMBER 2015-053841, OFFICIAL RECORDS OF SONOMA COUNTY, HEREBY CONSENTS TO THE MAKING AND FILING OF THIS MAP.

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

A notary or other public officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

**NOTARY PUBLIC CERTIFICATE**

STATE OF CALIFORNIA  
COUNTY OF SONOMA

ON, \_\_\_\_\_, 2015, BEFORE ME, \_\_\_\_\_, NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND AND OFFICIAL SEAL.

SIGNATURE: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_  
NOTARY COMMISSION NO. \_\_\_\_\_

**COUNTY CLERK'S CERTIFICATE**

I CERTIFY THAT ALL BONDS, MONEY, OR NEGOTIABLE BONDS REQUIRED UNDER THE PROVISIONS OF THE SUBDIVISION MAP ACT TO SECURE THE PAYMENT FOR TAXES AND ASSESSMENTS HAVE BEEN FILED WITH, AND APPROVED BY, THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, NAMELY: BOND(S) UNDER GOVERNMENT CODE SECTIONS 66493(A) AND 66493(C) IN THE SUMS OF \$ \_\_\_\_\_ AND \$ \_\_\_\_\_ RESPECTIVELY.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
CLERK OF THE BOARD OF SUPERVISORS  
COUNTY OF SONOMA  
STATE OF CALIFORNIA

**COUNTY TAX COLLECTOR'S CERTIFICATE**

ACCORDING TO THE RECORDS IN THE OFFICE OF THE UNDERSIGNED, THERE ARE NO LIENS AGAINST THIS SUBDIVISION, OR ANY PARTS THEREOF, FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE. MY ESTIMATE OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE IS \$ \_\_\_\_\_

THE LAND IN SAID SUBDIVISION IS NOT SUBJECT TO A SPECIAL ASSESSMENT OR BOND WHICH MAY BE PAID IN FULL.

DATED \_\_\_\_\_, 2015

\_\_\_\_\_  
TAX COLLECTOR  
COUNTY OF SONOMA,  
STATE OF CALIFORNIA

**RECORD TITLE INTEREST NOTE**

SIGNATURES OF OWNERS OF THE FOLLOWING INTERESTS HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436 OF THE SUBDIVISION MAP ACT; THEIR INTEREST IS SUCH THAT IT CANNOT RIPEN INTO A FEE TITLE AND SUCH SIGNATURES ARE NOT REQUIRED BY THE GOVERNING BODY:

NAMES	RECORDED	NATURE OF INTEREST
SONOMA VALLEY COUNTY SANITATION DISTRICT	2015-047681	SANITARY SEWER EASEMENT

**COUNTY RECORDER'S CERTIFICATE**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015, AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF MAPS, AT PAGE \_\_\_\_\_, IN THE OFFICE OF THE COUNTY RECORDER, AT THE REQUEST OF COUNTY CLERK.

FEE \$ \_\_\_\_\_

SIGNED \_\_\_\_\_  
COUNTY RECORDER  
COUNTY OF SONOMA  
STATE OF CALIFORNIA

DOCUMENT NO. \_\_\_\_\_

BY: \_\_\_\_\_

**CITY ENGINEERS CERTIFICATE**

I HEREBY STATE THAT THE MAP OF THIS SUBDIVISION WAS EXAMINED BY ME OR UNDER MY DIRECTION, THAT IT IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AS AMENDED AND OF ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT. I HEREBY APPROVE THE SUBDIVISION SHOWN ON THIS MAP AND ACCEPT, SUBJECT TO IMPROVEMENT, THE PUBLIC UTILITY EASEMENTS, EMERGENCY VEHICLE ACCESS EASEMENTS AND PUBLIC WATER EASEMENTS AS SHOWN ON SAID MAP. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

DATED \_\_\_\_\_

SIGNED: \_\_\_\_\_  
DAN TAKASUGI, CITY ENGINEER  
RCE 72776  
LICENSE EXPIRES 6/30/2016

I HEREBY STATE THAT THE MAP OF THIS SUBDIVISION WAS EXAMINED BY ME OR UNDER MY DIRECTION, ON BEHALF OF THE CITY ENGINEER AND I AM SATISFIED THAT THE SAID MAP IS TECHNICALLY CORRECT

DATED \_\_\_\_\_

SIGNED: \_\_\_\_\_  
RICHARD A. MADDOCK,  
PLS 8131  
LICENSE EXPIRES 12/30/2016

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF CAYMUS CAPITAL, LLC IN DECEMBER 2014. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY, AND MONUMENTS SHOWN HEREON ARE OR WILL BE SET WITHIN ONE YEAR FROM THE DATE OF FILING OF THIS MAP AND THAT SAID MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATE \_\_\_\_\_, 2015

SIGNED \_\_\_\_\_  
BRUCE E. JARVIS  
P.L.S. 5143  
LICENSE EXPIRES 6/30/15



**CERTIFICATE SHEET  
FINAL MAP NO A-441**

CITY OF SONOMA COUNTY OF SONOMA  
STATE OF CALIFORNIA

7 LOTS 1 PARCEL 0.86 ACRES

BEING A SUBDIVISION OF THE LANDS OF CAYMUS CAPITAL, LLC, AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NUMBER 2013-123166 OF OFFICIAL RECORDS OF SONOMA COUNTY, LYING ENTIRELY WITHIN THE COUNTY OF SONOMA, STATE OF CALIFORNIA.



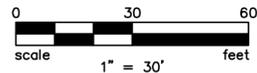
CIVIL ENGINEERS • URBAN PLANNERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS  
15 THIRD STREET, SANTA ROSA, CA 95401  
TEL (707) 542-6451 FAX (707) 542-5212

SEPTEMBER 2015 SHEET 1 OF 3 SHEETS  
A.P.N. 127-204-022 JOB NO.2014006.00

EASEMENT TABLE			
AREA	LOT	PUBLIC EASMENT	PRIVATE EASEMENT
A	1	PUE, WE, EVA, & EX SSE	PSDE & PAE IFO LOTS 2-7
B	2	PUE, WE, EVA, & EX SSE	PSDE & PAE IFO LOTS 1 & 3-7
C	3	PUE, WE, EVA, & EX SSE	PSDE & PAE IFO LOTS 1, 2, & 4-7
D	4	PUE, WE, EVA, & EX SSE	PSDE & PAE IFO LOTS 1-3, & 5-7
E	7	PUE, WE, EVA, & EX SSE	PSDE & PAE IFO LOTS 1-6
F	5	PUE, WE, EVA, & EX SSE	PSDE & PAE IFO LOTS 1-4, 6 & 7
G	5		PWE & PAE IFO LOT 6
H	6		PSDE IFO LOT 5
I	7		PSDE IFO LOT 6
J	4		PSDE IFO LOTS 5-7
K	3		PSDE IFO LOTS 4-7
L	2		PSDE IFO LOTS 3-7
M	1		PSDE IFO LOTS 2-7
N	2		PSDE IFO LOT 3

SONOMA COMMONS  
BK 549 MAPS,  
PAGE 29-31  
PARCEL B

SONOMA COMMONS  
BK 549 MAPS,  
PAGE 29-31  
PARCEL A



**NOTES**

ALL DISTANCES AND DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.  
ALL TIES ARE AT RIGHT ANGLES UNLESS OTHERWISE NOTED  
THE DISTINCTIVE BORDER INDICATES THE LAND BEING SUBDIVIDED BY THIS MAP.  
SEE SHEET 3 OF 3 FOR ALL LOCAL AGENCY REQUIRED INFORMATION AFFECTING THIS SUBDIVISION.  
A SEPARATE SEWER CONNECTION PERMIT FOR EACH LOT IN THIS SUBDIVISION SHALL BE OBTAINED PRIOR TO OCCUPANCY OF ANY BUILDING CONSTRUCTED ON THE LOT. ALL FEES SHALL BE PAID TO, AND ALL SEWER CONSTRUCTION SHALL BE INSPECTED AND ACCEPTED BY THE SONOMA COUNTY PERMIT AND RESOURCES MANAGEMENT DEPARTMENT PRIOR TO OCCUPANCY OF THE BUILDING.

**LEGEND**

- SUBDIVISION BOUNDARY
- LOT LINE
- EASEMENT
- FOUND IRON PIPE AS NOTED
- FOUND CITY MONUMENT
- SET 1/2" IRON PIPE TAGGED PLS 5143
- △ SET 1" COPPER DISC STAMPED PLS 5143
- EVA EMERGENCY VEHICLE ACCESS EASEMENT
- PAE PRIVATE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- PWE PRIVATE WATER EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- SSE PUBLIC SANITARY SEWER EASEMENT
- WE PUBLIC WATER EASEMENT
- SCR SONOMA COUNTY RECORDS
- IFO IN FAVOR OF
- ( ) RECORD DATA
- M MEASURED
- EX EXISTING

**BASIS OF BEARINGS**

BEING S82°24'22"E ALONG THE CENTERLINE OF WEST SPAIN STREET AS SHOWN ON PARCEL MAP NO 114 RECORDED IN BOOK 574 OF MAPS AT PAGES 12-13, SONOMA COUNTY RECORDS.

**REFERENCE**

- R1- GRANT DEED RECORDED UNDER DN 2013-123166
- R2- PM NO. 114 574 MAPS, PGS 12-14
- R3- PM NO. 122 600 MAPS, PGS 22-23

**MAP SHEET  
FINAL MAP NO A-441**

CITY OF SONOMA COUNTY OF SONOMA  
STATE OF CALIFORNIA

7 LOTS 1 PARCEL 0.86 ACRES

BEING A SUBDIVISION OF THE LANDS OF CAYMUS CAPITAL, LLC, AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NUMBER 2013-123166 OF OFFICIAL RECORDS OF SONOMA COUNTY, LYING ENTIRELY WITHIN THE COUNTY OF SONOMA, STATE OF CALIFORNIA.

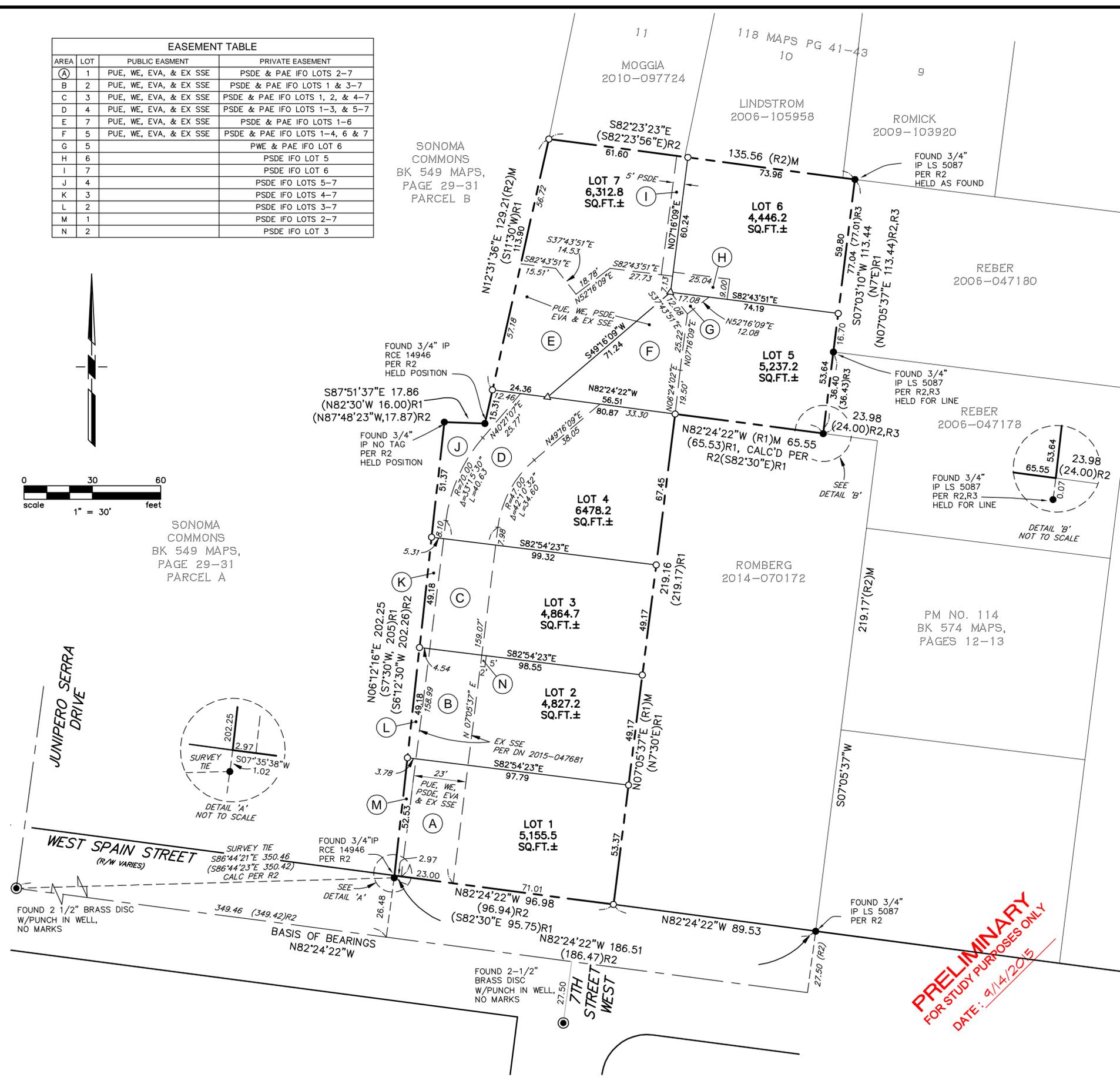
**CARLILE • MACY**

CIVIL ENGINEERS • URBAN PLANNERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS  
15 THIRD STREET, SANTA ROSA, CA 95401  
TEL (707) 542-6451 FAX (707) 542-5212

AUGUST 2015  
A.P.N. 127-204-022

SHEET 2 OF 3 SHEETS  
JOB NO.2014006.00

**PRELIMINARY  
FOR STUDY PURPOSES ONLY  
DATE: 9/14/2015**



**NOTES**

THE DATA SHOWN ON THIS SHEET IS FOR INFORMATIONAL PURPOSES, DESCRIBING CONDITIONS AS OF THE DATE OF FILING, AND IS NOT INTENDED TO AFFECT RECORD TITLE INTEREST.

RECORD TITLE INTEREST AND ENCUMBRANCES WERE BASED ON A TITLE REPORT BY FIDELITY NATIONAL TITLE COMPANY DATED JANUARY 05, 2015 THE SURVEYOR DOES NOT ASSUME LIABILITY FOR THE TITLE SEARCH.

A SOILS REPORT PERTAINING TO THIS SUBDIVISION IS ON FILE AT THE DEPARTMENT OF COMMUNITY DEVELOPMENT ENGINEERING DIVISION, REPORT BY: BAUER ASSOCIATES, TITLED GEOTECHNICAL INVESTIGATION DATED DECEMBER, 18 2014.

THIS PROJECT IS SUBJECT TO THE LATEST ADOPTED ORDINANCES, RESOLUTIONS, POLICIES, AND FEES, INCLUDING BUT NOT LIMITED TO SCHOOL IMPACT FEES ADOPTED BY THE CITY COUNCIL AT THE TIME OF THE BUILDING PERMIT REVIEW AND APPROVAL.

THIS SUBDIVISION IS LOCATED WITHIN THE SONOMA VALLEY UNIFIED SCHOOL DISTRICT. THE FACILITIES OF WHICH WILL BE ADVERSELY AFFECTED BY THE STUDENTS EXPECTED TO BE GENERATED BY THIS SUBDIVISION. TO MITIGATE THIS EFFECT, THIS SUBDIVISION IS MADE SUBJECT TO THE CITY'S POLICY WITH REGARD TO SUCH IMPACTS AS THAT POLICY NOW EXISTS OR AS IT MAY BE AMENDED, EXTENDED, OR REVISED IN THE FUTURE. PRESENT CITY POLICY REQUIRES THE PAYMENT OF SCHOOL IMPACT FEES FOR EACH BUILDING PERMIT ON EACH LOT INCLUDING WITHIN THE FINAL/PARCEL MAP OF THIS SUBDIVISION. THE EXACT SCHOOL IMPACT FEE, IF ANY, THE DEVELOPER OF THIS SUBDIVISION WILL HAVE TO PAY WILL BE THE FEE IN EFFECT AT THE TIME THE DEVELOPER APPLIES FOR BUILDING PERMITS FOR RESIDENTIAL STRUCTURES WITHIN THIS SUBDIVISION.

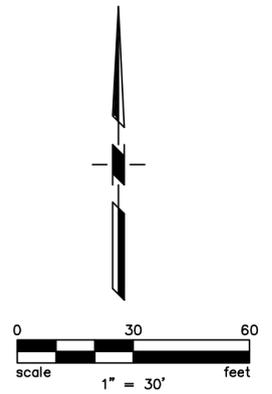
PARK FEES IN EFFECT AT THE TIME OF THE BUILDING PERMIT ISSUANCE SHALL BE PAID WHEN THE BUILDING PERMIT IS ISSUED.

NO STRUCTURES OTHER THAN PROPERTY LINE FENCES SHALL BE OUTSIDE OF THE BUILDING ENVELOPE/SETBACK. PROPERTY LINE FENCES SHALL NOT EXCEED THREE FEET IN HEIGHT WITHIN THE FRONT SETBACK.



ASSOCIATION MAINTENANCE AREA FOR DRIVEWAY MAINTENANCE & LANDSCAPE MAINTENANCE AGREEMENT AREA = 10,457 SQ.FT.±

SONOMA COMMONS BK 549 MAPS, PAGE 29-31



**PRELIMINARY**  
FOR STUDY PURPOSES ONLY  
DATE: 9/14/2015

**SUPPLEMENTAL INFORMATION AFFECTING FINAL MAP NO A-441**

CITY OF SONOMA COUNTY OF SONOMA  
STATE OF CALIFORNIA  
7 LOTS 1 PARCEL 0.86 ACRES  
BEING A SUBDIVISION OF THE LANDS OF CAYMUS CAPITAL, LLC, AS DESCRIBED BY DEED RECORDED UNDER DOCUMENT NUMBER 2013-123166 OF OFFICIAL RECORDS OF SONOMA COUNTY, LYING ENTIRELY WITHIN THE COUNTY OF SONOMA, STATE OF CALIFORNIA.



CIVIL ENGINEERS • URBAN PLANNERS • LAND SURVEYORS • LANDSCAPE ARCHITECTS  
15 THIRD STREET, SANTA ROSA, CA 95401  
TEL (707) 542-6451 FAX (707) 542-5212

**LEGEND**  
MAINTENANCE\LANDSCAPE AGREEMENT AREA



*City of Sonoma*  
**City Council**  
**Agenda Item Summary**

**City Council Agenda Item: 4D**

**Meeting Date: 10/19/2015**

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**Department**

Fire

**Staff Contact**

Battalion Chief John Franceschi

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**Agenda Item Title**

Execution of purchase agreement for a new 2016 Chevrolet Tahoe 4x4 command/utility vehicle for the fire department.

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**Summary**

The Fire Department is in need of replacing the 2001 Jeep Cherokee 4x4 command/utility. This vehicle was scheduled for replacement in 2011 but the purchase has been deferred to 2015 with the revision of the Fire Department Vehicle Replacement Schedule in an attempt to get more service life out of the current vehicles. State government fleet purchasing and bid assistance programs were utilized to obtain the current bid which is good for 60 days. The total vehicle amount includes vehicle purchase, applicable sales tax paid directly to the State by the City and DOT code three lighting and siren package. A copy of the bid and spec sheet is included.

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**Recommended Council Action**

Accept the bid for the 2016 Chevrolet Tahoe 4x4 submitted by Sonoma Chevrolet utilizing fleet purchasing and the California bid assistance program. This makes the final destination purchase place within the city limits of Sonoma.

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**Alternative Actions**

Delay or reject purchase of the vehicle for the Fire Department.

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**Financial Impact**

Funding for this purchase will be from the Vehicle Replacement Reserve Fund. Sufficient funding is available for this purchase. Total cost to the City will be \$45,000.

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**Environmental Review**

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

**Status**

- Approved/Certified
- No Action Required
- Action Requested

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**Attachments:**

Vehicle Purchase Bid

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**cc:**

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### **STANDARD EQUIPMENT**

#### **STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

##### *ENTERTAINMENT*

- Audio system, AM/FM stereo with CD player and auxiliary input jack includes USB port
- Audio system feature, single-slot CD/MP3 player
- Audio system feature, 6-speaker system
- SiriusXM Satellite Radio, delete
- Bluetooth for phone personal cell phone connectivity to vehicle audio system
- OnStar with 4G LTE and built-in Wi-Fi hotspot to connect to the internet at 4G LTE speeds. includes 3GB or 3 months OnStar Data Trial (whichever comes first) (Requires (UE1) OnStar Guidance plan. Available 4G LTE Wi-Fi requires compatible mobile device, active OnStar subscription and data plan after trial)

##### *EXTERIOR*

- Wheels, 17" x 8" (43.2 cm x 20.3 cm) painted steel
- Tires, P265/70R17 all-terrain, blackwall
- Tire, spare P265/70R17 all-season, blackwall
- Wheel, full-size spare, 17" (43.2 cm) steel
- Tire carrier, lockable outside spare, winch-type mounted under frame at rear
- Fascia, front body-color
- Fascia, rear color-keyed
- Assist steps, Black
- Daytime Running Lamps, with automatic exterior lamp control
- Mirrors, outside heated power-adjustable, manual-folding and color keyed driver mirror includes spotter mirror
- Glass, deep-tinted (With (9C1) Police Vehicle or (5W4) Special Service Vehicle includes all windows, except light-tinted glass on windshield and driver- and front passenger-side glass)
- Wipers, front intermittent, Rainsense
- Wiper, rear intermittent with washer
- Liftgate, rear manual

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

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### **STANDARD EQUIPMENT**

#### **STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

##### *INTERIOR*

- Seating, front 40/20/40 split-bench, 3-passenger includes 6-way power driver and 2-way front passenger seat adjuster, driver and front passenger power lumbar control and power reclining, center fold-down armrest with storage, storage compartments in seat cushion (includes auxiliary power outlet), adjustable outboard head restraints and storage pockets (With vinyl, does not include (AG1) Driver 6-way power seat adjuster or (AG2) Front passenger 6-way power adjuster.)
- Seat trim, cloth
- Seat adjuster, driver power, multidirectional (Included and only available with (AZ3) 40/20/40 split-bench front seat )
- Seat adjuster, front passenger 6-way power
- Seats, second row 60/40 split-folding bench, manual
- Seat, third row manual 60/40 split-folding bench, fold flat
- Floor covering, Black rubberized-vinyl
- Steering column, Tilt-Wheel
- Steering wheel, urethane
- Steering wheel controls, mounted cruise controls
- Display, driver instrument information enhanced, one color
- Warning tones headlamp on, key-in-ignition, driver and right-front passenger safety belt unfasten and turn signal on
- Door locks, power programmable with lockout protection (With (9C1) Police Vehicle or (5W4) Special Service Vehicle, Auto Lockout is disabled on Driver door.)
- Remote Keyless Entry, extended-range
- Windows, power, with Express-Down and Express-Up on front doors and lock out features
- Cruise control, electronic with set and resume speed
- Climate control, tri-zone automatic with individual climate settings for driver, right-front passenger and rear passengers (With (9C1) Police Vehicle or (5W4) Special Service Vehicle, includes dual-zone automatic front and rear air conditioning electronic controls)
- Defogger, rear-window electric
- Power outlet, 110-volt

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### ***STANDARD EQUIPMENT***

#### **STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

- Mirror, inside rearview manual day/night
- Conversation mirror
- Assist handles, all seats (With (9C1) Police Vehicle or (5W4) Special Service Vehicle, front passenger assist handle is removed when (7X7) Spot lamps are ordered.)
- Lighting, interior with dome light, driver- and passenger-side door switch with delayed entry feature, cargo lights, door handle or Remote Keyless Entry-activated illuminated entry and map lights in front and second seat positions  
With (9C1) Police Vehicle or (5W4) Special Service Vehicle, interior lighting includes dome light, cargo lights, door handle or Remote Keyless Entry-activated illuminated entry and map lights in front and second seat positions
- Cargo management system
- Cargo net
- OnStar Basic plan for 5 years including limited RemoteLink mobile app services, Advanced Diagnostics and Dealer Maintenance Notification (Basic Plan available for 5 years from the date of vehicle delivery, and is transferable  
Does not include Emergency, Security or Navigation services.)

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### **STANDARD EQUIPMENT**

#### **STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

##### *MECHANICAL*

- Engine, 5.3L EcoTec3 V8 with Active Fuel Management, Direct Injection and Variable Valve Timing includes aluminum block construction (355 hp [265 kW] @ 5600 rpm, 383 lb-ft of torque [518 N-m] @ 4100 rpm)
- Transmission, 6-speed automatic, electronically controlled with overdrive and tow/haul mode
- Rear axle, 3.08 ratio (Not available with (NHT) Max Trailering Package.)
- Suspension Package, Premium Smooth Ride (Not available with (NHT) Max Trailering Package )
- GVWR, 7300 lbs. (3311 kg) (Requires 4WD model.)
- E85 FlexFuel capable
- Transfer case, active, single-speed, electronic Autotrac with rotary controls, does not include neutral Cannot be dinghy towed (Requires 4WD model. Not available with (NHT) Max Trailering Package )
- Differential, heavy-duty locking rear
- 4-wheel drive
- Air cleaner, high-capacity
- Cooling, external engine oil cooler, heavy-duty air-to-oil integral to driver side of radiator (With (9C1) Police Vehicle or (5W4) Special Service Vehicle includes heavy-duty oil-to-coolant integral to driver-side of radiator.)
- Cooling, auxiliary transmission oil cooler, heavy-duty air-to-oil
- Battery, 720 cold-cranking amps with 80 amp hour rating
- Alternator, 150 amps
- Trailering equipment includes trailering hitch platform, 7-wire harness with independent fused trailering circuits mated to a 7-way sealed connector and 2" trailering receiver
- Recovery hooks, Black, front, frame-mounted
- Suspension, front coil-over-shock with stabilizer bar
- Suspension, rear multi-link with coil springs
- Steering, power

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### **STANDARD EQUIPMENT**

#### **STANDARD EQUIPMENT - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

##### *SAFETY*

- Brakes, 4-wheel antilock, 4-wheel disc, VAC power
- StabiliTrak, stability control system with brake assist, includes traction control
- Air bags, frontal and side-impact for driver and front passenger and head curtain side-impact for all rows in outboard seating positions (Included and only available with (AZ3) 40/20/40 split-bench front seat. With (9C1) Police Vehicle or (5W4) Special Service Vehicle requires (AZ3) 40/20/40 split-bench front seat and (9U3) SEO front center seat (20% seat) delete. Always use safety belts and child restraints. Children are safer when properly secured in a rear seat in the appropriate child restraint. See the Owner's Manual for more information.)
- Automatic Occupant Sensing System sensor indicator inflatable restraint, front passenger/child presence detector
- OnStar Guidance Plan for 6 months including Automatic Crash Response, Stolen Vehicle Assistance, Roadside Assistance, Turn-by-Turn Navigation, Advanced Diagnostics and more (trial excludes Hands-Free Calling) (Visit [www.onstar.com](http://www.onstar.com) for coverage map, details and system limitations. Services may vary by model and conditions.)
- Rear Park Assist with audible warning
- Rear Vision Camera
- Safety belts, 3-point, driver and right-front passenger
- LATCH system (Lower Anchors and Top tethers for Children), for child safety seats; lower anchors and top tethers located in all second row seating positions, top tethers located in third row seating positions
- Tire Pressure Monitor System air pressure sensors in each tire with pressure display in Driver Information Center
- Theft deterrent, electrical, unauthorized entry

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### SELECTED MODEL & OPTIONS

#### SELECTED MODEL - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

<u>Code</u>	<u>Description</u>	<u>VQ2</u>	<u>MSRP</u>
CK15706	2016 Chevrolet Tahoe 4WD 4dr Commercial	\$45,000.00	\$50,000.00

#### SELECTED VEHICLE COLORS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

<u>Code</u>	<u>Description</u>
-	Interior: No color has been selected.
-	Exterior 1: No color has been selected.
-	Exterior 2: No color has been selected.

#### SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

##### CATEGORY

<u>Code</u>	<u>Description</u>	<u>VQ2</u>	<u>MSRP</u>
SUSPENSION PKG			
Z71	OFF-ROAD PACKAGE includes Z71 Suspension, Z71 specific skid plates, Z71-specific (RCV) 18" wheels, (RBX) off road tires, Z71-specific grille design, Z71-specific running boards, (T3U) fog lamps, (E01) Assist steps, (UD5) front and rear parking assist, (V76) black recovery hooks, Z71-specific front sill plates, (GU6) rear axle, (NQH) transfer case, Z71-specific rubber floor mats with logo, decal on cluster, pillar and liftgate badge, (JHD) Hill decent control and (K47) High capacity air cleaner (4WD models only. Not available with any LPO wheels.)	INC	INC
EMISSIONS			
YF5	EMISSIONS, CALIFORNIA STATE REQUIREMENTS	\$0.00	\$0.00
ENGINE			
L83	ENGINE, 5.3L ECOTEC3 V8 WITH ACTIVE FUEL MANAGEMENT, DIRECT INJECTION AND VARIABLE VALVE TIMING includes aluminum block construction (355 hp [265 kW] @ 5600 rpm, 383 lb-ft of torque [518 N-m] @ 4100 rpm) (STD)	\$0.00	\$0.00

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### ***SELECTED MODEL & OPTIONS***

#### **SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

#### **CATEGORY**

<u>Code</u>	<u>Description</u>	<u>VQ2</u>	<u>MSRP</u>
<b>TRANSMISSION</b>			
MYC	TRANSMISSION, 6-SPEED AUTOMATIC, ELECTRONICALLY CONTROLLED with overdrive and tow/haul mode (STD)	\$0.00	\$0.00
<b>AXLE</b>			
GU6	REAR AXLE, 3.42 RATIO (Included and only available with (NHT) Maximum Trailering Package. Is available with (5W4) Special Service Vehicle without (NHT) Maximum Trailering Package.)	\$0.00	\$0.00
<b>PREFERRED EQUIPMENT GROUP</b>			
1FL	COMMERCIAL PREFERRED EQUIPMENT GROUP Includes Standard Equipment *CREDIT*	\$0.00	\$0.00
<b>WHEEL TYPE</b>			
PZX	WHEELS, 18" X 8.5" (45.7 CM X 21.6 CM) ALUMINUM WITH HIGH-POLISHED FINISH	\$528.00	\$600.00
<b>TIRES</b>			
RC3	TIRES, P265/70R17 ALL-TERRAIN, BLACKWALL (STD)	INC	INC
<b>SPARE TIRE</b>			
ZBZ	TIRE, SPARE P255/70R17 ALL-SEASON, BLACKWALL (Included and only available with (5W4) Special Service Vehicle.)	INC	INC
<b>PAINT SCHEME</b>			
ZY1	PAINT SCHEME, SOLID APPLICATION	\$0.00	\$0.00
<b>PAINT</b>			
GAZ	SUMMIT WHITE	\$0.00	\$0.00
<b>SEAT TYPE</b>			
AZ3	SEATING, FRONT 40/20/40 SPLIT-BENCH, 3-PASSENGER includes 6-way power driver and 2-way front passenger seat adjuster, driver and front passenger power lumbar control and power reclining, center fold-down armrest with storage, storage compartments in seat cushion (includes auxiliary power outlet), adjustable outboard head restraints and storage pockets (With vinyl, does not include (AG1) Driver 6-way power seat adjuster or (AG2) Front passenger 6-way power adjuster.) (STD)	\$0.00	\$0.00
<b>SEAT TRIM</b>			

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## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### ***SELECTED MODEL & OPTIONS***

#### **SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

#### **CATEGORY**

<b><u>Code</u></b>	<b><u>Description</u></b>	<b><u>VQ2</u></b>	<b><u>MSRP</u></b>
SEAT TRIM			
H0U	JET BLACK, CLOTH SEAT TRIM	\$0.00	\$0.00
RADIO			
IO3	AUDIO SYSTEM, AM/FM STEREO WITH CD PLAYER AND AUXILIARY INPUT JACK includes USB port (STD)	\$0.00	\$0.00
GVWR			
C6A	GVWR, 7300 LBS. (3311 KG) (Requires 4WD model.)	\$0.00	\$0.00
ADDITIONAL EQUIPMENT			
5W4	IDENTIFIER FOR SPECIAL SERVICE VEHICLE (Must be specified.)	-\$5,002.80	-\$5,685.00
NQH	TRANSFER CASE, ACTIVE, 2-SPEED ELECTRONIC AUTOTRAC with rotary controls, includes neutral position for dinghy towing (Requires 4WD model. Included with (9C1) Police Vehicle, (5W4) Special Service Vehicle and (NHT) Maximum Trailering Package.)	INC	INC
NZZ	FRONT UNDERBODY SHIELD (Requires 4WD models and a Fleet or Government sales order type. Included with (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	INC	INC
K4B	BATTERY, AUXILIARY, 730 CCA	INC	INC
—	POWER SUPPLY, 100-AMP, AUXILIARY BATTERY, REAR ELECTRICAL CENTER (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
—	POWER SUPPLY, 50-AMP, POWER SUPPLY, AUXILIARY BATTERY passenger compartment wiring harness (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
—	POWER SUPPLY, 120-AMP, (4) 30-AMP CIRCUIT, PRIMARY BATTERY relay controlled, passenger compartment harness wiring (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
KW7	ALTERNATOR, 170 AMPS, HIGH OUTPUT (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
UT7	GROUND STUDS, AUXILLARY, REAR COMPARTMENT (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$77.44	\$88.00

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### **SELECTED MODEL & OPTIONS**

#### **SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

#### CATEGORY

<u>Code</u>	<u>Description</u>	<u>VQ2</u>	<u>MSRP</u>
<b>ADDITIONAL EQUIPMENT</b>			
—	LUGGAGE RACK, DELETE (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
6J7	FLASHER SYSTEM, HEADLAMP AND TAILLAMP, DRL COMPATIBLE with control wire (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$435.60	\$495.00
—	EXTERIOR ORNAMENTATION DELETE (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
VK3	LICENSE PLATE FRONT MOUNTING PACKAGE (Included on orders with ship-to-states that require a front license plate.)	\$0.00	\$0.00
WX7	WIRING, AUXILIARY SPEAKER (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$52.80	\$60.00
6J3	WIRING, GRILLE LAMPS AND SIREN SPEAKERS (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$80.96	\$92.00
6J4	WIRING, HORN AND SIREN CIRCUIT (Requires (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	\$36.08	\$41.00
—	DOOR HANDLES, BODY-COLOR (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
UN9	RADIO SUPPRESSION PACKAGE, WITH GROUND STRAPS (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	INC	INC
ATD	SEAT DELETE, THIRD ROW PASSENGER (Deletes rear storage compartment.) (Included with (9C1) Police Vehicle or (5W4) Special Service Vehicle.) *CREDIT*	INC	INC
—	INSTRUMENTATION, ANALOG with certified 140 mph speedometer, odometer with trip odometer, engine hour meter, fuel level, voltmeter, engine temperature, oil pressure and tachometer (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
—	KEY, 2-SIDED (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC

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### **SELECTED MODEL & OPTIONS**

#### **SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

#### **CATEGORY**

<u>Code</u>	<u>Description</u>	<u>VQ2</u>	<u>MSRP</u>
<b>ADDITIONAL EQUIPMENT</b>			
—	THEFT-DETERRENT SYSTEM, VEHICLE, PASS-KEY III (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
—	POWER OUTLETS, 4 AUXILIARY, 12-VOLT includes 1 on the instrument panel, 1 in armrest, and 2 in the cargo area (Included and only available with (9C1) Police Vehicle or (5W4) Special Service Vehicle.)	INC	INC
UE0	ONSTAR, DELETE (Requires a Fleet or Government sales order type. With (9C1) Police Vehicle or (5W4) Special Service Vehicle (UPF Bluetooth for phone is deleted when ordered.) *CREDIT*	-\$74.80	-\$85.00
—	SAFETY BELTS, 3-POINT, DRIVER AND FRONT PASSENGER IN ALL SEATING POSITIONS (Included with (9C1) Police Vehicle or (5W4) Special Service Vehicle only.)	INC	INC
R9Y	FLEET FREE MAINTENANCE CREDIT This option code provides a credit in lieu of the free oil changes, tire rotations and inspections (2 maximum), during the first 24 months and 24,000 miles period for this ordered vehicle. The invoice will detail the applicable credit. The customer will be responsible for all oil change, tire rotations and inspections costs for this vehicle. (Requires one of the following Fleet or Government order types: FBC, FBN, FCA, FCN, FLS, FNR, FRC or FGO. Not available with FDR order types.)	-\$118.80	-\$135.00
VQ2	FLEET PROCESSING OPTION	\$0.00	\$0.00
—	BID ASSISTANCE Authorization code:	\$0.00	\$0.00
9G3	SUSPENSION PACKAGE, OFF-ROAD includes (Z71) Off-Road suspension, (NQH) 2-speed active transfer case, (NZZ) Underbody Shield, (RD6) 17" x 8" painted steel wheels and (RC3) P265/70R17 all-terrain, blackwall tires ((RD6) 17" x 8" painted steel wheels may be upgraded to (PZX) 18" x 8.5" aluminum with high-polished finish wheels and (RC3) P265/70R17 all-terrain, blackwall tires may be upgraded to (R18) 265/65R18SL MT 114S blackwall tires. Not available with (NHT) Max Trailering Package or any LPO wheels.)	\$201.52	\$229.00

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 Primary FAN: 947098

**Prepared By:**  
 administrator  
 sonoma chevrolet  
 687 w napa st  
 sonoma, CA 95476  
 Phone: (707) 996-2141  
 Fax: (707) 996-5544  
 Email: sales@sonomachevy.com

## 2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

### ***SELECTED MODEL & OPTIONS***

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#### **SELECTED OPTIONS - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial**

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#### **CATEGORY**

<u>Code</u>	<u>Description</u>	<u>VQ2</u>	<u>MSRP</u>
<b>SPECIAL EQUIPMENT OPTIONS</b>			
9U3	SEATS, DRIVER AND PASSENGER FRONT INDIVIDUAL SEATS IN CLOTH TRIM Power driver and passenger bucket seats in base cloth trim. Derived from RPO (AZ3) 40-20-40 split bench seat with the 20% section removed. Does not include a floor console. All exposed floor area will remain untrimmed. (Requires (AZ3) 40/20/40 split bench seat, trim code (H0U) Jet Black cloth.)	\$0.00	\$0.00
VPV	SHIP THRU, PRODUCED IN ARLINGTON ASSEMBLY and shipped to Kerr Industries and onto Arlington Assembly	INC	INC
<b>OPTIONS TOTAL</b>		<b>-\$3,784.00</b>	<b>-\$4,300.00</b>

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

GM AutoBook, Data Version: 405.0, Data updated 9/22/2015  
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Customer File:

**Prepared For:**  
 City of Sonoma  
 1 The Plaza  
 Sonoma, CA 95476  
 Phone: (707) 975-0855  
 Primary FAN: 947098

**Prepared By:**  
 administrator  
 sonoma chevrolet  
 687 w napa st  
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 Email: sales@sonomachevy.com

2016 Fleet/Non-Retail Chevrolet Tahoe 4WD 4dr Commercial CK15706

**PRICING SUMMARY**

PRICING SUMMARY - 2016 Fleet/Non-Retail CK15706 4WD 4dr Commercial

	<u>VQ2</u>	<u>MSRP</u>
Base Price	\$45,000.00	\$50,000.00
Total Options:	-\$3,784.00	-\$4,300.00
Vehicle Subtotal	\$41,216.00	\$45,700.00
Advert/Adjustments	\$0.00	\$0.00
Destination Charge	\$1,195.00	\$1,195.00
<b>GRAND TOTAL</b>	<b>\$42,411.00</b>	<b>\$46,895.00</b>

+ 275 R18 tire OPTION  
 - 5200 Bid Assistance

\$ 37486 TOTAL Delivered  
 Sonoma CA

Dan E Roseland  
 DAN E. ROSELAND  
 Sonoma Chevrolet President  
 707-996-2141  
 sales@sonomachevy.com

Report content is based on current data version referenced. Any performance-related calculations are offered solely as guidelines. Actual unit performance will depend on your operating conditions.

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Customer File:



**CITY OF SONOMA**  
**Board of Appeals**  
**Agenda Item Summary**

City Council Agenda Item: 6A

Meeting Date: 10/19/2015

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**Department**

Building

**Staff Contact**

Ann Danforth / Special Counsel

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**Agenda Item Title**

ADOPTION OF A RESOLUTION PARTIALLY GRANTING THE APPEAL OF THE JULY 17, 2015 NUISANCE AND SAFETY VIOLATION AND ORDER ISSUED BY THE CITY BUILDING DEPARTMENT FOR 20141 BROADWAY

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**Summary**

On October 5, 2015, the City Council convened in its capacity as the City Board of Appeals and held a public hearing on property owner Irma Castillo's appeal of a Notice of Nuisance and Safety Violations and Order to Abate Said Violations, issued by the City Building Department for 20141 Broadway on July 17, 2015 ("Notice and Order"). The Board heard evidence that included, without limitation, the Notice and Order and the Supplemental Substandard Housing Inspection Report dated September 3, 2017 ("Inspection Report"). The Notice and Order and Inspection Report documented numerous substandard conditions and code violations that constituted threats to the health and safety of the occupant and the public. Attorney Greg Stubbs represented Appellant Castillo at the hearing. Mr. Stubbs said that the Appellant did not contest the findings or conclusions of the Notice and Order and Inspection Report. Mr. Stubbs stated that the Appellant did not have the funds to make the necessary repairs and would become homeless if forced to vacate by October 15, 2015 as provided in the Notice and Order. He said that the property had been placed on the market for sale and requested three or four additional weeks for Mrs. Castillo to vacate. The Board members were sympathetic to Mrs. Castillo's situation but concerned about the property's safety. In response to questioning, Building Official Wayne Wirick stated that the property contains safety hazards including, without limitation, the lack of an adequate roof covering the residence, rats, raw sewage and mold, and that portions of the ceiling will likely collapse when the rains begin. The Board adopted a motion (4-1) directing the Appellant to vacate the property on or before October 31, 2015 (the beginning of the normal rainy season) and (1) to decide whether to repair or demolish the substandard structures by November 30, 2015; (2) if she decides to make repairs, to provide the Building Department with a Structural Pest Inspection Report by December 30, 2015 and complete all repairs by January 26, 2016; and (3) if she decides to demolish, to complete demolition by December 30, 2015, all as set forth in the attached draft Resolution.

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**Recommended Council Action**

Adopt the draft Resolution partially granting the appeal.

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**Alternative Actions**

Council discretion.

**Financial Impact**

N/A

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**Environmental Review**

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

**Status**

- Approved/Certified
  - No Action Required
  - Action Requested
- 

**Attachments:**

Draft Resolution.

---

**cc:**

Jeffery A. Walker, City Attorney  
Wayne Wirick, Building Official

Bart Kemp and Greg Stubbs  
Kemp & Kemp  
PO Box 176  
Sonoma, CA 95476

Irma Castillo  
20141 Broadway  
Sonoma, CA 95476

**CITY OF SONOMA**  
***Board of Appeals***

RESOLUTION NO. 01 - 2015

A RESOLUTION OF THE BOARD OF APPEALS OF THE CITY OF SONOMA  
PARTIALLY GRANTING THE APPEAL OF THE JULY 17, 2015 NUISANCE  
AND SAFETY VIOLATION AND ORDER ISSUED BY THE CITY BUILDING  
DEPARTMENT FOR 20141 BROADWAY

WHEREAS, on July 14, 2015, City Building Inspector Brandon Bailey visited 20141 Broadway ("Property") and observed a number of substandard conditions and building code violations, which he determined rendered the residence on the Property substandard housing as defined by the California Health and Safety Code, Division 13, Part 1.5, commencing with Section 17920.3 ("State Housing Law"); and

WHEREAS, on July 17, 2015, the City Building Department issued and delivered to the Property owner, Mrs. Irma Castillo ("Appellant"), a Notice of Nuisance and Safety Violations and Order to Abate Said Violations, Issued by the City Building Department for 20141 Broadway ("Notice and Order"); and

WHEREAS, the Notice and Order set forth the Building Inspector's findings and conclusions in detail and directed that the Property be vacated immediately to prevent an immediate threat to health and safety and the violations abated by repair, replacement or removal no later than October 15, 2015;

WHEREAS, on July 31, 2015, the Appellant, acting through attorneys Bart Kemp and Greg Stubbs, filed an appeal of the Notice and Order, requesting that the Notice and Order be reversed and the Appellant allowed to continue occupancy of the Property while repairs are made ("Appeal"); and

WHEREAS, on August 17, 2015, pursuant to a judicial inspection warrant, inspectors from the City's Building Department, the Sonoma Valley Fire and Rescue Authority and the County of Sonoma Department of Health Services inspected the Property and the interior and exterior of the residence and accessory structure located thereon; and

WHEREAS, on September 3, 2015, Building Official Wayne Wirick prepared the Supplemental Substandard Housing Inspection Report ("Inspection Report"), which enumerated the findings and conclusions from the August 17, 2015 inspection and required specific steps to abate the substandard conditions on the Property. Mr. Wirick subsequently provided the Appellant and attorneys Kemp and Stubbs with a copy of said Inspection Report; and

WHEREAS, on October 5, 2015, the City Council, acting as the Board of Appeals pursuant to Section 14.10.060 of the Sonoma Municipal Code, held a public hearing on the Appeal, during which the Appellant was represented by Attorney Greg Stubbs; and

WHEREAS, during said hearing, Attorney Stubbs stipulated that the photographs contained in the Inspection Report accurately represented the condition of the Property and stated that the Appellant did not contest the facts set forth in the staff report prepared for the hearing; and

WHEREAS, also during said hearing Attorney Stubbs acknowledged that the Appellant did not have the funds to repair the substandard conditions on the Property and had listed the property for sale. He noted that the State In-Home Supportive Services program had assisted in cleaning up the Property and requested that the Board of Appeals grant the Appellant three to four weeks to vacate the premises; and

WHEREAS, the Building Official opined during the hearing that the residence on the Property contains safety hazards including, without limitation, the lack of an adequate roof covering the residence, rats, raw sewage and mold, and that portions of the ceiling will likely collapse when the rains begin.

WHEREAS, after closing the public hearing and considering all of the evidence in the record, the Board of Appeals found and does hereby find that the facts set forth in the staff report, in the Notice and Order and in the Inspection Report were correct and concluded and hereby confirms that the Property was substandard, that the substandard conditions constituted a threat to the health and safety of the occupants of the Property and neighboring community and that the substandard conditions must be repaired or removed expeditiously.

NOW, THEREFORE, BE IT RESOLVED:

1. The recitals set forth in this resolution are true and correct based on the evidence before the Board of Appeals; and
2. This resolution includes the following documents and the findings and conclusions stated therein, which are incorporated herein by reference:
  - a. The Staff Report prepared for the October 5, 2015 public hearing of the Board of Appeals, a copy of which is on file in the Office of the City Clerk of the City of Sonoma;
  - b. The Notice and Order, which is attached hereto as Exhibit 1; and
  - c. The Inspection Report, which is attached hereto as Exhibit 2. The Exhibits to the Inspection Report are too voluminous to include in Exhibit 2 but are a part of the Staff Report incorporated herein.

BE IT FURTHER RESOLVED:

1. The Appellant's Appeal is granted with respect to her request for additional time to remain living on the Property, such that Appellant must vacate the Property no later than October 31, 2015. All residential use and habitation of the Property must cease by midnight on that date and such use and habitation may not re-commence until the Building Department determines and notifies Appellant in writing that the substandard conditions enumerated in the Notice and Order and Inspection Report have been abated pursuant to the requirements of said report.
2. No later than November 30, 2015, Appellant must deliver to the Building Department a written notice ("Election Notice") in which she indicates whether she intends to repair or demolish the substandard structures on the Property.
3. If in the Election Notice, Appellant states that she intends to repair the substandard structures on the Property, she must deliver to the Building Department a Structural Pest Inspection Report pertinent to the Property no later than December 30, 2015, obtain and pay for all necessary permits, call for all necessary inspections and complete all repairs, such that no substandard or unsafe conditions remain on the Property after January 29, 2016.

4. If Appellant decides to demolish the substandard structures on the Property, she must complete such action, such that no substandard conditions remain on the Property, after December 30, 2015.
5. All actions taken pursuant to this Resolution are subject to the normally applicable provisions of State Law and the Sonoma Municipal Code.
6. Except as expressly set forth in this Resolution, the Board of Appeals denies the Appeal.
7. Unless a shorter time period applies, California Code of Civil Procedure Section 1094.6 shall govern the time within which judicial review of this decision must be sought.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015 by the following vote:

AYES:  
NOES:  
ABSENT:

---

David Cook, Mayor

ATTEST:

---

Gay Johann  
Assistant City Manager/City Clerk



City of Sonoma  
Building Department  
#1 The Plaza  
Sonoma, CA 95476

Telephone: (707) 938-3681  
Fax: (707) 398-8775

Sent to Record Owner by Certified Mail

## NOTICE OF NUISANCE AND SAFETY VIOLATION(S) AND ORDER TO ABATE SAID VIOLATIONS

Date of Notice & Order: **July 17, 2015**

Owner: **Irma Castillo**  
**20141 Broadway**  
**Sonoma, CA 95476**

Assessor's Parcel No: **128-181-007**

Date Violations Observed: **July 14, 2015, 3:30PM**

Date of Initial Notification: **No prior notice given.**

The property listed above has been found to be in violation of the Sonoma Municipal Code (SMC).

Section 116.2 of the administrative provisions contained in SMC Section 14.10.010 states that "No person shall own, use, occupy or maintain any unsafe structure."

### Violations / Conditions Found

The Building Department has inspected portions of the house and the accessory structure in back of the home and has determined that the buildings are substandard pursuant to CA Health and Safety Code 17920. The inspection was performed at the request of the Sonoma Police Department, which controlled access to the premises at the date and time of the inspection. We would like your permission to enter the dwelling to conduct a thorough investigation of any and all health and safety code violations.

Pursuant to CA Health and Safety Code Section 17970, "any officer, employee, or agent of an enforcement agency may enter and inspect any building or premises whenever necessary to secure compliance with, or prevent a violation of, any provision of this part, the building standards published in the State Building Standards Code, and other rules and regulations promulgated pursuant to the provisions of this part which the enforcement agency has the power to enforce

The Building Department has determined that the substandard conditions and violations enumerated below require immediate action, including immediate vacation and discontinuance of use of the structures by the building's occupants, and abatement of the substandard conditions within a reasonable time.

Gas and electric service to the building may be disconnected by the utility provider to remedy an immediate threat to the health and safety of the public or occupants of the structure.

Item	Violation and Substandard Condition Observed	Sonoma Municipal Code Section
1.	<p>116.2 Unsafe structures prohibited. No person shall own, use, occupy or maintain any unsafe structure.</p> <p>116.3 Unsafe structures declared a public nuisance. Any unsafe structure or equipment regulated by this code is hereby declared to be a public nuisance. In addition to instituting any appropriate action to prevent, restrain or correct a violation of this section, the building official may abate an unsafe condition by repair, rehabilitation, demolition or removal in accordance with the procedure specified in this section or as alternatively set forth in the nuisance abatement proceedings set forth by Chapter <u>14.30</u> of the Sonoma Municipal Code.</p>	14.10.010
2.	General dilapidation or improper maintenance; All buildings on the property appeared to lack general maintenance. The house has dry rot, damaged exterior walls, exterior landings, deck, peeling paint, and lack of cleaning and organization of household items. Egress has been impaired from excessive items inside the home.	17920.3(a)(13)
3.	Lack of adequate garbage and rubbish storage and removal facilities is causing harborage of rodents which may be considered an infestation by the health dept. Refer to Item 2 above.	17920.3(a)(15)
4.	Defective or deteriorated flooring or floor supports; Exterior landing on the east side of the main house was damaged and deteriorated, front porch/deck and guard damaged and deteriorated.	17920.3(b)(2)
5.	Members of ceilings, roofs, ceiling and roof supports, or horizontal members which sag, split, buckle and collapse due to defective material or deterioration; The house exhibited numerous roof members defects in addition to the missing roof membrane. It was also observed that the interior ceiling beam which carries the ceiling joists is in danger of collapse.	17920.3(b)(6)
6.	Plumbing is not currently in good and safe condition and working properly;.	17920.3.5
7.	Deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors.	17920.3(g)(2)
8.	Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weather due to lack of paint or other approved protective covering. The main house exhibited peeled paint and deteriorated or ineffective waterproofing of exterior walls, roof, foundations, or floors.	17920.3(g)(3)
9.	Broken, rotted, split, or buckled exterior wall coverings and roof coverings.	17920.3(g)(4)
10.	Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief of the fire department or his deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause. In house and south accessory building, excessive debris and household items were discovered, as well as overgrown vegetation adjacent the buildings.	17920.3(h)

**YOU ARE HEREBY ORDERED** to **immediately** discontinue use and vacate the substandard housing until such time that all substandard housing conditions have been satisfactorily abated by repair, replacement or removal, as appropriate, and said abated conditions have been inspected and approved by the City of Sonoma Building Department. Pursuant to CA Health and Safety Code Section 17980(a) the vacation of the home is being ordered immediately to prevent or remedy an immediate threat to the health and safety of the public or occupants of the structure.

**YOU ARE HEREBY FURTHER ORDERED** to discontinue and correct or otherwise abate by repair, replacement or removal all of the violation(s) stated above not later than. October 15, 2015.

**Permit Required**

A permit shall first be obtained from the Building Department prior to performing any corrective work to construct, enlarge, alter, repair, move, demolish or change a building or occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system or component thereof or any accessible feature, element or component, the installation of which is regulated by the codes adopted by the City.

The actual costs incurred by the City to resolve this matter, including investigation services, plan review, inspections, hearing costs, the costs for abatement if performed by the City and related services shall become a personal obligation of the property owner and may become a lien against the property if not fully paid.

**Consequences for Failing to Comply**

Failure to legally comply with this notice and order and cure the violation(s) within the time period set forth above may result in the building official recording the notice and order against the subject property. In addition, the building official may seek the legal counsel of the City to institute the appropriate proceeding to restrain, correct or abate such violation.

In addition, any person in violation of the codes adopted by the City and failing to comply with this notice and order may be prosecuted for a misdemeanor. Each violation shall constitute a separate offense for each and every day such person, firm or corporation violates or allows a violation to continue without taking reasonable means to cure or abate the same after having been ordered to do so and every misdemeanor violation is punishable by a fine not exceeding \$1,000 or imprisonment for a term not exceeding six months, or by both such fine and imprisonment.

Alternatively, an administrative notice and order may be issued under the provisions of SMC Chapter 1.30 and all fines and penalties therein may be assessed. SMC Chapter 1.30 establishes procedures authorized in Government Code Section 53069.4 for the imposition, enforcement, collection, and administrative review of administrative costs, fines and penalties for any violations of the Sonoma Municipal Code. Administrative fines and penalties are sanctions adopted by city council resolution pursuant to SMC 1.12.030 and are currently \$500 per day for each initial violation. Additional administrative costs include any and all costs incurred by the City in connection with matters brought before a hearing officer including, but not limited to, costs of investigation, staffing costs incurred in preparation for a hearing and for the hearing itself, the services of the hearing officer, any abatement costs, costs for all inspections necessary to enforce the administrative notice and order or the administrative enforcement order, including attorneys' fees.

**Rights to Appeal**

Any person, firm, corporation, or entity adversely affected by this order may file an application for appeal. However, be advised that the Board of Appeals has no authority to waive the requirements of the adopted codes.

All appeals shall be initiated by filing with the city clerk (with a copy to the building official) a written application for appeal on a form provided by the city clerk within 15 days of the date the building official's decision, notice or order (oral or written) is properly served, together with any applicable appeal fee

established in the fee schedule adopted by the city council. The form for the application for appeal can also be downloaded from the City's web site at [http://www.sonomacity.org/uploadimg/building\\_appeal\\_form.pdf](http://www.sonomacity.org/uploadimg/building_appeal_form.pdf).

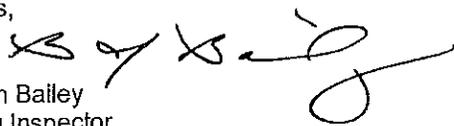
The application for appeal shall state the nature and date of the decision being appealed, the name and address of the appellant and his/her interest in the matter, the property address which is the subject of the appeal, the specific action requested by the appellant to be taken by the appeal body, the signature(s) of the appellant(s), and the reasons, based on a claim that the true intent of the code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed which, in the opinion of the appellant, render the decision unjustified or incorrect.

The filing of an application for appeal shall have the effect of staying any decision or order of the building official pertaining to said appeal or the issuance or granting of any permit, certificate or other approval which is related to the appeal unless, at the sole discretion of the building official, such decision, order or action is necessary to protect the life, health, safety, property or well-being of the public or occupants of the building.

Upon receipt of a timely filed application for appeal in proper form and payment of the required fee, the city clerk will set a hearing date before the board of appeals no later than 60 days after the filing of the notice of appeal. Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

Failure to file an application for appeal within the filing deadline and in the manner set forth above shall constitute a waiver of the right to an administrative hearing on the matter.

Regards,



Brandon Bailey  
Building Inspector  
City of Sonoma Building Department

Cc Wayne Wirick  
Building Official

# Exhibit 2

## Supplemental Substandard Housing Inspection Report

20141 Broadway

In support of the Notice of Nuisance and Safety Violation(s) and  
Order to Abate Said Violations dated July 17, 2015.

On August 17, 2015 at 10:10 A.M. an inspection was conducted at 20141 Broadway under a court issued warrant for the purpose of inspecting the structures, maintenance and conditions of the premises to ascertain if additional substandard conditions exist in support of the Notice of Nuisance and Safety Violation(s) and Order to Abate Said Violations issued for the building on July 17, 2015. Inspectors from the City of Sonoma Building Department, the Sonoma County Department of Health Services and the Fire Marshall for the Sonoma County Fire and Rescue Authority performed the inspection. All inspectors conducted their own inspections and investigations of the property and rooms of the residence as well as the detached garage/carport accessory structure. Conditions found to be in violation of various state and local codes were photographed or otherwise documented. During the inspection, the property owner /occupant (Mrs. Irma Castillo), her attorney Mr. Greg Stubbs, three cleanup workers and a social worker from Adult Protective Services were present and cooperative. No property was destroyed, dismantled or damaged during the inspection and the condition of the premises was left by the inspectors as they had found it.

The approximate location(s) of some of the conditions listed below can be found on Exhibits A & B as referenced. Photographs of some of the conditions listed below can be found in Exhibit C as referenced. The violation references indicate the California Health and Safety Code section numbers for the specific violation which renders the building or premises substandard. CA Health & Safety Code Section 17920.3 pertaining to substandard housing is reproduced as Exhibit F. Investigation reports from the Fire Marshall and the Health Department are provided in Exhibits D and E respectively.

Item #	Description of Substandard Condition(s) Found	Plan Ref. #	Photo Ref. #	CA H&S Code Violation Reference
1	General dilapidation or improper maintenance.  All buildings on the property lack general maintenance. The home and garage/carport structure have decayed and failing members with what appears to be dry rot, damaged exterior walls, exterior landings, porch deck, peeling paint, and lack of cleaning and organization of household items. Deterioration, rot and decay includes nonstructural and structural materials resulting from improper weather protection, improper construction, exposure to vermin and other causes. The kitchen counter top is no longer useable and needs replacement.	All	1.A.1 1.A.2 1.A.3 1.A.4	17920.3(a)(13)
2	Rodent Infestation.  There are signs of insect, mice and rat infestation in all portions of the dwelling, including the kitchen (see the letter dated August 31, 2015 from John Anderson, Environmental Health Specialist III, Sonoma County Department of Health Services). Large amounts of rat feces was observed along the edges of the walls, under storage cupboards and furniture throughout the interior portion of the house. Large amounts of dead insects were also observed on the window sills in the dining room and live flies were present throughout the house and property. This is likely due to a lack of adequate garbage and rubbish removal from the home and property. Several people were cleaning the interior of the home at the time of the inspection and no live rats were observed at the time of this inspection.	All	2.A.1 2.A.2 2.A.3 2.A.4 2.A.5 2.A.6	17920.3(a)(15)

Item #	Description of Substandard Condition(s) Found	Plan Ref. #	Photo Ref. #	CA H&S Code Violation Reference
3	<p>Structural Hazard - Defective or deteriorated flooring or floor supports.</p> <p>a) Exterior porch landing - The exterior porch landing on the east side of the main house is damaged and deteriorated, the front porch decking and guard rail is damaged and deteriorated. Due to defective posts and other supporting members, the front porch lacks structural resistance to horizontal forces. The deteriorated wood decking at the porch has recently been covered with unpainted oriented strand board to provide a safer walking surface at the front porch. The unpainted oriented strand board is considered a temporary (not to exceed 6 months) improvement to allow temporary exiting from the building. Unpainted oriented strand board is not an acceptable permanent material when exposed to the weather.</p> <p>b) Utility room - The floor at the south west corner of the Utility room is sagging and not level which indicates failure of the floor framing, the foundation or both.</p> <p>c) The flooring on the west side of the Bonus room was sagging and listing.</p>	3a          3b   3c	3.A.1 3.A.2 3.A.3 3.A.4 3.A.5 3.A.6 3.A.7  3.B.1   	17920.3(b)(2)
4	<p>Structural Hazard - Roof or ceiling members and roof supporting elements or other horizontal members sag, split, or buckle due to defective material or deterioration.</p> <p>a) It was observed that an interior beam supporting the roof and ceiling in the Bonus Room is over-spanned, sagging and deficient to safely carry the imposed loads.</p> <p>b) The horizontal beam supporting the porch rafters at the north east corner of the front porch is sagging and inadequate to support the imposed loads. This condition is a safety hazard.</p> <p>c) The porch ceiling and railing shows signs of water damage and portions have become detached or are missing.</p> <p>d) Rotting fascia boards and roof sheathing was observed at exterior of the Bonus Room.</p>	4a  4b  4c  4d	4.A.1 4.A.2  4.B.1  4.C.1 4.C.2 4.C.3 4.D.1	17920.3(b)(6) & (7)
5	<p>Faulty weather protection.</p> <p>a) The roofing of the main house has been removed and only approximately 25% of the roof has been recovered. Water staining of walls and ceilings was observed in several rooms of the residence. A tear-off of the old roof covering and partial reroofing work was performed without a permit in August of 2014. A Stop Work Order is in effect for the reroofing work.</p> <p>b) The ceiling of the Utility Room only partially exists. Portions of the ceiling material covering the ceiling joists was collapsing due to water intrusion and is a safety hazard.</p> <p>c) Portions of roofing shingles of the Garage/Carport has become detached and does not provide adequate weather protection and is now subject to deterioration.</p>	5a    5b  5c	5.A.1 5.A.2 5.A.3 5.A.4  5.B.1 5.B.2  5.C.1 5.C.2	17920.3(g)(2)

Item #	Description of Substandard Condition(s) Found	Plan Ref. #	Photo Ref. #	CA H&S Code Violation Reference
6	<p>Exterior Wall Coverings.</p> <p>a) Defective or lack of maintained weather protection for exterior wall coverings or weathering due to lack of paint or other approved protective covering was observed at the exterior sides of the Bonus Room and Utility Room walls. Other portions of the home exhibited locations of peeled or deteriorated paint and weathering due to ineffective protective covering of exterior walls.</p> <p>b) Broken, rotted, decaying, split, and/or buckled exterior wall coverings were observed at the exterior sides of the Bonus Room and Utility Room walls.</p> <p>c) An open hole approximately 2" in diameter exists under the kitchen sink to the exterior.</p>	6a  6b  6c	6.A.1  6.B.1 6.B.2 6.B.3 6.C.1	17920.3(g)(3)  17920.3(g)(4)
7	<p>Mold.</p> <p>a) A significant amount of black mold was found on walls and ceilings of the Bonus Room, Kitchen and Utility Room due to a lack of or faulty weather protection. According to the Centers for Disease Control and Prevention, exposure to molds can cause symptoms such as nasal stuffiness, eye irritation, wheezing, skin irritation or other more severe reactions or infections.</p> <p>b) Mildew was observed under the kitchen sink.</p>	7a  7b	7.A.1 7.A.2 7.A.3 7.A.4  7.B.1	17920.3(j)
8	<p>Fire Hazard - Ready fuel to augment the spread and intensity of fire.</p> <p>The accumulated waste, trash, construction debris on the yards of the North, West and South sides of the home and portions of the interior of the home, including Bedroom #2 and the Living Room are a fire hazard. These conditions are a ready fuel to augment the spread and intensity of a fire. In the house and in the Garage/Carport building, excessive debris and household items were observed, as well as overgrown vegetation near the buildings.</p>	8a	8.A.1 8.A.2 8.A.3 8.A.4 8.A.5 8.A.6 8.A.7 8.A.8 8.A.9 8.A.10 8.A.11	17920.3(h)

Item #	Description of Substandard Condition(s) Found	Plan Ref. #	Photo Ref. #	CA H&S Code Violation Reference
9	<p>Plumbing</p> <ul style="list-style-type: none"> <li>a) Plumbing is currently not in good and safe working condition.</li> <li>b) Southwest exterior corner near the Utility room - the exterior 2 inch plumbing waste line has been severed and is disconnected from the washing machine standpipe resulting in graywater discharge directly to the exterior of the building. The plumbing waste line is not vented properly.</li> <li>c) North side exterior - the exterior 2 inch plumbing waste line clean-out is missing the plug. This waste line serves the kitchen sink. It was observed that the waste line has a partial blockage and sewage is discharging onto the ground;</li> <li>d) Utility room - the water heater does not have a lower seismic resistant anchoring strap. The temperature relief valve does not have a relief drain line. The water heater flue is a single wall connector pipe through the roof. Need a short piece of Type B vent flue penetrating the roof.</li> <li>e) Kitchen - The kitchen sink is unmaintained and not suitable for its intended purpose.</li> <li>f) Bathroom – An S-trap exists at the bathroom lavatory sink. S-traps may allow siphonage of the trap to occur thereby allowing sewer gases to enter the room.</li> </ul>	<p>9b</p> <p>9c</p> <p>9d</p> <p>9e</p> <p>9f</p>	<p>9.B.1</p> <p>9.C.1</p> <p>9.E.1</p> <p>9.E.2</p> <p>9.F.1</p>	<p>17920.3(e)</p>
10	<p>Electrical Lighting.</p> <ul style="list-style-type: none"> <li>a) Bonus room - electrical extension cord plugged into wall receptacle, cord runs through the Kitchen to Living room. Cord providing power to multi-receptacle surge-protector to TV, lamp and telephone; lack of electrical lighting in habitable rooms (only the living room was found to have a functioning electric light which was supplied by substandard wiring)</li> <li>b) Utility room - has a light fixture plugged into a wall receptacle near the water heater approx. 5ft. above finish floor serving as the lighting for the room. No permanent light fixture or lighting control;</li> <li>c) Bathroom - The electric lights in the bathroom were not functional.</li> <li>d) Bedroom #1 - no light switch near entry of room. Pendent light fixture hanging from ceiling has a control switch on fixture. Could not turn on light;</li> <li>e) Bedroom #2 - No functioning light fixture was observed.</li> <li>f) Kitchen – No working light in the kitchen was observed.</li> </ul>	<p>All</p>		<p>17920.3(a)(10) &amp; 17920.3(d)</p>

Item #	Description of Substandard Condition(s) Found	Plan Ref. #	Photo Ref. #	CA H&S Code Violation Reference
11	<p>Electrical Wiring.</p> <p>a) North side exterior - an old electrical fuse box with exposed conductors severed near the box. In addition, an electrical disconnect box with exposed non-metallic sheathed conductors run out of box.</p> <p>b) Utility room - the interior wall at the entrance to the Utility room does not have wall covering and the knob and tube electrical conductors are exposed to damage and result in an electric shock hazard.</p> <p>c) Bonus room - observed a screw based fuse holder with exposed non-metallic sheathed conductors located on wall near ceiling.</p> <p>d) Garage/carport building - Exposed electrical knob and tube conductors were observed..</p> <p>e) Kitchen - duplex receptacle outlet cover plate is missing resulting in a potential shock hazard. <i>[CA Fire Code 605.6]</i></p> <p>f) Kitchen, Living Room, Dining Room and Bonus Room - Improper use of extension cords. The extension cord extending from the Bonus Room to the Living Room extends through an interior wall which is a violation of CA Fire Code 605.5.</p> <p><i>[Note: No smoke or carbon monoxide alarms were observed within this home.]</i></p>	11a 11b 11c	11.A.1 11.C.1 11.D.1 11.F.1	17920.3(a)(10)
12	<p>Mechanical equipment.</p> <p>North side exterior - the under floor furnace is adjacent to the crawl access opening. The furnace appears to be in poor condition and did not appear operational. The gas control valve and regulator are partially in the earth. Two portable electric heaters were observed on the interior of the home that were attached to extension cords or located within 3 feet of combustible materials.</p>	12a	12.A.1	17920.3(f)
13	<p>Nuisances.</p> <p>a. Rat feces was observed in a dog food dish containing dog food within the residence.</p> <p>b. Rat feces in kitchen cupboards, dishware and cookware.</p> <p>c. A strong odor of mold and fecal matter was present throughout the house.</p> <p>d. The condition of the exterior and interior paint of the house was observed to be in a deteriorated state. Paint was peeling and chipping off the exterior siding and interior wall. Lead-based paint in these conditions can be hazardous to humans and possibly animals.</p> <p>e. Evidence of a dog (or other animal) trying to scratch through a wall, window and door was observed inside the home.</p>		13.A.1 13.B.1 13.E.1 13.E.2 13.E.3	17920.3(c)

Requirements for the use and occupancy of the dwelling:

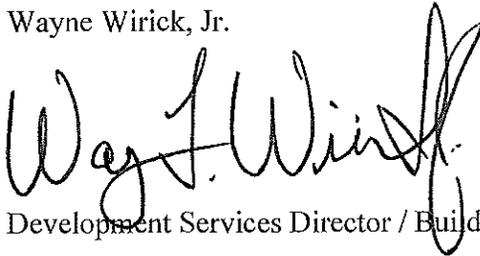
1. A building permit shall be obtained where required. A building permit is required prior to performing mitigation work on item numbers 3, 4, 5, 6, 9, 10, 11 & 12 above. A building permit may be required prior to mitigating the remaining items, depending on the method of mitigation or repair. When a building permit is required, sufficient plans must be submitted to show the scope, location, size, materials, means and methods, to clearly describe and show the mitigation work. Supplemental

documentation may be necessary when required by the City's construction codes. All mitigation, repair or demolition work must be performed in accordance with the City's construction codes.

2. All substandard conditions identified in the Notice of Nuisance and Safety Violation(s) and Order to Abate Said Violations dated July 17, 2015 shall be mitigated by repair or demolition.
3. All substandard conditions identified in this Supplemental Substandard Housing Inspection Report shall be mitigated by repair or demolition.
4. All fire hazards identified by the City's Fire Marshall's in the report titled Fire Department Evaluation for Substandard Housing Inspection for 20141 Broadway, dated August 18, 2015 (enclosed as Exhibit D) must be mitigated by repair, removal or demolition.
5. An inspection of the dwelling must be performed by a registered structural pest control company. A copy of the report must be submitted to the Building Department for review. All conditions which, in the opinion of the Building Official, are substandard to an extent that the life, limb property, safety, or welfare of the public or the occupants of the building is endangered, must be mitigated by repair or demolition. Additionally, mitigation measures shall be taken by the owner to eliminate any infestation of insects, vermin or rodents in or around the premises in accordance with the recommendations of the structural pest control company.

Report Date: September 3, 2015

Report by: Wayne Wirick, Jr.



Development Services Director / Building Official

Attachments: Exhibit A – Site Plan

Exhibit B – Room Plan

Exhibit C – Photographs

Exhibit D - Fire Department Evaluation for Substandard Housing Inspection - 20141 Broadway

Exhibit E - Concerns and observations from John Anderson, Environmental Health Specialist

Exhibit F – CA Health & Safety Code Section 17920.3 (Substandard Building)



**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 8A

Meeting Date: 10/19/2015

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**Department**

Public Works

**Staff Contact**

Dan Takasugi, Public Works Director / City Engineer

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**Agenda Item Title**

Discussion, consideration, and possible action to Approve the Principles for Developing Governance Options for the Sonoma Valley Groundwater Basin under the Sustainable Groundwater Management Act (SGMA)

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**Summary**

The Sustainable Groundwater Management Act (SGMA) was passed by the California Legislature in August 2014 and went into effect on January 1, 2015. The Act requires Groundwater Sustainability Agencies (GSA) to be formed at the local level with the intent for them to sustainably manage groundwater by eliminating overdraft of the groundwater basins and bringing use and recharge into balance. A presentation on SGMA was made to the Council on April 6, 2015.

Over the past several months, staff has attended several meetings with the other GSA-eligible agencies in Sonoma County, and more specifically in Sonoma Valley. There is staff consensus on principles for developing governance options and on the basic GSA organizational structure amongst the 3 medium priority groundwater basins in Sonoma County. The recommended "skeleton" GSA structure proposes one Groundwater Sustainability Agency and one Groundwater Sustainability Plan per basin. This issue seeks to gain Council approval of the principles.

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**Recommended Council Action**

Receive presentation and approve the Principles for Developing Governance Options for the Sonoma Valley Groundwater Basin under the Sustainable Groundwater Management Act.

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**Alternative Actions**

Council discretion.

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**Financial Impact**

A moderate amount of City staff time will be consumed in the collaborative formation of a GSA for the Sonoma Valley Groundwater Basin. Funding will be derived primarily from the Water Enterprise.

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**Environmental Review**

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

**Status**

- Approved/Certified
  - No Action Required
  - Action Requested
- 

**Attachments:**

Principles for Developing Governance Options for the Sonoma Valley Groundwater Basin under the Sustainable Groundwater Management Act.  
Supplemental Report.

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**Alignment with Council Goals:**

Indirectly supports the Council goal on Water to develop long-term strategies to address current and future infrastructure needs.

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**cc:**

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## **Sustainable Groundwater Management Act Principles for Developing Governance Options**

- Groundwater sustainability planning under the Sustainable Groundwater Management Act (SGMA) should build upon existing cooperation, established frameworks, and successful water management efforts in Sonoma County, including the adopted groundwater management plans in the Sonoma Valley and Santa Rosa Plain.
- Local agencies<sup>1</sup> should work together to identify a cohesive and equitable approach to governance in which each local agency has a meaningful voice.
- The governance structure should reinforce the “local management” principles embodied in SGMA by ensuring that management decisions are made at the local level in each groundwater basin.
- To avoid redundancies, opportunities should be found for sharing resources (expertise and infrastructure) across basins.
- Costs should be equitably shared in forming GSAs and implementing SGMA.
- In addition to the local agencies, community stakeholders<sup>2</sup> should be represented through advisory committees to provide diverse viewpoints in plan development and implementation.
- A robust and transparent outreach program should be conducted to provide information to and receive input from private well owners and the general public regarding SGMA.

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<sup>1</sup> SGMA defines “local agency” as a local public agency that has water supply, water management or land use responsibilities within a groundwater basin.

<sup>2</sup> SGMA requires the consideration of all beneficial uses and users of groundwater. “Community stakeholders” includes, but is not limited to, all interests identified in [Section 10723.2 of the Water Code](#).

**Water Code Section 10723.2.**

The groundwater sustainability agency shall consider the interests of all beneficial uses and users of groundwater, as well as those responsible for implementing groundwater sustainability plans. These interests include, but are not limited to, all of the following:

(a) Holders of overlying groundwater rights, including:

(1) Agricultural users.

(2) Domestic well owners.

(b) Municipal well operators.

(c) Public water systems.

(d) Local land use planning agencies.

(e) Environmental users of groundwater.

(f) Surface water users, if there is a hydrologic connection between surface and groundwater bodies.

(g) The federal government, including, but not limited to, the military and managers of federal lands.

(h) California Native American tribes.

(i) Disadvantaged communities, including, but not limited to, those served by private domestic wells or small community water systems.

(j) Entities listed in Section 10927 that are monitoring and reporting groundwater elevations in all or a part of a groundwater basin managed by the groundwater sustainability agency.

*(Added by Stats. 2014, Ch. 346, Sec. 3. Effective January 1, 2015.)*

## SUPPLEMENTAL REPORT

### Approving the Principles for Developing Governance Options for the Sonoma Valley Groundwater Basin under the Sustainable Groundwater Management Act (SGMA)

*For the City Council Meeting of October 19, 2015*

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#### **Sustainable Groundwater Management Act Background:**

In September 2014, Governor Brown signed historic legislation requiring that California's critical groundwater resources be sustainably managed by local agencies. The Sustainable Groundwater Management Act (the Act) gives local agencies (cities, counties and water districts/agencies) additional powers and authorities to sustainably manage groundwater over the long-term. The Act requires the formation, by June 30, 2017, of new Groundwater Sustainability Agencies (GSAs) tasked with assessing the conditions in their local basins and adopting locally-based Groundwater Sustainability Plans (GSPs) for medium- and high-priority groundwater basins (as designated by the California Department of Water Resources). In Sonoma County, three of the county's 14 basins and sub-basins are currently designated as medium-priority: Santa Rosa Plain, Sonoma Valley and Petaluma. No Sonoma County basins are currently designated as high-priority. The California Department of Water Resources may reprioritize basins and sub-basins in the future, which could result in the designation of additional basins or sub-basins as medium or high priority.

Groundwater Sustainability Plans must be completed for the affected Sonoma County basins by January 31, 2022. Implementation of these plans must bring the basins into sustainability within 20 years of adoption. The Act defines sustainable management as managing and using groundwater in a way that can be sustained over a long period of time. Specifically, sustainable yield is defined as the amount of groundwater that can be withdrawn annually without causing "significant and unreasonable impacts" related to any of the following "undesirable results": chronically lowering groundwater levels, causing seawater intrusion, degrading water quality, causing land subsidence or depleting interconnected surface water (for example, creeks, streams and rivers).

The Act empowers Groundwater Sustainability Agencies to use a number of new management tools to achieve the sustainability goal. For example, Groundwater Sustainability Agencies may conduct investigations, require registration of groundwater wells, determine the sustainable yield of a basin, measure and limit groundwater extractions, assess fees for groundwater management, and enforce the terms of a groundwater sustainability plan. Groundwater Sustainability Agencies also may request a revision of a groundwater basin boundary, including the establishment of new sub-basins

The Act also requires increased coordination between water supply and land use planning agencies. The Groundwater Sustainability Agency must consider land use assumptions contained in local general plans when it prepares the Groundwater Sustainability Plan. Prior to any substantial amendment of a general plan, land use planning agencies are required to review and consider a Groundwater Sustainability Plan and to refer a proposed general plan amendment to the local Groundwater Sustainability Agency for review. As part of this process, a Groundwater Sustainability Agency is required to provide the local land use planning agency with the anticipated effects of a proposed land use plan amendment on the implementation of the Groundwater Sustainability Plan. The Act also allows Groundwater Sustainability Agencies to request that counties provide well construction applications for the Groundwater Sustainability Agency's consideration and comment, but counties maintain well permitting authority unless the county delegates that power to the Groundwater Sustainability Agency. The chart below

includes key milestones for complying with the Act. If these milestones are not met, the State Water Resources Control Board (State Water Board) will intervene, leading to loss of local control, possible curtailment of water use and state-imposed fees.

<b>Time</b>	<b>Action</b>
June 30, 2017	Formation of Groundwater Sustainability Agencies
January 31, 2020	Completion of plans in critically overdrafted basins (does not apply in any Sonoma County groundwater basins at this time)
January 31, 2022	Completion of plans in all other medium- and high-priority basins
20 years after adoption of plan	High- and medium-priority basins achieve sustainability

**Affected Sonoma County Groundwater Basins:**

Both Sonoma Valley and Santa Rosa Plain groundwater basins have groundwater management plans developed under the pre-Sustainable Groundwater Management Act groundwater management planning statutory scheme (AB 3030 and SB 1938). The Water Agency is the lead agency in these efforts, working with basin advisory panels to develop and implement groundwater management plans in each basin. The basin advisory panels include representatives from agriculture, environmental groups, residential well owners, the County, cities, tribes, and community water districts. These voluntary, non-regulatory plans are an excellent first step toward groundwater sustainability, and will significantly advance the region’s ability to comply with the Act by establishing a robust data collection and monitoring program and by promoting, studying and implementing programs and projects aimed at sustaining the basins’ groundwater resources. These existing plans also foster stakeholder coordination and public outreach, both of which are essential elements of the Act. These plans, however, do not meet the more stringent requirements of the new law and will need to be updated to ensure the basins will meet the sustainability goal established by the Act.

**Groundwater Sustainability Agency Formation:**

The Act requires the formation of a Groundwater Sustainability Agency (or agencies) for the medium-priority basins in Sonoma County by June 30, 2017. Any local public agency or a combination of local agencies that has water supply, water management, or land use responsibilities within a groundwater basin may elect to be a Groundwater Sustainability Agency through a joint powers agreement, memorandum of agreement or other legal agreement. A water corporation regulated by the California Public Utilities Commission may participate in a Groundwater Sustainability Agency if the local agencies approve. The County would become the default Groundwater Sustainability Agency in any basin or portion of a basin where no other entity steps forward by June 30, 2017. If the County declines to be the Groundwater Sustainability Agency, the State Water Board will step in.

In Sonoma County, several public agencies are eligible to be the Groundwater Sustainability Agency or part of the Groundwater Sustainability Agency in each basin. For example, the County or the Water Agency could be the Groundwater Sustainability Agency that encompasses any or all of the basins in the county. In addition, cities and water districts within a particular groundwater basin could be the Groundwater Sustainability Agencies for the part of the basin over which they have jurisdiction. The Act allows multiple Groundwater Sustainability Agencies and plans for a single basin but in such cases the Act requires a coordination agreement that covers the entire basin. Structurally, there are three overarching governance options: one countywide Groundwater Sustainability Agency; separate

Groundwater Sustainability Agency for each basin; or a hybrid using countywide resources with basin-specific management decisions.

### **Education and Outreach to Date:**

Following passage of the Act, County and Water Agency staff formed a workgroup consisting of representatives from the Water Agency, Permit and Resource Management Department (PRMD), County Counsel and the County Administrator's Office (Workgroup) to review the Act's requirements and consider governance options. Staff has been meeting with stakeholders to inform them of the new Act's requirements and to discuss collaborative approaches.

Water Agency staff created a Sustainable Groundwater webpage (<http://www.scwa.ca.gov/sgma/>) which includes a PowerPoint presentation and a "frequently asked questions" document specific to Sonoma County. Water Agency staff is also maintaining an interested party mailing list (required by the Act) for anyone who wishes to receive updates on the Act in Sonoma County. PRMD's public website links to these resources on the Water Agency's webpage.

The Workgroup envisions an outreach and communication strategy that includes the following components: presentations to agencies eligible to serve as Groundwater Sustainability Agencies and to stakeholders to inform them of the Act (in progress); an educational workshop aimed at the general public and stakeholders describing the Act and options for the creation of a Groundwater Sustainability Agency; public hearing(s) as required by the Act; ongoing outreach via paid ads, free media, the website and social media; and regular updates to the interested party mailing list.

A public meeting will be held in Sonoma Valley on the Sustainable Groundwater Management Act and to discuss the formation of a local Groundwater Sustainability Agency. The meeting is planned for Thursday, November 12, from 6:00pm to 8:00pm at the Sonoma Veterans Building. Media outreach will be provided to announce this meeting.

### **Recommended Strategy for Groundwater Sustainability Formation:**

City staff has been meeting with staff from other GSA eligible agencies in the County to understand the requirements of the Act and to begin to frame options for complying with the Act. The GSA eligible agencies include Sonoma County and Sonoma County Water Agency (all basins), Windsor, Santa Rosa, Rohnert Park, Cotati and Sebastopol (Santa Rosa Plain Basin), Petaluma and the North Bay Water District (Petaluma Valley Basin) and Sonoma, Valley of the Moon Water District and North Bay Water District (Sonoma Valley Basin). The principles proposed for adoption this evening, would allow staff to continue to work together to develop options for organizing GSAs, for eventual review and approval by the elected decision makers. All GSA eligible agencies are bringing these principles to their elected decision makers during the month of October in order to stay on schedule for meeting the state's deadline for GSA formation (June 30, 2017).

The primary purpose and responsibility of the GSA is to develop the Groundwater Sustainability Plan and manage the groundwater basin for long term sustainability. In order to achieve this, the Act provides GSAs with a number of regulatory tools. GSAs have the authority to:

1. Perform any act necessary or proper to carry out the purposes of the Act
2. Adopt rules, regulations, ordinances, and resolutions
3. Conduct investigations and inspect property
4. Mandate registration of groundwater extraction facilities
5. Install water-measuring devices and require annual extraction statements to determine groundwater extraction

6. Impose well spacing requirements and control extractions by regulating, limiting or suspending extractions from wells
7. Assess fees to establish and implement a groundwater management plan.

The County and the Sonoma County Water Agency have taken the initial lead on implanting the Act. Together they have retained a facilitator and convened staff from eligible agencies into a working group. The facilitator has conducted focused interviews with stakeholders to help augment the discussions around governance options. In general, stakeholders have expressed a strong desire to preserve their agency's autonomy while also recognizing the potential benefits and cost savings associated with working together to manage the groundwater basins.

The staff working group has explored a number of options for governance including a single County-wide GSA, with subgroups for each basin and a GSA for each basin, with active coordination between the basins. At this point, staff from every eligible agency believes that a GSA for each basin is the best option, because it preserves local autonomy and allows for effectively leveraging the work that has already been invested into the Santa Rosa Plain and Sonoma Valley Groundwater Management Plans. Staff also believes that active and ongoing coordination will be beneficial in order to achieve common public outreach and educational messages and common strategies for collecting and analyzing groundwater data. (A successful local example of this type of regional coordination is the Sonoma Marin Water Saving Partnership.)

While the conceptual organizational framework has been generally agreed upon, there is significant work remaining to develop the detailed concept for the organizational structure and the legal agreement(s) that would describe the way the eligible agencies work together. In order to guide this work, staff and the facilitator have developed a set of policy principles that would frame the negotiations around governance options and structure. These principles are listed below:

- Groundwater sustainability planning under the Sustainable Groundwater Management Act (SGMA) should build upon existing cooperation, established frameworks, and successful water management efforts in Sonoma County, including the adopted groundwater management plans in the Sonoma Valley and Santa Rosa Plain.
- Local agencies should work together to identify a cohesive and equitable approach to governance in which each local agency has a meaningful voice.
- The governance structure should reinforce the "local management" principles embodied in SGMA by ensuring that management decisions are made at the local level in each groundwater basin.
- To avoid redundancies, opportunities should be found for sharing resources (expertise and infrastructure) across basins.
- Costs should be equitably shared in forming GSAs and implementing SGMA.
- In addition to the local agencies, community stakeholders<sup>3</sup> should be represented through advisory committees to provide diverse viewpoints in plan development and implementation.
- A robust and transparent outreach program should be conducted to provide information to and receive input from private well owners and the general public regarding SGMA.

The proposed ongoing negotiations will allow staff, including legal counsel, to develop more detailed governance options for eventual review by the elected decision makers of each eligible agency. Because of the requirement that a GSA be formed by June of 2017, staff is seeking early approval of the policy principles so that options can be developed over the winter and spring and allow for review of the more detailed governance options beginning in the summer of 2016. Staff is also proposing information outreach to the general public, beginning late in 2015. These public informational briefings are especially important in areas of the County that rely on groundwater and will be meaningfully regulated for the first time.

**Alternative Actions:**

1. **Approve the Principles for Developing Governance Options for the Sonoma Valley Groundwater Basin under the Sustainable Groundwater Management Act** (recommended action). This action will allow staff to continue to participate in regional discussions around forming a Groundwater Sustainability Agency that leverages available resources in the Santa Rosa Plain.
2. **Do not approve the principles and direct staff to proceed with the actions necessary to allow the City to form a stand-alone GSA without coordinating with the County to prevent overlap.** While the Act technically gives the City authority to form a stand-alone GSA, this action is not recommended at this time. The Sustainable Groundwater Management Act, especially as supplemented by the recently adopted Senate Bill 13 (Pavley), encourages coordination between local agencies and prohibits a GSA from being formed if more than one agencies submits a notice of intent to be the GSA in a given geographic area. The decision to proceed with regional discussions at this time does not prevent the City from reconsidering its option to form a stand-alone GSA at a later date. However, if the County files a notice of intent to be the GSA before the City, in the same geographic region as the City, then the City will be prevented from becoming the GSA until one party withdraws.



**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 8B

Meeting Date: 10-19-2015

**Department**

Administration

**Staff Contact**

Carol E. Giovanatto, City Manager

**Agenda Item Title**

Discussion, Consideration and Possible Action to Provide Direction on Options for an Ordinance Regulating Second-Hand Smoke by Prohibiting Smoking in and Around Workplaces, Public Places and Multi-Unit Housing

**Summary**

The City of Sonoma currently prohibits smoking in a number of enclosed areas available to and customarily used by the general public and all businesses and places of employment. Smoking outdoors or in private residences is not currently regulated by the City. In response to community concerns, the Council directed the staff to begin preparing an amendment to the smoking ordinance that includes the findings that show that tobacco regulation benefits the public health, safety and welfare and includes all outdoor areas and areas within multi-unit residents. Numerous studies conclude that secondhand smoke is harmful to individuals, and the U.S. Surgeon General concluded that there is no risk-free level of exposure to secondhand smoke. Secondhand smoke in multi-unit housing poses health problems for non-smoking residents when it drifts from neighboring units, balconies, and outdoor spaces.

The Assistant City Attorney has prepared a memorandum to Council outlining the City's current ordinance regulations regarding smoking and potential expansion to a more comprehensive ordinance to encompass prohibitions in and around workplaces, public places and multi-unit housing. Staff and the Assistant City Attorney are seeking Council direction and authority to prepare a draft ordinance for future consideration.

**Recommended Council Action**

Staff is seeking direction on provisions for consideration in a future update to Sonoma Municipal Code Chapter 7.24: Smoking Regulations

**Alternative Actions**

Decline to take action on an update.

**Financial Impact**

To be determined.

**Environmental Review**

- Environmental Impact Report
- Negative Declaration
- Exempt
- Not Applicable

**Status**

- Approved/Certified
- No Action Required
- Action Requested

**Attachments:**

Memorandum from Assistant City Attorney Valerie Pistole  
SMC Chapter 7.24  
Sonoma County Smoking Regulations

**Alignment with Council Goals:**

**POLICY & LEADERSHIP:** Provide continuing leadership as elected officials of the community by promoting increased health regulations aligned with the County and other cities in Sonoma County.

**cc:**

## MEMORANDUM

**TO:** Honorable David Cook, Mayor and City Council

**FROM:** Valerie Pistole, Assistant City Attorney

**DATE:** September 23, 2015

**SUBJECT:** Options for Ordinance Regulating Second-Hand Smoke by Prohibiting Smoking in and Around Workplaces, Public Places and Multi-Unit Housing

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At the direction of the City Council, through City staff, our office has researched the regulation of second-hand smoke by prohibiting smoking in certain public and private places. The existing ordinance of the City, passed in 1992, regulates second-hand smoke in *enclosed* City-owned and controlled facilities and vehicles as well as all places used by the general public, such as retail stores, pharmacies, banks, hospitals, libraries, theaters, grocery stores, public schools, child care homes, polling places, common areas of apartment buildings, and Bingo parlors. In addition, smoking is prohibited in places of employment. See attached copy of the ordinance. The existing ordinance *permits* smoking in the following enclosed places:

- Cocktail lounges or bars that are part of a restaurant but are located in separate enclosed rooms.
- Patio areas of restaurants;
- Designated smoking areas of indoor and outdoor sports arenas;
- Restrooms and offices of food stores;

- Separate enclosed areas of Bingo parlors;
- Up to 70% of hotel rooms;
- Retail tobacco stores;
- Specifically designated smoking areas for employees if properly separated and properly ventilated;
- Conference and meeting rooms when used for private functions; and
- Private enclosed places and offices occupied exclusively by smokers not sharing ventilation systems with non-smokers.

Since 1992 when the Sonoma smoking regulations were passed, over California 55 cities and counties have passed more comprehensive regulations of second-hand smoke. These regulations often include prohibition of smoking in multi-unit housing. Should the Council wish to expand its existing regulations, our office suggests that the Council give guidance on which provisions they would like to consider including in such an ordinance.

**I. REPEAL AREAS WHERE SMOKING IS NOW PERMISSIBLE**

Does the Council wish to repeal any of the enclosed areas where the Sonoma ordinance permits smoking:

- Bars in separate enclosed rooms;
- Patio areas of all restaurants;
- Restrooms of food stores;
- Offices of food stores;
- All areas of Bingo parlors;

- Less than 70% of hotel rooms [as defined by the Transient Occupancy Tax, Chapter 3.16]; and
- Conference and meeting rooms when used for private functions.

## **II. ADDING ADDITIONAL NON-SMOKING AREAS**

Does the Council wish to prohibit smoking in the following locations:

- Inside all multi-unit dwellings [defined as existing buildings that contain two or more attached dwelling units], including:
  - (a) apartments
  - (b) condominiums and
  - (c) senior citizen housing.
- Inside new buildings starting 180 days after the effective days of the ordinance (or other waiting periods);
- Common areas, enclosed or unenclosed of a multi-unit residence [halls, paths, lobbies, courtyards, pools, parking garages, shared laundry rooms, and the like];
- Unenclosed areas within 20 feet of any entrance or opening of any enclosed building;
- Private balconies, private decks and private porches;
- Within 20 feet of road, building or construction crews;
- Recreational areas such as public gardens, play areas and sport facilities; and
- Rooms in a homeless shelter.

## **III. SMOKING OPTIONAL AREAS**

Does the Council wish to provide smoking optional areas, such as:

- Mobile home parks;
- Single family homes with a detached or attached “Granny unit”; and
- Designated smoking areas [defined as unenclosed areas at least 25-feet from any door, window, or vent, pool or playground, with conspicuous signs.

#### **IV. INCLUDING MEDICAL MARIJUANA SMOKING**

Does the Council wish to prohibit smoking medical marijuana in all of the locations where smoking tobacco products and e-cigarettes is prohibited. Neither the California Compassionate Use Act nor the California Medical Marijuana Program Act prohibit cities from adopting regulations regarding the locations where medical marijuana can be used. The California Compassionate Use Act did not create “a broad right to use marijuana without hinderance or inconvenience,” but rather created only a limited criminal defense to punishment. *Ross v. Raging Wire Telecommunications, Inc.* (2008) 42 C.4<sup>th</sup> 920 at 928.

With the benefit of which regulations the Council wishes to include, our office can present an ordinance at a future Council meeting.

VP/lm

Attachment:

Sonoma Municipal Code, Chapter 7.24: Smoking Regulations

## **Chapter 7.24 SMOKING REGULATIONS**

Sections:

### **Article I. Administrative**

- 7.24.010 Title.**
- 7.24.020 Findings and purpose.**
- 7.24.030 Definitions.**

### **Article II. Standards and Prohibitions**

- 7.24.040 City-owned and controlled facilities and vehicles.**
- 7.24.050 Prohibition of smoking in enclosed places.**
- 7.24.060 Prohibition of smoking in places of employment.**
- 7.24.070 Smoking-optional areas.**
- 7.24.080 Posting requirements.**
- 7.24.090 Enforcement.**

### **Article III. Legal**

- 7.24.100 Violation unlawful.**
- 7.24.110 Penalties.**
- 7.24.120 Other applicable laws.**
- 7.24.130 Nonretaliation.**
- 7.24.140 Governmental agency cooperation.**

### **Article I. Administrative**

#### **7.24.010 Title.**

This chapter shall be known as the smoking ordinance of the city of Sonoma. (Ord. 92-22 Art. I § 1, 1992).

#### **7.24.020 Findings and purpose.**

A. The people of the city find that:

1. Numerous studies have found that tobacco smoke is a major contributor to indoor air pollution; and
2. Reliable scientific studies, including studies by the Surgeon General of the United States, have shown that breathing sidestream or secondhand smoke is a significant health hazard to nonsmokers; particularly to children and teens, elderly

people, individuals with cardiovascular disease, and individuals with impaired respiratory function, including asthmatics and those with obstructive airway disease; and

3. Health hazards induced by breathing sidestream and secondhand tobacco smoke include lung and other forms of cancer, heart disease, respiratory infection, decreased exercise tolerance, decreased respiratory function, bronchoconstriction, and bronchospasm; and

4. Nonsmokers with allergies, respiratory diseases and those who suffer other ill effects of breathing secondhand smoke may experience a loss of job productivity or may be forced to take periodic sick leave because of adverse reactions to same; and

5. The smoking of tobacco, or any other weed or plant, is a proven danger to health; and

6. The health care costs and lost productivity incurred by smoking-related disease and death represent a heavy and avoidable financial drain on our community; and

7. Persons, particularly employees, have a right to a smoke-free environment if they desire.

B. Therefore, the people of the city of Sonoma find that it is in the public interest to regulate smoking in enclosed places, including places of employment, in order to reduce the exposure of nonsmokers to the health hazards caused by breathing sidestream and secondhand tobacco smoke.

C. Accordingly, the people of the city find and declare that the purposes of this chapter are:

1. To protect public health, safety and general welfare by prohibiting tobacco smoking in city-owned and controlled facilities and public places, and by restricting tobacco smoking in places of employment; and

2. To guarantee the right of nonsmokers to breathe tobacco smoke-free air, and to recognize that the need to breathe tobacco smoke-free air has priority over the desire to smoke.

D. In addition, the people of the city find that it is within the city's basic police powers to prohibit tobacco smoking in city-owned and controlled facilities and public places, and to restrict tobacco smoking in places of employment, in order to promote public health, safety and general welfare. (Ord. 92-22 Art. I § 2, 1992).

#### **7.24.030 Definitions.**

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section, unless it is apparent from the context that they have a different meaning.

"Bar" means an area which is devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages. A cocktail lounge, bar or tavern which is in the same building as, and part of, a restaurant is not considered under this definition of a bar, except during such time as food service (other than incidental) is suspended, or if located in a separate room which is enclosed off from the remaining room(s) of the restaurant by doors or windows.

"Business" means any sole proprietorship, partnership, joint venture, corporation or other business entity formed for profit-making purposes, including retail establishments where goods or services are sold as well as professional corporations and other entities where legal, medical, dental, engineering, architectural or other professional services are delivered.

"City" means the city of Sonoma, state of California.

"Dining area" means any enclosed area containing a counter or tables upon which meals are served.

"Employee" means any person who is employed by any employer in consideration for direct or indirect monetary wages or profit, and any person who volunteers his/her services for a nonprofit entity.

"Employer" means any person, partnership or corporation, including municipal corporation or nonprofit entity, who employs the services of more than three persons.

"Enclosed" means closed in or roof and four walls with appropriate openings for ingress and egress, including all space therein screened by partitions which do not extend to the ceiling or are not solid, office landscaping, or similar structures.

"General public" means shoppers, customers, patrons, patients, students, clients and other similar invitees of a commercial enterprise or nonprofit entity.

"Nonprofit entity" means any corporation, unincorporated association or other entity created for charitable, philanthropic, educational, character-building, political, social or other similar purposes of the organization and not to private financial gain. A public agency is not a "nonprofit entity" within the meaning of this section.

"Place of employment" means any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including but not limited to work areas, employee lounges, conference rooms, vehicles and employee cafeterias or eating places. A private residence is not a place of employment for purposes of this chapter unless it is used as a child care or health care facility.

"Public place" means any enclosed area to which the public is invited or in which the public is permitted including but not limited to banks, educational facilities, reception areas, restaurants, retail food production and marketing establishments, retail service

establishments, retail stores, theaters and waiting rooms. A private residence is not a public place.

"Restaurant" means any coffee shop, cafeteria, sandwich stand, soda fountain, fast food service, private and public school cafeteria, and any other eating establishment which gives or offers for sale food to the public, guests, or employees, as well as kitchens in which food is prepared on the premises for serving elsewhere, including catering facilities.

"Retail tobacco store" means a retail store utilized primarily for the sale of tobacco products and accessories.

"Service line" means an indoor line or area where persons await service of any kind, regardless of whether or not such service involves exchange of money. Such service shall include but is not limited to sales, giving of information, directions or advice, and transfers of money or goods.

"Smoking" means inhaling, exhaling, burning, carrying or holding any lighted cigar, cigarette, weed, plant or combustible substance in any pipe or smoking equipment, or in any manner or in any form.

"Sports arena" means sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks, bowling alleys and other similar places where members of the public assemble to engage in physical exercise, participate in athletic competition or witness sports events. (Ord. 92-22 Art. I § 3, 1992).

## **Article II. Standards and Prohibitions**

### **7.24.040 City-owned and controlled facilities and vehicles.**

All enclosed facilities and vehicles owned, leased or operated and controlled by the city and any board, council, commission and agencies of the city shall be subject to the provisions of this chapter. (Ord. 92-22 Art. II § 1, 1992).

### **7.24.050 Prohibition of smoking in enclosed places.**

A. Except as provided in this section, smoking is prohibited in the following places within all areas of the city:

1. All enclosed areas available to and customarily used by the general public and all business and nonprofit entities patronized by the public, including, but not limited to, retail stores, hotels and motels, pharmacies and drugstores, banks, attorneys' offices and other professional offices;
2. Within all restaurants, provided, however, that this subsection shall not apply to restaurants providing separate smoking rooms of not more than 50 percent of its seating capacity which are closed off from the remaining room(s) by doors or windows or to outdoor or patio areas designated as smoking areas;
3. Waiting rooms, hallways, wards and semi-private rooms of health facilities, including, but not limited to, hospitals, clinics, physical therapy facilities, doctors'

offices and dentists' offices, except that health facilities shall also be subject to the provisions of SMC 7.24.060 regulating smoking in places of employment;

4. Elevators, public restrooms, service lines doing business with the public, buses, taxicabs and public transportation facilities open to the public;

5. In public areas of museums, libraries and galleries;

6. Enclosed theaters, auditoriums, and halls which are used for motion pictures, stage dramas and musical performances, ballets or other exhibitions, except when smoking is part of any such production, including all restrooms and any area commonly referred to as a lobby;

7. Sports arenas, both indoor and outdoor, and convention halls, except in outdoor sports arenas, designated smoking areas may be provided which shall be segregated from nonsmoking areas. Where spectator seating is provided at outdoor arenas, no more than 40 percent of the seats shall be designated as smoking seats;

8. Retail food marketing establishments, including grocery stores and supermarkets, except restrooms, offices, and areas thereof not open to the public, which may be otherwise regulated by this chapter;

9. Public schools and other public facilities under the control of another public agency, which are available to and customarily used by the general public, to the extent that the same are subject to the jurisdiction of the city;

10. Common areas in apartment buildings, condominiums, retirement facilities and nursing homes;

11. Polling places;

12. Private residences when used as child care or health care facilities. Board and care facilities shall provide smoke-free living quarters for nonsmoking boarders;

13. Bingo parlors, except that a separate enclosed room may be designated as a smoking room.

B. Notwithstanding any other provision of this chapter, any owner, operator, manager or other person who controls any establishment subject to this chapter may declare that entire establishment as a nonsmoking establishment. (Ord. 92-22 Art. II § 2, 1992).

**7.24.060 Prohibition of smoking in places of employment.**

A. Except as permitted in subsection B of this section, smoking is prohibited in all places of employment, including, but not limited to, open office areas, shared offices, private offices, hallways, restrooms, escalators, elevators, stairways, lobbies, reception rooms, waiting areas, classrooms, meeting or conference rooms, auditoriums, on-site cafeterias, lunchrooms and lounges.

B. In places of employment, employers may provide specific smoking areas for employees; provided all of the following conditions are met:

1. The smoking area shall be provided with a heating, ventilation and air conditioning (HVAC) system designed such that none of the air from the smoking area will be recirculated into the other areas of the building;
2. The smoking area shall be completely separated from the remainder of the building by solid partitions or glazing without openings other than doors, and all doors leading to the smoking area shall be self-closing. The doors shall be provided with a gasket installed so as to provide a seal where the door meets the stop on both sides and across the top;
3. The smoking areas shall maintain a minimum negative pressure of 0.05-inch water column relative to nonsmoking areas;
4. The employer shall submit written verification and test results to the director of the community development department, or to his or her designees, prepared by a licensed mechanical contractor or engineer stating that the HVAC system has been designed and tested and meets the requirements set forth in subsections (B) (1) through (3) of this section;
5. If the HVAC system is part of a smoke-removal system or pressurization system, any modifications to these systems to provide smoking areas will require approval from the city of Sonoma building official. Written verification of this approval shall be provided to the city;
6. If the specific smoking area is an employee break room, lunchroom or other area which may be used by nonsmoking employees, then a separate nonsmoking break room, lunchroom, or other area shall be provided of equal or larger size and shall include at least equal facilities.

C. The provisions of this section shall be communicated to all employees within three weeks of its adoption, and at least annually thereafter. (Ord. 92-22 Art. II § 3, 1992).

**7.24.070 Smoking-optional areas.**

Notwithstanding any other provision of this chapter to the contrary, the following areas shall not be subject to the smoking restrictions of this article:

- A. Private residences, unless said residence is used as a child care or a health care facility;
- B. Bars;
- C. Hotel and motel rooms rented to guests; provided, however, that each hotel and motel designates not less than 30 percent of their guest rooms as nonsmoking rooms and removes ashtrays from these rooms, and maintains them as nonsmoking at all times;
- D. Retail tobacco stores;

E. Restaurant, hotel and motel conference or meeting rooms, and public and private assembly rooms while these places are being used for private functions; and

F. A private enclosed place occupied exclusively by smokers, even though such a place may be visited by nonsmokers, and private enclosed offices not sharing ventilation systems with nonsmoking areas, excepting places in which smoking is prohibited by the fire agency of the jurisdiction or by any other law, ordinance or regulation. (Ord. 92-22 Art. II § 4, 1992).

**7.24.080 Posting requirements.**

A. "Smoking" or "no smoking" signs, whichever are appropriate, with letters of not less than one inch in height or the international "no smoking" symbol (consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it) shall be clearly, sufficiently and conspicuously posted in every building or other place where smoking is controlled by this chapter, by the owner, operator, manager or other person having control of such building or other place.

B. Every theater owner, manager or operator shall conspicuously post signs in the lobby stating that smoking is prohibited within the theater or auditorium, and in the case of motion picture theaters, such information shall be shown upon the screen for at least five seconds prior to the showing of each feature motion picture.

C. Every restaurant shall have a sign conspicuously posted at every entrance clearly stating that smoking is prohibited. (Ord. 92-22 Art. II § 5, 1992).

**7.24.090 Enforcement.**

A. Any owner, manager, operator or employer of any establishment subject to this chapter shall have the responsibility to inform any apparent violator, whether public or employee, about any smoking restrictions in said establishment, and shall attempt at all times to obtain voluntary compliance by any apparent violator.

B. Enforcement of this chapter shall be the responsibility of the chief of police or his designee.

C. Any citizen who desires to register a complaint under this chapter may initiate the complaint with the police department.

D. The chief of police or his designee shall notify in person by telephone or by registered letter the owner, manager, operator or employer of any establishment subject to this chapter of all citizen complaints under this chapter regarding apparent violations of this chapter in the said establishment.

E. Notwithstanding any other provision of this chapter, the city attorney or a private citizen may bring legal action to enforce this chapter. (Ord. 92-22 Art. II § 6, 1992).

**Article III. Legal**

**7.24.100 Violation unlawful.**

A. It is unlawful for any person who owns, manages, operates or otherwise controls the use of any premises subject to the restrictions of this chapter to fail to properly

post signs required by this chapter, or comply with any other requirements of this chapter.

B. It is unlawful for any person to smoke in any area restricted by the provisions of this chapter.

C. It is unlawful for any employer, owner, operator, manager or person in charge to permit smoking in the area or establishment under his or her control restricted by the provisions of this chapter. (Ord. 92-22 Art. III § 1, 1992).

#### **7.24.110 Penalties.**

A. Any person or business that violates SMC 7.24.100 or any other provisions of this chapter shall be guilty of an infraction, punishable by:

1. A fine, not exceeding \$100.00, for the first violation;
2. A fine, not exceeding \$200.00, for a second violation of this chapter within one year;
3. A fine, not exceeding \$500.00, for each additional violation of this chapter within one year.

B. Notwithstanding other penalties in this section, the owner, manager, operator, or employer of any establishment subject to this chapter who receives a third notification within one year by the chief of police of a citizen complaint of an apparent violation of this chapter in his or her establishment shall be subject to a suspension or revocation of said establishment's city-issued commercial or retail business license, and/or civil action by the city attorney. (Ord. 92-22 Art. III § 2, 1992).

#### **7.24.120 Other applicable laws.**

This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws. (Ord. 92-22 Art. III § 3, 1992).

#### **7.24.130 Nonretaliation.**

No person or employer shall discharge, refuse to hire or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises any right to a tobacco smoke-free environment afforded by this chapter. (Ord. 92-22 Art. III § 4, 1992).

#### **7.24.140 Governmental agency cooperation.**

The city manager, on behalf of the city, shall annually request other governmental agencies having facilities within the city to establish local operating procedures in cooperation with this chapter. The city manager shall urge federal, state and county agencies, as well as school districts, to enforce their existing smoking regulations and to voluntarily comply with this chapter. (Ord. 92-22 Art. III § 7, 1992).

Mobile Version

**Sonoma County Smoking Regulations**

	Ordinances revised 2009 or later							Ordinances revised prior to 2009			
	Rohnert Park 2009	Sebastopol 2011	Petaluma 2013	Healdsburg 2014	Windsor 2014	Unincorp 2014	Santa Rosa 2015	Cotati: Proposed 2015	Cotati: Current 1994	Sonoma 1992	Cloverdale 1989
<b>Regulations:</b>											
<b>Smoke Free Indoor Areas</b>											
Percent of hotel rooms smokefree		70%	100%	50%		75%	75%	75%	50%	30%	
City owned vehicles		X		X			X	X		X	
Tobacco shops		X	f			X	X	p			
Parks & recreation areas		X	X	X	X	X	X	X			
Public events	X(partial)	X	X	X(partial)	X(partial)	X	X(partial)	X(partial)			
20' from entrances, windows, vents (i.e. buffer zones)		X	X	X	X	25ft	25ft	25ft			
Dining & bars	X	X	X	X	X	X	X	X(partial)			
Service areas (i.e. bus stops, ATMS, movie lines)	X	X	X			X	X	X			
<b>Smoke Free Outdoor Areas</b>											
Non-smoking units inc. Condos duplexes townhouses	50%/75%*	100%	100%			100%	100%	100%			
Outdoor common areas	X	X	X			X	X	X			
<b>Multi-Unit Housing (MUH)</b>											
Nuisance language	X	X	X			X	X	X			
E-cigs regulated same as combustible cigarettes		X	X	X	X	X	X	X			
Marijuana smoking defined as "smoking"	X		X	X	X	X	X	X			
<b>Misc</b>											
f= smoking allowed in freestanding store only											
*Smokefree condos, duplexes, townhouses: Existing unit %/New unit%											
p = partially, e-cigs allowed											



**CITY OF SONOMA**  
 City Council  
 Agenda Item Summary

<b>Agenda Item:</b>	<b>10</b>
<b>Meeting Date:</b>	<b>10/19/2015</b>

<b>Department</b> Administration	<b>Staff Contact</b> Gay Johann, Assistant City Manager/City Clerk
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**Agenda Item Title**

Councilmembers' Reports on Committee Activities.

**Summary**

Council members will report on activities, if any, of the various committees to which they are assigned.

MAYOR COOK	MPT GALLIAN	CLM. AGRIMONTI	CLM. EDWARDS	CLM. HUNDLEY
City Audit Committee	ABAG Delegate	North Bay Watershed Association	ABAG Alternate	Sonoma Clean Power Alt.
City Facilities Committee	Cittaslow Sonoma Valley Advisory Council, Alt.	Sonoma County Health Action & SV Health Roundtable	Cittaslow Sonoma Valley Advisory Council	Sonoma County M & C Assoc. Legislative Committee
LOCC North Bay Division Liaison	City Audit Committee	Sonoma County Trans. & Regional Climate Protection Authority, Alternate	City Facilities Committee	S. V. Citizens Advisory Commission
Oversight Board to the Dissolved CDA	LOCC North Bay Division Liaison, Alternate	Sonoma County Waste Management Agency		S.V. Economic Dev. Steering Committee, Alt.
Sonoma Clean Power	Oversight Board to the Dissolved CDA, Alt.	VOM Water District Ad Hoc Committee, Alternate		S. V. Library Advisory Committee, Alternate
Sonoma County Mayors & Clm. Assoc. BOD	Marin/Sonoma Mosquito & Vector Control District	Water Advisory Committee, Alternate		
Sonoma Disaster Council	Sonoma County Mayors & Clm. Assoc. BOD, Alt.			
Sonoma Housing Corporation	Sonoma County M & C Assoc. Legislative Committee, Alt.			
Sonoma Valley Citizens Advisory Comm. Alt.	Sonoma County Trans. Authority & Regional Climate Protection Authority			
S.V.C. Sanitation District BOD	Sonoma Disaster Council, Alternate			
S.V. Economic Dev. Steering Committee	Sonoma Housing Corporation			
S.V. Fire & Rescue Authority Oversight Committee	S.V.C. Sanitation District BOD, Alt.			
S. V. Library Advisory Committee	S.V. Fire & Rescue Authority Oversight Committee			
	LOCC North Bay Division, LOCC E-Board (M & C Appointment)			
	Ag Preservation and Open Space (M & C Appointment)			
	VOM Water District Ad Hoc Committee			
	Water Advisory Committee			

**Recommended Council Action** – Receive Reports

**Attachments:** None