

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

Community Meeting Room, 177 First Street West, Sonoma CA



**Monday July 18, 2016
5:45 p.m. Closed Session (Special Meeting)
6:00 p.m. Regular Meeting**

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

MINUTES

SPECIAL MEETING - CLOSED SESSION

Mayor Gallian called the meeting to order at 5:45 p.m. No one from the public was present to provide public testimony on the closed session item. The Council recessed into closed session with all members present. City Manager Giovanatto and City Attorney Walter were also present.

CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code. Name of case: Selma Blanus v. City of Sonoma, a municipal corporation.

REGULAR MEETING

Mayor Gallian called the meeting to order at 6:00 p.m. Fire Chief Mark Freeman led the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENT:

Mayor Gallian announced that Council had provided direction to staff while in Closed Session.

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

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager Johann, City Attorney Walter, Finance Director Hilbrants, Public Works Director Takasugi

1. COMMENTS FROM THE PUBLIC

Tom Cannard complained that the street closures related to the Napa to Sonoma Wine Country Half Marathon sponsored by Destination Races created a great inconvenience to local residents. He stated that it took it a half hour to get from 5th Street East to 5th Street West and he questioned why the City was allowing the event to occur.

Toni Castrone, acknowledging her resignation, introduced the new Sonoma Community Center Deputy Executive Director Jesse Irving and stated it had been a pleasure to work with the City.

Matt Metzler thanked the City Council for appointing him to the Community Services and Environment Commission.

Lynda Corrado reported that she had been studying traffic patterns around the Plaza and suggested the City install synchronized pedestrian crossing lights at each corner of the Plaza.

2. MEETING DEDICATIONS

Mayor Gallian dedicated the meeting to the family of three year old Owen Bradley Todeschini who was tragically killed when struck by a vehicle.

3. PRESENTATIONS

Item 3A: Proclamation in Recognition of the Service of Ralph and Joseph Keechler

Mayor Gallian read aloud the proclamation and presented it to Ralph and Joseph Keechler. To commemorate their service to the community and preserve a historical record of their service, the wording of the proclamation is reproduced herewith:

**RECOGNITION OF THE SERVICE OF
RALPH AND JOSEPH KEECHLER**

WHEREAS, Ralph and Joseph Keechler have volunteered with the Sonoma Valley Fire and Rescue Authority (SVFRA) for a remarkable 100 years combined; and

WHEREAS, Ralph, is a Sonoma native who served in World War II with the 75th Infantry Division and participated in the Battle of the Bulge at the rank of Corporal. In addition to the 60 years of service with SVFRA he has also been an active member of the Native Sons of the Golden West for 71 years promoting and preserving California's history and landmarks for future generations; and

WHEREAS, Ralph currently serves as SVFRA Division Chief guaranteeing his experience informs the organizations operations; and

WHEREAS, Ralph passed along his passion for service to his son Joseph who has served SVFRA for 40 years. He is currently a Captain and also serves on the Board of the Sonoma Volunteer Firefighters' Association sharing his firsthand experience for the benefit of other volunteers; and

WHEREAS, the service of Ralph and Joseph with SVFRA ensures fire, rescue and emergency medical services to Sonoma and surrounding communities.

NOW, THEREFORE, I, LAURIE GALLIAN, Mayor of the City of Sonoma, do hereby recognize and commend Ralph and Joseph Keechler for their professionalism, dedication to service, and spirit of volunteerism and thank them for all they have done and continue to do for the members of our community.

IN WITNESS WHEREOF, I hereby set my hand and cause the seal of the City of Sonoma to be affixed this 18th day of July 2016.

LAURIE GALLIAN, MAYOR

Fire Chief Freeman also thanked the pair and stated it had been an honor to serve with them. In closing, they received a standing ovation.

Item 3B: Update on the Code Enforcement Program

City Prosecutor Bob Smith provided a report on the newly initiated Code Enforcement Program and successes they had already achieved. He stated they look forward to growing a partnership with the Police Department and hope to have caught up the backlog of citizen complaints by the end of the year.

4. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

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

Item 4B: Adoption of Plans and Specifications, Acceptance of Bids and Award of Contract for the Valley of the Moon Nursery School ADA & Maintenance Improvement Project to Gregory Equipment, Inc. of Redding, CA.

Item 4C: Application for Temporary Use of City Streets for the 2016 Valley of the Moon Vintage Festival Parade, Blessing of the Grapes, Fire Department Bucket Brigade and Foot Race (September 24 and 25, 2016).

Item 4D: Discussion, consideration, and possible action to submit a letter of intent to renew the Joint and Mutual Fire Protection and Emergency Medical Services Agreement between Valley of the Moon Fire Protection District and City of Sonoma.

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

Item 4E: Adoption of an amended resolution rescinding Resolution No. 21-2016 and Calling for an Election on a Proposed Ballot Measure to Continue the Existing Voter Approved Funding of a Transactions and Use (Sales) Tax To Fund General City Services. (Res. No. 23-2016)

Item 4F: Adoption of Plans and Specifications, Award a Contract to VSS International, Inc., lowest responsible bidder, for the 2016 Citywide Slurry Seal Project No. 1601, Authorize the City Manager to execute a construction contract in the amount of \$117,120.00, and Authorize the Planning Director to sign the CEQA Notice of Exemption.

The public comment period opened and closed with none received. It was moved by Clm. Cook, seconded by Clm. Agrimonti, to approve the Consent Calendar as presented. The motion carried unanimously.

5. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL AS SUCCESSOR AGENCY – No Items

6. PUBLIC HEARING – None Scheduled

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, Consideration and Possible Action to Approve the Agreement with the Sonoma Valley Visitors Bureau For Visitors Center Operations and Visitor Information Services for the period July 1, 2016 through June 30, 2019.

City Manager Giovanatto reported since 2004, the City had maintained a funding agreement with the Sonoma Valley Visitors Bureau covering Visitor Center Operations and Visitor Information Services which enhance and promote the economic viability of the City. The funding source had been the Sonoma Community Development Agency (redevelopment funds) until 2011 when the Governor eliminated redevelopment agencies. The State allowed a five year phase-out period which extended that funding through June 30, 2016. She reported that the Visitors Bureau requested a renewal of the agreement and discussions were initiated in late 2015 regarding reducing the parameters of funding levels due to the loss of the City's funding source. Following several meetings during which the Visitors Bureau completed a full budget review under their new Executive Director, and conferred with the Tourism Improvement Bureau (TID), the TID Board voted to support funding an additional \$100,000 towards the Plaza Center if the City would additionally support a funding level of \$100,000 in an effort to mitigate the loss of the \$218,000 in redevelopment funding.

City Manager Giovantto stated that staff was presenting a three-year agreement for Council consideration providing an annual payment of \$100,000 in exchange for their valuable services.

Clm. Hundley, referring to a letter from David Eichar, questioned if the TID had agreed to replace the funding provided by the City should the redevelopment agency be terminated. City Manager Giovanatto stated that the TID could only fund the Bureau on a limited basis per State law. Clm. Hundley also questioned if the Bureau received any funding from the County and if, in their new branding process, they were taking into consideration the tension felt by residents regarding further growth to tourism.

Executive Director Jonny Westom, responded that they received \$94,000 from the Sonoma County Economic Development Board and \$30,000 from the Board of Supervisors. He added that they had sent questionnaires out to the public and would be holding a symposium to obtain input from the public regarding their new branding.

Clm. Agrimonti stated her appreciation for the Bureau's efforts in curtailing tour bus parking in the Plaza and for the new community calendar included on their website.

In response to a question from Clm. Edwards, Mr. Westom stated that he and two of his Board members were also on the County Tourism Board and he had established a good relationship with their executive director.

Mayor Gallian invited comments from the public. Citing minutes and staff reports from previous Council meetings, David Eichar claimed that the TID had agreed to make up the difference in Bureau funding for any loss of redevelopment money.

Item 7A: Sonoma Valley Visitors Bureau Agreement, Continued

Bill Blum, TID Boardmember, disagreed with the claim made by Eichar and stated that the TID had agreed to assist with funding the Bureau but not to provide the total amount of lost funding. He pointed out that the Bureau had enjoyed a partnership with the City for at least twenty-five years.

It was moved by Clm. Agrimonti, seconded by Clm. Edwards, to adopt Res. No. 24-2016 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA APPROVING THE AGREEMENT WITH SONOMA VALLEY VISITORS BUREAU FOR VISITOR CENTER OPERATIONS AND VISITOR INFORMATION SERVICES.

In response to a question by Clm. Hundley, Westom explained that the Bureau does pay rent to the City; however they had overpaid some years back and were still working off that credit. Clm. Hundley stated that she liked that in the agreement the Bureau agreed to support promotion and economic development in accordance with the City's goals and that it had a clause allowing the City to terminate it without cause.

Clm. Cook and Clm. Edwards expressed their support of the ongoing relationship and appreciation for the services the Bureau provides.

Mayor Gallian stated there had not been a commitment on the part of the TID for one hundred percent of the funding. She stated her support and appreciation for the services provided by the Bureau and liked that the agreement contained accountability measures.

Being put to a vote, the motion carried unanimously.

Item 7B: Discussion, consideration and possible adoption of a resolution calling for an election on a proposed ballot measure amending Chapter 7.24 of the Sonoma Municipal Code (City's Smoking Ordinance) to impose more stringent restrictions and prohibitions on smoking in the City of Sonoma.

City Attorney Walter reported that staff was recommending a different approach than what was included in Ordinance 04-2016 adopted on June 6, 2016 to address this issue because they felt trying to explain to the voters that a previous initiative measure needed to be repealed in order to allow a City Council ordinance to become enforceable was perceived as unnecessarily convoluted. He said staff had developed and was now proposing a more direct approach by modifying Ordinance 04-2016 to state that it was an ordinance of the people of the City of Sonoma, but still retaining the identical substantive provisions of the ordinance. In addition, the modified ordinance included a provision granting to the City Council the power to amend the ordinance in the future, as conditions warrant. Thus, if this ordinance was approved by the voters, and it became necessary to amend it in the future to meet changing circumstances and/or scientific evidence pertaining to the adverse effects of smoking, it could be amended by the City Council without having the measure being returned to the voters for approval. The proposed ballot question contained in the resolution read as follows:

““In order to more comprehensively protect the health and safety of the citizens of Sonoma shall an ordinance be adopted that amends the City's existing 1992 smoking ordinance to include more restrictions by prohibiting smoking in public places, multi-unit residences, hotels and motels, enclosed common areas, enclosed dining areas, outdoor recreational areas and parks, outdoor public places, outdoor dining areas and within 25 feet of any area where smoking is prohibited?”

Clm. Cook asked for the ballot question to include that the Council would have the ability to amend the ordinance. Attorney Walter responded that information could be included in the impartial analysis and argument in favor of the measure.

Mayor Gallian invited comments from the public. Pam Granger, Lori Bremner and Elizabeth Emerson spoke in favor of the ballot measure and offered their assistance in writing the argument in favor. Ms. Granger suggested replacing the word restrictions with protections in the ballot question. Jack Wagner suggested use of the word ratify. David Eichar supported the ballot measure and cautioned that the ballot question should not be too long.

Councilmembers discussed the wording of the ballot argument. It was moved by Clm. Hundley, seconded by Clm. Edwards to approve Resolution No. 25-2016 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA GIVING NOTICE OF AND ESTABLISHING THE POLICIES AND PROCEDURES FOR A REGULAR ELECTION TO ADOPT AN ORDINANCE AMENDING CHAPTER 7.24 OF THE CITY'S MUNICIPAL CODE WHICH MORE

Item 7B: Proposed ballot measure amending Chapter 7.24 of the Sonoma Municipal Code (City's Smoking Ordinance) to impose more stringent restrictions and prohibitions on smoking in the City of Sonoma, Continued

COMPREHENSIVELY PROHIBITS SMOKING AND IMPOSES MORE STRINGENT CONTROLS ON SMOKING IN PLACES AND BUILDINGS IN THE CITY; AND DIRECTING THE COUNTY ELECTIONS DEPARTMENT TO CONDUCT THE ELECTION ON THE CITY'S BEHALF with the ballot question amended to replace the word restrictions with protections and appointment of the Mayor to write the ballot argument. The motion carried unanimously. City Attorney Walter pointed out that the ordinance had been modified to make it clear that smoking was prohibited on City streets and sidewalks.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY – No items

9. COUNCILMEMBERS' REPORTS AND COMMENTS

Mayor Gallian reported on the Sonoma County Transportation and Regional Climate Protection Agency, the Highway 121/116 intersection planning meeting, the Grange BBQ at the Garden Park, and the Schellville Fire BBQ fundraiser. She expressed some concerns relating to the Half Marathon and its impact on the Plaza and with matters of public safety.

Cm. Edwards stated he had received numerous calls from citizens complaining about the Half Marathon and impact on local streets. He stated they had constructed fencing in the Plaza and poured wine on the lawn and he had observed people getting into their vehicles with glasses of wine. Cm. Edwards stated that the Plaza was looking pretty beat up and he requested that the Council look at the Plaza Use policy in the near future.

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

City Manager Giovanatto announced the City Party would be held on Thursday July 28, 2016. A tradition dating back to 2001, the City Party was a way for the City to say thank you to its citizens. She announced that there would be two seats up for election in November and that the Nomination Period ran from July 18 through August 12 and if anyone was interested in running they should contact the City Clerk.

11. COMMENTS FROM THE PUBLIC

David Eichar stated some events were just too large for Sonoma; that most voters were not aware that an ordinance passed by ballot could not be amended by the Council; he liked that the City Council had the power to cancel the agreement with the Visitor Bureau if it became necessary; and he would like to see an anonymous complaint system in place. City Manager Giovanatto responded that although the City does not release the name of a complaining party, they do not accept anonymous complaints because if it lead to legal action the complaining party would need to testify.

12. ADJOURNMENT

The meeting was adjourned at 8:22 p.m. in the memory of Owen Bradley Todeschini.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 15th day of August 2016.

Gay Johann
Assistant City Manager/City Clerk