

CITY OF SONOMA

SPECIAL MEETINGS OF THE CITY COUNCIL
MONDAY AUGUST 15, 2016



JOINT STUDY SESSION WITH THE
PLANNING COMMISSION 5:00 – 6:30 P.M.
EMERGENCY OPERATIONS CENTER (EOC)
175 First Street West, Sonoma CA

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

&

CONCURRENT MEETINGS OF THE SONOMA CITY COUNCIL &
CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE DISSOLVED
SONOMA COMMUNITY DEVELOPMENT AGENCY 6:30 P.M.
Community Meeting Room, 177 First Street West, Sonoma CA

AGENDA

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

5:00 – 6:30 P.M. – JOINT STUDY SESSION (HELD IN THE EOC)

CALL TO ORDER

ROLL CALL:

CITY COUNCIL: Cook, Agrimonti, Edwards, Hundley, Gallian

PLANNING COMMISSION: Coleman, Cribb, McDonald, Roberson, Sek, Wellander, Willers, Felder

SS.1: Discussion, consideration and possible direction to staff on housing-related topics presented during the May 16, 2016 joint City Council-Planning Commission Study Session

6:30 P.M. – CONCURRENT CITY COUNCIL AND COUNCIL AS SUCCESSOR AGENCY MEETING (HELD IN THE COMMUNITY MEETING ROOM)

CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL: (Cook, Agrimonti, Edwards, Hundley, Gallian)

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: School Attendance Awareness Month Proclamation

Item 3B: Freedom Week Sonoma Proclamation

Item 3C: Update by Sonoma Clean Power on Program Status and Future Activities

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 minutes of the July 6 and July 18, 2016 City Council Meetings.**
Staff Recommendation: Approve the minutes.
- Item 4C:** **Discussion, Consideration and Possible Action to Award Contract to Peckham & McKenney for Executive Search Services (City Manager) and Authorize the City Manager to Sign.**
Staff Recommendation: Award contract to Peckham & McKenney for Executive Search Services for the position of City Manager and authorize the City Manager to sign on behalf of the City.
- Item 4D:** **Acceptance of the City of Sonoma Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2015 as prepared in accordance with Governmental Accounting Standards Board statements.**
Staff Recommendation: Accept.
- Item 4E:** **Approval and ratification of the appointment of Thomas Haeuser to the Sonoma County Library Commission for a four-year term.**
Staff Recommendation: Approve and ratify the appointment.
- Item 4F:** **Approval of a waiver of commission attendance rules for Planning Commissioner Chip Roberson.**
Staff Recommendation: Approve.
- Item 4G:** **Approval of a waiver of the limitation on successive terms and ratification of the reappointment of Pam Personette to the Cultural and Fine Arts Commission.**
Staff Recommendation: Approve the waiver and ratify the reappointment.
- Item 4H:** **Approval and ratification of the reappointment of Kate Schertz to the Cultural and Fine Arts Commission.**
Staff Recommendation: Approve and ratify the reappointment.
- Item 4I:** **Approval and ratification of the reappointment of Fred Allebach to the Community Services and Environment Commission for an additional four-year term.**
Staff Recommendation: Approve and ratify the reappointment.

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

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 5A: Approval of the portions of the minutes of the July 6 and July 18, 2016 City Council meetings pertaining to the Successor Agency.

Staff Recommendation: Approve the minutes.

6. PUBLIC HEARINGS

Item 6A: Discussion, consideration, and possible adoption of a resolution approving Climate Action 2020 and Beyond and making responsible agency findings pursuant to the California Environmental Quality Act (CEQA), including a statement of overriding considerations. (Associate Planner)

Staff Recommendation: Adopt a Resolution approving *Climate Action 2020 and Beyond* and making responsible agency findings pursuant to the California Environmental Quality Act (CEQA), including a statement of overriding considerations.

Item 6B: Discussion, consideration and possible action on an appeal of the Design Review and Historic Preservation Commission’s decision to approve the application of Glenn Ikemoto for site design and architectural review of a new single-family residence, additional residence, and accessory structures at 314-324 Second Street East. (Planning Director)

Staff Recommendation: Deny the appeal, thereby upholding the decision of the Design Review and Historic Preservation Commission.

7. REGULAR CALENDAR – CITY COUNCIL

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

Item 7A: Discussion, Consideration and Possible Action to Accept the 2015-16 Annual Report of the Sonoma Tourism Improvement District. (City Manager)

Staff Recommendation: Accept the report.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

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

9. COUNCILMEMBERS’ REPORTS AND COMMENTS

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

11. COMMENTS FROM THE PUBLIC

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

12. PUBLIC COMMENTS REGARDING CLOSED SESSION

Public testimony on closed session item(s) only.

13. CLOSED SESSION

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 Blanusa v. City of Sonoma, a municipal corporation.

14. RECONVENE IN OPEN SESSION & REPORT ON CLOSED SESSION

15. ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on August 11, 2016. 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: SS-1

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, consideration and possible direction to staff on housing-related topics presented during the May 16, 2016 joint City Council-Planning Commission Study Session

Summary

On May 16, the Council held an initial Study Session with the Planning Commission to discuss the global issue of affordable housing options and opportunities in the City of Sonoma. As an outcome of that meeting, staff has focused on four issues to present for further discussion at this second Study Session as follows:

1. Options on modifying inclusionary housing requirements (Housing Consultant: Keyser-Marston/KWA).
2. Housing Impact Fee status report and discussion (Housing Consultant: Keyser-Marston/KWA).
3. Considerations on prohibiting or further restricting vacation rentals.
4. Discussion of Junior Second Units and Shared Housing.

This Study Session envisions presentation by the City's consultant and staff, discussion between Council and Planning Commission and ultimately to provide general direction from which staff can proceed with formulating a work plan for any or all of the topics. (Note: subsequent study sessions will address additional housing topics.)

Recommended Council Action

Provide general direction to staff and/or consultant on the four main topics discussed.

Alternative Actions

N.A.

Financial Impact

To be determined.

Environmental Review

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

Status

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

Attachments:

1. Inclusionary requirements/impact fees:
 - A. Power Point Presentation (**Note: please see question/discussion topics following slide #13**)
 - B. Draft comparison of inclusionary housing requirements
 - C. Draft comparison of housing impact fees
2. Vacation Rentals:
 - A. Memo from City Attorney's office
 - B. List of vacation rentals
3. Junior Second units and shared housing:
 - A. Junior Second Units: Talking points and Novato example
 - B. Information on Share Sonoma

Alignment with Council Goals:

The discussion of housing issues relates to the Housing goal, which includes the direction to: *“Implement strategies to facilitate creation of affordable rental and workforce housing; sustain or increase opportunities to continue the programs currently in place to maintain current affordable housing stock.”*

Compliance with Climate 2020 Action Plan Target Goals:

The development of affordable housing will help reduce GHG emissions by reducing vehicle miles travelled.

cc:

Affordable Housing Program Update & Nexus Studies City of Sonoma, CA

August 15, 2016



KEYSER MARSTON ASSOCIATES

Goals for Today's Study Session

1. Introduce the Work Program
2. Discuss Policy Considerations
3. Listen to Your Ideas and Concerns

Purpose of the Update

- Establish a Strong Legal Foundation
- Ensure Program is an Effective Tool for Creating New Affordable Housing
- Consider Expanding Program to Include Non-Residential Uses, Smaller Residential Projects

Who We Are

- Karen Warner Associates
 - City of Sonoma Housing Elements
 - Local Housing Issues
 - Inclusionary Housing Program Design
- Keyser Marston Associates
 - Real Estate Advisory Firm
 - Nexus Analysis Pioneer
 - Affordable Housing Program Design

Why Update?

- Housing Element Process
- Loss of Redevelopment
 - Created Low, Very Low Income Units
 - Provided Revenue for Affordable Housing
- Changes in the Legal Environment

Legal Context

Rentals

- *Palmer* precludes required inclusionary units. Alternative is an impact fee supported by a nexus. Onsite as an option.
- “Palmer fix” (AB 2502) introduced in Legislature

For Sale

- *San Jose* ruling - inclusionary requirements upheld. U.S. Supreme Court declined to review.
- Nexus not needed to support inclusionary
- Nexus for impact fees on small projects or single units
- In-lieu fees instead of impact fees for larger projects (no nexus).

Summary of Work Program

- Evaluate demand for affordable housing generated by new residential and non-residential development (using a nexus model) → maximum impact fee obligations
- Evaluate impact of affordable housing obligations on the financial feasibility of new residential development.
- Review City's Inclusionary Program & recommend updates.
- Recommend fee levels for non-residential development.

Residential Nexus: Concept

Concept:



Starting Point: prototypical market rate units

- Represent projects currently being built or expected in future

Non-Residential Nexus: Concept

Concept: New Workplace Buildings Mean...

- New jobs, a share of which are lower paying
- New lower income households
- New demand for affordable housing

Starting Point: Non-Residential Building Types

- Building types (retail, office, etc.) representative of the uses expected in Sonoma
- Employment density factors (SF per employee)

Financial Feasibility

- Nexus Analysis establishes maximum supportable fee levels
- Financial Feasibility Analysis informs appropriate fee levels, onsite obligations
 - Compare relative burdens between potential onsite options
 - Compare relative burdens of onsite compliance & fee payment
 - Evaluate impact of program on development economics

Current Inclusionary Program

- Projects with 5+ units or parcels, 20% affordable to Moderate Income households.
- Projects with 5-9 units/parcels provide one Moderate unit.
- Within Sonoma Residential zoning district, for projects with 10+ units/parcels, at least 50% of inclusionary units affordable to Low Income households.
- No in-lieu fee option.

Housing Element Recommendations

- Consider allowing onsite units at Low, with reduction in percent required.
- Consider allowing projects to pay in-lieu fee.
- Consider establishing housing impact fees for:
 - single-family homes and 2-4 unit projects,
 - rental projects,
 - non-residential development.
- **Additional policy-maker discussion:**
 - Create incentives for smaller units
 - Allow seniors to downsize
 - Provide housing for workforce
 - Provide housing for young families

Policy Considerations

- Overview of Decisions & Considerations for Program Update
- Looking for Feedback / Discussion

Onsite Units vs. Fee Payment

- What is the City's preference for affordable units provided onsite versus payment of fee?
- Consider:
 - Fee \$ can be leveraged.
 - Fee \$ can be used to reach lower income levels.
 - Onsite obligations scatter units throughout City, projects.
 - Timing - Onsite obligations create affordable units at same time as market rate units. Fee-based programs create units later.
 - Finding sites for affordable housing is challenging.
 - Administrative burden is different.

Income Targets

- How will City meet the affordable housing needs for range of income levels (Extremely Low, Very Low, Low, Moderate)?
- Consider:
 - Inclusionary program currently targets Moderate Income units.
 - With loss of redevelopment, City no longer has funding source for lower income housing needs.
 - Lower income units are more burdensome for developer.
 - Consider using fee revenues to assist lower income levels, and leverage tax credit financing.

Thresholds & Fees

- What adjustments should be made to thresholds in the inclusionary program?
- Consider:
 - Current program requires onsite for 5+ units. No fee option.
 - Threshold for Fee Payment
 - Include single unit projects?
 - Two units?
 - Threshold for Build Requirement (Ownership Units Only)
 - Frequently tied to onsite percentage (20% of 5 units = 1 unit)
 - Higher threshold – more projects paying fee.
 - Relationship between fee level and onsite requirement

Fee Structure

- How does the City want to structure a residential impact fee?
- Consider:
 - Impact fees are required for rental projects & small for-sale projects (where onsite is not an option).
 - Fees are typically assessed on a ‘per square foot’ or ‘per unit’ basis, for all market rate units.
 - Alternatives includes ‘per affordable unit owed’ and ‘percent of market sales price.’
 - ‘Per Square Foot’ fees allow for lower fees for smaller units and higher fees for larger units.
 - Impact fees charged ‘per square foot’ can be applied to additions and replacements with net new floor area.

Developer Incentives

- What incentives would the City provide to encourage onsite units?
- Consider:
 - The City can provide incentives that reduce the cost of providing units onsite.
 - Typical incentives include:
 - Fast track processing
 - Design flexibility for affordable units (reduced unit sizes, lesser interior finishes)
 - Fee Deferrals / waivers
 - Offsite solutions (e.g., apartment units instead of single family homes)
 - State Density Bonus Law

Ordinance Exemptions / Discounts

- What exemptions or discounts should the City have in the inclusionary program?
- Consider:
 - Exemptions/discounts can help achieve policy objectives.
 - Options for exemptions include:
 - Geographic areas
 - Deed restricted affordable housing
 - Second units
 - Farmworker units
 - Small additions (e.g., less than X sf)
 - Replacement units with small amount of net new floor area.
 - Discounts
 - Market based, e.g., rentals.
 - Phase-in periods

Seconds Units

- How do Second Units fit into the program?
- Consider:
 - Options include:
 - Can satisfy onsite inclusionary obligation
 - Cannot satisfy onsite obligations, but are exempt from fee
 - Are charged a fee, unless deed restricted and rented out.
 - Units do count toward RHNA obligations.
 - Create additional units that serve small households, not families.

Wrap Up & Next Steps

**CITY OF SONOMA INCLUSIONARY PROGRAM REVIEW
COMPARISON OF INCLUSIONARY HOUSING PROGRAMS - DRAFT**

	Sonoma (City)	Sonoma (County)	Cloverdale	Healdsburg	Petaluma	Santa Rosa	Sebastopol
Min. Project Size							
For Impact (or In-Lieu) Fee	n/a	1 unit	FS: 5-15 units	1 unit	5+ units	1 unit	n/a
For Building/Afford. Units	5+ units	n/a	5+ units	7+ units	n/a	n/a ^a	3+ units
For-Sale Onsite Requirement							
% Affordable Units	20% ^a	20%	15%	15% ^a	15%	Not specified ^b	20%
Qualifying Income Level	Low & Mod ^b	1/2 Low, 1/2 Mod	Moderate	2/3 VL&Low, 1/3 Mod	Low & Mod		Low
Rental Impact Fee	No	Yes ^a	Not currently ^a	Not currently ^b	In-Lieu Fee ^a	Yes	No
Rental Onsite Option							
% Affordable Units	20% ^a	15% ^b	15%	Not currently ^b	15%	15%	20%
Qualifying Income Level	Low & Mod ^b	Very Low & Low	Low	Very Low & Low	Very Low & Low	Low	Low
Impact/In-Lieu Fee	No fee option	Sliding scale: 1,000 sf = \$2,198/unit >4,400 sf = \$7.57/sf	FS: 15% of difference between affordable and market price	Sliding scale: 1,300 sf = \$2,455 ≥2,300 sf = \$15,000	Sliding scale: 640 sf = \$2,400 ≥4,000 sf = \$22,500	FS: 2.5% sales price R: Sliding Scale <910 sf = \$1/sf ≥1,890 sf = \$12,712	Fee permitted for fractional units only.
Fee for Additions/Replacements	No	Yes 1,000+ sf	No	Yes 1,300+ sf	No	No	No
Fractional Units	Not specified	Add'l unit, 2nd unit, or farmworker unit	FS: Fractional fee or add'l unit R: <0.5=no unit ≥0.5=add'l unit	Fractional fee or add'l unit	Negotiated on project-by-project basis.	Fractional fee or add'l unit	Fractional fee or add'l unit
Alternatives to Onsite Units							
Fee Option	Currently not permitted ^c	Yes (Developer) Yes (County) Yes (County) Price restrictions on existing dus (Co)	FS: 5-15 dus Yes (City)	< 7 dus (Developer) Yes (City) Yes (City)	Yes (Developer) Yes (City) Yes (City) Alternative methods (City)	Yes (Developer) Yes (City) Yes (City)	Alternatives only if onsite infeasible (City)
Inclusionary Unit Standards	Not specified in Ordinance, yet in practice City allows modified standards (subject to PC approval)	↓ floor area ≤ 25% Yes 2nd units and farmworker units may fulfill inclusionary reqmnt.	Yes ^b Yes In small FS projects, 2nd units may fulfill reqmnt.	Yes ^c Yes 2nd units can not fulfill inclusionary requirement.	Not specified	Not specified	Yes ^a Yes
Smaller Units							
Lesser Interior Finishes							
Other							
Other Concessions/ Incentives	Per state density bonus preference in PDA; ↓ development standards	Priority processing; development preference in PDA; ↓ development standards	Per state density bonus	Per state density bonus	Housing funds for site acquisition, pre- development, etc; ↓ fees; fast-track processing	Per state density bonus	Per state density bonus

CITY OF SONOMA INCLUSIONARY PROGRAM REVIEW
COMPARISON OF INCLUSIONARY HOUSING PROGRAMS - DRAFT

	Napa (City)	Napa (County)	St. Helena
Min. Project Size			
For Impact (or In-Lieu) Fee	1 unit	1 unit	1 unit
For Building Afford. Units	n/a	5+ units (for-sale)	5+ units
For-Sale Onsite Requirement % Affordable Units	n/a	20% SF Detached 17% SF Attached & Common interest projects	20%
Income Level		Moderate	1/2 Median, 1/2 Mod ^a
Rental Impact Fee	Yes	Yes	In-Lieu Fee
Rental Onsite Option % Affordable Units	n/a	12%	20%
Income Level		Low	VL/Low/Mod ^b consistent with income ratio in City's RHNA
Impact/In-Lieu Fee	Rental: \$4.05/sf ^a Condo: \$4.75/sf ^a Single-Family: \$4.75/sf ^a	Rental: \$5.50/sf For-Sale: 1200-2000 sf=\$9.00/sf 2001-3000 sf=\$10.75/sf > 3000 sf = \$12.25	2.5% of project valuation ^c
Fee for Additions/Replacements	No	No	Yes 850+ sf
Fractional Units	n/a	Fractional fee or add'l unit	Fractional fee, add'l unit, or alternative equivalent action
Alternatives to Onsite Units			
Fee Option		FS: < 5 units (Developer)	< 5 dus (Developer)
Land Dedication	Alternative equivalent	Yes (County)	Yes (City)
Offsite Units	proposal (City) ^b	Yes (County)	Yes (City)
Other		Alternative equivalent action (County)	Price restrictions on existing dus (City)
Inclusionary Unit Standards	n/a		
Smaller Units		Yes ^a	Yes ^d
Lesser Interior Finishes		Yes	Yes
Other		Allowance for attached units in SF detached project	
Other Concessions/Incentives	Not specified	Priority processing; waiver bldg permit fee; concessions/incentives per state density bonus	Priority project processing; fee deferrals; concessions/ incentives per state density bonus

CITY OF SONOMA INCLUSIONARY PROGRAM REVIEW COMPARISON OF INCLUSIONARY HOUSING PROGRAMS - DRAFT

Notes:

1. This chart presents an overview of selected inclusionary programs in Sonoma and Napa counties. Refer to City codes for more specific details.
2. Moderate income = 120% Area Median Income (AMI), Median income = 100% AMI, Low income = 80% AMI, Very low income = 50% AMI, Extremely low income = 30% AMI.
3. Under "Alternatives to Onsite Units", (Developer) and (City) refer to which entity has discretion.
4. Abbreviations: FS = For Sale R = Rental SQ = Square Feet N/A = Not Applicable

Jurisdiction-specific Notes:

Sonoma (city): ^a In 5-9 unit projects, 1 inclusionary unit is required. ^b In Sonoma Residential District, at least half of inclusionary units must be affordable to low income households. ^c While off-site compliance not specified in Ordinance, occasionally done in practice (e.g. 9 apartment units permitted to fulfill inclusionary obligation of Tarassa (Eastside Estates III) subdivision).

Sonoma (county): ^a Rental projects have option to provide fewer affordable units (10%), but with deeper income targeting (extremely low and very low income). ^b To date, no rental impact fees have been collected in the County. All rental projects have involved some sort of density bonus, general plan amendment or funding from the county, and thus all have included affordable units on site at the developer's initiative. County offers by-right 100% density bonus on multi-family zoned land in exchange for 40% very low and low income units, which has been widely utilized by developers of rental housing.

Cloverdale: ^a Adopted Housing Element includes a program to revise the current inclusionary program to address recent court decisions, and to encourage changes to encourage fee payment as a form of compliance; City in process of bringing on consultant to conduct nexus study. ^b Bedroom mix of inclusionary units must be in same proportion of market units in project.

Healdsburg: ^a City's adopted Housing Action Plan (July 2016) establishes "priority recommendation" to increase the inclusionary requirement from 15% to 30%; staff beginning initial work on Ordinance revisions, proposing the following affordability targets: 7.5% Low income, 7.5% Moderate income, 15% Middle income (120-160% AMI). ^b Pursuant to current case law, City does not impose inclusionary requirements on rental projects. However, Housing Action Plan includes recommendation to prepare a nexus-based impact fee study and adopt a Housing Impact Fee Ordinance to require rental housing contribute to affordable housing. ^c In projects with 10+ inclusionary units, a minimum of 10% must have 3 bedrooms.

Petaluma: ^a Inclusionary housing requirement based Housing Element Program 4.3; City does not currently have an inclusionary housing ordinance. City Housing staff indicate City is looking at adopting Housing Impact Fees.

Santa Rosa: ^a Developers of projects with 70+ units are required to consider providing on-site units, rather than paying the in-lieu fee. ^b In June 2016, City Council approved a Housing Action Plan, with direction to modify the Affordable Housing (Inclusionary) Ordinance to: require inclusionary units in for-sale housing projects, provide incentives for inclusionary units, and to increase the housing impact fees.

Sebastopol: ^a Bedroom mix of inclusionary units should be comparable to market units in project, and comply with the following min. unit sizes: 0-1 bdrm = 600 sf, 2 bdrm = 750 sf, 3 bdrm = 900 sf, 4 bdrm = 1,200 sf.

Napa (city): ^a Reflects updated fees adopted in 2016, to be phased in by January 2017. ^b In 2012, the City amended its Inclusionary Housing Ordinance to an Affordable Housing Impact Fee Ordinance. As an alternative to payment of an impact fee, residential development may propose an alternative equivalent action, including: construction of affordable units on- or off-site, land dedication, provision of affordable rental units, conversion of market rate units to affordable ownership units, preservation of affordable units at risk of loss, or other means consistent with the Housing Element.

Napa (county): ^a Bedroom mix of inclusionary units must be in same proportion of market units in project.

St Helena: ^a For-sale projects opting to provide 10% Low income rather than 10% Median income units are eligible for a 5% density bonus, or other incentive of equivalent financial value. ^b Rental projects required to provide < 4 affordable units shall adhere to the following income standards: 1 affordable unit = very low income; 2 affordable units = 1 very low, 1 low income; 3 affordable units = 1 very low, 1 low, 1 moderate income. ^c Project valuation is calculated based on estimated per square foot construction costs (as established by the City building department), multiplied by the project square footage (minus the garage floor area) ^d Bedroom mix of inclusionary units must be in same proportion of market units in project.

DRAFT

SUMMARY OF JOBS HOUSING LINKAGE FEE PROGRAMS, CALIFORNIA

Jurisdiction	Yr. Adopted/Updated	Fee Level (per Sq.Ft. unless otherwise noted)	Thresholds & Exemptions	Build Option/ Other	Market Strength	Comments
NORTHERN SAN FRANCISCO BAY AREA						
City of Petaluma Population: 59,000	2003	Commercial Industrial Retail \$2.19 \$2.26 \$3.78	N/A	Yes, subject to City Council approval.	Moderate/ Substantial	Fee adjusted annually by ENR construction cost index.
County of Sonoma Population: 492,000	2005	Office Hotel Retail Industrial R&D Ag Processing \$2.64 \$2.64 \$4.56 \$2.72 \$2.72	First 2,000 SF exempt Non-profits, redevelopment areas exempt	Yes. Program specifies number of units per 1,000 SF.	Moderate	Fee adjusted annually by ENR construction cost index.
City of Cotati Population: 7,000	2006	Commercial Industrial Retail \$2.08 \$2.15 \$3.59	First 2,000 SF exempt Non-profits exempt.	Yes. Program specifies units per 1,000 SF	Moderate	Fee adjusted annually by ENR construction cost index.
County of Marin Population: 257,000	2003	Office/R&D Retail/Rest. Warehouse Hotel/Motel Manufacturing \$7.19 \$5.40 \$1.94 \$1,745/rm \$3.74	No minimum threshold	Yes, preferred.	Substantial	
San Rafael Population: 59,000	2005	Office/R&D Retail/Rest./Pers. Services Manufacturing/Li Warehouse Hotel/Motel \$7.64 \$5.73 \$4.14 \$2.23 \$1.91	5,000 SF threshold. Mixed use projects that provide affordable housing are exempt.	Yes. Program specifies number of units per 1,000 SF.	Substantial	
Town of Corte Madera Population: 9,000	2001	Office R&D lab Light Industrial Warehouse Retail Com Services Restaurant Hotel Health Club/Rec Training facility/School \$4.79 \$3.20 \$2.79 \$0.40 \$8.38 \$1.20 \$4.39 \$1.20 \$2.00 \$2.39	No minimum threshold	N/A	Substantial	
City of St. Helena Population: 6,000	2004	Office Comm./Retail Hotel Winery/Industrial \$4.11 \$5.21 \$3.80 \$1.26	Small childcare facilities, churches, non-profits, vineyards, and public facilities are exempt.	Yes, subject to City Council approval.	Substantial	
County of Napa Population: 139,000	Updated 2014	Office Hotel Retail Industrial Warehouse \$5.25 \$9.00 \$7.50 \$4.50 \$3.60	No minimum threshold Non-profits are exempt	Units or land dedication; on a case by case basis.	Moderate/ Substantial	
City of Napa Population: 79,000	2016	Office Hotel Retail Industrial, Wine Pdn Warehouse (30-100K) Warehouse (100K+) \$3.50 \$6.00 \$3.55 \$3.50 NA NA	No minimum threshold Non-profits are exempt	Units or land dedication; on a case by case basis.	Moderate/ Substantial	To be fully phased in by January 2017.

Note: This chart has been assembled to present an overview, and as a result, terms are simplified. The information is recent but not all data has been updated as of the date of this report. In some cases, fees are adjusted by an index (such as CPI) which may not be reflected. For use other than general comparison, please consult the code and staff of the jurisdiction.

SUMMARY OF JOBS HOUSING LINKAGE FEE PROGRAMS, CALIFORNIA

DRAFT

Jurisdiction	Yr. Adopted/ Updated	Fee Level (per Sq.Ft. unless otherwise noted)	Thresholds & Exemptions	Build Option/ Other	Market Strength	Comments
SAN FRANCISCO, PENINSULA, SANTA CLARA COUNTY						
San Francisco Population: 829,000	1981 Updated 2002, 2007	Retail / Entertainment Hotel Production Dist. Repair Office Research and Development Small Enterprise Workspace \$22.96 \$18.42 \$19.34 \$24.61 \$16.39 \$19.34	25,000 gsf threshold Exempt: freestanding pharmacy < 50,000 SF; grocery < 75,000	Yes, may contribute land for housing.	Very Substantial	Fee is adjusted annually based on the construction cost increases.
City of Palo Alto Population: 66,000	1984 Updated 2002	Nonresidential Dvlpmt \$19.85	Churches; universities; recreation; hospitals, private educational facilities, day care and nursery school, public facilities are exempt	Yes	Very Substantial	Fee is adjusted annually based on CPI.
City of Menlo Park Population: 33,000	1998	Office & R&D Other com./Industrial \$15.57 \$8.45	10,000 gross SF threshold Churches, private clubs, lodges, fraternal orgs, public facilities and projects with few or no employees are exempt.	Yes, preferred. May provide housing on- or off-site.	Very Substantial	Fee is adjusted annually based on CPI.
City of Sunnyvale Population: 146,000	1984 Updated 2003 and 2015.	Industrial, Office, R&D: Retail, Hotel \$15.00 \$7.50	Office fee is 50% on the first 25,000 SF of building area. Exemptions for Child care, education, hospital, non-profits, public uses.	N/A	Very Substantial	Fee is adjusted annually based on CPI.
Redwood City Population: 80,000	2015	Office Hotel Retail & Restaurant \$20.00 \$5.00 \$5.00	5,000 SF threshold 25% fee reduction for projections paying prevailing wage. Schools, child care centers, public uses exempt.	Yes. Program specifies number of units per 100,000 SF.	Very Substantial	Fee is adjusted annually based on ENR.
City of Mountain View Population: 77,000	Updated 2002 / 2012 /2014	Office/High Tech/Indust. Hotel/Retail/Entertainment. \$25.00 \$2.68	Fee is 50% on building area under thresholds: Office <10,000 SF Hotel <25,000 SF Retail <25,000 SF No minimum threshold.	Yes	Very Substantial	Fee is adjusted annually based on CPI.
City of Cupertino Population: 60,000	1993, 2015	Office/Industrial/R&D Hotel/Commercial/Retail \$20.00 \$10.00	No minimum threshold.	N/A	Very Substantial	Fee is adjusted annually based on CPI.
<p>Note: This chart has been assembled to present an overview, and as a result, terms are simplified. The information is recent but not all data has been updated as of the date of this report. In some cases, fees are adjusted by an index (such as CPI) which may not be reflected. For use other than general comparison, please consult the code and staff of the jurisdiction.</p>						

SUMMARY OF JOBS HOUSING LINKAGE FEE PROGRAMS, CALIFORNIA

DRAFT

Jurisdiction	Yr. Adopted/ Updated	Fee Level (per Sq.Ft. unless otherwise noted)	Thresholds & Exemptions	Build Option/ Other	Market Strength	Comments
EAST BAY						
City of Walnut Creek Population: 66,000	2005	Office, retail, hotel and medical \$5.00	First 1,000 SF no fee applied.	Yes	Very Substantial	Reviewed every five years.
City of Oakland Population: 402,000	2002	Office/ Warehouse \$5.24	25,000 SF exemption	Yes - Can build units equal to total eligible SF times .00004	Substantial	Fee due in 3 installments. Fee adjusted with an annual escalator tied to residential construction cost increases.
City of Berkeley Population: 116,000	1993 2014	Office Retail/Restaurant Industrial/Manufacturing Hotel/Lodging Warehouse/Storage Self-Storage R&D \$4.50 \$4.50 \$2.25 \$4.50 \$2.25 \$4.37 \$4.50	7,500 SF threshold.	Yes	Substantial	Annual CPI increase. May negotiate fee downward based on hardship or reduced impact.
City of Emeryville	2014	All Commercial \$4.10	Schools, daycare centers.	Yes	Substantial	Fee adjusted annually.
City of Alameda Population: 76,000	1989	Retail Office Warehouse Manufacturing Hotel/Motel \$2.30 \$4.52 \$0.78 \$0.78 \$1.108	No minimum threshold	Yes. Program specifies # of units per 100,000 SF	Moderate	Fee may be adjusted by CPI.
City of Pleasanton Population: 73,000	1990	Commercial, Office & Industrial \$3.04	No minimum threshold	Yes	Moderate	Fee adjusted annually.
City of Dublin Population: 50,000	2005	Industrial Office R&D Retail Services & Accommodation \$0.49 \$1.27 \$0.83 \$1.02 \$0.43	20,000 SF threshold	N/A	Moderate	
City of Newark Population: 44,000		Commercial Industrial \$3.59 \$0.69	No min threshold Schools, recreational facilities, religious institutions exempt.	Yes	Moderate	Revised annually
City of Livermore Population: 84,000	1999	Retail Service Retail Office Hotel Manufacturing Warehouse Business Park Heavy Industrial Light Industrial \$1.19 \$0.90 \$0.76 \$583/ rm \$0.37 \$0.11 \$0.76 \$0.38 \$0.24	No minimum threshold Church, private or public schools exempt.	Yes; negotiated on a case-by- case basis.	Moderate	

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SUMMARY OF JOBS HOUSING LINKAGE FEE PROGRAMS, CALIFORNIA

DRAFT

Jurisdiction	Yr. Adopted/ Updated	Fee Level (per Sq.Ft. unless otherwise noted)	Thresholds & Exemptions	Build Option/ Other	Market Strength	Comments
SACRAMENTO AREA						
City of Sacramento Population: 476,000	1989 Most recent update, 2005	Office Hotel R&D Commercial Manufacturing Warehouse/Office \$2.25 \$2.14 \$1.91 \$1.80 \$1.41 \$0.82	No minimum threshold Mortuary, parking lots, garages, RC storage, Christmas tree lots, B&Bs, mini-storage, alcoholic beverage sales, reverse vending machines, mobile recycling, and small recyclable collection facilities	Pay 20% fee plus build at reduced nexus (not meaningful given amount of fee)	Moderate	North Natomas area has separate fee structure
City of Folsom Population: 73,000	2002	Office, Retail, Lt Industrial, and Manufacturing Up to 200,000 SF, 100% of fee; 200,000-250,000 SF, 75% of fee; 250,000-300,000 SF, 50% of fee; 300,000 and up, 25% of fee.	No minimum threshold Select nonprofits, small child care centers, churches, mini storage, parking garages, private garages, private schools exempt.	Yes Provide new or rehab housing affordable to very low income households. Also, land dedication.	Moderate/ Substantial	Fee is adjusted annually based on construction cost index
County of Sacramento Population: 1,450,000	1989	Office Hotel R&D Commercial Manufacturing Indoor Recreational Centers Warehouse \$0.97 \$0.92 \$0.82 \$0.77 \$0.61 \$0.50 \$0.26	No minimum threshold Service uses operated by non-profits are exempt	N/A	Moderate	
City of Elk Grove Population: 158,000	1989 (inherited from County when incorporated)	Office Hotel Commercial Manufacturing Warehouse none \$1.87 \$0.64 \$0.72 \$0.77	No minimum threshold Membership organizations (churches, non- profits, etc.), mini storage, car storage, marinas, car washes, private parking garages and agricultural uses exempt	N/A	Moderate	Office fee currently waived due to market conditions.
Citrus Heights Population: 85,000	1989 (inherited from County when incorporated)	Office Hotel R&D Commercial Manufacturing Indoor Recreational Centers Warehouse \$0.97 \$0.92 \$0.82 \$0.77 \$0.61 \$0.50 \$0.26	No minimum threshold Membership organizations (churches, non- profits, etc.), mini storage, car storage, marinas, car washes, private parking garages and agricultural uses exempt	N/A	Moderate	
Rancho Cordova Population: 67,000	1989 (inherited from County when incorporated)	Office Hotel R&D Commercial Manufacturing Indoor Recreational Centers Warehouse \$0.97 \$0.92 \$0.82 \$0.77 \$0.61 \$0.50 \$0.26	No minimum threshold Membership organizations (churches, non- profits, etc.), mini storage, car storage, marinas, car washes, private parking garages and agricultural uses exempt	N/A	Moderate	

Note: This chart has been assembled to present an overview, and as a result, terms are simplified. The information is recent but not all data has been updated as of the date of this report. In some cases, fees are adjusted by an index (such as CPI) which may not be reflected. For use other than general comparison, please consult the code and staff of the jurisdiction.

SUMMARY OF JOBS HOUSING LINKAGE FEE PROGRAMS, CALIFORNIA

DRAFT

Jurisdiction	Yr. Adopted/ Updated	Fee Level (per Sq.Ft. unless otherwise noted)	Thresholds & Exemptions	Build Option/ Other	Market Strength	Comments
OTHER CALIFORNIA JURISDICTIONS						
City of Santa Monica Population: 92,000	1984 Updated 2002, 2015	Retail \$9.75 Office \$11.21 Hotel/Lodging \$3.07 Hospital \$6.15 Industrial \$7.53 Institutional \$10.23 Creative Office \$9.59 Medical Office \$6.89	1,000 SF threshold Private schools, city projects, places of worship, commercial components of affordable housing developments exempt.	N/A	Very Substantial	Fees adjusted annually based on construction cost index.
City of West Hollywood Population: 35,000	1986	Non-Residential \$8.00 (per staff increase from \$4 to \$8 anticipated for FY16-17)	N/A	N/A	Substantial	Fees adjusted by CPI annually
City of San Diego Population: 1,342,000	1990 Updated 2014	Office \$1.76 Hotel \$1.06 R&D \$0.80 Retail \$1.06	No minimum threshold Industrial/ warehouse, non-profit hospitals exempt.	Can dedicate land or air rights in lieu of fee	Substantial	
County of Santa Cruz Population: 267,000	2015	All Non-Residential \$2.00	No minimum threshold	N/A	Substantial	

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MEMORANDUM

To: Carol Giovanatto, City Manager

From: John Abaci, Assistant City Attorney

Date: August 8, 2016

Re: Prohibiting or Restricting Conditional Uses for Vacation Rentals

BACKGROUND

You have asked our office to research and analyze the following potential options for limiting or prohibiting vacation rentals as a conditional use under the City's Municipal Code:

- 1) Phasing out conditional use permits for vacation rentals over time;
- 2) Adoption of a moratorium upon issuance of conditional use permits for vacation rentals;
- 3) Penalizing persons operating vacation rentals without being issued conditional use permits through some other method than payment of back taxes.

These three options are being considered as potential means for providing more affordable housing within the City.

SHORT ANSWER

Currently, vacation rentals are allowed with a conditional use permit within commercial and mixed use zoning districts. When a conditional use permit is issued the permit runs with the land and cannot be revoked or terminated without cause. A conditional use permit may only be revoked on the grounds of a permit violation or the operation of the rental in a manner that constitutes a public nuisance. Accordingly, a conditional use permit that has been issued cannot be eliminated, terminated, or phased out over time on the grounds that the law is being amended to no longer allow conditional use permits for vacation rentals. However, a moratorium or urgency ordinance that prevents the issuance of any new vacation rental permits can be adopted and extended pursuant to Government Code Section 65858(a) or (b), provided that the proper findings can be made.

The Municipal Code does authorize the City to penalize those who operate vacation rentals without a conditional use permit under civil or criminal proceedings. Penalties include civil, criminal, or administrative fines and/or imprisonment.

ANALYSIS

I. Conditional Use Permits Cannot Be Amortized Or Phased Out Over Time.

Vacation rentals are defined by SMC 19.92.020 as follows: “the rental or letting of up to two complete residential units, containing bedrooms, kitchens, and bathrooms, for a period of less than 30 days. Typically, no on-site manager is present.” The Sonoma Municipal Code (SMC) permits vacation rentals within commercial and mixed use districts upon the terms and conditions of conditional use permits issued by the City. SMC 19.10.050 (Tables 2-2 and 2-3). A use permit for vacation rentals will continue in effect until action is taken by the City to revoke the permit.

“A conditional use permit is administrative permission for uses not allowed as a matter of right in a zone, but subject to approval.” Sounhein v. City of San Dimas, 47 Cal. App. 4th 1181, 1187-88 (1996). A conditional use permit regulates land, not individuals. Id. Conditional use permits run with the land and entitle all subsequent owners of the property to the same rights and benefits as the original permittee. Id. SMC 19.56.060 expresses this concept by stating that a conditional use permit will continue to be valid “upon a change of ownership of the site, business, service, use or structure.”

A CUP is conditional by definition, and the violation of conditions attached to its grant may lead to revocation. Malibu Mountains Recreation, Inc. v. Cty. of Los Angeles, 67 Cal. App. 4th 359, 367 (1998). Otherwise, a conditional use permit may only be revoked on the basis of a compelling public necessity which occurs when the conduct of the business constitutes a nuisance. O’Hagen v. Bd. of Zoning Adjustment (1971) 19 Cal.App.3d 151, 158. Although SMC 19.90.090 provides various grounds for the revocation of a conditional use permit, the courts have established that a conditional use permit may only be revoked or terminated by the city if the terms of the permit have been violated or if the manner in which the activity is being operated constitutes a public nuisance.¹ The fact that a conditional use no longer complies with a change in the zoning of a property does not furnish a compelling public necessity or establish that the manner in which the use is being operated creates a nuisance. Id. at 159.

A somewhat anomalous consequence of granting a conditional use permit in most cities is that the holder of a conditional use permit will be entitled to more protection from changes in the law than would a business conducting a permitted use. A business can be phased out or amortized over time when it is engaged in a permitted use and the law later changes to prohibit or restrict that same use (i.e., legal nonconforming use).² On the other hand, when a conditional use permit has already been obtained, the use

¹ There is one other very limited basis for a conditional use permit to be terminated. That is, when the permittee has never actually commenced the conditional use the permit may be terminated without grounds.

² A legal nonconforming use is a use that was lawful when it was established but is no longer permitted to some degree or in total because of a change in the law after the date that it was established. Many cities afford businesses that become legal nonconforming uses a specified amortization period (usually 3 to 5 years) in order to protect the investment interest of the owner while ensuring that the use will be discontinued in time as contemplated under the new zoning scheme.

cannot be phased out or amortized at the time the law is changed to prohibit the use. Accordingly, the City cannot establish a time period in which a conditional use permit will be amortized or phased out over time, as it could with a business engaged in a legal nonconforming use.

II. The City May Adopt A Moratorium On The Issuance Of Conditional Use Permits For Vacation Rentals.

State law provides that cities may adopt “moratorium” or “urgency” ordinances that prevent the issuance of new conditional use permits while the city undergoes the process of considering a permanent ordinance that may ban, restrict, or otherwise limit the use that is the subject of the conditional use permit. The “urgency” ordinance is not required to be reviewed by the Planning Commission or have two readings, as other zoning ordinances must. However, the ordinance must include findings that “there is a current and immediate threat to the public health, safety or welfare, and that the approval of additional...use permits...would result in that threat to public health, safety, or welfare.” Government Code Section 65858(c). Additionally, the ordinance may either be in effect for 10 months and 15 days and be subject to one extension of 1 year, or it may be in effect for 45 days and be subject to one extension of 22 months and 15 days. Under either option, the ordinance requires a 4/5 vote of the city council.

This statute allows cities to “classify, exclude, restrict, and limit what a land owner may do with his or her property, subject of course to certain constitutional constraints.” Building Industry Legal Foundation v. Superior Court (1999) 72 Cal.App.4th 1410, 1416. Permitting cities to establish such a moratorium “protect[s] and promote[s] the planning process by, among other things, prohibiting the introduction of potentially nonconforming land uses that could defeat a later adopted general plan or zoning ordinance. *Id.* at 1418. Therefore, provided that the City can make the proper findings under Government Code Section 65858(c), a moratorium ordinance which prevents the issuance of any new vacation rental conditional use permits during the period that the moratorium ordinance remains in effect can be adopted by the City.

As stated above, any such moratorium ordinance will be subject to “constitutional constraints.” In the case of conditional use permits a moratorium ordinance will not operate to terminate, revoke, or limit any conditional use permit that has been issued and is in effect at the time of the adoption of the moratorium ordinance. All conditional use permits which have been issued prior to the moratorium being adopted will remain in effect while the moratorium is in place and will be unaffected by a permanent ordinance prohibiting such conditional use permits which may be adopted during the moratorium period.

III. The City Can Utilize Those Remedies That Are Available To It For Violations Of The Municipal Code When Redressing Vacation Rentals That Are Operated Without Conditional Use Permits.

Any violation of Title 19 (Development Code) of the Municipal Code can be

redressed through a civil or criminal penalty. Section 19.90.080 provides that any person who violates the provisions of Title 19 shall be liable for a civil penalty “in compliance with the council’s fee resolution for each day that the violation continues to exist.” In addition, the person shall be liable for the costs incurred and the “damages suffered by the city, its agents, and agencies as a direct result of the violations.” That section also provides that any person violating Title 19 shall be guilty of a misdemeanor which is punishable by a maximum fine of \$1,000 or imprisonment in the county jail for a maximum period of 6 months, or both.

Alternatively, Section 1.12.010 sets forth penalties for a violation of any section of the Municipal Code. Under that section a violation may be punishable as an infraction.³ An infraction carries with it a maximum fine of \$250 for a first violation and \$500 for any additional violation within a one-year period. The City can also impose an administrative fine for a violation of the Municipal Code which is determined in accordance with a schedule of penalties established by resolution of the City Council. SMC 1.12.010(D) and SMC Chapter 1.30 (in general).

Please do not hesitate to contact me at 996-9690 if you have any questions or would like to discuss this matter further.

³ The same penalty for a misdemeanor as recited above is also established by this section. As such, the act of operating a vacation rental without a conditional use permit can be prosecuted as either a misdemeanor or infraction, in accordance with the City’s desire.

City of Sonoma - Legal Vacation Rentals (updated 8/9/16)

Operator/Property Name	APN	Site Address	Zoning	Number of Units	Approval Date	Type of Approval
Alexandra's Plaza Suite	018-222-023	440 Second Street East	R-L/H	1	Grandfathered	Grandfathered
Casa De Carroll	018-442-019	965 West Spain Street	C	1	Grandfathered	Grandfathered
Andrea's Hidden Cottage	018-171-009	138 East Spain Street	R-M/H	1	Grandfathered	Grandfathered
Bungalows 313	018-162-025	313 First Street East	R-M/H	5	Grandfathered	Grandfathered
Casa Chiquita Cottage	018-780-001	196 West Spain Street	R-M/H	2	Grandfathered	Grandfathered
Blankfort/Martin	018-352-030	117 France Street	R-L/H	1	Grandfathered	Grandfathered
Sonoma Farmhouse Town	018-201-003	446 Third Street West	R-L/H	2	Grandfathered	Grandfathered
Huff	018-121-021	289 First Street West	R-M/H	1	Grandfathered	Grandfathered
Mathis	018-121-020	287 First Street West	R-M/H	1	Grandfathered	Grandfathered
Cecilia's Adobe	018-172-003	378 Second Street East	R-M/H	1	Grandfathered	Grandfathered
Cortopassi	018-191-034	477 West Spain Street	R-L	3	Grandfathered	Grandfathered
Cuneo Cottage	018-231-022	391 East Spain Street	R-L/H	1	Grandfathered	Grandfathered
Susan's Guest Cottage	018-202-006	458 Second Street West	C/H	2	Grandfathered	Grandfathered
Cooprage Inn	018-161-017	301 First Street West	R-M/H	3	Grandfathered	Grandfathered
Caroline's Cottage	128-172-051	171 Newcomb Street	R-L	1	Grandfathered	Grandfathered
Bernard	018-201-008	270 West Napa Street, Unit 2R	C/H	1	4/13/00	Use Permit
Cottage Sonoma	018-202-002	424 Second Street West	R-M/H	1	7/10/03	Adaptive Reuse
Bungalow Sonoma	018-202-026	157 West Spain Street	R-M/H	1	7/10/03	Adaptive Reuse
Tulsi Cottage	018-171-030	304 First Street East	R-M/H	1	6/9/05	Adaptive Reuse
Casa Sebastiani	018-141-012	247 Fourth Street East	R-HS/H	1	9/14/06	Adaptive Reuse
Inn Wine Country	018-352-052	758 Broadway	MX/H	1	1/10/08	Use Permit
Auberge Sonoma	018-261-023	151 East Napa Street	R-M/H	2	5/20/08	Adaptive Reuse
Mary Jean's Place	128-083-021	20073 Broadway	MX/H	1	12/11/08	Use Permit
Sonoma Farmhouse Ranch	018-201-004	454 Third Street West	C/H	1	3/10/11	Use Permit
Tillem-Fegan	018-412-032	854 Broadway	MX/H	1	12/11/11	Use Permit
Jones-Morrison	128-083-009	20079 Broadway	MX/H	1	2/14/12	Use Permit
Matt & Jan Mathews	018-201-007	284-294 West Napa Street, Units #2 and #3	C/H	2	4/11/13	Use Permit
Sonoma Plaza 1889	018-201-039	464 Third Street West	C/H	1	4/11/13	Use Permit
Marino	018-411-020	853 Broadway	MX/H	1	4/11/13	Use Permit
O'Toole	018-221-020	180 East Napa Street	R-M/H	1	5/9/13	Adaptive Reuse
Dambach-Argenziano	018-352-040	780 Broadway	MX/H	1	8/8/13	Use Permit
Redmond	018-212-026	567 First Street East	C/H	1	10/10/13	Use Permit
Marino	018-202-010	158 West Napa Street	C/H	1	3/13/14	Use Permit
Marino	018-202-009	164 & 172 West Napa Street	C/H	2	3/13/14	Use Permit
Tillem-Olsen	018-780-006	162-166 West Spain Street	R-M/H	2	11/3/14	Adaptive Reuse
Martinez-Montague	018-251-020	515 First Street West	C/H	1	1/8/15	Use Permit
Tillem-Fegan	018-412-032	846 Broadway	MX/H	1	4/9/15	Use Permit
835 Broadway LLC	018-411-022	835 Broadway	MX/H	1	9/10/15	Use Permit
Sonoma Court Shops*	018-212-999	11 East Napa Street/533 First Street East	C/H	2	6/9/16	Use Permit
				Total:	55	

Zoning Designations:

- R-L = Low Density Residential
- R-M = Medium Density Residential
- R-HS = Hillside Residential
- C = Commercial
- MX = Mixed Use
- /H = Historic Overlay Zone

10
22
1
14
8
51

* Under appeal.



Lily pad Homes

Junior Accessory Dwelling Units (JADU) – Talking Points

Fact – The traditional family (mother, father and one or more children) now makes up 33% of the population in California. ([California Census 2010](#))

Fact – There is a steady rise in households consisting of single-parent families, couples without children, empty nesters, retirees, young professionals and individuals of all ages. ([California Census 2010](#))

Fact – Approximately 60% of the housing stock in California is detached single-family and one couple or less live in the majority of these homes. ([California Census 2010](#))

Fact – Only 56% of the housing stock in California is owner occupied, and these households are generally bigger than renter households. ([California Census 2010](#))

Fact – The number of seniors will double in the next 20 years, going from 4.3M to 8.4M. There is not enough time to develop the necessary institutional housing. ([HCD Housing Update 2012](#))

Fact – Young professionals (25 – 34) rely on affordable rental housing for longer periods than previous generations due to low wages, the high cost of living, and outstanding student debt. ([HCD Housing Update 2012](#))

Fact – Homeowners are currently allowed to have roommates in all of their bedrooms with no additional permitting fees, parking, fire sprinklers or fire attenuation required.

Fact – Going through the permitting process makes loans for lower-income households available through [Housing Authority](#) agencies rehabilitation loan programs across the state.

Fact – A recent survey of homeowners 55 years and older in Corte Madera, CA confirms that 24% of homeowners, 171 households, are interested in creating JADUs in their homes. ([Age Friendly Corte Madera Survey 2014](#))

Fact – Baby boomers will live longer than previous generations and the vast majority wish to age in their home. ([HCD Housing Update 2012](#))

Fact – Affluent areas throughout California are experiencing a crisis because teachers, caregivers and other vital workers cannot afford housing in the communities where they work.

Fact – The overwhelming majority of households in California could not afford to rent or purchase their current home if they were coming into the housing market today.

Fact – Fannie Mae has introduced a new loan platform, available in December 2015 that will allow borrowers to qualify for a mortgage based on income from non-signing members of a household, as well as income generated from renting a second unit. ([Fannie Mae Press Release](#))

Fact – We are moving back toward a multi-generational housing model. Having an in-law apartment is the fastest growing trend in residential real estate, boosting home values, as an increasing number of families pool their resources. ([Wall Street Journal 2014](#))



Lily pad Homes

Solution – JADUs privatize spare bedrooms creating flexible in-law apartments that allow for multi-generation housing opportunities in existing homes.

Solution – Because all the water, sewer and energy, road use and parking for existing bedrooms has already been accounted for in the original permit for the home, no additional utility service, parking or infrastructure should be required for the development of JADUs.

Solution – A simple and inexpensive permitting process for JADUs allows for the redevelopment of single-family homes, creating additional housing that is flexible and better suited for the changing demographic of California's population.

Solution – JADUs are the low-hanging fruit in the housing equation. They offer an abundant low-cost, low-impact and high-benefit solution to the affordable housing crisis in California.

Solution – JADUs offer the only new housing option that makes housing more affordable for both renters and homeowners.

Solution – No fire sprinklers or fire attenuation should be required for JADUs because the interior door leading to the main living area remains, offering the option to privatize a bedroom(s) creating a flexible, independent housing unit.

Solution – Development of JADUs will not require capital investment from local, state or federal programs because homeowners finance the development of these housing units.

Solution – JADUs are a more affordable housing option because they are small in size, and are an unconventional form of housing.

Solution – JADUs offer an abundant source of new smaller homes, helping to stabilize the rental housing market in California due to increased supply.

Solution – JADUs will allow seniors the opportunity to age in their home by generating income and offering housing to caregivers, possibly in lieu of payment.

Solution – JADUs allow homeowners to temporarily house loved ones, caregivers and people who work in the community, as well as families who need temporary housing due to environmental emergencies.

Solution – JADUs will help us meet the goals of the California Global Warming Act by allowing people to live in the communities where they work and by more efficiently utilizing the built environment.

Solution – JADUs offer an insurance policy in homes, providing a fallback position in case of unexpected events such as: loss of a job, divorce, injury or illness.

Solution – A home is most people's largest, most personal investment. JADUs allow homes to be flexible enough to meet a homeowner's changing needs during the period of ownership.



Lily pad Homes

Novato Junior Accessory Dwelling Units

Code and Requirements

- **Municipal Code:** [19.34.031 Junior Accessory Dwelling Units](#)
 - Conversion of existing bedroom(s) – no expansion
 - Addition of a wet-bar kitchen:
 - Maximum 16”x16” sink, maximum 1 ½” waste line
 - Food preparation counter and storage cabinets not to exceed six feet in length
 - No gas or 220 V electrical service
 - Interior and exterior access
 - 150 to 500 square feet
 - Private or shared bath
 - Deed restricted to require owner occupancy
- **Parking:** No additional parking is required beyond that required at the time the existing primary dwelling was constructed.
- **Fire Protection:** The Novato Fire Protection District does not require fire sprinklers or fire separation between the main house and the junior unit.

Fees

- **City Fees:** *Planning Permit Fee:* reduced from \$747 to \$374
Building Permit Fee: based on projected cost of project (labor, materials)
- **Novato Fire Protection District Fees:** reduced from \$729 to \$0
- **North Marin Water District Fees:** connection fee reduced from \$10,000 to \$0
- **Novato Sanitary District Fees:** \$8,990 connection fee eliminated; \$40 permit fee established

This information on regulations and fees was provided to *Lily pad* by City and agency personnel and is subject to change.

19.34.031 - Junior Accessory Dwelling Units.

This Section provides standards for the establishment of junior accessory dwelling units, an alternative to the standard accessory dwelling unit, permitted as set forth in Section 19.34.030, and are allowed in accordance with Article 2 (Zoning Districts, Allowable Land Uses, and Zone-Specific Standards).

- A. *Development Standards.* Junior accessory dwelling units shall comply with the following standards, including the standards in Table 3-13:
1. *Number of Units Allowed:* Only one accessory dwelling unit or, junior accessory dwelling unit, may be located on any residentially zoned lot that permits a single-family dwelling except as otherwise regulated or restricted by an adopted Master Plan or Precise Development Plan. A junior accessory dwelling unit may only be located on a lot which already contains one legal single-family dwelling.
 2. *Owner Occupancy:* The owner of a parcel proposed for a junior accessory dwelling unit shall occupy as a principal residence either the primary dwelling or the accessory dwelling.
 3. *Sale Prohibited:* A junior accessory dwelling unit shall not be sold independently of the primary dwelling on the parcel.
 4. *Deed Restriction:* A deed restriction shall be completed and recorded, in compliance with Section D below.
 5. *Location of Junior Accessory Dwelling Unit:* A junior accessory dwelling unit must be created within the existing walls of an existing primary dwelling, and must include conversion of an existing bedroom.
 6. *Separate Entry Required:* A separate exterior entry shall be provided to serve a junior accessory dwelling unit.
 7. *Kitchen Requirements:* The junior accessory dwelling unit shall include an efficiency kitchen, requiring and limited to the following components:
 - a. A sink with maximum width and length dimensions of sixteen (16) inches and with a maximum waste line diameter of one-and-a-half (1.5) inches,
 - b. A cooking facility or appliance which does not require electrical service greater than one hundred and twenty (120) volts or natural or propane gas, and
 - c. A food preparation counter and storage cabinets which do not exceed six (6) feet in length.
 8. *Parking.* No additional parking is required beyond that required at the [time the] existing primary dwelling was constructed.

Table 3-13

Development Standards for Junior Accessory Dwelling Units

--	--

Site or Design Feature	Site and Design Standards
Maximum unit size	500 square feet
Minimum unit size	150 square feet
Setbacks	As required for the primary dwelling unit by <u>Article 2</u>
Parking	No additional parking required

B. *Application Processing.*

1. The Zoning Administrator shall issue a junior accessory dwelling unit permit if the application provides the information required per the Submittal Requirements (Section C. below) and conforms to the Development Standards (Section A. above).
2. The City shall provide notice in compliance with Division 19.58 - Public Hearings.

C. *Submittal Requirements.* Application for a junior accessory dwelling unit shall include a completed application for a junior accessory dwelling unit permit and the following information as deemed appropriate by the Zoning Administrator:

1. *Plot Plan (Drawn to Scale).* Dimension the perimeter of parcel on which the junior accessory dwelling will be located. Indicate the location and use of all existing and proposed structures on the project site.
2. *Floor Plans.* A dimensioned plan drawn to scale of the existing primary dwelling identifying the use of each room and identifying the room(s) to be dedicated to the junior accessory dwelling unit, including an exterior entrance. The resulting floor area calculation of the proposed junior accessory dwelling unit shall be included, which shall include the area of any dedicated bathroom, if any, for the exclusive use of the junior accessory dwelling unit.
3. *Kitchen Plan.* A dimensioned plan drawn to scale indicating proposed kitchen improvements, including a kitchen sink, cooking appliance(s) food preparation counter and food storage cabinets.

D. *Deed Restriction.* Prior to obtaining a building permit for a junior accessory dwelling unit, a deed restriction, approved by the City Attorney, shall be recorded with the County Recorder's office, which shall include the pertinent restrictions and limitations of a junior accessory dwelling unit identified in

this Section. Said deed restriction shall run with the land, and shall be binding upon any future owners, heirs, or assigns. A copy of the recorded deed restriction shall be filed with the Department stating that:

1. The junior accessory dwelling unit shall not be sold separately from the primary dwelling unit;
2. The junior accessory dwelling unit is restricted to the maximum size allowed per the development standards in Section 19.34.031;
3. The junior accessory dwelling unit shall be considered legal only so long as either the primary residence, or the accessory dwelling unit, is occupied by the owner of record of the property;
4. The restrictions shall be binding upon any successor in ownership of the property and lack of compliance with any provisions of Section 19.34.030, may result in legal action against the property owner, including revocation of any right to maintain a junior accessory dwelling unit on the property.

(Ord. No. 1595, § 2(Exh. A), 12-16-2014)



 PETALUMA PEOPLE SERVICES CENTER

HOME WHAT IS HOME SHARING? 4 TYPES OF HOME SHARES HOW THE PROGRAM WORKS Here

OUR MISSION

SHARE Sonoma County, in partnership with Petaluma People Services Center (PPSC), offers a free Home Sharing Program for anyone living in Sonoma County.

Our program creates affordable housing, using existing housing, helps our seniors remain home safely to age in place, and helps to prevent homelessness.

SHARE facilitates secure home shares for home owners or renters with those in need of housing, who are currently stressed financially, experiencing life transitions, looking for companionship, and/or needing basic assistance to remain home safely and *THRIVE!!*



For More Information, Please Call:

Tel. (707) 766-8800, ext. 126

Fax: (707) 766-8899

Email: info@sharesonomacounty.org

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 PETALUMA PEOPLE SERVICES CENTER

HOME WHAT IS HOME SHARING? 4 TYPES OF HOME SHARES HOW THE PROGRAM WORKS More

WHAT IS HOME SHARING?

SHARE Sonoma County Home Shares are living arrangements between two or more unrelated people, one of whom is 60 years of age or older, who agree to share a home or apartment for their mutual benefit. Each person has their own bedroom and possibly bathroom, while sharing common living areas.

OTHER HOME SHARE PROGRAMS

Home sharing was developed in the late 1970s and early 1980s with a focus to help those who are house rich and cash poor. HIP Housing of San Mateo County developed it's home sharing program in the late 1970's. Vermont has several home sharing programs as does San Diego, Los Angeles, New York among others. The home sharing concept is an evidence-based model promoted by AARP and other federal and state agencies. Sonoma County and the City of Santa Rosa now allow Section 8 vouchers Housing Authority to be applied for those renting a room/home sharing.

BENEFITS

- Easing financial burdens
- Companionship
- Security of not living alone
- Remaining at home and "Aging in place" for those needing basic assistance
- Help those at risk or newly homeless into permanent housing

CONCERNS

The biggest concerns about home sharing is making sure that the match is a safe one, that no hidden issues emerge once the home sharing begins, and that there is no conflict around lifestyle differences, conflicting schedules, smoking, alcohol and/or drug use. To help alleviate these concerns SHARE provides various screening tools, including an online background check site to help reduce the potential for risk. SHARE housing specialists conduct an interview with each participant as well as performing a home inspection of each house that is represented for a home share.

For More Information, Please Call:



PETALUMA PEOPLE SERVICES CENTER

[HOME](#) [WHAT IS HOME SHARING?](#) [4 TYPES OF HOME SHARES](#) [HOW THE PROGRAM WORKS](#) [Mc](#)

4 TYPES OF HOME SHARES

1. Rent-Exchange: Home Share whereby Home Seekers, in need of affordable housing, are matched with Home Providers, who own or rent their home or apartment (have the ability to sublet) and, who are in need additional income. Room rentals average from \$400.00 to \$1,500.00 per month, utility costs included.
2. Service-Exchange: Home Seekers are matched with Home Providers, who own or rent their home and who need clearly defined services, e.g. companionship, meal preparation, driving to appointments, housekeeping, or yard work in order to remain in their home, age in place and thrive. No rent is exchanged, some utility cost might be required. Utility cost rarely exceeds \$100.00/month. Home Seeker responsible for cost of his or her food.
3. Partial Rent & Service Exchange: Home Seeker is responsible for paying some rent and a few carefully defined services to provided for the Home Provider. Average rent is \$300.00/month, which includes the cost of utilities.
4. SHARE Community Houses: Houses provided to SHARE by home owners who do not live in the home and which enables SHARE to manage each room with tenants who each have a lease agreement directly with the home owner. To-date, SHARE has created 3 Community Houses, a total of 12 beds. A sense of community is created, along with affordable housing, and assisting some to leave the shelter system into permanent housing.

For More Information, Please Call:

Tel. (707) 766-8800, ext. 126

Note: The following information copied from SHARE Sonoma County Website (sharesonomacounty.org)

How the Program Works:

Request SHARE Sonoma County Home Sharing Program Information Packet which includes:

- Questionnaire "Is Home Sharing Right for You?"
- What is Home Sharing?
- Home Sharing Application for either the seeker or provider
- Agreement Concerning Responsibilities and Liability
 - Declaration of Non-Criminal History
 - Declaration of Non-Drug Abuse
 - List of reference
- About Background Checks
- Authorization to Release Credit/Tenant/Criminal History

Completing the Home Sharing Application

If you answered "YES!" to the questionnaire "Is Home sharing Right for You?", please complete the application. Please drop off the completed application at our offices, or scan and email, or fax to us at:

1500 Petaluma Blvd. South. Petaluma, CA 94952
Judy@sharesonomacounty.org
Telephone No. (707) 766-8800, exyt.126
Fax No. (707) 766-8899

Please note:

- One participant within each match must be 60 years or older
- Anyone with a felony or misdemeanor within the past ten (10) years for child or elder abuse cannot participate in the SHARE program
- Anyone with current pending criminal proceedings or on parole cannot participate in the SHARE program

We encourage you to be as forthcoming as possible so that we can best understand your needs and preferences for home sharing. Any applicant determined to knowingly have misrepresentations on his or her application will be immediately disqualified.

Interview:

Once we have received your application packet, conducted our screening process and, contacted your three references provided, a Housing Specialist will contact you to schedule an in-person interview at our Petaluma office or other convenient location.

Note: For the Interview please bring:

- Photo Identification
- proof of income
- Social Security Card

SHARE of Sonoma County will keep your private information, e.g. Social Security Number, confidential and in secured location

Criminal/Credit/Rental History Background Check of Home Seekers:

SHARE Sonoma County uses an online screening service, (3) reference checks, along with several online websites which provides information regarding:

- Credit and Criminal History
- This screening includes national sex-offender registries

It is recommended that all participants conduct their own personal background check of any potential match by a reputable online background check service. SHARE will make available a list of reputable online screening services.

Home Inspection of Home Provider

The SHARE Housing Specialist will schedule a home visit of each potential Home Provider in order to determine that there are no obvious safety or structural concerns. During this visit review of the completed application is reviewed in order to define the needs of the Home Provider and define the type and structure of the Home Share.

The Matching Process

The matching process is the most critical component of the home sharing program. SHARE takes this process very seriously. It is important that you complete the Home Sharing Application to the very best of your ability. There is no such thing as providing too much information! We encourage you to be as detailed as you wish in order that we have as much information about you, your likes and dislikes, and your lifestyle in order to suggest the best possible potential match or matches for you.

Once we have identified a potential match, SHARE Sonoma County will contact you and each potential match and schedule a phone conversation between you and each potential match. After this conversation, if you both want to meet face-to-face, SHARE will then schedule a meeting for both of you that will take place at an agreed upon location.

Note: Before meeting face-to-face with each potential match, you will have an opportunity to contact the references of each potential match. SHARE strongly recommends that you personally check all of the references for each potential match being considered for home sharing.

First Face-to-Face Meeting

It is a good idea to think about your current lifestyle, daily routines, habits, how much time you spend at home, your interests, likes and dislikes, and the activities you enjoy. You will no doubt have questions for your potential match and it might be a good idea to write them down and bring to this meeting. In addition, the SHARE Housing Specialist can provide a list of questions for your use.

You and Your Match Agree to Home-Share

Congratulations! You and your match have agreed to a home visit! The SHARE Housing Specialist will schedule the visit and be available to participate at your request. If the Home Seeker is satisfied with the home, it is now time for you to both prepare and enter into a written Home Sharing Agreement (HSA), prepared by SHARE, that provides a detailed description of the home share and defined services being rendered in lieu of partial or full rent. This is a legal and binding document.

Home Sharing Agreement

The Home Share Agreement will thoroughly detail the living arrangements, schedules, chore responsibilities and any restrictions as best as possible at this initial stage of the home share. All Service Exchange Home Shares begin on a trial basis of thirty (30) days and rent exchange home shares are month-to-month with a thirty (30) day notice unless otherwise agreed upon. SHARE Sonoma County facilitates drafting of this Agreement for approval by each party and recommends this document be signed before the date of move-in. If you are two (2) Home Sharers renting from a third party, e.g. landlord, the Home sharing Agreement will be separate from your rental agreement.

Note: Home Providers/Renters must have the landlord's written permission to lease or sublease to any Home Seeker.

Home Sharing Begins

SHARE Sonoma County is excited that your home sharing has begun and will support each home sharer through the trial period and up to eight (8) weeks to ensure this transition occurs as smoothly as possible. It is our mission that your home sharing experience be successful. You are encouraged to contact SHARE Sonoma County during this time to communicate any concerns that might arise.

Note: SHARE Sonoma County does not represent either party in the match, and makes no guarantee regarding the suitability of the housing or the home sharing relationship. SHARE Sonoma County is not liable for any costs or claims that might arise out of the home sharing relationship.



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 3A

Meeting Date: 08/15/16

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

School Attendance Awareness Month Proclamation

Summary

Steve Nielsen of the Sonoma County Office of Education requested a proclamation recognizing September as Attendance Awareness Month. He will be present to accept the proclamation.

In keeping with City practice, the proclamation recipient has been asked to keep the total length of their follow-up comments and/or announcements to not more than 10 minutes.

Recommended Council Action

Mayor Gallian to present the proclamation.

Alternative Actions

Council discretion

Financial Impact

n/a

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

1. Proclamation

cc: Steve Nielsen - via email

City of Sonoma



Proclamation

Attendance Awareness Month

WHEREAS, chronic absence – missing 10 percent or more of school for any reason including excused and unexcused absences – is a proven predictor of academic trouble and higher dropout rates; and

WHEREAS, regular attendance is essential to student achievement and graduation, and we are committed to dedicating our resources and attention to reducing absenteeism rates, with a focus starting as early as kindergarten; and

WHEREAS, regular attendance contributes to improved third grade reading proficiency, greater high school success and fewer dropouts, thus strengthening our communities and our local economy; and

WHEREAS, excessive absences exacerbate the achievement gap of students of poverty, since these students are more likely to miss school and to lack the resources to make up for the lost academic time; and

WHEREAS, all students are affected by chronic absenteeism when teachers must spend additional time reviewing those who missed instruction; and

WHEREAS, schools and districts must accurately track, calculate and share attendance data so that interventions are provided to students in a timely fashion; and

WHEREAS, efforts to improve struggling schools are strengthened by high rates of regular attendance; and

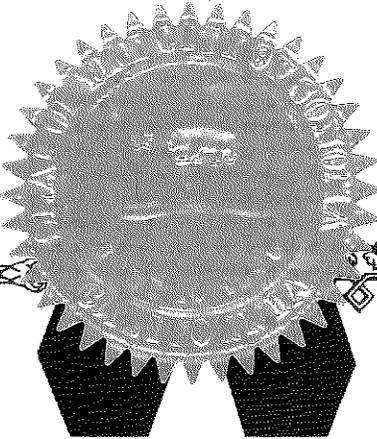
WHEREAS, improving attendance and reducing chronic absences takes commitment, collaboration and tailored approaches to the particular challenges and strengths in each community; and

WHEREAS, school attendance can be significantly improved when schools, parents and communities work together to monitor and promote good attendance and address the obstacles that keep children from getting to school.

NOW, THEREFORE BE IT RESOLVED that I, Laurie Gallian, Mayor of the City of Sonoma, do hereby proclaim our city will stand with the nation in recognizing September as “Attendance Awareness Month.” We hereby commit to support improving school attendance and reducing chronic absenteeism to give all children an equitable opportunity to learn, grow and thrive academically, emotionally and socially.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Sonoma to be affixed this 15th day of August 2016.

LAURIE GALLIAN, MAYOR





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 3B

Meeting Date: 08/15/16

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Freedom Week Sonoma Proclamation

Summary

Freedom Week Sonoma is an extension of Freedom Day USA, where businesses in our community join together to show their appreciation to members of the armed services, their immediate families, veterans and first responders (firefighters & law enforcement officers) by providing them with FREE services, food items or products throughout the week. This year's observance will be held September 8-11, 2016.

Freedom Week Sonoma is sponsored by the following organizations: Rotary Club of Sonoma Valley, AMVETS Hap Arnold Post #55, American Legion Jack London Post 489, Sonoma Valley Chamber of Commerce and the Sonoma Valley Visitors Bureau.

Dr. Kimberly Hubenette requested a proclamation recognizing Freedom Week Sonoma and will be present to accept the proclamation.

In keeping with City practice, the proclamation recipient has been asked to keep the total length of their follow-up comments and/or announcements to not more than 10 minutes.

Recommended Council Action

Mayor Gallian to present the proclamation.

Alternative Actions

Council discretion

Financial Impact

n/a

Environmental Review

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

Status

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

Attachments:

1. Proclamation
-

cc: Kimberly Hubenette - via email



SEPTEMBER 8-11, 2016

freedom WEEKsonoma



HONORING OUR ACTIVE MILITARY,
VETERANS & FIRST RESPONDERS



FREEDOM WEEK Sonoma is an extension of *Freedom Day USA*, where businesses in our community join together to show their appreciation to members of the armed services, their immediate families, veterans and first responders (firefighters, law enforcement officers) by providing them with **FREE** services, food items or products throughout the week.

FOR ACTIVE DUTY MILITARY, VETERANS & FIRST RESPONDERS...

We invite you to take part in this special "Thank You" week. Just come to the Sonoma Valley Visitor's Bureau on the Plaza—**FREEDOM WEEK Sonoma Headquarters**—and pick up a list and map of participating businesses and professional services offering **FREE** services & items during **FREEDOM WEEK Sonoma**.

FOR BUSINESS OWNERS WHO WISH TO HONOR THESE DESERVING PEOPLE...

Sign up your business today using the **FREEDOM WEEK Sonoma Participation Form** printed on the back of this sheet. Or contact Dr. Kimberly Hubenette of Synergy Dental Group: 707-938-9066 or info@synergydentalgroup.net. Visit freedomweeksonoma.org to get the latest information.

Rotary



Cosponsors:

Rotary Club of Sonoma Valley - AHSFD Hag Arnold Post #55 - American Legion Jack London Post #409 - Sonoma Chamber of Commerce - Sonoma Valley Visitor's Bureau

City of Sonoma



Proclamation

FREEDOM WEEK SONOMA

WHEREAS, Freedom Day USA is a national "thank you" movement for Veterans and the members of our military and their immediate families, founded by Robert Martino, D.D.S, owner of Wilson Martino Dental, West Virginia's largest dental chain; and built upon by the members of The Platinum Circle, a group of elite dentists who practice throughout our country; and

WHEREAS, Dr. Martino's vision was to give the members of our military a Freedom Day, a day where we thanked them for giving us our freedom by providing free services, goods, products, etc. as a Thank You for the sacrifice, service and freedom these men and women have provided to us; and

WHEREAS, The initial Sonoma Freedom Day event was held on September 12, 2013 with the initial guidance, help and support of Kimberley Hubenette, D.D.S. owner of Synergy Dental Group and a member of The Platinum Circle. She expanded the initial concept beyond her Dental Practice to other business within the Sonoma Valley and established it as a very worthy local community annual event to take place annually during the second week of September. During the 2nd annual Freedom Day USA event in 2014 the Rotary Club of Sonoma Valley stepped up to support Dr. Kimberley Hubenette's initial efforts as the official community sponsor of with intentions to build upon the twenty initial local businesses that participated in the 1st year of the event which they did by doubling the number of participating local businesses. During the 3rd annual event in 2015, the Rotary Club of Sonoma Valley expanded the single-day concept to take place over several days and thus renamed it within our local community as "Freedom Week Sonoma." Approximately eighty local businesses participated within this expended and renamed event last year; and additional co-sponsors now include: AMVETS: Hap Arnold Post #55, the American Legion: Jack London Post #489, the Sonoma Valley Visitors Bureau and the Sonoma Valley Chamber of Commerce; and

WHEREAS, The initial scope of the event has been expanded locally to now thank our local "First Responders" (i.e. Law Enforcement Officers and Firefighters) along with our Military Veterans and the Active Duty members of our Armed Forces and their immediate families. It is a genuine thank you for the dedication, sacrifice and commitment of our 1) Active Duty members of our U.S. Armed Forces and their immediate families, 2) Veterans of our Armed Forces, and 3) Local "First Responders" (i.e. Law Enforcement Officers and Firefighters). There are no strings attached on this day, and no requirements to purchase anything at participating businesses.

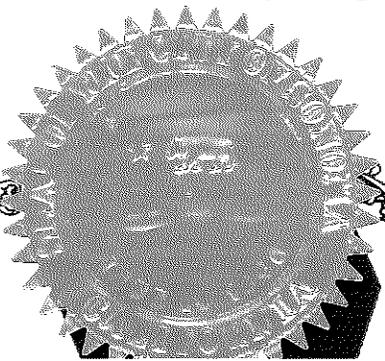
NOW, THEREFORE, I, Laurie Gallian, Mayor of the City of Sonoma, do hereby proclaim September 8-11, 2016

FREEDOM WEEK SONOMA

In the City of Sonoma and take this opportunity to thank the Active Duty members of our U.S. Armed Forces and their immediate families; the Veterans of our Armed Forces; and our "First Responders" (i.e. Law Enforcement Officers and Firefighters) for their service. I also thank Dr. Kimberly Hubenette for her initial grassroots effort to launched this program and to all the program sponsors.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Sonoma to be affixed this 15th day of August 2016.

LAURIE GALLIAN, MAYOR





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4B

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the minutes of the July 6 and July 18, 2016 City Council Meetings.

Summary

The minutes have been prepared for Council review and approval.

Recommended Council Action

Approve the minutes.

Alternative Actions

Correct or amend the minutes prior to approval.

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

Minutes

Alignment with Council Goals: N/A

cc: N/A

**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



Wednesday July 6, 2016

6:00 p.m.

MINUTES

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

OPENING

Mayor Gallian called the meeting to order at 6:00 p.m. Terry Leen led the Pledge of Allegiance.

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

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, City Attorney Walter, Stormwater Compliance Specialist Pegg, Finance Director Hilbrants

1. COMMENTS FROM THE PUBLIC

Cecelia Ponicsan complimented the Council for their successful Goal Setting meeting and reported that a company called Battery Recyclers of America would recycle all types of batteries.

Terry Leen announced the formation of an American Veterans (AMVETS) organization in Sonoma and that he was the Commander Elect. He added that they stood ready to support the City.

2. MEETING DEDICATIONS - None

3. PRESENTATIONS

Item 3A: Presentation and update on stormwater program activities.

Stormwater Compliance Specialist Pegg presented an informative and detailed report on the City stormwater system and responded to a few questions from the City Council.

4. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

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

Item 4B: Approval of the minutes of the June 27, 2016 City Council Meeting.

Item 4C: Approval of the allocation of a City funded rental at the Sonoma Veteran's Memorial Building as requested by AMVETS Post 55.

Item 4D: Approval and ratification of the appointment of Matt Metzler as the alternate commissioner for the Community Services and Environment Commission for an initial two-year term.

The public comment period was opened and closed with none received. It was moved by Clm. Hundley, 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

Item 5A: Approval of the portions of the minutes of the June 27, 2016 City Council meeting pertaining to the Successor Agency.

The public comment period was 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.

6. PUBLIC HEARING – None Scheduled

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, consideration and possible action to adopt a resolution 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.

City Manager Giovanatto reported that, pursuant to Council direction given at the June 27, 2016 meeting, staff had prepared the appropriate documents to place the extension of the sales tax on the November 2016 ballot. She stated that staff was seeking Council input on the term of the tax, the ballot measure language and the writer of the argument in favor.

Mayor Gallian invited comments from the public. David Eichar expressed support for the measure and added that Council may want to consider raising the Transient Occupancy Tax.

It was moved by Clm. Agrimonti, seconded by Clm. Hundley, approve a five year term for the tax and the ballot language and to appoint Councilmembers Edwards and Hundley as the argument writers; and to adopt Resolution No. 21-2016 incorporating those decisions, and entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA APPROVING CALLING FOR, GIVING NOTICE OF, AND ESTABLISHING THE POLICIES AND PROCEDURES 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; AND DIRECTING THE COUNTY OF SONOMA TO CONDUCT THE ELECTION ON THE CITY'S BEHALF. The motion carried unanimously.

Item 7B: Discussion, Consideration and Possible Action to Approve a Resolution Setting Priorities for Filing a Written Argument Regarding a City Measure.

City Manager Giovanatto reported that at the June 27, 2016 meeting Council directed that the referendum measure relating to leaf blowers be placed on the November 2016 ballot. This issue has been brought back for Council to decide who would write the argument in favor of the ordinance.

Mayor Gallian invited comments from the public. David Eichar expressed his support for banning leaf blowers and questioned if an argument writers' eligibility was confirmed. City Clerk Johann responded that she would confirm if an argument writer was a registered voter if that was the requirement.

Sarah Ford stated that Sonoma Neighbors Against Leaf Blowers (SNALB) would be happy to help write the argument and questioned if they qualified as a bona fide association. Mara Lee Ebert and Cecelia Ponicsan agreed with Ms. Ford. Attorney Walter opined that the group would qualify.

Clm. Hundley stated she preferred to leave it to the community. Clm. Agrimonti stated she was neutral but would agree to be on a Council subcommittee. Clm. Cook stated he was neutral but didn't want the City Clerk to have to decide. Mayor Gallian stated her support for a Council subcommittee to write the argument. It was moved by Clm. Cook, seconded by Clm. Agrimonti, that Mayor Gallian and Clm. Agrimonti would write the argument and to adopt Resolution No. 22-2016 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA SETTING PRIORITIES FOR FILING A WRITTEN ARGUMENT REGARDING A CITY MEASURE. The motion carried four to one, Clm. Edwards dissented.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS' REPORTS AND COMMENTS

Clm. Cook reported that the Sonoma Clean Power board was considering allowing Mendocino County to join and that he would seek direction from the Council before voting on that issue. His office hour would now be on Wednesdays at 1:00.

Clm. Edwards reported meeting with Sonoma Overnight Shelter and that he would continue to research their proposal for a Safe Parking Program and would be prepared to share his ideas and thoughts at the August meeting.

Clm. Agrimonti thanked those who helped clean up after the fireworks display.

Clm. Hundley reported that SVCAC reviewed plans for a restaurant at the old Uncle Patty's location. She also reported attendance at the Vitality Partnership meeting.

Mayor Gallian reported on the Open House Community Partnership workshop; thanked the newspaper for putting together the grand jury report; announced a July 16 meeting regarding Hwy 116 improvements and proposed round about; attended the ribbon cutting at Sweet

Scoops; loved the fireworks and thanked the public for their generous support; and she will be holding office hours on Wednesday at 11 a.m.

10. CITY MANAGER COMMENTS AND ANNOUNCEMENTS INCLUDING ANNOUNCEMENTS FROM SUCCESSOR AGENCY STAFF - None

11. COMMENTS FROM THE PUBLIC

Lynn Clary requested signs be placed in the Plaza restricting chasing the ducks.

Cecelia Ponicsan complained that many service trucks still did not have the required signage.

Mara Lee Ebert reported that members of SNALB went around to businesses asking them not to use leaf blowers and received a very positive response.

12. ADJOURNMENT

The meeting was adjourned at 7:50 p.m.

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

Gay Johann
Assistant City Manager/City Clerk

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.**
- 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 Giovanto 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.

Cm. 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. Cm. 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.

Cm. 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 Cm. 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.

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 Cm. Agrimonti, seconded by Cm. 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 Cm. 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. Cm. 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.

Cm. Cook and Cm. 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?”

CIm. 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 CIm. Hundley, seconded by CIm. 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 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.

Clm. 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. Clm. 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 day of 2016.

Gay Johann
Assistant City Manager/City Clerk



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4C

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, Consideration and Possible Action to Award Contract to Peckham &McKenney for Executive Search Services (City Manager) and Authorize the City Manager to Sign

Summary

At the June 27 Council meeting the City Council gave direct to staff to issue a Request for Proposals to qualified Executive Search Firms to assist the Council in recruitment efforts for a successor City Manager. Seven firms received the RFP document which included a closing date of July 29th. Three firms submitted proposals, with the other four firms responding that they were unable to submit a proposal due to other time commitments. The firms submitting proposals are as follows:

1. Ralph Andersen & Associates - \$26,750
2. Bob Murray & Associates - \$17,500 + Expenses (NTE \$6,900)
3. Peckham & McKenney - \$18,500 + Expenses (NTE \$7,500)

Each firm submitted a complete proposal which complied with all provisions of the RFP and are included with the agenda summary. The City Manager and City Attorney have reviewed all three proposals and each firm has the background and varying strengths to complete the process and provide highly professional and technical services. Both the City Attorney and City Manager are recommending that the firm of Peckham & McKenney be awarded the contract for Executive Search Services for a new Sonoma City Manager. Peckham & McKenney has worked with the City previously in the recruitment of the Finance Director and is currently working with Valley of the Moon Fire District for the recruitment of the Fire Chief. This firm has a knowledge base that gives them a solid foundation of the character of Sonoma that staff believes will be an asset when working with the Council. Their main focus on recruitment is also centered on "fit" in an organization which is key in any successful organization. Bobbie Peckham will be lead executive on this recruitment. The firm is prepared to begin immediately with Council interviews and preparation of recruitment brochure. The Council will have availability of Ms. Peckham to determine interview schedules and potential options. Timing is paramount in the recruitment of a new City Manager and should begin immediately. Staff is confident in the ability of Peckham & McKenney to maintain the timeframes set for a successful transition to a new City Manager.

Recommended Council Action

Award contract to Peckham & McKenney for Executive Search Services for the position of City Manager and authorize the City Manager to sign on behalf of the City.

Alternative Actions

Award contract to alternate Executive Search Firm; request additional information.

Financial Impact

Maximum cost \$26,000 split between funds within City budget.

Environmental Review

Status

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

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

List of City Manager Recruitment Firms solicited
Peckham & McKenney proposal

Due to the size of the proposals received, distribution was made to Councilmembers only. Copies may be viewed by at City Hall during normal business hours.

Alignment with Council Goals:

While this item doesn't align with one specific Council Goal, I believe that it aligns with all Council Goals as the next City Manager will be charged with completing the FY 2016-17 Goals and carrying forth the leadership provided by the Council.

Compliance with Climate 2020 Action Plan Target Goals:

cc:

LIST OF CITY MANAGER RECRUITERS

Bob Murray & Associates (916) 784-9080 apply@bobmurrayassoc.com

Teri Black & Company – info@tbcrecruiting.com

Management Partners (408) 437-5400 abelknap@managementpartners.com

Ralph Andersen & Associates (916) 630-4900 info@ralphandersen.com

Roberts Consulting Group, Inc. (818) 783-7752 robertsrcg@msn.com

Peckham and McKenney (866) 912-1919 bobbi@peckhamandmckenney.com

William Avery & Associates (408) 399-4424 jobs@averyassoc.net



Executive Search Services

**City Manager
City of Sonoma**

July 2016

"All About Fit"



July 20, 2016

Mayor Laurie Gallian and Members of the City Council
City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476

Dear Mayor Gallian and Members of the City Council:

Thank you for the opportunity to express our interest in assisting you in the recruitment of a new City Manager. Given Carol Giovanatto's outstanding tenure with the City of Sonoma, we would be honored to assist you in this critical search process. As a City Council, I believe that you should be looking to work with an experienced Recruiter who truly understands the unique culture and character of a smaller, established community as well as a destination community with an economy that is rich with tourism.

Bringing 29 years of experience in executive search (more than any other active Recruiter in California) I would serve as your Recruiter. Since 1987, I have personally conducted hundreds of City Manager searches throughout the Western United States. More importantly, I have extensive experience conducting City Manager searches for smaller as well as tourism-based communities, such as Belvedere (pop. 2,200 in 2012), Calistoga (pop. 5,500 in 2016), and Portola Valley (pop. 4,500 in 2016). Other similar City Manager searches have included Ashland, Big Bear Lake, Del Mar, Indian Wells, La Quinta, Mill Valley, Moraga, Palos Verdes Estates, Park City, Piedmont, St. Helena, and Woodside. These communities are distinctly different in their focus on providing hands-on, personal service to their residents.

Although your RFP requested information on history over the past two years alone, we are providing more information that we believe is relevant to this search. Within the past five years, I have placed a total of 39 City Managers with California cities. Of those individuals placed, only 11 have left for retirement or other career opportunities. We believe this is a testament to the quality of our work as well as our attention to ensuring "fit" with the organization and community. I recognize that every agency and community is unique, and I take the time to become familiar with my client's needs in order to identify the best candidates. I work to understand the organizational culture and actively recruit and then evaluate candidates accordingly.

Currently, I am conducting the search for the City Manager of the City of Campbell (pop. 42,000) as well as the Assistant City Manager for the City of Hayward (I placed the retiring City Manager as well as the Assistant City Manager, who has just been appointed as the new City Manager – this speaks to "fit").

Within the past two years, we placed City Managers with the California cities of Arroyo Grande, Auburn, Brentwood, Calistoga, Eureka, Galt, Gilroy, Palmdale, Piedmont, Portola Valley, San Clemente, and Tracy; as well as Ketchum, ID, and Sedona, AZ.

"All About Fit"

City of Sonoma
Page Two

In addition, we placed Assistant City Managers with the cities of Foster City, Pacifica, San Clemente, San Rafael, and Tracy since 2014.

We are familiar with the City of Sonoma in that we not only placed your current Finance Director, Deanna Hilbrants, but we are also assisting the Sonoma Valley Fire & Rescue Authority in their search for a Fire Chief. We want the best for your community, and our outreach efforts will focus on candidates who feel the same way.

The attached proposal includes more detailed information regarding our firm, the search process and timeline, professional fee and expenses, our guarantee, and client references. I welcome the opportunity to work with you on this important search process. Please feel free to call me toll-free at (866) 912-1919 if you have any questions. Again, thank you for this opportunity.

Sincerely,

A handwritten signature in black ink that reads "Bobbi C. Peckham". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Bobbi C. Peckham, President
Peckham & McKenney, Inc.

Attachment

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INTRODUCTION

Peckham & McKenney, Inc. provides executive search services to local government agencies throughout the Western United States and is headquartered in Roseville, California. The firm was established as a partnership in June 2004 and incorporated in 2014 by Bobbi Peckham and Phil McKenney, who serve as the firm's lead Recruiters and bring over 50 years' combined experience in local government and executive search. We also offer the services of two former City Managers who serve as Recruiters on assignment. We are supported by an Office Manager, research specialists, a marketing and design professional, web technician, and distribution staff. Ms. Peckham serves as the firm's President, and Phil McKenney serves as the Chief Operating Officer and Secretary/Treasurer. Either of the firm's principals may be reached toll free at (866) 912-1919.

Peckham & McKenney was established on the premise that an executive search and consulting firm must be dedicated to providing its clients and candidates with professional service, as well as a personal, hands-on approach. Our business philosophy centers upon the understanding that this is a "people" related industry and that attention to others' needs is the key to providing effective customer service. Not only are we committed to providing our clients with well-qualified candidates, but we also take pride in treating both our clients and candidates with utmost respect. This commitment has led to multi-year retainer agreements with a number of agencies, as well as numerous client and candidate testimonials to their experiences with us. We invite you to visit our web site at www.PeckhamAndMcKenney.com.

At Peckham & McKenney, we are committed to local government and sensitive to the challenges and issues faced by our clients and candidates. As such, we serve as the Administrator for the Credentialed Government Leader program for the Municipal Management Associations of Northern & Southern California. We also actively support Women Leading Government as well as assist in the annual Women's Leadership Summit. In addition, we have provided numerous workshops and training sessions in California and Colorado to up-and-comers on resume and interview preparation and general career guidance.

Individual profiles of each of the Peckham & McKenney team follow.

Bobbi C. Peckham, President

Bobbi Peckham brings 29 years' experience as an Executive Recruiter as well as 6 prior years of local government experience. Ms. Peckham is sought out and retained due to her high ethics, integrity, hands-on customer service, and unique ability to identify candidates that "fit" her client agencies and communities.

Ms. Peckham began her career in local government in the City Manager's office of the City of Naperville, Illinois, where she became familiar with all aspects of local government in the nation's fastest growing community. Ms. Peckham was then recruited to join the Executive Search practice of a leading California recruitment firm. Later, she played an integral role in creating a national search business for what became the largest recruitment practice serving local government in the country. Here, she became Regional Director overseeing Northern California and a nine-state region. In 2004, Ms. Peckham formed Peckham & McKenney, Inc. in partnership with Phil McKenney.

Ms. Peckham received a Bachelor of Science degree in Organizational Behavior from the University of San Francisco. She is a contributing member of the International City/County Management Association, Cal-ICMA, Women Leading Government, and Municipal Management Associations of Northern & Southern California. Ms. Peckham serves on the Planning Committee for the annual *Women's Leadership Summit*, at which she coordinates and leads the highly regarded Executive Roundtable Discussions with over 30 female local government leaders. In addition, Ms. Peckham was instrumental in writing the ICMA's *Job Hunting Handbook*. Over the years, Ms. Peckham has actively supported her community, and she currently volunteers her time to the Sacramento Affiliate of *Dress for Success*, which works to empower women to achieve economic independence by providing a network of support, professional attire, and the development tools to help women thrive in work and in life.

City Manager Recruitment Experience (2014 – Present)

Bringing over 50 years' combined experience in local government and executive search, we have conducted hundreds of searches for City Managers, County Administrators, City Attorneys, and other Council- and Board-appointed positions throughout the Western United States. Within the past two years, we placed a total of 14 City Managers. All of these placements remain in their positions today with the exception of the Arroyo Grande City Manager, who was recently dismissed after 11 months in the position. Peckham & McKenney is honoring our one-year guarantee and will begin this search process after the City's November 2016 Council election.

Arroyo Grande, Auburn, Brentwood, Calistoga, Eureka, Galt, Gilroy, Palmdale, Piedmont, Portola Valley, San Clemente, and Tracy; as well as Ketchum, ID, and Sedona, AZ.

City of Arroyo Grande, CA	Dianne Thompson	2015 – July 2016	53 apps/6 interviews
City of Auburn, CA	Tim Rundel	2014 - Present	60 apps/6 interviews
City of Brentwood, CA	Gus Vina	2015 – Present	58 apps/6 interviews
City of Calistoga, CA	Dylan Feik	2016 – Present	38 apps/6 interviews
City of Eureka, CA	Greg Sparks	2013 – Present	39 apps/6 interviews
City of Galt, CA	Eugene Palazzo	2015 – Present	50 apps/8 interviews
City of Gilroy, CA	Gabe Gonzalez	2015 – Present	29 apps/5 interviews
City of Ketchum, ID	Suzanne Frick	2014 – Present	81 apps/5 interviews
City of Palmdale, CA	Jim Purtee	2015 -- Present	36 apps/6 interviews
City of Piedmont, CA	Paul Benoit	2014 – Present	39 apps/6 interviews
City of Portola Valley, CA	Jeremy Dennis	2016 -- Present	44 apps/5 interviews
City of San Clemente, CA	James Makshanoff	2014 – Present	67 apps/8 interviews
City of Sedona, AZ	Justin Clifton	2015 – Present	107 apps/7 interviews
City of Tracy, CA	Troy Brown	2014 – Present	43 apps/6 interviews

Additional Peckham & McKenney Recruitment Team members follow:

Phil McKenney, Chief Operating Officer

Phil McKenney has over 35 years' management experience and is very familiar with local government agencies, having led a county organization and having worked with numerous city governments and special districts. Mr. McKenney began his career in the resort and hospitality industry and served as General Manager for Mattakesett Properties on the island of Martha's Vineyard. He then relocated to Keystone Resort in Colorado, which is now acknowledged as a premiere all-season resort with special recognition for its level of guest services. Mr. McKenney later took over the helm of the Summit County Chamber of Commerce as their Executive Director. This hybrid-Chamber was the only countywide organization responsible for marketing all of Summit County, Colorado, home to Breckenridge, Keystone, and Copper Mountain resorts. Through his leadership and collaborative style, and working with the cities and county within Summit County, he led the Chamber to being a readily recognized and well-respected organization within Colorado and the Western United States.

Mr. McKenney was then selected by Placer County, California to lead the merger of the North Lake Tahoe Chamber of Commerce and the North Tahoe Visitors and Convention Bureau into the North Lake Tahoe Resort Association. As Executive Director of this new county organization, he represented the Tourism industry for all of North Lake Tahoe. The Resort Association is now a proactive, nationally recognized organization whose model of governance is being replicated in numerous resort communities across the Western United States.

Mr. McKenney began his career in executive recruitment in January 2003 and has since conducted hundreds of national recruitments throughout the Western states, including Colorado, Arizona, Idaho, Wyoming, Oregon, and

California. Mr. McKenney has an undergraduate degree in Recreation from Slippery Rock State College as well as a Master of Business Administration from the University of Denver.

Clay Phillips, Executive Recruiter

Mr. Phillips brings extensive experience leading a city of over 150,000 and selecting and assembling an executive team that is highly revered in the San Diego region. He recently completed 30 years of service with the City of Escondido, 12 years of which he served as City Manager. Mr. Phillips served in several capacities with the City of Escondido including Finance Director, Administrative Services Director, and Deputy City Manager prior to his appointment as City Manager. He began his career with the City of Santa Ana and soon became Deputy Finance Officer for the City of Irvine.

Mr. Phillips has served as the Chairman of the San Diego City Managers Association, and he has been a speaker and expert panelist for the League of California Cities as well as POST and California State University San Marcos. Mr. Phillips has significant experience in leadership development, financial management, economic development, and labor relations. In his capacity as City Manager, he has been involved with the recruitment and hiring of department heads in all areas of local government. Mr. Phillips received his undergraduate degree from Loma Linda University with majors in Business Management and Accounting and was recognized as the Alumnus of the Year by the School of Business in 2008. He also received his Master of Business Administration from Pepperdine University.

Ellen Volmert, Executive Recruiter

Ms. Volmert recently began her encore career after 35 years of local government management experience in California and Oregon. She has served as City Manager with the City of La Palma; and 18 years as Acting City Manager, Assistant City Manager, Assistant to the City Manager, and Management Analyst with the City of Corvallis, Oregon. She began her local government career with the California cities of Baldwin Park and West Covina. Ms. Volmert brings extensive experience in executive recruitment, labor relations, human resources, risk management, communications, diversity, budgeting, and intergovernmental relations. Ms. Volmert focuses on all recruitment assignments in the state of Oregon as well as team support on all other executive recruitments. She is a graduate of UCLA and has a Master's degree in Public Administration from Cal State Fullerton.

Joyce Johnson, Office Manager

Ms. Johnson joined Peckham & McKenney in 2005 and serves as the firm's Office Manager. Ms. Johnson is complimented regularly on her strong customer orientation working with both clients and candidates alike. She oversees internal administration of the firm as well as directing contract administrative support in the areas of advertising and design, web posting, and duplication and mailing services. Prior to joining Peckham & McKenney, Ms. Johnson oversaw internal administration in the Western Region headquarters of two separate national management consulting and executive recruitment firms. She has over 30 years' experience in the field of administrative and executive support for all aspects of the executive recruitment process. Ms. Johnson holds an Associate of Arts degree from American River College.

Cathy West-Packard, Marketing & Design

Ms. West-Packard has provided her design and marketing skills to Peckham & McKenney Recruiters for over 25 years. She is the firm's "go-to" professional for all advertising and brochure design and creation.

Kevin Johnson, Research Assistant

Mr. Johnson has been a member of the team since 2009 and currently serves as a Research Assistant. He supports the firm's Recruiters through his research of local government agencies and networks, potential candidates, and current candidates prior to recommendation to our clients. Mr. Johnson mastered his researching abilities while obtaining a Bachelor of Arts in Economics from Willamette University.

Bradley Frank, Technology Guru

The newest member of the Peckham & McKenney team, Mr. Frank holds the official title of Technology Guru as he expertly oversees the firm's web site as well as responding to all technology questions from the firm's principals. He is currently studying Material Sciences & Engineering at the University of California, Merced, and is a NASA Fellow.

THE SEARCH PROCESS

While it is our intent to customize the search and project schedule to fit the City of Sonoma's specific needs, the search process typically includes the following key actions:

Project Organization – Prior to beginning the recruitment process, we will be available to discuss the recruitment process, listen to specific desires and expectations, and respond to any questions or concerns. We will discuss expected parameters of the search, the search timeline, and schedule future meeting dates. At this time, the City will also determine the extent of involvement of other individuals in the search process.

Development of Candidate Profile (on-site #1) – This phase provides for the development of a detailed Candidate Profile. We will meet individually with the Mayor and members of the City Council to discuss the current and future issues and challenges facing the City of Sonoma and the organization, in particular. The desired background and experience, leadership style and personality traits, skills and abilities of the ideal candidate will be discussed. We will also discuss expectations, goals, and objectives that will lead to the success of the new City Manager. Additional individuals or groups identified during the "Project Organization" phase will also be contacted for input during the development of the Candidate Profile.

Recruitment – Given the nature of California, and the Sonoma County area in particular, we would recommend focusing this recruitment on California only. Advertisements will be placed in the appropriate industry publications and websites, and our firm will assume responsibility for presenting your opportunity in an accurate and professional manner. Full information on the position will be posted on our firm's web site as well as the City's site. In addition, an attractive brochure will be prepared to market the organization and position to potential candidates. This brochure will be mailed to 300-400 industry professionals nationally, and it will also be available on our firm's web site. Copies of the brochure will also be made available to the City.

The main focus of our outreach, however, will be direct phone contact with quality potential candidates. With close to 30 years of executive search experience, we have developed an extensive candidate database that is continuously utilized and updated. Our recruiting efforts will focus on direct and aggressive recruiting of individuals within the search parameters established during the Candidate Profile Development phase. We believe direct recruiting produces the most qualified candidates.

Throughout this active search process, we will regularly notify the City of the status and share questions, concerns, and comments received from potential candidates as they consider the opportunity. By doing so, we will "team" with the City to ensure that all issues and concerns of candidates are discussed and understood thereby eliminating "surprises" once the resume filing deadline has occurred.

As resumes are received, they will be promptly acknowledged, and we will personally respond to all inquiries. Once the resume filing deadline has passed, the City will be once again updated on the status of the recruitment, the number of resumes received, and our intent for preliminary interviews.

Preliminary Interviews – As resumes are received, supplemental questionnaires will be sent to candidates who appear to meet the Candidate Profile. Following the resume filing deadline and a thorough review of the resumes and questionnaires received, we will conduct preliminary interviews with those individuals most closely matching the Candidate Profile. An Internet search will be conducted as well as preliminary background (credit and criminal) checks.

Recommendation of Finalists (on-site #2) – *→ CLOSED SESSION*
A written recommendation of finalists will be personally presented to the City in a one- to two-hour meeting. The City will receive a full listing of all candidates who applied for the position, as well as the cover letters, resumes, and supplemental questionnaires of the recommended group of candidates for further consideration.

Once a group of finalists has been selected by the City, all candidates will be notified of their status. We will prepare a finalist interview schedule and notify finalist candidates accordingly. If necessary, finalists will make their own travel plans and reservations. It is customary that the City reimburse finalists for round-trip airfare, car rental, and lodging necessary to attend the interviews with the City. We will confirm this with the City at our meeting to recommend finalists.

Final Interviews/Selection (on-site #3) – During this phase, finalists will be interviewed by the City. We will provide on-site advice and facilitation assistance during the final interview process. Interview materials, including suggested interview questions, evaluation and ranking sheets will be provided for the City’s convenience.

An orientation session will be held with those involved prior to the finalist interviews, and we will work with the panel through a ranking process and discussion of the finalists at the end of the day. We will assist the City in coming to consensus on the leading two to three finalists for further consideration, and we will provide recommendations on next steps, including additional meetings with each finalist to learn more of the “fit” they may bring.

Qualification – Once the final candidate has been selected by the City, a thorough background check will be conducted that is compliant with the Fair Credit Reporting Act and Investigative Consumer Reporting Agencies Act. Peckham & McKenney utilizes the services of Sterling Talent Solutions, the world’s largest company focused entirely on conducting background checks. This investigation will verify professional work experience; degree verification; certifications; and criminal, civil, credit, and motor vehicle records. We encourage our clients to consider further vetting the candidate through a Department of Justice LiveScan in order to ensure that all known criminal history records (beyond seven years) are investigated.

Professional references will also be contacted, and a full report will be provided. In addition to professional references provided by the selected candidate, we will also request permission to speak to an assortment of individuals within the candidate’s organization, including Council members, department heads, and other direct reports. Community representatives will also be contacted. This comprehensive process ensures that only the most thoroughly screened candidate is hired.

In addition, negotiation assistance will be provided as requested by the City. Typically, we recommend utilizing the legal services of your City Attorney, although we will be happy to provide standard employment agreements through the International City/County Manager’s Association as well as the California City Manager’s Association.

Our ultimate goal is to exceed your expectations and successfully place a candidate who “fits” your organization’s and community’s needs now and into the future.

SEARCH SCHEDULE

This sample schedule anticipates a 14-week process. In today's competitive recruiting environment, our goal is to make the process as efficient and effective as possible. We ask that our clients work with us to identify future meeting dates, which will be published within the Candidate Profile. This will ensure that the momentum of the search process is consistent and that all parties are available in order to lead to a successful result.

<u>ACTIVITY</u>	<u>TIME FRAME</u>
I. Project Organization <ul style="list-style-type: none">• Conference call discussion of recruitment process• Formalize project schedule	Pre-Recruitment
II. Development of Candidate Profile <ul style="list-style-type: none">• On-site meeting with City representatives to discuss Candidate Profile• Develop Candidate Profile/Marketing Brochure and obtain approval from City• Develop advertising and recruiting plan	Two Weeks
III. Recruitment <ul style="list-style-type: none">• Advertise, network, and electronically post in appropriate venues• Send Candidate Profile to 300-400 industry professionals• Post opportunity on firm's web site as well as City's site• Search for/identify/recruit individuals within the parameters of the Candidate Profile• Respond to all inquiries and acknowledge all resumes received in a timely manner	Six Weeks
IV. Preliminary Interviews/Recommendation <ul style="list-style-type: none">• Review resumes and supplemental questionnaires• Conduct preliminary interviews with leading candidates• Conduct Internet research and credit/criminal checks• Present written recommendation of finalists to City• Notify all candidates of search status	Three Weeks
V. Final Interviews/Selection <ul style="list-style-type: none">• Schedule finalist interviews• Design process and facilitate finalist interviews with City• Assist City throughout process and provide recommendations• City selects candidate or leading 2-3 candidates for further consideration• City conducts second interview process.	Two Weeks
VI. Qualification <ul style="list-style-type: none">• Conduct thorough background and reference checks on leading candidate• Negotiation assistance• Exceed expectations and successfully place candidate who "fits."	One Week

PROFESSIONAL FEE AND EXPENSES

Professional Fee

Our professional fee to conduct the recruitment of the City Manager is \$18,500. One-third of this fee is due as a retainer upon execution of the agreement. The remainder of the fee will be divided and billed in two separate, monthly invoices.

Expenses

Estimated out-of-pocket costs associated with this search will not exceed \$7,500. Expenses include out-of-pocket costs associated with administrative support/printing/copying/postage/materials, consultant travel, advertising, telephone/technology, and background checks (partial checks on recommended candidates; full background check on selected candidate). Additional expenses incurred due to requested additional meetings as well as full background checks on more than one candidate will be billed accordingly.

Insurance

Peckham & McKenney carries Professional Liability Insurance (\$1,000,000 limit), Commercial General Liability Insurance (\$2,000,000 General Liability, and \$4,000,000 Products) and Automobile Liability Insurance (\$1,000,000). Our Insurance Broker is Wells Fargo Insurance, Inc., Charlotte, NC, and our coverage is provided by Sentinel Insurance Company and The Hartford.

CLIENT REFERENCES

Please feel free to contact any of the following current and recent clients to inquire about their experience with Bobbi Peckham. In addition, we would be pleased to furnish the client contact and phone numbers for any past clients listed in the Attachment.

City of Auburn, CA – City Manager (2014)

Bridget Powers, former Mayor; or Tim Rundel, City Manager
(405) 409-8375; trundel@auburn.ca.gov

City of Brentwood, CA – City Manager (2015), Administrative Services Director (2015)

Bob Taylor, Mayor; or Gus Vina, City Manager
(925) 308-3800; gvina@brentwoodca.gov

City of Calistoga, CA – City Manager (2016)

Chris Canning, Mayor
(707) 815-2105; ccanning@ci.calistoga.ca.us

City of Gilroy, CA – City Administrator (2016)

Perry Woodward, Mayor; or LeeAnn McPhillips, Human Resources Director
(408) 846-0205; leeann.mcphillips@cityofgilroy.org

City of Indian Wells, CA – City Manager (2013)

Wade McKinney, City Manager
(760) 346-2489; wmckinney@indianwells.com

City of Palmdale, CA – City Manager (2015)

James Ledford, Mayor; or Jim Purtee, City Manager
(661) 267-5100; jpurtee@cityofpalmdale.org

City of Palos Verdes Estates, CA – City Manager (2013)

Jim Goodhart, former Mayor; or Tony Dahlerbruch, City Manager
(310) 378-0383; jgoodhart@pvestates.org

Town of Portola Valley, CA – Town Manager (2016)

Ann Wengert, Council Member
(650) 851-1701; annwengert@portolavalley.net

City of San Clemente, CA – City Manager (2014), Assistant City Manager (2013), Community Development Director (2015), and Human Resources Manager (2016)

Erik Sund, Assistant City Manager
(949) 300-2015; sunde@san-clemente.org

City of Tracy, CA – City Manager (2014) and Assistant City Manager (2015)

Brent Ives, former Mayor, (209) 740-6779;
Troy Brown, City Manager, (925) 321-5531; Troy.brown@ci.tracy.ca.us

PLACEMENT GUARANTEE AND ETHICS

Our placement record is particularly strong in that 85% of the candidates we have placed since 2009 continue in those positions today. In the unlikely event, however, that a candidate recruited and recommended by our firm leaves your employment *for any reason within the first year* (except in the event of budgetary cutbacks, promotion, position elimination, or illness/death), we agree to provide a one-time replacement at no additional charge, except expenses.

Time and again, we receive unsolicited comments from clients and candidates relating to our integrity and high ethics.

- First, we believe in honesty. No client should ever appoint an individual without being fully knowledgeable of the candidate's complete background and history. Conversely, no candidate should ever enter into a new career opportunity without full disclosure of any organizational "issues."
- We strive to keep everyone involved in a recruitment process informed of the status. Not only do we provide regular updates to our clients, but we also have a reputation for keeping our candidates posted, even to the extent of informing them as to who was eventually selected.
- As recruitment professionals, we do not recruit our placements -- *ever*. Should a placement of ours have an interest in a position for which we are recruiting, they may choose to apply. However, if they become a finalist, we ask that they speak to their supervisor (Council member or Manager) to alert them of their intent.
- We do not recruit staff from our client agencies for another recruitment during an active engagement. Nor do we "parallel process" a candidate, thereby pitting one client against another for the same candidate.
- We do not misrepresent our client list. Only those searches that we personally conducted appear on our list.
- We are retained only by client agencies and not by our candidates. While we have a reputation for being actively involved in the profession and providing training, workshops, and general advice to candidates, we represent only our clients. In addition, we *always* represent and speak of our client in a positive manner; during the recruitment engagement as well as years after.

EXECUTIVE SEARCHES CONDUCTED (2004 to PRESENT*)

(* 100's of additional searches were conducted from 1987-2004)

City/County Manager, Executive Director, and Related

Alameda County Waste Management Authority, CA	Executive Director
American Canyon, City of	City Manager
Anderson, City of	City Manager
Antioch, City of	City Manager
Arroyo Grande, City of	City Manager
Ashland, OR, City of	City Administrator
Auburn, City of	City Manager
Bell, City of	City Manager
Belmont, City of	City Manager
Belvedere, City of	City Manager
Benicia, City of	City Manager
Big Bear Lake, City of	City Manager
Brentwood, City of	City Manager
Brookings Economic Development Agency, SD	Executive Director
Buellton, City of	City Manager
Burbank, City of	City Manager
Burlingame, City of	City Manager
Calistoga, City of	City Manager
Campbell, City of	City Manager
Carmel-by-the-Sea, City of	City Manager (2011 and current)
Cordillera Metropolitan District, CO	City Administrator
Corvallis, OR, City of	General Manager
Cupertino, City of	City Manager
Del Mar, City of	City Manager
Douglas County, NV	County Manager
Durango, CO, City of	City Manager
Eagle County, CO	County Manager
El Dorado Hills Community Services District, CA	General Manager
Encinitas, City of	City Manager
Eureka, City of	City Manager
Exeter, City of	City Administrator
Foothills Park & Rec. District, CO	Executive Director
Fort Lupton, CO, City of	City Administrator
Galt, City of	City Manager
Garfield County, CO	County Manager
Gilroy, City of	City Administrator (2007 & 2016)
Glendora, City of	City Manager
Grand Junction, CO, City of	City Manager
Greeley, CO, City of	City Manager
Hayward, City of	City Manager
Hughson, City of	City Manager
Indian Wells, City of	City Manager
Incline Village General Improvement District, NV	General Manager
Ketchum, City of, ID	City Administrator
La Plata County, CO	County Manager
La Quinta, CA	City Manager
La Palma, CA	City Manager
Lone Tree, CO, City of	City Manager
Manitou Springs Chamber of Commerce, CO	Chief Operating Officer
Martinez, City of	City Manager
Midpeninsula Regional Open Space District, Los Altos, CA	General Manager

Mill Valley, City of	City Manager
Milpitas, City of	City Manager
Moraga, Town of	Town Manager
Mountain House Community Svcs. District, CA	General Manager
Mountain Village, CO, Town of	Town Manager
North Lake Tahoe Public Utility District, CA	General Manager (2004 & 2007)
Novato, City of	City Manager
Palmdale, City of	City Manager (2011 & 2015)
Palos Verdes Estates, City of	City Manager (2007 & 2013)
Park City Municipal Corporation, UT	City Manager
Piedmont, City of	City Administrator
Pleasant Hill, City of	City Manager
Point Arena, City of	City Manager
Portola Valley, Town of	Town Manager
Public Agency Risk Sharing Authority of CA	General Manager/CEO (2004 & 2016)
Rancho Murieta Community Services District, CA	General Manager
Redlands, City of	City Manager
Redwood City, City of	City Manager
Rohnert Park, City of	City Manager
San Clemente, City of	City Manager
San Mateo, County of	County Manager
Santa Clara, City of	City Manager
Santa Clara County Open Space Authority, San Jose, CA	General Manager
Sea Ranch Association, CA	Community Manager
Sedona, AZ, City of	City Manager (2008 & 2014)
Snowmass Village, CO, Town of	Town Manager (2006 & 2013)
Solana Beach, City of	City Manager
South Suburban Parks & Recreation District, CO	Executive Director
St. Helena, City of	City Manager
Steamboat Springs, CO, City of	City Manager (2005 & 2008)
Teton County, WY	County Administrator
Tracy, City of	City Manager (2007 & 2014)
Tulare, City of	City Manager (2005 & 2011)
Waterford, City of	City Administrator
West Sacramento, City of	City Manager
Windsor, CO, Town of	Town Manager
Winter Park, CO, Town of	Town Manager
Woodside, Town of	Town Manager
Yakima Regional Clean Air Authority, WA	Executive Director/Air Pollution Cont'l Officer
Yolo, County of	County Administrator

Assistant City/County Manager and Deputy Manager

Arvada, CO, City of	Deputy City Manager
Atherton, City of	Assistant City Manager
Carlsbad, City of	Assistant City Manager
Contra Costa County, CA	Chief Assistant County Administrator (2 Positions)
Daly City, City of	Assistant City Manager
Douglas County, CO	Deputy County Manager
Douglas County, NV	Assistant County Manager
Escondido, City of	Assistant City Manager
Foster City, City of	Assistant City Manager
Fremont, City of	Assistant City Manager
Gilroy, City of	Assistant City Administrator
Hayward, City of	Assistant City Manager (2006 & 2010)
Midpeninsula Regional Open Space District, Los Altos, CA	Assistant General Manager (2 Positions)
Occaside, City of	Assistant City Manager, Development Services

Pacifica, City of
Palo Alto, City of
Porterville, City of
San Clemente, City of
San Pablo, City of
San Rafael, City of
South Lake Tahoe, City of
Tracy, City of

Assistant City Manager
Assistant City Manager
Deputy City Manager
Assistant City Manager
Assistant City Manager
Assistant City Manager (2006 & 2015)
Assistant City Manager
Assistant City Manager (2007 & 2015)

City Attorney/Legal Counsel

Antioch, City of
Archuleta County, CO
Ashland, OR, City of
Brisbane, City of
Burlingame, City of
Eureka, City of
Garfield County, CO
Hayward, City of
Mesa County, CO
Midpeninsula Regional Open Space District, Los Altos, CA
Milpitas, City of
Mountain Village, CO, Town of
Pleasanton, City of
Redwood City, City of
Richmond, City of
San Bruno, City of
San Pablo, City of
Simi Valley, City of
South Lake Tahoe, City of
Yolo County, CA

City Attorney (2005 & 2015)
County Attorney
City Attorney
City Attorney (contract services)
City Attorney (2008 & 2012)
City Attorney
County Attorney
City Attorney
County Attorney
County Attorney
General Counsel
Assistant City Attorney
Town Attorney
City Attorney
County Counsel

Community Development/Planning/Economic Development

Alameda, City of
Alhambra, City of
Ashland, OR, City of
Bell, City of
Beverly Hills, City of
Burbank, City of
Concord, City of
Dana Point, City of
Delano, City of
Elk Grove, City of
Fremont, City of
Fremont, City of
Hayward, City of
Hayward, City of
Jefferson County, CO
Laguna Niguel, City of
Livermore, City of
Long Beach, City of
Long Beach, City of
Martinez, City of
Milpitas, City of
Mountain Village, CO, Town of
North Tahoe Public Utility District, CA

Economic Development Manager
Director of Development Services
Community Development Director
Community Development Director
Community Development Director
Community Development Director
Principal Planner
Community Development Director
Economic Development Manager
Economic Development Director
Deputy Director of Community Development
Deputy Redevelopment Agency Director, Housing
Community Development Director
Economic Development Manager
Planning & Development Director
Director of Community Development
Economic Development Director
Deputy Director, Development Services
Planning Bureau Manager, Development Services
Community Development Director
Director of Planning & Neighborhood Services
Director of Community Development & Housing
Planning & Engineering Manager

Novato, City of
Pacifica, City of
Pacific Grove, City of
Palo Alto, City of
Pittsburg, City of
Placer County, Auburn, CA
Rancho Santa Margarita, City of
Reno, NV, City of
San Bruno, City of
San Clemente, City of
San Clemente, City of
San Mateo, City of
San Pablo, City of
San Rafael, City of
County of Santa Clara, San Jose, CA
Santa Rosa, City of
Seaside, City of
Seaside, City of
South Lake Tahoe, City of
St. Helena, City of
Stockton, City of
Teton County, CO
Vail, CO, Town of
Walnut Creek, City of
Walnut Creek, City of
Windsor, City of
Winters, City of
Yuba City, City of

Community Development Director
Planning Director
Community/Economic Development Director
Development Services Director
Community Development Director/City Engineer
Community Development Resources Director
Development Services Director
Redevelopment Administrator
Community Development Director
Community Development Director
Economic Development & Housing Director
Economic Development Manager
Assistant to the City Manager, Economic Development
Community Development Director
Director, Planning & Development
Planning & Economic Development Director
Planning Services Manager
Redevelopment Services Manager
Development Services Director
Planning & Community Improvement Director
Community Development Director
Planning & Development Director
Director of Community Development
Economic Development Manager
Planning Manager
Community Development Director
Community Development Director
Development Services Director

Public Works/Engineering and Related

Ashland, OR, City of
Aurora Water, CO
Benicia, City of
Benicia, City of
Big Bear Lake, City of
Carlsbad, City of
Concord, City of
Fremont, City of
Galt, City of
Gilroy, City of
Greeley, CO, City of
Greeley, CO, City of
Greenfield, City of
Hayward, City of
Jefferson County, Golden, CO
Louisville, CO, City of
Mariposa County, CA
Milpitas, City of
Pacifica, City of
Pacifica, City of
Port San Luis Harbor District, CA
Sacramento County, CA
San Jose, City of
San Leandro, City of
San Pablo, City of
San Rafael, City of

Public Works Director
Director of Water
Land Use & Engineering Manager
Public Works Director
Assistant General Manager, Dept. of Water & Power
Deputy Public Works Director
Infrastructure Maintenance Manager
Manager of Maintenance Operations
Public Works Director
Building Field Services Manager
Public Works Director
Water & Sewer Director
Public Works Director
Director of Public Works
Airport Manager
Public Works Director
Public Works Director
Public Works Director/City Engineer
Deputy Director, Public Works
Deputy Director, Wastewater Treatment
Facilities Manager
Associate Civil Engineer
General Services Director
Engineering & Transportation Director
City Engineer
Public Works Director

Santa Clara, City of
South Lake Tahoe, City of
Steamboat Springs, CO, City of

Assistant Director of Water/Sewer Utilities
Public Works Director
Public Works Director

Finance Director/Controller/Treasurer

Alhambra, City of
American Canyon, City of
Arvada, CO, City of
Atherton, City of
Aurora, CO, City of
Azusa, City of
Bell, City of
Brentwood, City of
Daly City, City of
Durango, CO, City of
Encinitas, City of
Fairfield, City of
Fairfield, City of
Greeley, City of, CO
Hayward, City of
La Quinta, City of
Marin County, CA
Milpitas, City of
Modesto, City of
Oceanside, City of
Orange County Fire Authority, CA
Orange County Fire Authority, CA
Pacific Grove, City of
Pasadena, City of
Pittsburg, City of
Rancho Cordova, City of
Reno, NV, City of
San Mateo, City of
San Mateo, City of
Santa Clara, City of
Santa Clarita, City of
Seaside, City of
Silverthorne, CO, City of
Sonoma, City of
South Lake Tahoe, City of
Steamboat Springs, CO, City of
Superior Court of Calif./Co. of San Mateo
Winter Park, CO, City of

Finance Director
Administrative Services Director
Director of Finance
Finance Director
Finance Director
Director of Finance
Finance Director
City Treasurer/Administrative Services Director
Director of Finance
Finance Director
Finance Director
Director of Finance
Assistant Director of Finance
Finance Director
Finance Director
Finance Director
Assistant Director of Finance
Finance Director
Director of Finance
Director of Finance
Assistant Chief, Business Services
Treasurer
Finance Director
Accounting Manager
Finance Director
Assistant Finance Director
Finance Director
Finance Director
Deputy Director of Finance
Accounting Division Manager
Finance Manager
Financial Services Manager
Director of Finance/Administrative Services
Finance Director
Administrative Services Director
Finance Director
Finance Director
Finance Director

Public Safety/Law Enforcement

Alhambra, City of
Alhambra, City of
Antioch, City of
Atherton, Town of
Bell, City of
Beverly Hills, City of
Contra Costa County, Martinez, CA
Eureka, City of
Galt, City of
Gilroy, City of

Chief of Police
Fire Chief
Police Chief
Police Chief
Police Chief
Police Chief
Police Chief
Chief Probation Officer
Police Chief
Police Chief
Fire Chief

Hayward, City of
Lone Tree, CO, City of
Lone Tree, CO, City of
Los Altos, City of
Menlo Park, City of
Milpitas, City of
Oceanside, City of
Porterville, City of
San Pablo, City of
San Pablo, City of
San Rafael, City of
Santa Monica, City of
Silverthorne, CO, City of
Sonoma Valley Fire & Rescue District, CA
Springfield, City of, OR
Vail, CO, Town of

Fire Chief
Patrol Operations Commander
Police Chief
Police Captain
Police Chief
Police Chief
Fire Chief
Chief of Police
Police Chief
Police Commander
Chief of Police
Police Chief
Police Chief
Fire Chief
Police Chief
Fire Chief

Human Resources/Personnel

Anaheim, City of
Belmont, City of
Benicia, City of
Brookings, SD, City of
Concord, City of
Eagle County, CO
Encinitas, City of
Folsom, City of
Hayward, City of
Jefferson County, CO
Lakewood, CO
Mariposa County, CA
Midpeninsula Regional Open Space District, Los Altos, CA
Oceanside, City of
Pacific Grove, City of
Palo Alto, City of
Porterville, City of
Rancho Cucamonga, City of
Rancho Santa Margarita, City of
Redwood City, City of
San Bruno, City of
San Clemente, City of
San Rafael, City of
Seaside, City of
South Lake Tahoe, City of

Human Resources Director
Human Resources Director
Human Resources Manager
Director of Human Resources
Human Resources Director
Director of Human Resources
Human Resources Manager
Human Resources Director
Human Resources Director
Human Resources Director
Employee Relations Director
Human Resources Director/Risk Manager
Manager of Administration/Human Resources
Human Resources Director
Human Resources Manager
Chief People Officer
Administrative Services Manager
Director of Human Resources
Human Resources/Risk Management Administrator
Human Resources Director
Human Resources Director
Human Resources Manager
Human Resources Director
Personnel Services Manager
Human Resources Manager

Parks & Recreation

Anaheim, City of
Bell, City of
Lafayette, City of
Oxnard, City of
Pacifica, City of
Palo Alto, City of
Piedmont, City of
Pleasanton, City of
Roseville, City of
San Clemente, City of

Director of Community Services
Community Services Director
Director of Parks & Recreation
Cultural & Community Services Director
Director of Parks, Beaches & Recreation
Community Services Director
Recreation Director
Director of Parks & Community Services
Parks, Recreation & Libraries Director
Director of Beaches, Parks & Recreation

Tracy, City of

City/County Clerk

Hayward, City of
Long Beach, City of
Midpeninsula Regional Open Space District, Los Altos, CA
Midpeninsula Regional Open Space District, Los Altos, CA
Mountain View, City of
Palo Alto, City of
Rancho Santa Margarita, City of
San Mateo, City of
Walnut Creek, City of

Library Director

Boulder, CO, City of
Hayward, City of
Huntington Beach, City of
Palo Alto, City of

Information Technology

Fremont, City of
Jefferson County, Golden, CO
Superior Court of California, County of San Mateo
Superior Court of California, County of San Mateo

Human Services

Douglas County, CO
Eagle County, CO
Mariposa County, CA
Washington County, OR

Parks & Community Services Director

City Clerk
City Clerk
Clerk of the Board
Public Affairs Manager
City Clerk
City Clerk
City Clerk
City Clerk
City Clerk

Library Director
Library Director
Library Director
Library Director

Information Services Technology Director
Information Technology Director
Information Technology Director
Court Information Technology Manager

Human Services Director
Director of Human Services
Public Health Officer
Director of Health & Human Services



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4D

Meeting Date: 08/15/2016

Department

Finance

Staff Contact

DeAnna Hilbrants, Finance Director

Agenda Item Title

Acceptance of the City of Sonoma Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2015 as prepared in accordance with Governmental Accounting Standards Board statements.

Summary

Each year, in compliance with Generally Accepted Accounting Standards and standards of the Government Accounting Standards Board (GASB) an independent audit of the City's financial statements is completed by an outside audit firm.

The audit firm of JJACPA, Inc. has completed the annual audit of the City's financial transactions for FY 2014-2015. The audit was completed on June 29, 2016. The opinion of the auditor is that the financial statements fairly present the financial position of all funds of the City.

In an effort to provide additional information to our constituents, for the fiscal year ending June 30, 2015; the Finance Department completed a Comprehensive Annual Financial Report (CAFR). In addition to the GASB required annual financial statements, the CAFR includes additional statistical and historical data such as historical information about financial trends, revenue and debt capacity, demographic and economic information, and operating information.

An Audit Committee meeting was held on August 8, 2016 to review the CAFR as well as audit procedures and audit results.

Recommended Council Action

Accept final Comprehensive Annual Financial Report (CAFR).

Alternative Actions

Request additional information.

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

The Annual Financial Report/Audit has been distributed in hardcopy to Councilmembers only. An electronic copy can be found on the City's website www.sonomacity.org or by contacting the City of Sonoma Finance Department.

Alignment with Council Goals:

Fiscal Management: Maintain high level fiscal accountability that ensures short and long-term sustainability of City's financial position; provide for effective and efficient management of local taxpayers' dollars; apply prudent internal policies and practices to assure the most cost-effective methods are utilized; be wise with our resources.

cc:



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4E

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval and ratification of the appointment of Thomas Haeuser to the Sonoma County Library Commission for a four-year term.

Summary

The Sonoma County Library is a free public library providing community education and literacy services to the residents of Sonoma County. The Library is defined by the 2014 Amended and Restated Joint Powers Agreement (JPA), an agreement signed by the Sonoma County Board of Supervisors and authorized officers of Sonoma County cities and towns. The Library is governed by the Sonoma County Library Commission, which is composed of eleven appointees from the County and the communities that signed the JPA. In addition to hiring the Library Director and appointing members of the Library Advisory Boards, the Commission provides structure and direction for the operational, administrative and fiscal oversight of the Library. The members of the Sonoma County Library Commission are the County of Sonoma, the Cities of Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, Sonoma, and the Town of Windsor. One additional member is appointed jointly by both Sonoma County and the City of Santa Rosa.

Commissioners must be Sonoma County residents, and are appointed to four year terms and serve pursuant to the rules of appointment adopted by each Member's governing body. They receive training on rules and procedures, legal responsibilities, ethics, and library practice. A Commissioner is expected to attend all regularly scheduled meetings. The appointing body is notified by the Chair after a Commissioner has had three (3) absences in one calendar year.

Mayor Gallian and Councilmember Cook interviewed several applicants on August 3 and Mayor Gallian has nominated Thomas Haeuser for appointment to the Library commission a four-year term (8/1/2016 – 8/1/2020).

Recommended Council Action

Approve and ratify the nomination.

Alternative Actions

Council discretion.

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

Library Commissioner Job Description and Thomas Haeuser's commission application

Alignment with Council Goals:

N/A

cc: Thomas Haueser via email

Sonoma County Library Commissioner Job Description

Summary

Provides governance for the Sonoma County Library; establishes policy; sets goals and objectives; hires and evaluates the director; establishes and monitors the annual budget; signs necessary contracts; exercises such other powers, consistent with the law to foster the effective use and management of the library.

Responsibilities

- Hires, sets salary, evaluates and supervises a qualified library Director to implement Commission decisions and directions and to carry out day-to-day operation of the library and its programs and services
- Determines and adopts written policies to govern the operation and services of the library
- Works with Director to establish short and long range goals for the library
- Attends all regular and special meetings of the Commission and participates in subcommittees as necessary
- Attends appropriate library functions including Library Advisory Board meetings, fundraisers, special events and other activities
- Sets an annual budget and approves expenditure of funds; monitors budget and expenses throughout the year
- Understands pertinent local, state, and federal laws; actively supports library legislation in the state and nation
- Advocates for the interests and needs of the countywide library system
- Represents the interests and needs of the community
- Acts as liaison with the public, interpreting and informing local government, media and public of library services and needs
- Sets parameters and authority level for Library Management's labor negotiations with the Union; adopts MOU contract; serves as the employer to library staff
- Lends expertise and experience to the organization
- Maintains knowledge of library issues, laws, and trends, and their implications for library use
- Understands the Brown Act as it applies to Library governance
- Is familiar with the Joint Powers Agreement governing the Library
- Reviews and signs necessary contracts
- Reports activities to local officials

Qualifications

- Is interested in the library and its services
- Has the ability and time to participate effectively in Commission activities and decision making
- Is able to represent varied needs and interests of the community and of the library
- Has strong interpersonal and communication skills

- Has the ability to work with governing bodies, agencies, elected officials, library staff and members of the public
- Has the ability to handle opposition and make decisions in the interest of library service

Desired Experience

- Familiarity with the Sonoma County Library
- Experience working with one of the Library's Advisory Boards, Friends of the Library groups, or other support group

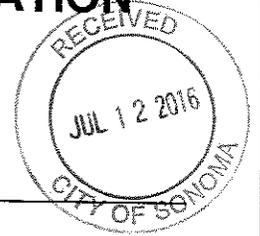
Time Commitment

- The Commission meets monthly at a time convenient for members. (Currently, meetings are held the first Monday of each month at 6:30pm). Meetings can last up to four hours, and considerable preparation time is needed prior to each meeting.
- It has been common practice for the Commission to devote two all-day workshop meetings to budget planning.
- Commissioners may serve on one or more subcommittees or ad hoc task forces in addition to their regular duties.
- Under terms of the Joint Powers Agreement, trustees shall hold their office for four years from the date of appointment and until their successors are appointed.
- Special meetings or committee meetings may be called as necessary at times that are convenient to members and that comply with the open public meeting law.



CITY OF SONOMA

COMMISSION APPLICATION



NAME: THOMAS A. HAEUSER

ADDRESS: 484 East Napa Street, Sonoma, CA 95476

MAILING ADDRESS: SAME

CONTACT INFO (Please include daytime & evening phone numbers and email address):

[REDACTED]

COMMISSION OF INTEREST: Sonoma County Library Commission

HAVE YOU EVER ATTENDED A MEETING OF THIS COMMISSION? no HOW MANY?

If you are not selected for the commission listed above, would you be interested in serving on any of our other commissions? If so, please indicate which commission(s):

HOW MANY YEARS HAVE YOU RESIDED IN SONOMA? 41

PRESENT OCCUPATION: LAWYER

EDUCATION

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
U.C. at Davis	Political Science	1968 BA
Hastings College of the Law	Law	1973 JD

COMMUNITY SERVICE EXPERIENCE

ORGANIZATION	DATES SERVED	POSITION
SEE ATTACHED.		

(Use additional paper if necessary)

OTHER RELEVANT EXPERIENCE OR EXPERTISE: _____

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THIS COMMISSION?

Overall management and direction of the County Library System

WHICH ACTIVITIES OF THIS COMMISSION INTEREST YOU THE MOST? Public libraries are essential to an educated and free society. Sonoma County Library System needs to expand its hours and services.

WHICH ACTIVITIES INTEREST YOU THE LEAST? Boring meetings, but they are an
an essential part of the job.

WHAT WOULD BE YOUR GOAL AS A COMMISSIONER? Increase library revenue so
hours and services can increase

WHAT DO YOU FEEL YOU COULD CONTRIBUTE TO SEE THESE GOALS REALIZED?

I have been close to the County libraries in all my years in Sonoma,
and I have a better understanding than most of the history and how the
system works.

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

MARY EVELYN ARNOLD [REDACTED] NANCY PARMELEE [REDACTED]

SOME COMMISSION POSITIONS MUST BE FILLED BY A **QUALIFIED ELECTOR** OF THE CITY OF SONOMA. A QUALIFIED ELECTOR IS A PERSON WHO IS 1) A U.S. CITIZEN; 2) AT LEAST 18 YEARS OF AGE; AND 3) RESIDES WITHIN THE BOUNDARIES OF THE CITY OF SONOMA.

ARE YOU A QUALIFIED ELECTOR OF THE CITY OF SONOMA? YES NO

I DECLARE UNDER PENALTY OF PERJURY THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.

Thomas A. [Signature]
Applicant Signature

7/12/2016
Date

All submitted applications are available for public inspection.

Return completed form to:
City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476

THOMAS A. HAEUSER
COMMUNITY SERVICE

Sonoma Community Center

Director – 1976 to about 1985

President – 1981 to 1983?

Sonoma Community Center 4th of July Parade Committee

Member – 1975 to 1985

Chairman – 1981 to 1985

Sonoma County Library, Sonoma Valley Library Advisory Board

Commissioner – 1975 to 1989

Sonoma Valley Chamber of Commerce

Director – 1975 to 1978

Vice President – 1976 to 1978

Sonoma State Historic Park Association

Director 1982 to 1987

President 1986

Treasurer 1983 to 1987

City of Sonoma Parks and Recreation Commission

Commissioner – 1981 to 1989

Chairman – 1984, 1989

Sonoma Community Center – Concert Series Committee

Member – 1980 to 1990

Chair – 1981 to 1990

St. Francis Solano School Capital Fund Drive

Chairman – 1986

Vintage House Senior Center

Capital Fund Drive Committee – 1986 to 1989

Advisory Council – 2001 to present

Sonoma Valley Visitors Bureau, Volunteer of the Quarter

June 1989

Sonoma City Opera

Board Member

Treasurer

Chair

United Way of Sonoma-Mendocino-Lake
Sonoma Valley Advisory Board – 1992 to 1997
Campaign Chair – 1993
Corporate Board – 1993 to 1996

Friends of Sebastiani Theatre
Director – 1993 to 1996

General Vallejo Memorial Association
Director – 1993 to 1996

Home Care Connections
Long Range Planning Committee member

Friends in Sonoma Helping (FISH)
Donor Newsletter – 2001 to present
Finance Committee – 2015 to present

Sonoma County Bar Association
Board of Directors – 2013-2014
Trust and Estate Section Steering Committee – 2008 to present
Trust and Estate Section Chair – 2013-2014



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4F

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager / City Clerk

Agenda Item Title

Approval of a waiver of commission attendance rules for Planning Commissioner Chip Roberson.

Summary

Pursuant to Sonoma Municipal Code section 2.40.010 if a member of one of the City's commissions misses three consecutive meetings or one-third of any calendar year's meetings they have vacated their position. The same municipal code section shown below allows commissioners to request a waiver of the attendance rule by the City Council due to special circumstances. In 2007 the City Council also adopted a policy providing for the waiver of attendance requirements for members of the City Boards and Commissions.

Planning Commissioner Chip Roberson has requested such a waiver. He missed four meetings May through July. His absence from Commission meetings was unavoidable due to a family member's medical condition.

Staff feels that Commissioner Roberson's situation falls within the allowable circumstances whereby his absences should be excused and that he be allowed to continue serving on the Planning Commission until his term expires on August 19, 2017.

Recommended Council Action

Approve a waiver of the commission attendance rules for Chip Roberson.

Alternative Actions

Council Discretion.

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

Waiver of Attendance Requirements Policy

Alignment with Council Goals:

N/A

cc: Chip Roberson via email



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4G

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of a waiver of the limitation on successive terms and ratification of the reappointment of Pam Personette to the Cultural and Fine Arts Commission.

Summary

The Cultural & Fine Arts Commission consists of seven members and one alternate who serve at the pleasure of the City Council. Appointments are made when a nomination by the Mayor is ratified by the City Council.

Pam Personette has served on the Cultural and Fine Arts Commission since September 3, 2008 and will have completed a full eight years on the Commission this September. Ms. Personette plays a vital role on the Commission and has had an exemplary attendance record. She has expressed a desire to continue to serve and Mayor Gallian has agreed to nominate her for reappointment contingent upon the Council approving a waiver of the limitation on successive terms.

Pertinent Municipal Code Sections:

2.40.070 Term of office.

No commissioner shall serve for a total of more than eight years. A commissioner shall first be appointed for a two-year term; the council may reappoint a commissioner to a second term of four years and may also reappoint a commissioner to a third term of two years. All reappointments shall be made at the sole discretion of the city council utilizing the procedures contained in SMC 2.40.100.

2.40.090 City council may waive limitation on successive terms of office.

Notwithstanding any limitation on the length of the term which an individual member of a board or commission may serve, or any limitation on the number of successive terms which may be served, the city council may, by a four-fifths vote of its membership, appoint or reappoint any incumbent member of a city board or commission to continue in office beyond the prior limitation or to fill the unexpired term of any office vacated by any other member of a board or commission.

Recommended Council Action

Approve the waiver of the limitation on successive terms and ratify the re-appointment.

Alternative Actions

Council discretion.

Financial Impact

N/A

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments: None

cc: Pam Personette via email

CITY OF SONOMA

RESOLUTION NO. 37 – 2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA ESTABLISHING A POLICY FOR THE WAIVER OF ATTENDANCE REQUIREMENTS FOR MEMBERS OF CITY BOARDS AND COMMISSIONS

WHEREAS, Section 2.40.010 of the Municipal Code establishes attendance requirements for member of city boards and commissions; and

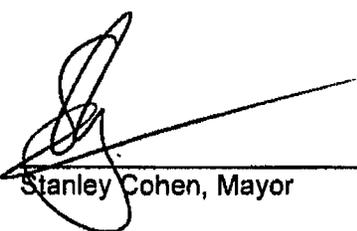
WHEREAS, said Section 2.40.010 provides that attendance requirements may be waived by the city council due to special circumstances.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sonoma that in order for the City Council to grant a waiver of attendance rules for members of boards and commissions due to special circumstances, as set forth in Section 2.40.010 of the Municipal Code, the following requirements must be met:

1. The absent member must have notified the City Clerk of their request for a waiver of the attendance rules for their intended absence prior to the scheduled meetings. Failure to request the waiver prior to the meetings will result in an unexcused absence, unless extenuating circumstances prevent advance notice, and
2. The absence is due to one of the following:
 - Birth or adoption of a child
 - Personal illness
 - Death in the family

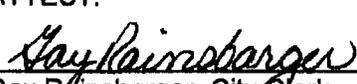
ADOPTED this 7th day of November, 2007 by the following vote:

AYES:	Sanders, Sebastiani, Brown, Barbose, Cohen
NOES:	None
ABSENT:	None



Stanley Cohen, Mayor

ATTEST:



Gay Rainsbarger, City Clerk



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4H

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval and ratification of the reappointment of Kate Schertz to the Cultural and Fine Arts Commission.

Summary

The Cultural & Fine Arts Commission consists of seven members and one alternate who serve at the pleasure of the City Council. Appointments are made when a nomination by the Mayor is ratified by the City Council.

Kate Schertz has served on the Cultural and Fine Arts Commission since September 15, 2014 and currently presides as the Chair. Mayor Gallian has nominated her for reappointment for an additional four-year term ending September 15, 2020.

Recommended Council Action

Approve and ratify the re-appointment.

Alternative Actions

Council discretion.

Financial Impact

N/A

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

None

Alignment with Council Goals:

N/A

cc: Kate Schertz via email



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4I

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval and ratification of the reappointment of Fred Allebach to the Community Services and Environment Commission for an additional four-year term.

Summary

The Community Services and Environment Commission consists of 9 members and 1 alternate who serve at the pleasure of the City Council. Appointments are made when a nomination by the Mayor is ratified by the City Council. Fred Allebach has served on the Commission since August 18, 2014 and is eligible for reappointment to an additional four-year term ending August 18, 2020.

Recommended Council Action

Approve and ratify the reappointment.

Alternative Actions

Council discretion.

Financial Impact

n/a

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

None

CC: Fred Allebach via email



CITY OF SONOMA
City Council/Successor Agency
Agenda Item Summary

City Council Agenda Item: 5A

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the portions of the minutes of the July 6 and July 18, 2016 City Council meetings pertaining to the Successor Agency.

Summary

The minutes have been prepared for Council review and approval.

Recommended Council Action

Approve the minutes.

Alternative Actions

Correct or amend the minutes prior to approval.

Financial Impact

N/A

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

See agenda item 4B for the minutes

Alignment with Council Goals: N/A

cc: NA



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 6A

Meeting Date: 08/15/16

Department

Planning

Staff Contact

Associate Planner Atkins

Agenda Item Title

Discussion, consideration, and possible adoption of a resolution approving *Climate Action 2020 and Beyond* and making responsible agency findings pursuant to the California Environmental Quality Act (CEQA), including a statement of overriding considerations.

Summary

Climate Action 2020 is a collaborative effort among all nine cities and the County of Sonoma to take coordinated action in reducing GHG emissions, both locally and county-wide. Through the implementation of this program, participating jurisdictions will achieve compliance with Bay Area Air Quality Management District (BAAQMD) guidelines and other related policies that establish reduction targets for GHG emissions, including AB 32, CEQA, and local GHG reduction goals. Building upon the climate protection efforts and goals established in the 2008 Community Climate Action Plan created by the Climate Protection Campaign, the goal of CA 2020 is to update all municipal and community-wide GHG inventories, evaluate and define emission targets, and create an implementation plan to reach those targets. The updated climate action plan developed for each jurisdiction is tailored to its specific circumstances while at the same time benefitting from a county-wide perspective. The approach called for in the Final Draft CA 2020 is for each local government to contribute measures towards a countywide greenhouse gas reduction target of 25% below 1990 levels by 2020, on a path towards a long-term goal of 80% below 1990 levels by 2050.

At its meeting of June 6, 2016, the City Council conducted a preliminary review of the draft Climate Action Plan, at which time the Council directed that additional analysis be conducted on eight implementation measures, with the goal further reducing local GHG emissions. With the assistance of the RCPA, staff has completed this analysis. Implementing the additional eight measures would result in 2020 GHG reductions in the amount of 36,460 MTCO₂e (million metric tons of carbon dioxide equivalent), and a local effort of 1,360 MTCO₂e. Compared to the previous draft CAP, this is an increase in local reductions in the amount of 54%. The draft plan now before the City Council reflects these changes.

The purpose of this hearing is as follows: 1) confirm that the revised approach for Sonoma's contributions to CAP have been modified to reflect local opportunities, priorities, and constraints; 2) adopt *Climate Action 2020 and Beyond*; and, 3) make responsible agency findings pursuant to the California Environmental Quality Act, including a statement of overriding considerations.

Staff from the RCPA will provide a brief presentation and address questions.

Recommended Council Action

Adopt a Resolution approving *Climate Action 2020 and Beyond* and making responsible agency findings pursuant to the California Environmental Quality Act (CEQA), including a statement of overriding considerations.

Alternative Actions

Council discretion.

Financial Impact

While local participation in the Climate Action 2020 Program has required staff time to assist with information development and public outreach, these costs are reimbursed in an amount not to exceed \$11,697 over the two-year plan development period. Future implementation costs associated with locally-implemented programs are to be determined and will be the responsibility of the City of Sonoma.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments

1. Supplemental Report
2. Summary of Important Changes in Final Draft
3. Resolution
4. Enclosure: Climate Action 2020 and Beyond
5. Enclosure: Climate Action 2020 and Beyond Appendices
6. Enclosure: Climate Action 2020 Summary Booklet
7. Enclosure: Final Environmental Impact Report

A printed copy of the Public Review Draft Climate Action Plan, Appendices, and Final Environmental Impact Report are available for review at City Hall.

Alignment with Council Goals:

This item relates to the City Council goal pertaining to Policy & Leadership, which includes expanding focus on elements of the Climate Action 2020 targets.

Compliance with Climate Action 2020 Target Goals:

Enacting the Climate Action Plan will help with the Climate 2020 Action Plan target goals.

cc: CSEC via email
Andrew Krause, via email
David Brin, via email
Laura Declercq, via email

SUPPLEMENTAL REPORT

Discussion, consideration, and possible adoption of a resolution approving *Climate Action 2020 and Beyond* and making responsible agency findings pursuant to the California Environmental Quality Act (CEQA), including a statement of overriding considerations.

For the City Council Meeting of August 15, 2016

Background

In May of 2013, the City Council authorized the City Manager to execute a memoranda of agreement to participate and qualify for funding in the County-wide Greenhouse Gas Reduction Implementation Program (GRIP), subsequently renamed Climate Action 2020 (CAP). CAP is a collaborative effort among all nine cities and the County of Sonoma to take further actions in reducing greenhouse gas (GHG) emissions community-wide. Through the implementation of this program, participating jurisdictions will achieve compliance with Bay Area Air Quality Management District (BAAQMD) guidelines and other related policies that establish reduction targets for GHG emissions, including AB 32, CEQA, and local GHG reduction goals. Building upon the climate protection efforts and goals established in the 2008 Community Climate Action Plan created by the Climate Protection Campaign, the goal of Climate Action 2020 is to update all municipal and community-wide GHG inventories, evaluate emission targets, and to create an implementation plan to reach those targets. The updated Climate Action Plan (CAP) developed for each jurisdiction is tailored to its specific circumstances while at the same time benefitting from a county-wide perspective. The approach called for in the Final Draft CAP is for each local government to contribute measures towards a countywide greenhouse gas reduction target of 25% below 1990 levels by 2020, on a path towards a long term goal of 80% below 1990 levels by 2050.

On March 21, 2016, the City Council received an introduction to the draft CAP and directed the CSEC to review it and provide recommendations to City Council for final approval.

CSEC Review

On April 13, 2016 the CSEC received an introduction to the CAP and on May 11, 2015 the Commission received a detailed presentation. After discussion and public comment, the CSEC made the following recommendation to the City Council: *The City approve the CA2020 Plan and add all local measures not currently included (Council to determine the individual participation rate of each measure) to achieve a mix of 10% local contributions to climate action programs to reduce greenhouse gas emission. The CSEC also recommends that the City Council require compliance for all measures related to transportation and building sectors.*

City Council Review

On June 6, 2016, the City Council considered the CSEC's recommendation and directed staff to include the following eight additional measures at voluntary participation rates in the final CAP

and return with an analysis as to the requirements for funding and staffing associated with implementation:

- Goal 2: Increase Renewable Energy Use: Measure 2-L1 Solar in New Residential Development.
- Goal 2: Increase Renewable Energy Use: Measure 2-L3 Solar in New Nonresidential Developments.
- Goal 2: Increase Renewable Energy Use: Measure 2-L4 Solar in Existing nonresidential Buildings.
- Goal 7: Encourage a Shift Toward Low-Carbon Fuels in Vehicles and Equipment: Measure 7-L2 Electrify Construction Equipment.
- Goal 8: Reduce Idling: Measure 8-L1 Idling Ordinance.
- Goal 11: Reduce Water Consumption: Measure 11-L2 Water Conservation for New Construction.
- Goal 11: Reduce Water Consumption: Measure 11-L3 Water Conservation for Existing Buildings.
- Goal 12: Increase Recycled water and Greywater Use: Measure 12-L1 Greywater Use.

In addition, the Planning Department has increased the participation rate of Measure 4-L1 (Mixed-Use Development in City Centers and Along Transit Corridors) from 20% to 50% based a review of sites zoned for mixed-use development, as many are currently located along transit corridors.

Implementing the additional eight measures would result in 2020 GHG reductions in the amount of 36,460 MTCO_{2e} (million metric tons of carbon dioxide equivalent), and a local effort of 1,360 MTCO_{2e}. Compared to the previous draft CAP (March 2016) presented to the City Council on June 6, 2016, (900 MTCO_{2e}) this is an increase in local reductions in the amount of 54%.

The additional measure requested by the City Council can be implemented with the following staffing and actions:

- Measure 2-L1 Solar in New Residential Development (participation rate 8%).
 - Provide streamlined permitting for solar permits.
 - Require solar ready features for subdivision of 10 or more units.
 - Require solar ready features for new multi-family development.
 - Property owners can participate in the Property Accessed Clean Energy (PACE) program.
- Measure 2-L3 Solar in New Nonresidential Developments (participation rate 2%).
 - Provide streamlined permitting for solar permits.
 - Require solar ready features for new developments.
 - Property owners can participate in the PACE program.
- Measure 2-L4 Solar in Existing Nonresidential Buildings (participation rate 2%).
 - Provide streamlined permitting for solar permits.
 - Property owners can participate in the PACE program.
- Measure 7-L2 Electrify Construction Equipment (participation rate 5%).
 - Provided the Leaf Blower ordinance is upheld in the November 2016 general election the measure would be met, if not, the City would need to revisit the issue.

- Measure 8-L1 Idling Ordinance (limit idling to 3 minutes).
 - Staff will draft a revised commercial vehicle idling ordinance.
 - Police enforcement of the existing ordinance is a low priority and not expected to change with an updated ordinance.
- Measure 11-L2 Water Conservation for New Construction (50% of new residential and 50% of new residential and nonresidential construction).
 - Adopt CALGreen Tier 1 water-efficiency measures for new residential and nonresidential construction.
- Measure 11-L3 Water Conservation for Existing Buildings.
 - The City has a Water Conservation Coordinator.
 - Education and outreach programs to educate residents and businesses about the importance of water efficiency and how to reduce water use.
 - The City, in conjunction with other agencies, offers rebate programs for turf removal, clothes washers, and toilets.
 - A Water Audit Program is offered for free water audits.
 - Landscape plans are reviewed to ensure water conservation techniques are used.
 - Require water-efficient upgrades when permitting renovations or additions of existing buildings.
 - Water conservation pricing (e.g. tiered rate structures) to the extent allowed by law to encourage efficient water use.
- Measure 12-L1 Greywater Use
 - Replace 2% of potable water currently used for non-potable uses with greywater.
 - Greywater handout for landscaping irrigation is available.
 - New greywater standards for indoor use will be in place effective January 16, 2017.

Council Member Comments

- Councilmember Edwards asked what the City is already doing with regard to reducing GHGs. Chapter 5.8.2 describes the City of Sonoma’s existing actions to reduce GHG Emissions, which consists of a list of ordinances and General Plan policies for the following sectors: building energy; land use and transportation; waste minimization and recycling; water and wastewater efficiency; and, agriculture, urban forestry, and natural areas.
- Councilmember Hundley inquired as to why Measure 2-L2 (Solar in Existing Residential Buildings) was selected and not the other solar measures. The Building Administrator has indicated that the City already provides streamlined permitting for solar PV permits, which will provide the level of participation (11%) indicated for in the measure.
- Mayor Gallian inquired if there was technology underway to make tankless water heaters more water conserving. Tankless water heaters are energy efficient and it does take time for the hot water to reach the faucet. Some possible solutions to address this issue are to install multiple tankless water heaters, install a hot water recirculating system, or save the cooler water in a bucket and reuse it in landscaped areas.
 Mayor Gallian also asked if the City receives credit for waste diversion with regard to construction. The CALGreen + Tier 1 Code adopted by the City Council states the following:

1. For all newly constructed buildings at least 65% of the construction waste generated must be diverted to recycling or salvage.
2. For all existing low-rise residential buildings, including hotels, motels, lodging houses, dwellings, dormitories, condominiums, shelters, congregate residences, employee housing, factory-built housing and other types of dwellings with sleeping accommodations where the addition or alteration increases the building's conditioned area, volume, or size and for all existing nonresidential building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of \$200,000 or above, at least 50% of the construction waste generated must be diverted to recycling or salvage.

Final Draft CAP

The Final Draft CA 2020 includes an updated target to reduce GHGs in the City of Sonoma by 36,460 metric tons by achieving the following participation goals for local measures (from CAP Table 5.8-5):

City of Sonoma Local Measures				
Goal 1: Increase Building Energy Efficiency	173			
Measure 1-L2: Outdoor Lighting	172	80%		of outdoor lighting to participate
Measure 1-L3: Shade Tree Planting	1	50		trees planted
Goal 2: Increase Renewable Energy Use	394			
Measure 2-L1: Solar in New Residential Development	2	8%		of new houses to participate
Measure 2-L2: Solar in Existing Residential Building	245	11%		of existing homes with solar
Measure 2-L3: Solar in New Non-Residential Developments	7	2%		of new non-residential development to participate
Measure 2-L4: Solar in Existing Non-Residential Buildings	141	2%		of existing non-residential development with solar
Goal 4: Reduce Travel Demand Through Focused Growth	18			
Measure 4-L1: Mixed-Use Development in City Centers and Along Transit Corridors	16	50%		of growth to result in mixed use
Measure 4-L2: Increase Transit Accessibility	2	15%		of growth to be 25+ units
Measure 4-L3: Supporting Land Use Measures	NQ	Yes		
Measure 4-L4: Affordable Housing Linked to Transit	1	20%		of new development to be affordable
Goal 5: Encourage a Shift Toward Low-Carbon Transportation Options	26			
Measure 5-L4: Supporting Bicycle/Pedestrian Measures	NQ	Yes		
Measure 5-L5: Traffic Calming	26	80%		of trips affected

Measure 5-L7: Supporting Parking Policy Measures	NQ	Yes	
Goal 7: Encourage a Shift Toward Low-Carbon Fuels in Vehicles and Equipment	24		
Measure 7-L1: Electric Vehicle Charging Station Program	2	3	charging stations installed
Measure 7-L2: Electrify Construction Equipment	22	5%	of equipment
Measure 7-L3: Reduce Fossil Fuel Use in Equipment through Efficiency or Fuel Switching	NQ	Yes	
Goal 8: Reduce Idling			
Measure 8-L1: Idling Ordinance	NQ	2	minutes below state law
Goal 9: Increase Solid Waste Diversion			
Measure 9-L1: Create Construction and Demolition Reuse and Recycling Ordinance	<1	0%	
Goal 11: Reduce Water Consumption	729		
Measure 11-L1: Senate Bill SB X7-7 - Water Conservation Act of 2009*	436	10%	Reduction in per capita water use
Measure 11-L2: Water Conservation for New Construction*	16	50%/50%	% of new residential/nonresidential development
Measure 11-L3: Water Conservation for Existing Buildings*	278	25%/10%	% of new residential/nonresidential development
Goal 12: Increase Recycled Water and Greywater Use	< 1		
Measure 12-L1: Greywater Use	< 1	2%	greywater goal
State Measure Reductions in Sonoma	22,990		
Regional Measure Reductions in Sonoma	12,110		
Local Measure Reductions in Sonoma	1,360		
Grand Total Emissions Reductions in Sonoma	36,460		

Additional edits made in the updated draft document are intended to better align the plan with community priorities by direction from elected officials, to update analysis with new and locally specific data sources, to address typos or errors in the text, to improve clarity, and to respond to feedback from the community (see attached Important Changes in Final Draft).

Discretionary Approvals

An additional option the City Council may want to consider to further reduce GHGs would be to implement a policy that requires discretionary projects to require solar ready features. This could take the form of requiring solar ready features in conditions of approval for Planning and Design Review and Historic Preservation Commission applications, which require a building permit in conjunction with a new building or a remodel. While this policy may have minimal impact on the Existing Residential Development (2-L2) and Existing Nonresidential Buildings (2-L4)

measures it could have a moderate impact on the measure participation rates for New Residential Development (2-L1) and New Nonresidential Development (2-L3). If the City Council is interested in pursuing a policy to require solar on specific discretionary projects it could refer the task to the Planning and Design Review and Historic Preservation Commissions for policy development with final approval by the City Council at a future date.

CEQA Process – Programmatic EIR

RCPA staff working with ICF International prepared the environmental analysis associated with *Climate Action 2020*. The analysis provides the RCPA Board, responsible agencies including the City of Sonoma, trustee agencies, and the public with information about the potential environmental effects of implementing the proposed CAP. By agreement and pursuant to the CEQA guidelines, RCPA prepared and certified the EIR as the “lead” agency. The individual local agencies may utilize the EIR as responsible agencies. As a responsible rather than the lead agency, the city need not certify the EIR, but must consider it in deciding whether to approve the CAP. Like the lead agency, the city as a responsible agency is required to override significant impacts. The impacts identified would come from subsequent projects in furtherance of the plan, rather than the plan itself. The Program EIR discloses potential impacts and the means by which they can be mitigated. Because the means of mitigating the potential impacts would not be in RCPA’s jurisdiction, and pursuant to CEQA’s requirements, the identified mitigation measures are identified as measures that “can and should” be implemented by RCPA’s member jurisdictions.

Findings in the Final EIR

The RCPA released the Draft EIR for *Climate Action 2020* on March 21, 2016. The public comment period on the Draft EIR was from March 21, 2016 to May 6, 2016. A public information meeting was held on April 20, to accept comments on the DEIR, and the opportunity to comment in writing or via the RCPA website was noticed in the Notice of Availability and Board and Council reports presented throughout the county. The FEIR includes the individual CEQA comments received and a detailed response to each comment. The RCPA Board certified the FEIR and adopted the Final Regional CAP on July 11, 2016, through RCPA Resolution 2016-002 (attached). With one exception the EIR identifies no significant impacts. The single exception is that the addition of solar roofs, which are incentivized, in certain circumstances could substantially change a character-defining feature of an individual historic building. State law limits the circumstances under which these types of projects can be denied. Thus, the feasible options for mitigation of this potential impact are limited. The proposed findings would override this uncertain but potential significant impact, as required by CEQA for the adoption of the CAP. The proposed statement of overriding considerations in the findings tracks the findings of the CAP itself, which is that the benefits of the CAP include reductions in GHG emissions, but also energy savings, air quality improvements, public health improvements, job creation, resource conservation, cost savings, and climate resilience.

RCPA Board

On July 11, 2016, the Regional Climate Protection Authority Board of Directors adopted Resolution 2016-002, making findings, certifying the Final EIR for Climate Action 2020, and adopting Climate Action 2020.

Financial Impact

Plan Development: While local participation in the Climate Action 2020 Program has required staff time to assist with information development and public outreach, these costs are reimbursed in an amount not to exceed \$11,697 over the two-year CAP preparation period.

Plan Implementation: CAP implementation costs are to be determined and will be the responsibility of the City of Sonoma. Other opportunities for funding consist of potential grants and future funding by the RCPA.

Recommendation

Adopt Resolution approving *Climate Action 2020 and Beyond*, make responsible agency findings pursuant to the California Environmental Quality Act (CEQA), and adopt a statement of overriding considerations.

Plan Section	Important Changes in Final Draft
Throughout	<ul style="list-style-type: none"> Clarified that emissions “sectors” are more accurately described as “sources”; economic sectors contribute emissions from sources such as transportation and building energy
Executive Summary	<ul style="list-style-type: none"> Corrected Figure to include Santa Rosa in the 1990 backcast.
Chapter 1	<ul style="list-style-type: none"> Added equity as a co-benefit. Clarified that the RCPA Board previously adopted goals of 25% below 1990 by 2015 and 40% below 1990 by 2035 but the Plan establishes new targets of 25% below 1990 levels by 2020, 40% below 1990 by 2030, and 80% below 1990 by 2050. Clarified use of the template consistency checklist for CEQA tiering and streamlining.
Chapter 2	<ul style="list-style-type: none"> Clarified that the plan methods for GHG accounting are consistent with standard practice <i>and</i> include leading practices enabled by the work of partners like the Sonoma County Agricultural Preservation and Open Space District, and the Bay Area Air Quality Management District who published two instrumental reports in early 2016 regarding quantification of carbon sinks and consumption based emissions, respectively. Updated the backcast, baseline, and forecast inventories for emissions from livestock manure based on Sonoma County specific data on manure management practices provided by the Resource Conservation Districts. Expanded on the discussion of existing carbon sinks in Sonoma County based on the findings of the <i>Climate Action through Conservation</i> project. Expanded the discussion of consumption based emissions using the findings of the UC Berkeley/BAAQMD team that evaluated household consumption based emissions in the Bay Area.
Chapter 3	<ul style="list-style-type: none"> Updated countywide Business-As-Usual, Target, and GHG reduction measure potential numbers and figures based on new livestock manure data and final city/county measure selections. Updated 2030 and 2050 vision discussion based on new and emerging policy goals for the State. Clarified that measures in support of the Advanced Climate Initiatives (goals 17-20) will be led by regional entities with support from local jurisdictions ; these measures remain non-quantified in the Final CAP and are not relied upon to achieve the reduction target for 2020. Updated Table 3-11, which summarizes each jurisdiction’s participation in local measures, to reflect final selections by city and the county, and to include Santa Rosa CAP measures equivalent to those in Climate Action 2020. Expanded hot water fuel switching measure to include electrifying other building equipment, and to clarify intent to focus on highly efficient systems. Clarified that local land use strategies to reduce transportation emissions include Urban Growth Boundaries, community separators, and land conservation. Replaced the methane digester measure with a broader manure management measure that includes any techniques that reduce methane emissions, including use of digesters.
Chapter 4	<ul style="list-style-type: none"> Expanded the discussion of adaptive management to clarify how plan measures will be amended if inadequate to meet the adopted reduction target and contributions proposed by each jurisdiction.
Chapter 5	<ul style="list-style-type: none"> Updated city and county specific discussion and measure commitments at the request of Councils or the Board. Participation rates proposed for each measure for each local government are now included. Added detail to the City of Santa Rosa section to include data and commitments from their adopted Community Climate Action Plan.
Chapter 6	<ul style="list-style-type: none"> No substantial edits.

Plan Section	Important Changes in Final Draft
Chapter 7	<ul style="list-style-type: none"> No substantial edits.
Appendices	<ul style="list-style-type: none"> Appendix A – plan consistency checklist: updated to include directions for tracking implementation, customizing it to each jurisdiction, how to address project GHG impacts when the checklist is not appropriate, and clarified language to better guide project applicants and planners when using the checklist. Appendix B – inventory and forecast methods: were updated to include discussion of new manure management data provided by RCDs and sequestration data included from the <i>Climate Action Through Conservation</i> project. Appendix C – reduction measure analysis: was updated to reflect the change to the livestock manure measure to a non-quantified measure, and expanded the narrative around regional strategies to advance goals 17 through 20, particularly in relation to land conservation and carbon sequestration. Appendix D – funding and financing: no substantial edits. Appendix E – municipal measures: no substantial edits. Appendix F – public comments: was updated to include themes from public comments received on the Public Review Draft.

CITY OF SONOMA

RESOLUTION NO.

RESOLUTION ADOPTING CLIMATE ACTION 2020 AND BEYOND: A REGIONAL PROGRAM FOR SONOMA COUNTY COMMUNITIES, MAKING RESPONSIBLE AGENCY FINDINGS PURSUANT TO CEQA, AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS

RESOLVED, that the City Council of the City of Sonoma hereby finds as follows.

1. Climate Action 2020 and Beyond: A Regional Program For Sonoma County Communities (“Climate Action 2020”) is a regional climate action plan for the local governments within Sonoma County. As a member agency of the Regional Climate Protection Authority (RCPA), the City of Sonoma has participated in the development of Climate Action 2020. Chapter 5 of Climate Action 2020 includes a greenhouse gas emissions profile for the City of Sonoma and the individual greenhouse gas measures that the City of Sonoma selected for inclusion in the plan.
2. Climate Action 2020 will result in the reduction of greenhouse gas emissions and is consistent with the requirements in CEQA Guideline 15183.5 for the streamlining and tiering of the analysis of greenhouse gas emissions. Climate Action 2020 will thus result both in substantial environmental benefits and streamlined CEQA review.
3. RCPA, in consultation with its member agencies, prepared and analyzed Climate Action 2020 as the lead agency under CEQA. On July 11, 2016, the RCPA Board of Directors adopted Resolution 2016-002, making findings, certifying the Final EIR for Climate Action 2020, and adopting Climate Action 2020. RCPA Resolution 2016-002 is attached as Exhibit A, and is incorporated into this Resolution by reference.
4. Pursuant to CEQA guidelines section 15091 and 15096(h), the City of Sonoma must make findings as a responsible agency to adopt Climate Action 2020.
5. The City Council has reviewed and considered the information contained in the Final EIR. The City Council concurs with the environmental findings in RCPA Resolution 2016-002, and adopts the environmental findings contained therein, for the reasons stated in RCPA Resolution 2016-002. The City Council further finds that changes or alterations have been incorporated into the project which avoid or substantially lessen the significant environmental effects identified in the final EIR. The City Council further finds that to the extent that impacts from Climate Action 2020 are not within the City of Sonoma’s jurisdiction, they can and should be mitigated as discussed in the Final EIR.
6. The City Council concurs with the Statement of Overriding Considerations in RCPA Resolution 2016-002, and adopts that Statement of Overriding Considerations, and finds that the benefits of Climate Action 2020 outweigh the potential adverse environmental impacts that may result from Climate Action 2020. Climate Action 2020 presents a road map to reduce greenhouse gas emissions in the City of Sonoma and in Sonoma County. As discussed in Chapter 1 of Climate Action 2020, climate change is a serious threat and strong action is needed to avoid serious damage to human wellbeing and natural systems. Achieving the objectives of Climate Action 2020 will reduce greenhouse gas

emissions and will have numerous other collateral public benefits, such as reducing other unhealthful emissions, improving public health through alternative modes of transportation, improving access to alternative transportation, and improving efficiency and reducing waste. For these reasons and the reasons stated in Climate Action 2020 and in RCPA Resolution 2016-002, the City Council finds that specific economic, legal, social, technological and other benefits of Climate Action 2020 outweigh any unavoidable, adverse impacts of Climate Action 2020.

NOW, THEREFORE, BE IT RESOLVED THAT, based on the foregoing findings and the record of these proceedings, the City Council hereby determines, declares, and orders as follows:

1. The foregoing findings are true and correct, are supported by substantial evidence in the record, and are adopted as set forth above.
2. Pursuant to CEQA Guideline section 15093, the City Council adopts a Statement of Overriding Considerations for Climate Action 2020 for the reasons set forth above.
3. The City Council adopts Climate Action 2020, and the emissions reduction targets contained in Climate Action 2020. The City Council further determines that Climate Action 2020 meets the requirements of State CEQA Guideline 15183.5 for tiering and streamlining of the analysis of greenhouse gas emissions, and that the adoption of Climate Action 2020 provides an appropriate mechanism for meeting the target levels of GHG emissions.
4. The City Council adopts the Mitigation Monitoring Program in Exhibit B to RCPA Resolution 2016-002.
5. The City Clerk is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the City Council's decisions herein are based. These documents may be found at No. 1 The Plaza, Sonoma, CA 95476.
6. The City Council hereby authorizes and directs that a Notice of Determination shall be filed.

The foregoing Resolution was duly adopted this 15th day of August 2016, by the following vote:

Ayes:
Noes:
Absent:

Laurie Gallian, Mayor

ATTEST:

Gay Johann, Assistant City Manager/City Clerk

EXHIBIT "A"

Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California
July 11, 2016

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA COUNTY REGIONAL CLIMATE PROTECTION AUTHORITY, STATE OF CALIFORNIA, CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT, MAKING REQUIRED FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR ADOPTION, AND ADOPTING THE CLIMATE ACTION 2020 AND BEYOND: A REGIONAL PROGRAM FOR SONOMA COUNTY COMMUNITIES.

RESOLVED, that the Board of Directors ("the Board") of the Sonoma County Regional Climate Protection Authority ("RCPA") hereby finds as follows.

1. PROJECT DESCRIPTION AND PURPOSE FOR FINAL EIR

1.1. The RCPA was formed as a result of legislation passed in 2009 and serves as the coordinating agency to act as a clearinghouse for greenhouse gas (GHG) emission reduction efforts throughout Sonoma County, and to assist agencies within the County to establish and meet greenhouse gas reduction goals.

1.2. The RCPA is composed of 10 jurisdictions—Sonoma County, the Town of Windsor, and the following incorporated cities: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, and the City of Sonoma. The RCPA is governed by a twelve-member Board of Directors, nine of whom are chosen from the councils of the nine incorporated cities or towns and three of whom are chosen from the County Board of Supervisors.

1.3. Climate Action 2020 and Beyond: A Regional Program For Sonoma County Communities ("Climate Action 2020" or "Proposed Project") is a climate action plan that includes both regional measures (to be implemented by the RCPA and other regional agencies with local government support) and local measures (to be implemented by local governments with RCPA and regional agency support and on their own) to reduce GHG emissions.

1.4. In compliance with the California Environmental Quality Act, RCPA has prepared an Environmental Impact Report ("EIR") analyzing and disclosing the environmental impacts of Climate Action 2020.

2. PROCEDURAL HISTORY

2.1. Climate Action 2020 is a county-wide planning document. RCPA's work on Climate Action 2020 began in 2010 with a Sonoma County grant application to the State of California for planning funds, and continued in 2013 when RCPA and the ten local agencies agreed that RCPA would be the lead agency in preparing and adopting a regional climate action plan consistent with CEQA Guideline 15183.5. Pursuant to an agreement between RCPA and the 10 local agencies, RCPA has prepared and analyzed Climate Action 2020 as the lead agency, and it is anticipated that the 10 local agencies will adopt the plan as responsible agencies.

Resolution No. 2016-002
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Santa Rosa, California
July 11, 2016

2.2. All member agencies of RCPA participated in the development of Climate Action 2020 through a Staff Working Group. The City of Santa Rosa participated, but has completed a separate climate action plan (Santa Rosa Climate Action Plan, adopted June 5, 2012), and will not be adopting Climate Action 2020.

2.3. On September 24, 2015, RCPA filed a notice of preparation ("NOP") with the Governor's Office of Planning and Research, and on October 13, 2015 RCPA held a public scoping meeting for the EIR. All oral and written comments received during the scoping comment period were considered in the preparation of the Draft EIR.

2.4. RCPA released the Draft EIR for Climate Action 2020 on March 21, 2016. The public comment period on the Draft EIR was from March 21, 2016 to May 6, 2016. RCPA held a hearing to obtain oral comment from the public on the Draft EIR on April 20, 2016. All interested persons were given the opportunity to hear and be heard.

2.5. RCPA held a hearing to obtain comment on the draft Climate Action 2020 on March 14, 2016. Between March and May 2016, RCPA staff also made public presentations to the governing bodies of each of the ten member local agencies in Sonoma County regarding the nature of the plan.

2.6. The Final EIR incorporates the Draft EIR, changes to it, and responses to comments. The Final EIR was provided to commenting agencies on June 24, 2016. All comments on the Draft EIR were considered and responded to in the Final EIR.

2.7. The Board conducted a noticed public hearing to consider adoption of Climate Action 2020 and certification of the Final EIR on July 11, 2016. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Board closed the hearing, deliberated, and voted to certify the Final EIR, adopt the appropriate CEQA findings, and adopt Climate Action 2020.

2.8. The Board has had an opportunity to review this resolution and the exhibits thereto and hereby finds that it accurately sets forth the intentions of the Board regarding Climate Action 2020 and the Final EIR.

3. CEQA COMPLIANCE

CERTIFICATION OF THE FINAL EIR

3.1. The Draft EIR was completed, noticed, and made available for public review in accordance with all procedural and substantive requirements of CEQA and the State CEQA Guidelines.

3.2. The Final EIR was completed in accordance with all procedural and substantive requirements of CEQA and the State CEQA Guidelines.

3.3. The Final EIR was presented to the Directors and that the Directors reviewed and considered the information contained in the Final EIR prior to taking action on the Project.

3.4. The Final EIR reflects the independent judgment and analysis of the Board of Directors.

3.5. Although in response to comments, additional information was included in the Final EIR that amplifies and clarifies information provided in the Draft EIR, the conclusions in the Draft EIR regarding the impacts of the Proposed Project and the significance of those impacts have not changed. No significant new information was added that would trigger recirculation of the Draft EIR under CEQA or the State CEQA Guidelines. Specifically, there were no new significant environmental impacts, or a substantial increase in the severity of any impact, identified in the comments or responses that were not already identified in the Draft EIR. Furthermore, there were no new feasible project alternatives or mitigation measures considerably different from others already analyzed in the Draft EIR that was identified in the responses or comments. Nor was the Draft EIR so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

FINDINGS ON IMPACTS

3.6. The Final EIR discloses that the Proposed Project poses certain significant or potentially significant adverse environmental impacts, not directly from the adoption of Climate Action 2020, but indirectly from further projects in furtherance of Climate Action 2020. The Board finds that all feasible mitigation measures have been required, and that the responsible agencies can and should implement mitigation measures to avoid or substantially lessen the significant effects identified in the Final EIR.

3.7. The Board finds that the following impacts are arguably foreseeable, but can all be addressed by the responsible agencies through standard and well understood mitigation measures, as discussed in the EIR, and for the reasons stated in the EIR:

3.8. Aesthetics: Subsequent actions in furtherance of the Proposed Project could indirectly result in daytime glare impacts for motorists while traveling in the project vicinity as well as residents in the area if reflections from the rooftop photovoltaic solar panels are directed toward a roadway or residence, thereby affecting public safety (Impact AES-2). These impacts can and should be mitigated to a less-than-significant level with mitigation identified in Section 3.2 (3.2.3.3 and 3.2.3.4) of the EIR, Aesthetics.

3.9. Air Quality: Subsequent actions in furtherance of the Proposed Project could increase emissions of ozone-precursor pollutants (i.e., reactive organic gases [ROGs] and oxides of nitrogen [NOX]) and fugitive dust (i.e., particulate matter [PM]) during new or remodeled construction of solid waste facilities, mixed-use and transit-oriented development in city centers, wastewater plant upgrades, recycled water line extensions, and transportation facilities (Impact AQ-2a). These impacts can and should be mitigated to a less-than-significant level with mitigation identified in Section 3.4 (3.4.3.3 and 3.4.3.4) of the EIR, Air Quality.

3.10. Biological Resources: Subsequent actions in furtherance of the Proposed Project could affect sensitive and special-status species, their habitat, migratory corridors, and wetlands or riparian habitat if solid waste facilities, recycled water line extensions, or transportation facilities (that are not part of existing roadways) are sited in areas with these

resources (Impacts BIO-1 and BIO-2). These impacts can and should be mitigated to a less-than-significant level with mitigation identified in Section 3.5 (3.5.3.3 and 3.5.3.4) of the EIR, Biological Resources. The Proposed Project could conflict with local tree ordinances if the construction of solid waste facilities, recycled water line extensions, or transportation facilities or the installation of rooftop photovoltaic solar panels (if overhanging trees substantially hinder access) would result in the removal of protected trees (Impact BIO-3). These impacts also can and should be mitigated to a less-than-significant level with mitigation identified in Section 3.5 (3.5.3.3) of the EIR, Biological Resources.

3.11. Hazards and Hazardous Materials: Subsequent actions in furtherance of the Proposed Project could result in the accidental release of hazardous materials during the installation of rooftop photovoltaic solar panels or the construction of energy-efficient retrofits; electric charging or alternative fueling facilities; transit, pedestrian, bicycle, or traffic-calming facilities; solid waste facilities; wastewater plant upgrades; recycled water line extensions; methane digesters; or mixed-use and transit-oriented development in city centers (Impacts HAZ-1a and HAZ-2). These impacts can and should be mitigated to a less-than-significant level with mitigation identified in Section 3.9 (3.9.3.3 and 3.9.3.4) of the EIR, Hazards and hazardous Materials.

3.12. Transportation and Traffic: Subsequent actions in furtherance of the Proposed Project could temporarily disrupt traffic flows on area roadways, substantially increase hazards due to incompatible uses, or delay emergency access by increasing the number of heavy-duty construction vehicles on roadways with normal vehicle traffic during the installation of rooftop photovoltaic solar panels or the construction of energy-efficient retrofits; electric charging or alternative fueling facilities; transit, pedestrian, bicycle, or traffic calming facilities; solid waste facilities; wastewater plant upgrades; recycled water line extensions; methane digesters; or mixed-use and transit-oriented development in city centers (Impacts TRA-1a, TRA-4a, and TRA-5a). These temporary impacts can and should be mitigated to a less-than-significant level with mitigation identified in Section 3.5 of the EIR, Transportation/Traffic.

3.13. Cultural Resources: Subsequent actions in furtherance of the Proposed Project could disturb archeological resources, paleontological resources, and human remains through ground-disturbing activities associated with the construction of solid waste facilities, recycled water line extensions, transportation facilities, or mixed-use and transit-oriented development in city centers (Impacts CUL-2 and CUL-3). These impacts can and should be mitigated to a less-than-significant level with mitigation identified in Section 3.6 of the EIR, Cultural Resources.

3.14. The Board finds that the following impacts are foreseeable, but arguably cannot be mitigated to a level that is less than significant, for the reasons discussed in the EIR:

3.15. Cultural Resources: Subsequent actions in furtherance of the Proposed Project could alter a historic resource's physical characteristics if energy-efficient retrofits; electric charging or alternative fueling facilities; transit, pedestrian, bicycle, or traffic-calming facilities; solid waste facilities; wastewater plant upgrades; recycled water line extensions; methane digesters; or mixed-use and transit-oriented developments in city centers are located at the site of a historic resource, thereby resulting in an adverse change in the significance of the resource itself. Although unlikely, for the reasons also discussed in Section 3.2.3.3 of the EIR,

Aesthetics, future projects in furtherance of the Proposed Project could alter the character-defining feature of a historic building if rooftop photovoltaic solar panels are installed on the structure (Impact CUL-1). These impacts can be mitigated with mitigation identified in Section 3.6 of the EIR, Cultural Resources, but not necessarily to a less-than-significant level related to potential impacts of solar roofs on historic buildings.

3.16. The Board finds that changes or alterations have been required in or incorporated into the Proposed Project, or can and should be incorporated into the actions of the responsible agencies, which will mitigate to a less than significant level the impacts set forth in Exhibit A (Table ES-1 in the EIR), attached hereto and incorporated herein by this reference.

STATEMENT OF OVERRIDING CONSIDERATIONS

3.17. Because the adoption of all feasible mitigation measures will not substantially lessen or avoid all significant adverse environmental effects caused by the Proposed Project, the Board adopts this Statement of Overriding Considerations concerning the Proposed Project's unavoidable significant impact documenting why the Proposed Project's benefits override and outweigh its unavoidable impacts on the environment as set forth below.

3.18. Climate Action 2020 presents a road map to reduce greenhouse gas emissions in Sonoma County. As discussed in Chapter 1 of Climate Action 2020, climate change is a serious threat and strong action is needed to avoid serious damage to human wellbeing and natural systems. Achieving the objectives of Climate Action 2020 will reduce greenhouse gas emissions and will have numerous other collateral public benefits, such as reducing other unhealthy emissions, improving public health through alternative modes of transportation, improving access to alternative transportation, and improving efficiency and reducing waste. The Board specifically incorporates by reference and concurs in the findings in Sections 1.2.2 and 1.2.3 of Climate Action 2020 regarding building on established community goals, energy savings, air quality improvements, public health improvements, job creation, resource conservation, cost savings, and climate resilience.

3.19. When deciding whether to approve Climate Action 2020, RCPA is faced with presumed unmitigated impacts which are limited in nature. When considering the significant benefits outlined in this Statement of Overriding Consideration against limited impacts, the balance of weight clearly falls in favor of the merits of Climate Action 2020 and its benefits.

3.20. Notwithstanding the identification and analysis of the impacts that are identified in the Final EIR as being significant and potentially significant which arguably may not be avoided, lessened, or mitigated to a level of insignificance, the RCPA, acting pursuant to Public Resources Code Section 21081 and Section 15093 of the State CEQA Guidelines, hereby determines that specific economic, legal, social, technological and other benefits of Climate Action 2020 outweigh any unavoidable, adverse impacts of Climate Action 2020, and that Climate Action 2020 should be adopted.

FINDINGS ON ALTERNATIVES

3.21. The purpose of the discussion of alternatives in an EIR is to provide a reasonable range of potentially feasible alternatives that are capable of avoiding or substantially lessening any significant environmental effects of a proposed project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly. The range of alternatives describes those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects. A feasible alternative is an alternative capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors, and other considerations.

3.22. State CEQA Guidelines section 15126.6 provides that an EIR need not consider every conceivable alternative to the project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. The discussion of alternatives need not be exhaustive, and the requirement as to the discussion of alternatives is subject to a construction of reasonableness.

3.23. The Final EIR satisfies the requirements of CEQA by providing a reasonable range of alternatives, each of which is intended to address means by which the unavoidable adverse impacts of the Proposed Project can be lessened. Although the alternatives may avoid one or more significant effects identified for the Proposed Project, they would result in other potentially significant impacts, are infeasible, or do not result in a reduction of overall impacts, relative to the Proposed Project.

3.24. Given the goal of reducing significant environmental impacts, as listed above, alternatives were developed for evaluation in the EIR: 1) the No Project Alternative, 2) the Zero Net Energy Buildings Alternative and 3) the Carbon Offset Alternative. The Board concurs with the analysis of the alternatives in the EIR (found in Table ES-2, Chapter 5, and specifically Section 5.5 of the EIR). For the reasons set forth herein, the Board finds that specific economic, legal, social, technological or other considerations make it infeasible to approve the project alternatives identified in the Final EIR.

3.25. No Project Alternative: The discussion of a No-Project Alternative is required by CEQA to allow decision makers to compare the impacts of approving the Proposed Project with the impacts of not approving it. Accordingly, the discussion of this alternative in the Final EIR evaluates the impacts that could reasonably be expected to occur in the foreseeable future if the Proposed Project is not approved. As set forth in Section 5.3.2 of the EIR, GHG emissions avoided under the No Project Alternative would represent approximately a 20% reduction in GHG emissions, compared with 1990 levels, by 2020. This alternative would lessen the severity of the Proposed Project's environmental impacts but would not meet the basic objective of the Proposed Project to reduce countywide GHG emissions to 25% below 1990 levels by 2020. The Board finds that this alternative is not feasible.

3.26. Zero Net Energy ("ZNE") Buildings: As set forth in Section 5.3.2 of the EIR, this alternative would lessen the severity of the Proposed Project's environmental impacts, and would meet the basic objective of the project to reduce countywide GHG emissions to 25% below 1990 levels by 2020, although it would involve major costs and would not likely lessen impacts to historic resources. While it is feasible at a technological level to construct ZNE

buildings using current technology, the cost of constructing such buildings would be substantially higher than the cost of constructing current new buildings. There is a housing shortage in Sonoma County, and it is uncertain whether it would be financially feasible for private and public project proponents to require all new construction to meet such a higher standard immediately starting in 2017. This alternative would likely have negative impacts on the availability of new housing within the County. The Board finds this alternative is not feasible.

3.27. Carbon Offset Alternative: As set forth in Section 5.3.3 of the EIR, this alternative would lessen the severity of the Proposed Project's secondary environmental impacts, and would meet the basic objective of the project to reduce countywide GHG emissions to 25% below 1990 levels by 2020. The Carbon Offset Alternative would result in similar impacts as the Proposed Project but would avoid significant and unavoidable impacts on historical resources. Given the ongoing nature of emissions for projects, and the uncertain life of projects, this alternative would have a significant administrative overhead and it could also lead to a significant amount of money leaving the County. The Board finds that this alternative is not feasible.

3.28. The Draft EIR explains that several alternatives were considered but not carried forward for analysis. A commenter asserted that a growth moratorium alternative should have been carried forward for further analysis. The Board concurs in full with the response to Comment 2-6 in the Final EIR.

3.29. The Board hereby finds that the Proposed Project, as identified and mitigated by adoption of mitigation measures identified in the EIR, can be feasibly implemented and serves the best interests of the RCPA.

ADOPTION OF THE MITIGATION MONITORING PROGRAM

3.30. The Board hereby finds that the proposed mitigation measures described in the Final EIR and Findings are feasible. The Mitigation Monitoring Program is included as Exhibit B attached hereto and incorporated herein by this reference and is adopted as a recommendation for the responsible agencies as part of the adoption of Climate Action 2020.

ADOPTION OF CLIMATE ACTION 2020

3.31. The Board finds that Climate Action 2020 meets the requirements of State CEQA Guideline 15183.5 for tiering and streamlining of the analysis of greenhouse gas emissions, and that the adoption of Climate Action 2020 provides an appropriate mechanism for meeting the target levels of GHG emissions.

NOW, THEREFORE, BE IT RESOLVED THAT, based on the foregoing findings and the record of these proceedings, the Board hereby determines, declares, and orders as follows:

1. The Board certifies that the Final EIR has been completed in compliance with CEQA, that the Final EIR was presented to the Board and that the Board reviewed and considered the

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information contained in the Final EIR and the Final EIR reflects the independent judgment and analysis of the Board.

2. The Board makes the findings set forth herein regarding the environmental effects disclosed in the Draft and Final EIR as part of taking action on Climate Action 2020 and the overriding considerations that justify adoption of Climate Action 2020 notwithstanding its significant and unavoidable environmental effects.
3. The Board adopts Climate Action 2020.
4. The foregoing findings are true and correct, are supported by substantial evidence in the record, and are adopted as hereinabove set forth.
5. The Executive Director of the RCPA is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Board's decisions herein are based. These documents may be found at the RCPA Office, 490 Mendocino Avenue, Suite 206, Santa Rosa, CA 95401.

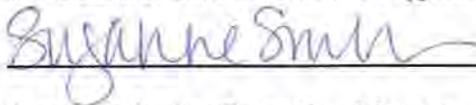
THE FOREGOING RESOLUTION was moved by Director Mackenzie, seconded by Director Gallian, and approved by the following vote:

Director Albertson	<u>Aye</u>	Director Landman	<u>Aye</u>
Director Chambers	<u>Aye</u>	Director Mackenzie	<u>Aye</u>
Director Coursey	<u>Aye</u>	Director Rabbitt	<u>Aye</u>
Director Gallian	<u>Aye</u>	Director Russell	<u>Aye</u>
Director Gorin	<u>Aye</u>	Director Salmon	<u>Aye</u>
Director Gurney	<u>Aye</u>	Director Zane	<u>Absent</u>

Ayes: 11 Noes: 0 Absent: 1 Abstain: 0

SO ORDERED

I, the undersigned, certify that the foregoing resolution was duly adopted at a regular meeting of the Board of Directors of the Regional Climate Protection Authority held on July 11, 2016.



Suzanne Smith, Executive Director
Clerk, Regional Climate Protection Authority

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**EXHIBIT "A"
ENVIRONMENTAL IMPACTS**

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Aesthetics			
Impact AES-1: Implementation of the CAP could result in substantial adverse effects on scenic views or vistas, substantially damage scenic resources within a state scenic highway, or substantially degrade the existing visual character of the County	Less than significant	None required	--
Impact AES-2: Implementation of the CAP could result in an increase of daytime glare and/or nighttime lighting	Significant	Mitigation Measure AES-1: Design guidelines for photovoltaic solar energy panels on rooftops regarding glare and safety	Less than significant
Impact C-AES-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact on aesthetics	Significant	Mitigation Measure AES-1	Less than considerable contribution
Agricultural and Forest Resources			
Impact AG-1: Implementation of the CAP could convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use	Less than significant	None required	--
Impact AG-2: Implementation of the CAP could conflict with existing zoning for agricultural use or a Williamson Act contract	Less than significant	None required	--
Impact AG-3: Implementation of the CAP could conflict with zoning for or cause rezoning of forestland or timberland or result in the loss of forestland or conversion of forestland to non-forest use	Less than significant	None required	--
Impact AG-4: Implementation of the CAP could involve other changes in the existing environment that could result in the conversion of Farmland to non-agricultural use or forestland to non-forest use	Less than significant	None required	--

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact C-AG-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact on agricultural and forest resources	Less than considerable contribution	None required	--
Air Quality			
Impact AQ-1: Implementation of the CAP would not conflict with or obstruct implementation of the applicable air quality plan	Beneficial	None required	--
Impact AQ-2a: Implementation of the CAP could violate any air quality standard or contribute to an existing long-standing air quality violation during construction activities	Significant	Mitigation Measure AQ-1: Implement basic construction mitigation measures to reduce construction emissions	Less than significant
Impact AQ-2b: Implementation of the CAP could violate any air quality standard or contribute to an existing long-standing air quality violation during operation	Less than significant	None required	--
Impact AQ-3: Implementation of the CAP could result in a cumulatively considerable net increase of any criteria pollutant	Less than significant	None required	--
Impact AQ-4: Implementation of the CAP could expose sensitive receptors to toxic air contaminants	Less than significant	None required	--
Impact AQ-5: Implementation of the CAP could create objectionable odors affecting a substantial number of people	Less than significant	None required	--
Impact C-AQ-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact on air quality	Significant	Mitigation Measure AQ-1	Less than considerable contribution
Biological Resources			

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact BIO-1: Implementation of the CAP could impact sensitive and special-status species and their associated habitat or migratory corridors	Significant	Mitigation Measure BIO-1a: Project-level biological surveys and avoidance, minimizations, and compensation for impacts on CEQA-defined special-status species, sensitive natural communities, state- and federally protected waters/wetlands, and riparian habitat Mitigation Measure BIO-1b: Replacement of removed trees Mitigation Measure BIO-1c: Preconstruction surveys	Less than significant
Impact BIO-2: Implementation of the CAP could impact wetland and riparian habitat in some areas of the County	Significant	Mitigation Measure BIO-1a Mitigation Measure BIO-1b Mitigation Measure BIO-1c	Less than significant
Impact BIO-3: Implementation of the CAP could conflict with local policies or ordinances protecting biological resources or the provisions of an adopted habitat conservation plan/natural community conservation plan	Significant	Mitigation Measure BIO-1b	Less than significant
Impact C-BIO-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact on biological resources	Significant	Mitigation Measure BIO-1a Mitigation Measure BIO-1b Mitigation Measure BIO-1c	Less than considerable contribution
Cultural Resources			
Impact CUL-1: Implementation of the CAP could result in the potential disturbance of historical resources	Significant	Mitigation Measure CUL-1a: Review of alternatives for solar roofs on historic buildings Mitigation Measure CUL-1b: Studies documenting the presence/absence of historical resources Mitigation Measure CUL-1c: Historical resources investigations	Significant and unavoidable for CAP solar roofs on historic buildings; less than significant for all other CAP facilities

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Project Summary and Mitigation Measures

Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact CUL-2: Implementation of the CAP could result in the potential disturbance of known or undiscovered archaeological resources and human remains	Significant	Mitigation Measure CUL-2a: Cultural resource investigations and protection and recovery of significant resources Mitigation Measure CUL-2b: Work stoppage if cultural resources are encountered during ground-disturbing activities Mitigation Measure CUL-2c: Work stoppage if human remains are encountered during ground-disturbing activities	Less than significant
Impact CUL-3: Implementation of the CAP could result in the potential disturbance of paleontological resources within the County	Significant	Mitigation Measure CUL-3: Avoidance of encountered paleontological resources until resources have been evaluated and recorded, and treatment has been determined	Less than significant
Impact C-CUL-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact on cultural resources	Significant	Mitigation Measure CUL-1a Mitigation Measure CUL-1b Mitigation Measure CUL-1c Mitigation Measure CUL-2a Mitigation Measure CUL-2b Mitigation Measure CUL-2c Mitigation Measure CUL-3	Considerable contribution
Geology and Soils			
Impact GEO-1: Implementation of the CAP could expose people or structures to risks involving earthquake induced seismic hazards, such as surface fault ruptures, groundshaking, ground failures including liquefaction, and landslides	Less than significant	None required	--
Impact GEO-2: Implementation of the CAP could result in substantial soil erosion or loss of topsoil	Less than significant	None required	--
Impact GEO-3: Facilities promoted by the CAP could be located on an unstable geological unit/soil or expansive soil, potentially resulting in increased risks of geologic and soil hazards or damage to project structures	Less than significant	None required	--

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact GEO-4: Implementation of the CAP would not involve the use of septic tanks or alternate wastewater disposal systems that would result in soil impacts	No impact	None required	--
Impact C-GEO-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact to geology and soils	Less than considerable contribution	None required	--
Greenhouse Gas Emissions			
Impact GHG-1: Implementation of the CAP would be consistent with and would support applicable plan, policy, and regulation adopted for the purpose of reducing GHG emissions	Beneficial	None required	--
Impact GHG-2: Implementation of the CAP would help Sonoma County to be more resilient to the future effects of climate change on Sonoma County	Disclosure item only; not a CEQA impact	None required	--
Hazards and Hazardous Materials			
Impact HAZ-1a: Implementation of the CAP could cause a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials and accident conditions involving the release of hazardous materials into the environment during construction	Significant	Mitigation Measure HAZ-1: Spill prevention, control, and countermeasure program for construction activities	Less than significant
Impact HAZ-1b: Implementation of the CAP could cause a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous materials and accident conditions involving the release of hazardous materials into the environment during operation	Less than significant	None required	--

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Project Summary and Mitigation Measures

Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact HAZ-2: Implementation of the CAP could emit or involve handling hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school	Significant	Mitigation Measure HAZ-1	Less than significant
Impact HAZ-3: Implementation of the CAP could be located on a site that is included on a list of hazardous materials sites and, as a result, would create a significant hazard to the public or the environment	Less than significant	None required	--
Impact HAZ-4: Implementation of the CAP could be located within an airport land use plan area, within two miles of a public airport, or within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area	Less than significant	None required	--
Impact HAZ-5: Implementation of the CAP could interfere with an adopted emergency response plan or emergency evacuation plan	Less than significant	None required	--
Impact HAZ-6: Implementation of the CAP could expose people or structures to a significant risk of loss, injury, or death involving wildland fires	Less than significant	None required	--
Impact C-HAZ-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact from hazards and hazardous materials	Significant	Mitigation Measure HAZ-1	Less than considerable contribution
Hydrology and Water Quality			
Impact HYD-1a: Implementation of the CAP could violate water quality standards and waste discharge requirements, or could otherwise substantially degrade water quality during construction	Less than significant	None required	--

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact HYD-1b: Implementation of the CAP could violate water quality standards and waste discharge requirements, or could otherwise substantially degrade water quality during operation	Less than significant	None required	--
Impact HYD-2: Implementation of the CAP could substantially deplete groundwater supplies or interfere substantially with groundwater recharge in the County	Less than significant	None required	--
Impact HYD-3: Implementation of the CAP could alter existing drainage patterns in the County that would result in substantial erosion or siltation onsite or offsite, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite	Less than significant	None required	--
Impact HYD-4: Implementation of the CAP could create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff	Less than significant	None required	--
Impact HYD-5: Implementation of the CAP could place housing within flood hazard areas or could place structures within flood hazard areas that would impede or redirect flood flows	Less than significant	None required	--
Impact HYD-6: Implementation of the CAP could expose people or structures to significant risk involving flooding a result of levee or dam failures	Less than significant	None required	--
Impact HYD-7: Implementation of the CAP could contribute to inundation by seiche, tsunami, or mudflow	Less than significant	None required	--

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Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact C-HYD-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact to hydrology and water quality	Less than considerable contribution	None required	--
Land Use and Recreation			
Impact LU-1: Implementation of the CAP could physically divide an established community	Less than significant	None required	--
Impact LU-2: Implementation of the CAP could conflict with applicable land use plans, policies, or regulations	Less than significant	None required	--
Impact LU-3: Implementation of the CAP would not conflict with any applicable habitat conservation plan or natural community conservation plan	No impact	None required	--
Impact LU-4: Implementation of the CAP could temporarily disrupt recreational facilities during construction but would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated	Less than significant	None required	--
Impact LU-5: Implementation of the CAP would include recreational facilities or require the construction or expansion of recreational facilities that could have an adverse physical effect on the environment	Significant	Mitigation to be identified during project-level review, as appropriate	Less than significant
Impact C-LU-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact on land use and recreation	Less than considerable contribution	None required	--
Noise			

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact NOI-1a: Implementation of the CAP could generate noise levels in excess of local standards or result in a substantial temporary increase in ambient noise levels during construction	Less than significant	None required	--
Impact NOI-1b: Implementation of the CAP could generate noise levels in excess of local standards or result in a substantial permanent increase in ambient noise levels during operation	Less than significant	None required	--
Impact NOI-2: Implementation of the CAP could expose people to or generate excessive groundborne vibration or groundborne noise levels	Less than significant	None required	--
Impact NOI-3: New development promoted by the CAP could be located within airport land use plan areas, within 2 miles of a public airport, or within the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels	Less than significant	None required	--
Impact C-NOI-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact from noise	Less than considerable contribution	None required	--
Public Services, Utilities, and Energy			
Impact PSU-1: Implementation of the CAP could reduce service ratios or response times for fire protection or police protection services or require new or physically altered governmental facilities to maintain acceptable service ratios and response times	Less than significant	None required	--

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact PSU-2: Implementation of the CAP could increase student enrollment at schools or increase level of service required at other public facilities resulting in an adverse physical impact to these facilities	Less than significant	None required	--
Impact PSU-3: Implementation of the CAP could decrease the demand for water supply and thus would reduce the demand for additional water supplies but would increase demand for water facilities infrastructure related to water efficiency, renewable energy, recycled water and greywater use	Less than significant	None required	--
Impact PSU-4: Implementation of the CAP could decrease wastewater generation and thus would not exceed wastewater treatment requirements, but would require the expansion or modification of existing wastewater facilities	Less than significant	None required	--
Impact PSU-5: Implementation of the CAP could require the construction of new storm water drainage facilities or expansion of existing facilities	Less than significant	None required	--
Impact PSU-6: Implementation of the CAP would reduce solid waste generation and would not conflict with federal, state, and local statutes and regulations related to solid waste diversion	Beneficial	None required	--
Impact PSU-7: Implementation of the CAP would not result in land use locations and patterns causing wasteful, inefficient, and unnecessary consumption of energy	Beneficial	None required	--
Impact PSU-8: Implementation of the CAP would not result in the construction of new or retrofitted buildings that would have excessive energy requirements for daily operation	Beneficial	None required	--

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact PSU-9: Implementation of the CAP would not result in increased energy demand and the need for additional energy resources overall	Beneficial	None required	--
Impact C-PSU-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact on public services, utilities, and energy	Less than considerable contribution, usually beneficial	None required	--
Transportation and Traffic			
Impact TR-1a: Implementation of the CAP could conflict with applicable plans, ordinances, or policies related to the transportation circulation system during construction	Significant	Mitigation Measure TR-1: Traffic control plan implementation during construction	Less than significant
Impact TR-1b: Implementation of the CAP could conflict with applicable plans, ordinances, or policies related to the transportation circulation system during operation	Less than significant	None required	--
Impact TR-2: Implementation of the CAP could conflict with an applicable congestion management program established by the Sonoma County Transportation Authority for designated roads or highways	Less than significant	None required	--
Impact TR-3: Implementation of the CAP could change air traffic patterns resulting in substantial safety risks	Less than significant	None required	--
Impact TR-4a: Implementation of the CAP could substantially increase hazards due to design features or incompatible uses during construction	Significant	Mitigation Measure TR-1	Less than significant
Impact TR-4b: Implementation of the CAP could substantially increase hazards due to design features or incompatible uses during operation	Less than significant	None required	--

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Project Summary and Mitigation Measures			
Impact	Significance before Mitigation	Mitigation Measures	Significance after Mitigation
Impact TR-5a: Implementation of the CAP could result in inadequate emergency access during construction	Significant	Mitigation Measure TR-1	Less than significant
Impact TR-5b: Implementation of the CAP could result in inadequate emergency access during operation	Less than significant	None required	--
Impact TR-6: Implementation of the CAP could conflict with adopted policies, plans, or programs related to public transit, bicycle, or pedestrian facilities or could otherwise decrease the performance or safety of such facilities	Beneficial	None required	--
Impact C-TR-1: Implementation of the CAP, in combination with other foreseeable development in the surrounding area, could have a significant cumulative impact to transportation and traffic	Significant	Mitigation Measure TR-1	Less than considerable contribution

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EXHIBIT "B"
MITIGATION MONITORING AND REPORTING PROGRAM

CLIMATE ACTION 2020 AND BEYOND: A REGIONAL PROGRAM FOR SONOMA COUNTY COMMUNITIES

Mitigation Monitoring and Reporting Program

BACKGROUND

RCPA was created to coordinate greenhouse gas (GHG) and climate change issues in Sonoma County (County) and consists of ten communities, including the County, the Town of Windsor, and the following cities: Cloverdale, Cotati, Healdsburg, Petaluma, Rohnert Park, Santa Rosa, Sebastopol, and the City of Sonoma. The RCPA will adopt the CAP, certify the EIR, and recommend that the participating jurisdiction adopt the local GHG reduction measures. The participating jurisdictions (acting as Responsible Agencies under CEQA) will need to individually adopt the CAP, consider the EIR, and implement mitigation measures pursuant to their own authority and jurisdiction. The Responsible Agencies for the CAP include:

- City of Cloverdale,
- City of Cotati,
- City of Healdsburg,
- City of Petaluma,
- City of Rohnert Park,
- City of Sebastopol,
- City of Sonoma,
- Town of Windsor, and
- County of Sonoma.

The mitigation measures identified in the EIR may be adopted by the responsible agencies pursuant to CEQA Guideline 15096(g).

Climate Action 2020 is analyzed in the EIR at a program level. The EIR analyzes a series of actions that may result from CAP implementation that are related geographically and that are likely to have similar environmental effects that can be mitigated in similar ways (CEQA Guidelines Section 15168(a)). However, specific and site-specific projects are not identified. The program-level analysis identifies standard and well understood mitigation measures for the environmental impacts of implementing GHG-reduction measures in the sectors of building energy, on-road transportation, off-road transportation and equipment, solid waste management, wastewater treatment, water conveyance, livestock and fertilizer, and agriculture. The EIR is the first tier of environmental documentation. It would be augmented by second-tier environmental documents for specific public or private projects as necessary. Second-tier environmental review would revise the applicable mitigation measures as necessary.

At a programmatic level, mitigation measures were identified in the following areas for subsequent responsible agency projects in furtherance of CAP implementation:

- Aesthetics;
- Air Quality;
- Biological Resources;
- Cultural Resources;
- Hazards and Hazardous Materials;
- Transportation and Traffic.

The Mitigation Monitoring and Reporting Program was prepared pursuant to the requirements of California Public Resources Code Section 21081.6 and incorporates the mitigation measures identified in the Draft EIR. Pursuant to CEQA Guideline 15091(a)(2), RCPA has found that these mitigation measures are not within its own jurisdiction, but that they can be implemented to avoid or lessen significant impacts.

MITIGATION MONITORING PLAN TABLE

The mitigation measures for each of the significant and potentially significant impacts identified in the CAP EIR and the parties responsible for implementation and monitoring each measure are identified in the following table. Local agency staff will monitor pursuant to each agency's CEQA implementation protocols. Mitigation measures are numbered using a prefix to link them with the impact they address (i.e., "Mitigation Measure AQ-1" refers to the first mitigation measures identified in the Air Quality section of the Draft EIR.).

- **Mitigation Measure:** provides the text of the mitigation measure identified in the Draft EIR.
- **Action:** identifies the key implementing actions of the mitigation measure
- **Implementing Agency/Party:** identifies who will be responsible for directly implementing the mitigation measures
- **Timing:** the timeframe for when the mitigation measure will be implemented

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Mitigation Measure	Action	Implementing Agency	Timing
<p>Mitigation Measure AES-1: Design guidelines for photovoltaic solar energy panels on rooftops regarding glare and safety.</p> <p>To ensure that photovoltaic solar energy panels on rooftops do not result in glare impacts on motorists traveling in the vicinity or on nearby airports/airstrips, the responsible agency shall develop a set of design guidelines for the siting of such facilities. The guidelines shall contain specific provisions for design. At a minimum, the guidelines shall require solar installations to meet the following standards:</p> <ul style="list-style-type: none"> • Solar panels shall be required to use non-reflective coatings wherever they have the potential to result in glare on public roadways or facilities. • Exposed frames and components should have a non-reflective surface. • Reflection angles from collector surfaces should be oriented away from neighboring windows and, to the extent possible, away from public areas. 	<p>Incorporate requirements into applicable projects that propose solar roofs in furtherance of the CAP.</p>	<p>Responsible Agency and/or Project Sponsor</p>	<p>Prior to approving or implementing rooftop solar actions in furtherance of the CAP</p>

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<p>Mitigation Measure AQ-1: Implement basic construction mitigation measures to reduce construction emissions.</p>	<p>Incorporate measure into project specifications and construction requirements.</p>	<p>Responsible Agency and/or Project Sponsor or Project Contractor</p>	<p>Planning and project design, and prior to a construction project approval in furtherance of the CAP</p>
<p>The responsible agency will require construction contractors to implement the basic construction mitigation measures to reduce fugitive dust and equipment exhaust emissions. Alternative measures may be identified by the project sponsor or its contractor, as appropriate, provided that they are as effective as the measures below. Alternative measures shall be submitted to the responsible agency for approval.</p> <ul style="list-style-type: none"> ● All exposed surfaces affected by construction (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day, or as needed during the dry season(s) (unless limited by state or local drought response requirements or if there is a rain event). ● All excavation, grading, and/or demolition activities will be suspended when average wind speeds exceed 20 miles per hour (mph) for a period of 2 hours or more. ● Windbreaks (e.g., fences) will be installed on the windward side(s) of actively disturbed areas of construction. Windbreaks will have at maximum 50 percent air porosity. ● Exposed ground areas that are to be reworked more than one month after initial grading will be sown with fast-germinating native grass seed and watered appropriately until vegetation is established. If grass seeding is not feasible, then non-toxic soil stabilizers may be used. ● All roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used. ● All vehicle speeds on unpaved roads will be limited to 15 mph. ● All construction trucks and equipment, including fires, involved in ground disturbance or transit through loose soil areas will be washed off prior to leaving the site. Site accesses to a distance of 25 feet from the paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. Alternatively, a rumble plate may be used in place of chips, mulch, or gravel. ● All haul trucks transporting soil, sand, or other loose material off site will be covered. ● Sandbags or other erosion control measures will be installed to prevent silt runoff to public roadways from sites with a slope greater than 1 percent. ● All visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. ● Idling time of diesel powered construction equipment will be limited to 2 minutes. ● All construction equipment, diesel trucks, and generators will be equipped with Best ● Available Control Technology for emission reductions of PM and NOx. ● All contractors will use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy-duty diesel engines. ● A publicly visible sign will be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. BAAQMD's or NSCAPCD's phone number (depending on the project's jurisdiction) will also be visible to ensure compliance with applicable regulations. 			

Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California

<p>Mitigation Measure BIO-1a: Project-level biological surveys and avoidance, minimizations, and compensation for impacts on CEQA-defined special-status species, sensitive natural communities, state- and federally protected waters/wetlands, and riparian habitat.</p> <p>Lead agencies will require that any new project that could potentially impact a CEQA-defined special status species, sensitive natural community, state- or federally protected water/wetland, or riparian habitat conduct a biological resources survey of the site to determine if any areas would have the potential to contain such resources and, if such resources are found in the areas, whether they would be affected by the project. If such resources are found on the site, measures necessary to avoid, minimize, and/or compensate for identified impacts on these resources will be identified in the project-level CEQA review. The lead agency will adopt the feasible measures necessary to reduce impacts on such resources to a less-than-significant level.</p>	<p>Prior to project design.</p>	<p>Responsible Agency and/or Project Sponsor or Project Contractor</p>	<p>Prior to the issuance of grading and/or building permits for a proposed action in furtherance of the CAP</p>
<p>Mitigation Measure BIO-1b: Replacement of removed trees.</p> <p>Lead agencies will require that any new project removing trees will replace all trees removed in accordance with the tree preservation policies or ordinances of the jurisdiction in which the improvements are constructed.</p>	<p>Action would be pursuant to local ordinance.</p>	<p>Responsible Agency</p>	<p>Prior to the issuance of grading and/or building permits for a proposed action in furtherance of the CAP</p>

Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California

<p>Mitigation Measure BIO-1c: Preconstruction surveys. Projects will avoid conducting vegetation removal during the migratory bird nesting season (February 1–August 31), if feasible. If construction activities must commence during the migratory bird nesting season, the project sponsor will retain a qualified wildlife biologist to conduct a survey for nests of migratory birds. Surveys for nesting migratory birds will occur within three (3) days prior to the commencement of ground disturbance and vegetation removal.</p> <p>If an active nest is discovered, a no-disturbance buffer zone around the nest tree or shrub (or, for ground-nesting species, the nest itself) will be established. The no-disturbance zone will be marked with flagging or fencing that is easily identified by the construction crew and will not affect the nesting bird or attract predators to the nest location. In general, the minimum buffer zone widths will be as follows: 50 feet (radius) for non-raptor ground-nesting species, 50 feet (radius) for non-raptor shrub- and tree-nesting species, and 300 feet (radius) for raptor species. Buffer widths may be modified based on discussion with the CDFW. Buffers will remain in place as long as the nest is active or young remain in the area and are dependent on the nest. If a burrowing owl nest is identified during preconstruction surveys, no-activity buffers will adhere to the recommendations in the 2012 Department of Fish and Game <i>Staff Report on Burrowing Owl Mitigation</i>.</p>	<p>Incorporate measure into pre-construction requirements.</p>	<p>Responsible Agency/Project Sponsor</p>	<p>Prior to the issuance of grading and/or building permits for a proposed action in furtherance of the CAP</p>
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**Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California**

<p>Mitigation Measure CUL-1a: Review of alternatives for solar roofs on historic buildings. If solar roofs are proposed on historic buildings, the lead land use agency will require the following.</p> <ul style="list-style-type: none"> • A qualified architectural historian will determine if the building is eligible for the CRHR or the NRHP. If the building is eligible for one or both of the registers, the qualified architectural historian will identify if the proposed solar roof will substantially affect the eligibility of the building as a historic resource. If a substantial effect is identified, the qualified historian will identify feasible alterations to the proposed solar roof installation that would avoid or minimize the substantial effects. If no feasible alterations can be identified, the qualified architectural historian will document measures considered and why they are not feasible. • The lead agency will review the architectural historian's report for completeness only. • The project sponsor will identify which of the feasible design alternatives that avoid the substantial effect they prefer if one or more are identified by the qualified architectural historian. If the feasible alternatives will only reduce, but not avoid a substantial effect, the project proponent will identify which of the minimization alternatives it prefers. • The lead agency will only issue a permit for the preferred feasible alternative identified by the project sponsor per the above requirements. • If no feasible alternatives are available that reduce or avoid the substantial effect, then the lead agency will issue the permit for the proposed solar roof. 	<p>Incorporate measure into project review.</p>	<p>Responsible Agency/ Project Sponsor</p>	<p>Prior to the issuance of permits for solar rooftop installations in furtherance of the CAP</p>
<p>Mitigation Measure CUL-1b: Studies documenting the presence/absence of historical resources. In areas of documented or inferred historic resource presence, the lead agency staff will require applicants for development permits to provide studies to document the presence/absence of historical resources. On properties where historic structures or resources are identified, such studies will provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified historical preservation expert.</p>	<p>Incorporate measure into project review. Where historic structures or resources are identified, a qualified historical preservation expert will prepare a mitigation plan (CUL-1b).</p>	<p>Responsible Agency or Project Sponsor, in conjunction with Qualified Historical Preservation Expert</p>	<p>Prior to the issuance of grading and/or building permits for a proposed action in furtherance of the CAP</p>

Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California

<p>Mitigation Measure CUL-1c: Historical resources investigations.</p> <p>Prior to activities that would physically affect buildings or structures 45 years old or older or affect their historic setting, the project applicant will retain a cultural resource professional who meets the Secretary of the Interior's Professional Qualifications Standards for Architectural History to determine if the project would cause a substantial adverse change in the significance of a historical resource as defined in State CEQA Guidelines Section 15064.5. The investigation will include, as determined appropriate by the cultural resource professional and the lead agency, the appropriate archival research, including, if necessary, a records search of the Archaeological Information Center of the CHRIS and a pedestrian survey of the proposed improvements area to determine if any significant historic-period resources would be adversely affected by the proposed CAP activities. The results of the investigation will be documented in a technical report or memorandum that identifies and evaluates any historical resources within the improvements area and includes recommendations and methods for eliminating or reducing impacts on historical resources. The technical report or memorandum will be submitted to the lead agency for approval. As determined necessary by the lead agency, environmental documentation (e.g., CEQA documentation) prepared for future development within the project site will reference or incorporate the findings and recommendations of the technical report or memorandum. The project applicant will be responsible for implementing methods for eliminating or reducing impacts on historical resources identified in the technical report or memorandum. Additional methods could include, but not be limited to, written and photographic recordation of the resource in accordance with the level of Historic American Building Survey documentation that is appropriate to the significance (local, state, national) of the resource.</p>	<p>Incorporate requirement into subsequent project requirements.</p> <p>A cultural resource specialist will determine if proposed action would cause a substantial adverse change in the significance of a historical resource.</p>	<p>Responsible Agency and/or Project Sponsor/ Qualified Cultural Resources Specialist</p>	<p>Prior to the issuance of grading and/or building permits for a proposed action in furtherance of the CAP</p>
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Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California

<p>Mitigation Measure CUL-2a: Cultural resource investigations and protection and recovery of significant resources.</p> <p>The lead agency will conduct a cultural resource investigation that includes a background records search (including a search of records from Sonoma State and historical societies, contact with Native American representatives identified by the NAHC, and site pedestrian surveys) for the areas of ground disturbance from each roadway improvement. If significant known or suspected sites are discovered within the project footprint and would be disturbed by the project, then a cultural resource treatment plan will be prepared, defining project monitoring and resource recovery and curation requirements concerning any encountered cultural resources.</p>	<p>Incorporate measure into subsequent project review and subsequent project requirements.</p>	<p>Responsible Agency and/or Project Sponsor</p>	<p>Prior to the issuance of grading and/or building permits for a proposed action in furtherance of the CAP</p>
<p>Mitigation Measure CUL-2b: Work stoppage if cultural resources are encountered during ground-disturbing activities.</p> <p>In the event that cultural resources are encountered during ground-disturbing activities, all work within proximity of the find will temporarily halt so that a qualified archaeologist, as determined by the responsible agency, can examine the find and document its location and nature (e.g., with drawings, photographs, written descriptions). The archaeologist will then direct that the work proceed if the find is deemed to be insignificant, continue elsewhere, or cease until adequate mitigation measures are adopted. If the find is determined to be potentially significant, the archaeologist, in consultation with the appropriate jurisdiction, will develop a treatment plan, which could include site avoidance, capping, or data recovery. If data recovery is determined to be appropriate, excavation will target recovery of an appropriate amount of information from archaeological deposits to determine the potential of the resource to address specific research questions. If it occurs, data recovery will emphasize the understanding of the archaeological deposit's structure, including features and stratification, horizontal and vertical extent, and content, including the nature and quantity of artifacts.</p>	<p>Incorporate requirement into subsequent project requirements.</p>	<p>Project Sponsor and/or Responsible Agency, Project Contractor/ Qualified Archeologist</p>	<p>When cultural resources are encountered during ground-disturbing activities for a proposed action in furtherance of the CAP</p>

**Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California**

<p>Mitigation Measure CUL-2c: Work stoppage if human remains are encountered during ground-disturbing activities.</p> <p>If human remains are discovered (in either an archaeological or construction context), all work within proximity of the remains will stop so that the archaeological monitor can examine the remains. The County Coroner will be notified to make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission (NAHC) immediately. The NAHC will notify those persons it believes are most likely descended from the deceased Native American. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the State CEQA Guidelines.</p>	<p>Incorporate requirement into subsequent project requirements.</p>	<p>Project Sponsor/ Project Contractor/ Archeological Monitor</p>	<p>In the event human remains are encountered during ground-disturbing activities for a proposed action in furtherance of the CAP</p>
<p>Mitigation Measure CUL-3: Avoidance of encountered paleontological resources until resources have been evaluated and recorded, and treatment has been determined.</p> <p>If paleontological resources are encountered during future grading or excavation activities associated with CAP-related activities, work will avoid altering the resource and its stratigraphic context until a qualified paleontologist has evaluated, recorded, and determined appropriate treatment of the resource, in consultation with the lead agency. Project personnel will not collect cultural resources. Appropriate treatment may include collection and processing of “standard” samples by a qualified paleontologist to recover micro vertebrate fossils; preparation of significant fossils to a reasonable point of identification; and depositing significant fossils in a museum repository for permanent curation and storage, together with an itemized inventory of the specimens.</p>	<p>Incorporate requirement into subsequent project requirements.</p>	<p>Project Sponsor/ Project Contractor/ Qualified Paleontologist</p>	<p>In the event a paleontological resource is identified during the construction of a proposed action in furtherance of the CAP</p>

Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California

Mitigation Measure HAZ-1: Spill prevention, control, and countermeasure program (SPCCP) for construction activities.

Lead agencies will require project sponsors to develop and implement an SPCCP to minimize the potential for and effects from spills of hazardous, toxic, or petroleum substances during construction activities. The SPCCP will be completed before any construction activities begin, and the measures will comply with state and federal water quality regulations. The project sponsor will include the SPCCP with construction documents to be implemented by the construction contractor.

Incorporate requirement into subsequent project requirements.

Responsible Agency/Project Sponsor/
Project Contractor

Prior to the issuance of grading and/or building permits for a proposed action in furtherance of the CAP

Resolution No. 2016-002
Regional Climate Protection Authority
Santa Rosa, California

Mitigation Measure TR-1: Traffic control plan implementation during construction activities.

The lead agencies will require project sponsors and construction contractors to coordinate with the local jurisdiction, transit providers, and emergency service providers to develop a traffic control plan to minimize the effects of construction traffic on transit service, roadway operations, emergency responses, pedestrian and bicycle facilities, and public safety in the surrounding area. (A traffic control plan may not be required for minor construction activities.) The project sponsor will be responsible for monitoring to ensure that the plan is effectively implemented by the construction contractor(s). Measures that may be employed throughout the course of the construction period include, but are not limited, to the following.

- Provide advance notice of lane and sidewalk closures, durations, and alternative routes to emergency service providers, motorists, bicyclists, and pedestrians.
- Provide clearly marked pedestrian detours if any sidewalk or pedestrian walkway closures are necessary.
- Provide clearly marked bicycle detours if heavily used bicycle routes must be closed, or if bicyclist safety may otherwise be comprised.
- Provide crossing-guards and/or flag persons as needed to avoid traffic conflicts and ensure pedestrian and bicyclist safety.
- Locate all stationary equipment as far as possible from areas used heavily by vehicles, bicyclists, and pedestrians.
- Use nonskid traffic plates over open trenches to minimize hazards.
- Implement traffic control measures to minimize vehicle travel delays through construction zones.
- Maintain acceptable response times and performance objectives for emergency response services.
- Avoid routing construction traffic through residential areas to the extent feasible. Prohibit mobilization and demobilization of heavy construction equipment during AM and PM peak traffic hours.
- Maintain access for driveways and private roads outside the immediate construction zone by using steel plates or temporary backfill, as necessary.
- Provide designated areas for construction worker parking wherever feasible to minimize use of parking on streets or in city center areas.

Incorporate requirement into subsequent project requirements.

Project Sponsor/
Project Contractor

Prior to the issuance of grading and/or building permits for a proposed action in furtherance of the CAP



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 6B

Meeting Date: 08/15/16

Department

Planning

Staff Contact

Associate Planner Atkins

Agenda Item Title

Discussion, consideration and possible action on an appeal of the Design Review and Historic Preservation Commission's decision to approve the application of Glenn Ikemoto for site design and architectural review of a new single-family residence, additional residence, and accessory structures at 314-324 Second Street East.

Summary

On May 31, 2016, the Design Review and Historic Preservation Commission (DRHPC) considered the application of Glenn Ikemoto for site design and architectural review of a new single-family residence, additional residence, and accessory structures. In review of the application, the DRHPC concluded that the proposal fit into its surroundings and related appropriately to adjoining development. In response to neighbor concerns, the DRHPC discussed whether modifications should be required; specifically, should the additional residence be relocated on the site. However, at the conclusion of the discussion, none of the commissioners felt modifications were warranted, because it was the opinion of all commissioners that the unique shape of the property presented challenges with site design and the proposed location for the additional residence was the best choice given the circumstances of the site. Ultimately, the DRHPC approved the site design and architectural review application with a vote of 4-0 (Comm. Johnson recused due to proximity).

On June 16, 2016, Ron Albert, the neighboring property owner on the north, filed an appeal of the DRHPC's decision to approve the application. As noted in the attached appeal letter, the appellant feels that the approval is inconsistent with a number of regulations applicable to the project, especially with respect to compatibility and adverse impacts on surrounding properties. In addition, the appellant is concerned that the project would threaten the health of a Colorado blue spruce tree located on his property. Further details are provided in the attached supplemental report and other attachments.

Recommended Council Action

Deny the appeal, thereby upholding the decision of the Design Review and Historic Preservation Commission.

Alternative Actions

1. Deny the appeal, thereby upholding the decision of the Design Review and Historic Preservation Commission.
2. Uphold the appeal and deny the design review application in its entirety.
3. Uphold the appeal and approve the design review application subject to modifications.
4. Refer the project back to the Design Review and Historic Preservation Commission for further consideration.

Except in the case of option 4, staff will return on the following Council meeting with a Resolution formalizing the Council's decision, including the necessary findings.

Financial Impact

N.A.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

1. Supplemental Report
2. Appeal
3. Minutes of the May 31, 2016, Design Review and Historic Preservation Commission meeting
4. Design Review and Historic Preservation staff report, with attachments and correspondence
5. Correspondence

Alignment with Council Goals:

N.A.

cc: Ron Albert (via email)

66 George Lane
Sausalito, CA 94965-1890

Glenn Ikemoto (via email)
314-324 Second Street East
Sonoma, CA 95476

Robert Baumann (via email)
545 Third St West
Sonoma, CA 95476

Micaelia Randolph (via email)
869 Fifth Street East
Sonoma, CA 95476

SUPPLEMENTAL REPORT

Discussion, consideration and possible action on an appeal of the Design Review and Historic Preservation Commission's decision to approve the application of Glenn Ikemoto for site design and architectural review of a new single-family residence, additional residence, and accessory structures at 314-324 Second Street East.

For the City Council meeting of August 15, 2016

Property Description

The project site is comprised of two adjoining parcels on the east side of Second Street East just south of the bike path (the parcels would be merged to accommodate the overall development plan). The parcel fronting Second Street East has an area of $\pm 7,361$ square feet and is largely paved over. The larger interior parcel has an area of $\pm 28,700$ square feet and is developed with a residence, swimming pool, and a detached garage/workshop. Numerous trees are located on the site, including a large oak and rows of Italian cypresses. Adjoining uses are as follows:

North: Duplex, single-family home and bike path/Medium Density Residential

South: Single-family homes/Medium Density Residential

East: Condominiums/Medium Density Residential

West: Vella Cheese Factory and apartments (across Second St. East)/Mixed Use and Medium Density Residential

The site is designated Medium Density Residential by the General Plan and has a corresponding R-M zoning.

Project Description

The overall development plan for the site involves a number of elements including the following:

1. Demolition of the existing residence (constructed in 1955 per Assessor's records).
2. Construction of a one-story replacement residence with covered porch and patio.
3. Partial conversion of an existing $\pm 1,900$ -square foot detached garage and workshop into guestrooms/residential use (the structure would be linked to the main residence by a covered breezeway).
4. Construction of an additional residence (over garage) in the front/vacant portion of the site.
5. Construction of various detached accessory structures including a new swimming pool, pool house, gym, and pump house with arbor.
6. Access and landscaping improvements throughout.
7. Merging the two parcels into a single lot.

In general, the intent of the overall project is to create a residential complex for use by the owners and their family. A review of the major proposed buildings and their placement follows:

Main Residence: A new one-story main residence is proposed in the middle of the property. The main residence and the guest house and garage are proposed to be linked by a covered breezeway. Proposed exterior materials consist of a stucco material and a raised seam metal roof with matching gutter.

Garage and Bedroom Wing: The existing detached garage and workshop will be converted into a two-story two-bedroom garage and bedroom wing. Proposed exterior materials consist of a stucco base with board and batten siding above and a raised seam metal roof with matching gutter. Note: The Planning Commission approved a Use Permit to allow the conversion of part of the existing detached garage and workshop into guestrooms/residential use (including a second story element) on March 10, 2016.

Additional Residence and Garage: A new two-story residence (two-bedroom guest house with a kitchen) is proposed on the western portion of the property (near Second Street East). The building would be setback 64 feet from the front (west) property line and 7 feet from the side (north) property line. In staff's view, the proposed setbacks are consistent with the setback requirements for the Northeast Area (20 foot front yard, with side yards at 7 foot minimum, 18 feet combined); however, this is a point of contention in the appeal (see Discussion of Issues Raised in the Appeal, below). Proposed exterior materials consist of a stucco base with board and batten siding above and a raised seam metal roof with matching gutter. Staff would note that this unit is considered an additional residence, not a second unit, and the zoning designation of the property allows for the construction of two single-family residences on the site.

Accessory Buildings: 1) A new pool house is proposed in the northwest corner of the property; 2) A new pump house is proposed in the northeast corner of the property; and 3) a gym building is proposed south of the pump house on the eastern portion of the property.

Design Review and Historic Preservation Commission Review

The request was considered by the Design Review and Historic Preservation Commission (DRHPC) through the course of a public hearing held on May 31, 2016. The review was focused primarily on the placement of the additional residence and the shade impact the proposed landscaping may have on the neighbor's garden to the north of the subject property.

Issues Raised in the Appeal

On June 16, 2016, Ron Albert (owner of the property directly to the north) filed an appeal of the DRHPC's decision to approve the application. As noted in the attached appeal letter, the appellant feels that the approval, as it relates to the additional residence, is inconsistent with a number of regulations applicable to the project, especially with respect to compatibility and adverse impacts on surrounding properties. In addition, the appellant is concerned that the project would threaten the health of a Colorado blue spruce tree located on the appellant's property.

Setback Standards: The appellant believes that the setback to the north of the additional residence should require landscaping. Section 19.40.060.C.1 of the Development Code states that when setbacks are screened from public view (such is the case on the subject property by a gate) the review authority can determine that landscaping is not necessary to fulfill the purposes of the

chapter. The DRHPC determined that landscaping is not necessary in this area in its review of the landscape plan. In addition, the appellant stated that side setbacks may not be used for storage of garbage. Section 19.40.110.E.3 of the Development Code indicates that front or street-side yards and setbacks shall not be used for the storage of garbage or rubbish; it does not restrict the use of side yard setbacks for the storage of garbage containers.

As previously stated, the proposed setbacks are consistent with the setback requirements for the Northeast Area (20-foot front yard, with a 7-foot minimum side yard and 18-foot combined side yard). As discussed during the DRHPC meeting, there is an inconsistency in the Development Code. Table 3-3 indicates a 7-foot minimum and 18 feet total setback; whereas, Development Code Section 19.18.020.B states that second stories shall be set back an additional 10 feet from the front setback, and five feet on the sides and rear setbacks (see attached section of the Development Code). It has been the interpretation of the Planning Director to apply the requirements of Table 3-3 when identifying required setbacks. To avoid any future confusion, this inconsistency will be corrected through an amendment to the Development Code.

Shade Studies: The appellant and two other neighbors expressed concerns that the shade cast by the additional residence would impact the neighboring property to the north. To address this concern the property owner (Glenn Ikemoto) prepared a shade study. The result of the shade study indicated that during the summer months, all of the shade in the backyard property to the north is produced by the property's own 2-story building and existing 40 foot Colorado blue spruce tree. The appellant commissioned his own shade study that indicated that shade from the additional residence would impact the property to the north during the winter months.

Tree Issues: The appellant is concerned that the proposed additional residence could harm the health of an existing 40-foot tall Colorado blue spruce tree on the appellant's property. To address this concern, the property owner (Glenn Ikemoto) consulted with certified arborist John Meserve who provided two letters (see attached) indicating that the proposed additional residence would not have an adverse effect on the tree provided that certain tree protection measure were taken prior to and during construction. The appellant consulted with certified arborist James MacNair, who recommended in a letter (see attached) that the additional residence be relocated to a minimum 15-foot distance from the property line to avoid significant impacts to the tree. All of these materials were reviewed by the DRHPC as part of their consideration of the project.

Compatibility: In review of the project by the DRHPC, the issue of compatibility with surrounding properties was a significant consideration especially with respect to the property to the north (310-312 Second Street East). The DRHPC staff report (attached) noted that neighbors had expressed concerns regarding the compatibility of the project and the DRHPC had discretion to make changes to the proposal if it deemed necessary. Following the close of the public hearing, the DRHPC held an in depth discussion of the design review findings in relation to the project and issues of compatibility. Through this discussion, the Commission concluded that the proposal fit into its surroundings and related appropriately to adjoining development. The DRHPC discussed whether additional modifications should be required; specifically, should the additional residence building be relocated on the site plan. No commissioners felt further modifications were warranted; indeed, it was the opinion of all commissioners that the unique shape of the merged properties presented challenges with site design and the proposed location

for the additional residence was the best choice for this particular property. In addition, it was the opinion of the DRHPC that the shade cast upon the property to the north by the additional residence would be similar to the shade that is currently cast by the existing vegetation on the property to the north. Ultimately, the DRHPC voted 4 to 0 (with one commissioner recused do to proximity) to approve the project as submitted, contingent upon the merging of the two parcels prior to the submittal of any building permits.

Requested Action in the Appeal

The appellant is requesting that the City Council overrule the DRHPC's decision and require the applicant to revise site plans to comply with the appellant's interpretation of the Development Code requirements.

Recommendation

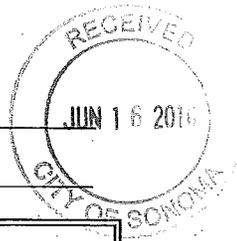
In accordance with standard practice, staff recommends that the City Council uphold the decision of the DRHPC. Based on Council direction, a resolution will be prepared implementing the City Council's decision, for adoption as a consent calendar item at the meeting of September 7, 2016.

City of Sonoma Appeal Application Form

For City Use

Date Received _____

By _____



- A copy of the rights of appeal and the City's appeal procedures may be found on the reverse of this form
- The fee to file an appeal must accompany this form
- Appeals must be filed with the **City Clerk** within **fifteen (15) calendar days** of the action
- Appeals must address issues raised or decisions made at previous hearings. Appeal hearings cannot be used as a forum to introduce new issues
- In order for your appeal to be valid this form must be filled out completely.

Feel free to attach additional sheets or supporting documentation as may be necessary.

APPELLANT INFORMATION: (Please Print)

Name: Ron Albert Name: _____

Address: 66 George Ln, Sausalito Address: _____

Phone: 415-332-5600 Phone: _____

I/We the undersigned do hereby appeal the decision of the:

- Planning Commission Design Review Commission
 City Planner or Department Staff Other: _____

Regarding: Glenn Ikemoto/Design Review
(Title of project or application)

Located at: 314-324 Second Street East
(Address)

Made on: May 31, 2016
(Date decision was made)

I/We hereby declare that I/We are eligible to file an appeal because:
(Refer to Section 19.84.30-A, Eligibility, on the reverse)

We are affected by the decision and appeared at the hearing.

The facts of the case and basis for the appeal are:

Please see attached pages.

I/We request that the Appeal Body take the following specific action(s):

Overrule decision of Design Review Commission and require applicant to revise plans to comply with Development Code.

Signed: R. Albert
Signature

6/15/16
Date

Signature

Date

Appeal of Design Review and Historic Preservation Commission decision for 314-324 Second Street East.

The facts of the case and basis for appeal are:

Appellants' object to the location of the proposed new guesthouse/garage parallel with the rear yard of Appellants' property at 310-312 Second Street East.

Section 19.54.080.G of the Development Code provides that the Design Review and Historic Preservation Commission can only approve an application if it can make all three of the "Basic Findings" and all four of the additional findings applicable to the historic overlay district. Four of these seven findings cannot reasonably be made with respect to the proposed guesthouse/garage.

1. We start with the third of the four additional findings applicable to this district, which reads: "The project substantially complies with the applicable guidelines set forth in Chapter 19.42 SMC (Historic Preservation and Infill in the Historic Zone)".

Section 19.42.050 contains guidelines for infill development. Section 19.42.050.B recites: "The single most important issue of new infill development is one of compatibility, especially when considering larger structures." The Section then provides explicit guidance as to how to achieve this compatibility.

"New development should continue the functional, on-site relationships of the surrounding neighborhood. For example, common patterns that should be continued are entries facing the public right-of-way, front porches, and garages/parking areas located at the rear of the parcel.

b. Front setbacks for new infill development should follow either of the following criteria:

i. Equal to the average front setback of all residences on both sides of the street within 100 feet of the property lines of the new project; or

ii. Equal to the average front setback of the two immediately adjoining structures on each side of the new project."

The proposed guesthouse/garage does not meet Chapter 19.42's specific guidelines for compatibility of front yard setbacks. Therefore, the finding cannot be made that "The project substantially complies with the applicable guidelines set forth in Chapter 19.42 SMC".

The City has prepared proposed Design Guidelines for the downtown district. Attached are five pages from Chapter 8 of the proposed Design Guidelines, which contain illustrations highlighting the undesirability of infill development similar to the proposed guesthouse/garage.

These pages are attached for the usefulness of the illustrations. Our Appeal does not rely on the Design Guidelines for the Downtown District. The proposed guesthouse/garage is already in irresolvable conflict with the guidelines in the existing ordinance applicable to this project.

2. In addition to the failure of this project substantially comply with Chapter 19.42, the project does not meet any of the three required Basic Findings. The first such finding is that: “The project complies with applicable policies and regulations, as set forth in this development code (except for approved variances and exceptions), other city ordinances, and the general plan”.

This finding cannot be made. In addition to the non-compliance with the specific guidelines in Chapter 19.42, the project does not satisfy the requirements of Section 19.54.080.G of the Development Code, which recites the purpose of Design and Architectural review. Those purposes include encouraging “the orderly and harmonious appearance of structures and property within the city . . .”, recognizing “the interdependence of land values and aesthetics” and ensuring “that new developments . . . do not have an adverse aesthetic impact upon existing adjoining properties, the natural environment, or the city in general”.

Even in the absence of the specific guidelines contained in Chapter 19.42, the location of the guesthouse/garage is in conflict with “the orderly and harmonious appearance of structures”. There is an existing, orderly and harmonious appearance of structures along Second Street East which would be violated by the placement of the guesthouse/garage. The proposed building is within the existing rear yard setback of the lot, and is completely out of order and harmony from all adjacent properties. The applicant’s proposed lot merger may cause the rear yard setback to disappear, but it does not resolve the violation of Section 19.54.080.G.

Placement of a building that is taller than our existing building along the length of our rear yard also creates a severe “adverse aesthetic impact” in violation of Section 19.54.080.G. The proposed location of the building will result in moderate to severe shading of our property for one-half of the year. The shading will impact vegetation and the viability of any solar installation. It will also impact the privacy and ambience of our property.

The applicants state that they have four 2-story buildings adjacent to their property, implying that this is simply a normal condition in the neighborhood. None of those buildings were built in violation of specific planning guidelines, as the applicants propose to do. None of the buildings have a severe shading impact on the applicant’s property similar to what they propose to impose on our property. The applicants include our 2 story building in their list. Our building is north of their property and has zero shade impact on their property year-round.

Finally, building a guesthouse/garage in this location will threaten an “adverse impact on the natural environment” by threatening a 40’ Colorado blue spruce tree on our property that is located 3 feet from the property line and 10 feet from the proposed building. At the Design Review hearing the applicant’s presentation included statements that the branches of this tree extended only 6 feet over the property line. The lower branches extend up to 8 feet over the property line and there is higher branch approximately 20 feet above ground that extends approximately 11 feet over the property line. Our arborist disagrees with the opinion of the applicant’s arborist, and insists that this proposed building is a threat to our tree.

3. The second required Basic Finding is that: “On balance, the project is consistent with the intent of applicable design guidelines set forth in this development code”.

This finding cannot be made. The project is not consistent with the intent and plain meaning of the design guidelines of Sections 19.42 and 19.54.080 of the Development Code, as stated above.

4. The third required Basic Finding is that: “The project responds appropriately to the context of adjacent development, as well as existing site conditions and environmental features”.

This finding cannot be made. The project does not respond appropriately to the context of adjacent development. Rather, it completely ignores the context of adjacent development. Placing a tall guesthouse/garage in the rear yard is contrary to the pattern of development on the street, would create severe shading of our rear yard and our building, violates planning guidelines and our privacy, and threatens the survival of our 40’ Colorado blue spruce.

5. The applicant’s current plans also fail to comply with Sonoma’s existing ordinances in three other respects:
 - a. Sonoma Development Code Section 19.18.020.B.1 requires that second stories be set back an additional five feet on a side setback. The applicant’s plans do not contain any additional setback for the second story.
 - b. Section 19.40.060 requires that setbacks be landscaped. The applicant’s plans propose placing gravel, not landscaping, in the setback between the proposed guesthouse/garage and property line.
 - c. Section 19.40.110 prohibits the use of side setbacks for storage of garbage. The applicant’s plans indicate that they will use the setback between the proposed guesthouse/garage and property line for storage of garbage.

Sonoma’s existing ordinances require that the proposed guesthouse/garage be relocated, or that the project otherwise be redesigned so that it complies with the Sonoma Development Code, including Sections 19.42 and 19.54.080.

We will be out of the country from July 1, 2016 through August 7, 2016, and request that the hearing on this appeal not occur during our absence.

Respectfully submitted,

Ron Albert

8. Guidelines for Site Design and Alterations

The guidelines in this chapter address overall landscape patterns found within the Downtown Planning District. These guidelines outline appropriate design responses for new and altered building setbacks, front yards, landscaping, and parking. The Downtown Planning District contains a varied streetscape and landscape that ranges from the dense commercial square centered on Sonoma Plaza to more spacious residential streets. The Downtown Planning District has a flat topography and wide streets that are conducive to both pedestrian and automobile traffic. Sensitive site design will enhance the experience of both residents and visitors in Sonoma.

8.1 Setbacks

Building setbacks determine the overall rhythm and visual continuity of a street. Commercial buildings, primarily in Sub-Area 1, create a strong street wall because they are mostly built to the front lot line. A deeper setback characterizes properties in Sub-Areas 2 and 3. New construction should support the broader visual character of the neighborhood. This can be accomplished by siting new buildings on their lots to reflect the historic development pattern and general streetscape. New buildings should not interrupt the overall cadence of the block.

8.1.1 Maintain a consistent block face and avoid altering building setbacks from the street.

- Most commercial buildings in downtown Sonoma, particularly in Sub-Area 1, are aligned at the sidewalk edge. In order to



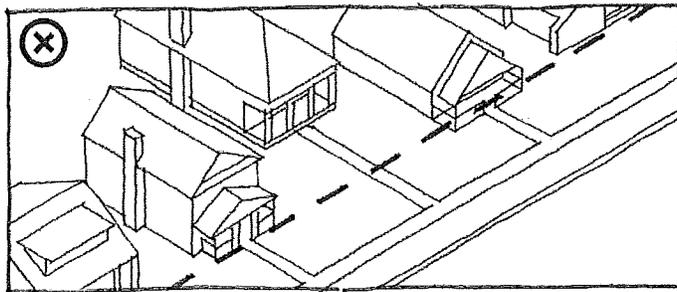
A consistent setback on this residential street maintains the visual quality of the neighborhood.

preserve a pedestrian-friendly environment, avoid altering setbacks from the lot line.

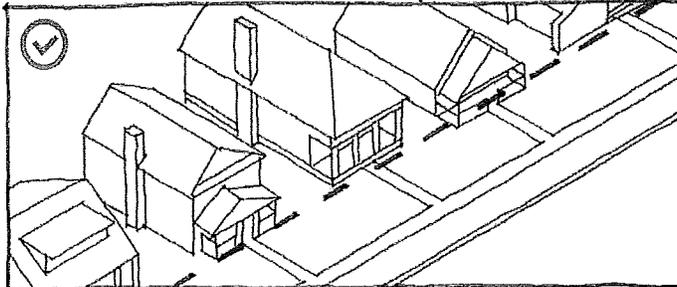
- Residential properties within Sub-Areas 2 and 3 are generally setback from the street. The established pattern of the block face should determine the appropriate setback.

8.1.2 New buildings should respect and maintain the established setbacks of neighboring residences for both residential and commercial infill.

- Reference the surrounding properties to determine an appropriate setback. Consistent setbacks create a pleasant and unified block face. In Sub-Area 1, no setback is often appropriate and most buildings are located at the front of the lots. In Sub-Areas 2 and 3, more blocks feature a setback from the street, usually enhanced with front yard landscaping.
- Within Sub-Area 1, the historic pattern of setbacks is preferred. Within Sub-Areas 2 and 3, new development can average the setbacks of the existing buildings on either side of the new property or average the front setbacks of both sides of street around the project.
- New residential buildings should not be built at the front lot line. Utilize landscaping and a front yard to transition from the street to private space.



The new building is set too far back from the established set back of the block, interrupting the visual unity of the street.



New construction is set back according to the established pattern of the block.

8.2 Landscape Design and Front Yards

Street landscaping is an important feature that ties together the built environment in the Downtown Planning District. The treatment of front yards also impacts the character of most residential development in downtown Sonoma. Front yards create the public-private transition between the street and residences and provide opportunities for landscape to soften the transition and provide shade and green space.

8.2.1 Maintain or create a front yard for residential development to reinforce a consistent setback along the street.

- The width and depth of the yards differ from block to block, but should be consistent along any given block face.
- Avoid fully paving front yard areas. Consider alternative options that include semi-permeable materials or arrangements, which provide environmental and aesthetic benefits.
- Consider the use of drought-resistant

plantings that convey a lush character. An expanse of gravel or mulch should not be a noticeable feature of a yard.

- Attempt to maintain mature trees where they occur in private yards, unless proven to be unhealthy, as they contribute to downtown Sonoma's overall tree canopy.

8.2.2 Avoid impacting views and streetscapes with landscape features that are overly large or out of scale with the neighborhood.

8.2.3 Consider new landscape features to screen inappropriate or out-of-scale conditions when existing buildings cannot be altered.

8.3 Off-Street Parking

Parking is often required through zoning regulations and is a necessary element of the downtown area to allow for visitor and customer access. Parking requirements should not impact the historic character of the area, particularly in Sub-Area 1, or a consistent pedestrian-oriented streetscape. Paving is often viewed as a functional circulation feature, but it may affect a property's landscape character and relationship between building and street. Parking can be accommodated in surface parking lots as well as separate, accessory structures. The following guidelines apply to both residential and commercial buildings. Commercial properties in Sonoma tend to utilize surface lots while detached garages are more commonly, though not exclusively, found at residential properties.

8.3.1 Off-street parking areas should not visually overwhelm the existing building or adjacent buildings.

- Avoid placing off-street parking areas at the front of a building. When parking is required on the lot, locate parking at the rear of the building.
- If site conditions or siting of the original building prevents necessary parking from being placed at the rear of the lot, parking may be located at the side of the building. In these cases, install vegetative screening to maintain a consistent visual streetscape.
- If site conditions or siting of the original building necessitate the placement of parking in the front of the lot, minimize the number of parking spaces, use screening methods, or consider decorative paving treatments.



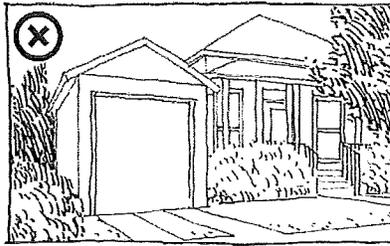
Off-street parking should not be placed at the front of the lot. Prioritize the building and streetscape over parking areas.

8.3.2 The location, size, and materials of a driveway should be carefully selected in order to preserve the broader visual patterns of the neighborhood.

- Driveways that provide access to rear parking should be as narrow as possible. It is important that both the driveway and the parking area are subordinate in scale to the main building and its site area.
- Consider driveway materials and configurations that respect the residential scale of the neighborhood. decrease surface runoff and minimize visual impact. Ribbon driveways (two strips of paving), permeable brick paving patterns, and turf blocks are all effective options.

8.3.3 Avoid prioritizing the parking entrance over the primary entrance to the residence.

- Parking should be accommodated at the rear of a building, ideally within a detached garage or covered structure that is designed to be compatible with the main building. Attached garages should be located where there is minimal visual impact to the building's primary facade.
- Certain site conditions may result in limited options for constructing a detached parking structure on a lot. In such cases, the design and placement of the garage should aim to minimize the visual impact from the street as much as possible.
- Avoid designing garages or parking structures flush with or forward of the primary facade of a building.



The garage is forward of the main building and the primary entrance. The garage interrupts the established setbacks and distracts from the main building.



The detached garage is set back from the street and semi-permeable materials coordinate with the streetscape and landscaping.

**CITY OF SONOMA
DESIGN REVIEW AND HISTORIC PRESERVATION COMMISSION
SPECIAL MEETING
May 31, 2016
Community Meeting Room, 177 First Street West, Sonoma, CA
MINUTES**

Chair Randolph called the meeting to order at 6:30 p.m.

Present: Chair Randolph, Comms. Johnson, Essert, Barnett, Cory (Alternate)

Absent: Comm. Tippell

Others Present: Associate Planner Atkins, Administrative Assistant Morris

Chair Randolph stated that no new items would be heard after 10:30 p.m. unless the Design Review and Historic Preservation Commission so decides. Any decisions made tonight can be appealed within 15 days to the City Council. She reminded everyone to turn off cell phones and pagers.

COMMENTS FROM THE PUBLIC: No public comments.

CORRESPONDENCE: Late mail was received on Item #2 from Mary Martinez and Item #4 from Glenn Ikemoto, Ron Alpert, MacNair & Associates, and Horticulture Associates.

APPROVAL OF MINUTES: Comm. Barnett made a motion to approve the minutes of June 16, 2015 as submitted and May 17, 2016 with changes noted. Comm. Essert seconded. The motion carried unanimously (5-0).

Item 1- Consideration of design review for two commercial buildings at 19366 and 19370 Sonoma Highway.

Applicant: Studio 101 Designs

Associate Planner Atkins presented the staff report.

Comm. Barnett confirmed with staff that the use permit is active since building permits had been issued for the residential units in the Planned Unit Development.

Steven Mosley, Studio 101 Designs, said the changes will modernize the building.

Chair Randolph opened the item to public comment.

Joan Jennings, resident Villa de Lunas, viewed the proposal for the mixed use parcel as not conforming with the Development Code and General Plan in regards to size and compatibility. She said the "transition between residential and commercial" is not cohesive with the neighboring uses. She urged the Commission to reevaluate the area and oppose the proposal.

Nick Dolata, neighbor, concurred with Joan Jennings' comments and considered it a "piece meal" development. He encouraged the Commission to deny the application.

Jack Ding, resident, is primarily concerned with parking. He supported the use of City funds to develop affordable housing.

Brian Rowlands, neighbor, is concerned with parking and the location for garbage bins. He requested that the developer fix the gate.

Steve Jennings, neighbor, wants the landscape plan revised to ensure an adequate buffer between the homes and commercial buildings since the Planning Commission had requested harmonizing uses. The neighbors are disappointed that there has been no contact with Kibbey Road, LLC. He felt the townhome residents are absent of consideration.

Chair Randolph closed the item to public comment.

Comm. Barnett questioned if the design fits into the area along Highway 12. He evaluated the proposal within the context of the approved master plan.

Comm. Essert preferred a wood guard rail welded with wire mesh that conformed with the regional architecture in the wine country.

The applicant has not developed a landscape plan but the bio swale retention will be included in the landscape plan.

Comm. Essert asked the applicant if underground parking was considered.

The applicant responded that it was an option but cost prohibited.

Comm. Johnson asked about proposed changes from the original plan.

Chair Randolph confirmed with staff the parameters under review.

Associate Planner Atkins said the DRHPC is limited to elevation details, colors and materials, landscaping, lighting, and site details.

Comm. Essert confirmed with staff that the DRHPC approved a landscape plan on April 18, 2006.

Chair Randolph reopened the item to public comment.

Joan Jennings said it is problematic to approve a "piece meal" development and she is not satisfied with the communications with the developer and felt they should be more flexible.

Jack Ding, neighbor, is disappointed that more consideration is not made for the residents.

Christine Rowlands, resident, is very concerned with traffic flow (i.e. ingress/egress into the project).

Chair Randolph closed the item to public comment.

Comm. Johnson struggled with the overall design.

Comm. Barnett noted two primary concerns; 1) project aesthetics 2) unable to make the finding that the project responds appropriately to the context of the adjacent development, as well as existing site conditions and environmental features.

Comm. Essert agreed with Comm. Barnett and recommended more collaboration with the neighbors regarding parking concerns.

Comm. Cory visited the project site and recognized the views expressed by the residents.

Chair Randolph appreciated the public comments and noted that it is customary for commissioners to read the entire packets before considering the merits of a project.

Comm. Essert viewed parking as a tradeoff between underground or between the residential and commercial buildings.

Comm. Barnett made a motion to consider the meeting a study session and encouraged the developer to attend the next meeting, make a good faith effort to work with the neighborhood to come up with a revised development solution, return with a full landscape plan that addresses buffering with the existing development, highway frontage, and Lyon Street frontage, and strongly encourage repairs be made to the gate. The motion carried unanimously (5-0).

Item 2- Demolition review demolition of a single family residence well and pump house and two sheds at 1181 Broadway.

Applicant: Scott and Claudia Murray

Associate Planner Atkins presented the staff report.

Comm. Essert questioned why the narrative stated it was not historically significant.

Chair Randolph opened the item to public comment.

Scott Murray, Valley resident/property owner, said the existing structure had no redeeming value and he was granted a demolition permit 10 years ago. He is meeting a City goal of building more affordable housing units.

Mary Martinez, resident, is concerned with infill projects located on the Broadway corridor.

Chair Randolph closed the item to public comment.

Comm. Barnett suggested that the applicant submit a historical evaluation.

Comms Essert and Johnson agreed that a report would be helpful.

Comm. Cory stated he had discussed the plan with Mr. Murray and is satisfied.

Chair Randolph reopened the item to public comment.

Scott Murray said the plans are the same and did not hire a consultant to prepare a historic report because of the cost.

Chair Randolph closed the item to public comment.

Comm. Essert made a motion to request the applicant return with a Historic Resource Evaluation. Comm. Johnson seconded. The motion carried unanimously (5-0).

Item 3- Demolition Review of a single family residence at 324 Second Street East.

Applicant: Glenn Ikemoto

Comm. Johnson recused and left the room.

Associate Planner Atkins presented the staff report.

Glenn Ikemoto, applicant, was available to answer questions.

Chair Randolph opened the item to public comment.

No public comment.

Chair Randolph closed the item to public comment.

Comm. Barnett complimented the applicant on submitting a Historic Resource Evaluation.

Comms. Essert, Cory and Chair Randolph agreed with Comm. Barnett's comments and supported the demolition.

Comm. Barnett made a motion to approve the Demolition Permit project as submitted. Comm. Essert seconded. The motion carried unanimously (4-0) (Comm. Johnson recused).

Item # 4 Design Review- Consideration of site design and architectural review of a new single-family residence, and accessory structures at 314-324 Second Street East.

Applicant: Glenn Ikemoto

Associate Planner Atkins presented the staff report. Comm. Barnett confirmed with staff that the setbacks conformed with City standards and it was staff's opinion that the findings could be made.

Comm. Essert questioned the exterior lighting plan. He confirmed with staff that the proposal is contingent upon merging the two lots together.

Chair Randolph opened the item to public comment.

Glenn Ikemeto, applicant, introduced the project team Ira Kurlander, Architect, Penny McGrain, project designer and thanked staff. His goal is to accommodate his extended family and preserve the "rural setting" as much as possible. He felt he addressed the neighbors' concerns by providing a shade study and arborist report.

Claudia Ranniker, neighbor, valued her gardening and outdoor living space. She requested that five trees be removed.

Ira Kurlander, project architect, presented the sample board to illustrate the building and design materials. He said the "T" shape of the parcel was an anomaly. He said the top of the residence will peek over the garage and olive trees will be situated in the center of the property.

Penny McGrain, project designer, held the parcel in the highest regard and envisioned a non-evasive integration into the neighborhood. She said the olive grove will be an enhancement to the streetscape.

Comm. Barnett clarified that the olive trees planted will be over 150 years old.

Mr. Ikemeto claimed that shade will not negatively impact the neighbor's along the northern property line.

Ron Albert, adjoining property owner/landlord, did not oppose the uses proposed but his main concern is with the guest house, which is a two-story building at the rear of his property. He applauded the applicant's efforts (i.e., preserving the view to the north and the plantings of olive trees). He said that Claudia and Roger Ranniker are good neighbors. He said he received an email sent by Rob Gjestland where the roof height is 26 feet. He is concerned with privacy, the health of the tree on his property, and the environment for the tenants. He felt the shade study did not validate the applicant's contention that both arborists' report were the same. He is of the opinion that the proposal is not harmonious with the adjoining neighbors.

Claudia Ranniker, neighbor, felt encroached upon by the intensification of uses proposed especially the landscaping, which would limit her freedom. She felt constrained by the proposal and suggested a sense of "entitlement" by the applicant.

Comm. Essert asked Claudia Ranniker if she had a solution/remedy to improve the situation and she replied in the negative.

Comm. Barnett appreciated her comments and confirmed that by cutting down trees it provided more sunlight for her fruits and vegetables. He stated that the property owner is well below the development potential for the site which is 11 units per acre.

Comm. Cory is of the opinion that it would be ideal to remove the Italian cypress tree.

Molly Rolig, tenant, downstairs unit (310 Second St. East) is concerned with the solid front wall of the structure compromising her privacy and sunlight.

Penny McGain, project designer, believed the shade line is improved with the proposal.

Chair Randolph closed the item to public comment.

Comm. Cory felt the shade issue is not enough of a reason to deny the application.

Comm. Essert appreciated the team building, neighbor dialogue, positioning of the guest house and overall site design.

Comm. Barnett appreciated the complete submittal. He thought that the applicant made "good faith efforts" with the adjoining property owners. He acknowledged the conflicting arborist reports and is satisfied with the shade studies. His main concern was the positioning of the guest house.

Chair Randolph was impressed with the project and level of creativity for the space. She understands the concerns over the location of the guest house and is confident that the tree will be protected. She is not convinced that relocating the guest house will be a vast improvement for the shading issues raised.

Comm. Essert made a motion to approve the project as submitted. Comm. Barnett seconded. The motion carried unanimously. (4-0) (Comm. Johnson recused) (The approval is contingent upon merging the two lots together prior to the submittal of any building permits).

Issues Update: Associate Planner Atkins reported the following

A draft of the Downtown Design Guidelines will be reviewed at the June 21st meeting.

Comments from the Commission: Comm. Essert asked that the use of story poles be placed as a future agenda item. He said the microphone volume at the dais had improved.

Adjournment: Chair Randolph made a motion to adjourn at 10:50 p.m. to the next regular meeting scheduled for 6:30 p.m. on Tuesday, June 21, 2016. The motion carried unanimously.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Design Review and Historic Preservation Commission on the 19th day of July.

Approved:

Cristina Morris, Administrative Assistant



City of Sonoma
***Design Review and Historic
Preservation Commission***
Agenda Item Summary

DRHPC Agenda Item: 4

Meeting Date: 05/31/16

Applicant Glenn Ikemoto	Project Location 314-325 Second Street East
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Historical Significance

- Listed on National Register of Historic Places, including Sonoma Plaza district (Significant)
 - Listed on California Register of Historic Resources (Significant)
 - Listed within Local Historic Resources Survey (Potentially Significant)
 - Over 50 years old (Potentially Significant)
- Year Built: 1995

Request

Consideration of site design and architectural review of a new single-family residence, additional residence, and accessory structures located at 314-324 Second Street East.

Summary

Background: On March 10, 2016, the Planning Commission considered and approved a Use Permit to convert part of an existing detached garage and workshop into guestrooms/residential use (see attached approval letter and conditions of approval).

Site Characteristics: The project site is comprised of two adjoining parcels on the east side of Second Street East just south of the bike path (the parcels would be merged to accommodate the overall development plan). The parcel fronting Second Street East has an area of ±7,361 square feet and is largely paved over. The larger interior parcel has an area of ±28,700 square feet and is developed with a residence, swimming pool, and a detached garage/workshop. Numerous trees are located on the site, including a large oak and rows of Italian cypresses.

Project Description: The overall development plan for the site involves a number of elements including:

1. Demolition of the existing residence (constructed in 1955 per Assessor's records).
2. Construction of a one-story replacement residence with covered porch and patio.
3. Partial conversion of an existing ±1,900-square foot detached garage and workshop into guestrooms/residential use (the structure would be linked to the main residence by a covered breezeway).
4. Construction of an additional residence (over garage) in the front/vacant portion of the site.
5. Construction of various detached accessory structures including a new swimming pool, pool house, gym, and pump house with arbor.
6. Access and landscaping improvements throughout.
7. Merging the two parcels into a single lot.

In general, the intent of the overall project is to create a residential complex for use by the owners and their family. Further details can be found in the attached project narrative and accompanying material.

It is the responsibility of the DRHPC to review and act upon the project site plan, building massing, building elevations, elevation details, exterior materials, landscaping (including fences and walls), lighting, and site details. All proposed building/site improvements will be subject to this review, including the new pool house and exterior renovation of the existing accessory building.

Building Elevations & Exterior Materials:

Guest House and Garage: A new two-story two-bedroom guest house (additional residence) is proposed on the western portion of the property (near Second Street East). Proposed exterior materials consist of a stucco base with board and batten siding above and a raised seam metal roof with matching gutter (see attached manufacturer specification sheet). The garage doors are proposed to be a four section fold-up type, faced in smooth plywood with V groove vertical joints (the spacing will approximate that of 1x4 boards), and painted with a low gloss finish (darker than the board and batten walls). The proposed front door and the pair of ground level storage space doors will be faced with 1x4 vertical boards with V groove joints. The

applicant is proposing Casement windows throughout (see attached specification sheets). Staff would note that this unit is considered an additional residence (not a second unit) and the density requirements allow for the construction of two single-family residences on the property.

Garage and Bedroom Wing: The existing detached garage and workshop will be converted into a two-story two-bedroom garage and bedroom wing. Proposed exterior materials consist of a stucco base with board and batten siding above and a raised seam metal roof with matching gutter (see attached manufacturer specification sheet). The garage doors and entry doors will consist of painted wood. The applicant is proposing Casement windows throughout (see attached specification sheets). The Planning Commission approved a Use Permit to allow the conversion of part of an existing detached garage and workshop into guestrooms/residential use (including a second story element).

Main Residence: A new one-story main residence is proposed in the middle of the property. The main residence and the guest house and garage are proposed to be linked by a covered breezeway. Proposed exterior materials consist of a stucco material and a raised seam metal roof with matching gutter (see attached manufacturer specification sheet). Loewen narrow style terrace doors are proposed on the east, west, north, and south elevations (see attached manufacturer specification sheet). Casement style windows are proposed throughout the building with double hung windows in the kitchen and the den.

Pool House: A new pool house is proposed in the northwest corner of the property. Proposed exterior materials consist of a stucco material featuring plywood and batten barn doors on the east elevation. The proposed roofing materials consist of a Universal protective coating, CS-401 Polyurethane Elastomeric Traffic Topping-Deck 70 material and the color coat will be a light grey to closely match the color of the raised seam metal roofing material (see attached manufacture specification sheet).

Pump House: A new pump house is proposed in the northeast corner of the property. Proposed exterior materials consist of a dark green metal siding. The proposed roofing materials consist of a Universal protective coating, CS-401 Polyurethane Elastomeric Traffic Topping-Deck 70 material and the color coat will be a light grey to closely match the color of the raised seam metal roofing material (see attached manufacture specification sheet).

Gym: A new gym building is proposed south of the pump house on the eastern portion of the property. Proposed exterior materials consist of a dark green metal siding. The proposed roofing materials consist of a Universal protective coating, CS-401 Polyurethane Elastomeric Traffic Topping-Deck 70 material and the color coat will be a light grey to closely match the color of the raised seam metal roofing material (see attached manufacture specification sheet).

Exterior Lighting: A number of light fixtures are proposed within the project, including the following: A) 27 each FX Luminaire LED path lights; B) 8 each FX Luminaire LED well lights; C) 44 each FX Luminaire LED uplights; and, D) 4 each FX Luminaire LED step lights. Fixture locations and details are indicated on the Landscape Plants L1.3 drawing.

Fencing: The Landscape Details plan L2.1 (attached) indicates that six-foot tall, wooden fencing would be installed along the south and east boundaries of the project. In addition, four-foot tall, board form concrete wall is proposed to the north of the pool.

Required Findings: As set forth in §19.54.080.G of the Development Code, in order to approve an application for site design and architectural review in the Historic Overlay Zone, the Design Review and Historic Preservation Commission must make the following findings:

1. *The project complies with applicable policies and regulations, as set forth in this Development Code (except for approved Variances and Exceptions), other City ordinances, and the General Plan.*

The project complies with the applicable policies and regulations set forth in the Development Code. It meets all relevant requirements associated with residential development in the Medium Density Residential zone, including limits on height, setbacks, Floor Area Ratio, and lot coverage.

2. *On balance, the project is consistent with the intent of applicable design guidelines set forth in the Development Code.*

With regard to the guest house and garage building, by placing it so that the most narrow dimension of the structure is parallel to the most narrow dimension of the parcel, it is consistent with the intent of design guidelines for the northeast planning area.

3. *The project responds appropriately to the context of adjacent development, as well as existing site conditions and environmental features.*

The project proposes residential and accessory structures, which are compatible with adjacent development and

consistent with height and setback requirements.

4. *The project will not impair the historic character of its surroundings.*
The existing garage and bedroom wing is not over 50 years old; indeed, it was constructed 21 years ago.
5. *The project substantially preserves the qualities of any significant historic structures or other significant historic features on the site.*
Staff is not aware of any significant historic features on the site.
6. *The project substantially complies with the applicable guidelines set forth in Chapter 19.42 SMC (Historic Preservation and Infill in the Historic Zone).*
In staff's view, the project complies with SMC 19.42 in that the project is consistent with the Guidelines for infill development in that the project meets the setback requirements and architectural considerations.
7. *The project substantially complies with any applicable preservation plan or other guidelines or requirements pertaining to a local historic district as designated through SMC 19.42.020.*
The project is not located within a local historic district.
8. *The project substantially complies with the applicable Secretary of Interior Standards and Guidelines for the Treatment of Historic Properties.*
The project is not subject to the Secretary of Interior Standards or Guidelines

Landscape Plan: Landscape plans have been provided (Sheets L1, L1.1, L1.2, L1.3, L2, and 2.1) including a comprehensive tree list.

Tree Plantings: The landscape plan indicates that 89 trees would be planted on the site (7 each 60", 15 each 48", 41 each 36", and 26 each 24" box size).

Water Budget Calculations: In compliance with the Water Efficient Landscape Ordinance, Hydrozone and Maximum Applied Water Allowance (MAWA) forms have been provided. Calculations on the MAWA form indicate that the project would use 153,506 gallons or 56% of the annual water allowance of 272,914 gallons.

Discussion of Project Issues: The owner of the duplex to the north, Ron Albert, has expressed concern about the positioning of the front unit adjacent to the rear yard of the duplex. The other adjoining neighbor to the north, Claudia Rannikar, has expressed concern about existing and proposed screening trees/vegetation along the common property boundary in terms of shading her garden. The DRHPC may discuss these issue and make changes to the proposal if it deems necessary.

Any approvals that the DRHPC may consider shall be contingent upon merging the two lots together prior to the submittal of any building permits.

Commission Discussion

Design Review and Historic Preservation Commission Action

Approved Disapproved Referred to: _____ Continued to: _____

Roll Call Vote: _____ Aye _____ Nay _____ Abstain _____ Absent

DRHPC Conditions or Modifications

Attachments:

1. Owner's Narrative
2. Architect's Narrative
3. Project narrative—Landscape
4. Neighbor's Concerns
5. Shade Study
6. Tree Protection Measures
7. Roofing Information
8. Letter from Ira Kurlander
9. Tree Preservation and Mitigation Report
10. Window and Door Information
11. Planning Commission Approval Letter and Conditions of Approval
12. Water Efficient Landscape Worksheets
13. Email from Ira Kurlander Regarding Building heights
14. Correspondence
15. Drawings

cc: Glen Ikemoto
324 Second Street East
Sonoma, CA 95476

Magrane Associates
746 Broadway
Sonoma, CA 95476

Claudia Ranniker
300 Second Street East
Sonoma, CA 95476

Eileen Armstrong
312 Second Street East
Sonoma, CA 95476

Ronald Albert, via email

Molly Rolig, via email

Patricia Cullinan, via email

Alice Duffee, via email

SLPH Historic Survey, via email

Mary Martinez, via will call at City Hall

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Ikemoto Use Permit for Guestrooms
314 and 324 Second Street East

March 10, 2016

1. The existing accessory building shall be converted and used in conformance with the project narrative, and approved floor plan and elevation concepts (Sheets 8 dated 12/2/15 and Sheet 9 dated 11/4/15).

Enforcement Responsibility: Planning Department; Building Department
Timing: Prior to issuance of a building permit; Prior to final occupancy

2. The overall infill project shall be subject to site design and architectural review by the DRHPC as normally required. The DRHPC shall be responsible for reviewing and acting upon the project site plan, building massing, building elevations, elevation details, exterior colors and materials, landscaping (including fences and walls), lighting, and site details. All proposed building/site improvements shall be subject to this review.

Enforcement Responsibility: Planning Department; DRHPC
Timing: Prior to the issuance of a building permit

3. All Building Department requirements shall be met, including Building Code requirements related to compliance with CALGreen standards. A building permit shall be required.

Enforcement Responsibility: Building Department
Timing: Prior to construction

4. All Fire Department requirements shall be met, including the provision of fire sprinklers if necessary.

Enforcement Responsibility: Fire Department; Building Department
Timing: Prior to issuance of a building permit; Prior to final occupancy

5. The following agencies must be contacted by the applicant to determine permit or other regulatory requirements of the agency prior to issuance of a building permit, including the payment of applicable fees:

- a. Sonoma County PRMD, Engineering Division [For sewer connections and modifications and interceptor requirements];
- a. Sonoma Valley Unified School District [For school impact fees]

Enforcement Responsibility: Building Department
Timing: Prior to issuance of a building permit

6. A sewer clearance shall be provided to the City of Sonoma Building Division verifying that all applicable sanitary sewer fees have been paid prior to the issuance of a building permit for the new pool house and the exterior renovation of the existing accessory building. **Note: Substantial fees may apply for new sewer connections and/or the use of additional ESDs from an existing sewer connection. The applicant is encouraged to check with the Sonoma County PRMD, Engineering Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Building Department
Timing: Prior to the issuance of a building permit

7. The Applicant shall pay any required increased water fees applicable to the new uses and changes in use in accordance with the latest adopted rate schedule.

Enforcement Responsibility: Public Works Dept.; Water Operations Supervisor; City Engineer
Timing: Prior to finaling any building permit



Consulting Engineers, Inc. 1015 California Street
San Francisco, CA 94109

May 31, 2016

Penny Magrane
Magrane Associates
225 Hoffman Avenue
San Francisco, CA 94114

Re: 324 Second Street East in Sonoma; preservation of Tree #2

Penny,

I am responding to concerns from the neighbor at 310-312 Second Street East regarding protection of the Spruce located on their property, but overhanging 324 Second Street East where new construction is being proposed. The following information is provided regarding preservation of this tree:

1. I prepared a letter outlining specific protection measures for this tree on March 25, 2016, and believe they will very effectively preserve the health and integrity of the subject tree. A copy of that letter is attached. Protection measures identified are standard in the industry and cover protective fencing, protective chipped bark mulch layer over the root zone to minimize compaction, restrictions on the use of equipment within the dripline, restrictions on any form of underground work within the dripline, and limitations on changes in existing grade.
2. There are many guidelines available for use in protecting trees when construction is to occur in a nearby location. The most common area of protection is the dripline, or the area beneath the canopy. This is where a majority of roots are located, and if these roots can be protected, a healthy tree will survive very well. There are roots beyond the edge of the dripline, and these are of less concern than the concentrated roots beneath the canopy.
3. The dripline designation is one that most lay persons are familiar with, and certainly most Planning Commissioners and City Council members who have worked in approving construction projects. It is the standard of the industry.

4. This tree does not have a conical or narrow crown, or other characteristics that are unusual or distort the dripline area. This can be easily observed in the field.

5. A protected area of 10 feet between the face of this trunk and the building foundation is larger than the dripline, and the pier and grade beam foundation will protect a far greater area than the actual dripline. This protected area will very effectively preserve this tree.

6. This project has carefully reviewed the location of the proposed adjacent structure and taken the subject tree into consideration. The following facts illustrate protection of this tree:

- The foundation will be outside the canopy dripline.
- The foundation of the nearby structure will be a pier and grade beam type design in the area of the dripline, and this design will further minimize any impact on existing roots outside the dripline area.
- Pier and grade beam design eliminates the trenching associated with the more traditional perimeter foundation, and therefore eliminates the cutting of roots.
- No underground work of any kind will occur within the dripline. This includes drainage, utilities, irrigation, and lighting.
- No significant pruning is planned or necessary for the tree.
- Any conflict between existing limbs and temporary scaffolding will be addressed by temporarily tying back limbs to pull them out of the construction zone. After scaffold use is concluded the limbs will be untied and returned to their natural position.
- Existing asphalt paving and base material beneath and near the dripline will be removed allowing existing roots to respire more efficiently. This action alone will actually improve tree health and metabolic function.
- Existing compacted soil beneath the asphalt paving will be scarified and the soil environment will be improved.
- A mineral mulch material will be placed over the soil surface between the structure and the fence that will effectively protect roots over the long term.

7. As an example of impacts that can be tolerated well by conifers, it is not uncommon to transplant a desirable tree of this species from one location to another. This

transplant process would typically eliminate a majority of the root system when the tree is dug, and would only preserve a 6 to 8 foot diameter root ball, or a 3 to 4 foot radius on each side. This would amount to removal of roughly 80% of the entire root system. These transplanted trees have virtually a 100% survival rate. By comparison, this project may impact a small portion of the root system on one side, outside the dripline, and only on one side. The balance of the root system will be left untouched.

8. The owners of 324 Second Street East have a legal right to cut off limbs at the property line and to cut off roots below the soil at the property line, at their discretion, and this can be verified by a land use attorney if in question. They have no intention of taking these actions out of respect for the tree and their neighbors, and are making every effort to protect this tree while improving their property.

9. This project has taken into consideration the long term health and integrity of this tree in both its design and through preparation of specific tree protection measures. The measures being taken are expected to effectively protect this tree. While there may be some minor impacts that occur, they are expected to be tolerated well by this healthy and vital tree.

Please feel free to contact me if you have questions, or if further discussion would be helpful.

Regards,



John C. Meserve
Consulting Arborist and Horticulturist
Member, American Society of Consulting Arborists
ISA Certified Arborist, WE #0478A
ISA Tree Risk Assessment Qualified



March 25, 2016

Penny Magrane
Magrane Associates
225 Hoffman Avenue
San Francisco, CA 94114

Re: 324 Second Street East in Sonoma; protection measures for Tree #2

Penny,

I reviewed the development plans for the area next to off-site tree #2 and believe that the impacts of all proposed developments will be very minimal. The dripline of this tree does extend over the property line near the garage/guest house, but root system impacts will be very minor only where the foundation of the structure intrudes at the very edge. The gravel that will be placed over the soil surface between the rear of the garage/guest house is a suitable long term treatment that will serve as a mulch protecting any roots that might be present there. Based on the proposed design this tree will survive very well if protected during construction in the following ways:

1. Temporary protective fencing must be in place prior to the start of construction and must remain in place until the final gravel treatment is put into place.
2. Fencing location must protect a majority of the illustrated dripline area while still allowing construction activities to occur. I recommend that it be placed 4 feet from the edge of the foundation and extend the full distance of the dripline that is shown.
3. In the area between the temporary fence and the foundation where construction traffic will be necessary a 6 inch layer of chipped bark mulch must be placed over the soil surface to prevent soil compaction. This mulch layer must remain in place until construction is completed and gravel is ready for placement. Chipped bark mulch will act as a shock absorber to prevent foot traffic from causing soil compaction.
4. No wheeled equipment shall be used in any area of dripline, fenced or otherwise.

5. Any pruning that might be necessary to provide clearance should be conducted by, or under the supervision of, an arborist certified by the International Society of Arboriculture. This condition ensures that cuts are properly made in correct locations, and ensures that tree integrity is maintained.
6. The gravel that is specified as the final surface treatment behind the garage/guest house should be placed over a geotextile fabric which is placed over the existing grade. This will help carry all future loads and prevent the gravel from becoming embedded in the soil beneath.
7. No trenching of any kind for any purpose may occur in the dripline area. Route trenches in other locations.
8. Final grade in the dripline area must be within ± 4 inches of what is now present to maintain root system integrity

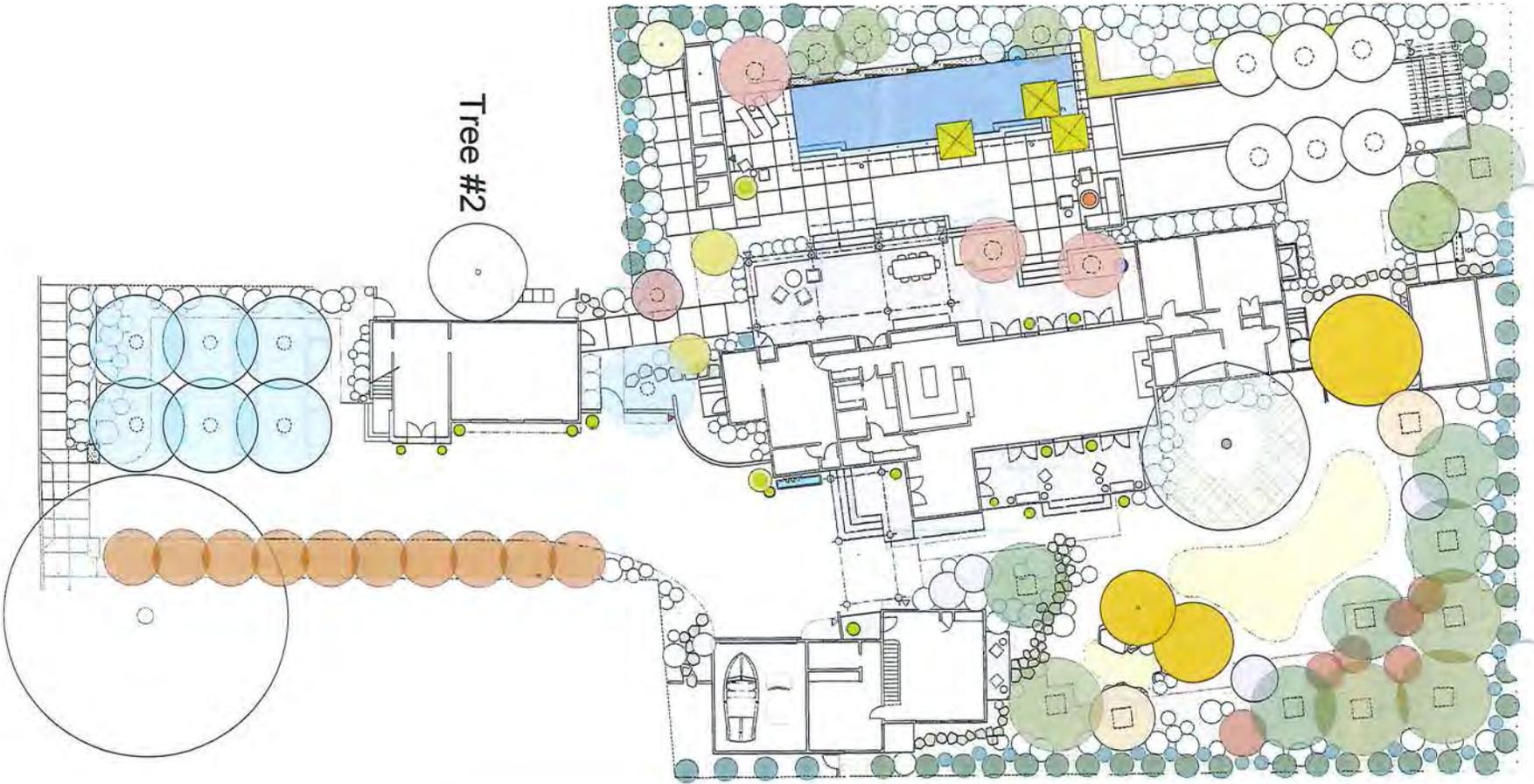
Please feel free to contact me if you have questions about these specifications, or if further discussion would be helpful.

Regards,


John C. Meserve
Consulting Arborist and Horticulturist
Member, American Society of Consulting Arborists
ISA Certified Arborist, WE #0478A
ISA Tree Risk Assessment Qualified



Enc: Tree location Plan

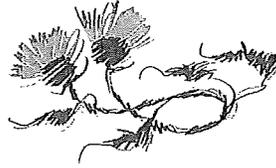


Tree #2

 MAGRANE ASSOCIATES LANDSCAPE DESIGN WWW.MAGRANE.COM LIC. #437488	SAN FRANCISCO PO BOX 40549 SAN FRANCISCO, CALIFORNIA 94140 TEL. 415.821.0233 FAX. 415.821.7438	SONOMA 746 BROADWAY SONOMA, CALIFORNIA 95476 TEL. 707.935.7309 FAX. 707.935.6390	IKEMOTO RESIDENCE 324 SECOND STREET EAST CITY OF SONOMA SONOMA, CA 95471		REVISIONS <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>									DATE: 3/29/16 SCALE: 1" = 10'-0" DRAWN:	SITE DEVELOPMENT PLAN	L 1 <small>All or part of any approval/permit conditions shown on published work of the landscape architect and may not be applicable, valid or enforceable without the express consent of the landscape architect.</small>

MAR 29 2016

MACNAIR
&
ASSOCIATES
CONSULTING ARBORISTS AND HORTICULTURISTS



May 27, 2016

Mr. Ron Albert
66 George Lane
Sausalito, CA 94965

RE: 324 Second Street East Tree Construction Impact Review

Dear Mr. Albert,

Pursuant to your request, I have prepared a preliminary review of the potential tree impacts from the proposed two-story residential building proposed for the property at 324 Second Street East in Sonoma, CA. At question is the impact on a mature Colorado blue spruce (*Picea pungens* 'Glauca') growing on your property at 310-312 Second Street East.

The blue spruce has an 18.5-inch trunk diameter measured at 4.5 feet above ground with an approximate height of 45 feet and a crown diameter of 28 feet. The tree (from images) appears healthy with no indication of serious pest or disease issues.

My understanding is that the building will be constructed seven (7) feet from the property line and 10 feet from face of trunk. Surface roots are reported to be growing below the pavement on the 324 2nd E Street side of the fence. The lower branches of the tree are estimated to be extending 11 feet over the fence.

Following is an accepted specification defining the requirements for defining tree protection and critical root zones. Using the drip line of a tree for defining a tree protection zone is an unreliable technique. Tree crowns can be asymmetrical and most coniferous species have conical and relatively narrow crown forms compared to broad-leafed species such as oaks.

Tree Protection and Critical Root Zones: All construction activity (grading, filling, excavation, paving, landscaping) will respect a Tree Protection Zone (TPZ) around trees to be protected. The TPZ will typically be a distance of a one-foot radial distance from the trunk for each one-inch of trunk diameter. Exceptions to this standard may occur depending upon the age, condition, and species tolerance of individual trees as determined by the project arborist. The critical root zone is the radial area around the trunk where all root impacts shall be avoided or mitigated with specialized procedures. Typically, the critical root zone will be a radial distance equal to three to four times (3X to 4X) the trunk diameter.

The appropriate tree protection zone for this species and size of tree is an 18-foot radial distance from the face of trunk. The critical root zone for this species is six feet from face of trunk. Root

5/27/16

loss within the critical root zone is likely to affect the health of the tree and could destabilize the tree due to loss of root anchorage.

As no grading, foundation, or underground utility plans have been provided, the precise degree of impact can not be assessed. However, the limit of the foundation excavation is likely to be within eight feet of the face of trunk and any underground drainage lines could place the excavation requirements closer to the tree. Other potential impacts include significant pruning of the tree and loss of a significant portion of the fine diameter and absorbing portion of the root system currently below the pavement area.

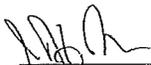
The construction of a two-story building normally requires scaffolding that would require a minimum of five to six feet of clearance from the building edge. This would require pruning limbs back to within four feet of the trunk or removing approximately 10 feet of the longest limbs in the lower portion of the crown.

The combined impacts of this construction is likely to be significant given the close location of the proposed building to the property line. From a tree protection perspective, the building and underground improvements should be located outside the tree protection zone or an approximate 15-foot distance from the property line.

Soil areas within the tree protection zone also require protection. Specific issues include careful removal of the asphalt pavement, preventing soil compaction, and providing supplemental irrigation to compensate for root loss.

Please contact me with any questions.

Sincerely,

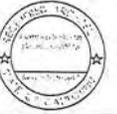


James MacNair

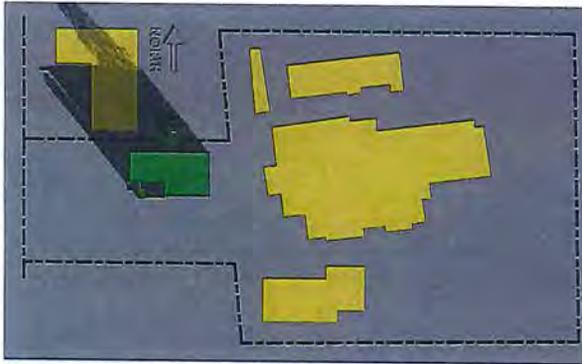
International Society of Arboriculture Certified Arborist WC-0603A

International Society of Arboriculture Qualified Tree Risk Assessor

id8bau
Architecture & Interiors
995 Market Street, Level 2
San Francisco, CA 94103
PH: (415) 779-4381
info@id8bau.com



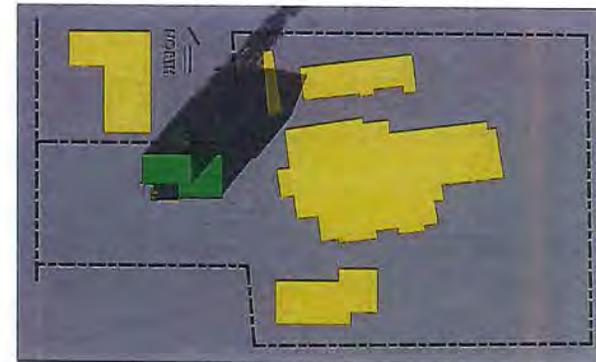
Ikemoto - Albert Solar Shading Study
Solar Study
314 SECOND ST E, SONOMA, CA 95476



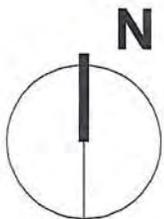
9:23 AM



12:00 PM



2:54 PM

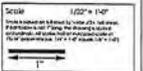


314 SECOND ST E, SONOMA, CA 95476

DECEMBER 21st 2016

NOTE: MORNING AND AFTERNOON TIMES ARE 2 HOURS AFTER AND BEFORE, SUNRISE AND SUNSET
RESPECTIVELY

DATE	TIME	STATUS



Date: APR 23, 2016
Project Number: 2166c

SHADOW STUDY
DECEMBER 21

RECEIVED

APR 18 2016

**314-324 SECOND ST. E.
Shade Study**

CITY OF SONOMA

Two neighbors have registered concerns about the potential impacts of shade from different aspects of our plans. To address these concerns we have performed the following Shade Study, which conclusively demonstrates that there are no shade problems created by our project.

The Study includes shadow illustrations for the summer and spring/fall seasons. During the summer, afternoon shadows bear almost due east. Shadows cast during the spring and fall are essentially identical, due to the similar southerly position of the sun in those months. Therefore, both seasons have been represented by a March 21 simulation. During spring and fall, afternoon shadows bear northeast. Each of the seasonal illustrations provide shade simulations before and after our planned improvements. Fall illustrations are available upon request, but they are materially indistinguishable from the spring study.

Our northern neighbor, the Rannikars, are concerned that landscaping along our common fence line will add shade to their garden. They are avid gardeners and raise fruits and vegetables in their backyard for sale. We consider them friends. It has always been our objective to meet their request that we avoid shading their growing area. At the same time, we wish to use landscaping to screen out some unsightly buildings in our view shed. Both of these objectives have been met through careful plant selection and placement.

The Shade Study demonstrates that the new landscaping produces no new shade in the Rannikars' garden. Our plan actually produces much LESS shade. That is because we have agreed to cut back the existing 30' tall Italian Cypresses to 16' (the minimum recommended by our landscape architect). We would like to note that we would have done this as good neighbors, whether or not our plans required DRHP approval. In fact, the work has already been done.

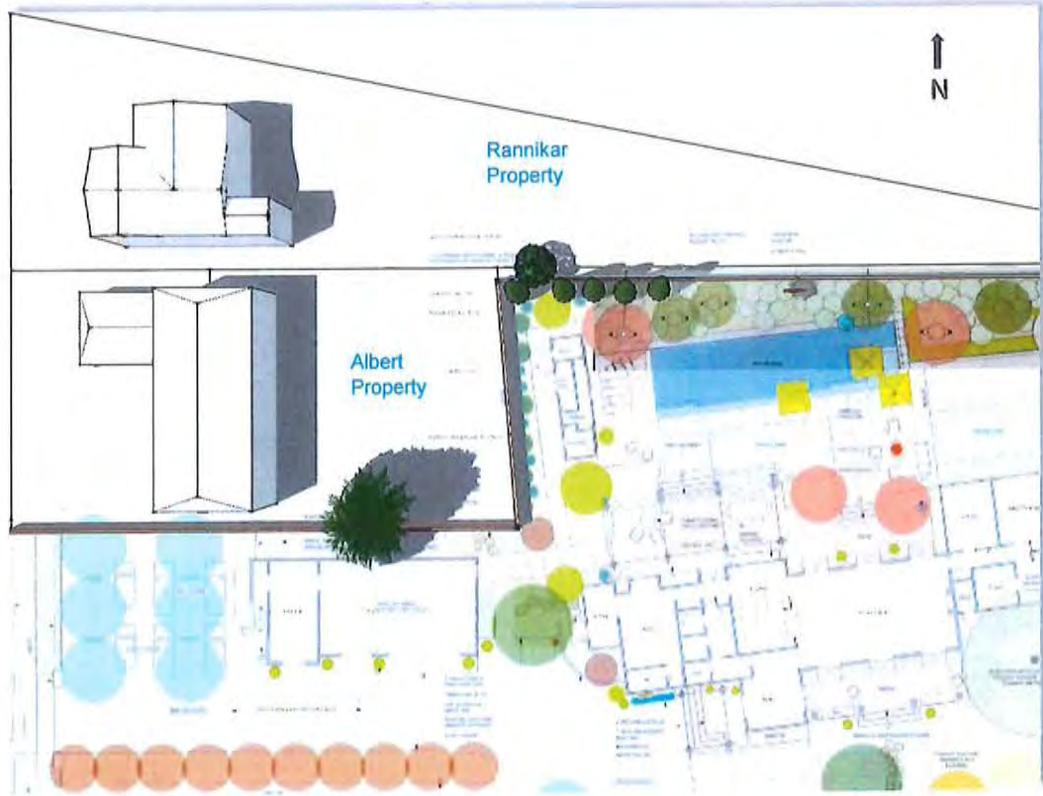
Our understanding is that the Rannikars' main concern is to maximize sunlight during spring and fall, which extends their growing season. The angle of the summer sun already minimizes the shade cast from our yard onto their property. Therefore, the attached Spring & Fall shade illustration is of greatest interest to them. This illustration shows the dramatic improvement in sunlight from the heavy topping of the cypress trees. Now, most of the shade in the Rannikars' yard will be from their own fig tree and the existing 6' fence between our properties. To verify the spring study results, we modeled the most critical proposed tree with a patio umbrella, set at the correct location and height (see Supplemental Illustrations). No shade reaches the Rannikars' yard.

The second concern was expressed by our northwestern neighbor, Ron Albert, who owns a 2-story rental duplex on the site. Concerns were also registered by his tenants. They are worried that shade from our proposed 2-story Garage/Guest House will affect their use of the yard. As the Shade Study demonstrates, the summer afternoon shade line from the proposed building does not even cross the fence line. All of the shade on the backyard is produced by the property's own 2-story building and existing 40' cedar tree. The fall and spring afternoon shade barely cross the fence line onto an area of the yard with heavy 12+ foot evergreen vegetation. The satellite image of the Albert property clearly shows that our structure will not create a shade problem (see Supplemental Illustrations).

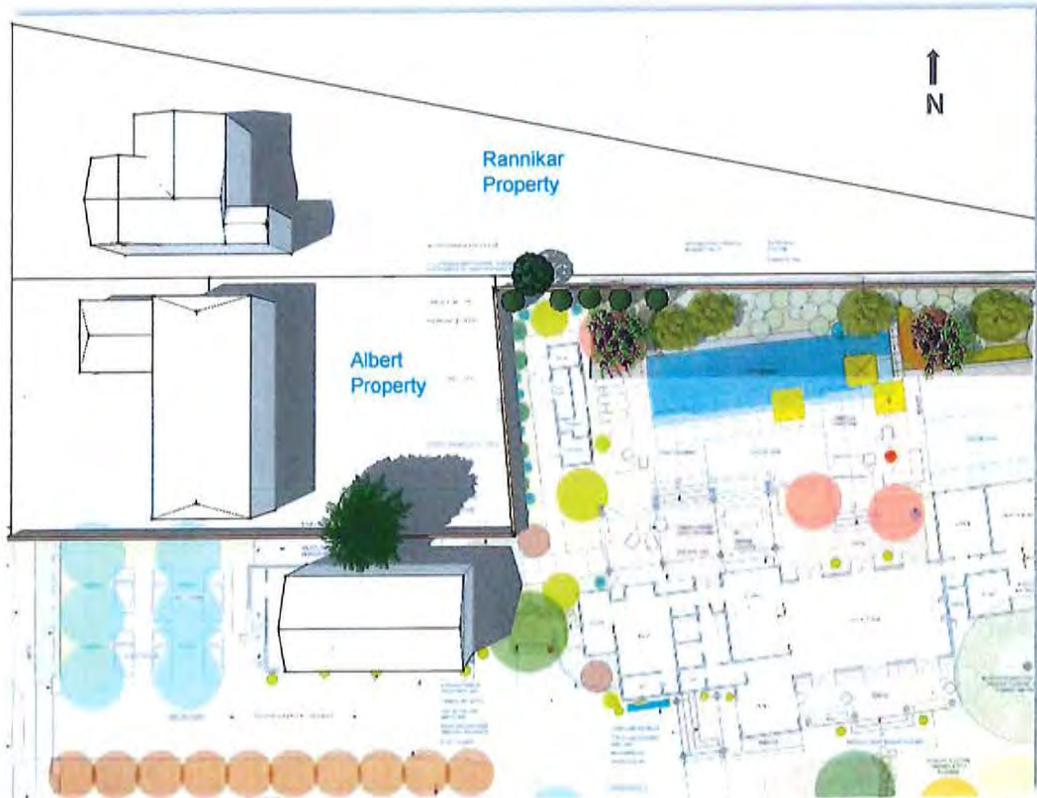
Note: The Shady Study was begun before the latest revision of the Site Plan. Some changes to the underlying plan have been made (i.e., reducing the Guest House and expanding the olive orchard) that are non-critical to the study.

314-324 SECOND ST. E.
Shade Study
SUMMER (using June 21, 2:00 PM)

BEFORE



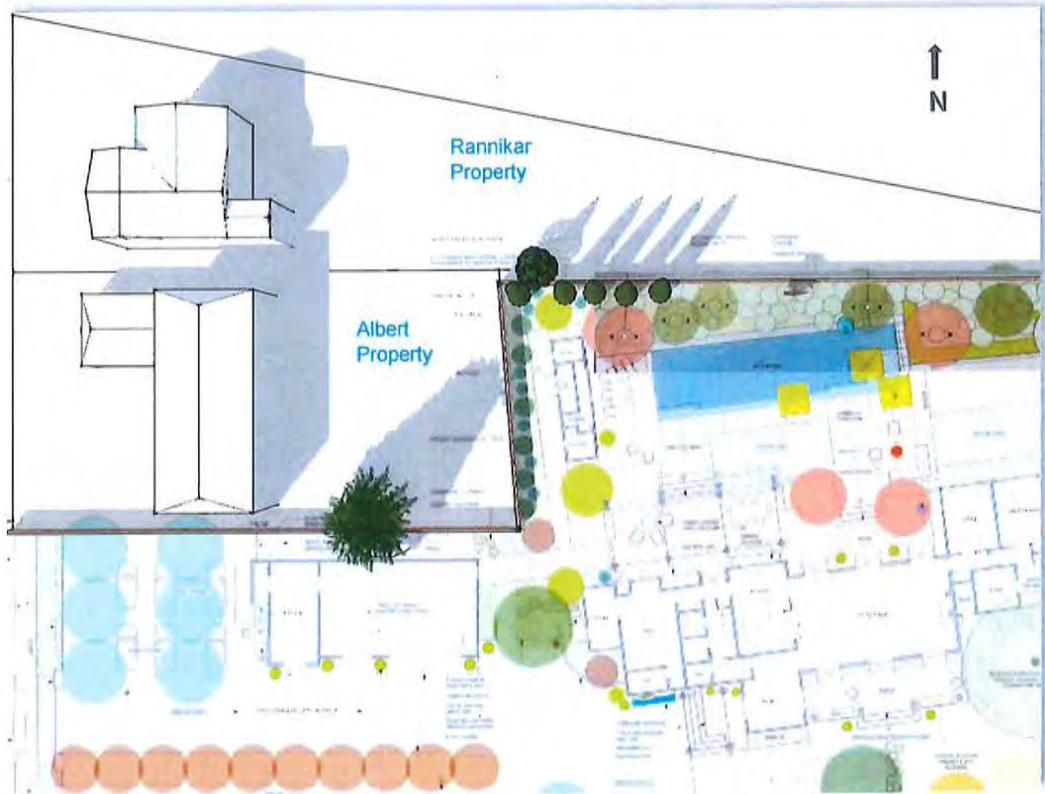
AFTER



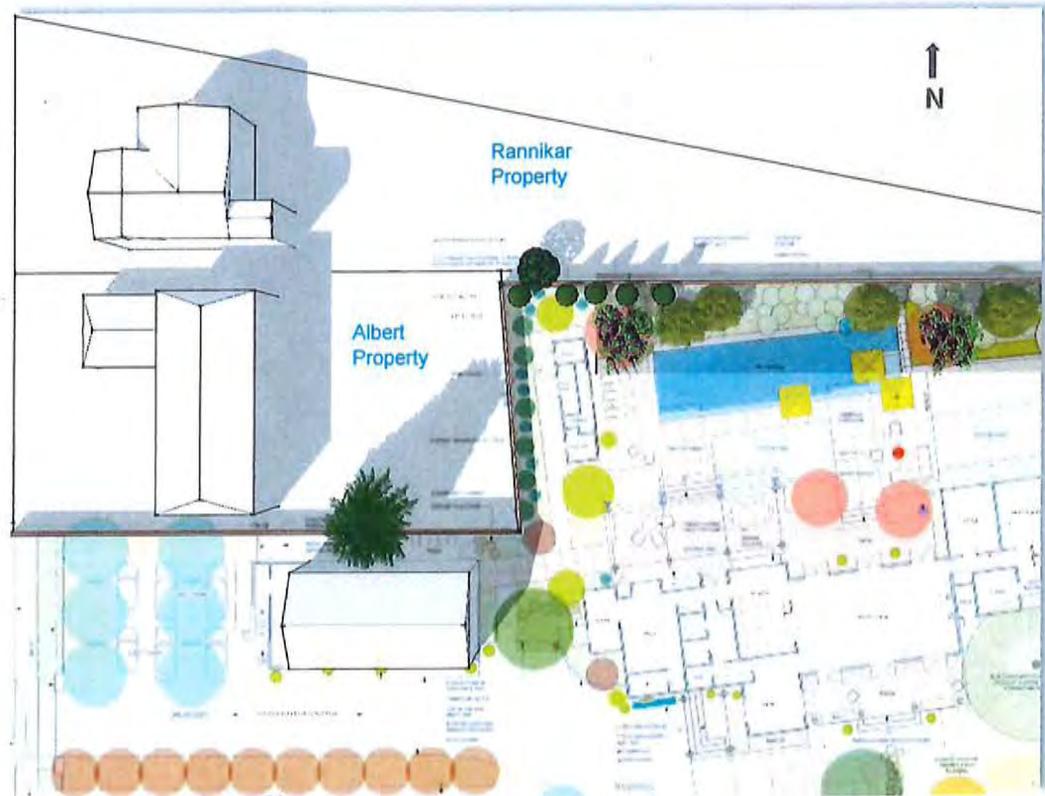
MAR 29 2016

314-324 SECOND ST. E.
Shade Study
SPRING & FALL (using March 21, 2:00 PM)

BEFORE



AFTER



314-324 SECOND ST. E.
Shade Study
SUPPLEMENTAL ILLUSTRATIONS

Plants Exceeding Fence Height along Rannikar Property



Verification of Shade Simulation

Simulated Shade:

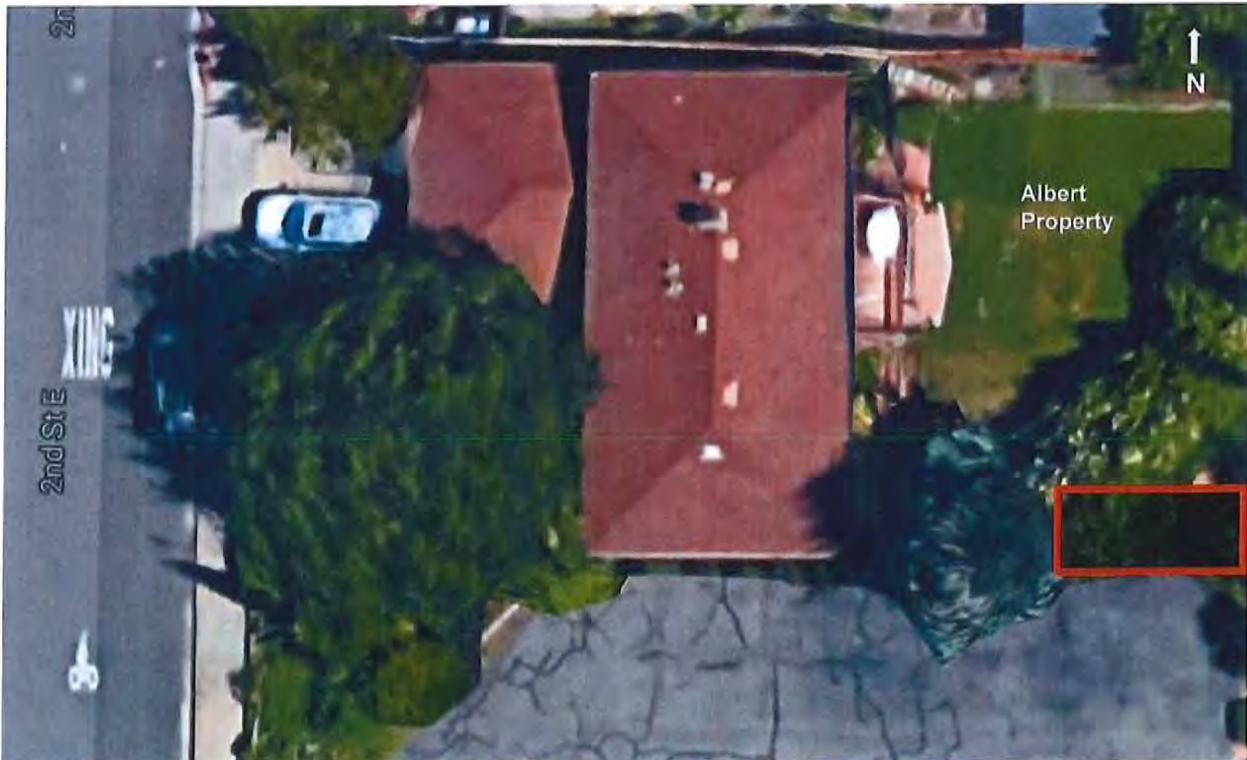
10' Tree, 6' to Fence
March 21, 2:00 PM



Actual Shade:

10' Umbrella, 6' to Fence
March 22 2016, 2:00 PM

Spring/Fall Shade Area Cast from Proposed Guest House (Orange Box)



MAR 22 2016

Design Review & Historic Preservation Commission

Shade Study Supplement

April 20, 2016

A Shade Study was included in our original DRHP Application to address one of our neighbor's concerns that the new trees may increase the shade on her fruit and vegetable garden. Since that filing, we have erected story poles at the height and location of every tree near our common property line. No shade crosses the fence line from any new tree.

In addition, we modeled the shade cast from the most critical tree. That tree will be 10' tall and will be located 6' from the fence, in the middle of our neighbor's gardening area. To model the tree, we used a patio umbrella, raised it to 10' and placed it in the most sensitive location. We then took a series of photos throughout the day to document that the shadow from that tree never crosses the fence, at any time.

Coincidentally, our neighbor planted her garden on approximately the same day, so the photos were taken at the very start of her growing season. Therefore, we happened to take the photos on the day with the greatest shade impact on her garden. Shadows will decrease from this point through the summer and return to the same path in the fall, at the end of the growing season. This series of photos is attached and is the clearest demonstration that our landscape plan will not adversely affect our neighbor.

Our neighbor has raised one valid concern. Just because a tree is planned to grow to 10' doesn't mean it can't grow higher. We would note that it is in our interest to prevent that from happening. The entire main house has been oriented to take advantage of the northern view. It would make no sense for us to block that view with our own trees. The maximum height of 10' was specifically chosen to screen out some unsightly houses while sweeping the eye upward to the hills. Anything taller would defeat our primary reason for orienting the house. The minimum distance of 6' from the fence was specifically chosen to prevent shading our neighbor's garden.

We hope this additional information is helpful to the Commission's deliberations.

RECEIVED

APR 21 2016

CITY OF SONOMA

SHADE MODEL
10 FT TREE, SIX FEET FROM FENCE

Spring: March 30, 2016

10:00 AM



12:00 Noon



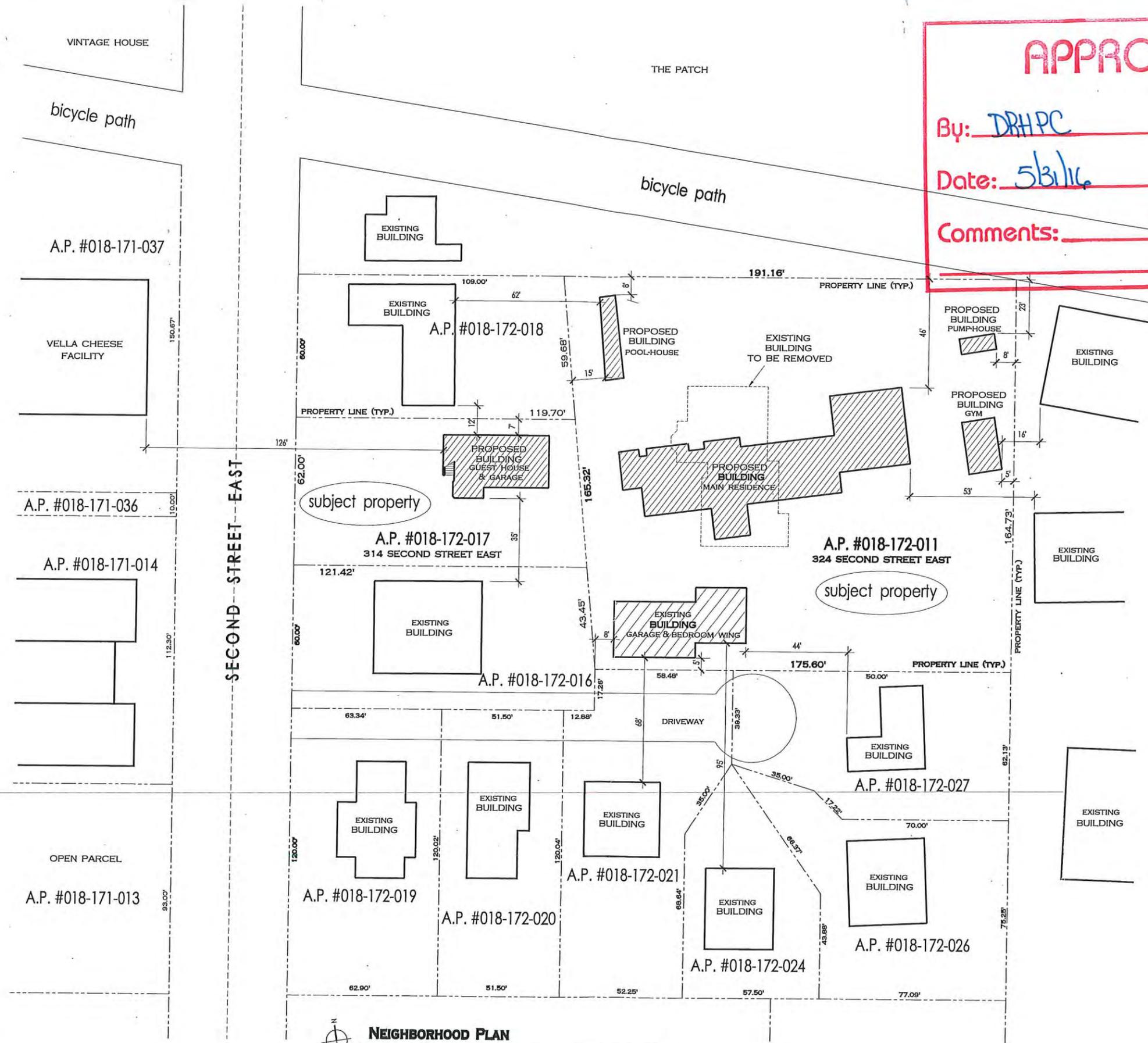
2:00 PM



4:00 PM



Shade from a 10 ft tree planted six feet from the fence will not cast a shadow on the neighbor's yard at any time.
There is less shade during the Summer and the same shade during the Fall.



APPROVED

By: DRHPC

Date: 5/31/16

Comments: _____

Revisions:

F	i
G	O

CONSTRUCTION DRAWINGS
 FRED O'DONNELL
 822 BROADWAY
 P.O. BOX 898
 SONOMA, CA. 95476
 707.996.0103 WORK
 707.996.0112 FAX
 F100DRAWINGS@GMAIL.COM
 WWW.F100DRAWINGS.COM

IKEMOTO RESIDENCE
 Neighborhood Site Plan
 314 & 324 Second Street East
 Sonoma, California

Date: MARCH 2016
 Scale: 1" = 20'-0"

Neighborhood Plan

L14

dimensions to houses shown are +-

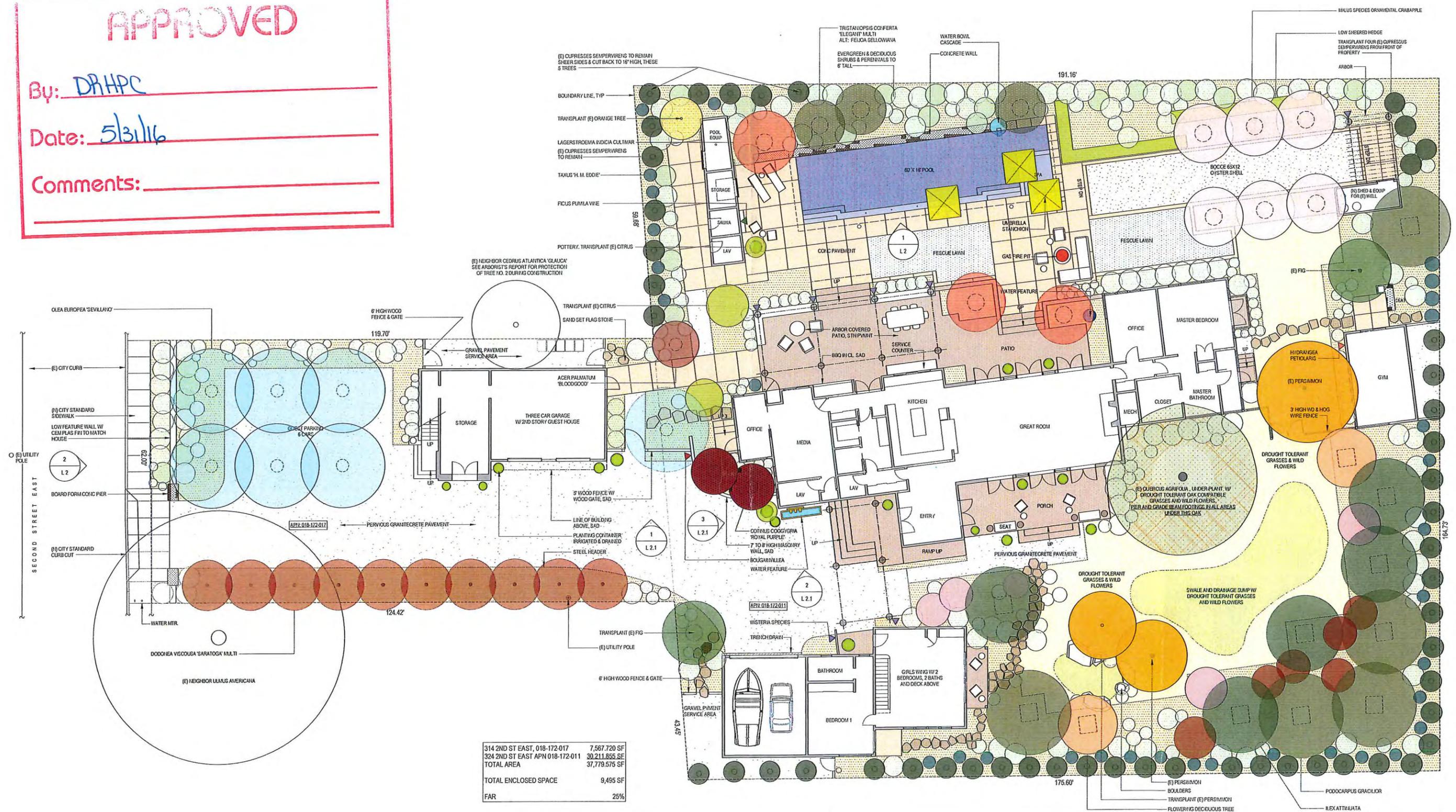
NEIGHBORHOOD PLAN
 1" = 20'-0"

APPROVED

By: DRHPC

Date: 5/31/16

Comments:

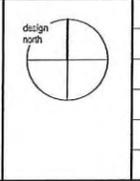


MAGRANE ASSOCIATES
 LANDSCAPE DESIGN
 WWW.MAGRANE.COM
 LIC. #437488

SAN FRANCISCO
 PO BOX 40549
 SAN FRANCISCO, CALIFORNIA 94140
 TEL. 415.821.0233
 FAX. 415.821.7438

SONOMA
 746 BROADWAY
 SONOMA, CALIFORNIA 95476
 TEL. 707.935.7309
 FAX. 707.935.6380

IKEMOTO RESIDENCE
 324 SECOND STREET EAST
 CITY OF SONOMA
 SONOMA, CA 95471



REVISIONS

DATE: 3/29/16
 SCALE: 1" = 10'-0"
 DRAWN:

SITE DEVELOPMENT PLAN

L1

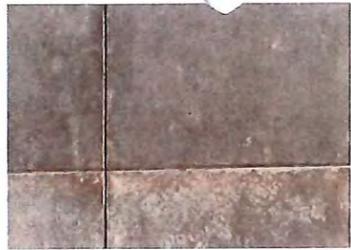
All written material appearing herein constitutes original unpublished work of the landscape architect and may not be duplicated, used or disclosed without the written consent of the landscape architect.

APPROVED

By: DRHPC

Date: 5/31/16

Comments: _____



REINFORCED CONCRETE PAVEMENT
LIGHT WASH FINISH, SAW CUT,
'ENGLISH WALNUT' INTEGRAL COLOR



REINFORCED CONCRETE WALL
POCKED FINISH, 'ENGLISH WALNUT' INTEGRAL COLOR



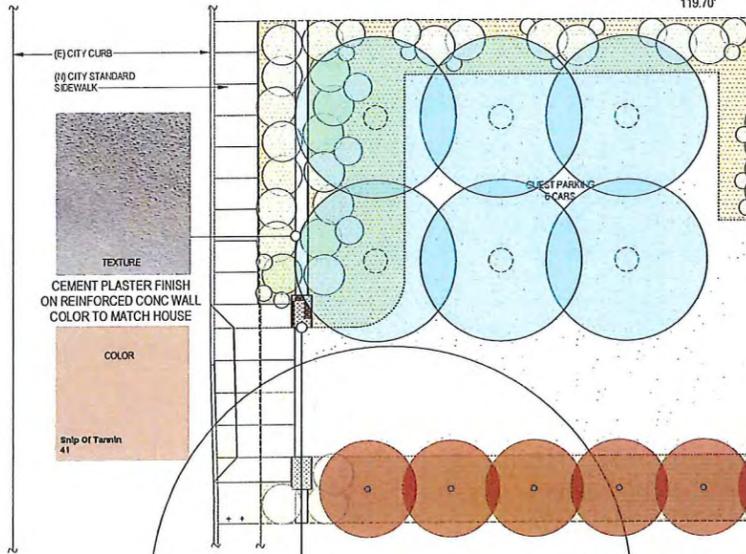
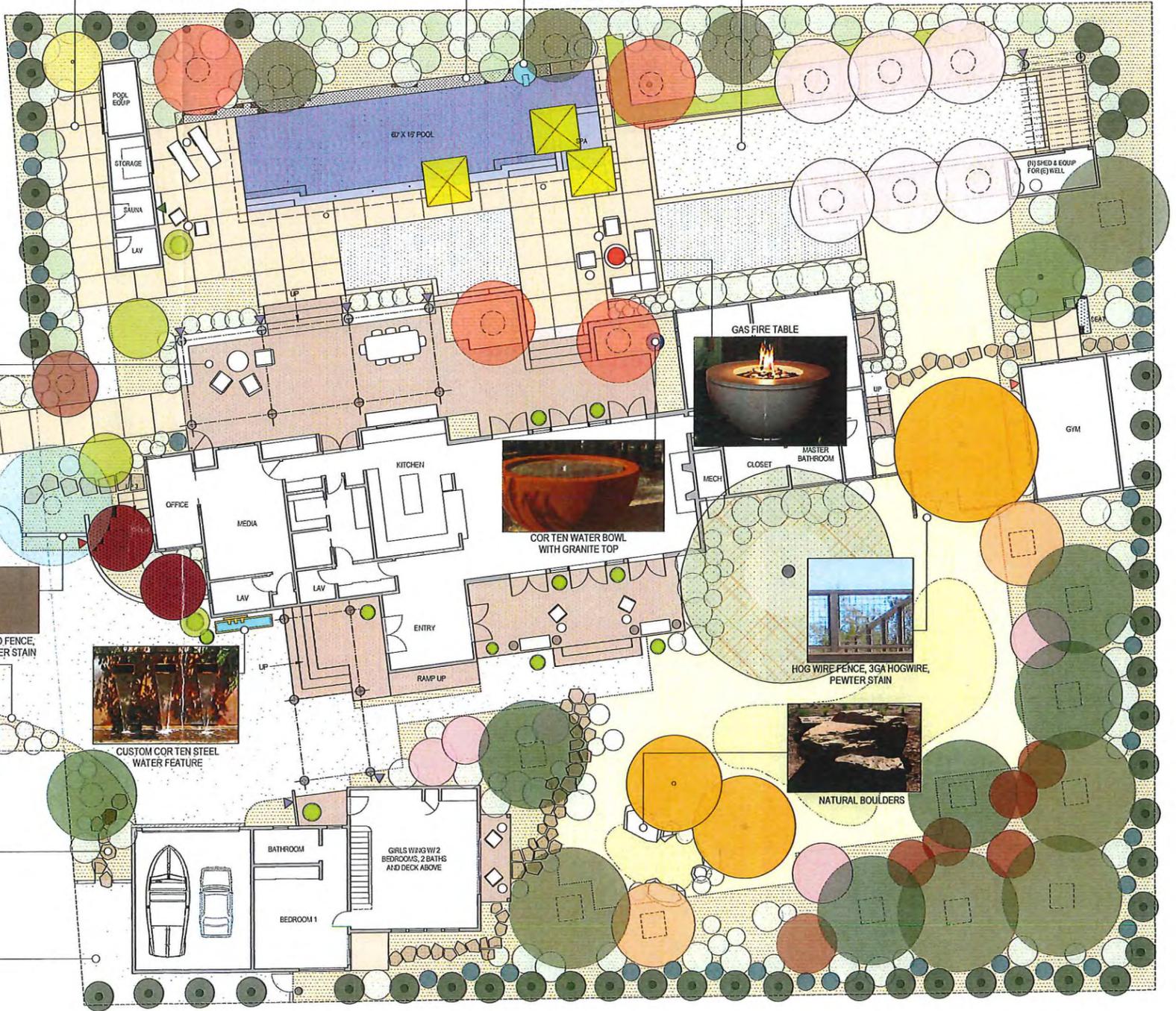
WATER BOWL WITH SCUPPER
'SHITAKE FINISH'



OYSTER SHELL BOCCIE SURFACING



STONE PAVEMENT 'SONOMA BUFF'
RANDOM PATTERN, SAND SET



GUNMETAL-GREY GLAZED CERAMIC PLANT CONTAINER



'SONOMA BUFF' FLAGSTONE STEPPING STONES



GRAVEL PAVEMENT 'TRINITY' 3/8' CHIP



INTEGRAL COLOR BOARD FORM REINFORCED CONCRETE PIER



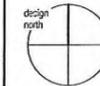
GRANITECRETE PAVING 'ADOBE' COLOR

MAGRANE ASSOCIATES
LANDSCAPE DESIGN
WWW.MAGRANE.COM
LIC. #437488

SAN FRANCISCO
PO BOX 40549
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FAX. 415.821.7438

SONOMA
746 BROADWAY
SONOMA,
CALIFORNIA 95476
TEL. 707.935.7309
FAX. 707.935.6380

IKEMOTO RESIDENCE
324 SECOND STREET EAST
CITY OF SONOMA
SONOMA, CA 95471



REVISIONS

DATE: 3/29/16
SCALE: 1" = 10'-0"
DRAWN:

LANDSCAPE MATERIALS PLAN

L 1.1

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APPROVED

By: DRHPC

Date: 5/31/16

Comments:

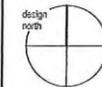


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SONOMA, CA 95471



REVISIONS

DATE: 3/29/16
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DRAWN:

LANDSCAPE DIMENSIONS

L 1.2

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OLEA EUROPEA 'SEVILLIANO' - MATURE TREES



FX LUMINAIRE 'NP' LED UP LIGHT
<1FC AT 5' FROM LIGHT SOURCE



ACER PALMATUM 'BLOODGOOD'



LOW EVERGREEN SHRUBS
AT SIDEWALK EDGE



FX LUMINAIRE 'TM' LED PATH LIGHT
<1FC AT 5' FROM LIGHT SOURCE



FX LUMINAIRE 'FC' LED WELL LIGHT
<1FC AT 5' FROM LIGHT SOURCE

TRANSPLANT (E) ORANGE TREE

(E) CUPRESSUS SEMPERVIRENS TO REMAIN, TOP AT 16', SHEAR TO SHAPE, TYP



LAGERSTROEMIA TUSCARORA



TRISTANIOPSIS LAURINA
ALT: FELIOA SELLOWIANA
LOW GROWING MULTI-TRUNK

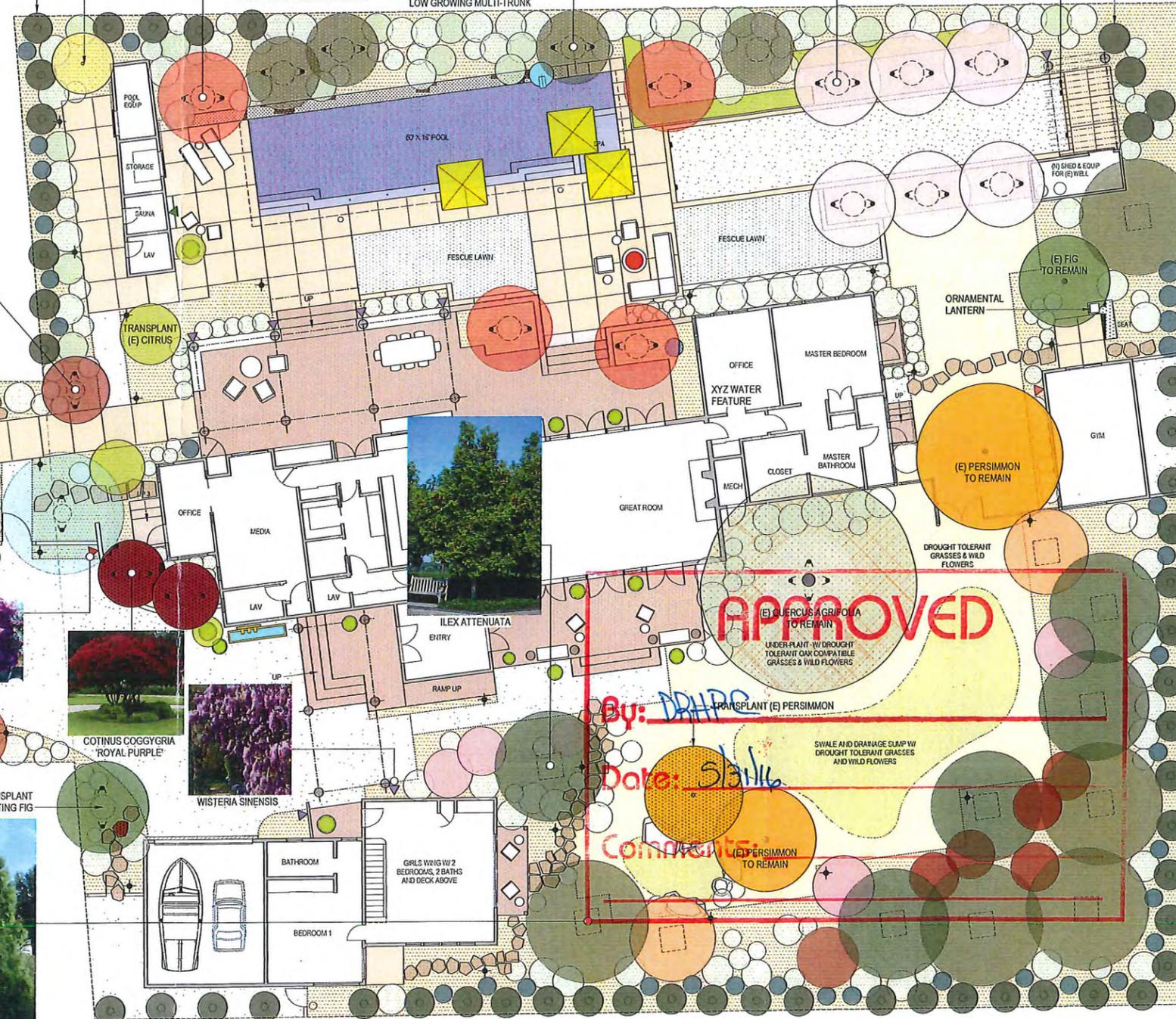


MALUS FLORIBUNDA

TRANSPLANT 4 (E) CUPRESSUS SEMPERVIRENS FROM FRONT



FX LUMINAIRE MOIST LED STEP LIGHT
<1FC AT 5' FROM LIGHT SOURCE



APPROVED

By: *DRAP*

Date: *5/31/16*

Comments:

<p>MAGRANE ASSOCIATES LANDSCAPE DESIGN WWW.MAGRANE.COM LIC. #437488</p>	<p>SAN FRANCISCO PO BOX 40549 SAN FRANCISCO, CALIFORNIA 94140 TEL. 415.821.0233 FAX. 415.821.7438</p>	<p>SONOMA 746 BROADWAY SONOMA, CALIFORNIA 95476 TEL. 707.935.7309 FAX. 707.935.6380</p>	<p>IKEMOTO RESIDENCE 324 SECOND STREET EAST CITY OF SONOMA SONOMA, CA 95471</p>	<p>design north</p>	<p>REVISIONS</p> <table border="1"> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table>									<p>DATE: 3/29/16 SCALE: 1" = 10'-0" DRAWN:</p>	<p>LANDSCAPE PLANTS</p>	<p>L 1.3</p> <p><small>All written material appearing herein constitutes original unpublished work of the landscape architect and may not be duplicated, used or disclosed without the written consent of the landscape architect</small></p>

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By: DRHPC

Date: 5/31/16

Comments:



OLD OLEA EUROPEA 'SEVILLIANO'



CEMENT PLASTER

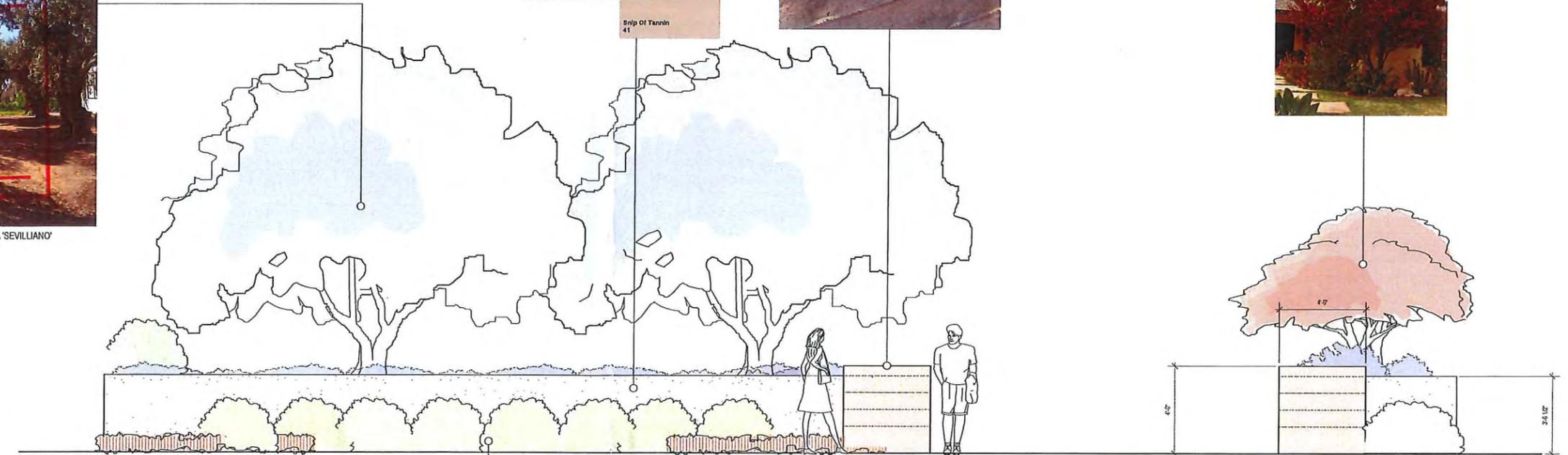


BOARD FORM CONCRETE W/ENGLISH WALNUT INTEGRAL COLOR, AIR POKED TEXTURE

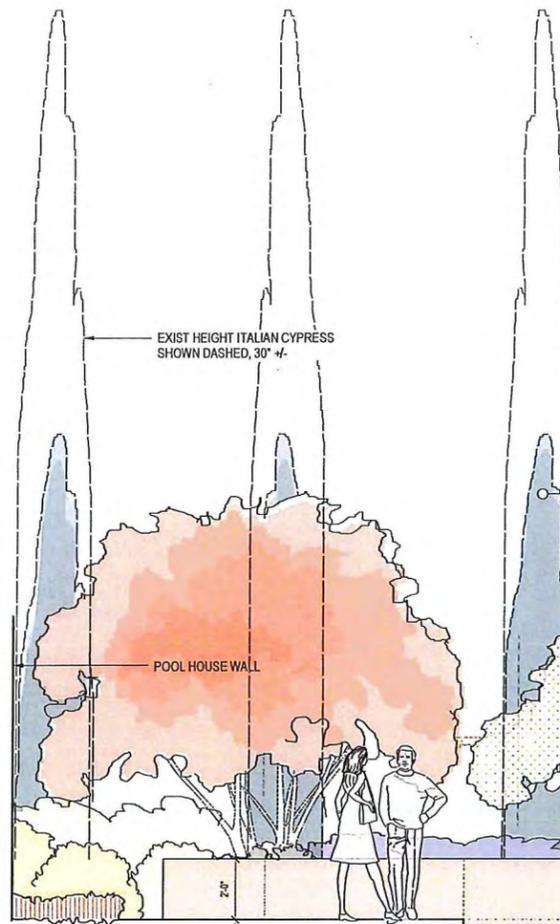


DODONAEA 'USA SARATOGA'

Strip Of Tannin 41



2 ELEVATION LOOKING EAST WALL AT CITY SIDEWALK WITH OLIVE TREES
3/8" = 1'-0"



EXIST HEIGHT ITALIAN CYPRESS SHOWN DASHED, 30' +/-

EXIST ITALIAN CYPRESS TRIM TO 16' TALL

POOL HOUSE WALL

TRISTANIOPSIS CONFERTA 'ELEGANT'



EVERGREEN SHRUBS



AIR POKED TEXTURE CONCRETE WALL

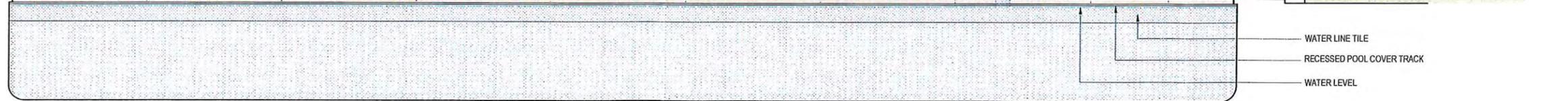


48" DIAMETER WATER BOWL SPILLS INTO POOL



LAGERSTROEMIA 'TUSCARORA'

TOP OF (E) FENCE LINE



WATER LINE TILE

RECESSED POOL COVER TRACK

WATER LEVEL

1 SECTIONAL ELEVATION LOOKING NORTH POOL AND FENCE LINE
3/8" = 1'-0"



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FAX. 707.935.6380

REVISIONS

DATE: 3/29/16

SCALE: 3/8" = 1'-0"

DRAWN:

LANDSCAPE
DETAILS

L 2

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Date: 5/31/16

Comments:

FILE COPY



ENTRANCE TO MAIN HOUSE + LINK TO EXISTING BEDRM + GARAGE

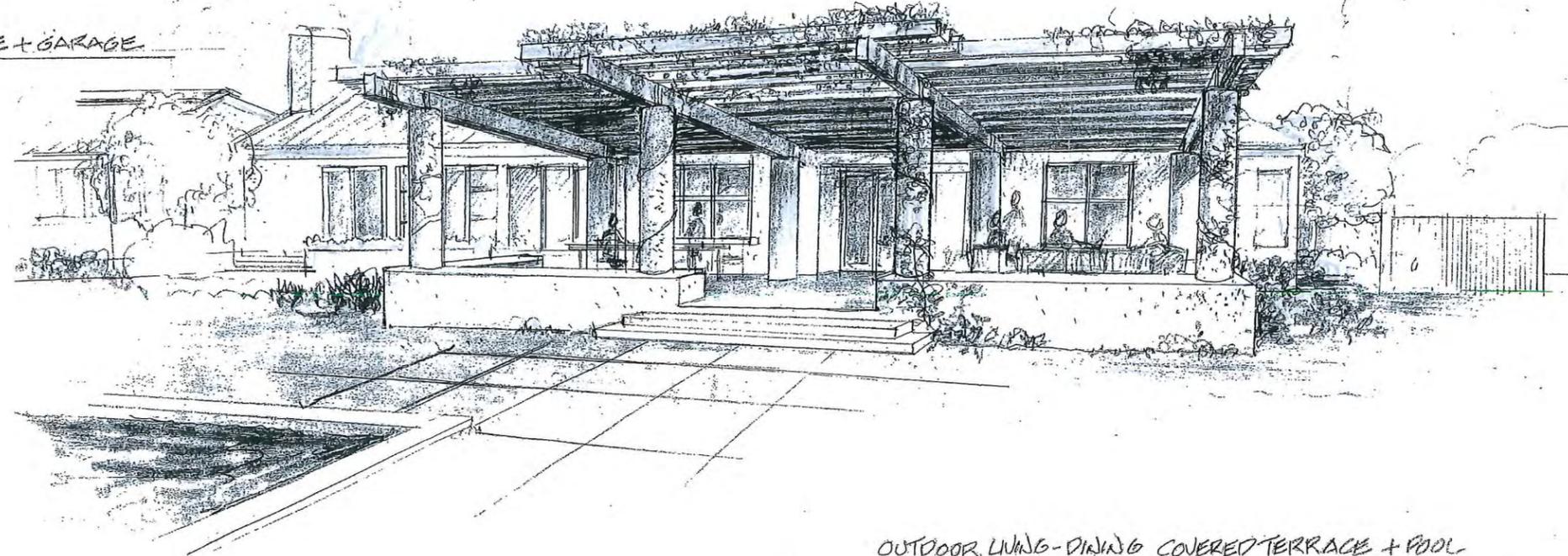


GUEST HOUSE + GARAGE

INDEX OF DRAWINGS FOR KIM AND GLENN IKEMOTO RESIDENCE
324 SECOND STREET EAST CITY OF SONOMA, SONOMA CA 95476

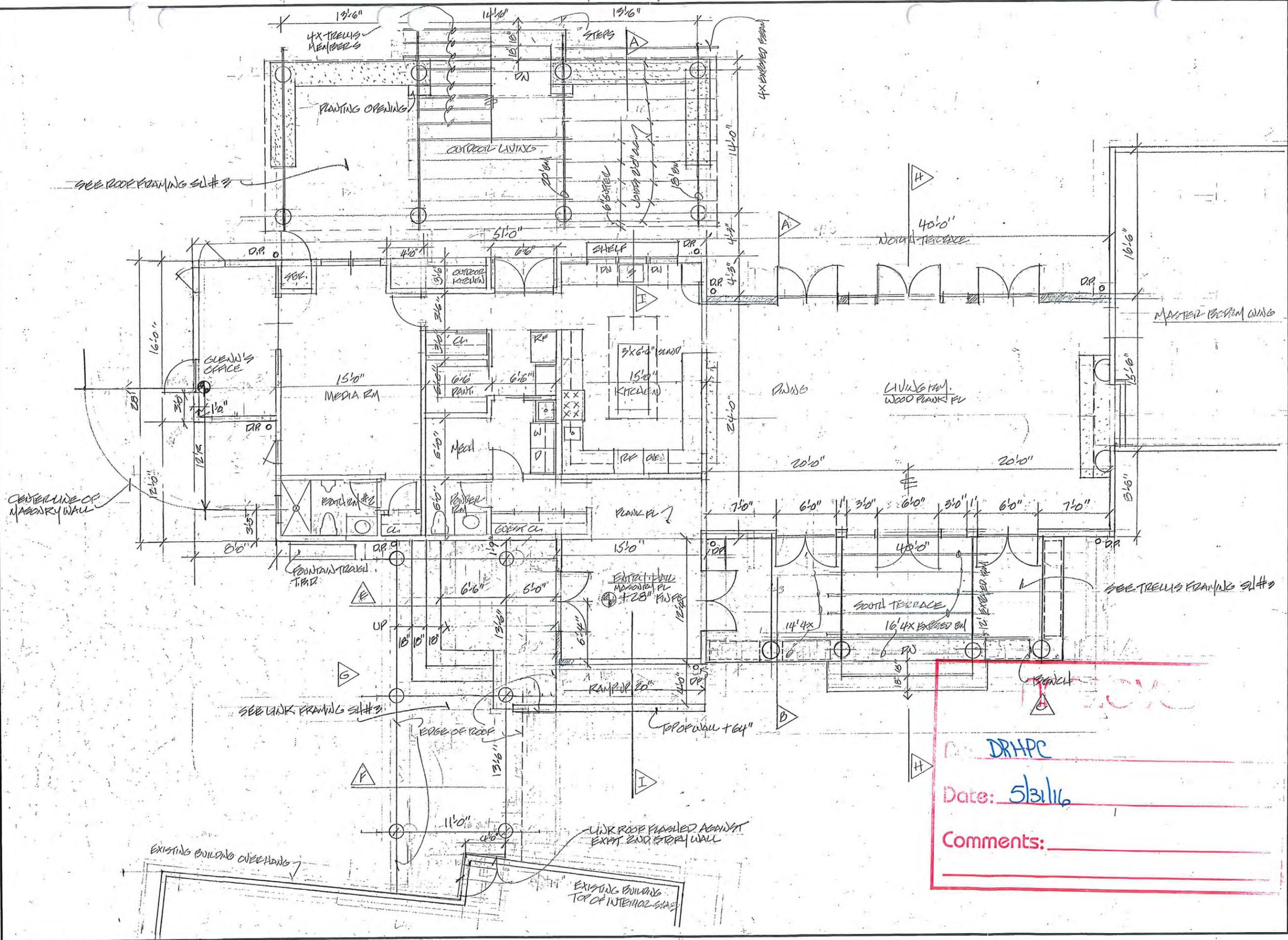
- L1 SITE DEVELOPMENT PLAN 1"=10'
- L1.1 LANDSCAPE MATERIALS PLAN
- L1.2 LANDSCAPE DIMENSIONS
- L1.3 LANDSCAPE PLANTS

- L2 LANDSCAPE DETAILS
- L2.1 LANDSCAPE DETAILS
- A1 WEST END OF MAIN HOUSE PLAN 1/4"=1'
- A2 EAST END OF MAIN HOUSE PLAN 1/4"=1'
- A3 EXTERIOR ELEVATIONS OF MAIN HOUSE 1/2"=1'
- A4 OPEN AIR ROOFED STRUCTURES 1/2"=1'
- A5 SECTIONS THRU MAIN HOUSE 1/2"=1'
- A6 INTERIOR ELEVATIONS OF MAIN HOUSE 1/4"=1'
- A7 EXISTING BEDROOM WING AND GARAGE PLANS AND ELEV. 1/4"=1'
- A8 EXISTING BEDROOM WING EXTERIOR AND INTERIOR ELEV. 1/2"=1'
- A9 ACCESSORY STRUCTURES, POOL HOUSE, GYM + PUMP 1/4"=1'
- A10 2 CAR GARAGE + GUEST APARTMENT PLANS + EXT. ELEV. 1/4"=1'
- A11 GUEST APARTMENT INT. ELEV. 1/4"=1' + EXTERIOR STAIR DETAILS



OUTDOOR LIVING-DINING COVERED TERRACE + POOL

MAR 29 2016



REVISIONS	BY
ENTRY EL. 20	12/10
CURBED WALL	"
STEPS	12/10
TRELLIS	"
FRONT ENTRY	"
WALL @ RAMP	10/14
REVISIONS	1/1
REV. USE	3/1/16
15. TRELLIS	
FR. TERRACE	

WEST END OF MAIN HOME PLAN 1/4" = 1/8"
 IKEMOTO RESIDENCE, 324 SECOND ST EAST, CITY OF SODOMA, SONOMA, CA

Date	3/26/16
Scale	
Drawn	
Job	
Sheet	A1
Of	Sheets

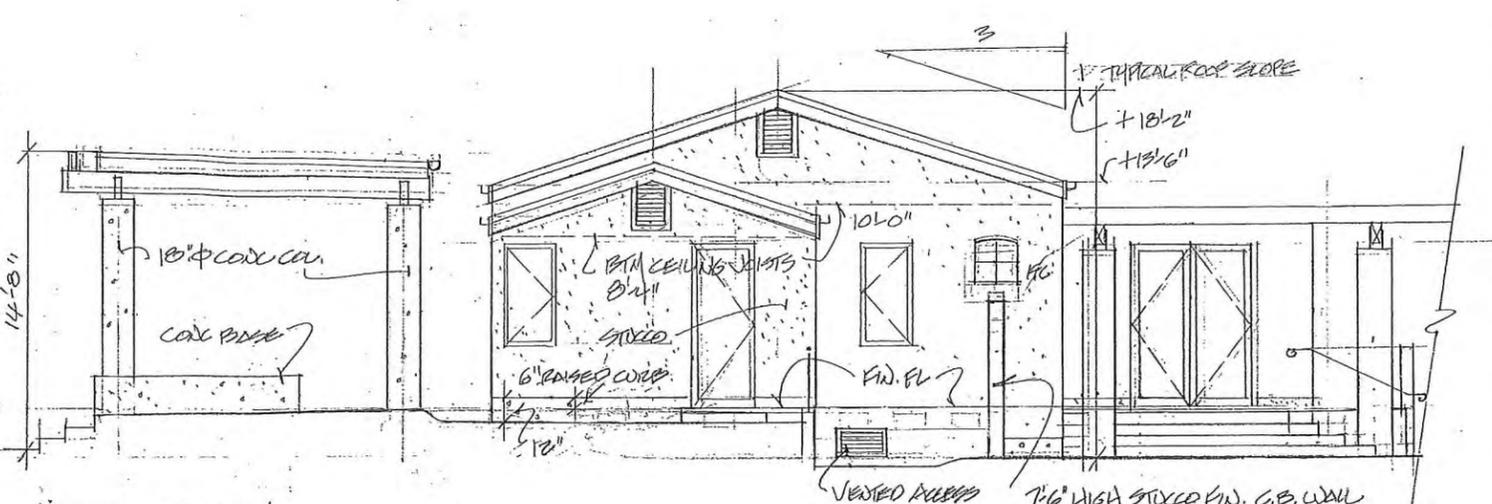
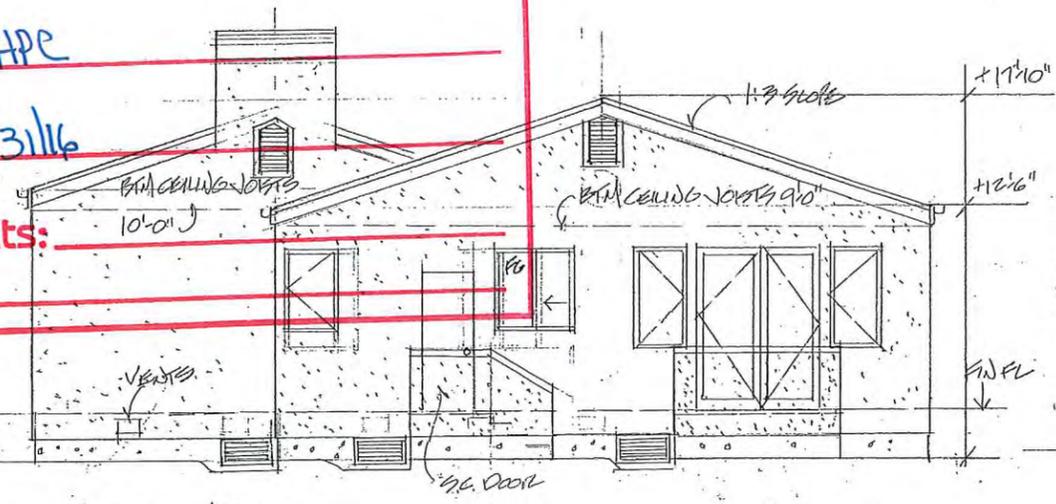
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By: BRHPE

Date: 5/31/16

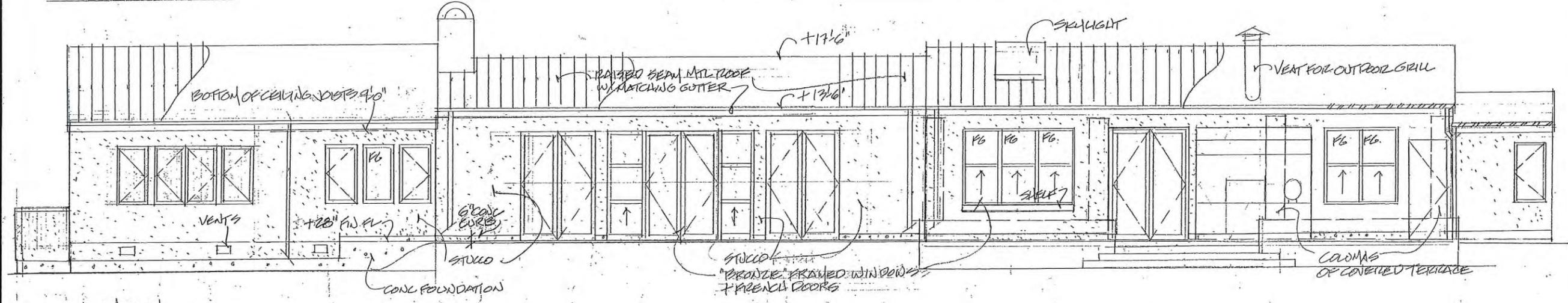
Comments:

REVISIONS	BY
8' TERRACE	10/16
ADD PORCH	11
6" EXP CONC @ TERRACES	
ADD DOOR TO STAIR	1/16
REAR EDGE	1/16
REAR WALL	1/16
REAR DOOR	1/16
ADD CONC ELEV	5/16

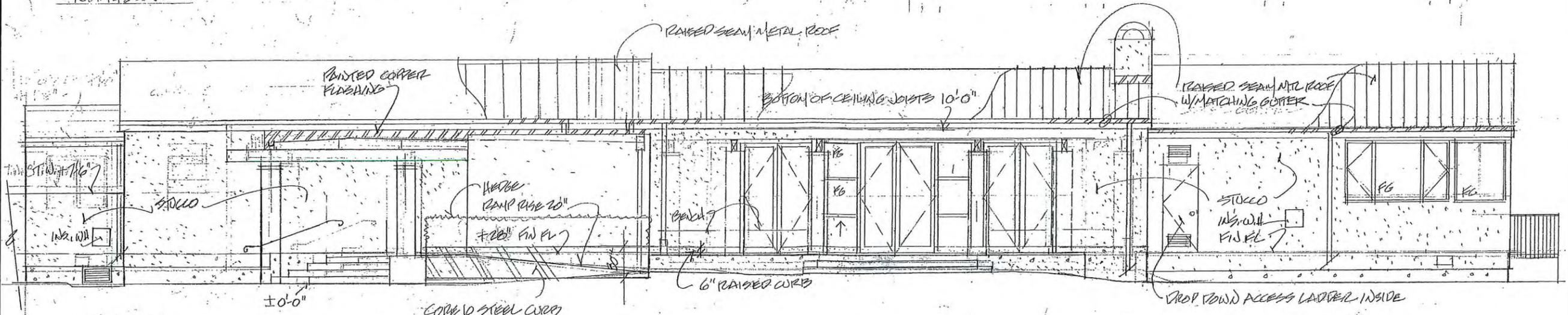


EAST ELEV 1/4"=1'-0"

WEST ELEV



NORTH ELEV



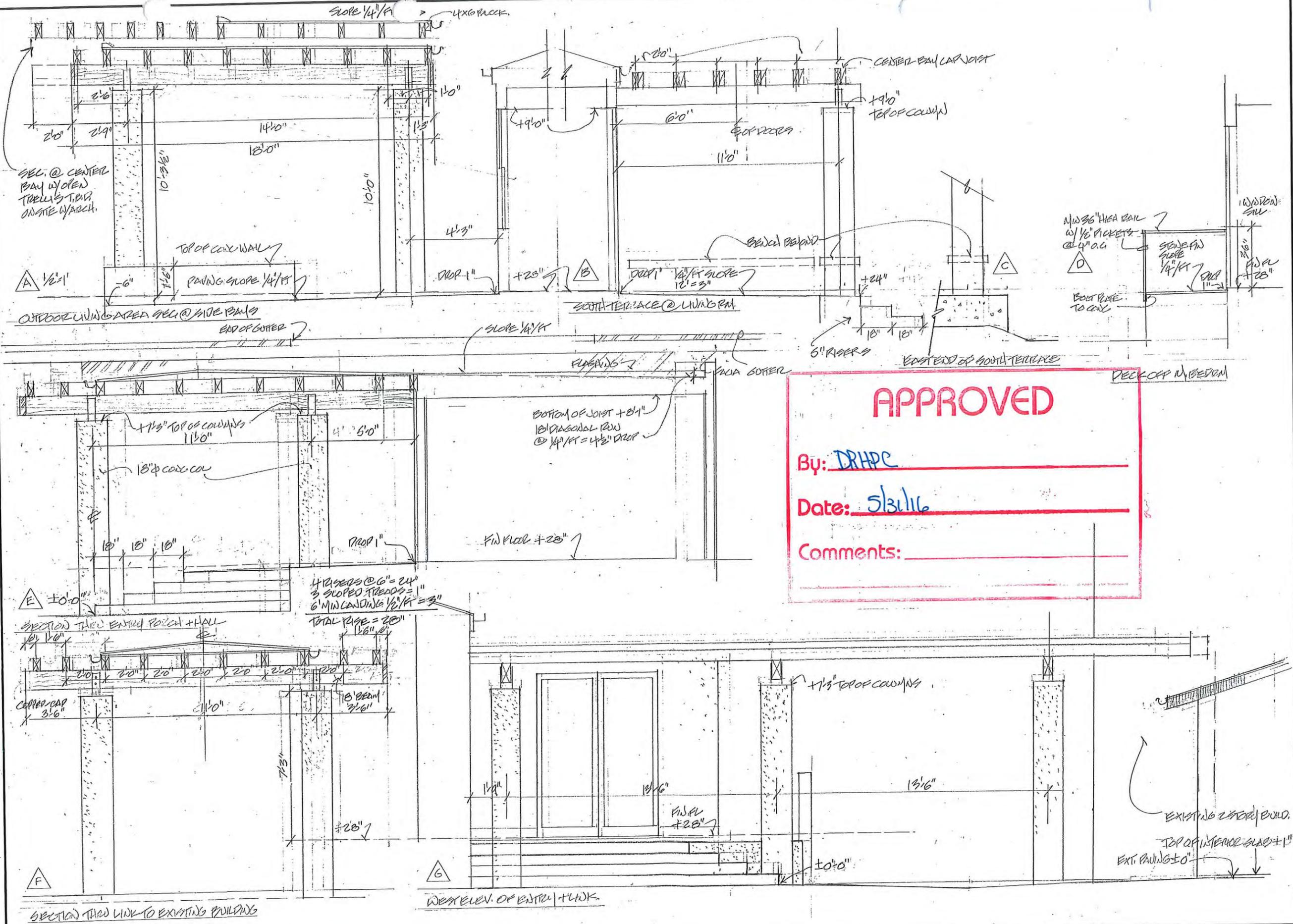
SOUTH ELEV

EXTERIOR ELEVATIONS OF MAIN HOUSE 1/4"=1'-0"
IKENOTO RESIDENCE 324 SECOND ST. EAST, CITY OF SONOMA, SONOMA, CA

Date	5/31/16
Scale	
Drawn	
Job	
Sheet	AB
Of	Sheets

Received 5/31/16

REVISIONS	BY
PLUMBING	1/14
STRUCTURE	1/14
MECHANICAL	1/14
ELECTRICAL	1/14
PAINTING	1/14
GENERAL	1/14
FOUNDATION	1/14
ROOFING	1/14
CLADDING	1/14
MECHANICAL	1/14
ELECTRICAL	1/14
PAINTING	1/14
GENERAL	1/14
FOUNDATION	1/14
ROOFING	1/14
CLADDING	1/14



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Comments: _____

SECTION OF OPEN STRUCTURES 1/2 TO 1/4

KEMATO RESIDENCE 324 SECOND ST EAST CITY OF SONOMA, SONOMA CA

Date: 3/26/16

Scale:

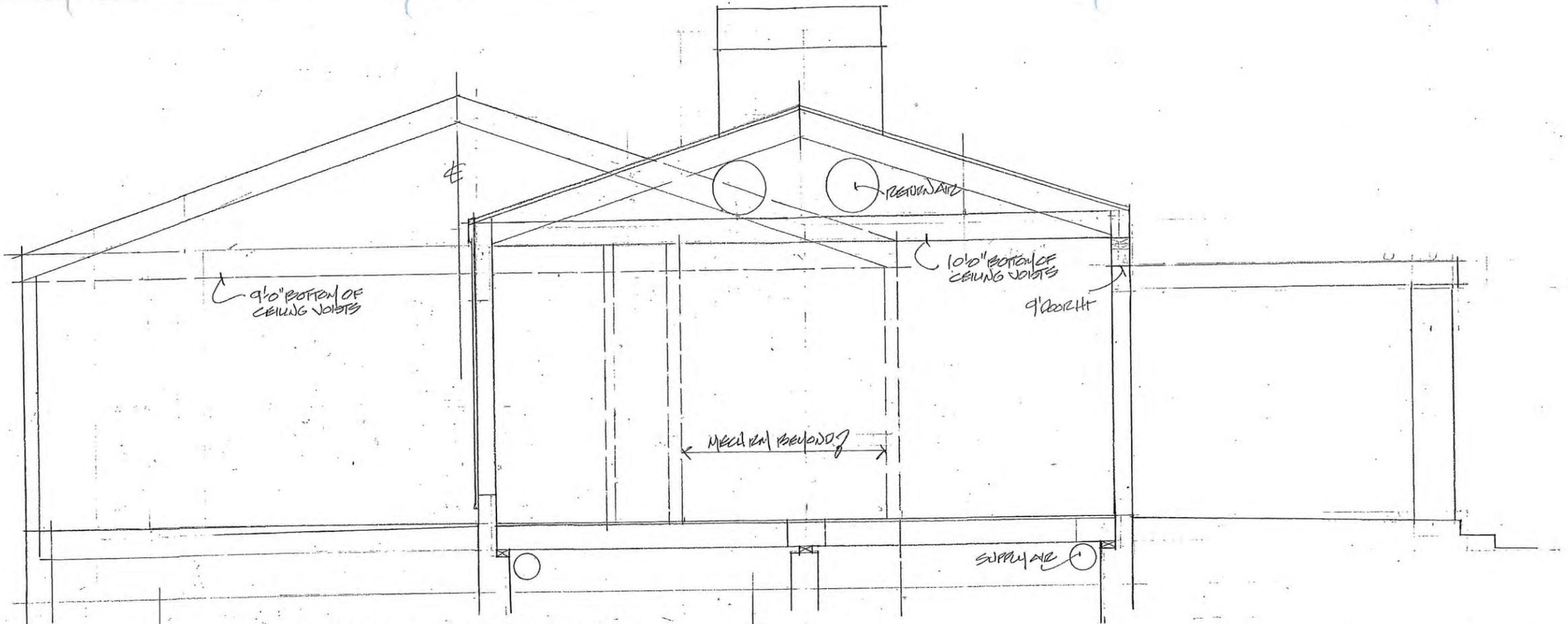
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Job:

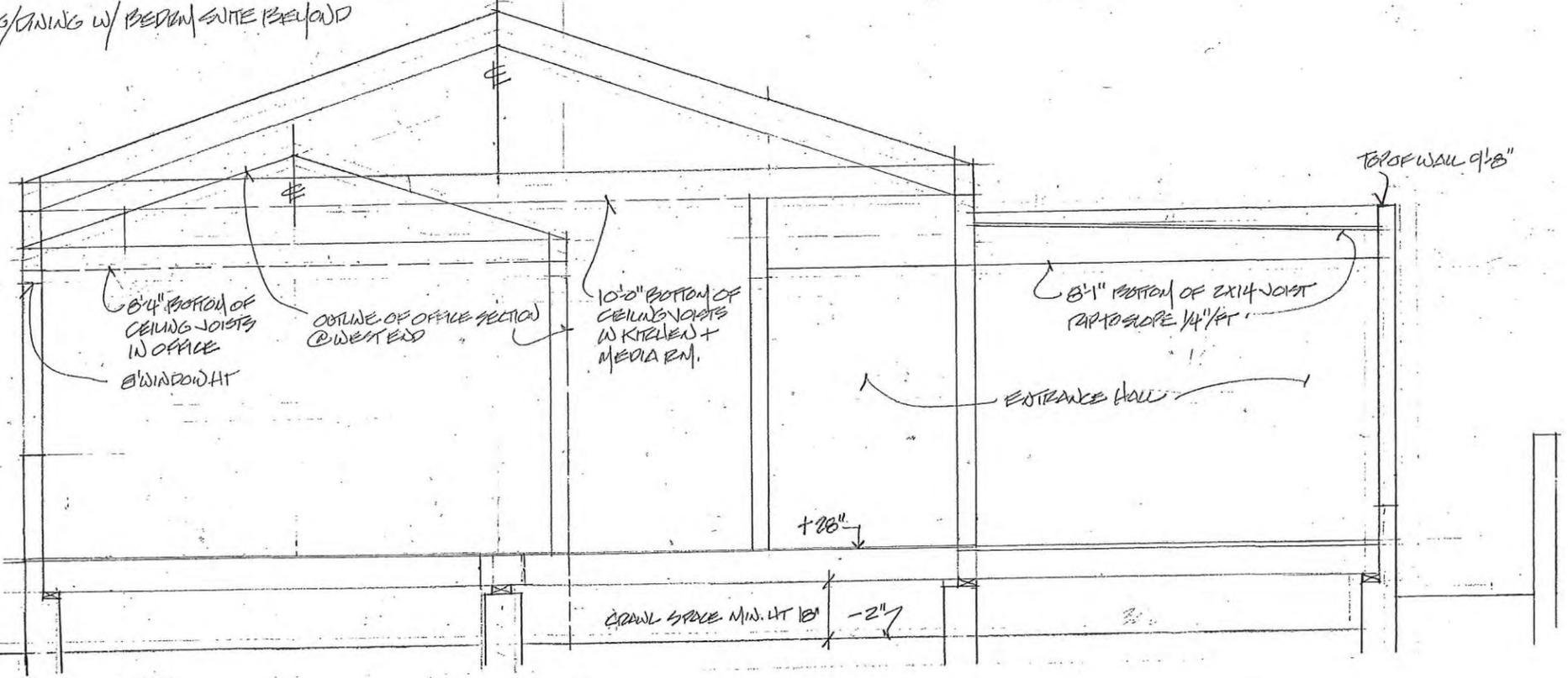
Sheet: **A4**

Of: 4 Sheets

REVISIONS	BY
FOOTINGS	12/16



SECTION THRU LIVING/DINING w/ REAR SUITE BEHIND
1/2"=1'0"



SECTION THRU KITCHEN + ENTRY w/ OFFICE IN FRONT
1/2"=1'0"

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Date: 5/31/16

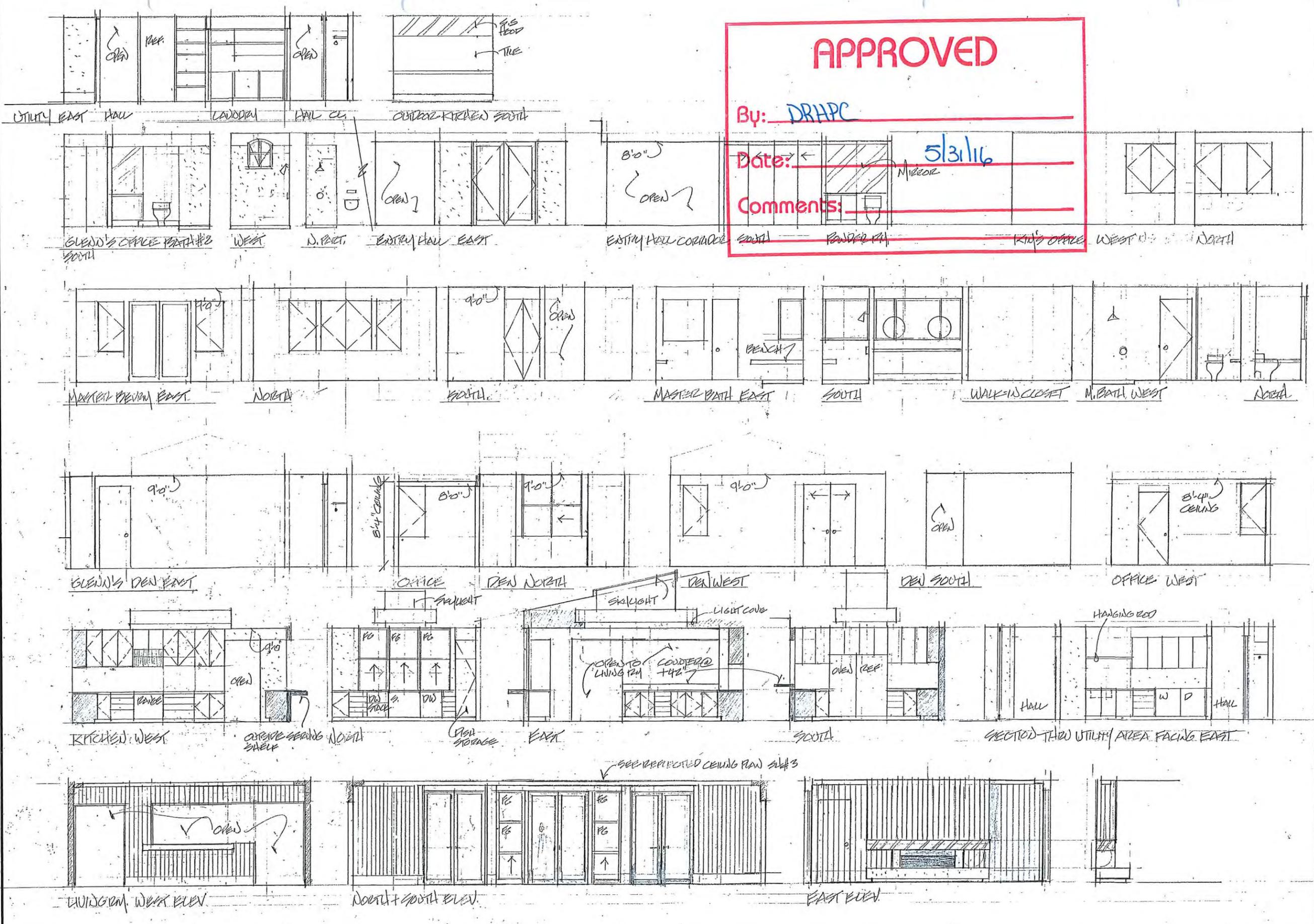
Comments: _____

SECTION THRU MAIN HOUSE 1/2"=1'0"
 IKENOTO RESIDENCE, 324 SECOND ST EAST CITY OF SONOMA, SONOMA, CA

Date	5/26/16
Scale	
Drawn	
Job	
Sheet	A5
Of	Sheets

REVISIONS	BY
ELEV. HALL	
REVISION #2	
REVISIONS OFF 5/16/16	

APPROVED
 By: DRAPC
 Date: 5/31/16
 Comments: _____



INTERIOR ELEVATIONS MAIN HOUSE 1/4" = 10"
 IKENOTO RESIDENCE 324 SECOND ST. EAST CITY OF SONOMA, SONOMA, CA

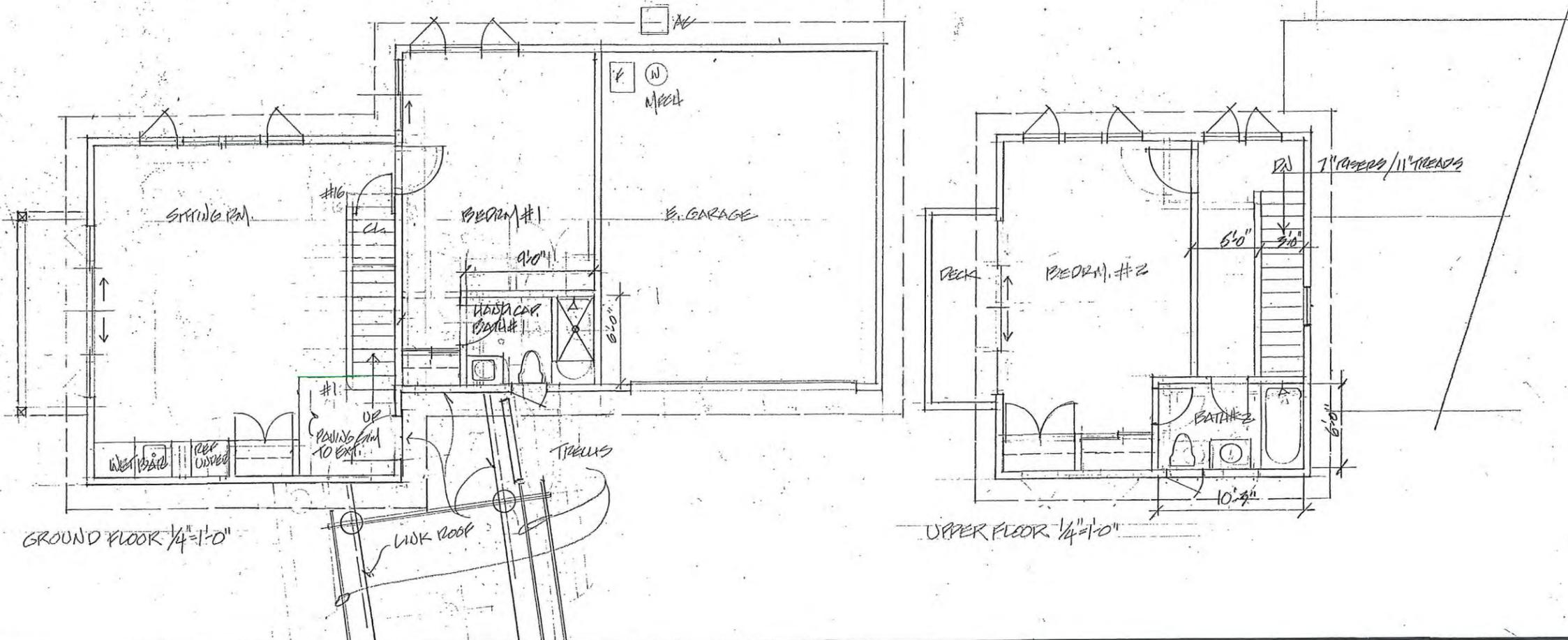
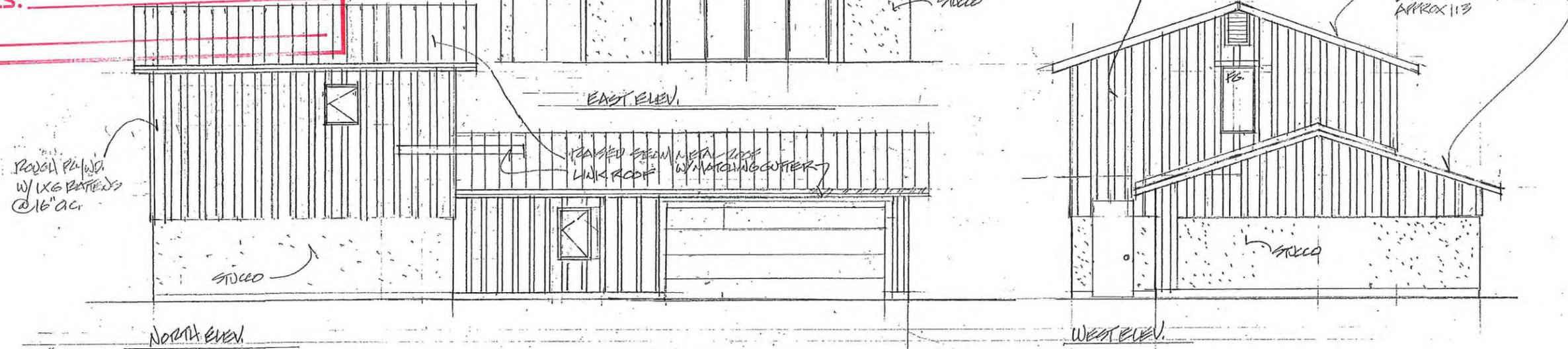
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Sheet	A6
Of	Sheets

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Comments:



REVISIONS	BY
DRHPC	1/16
DRHPC	3/22

EXISTING BEDRM, WING, PLANS, EXTERIOR ELEVATIONS: 1/4"=1'-0"
 IKEMOTO RESIDENCE, 324 SECOND ST EAST, CITY OF SANJOA, SANJOA, CA

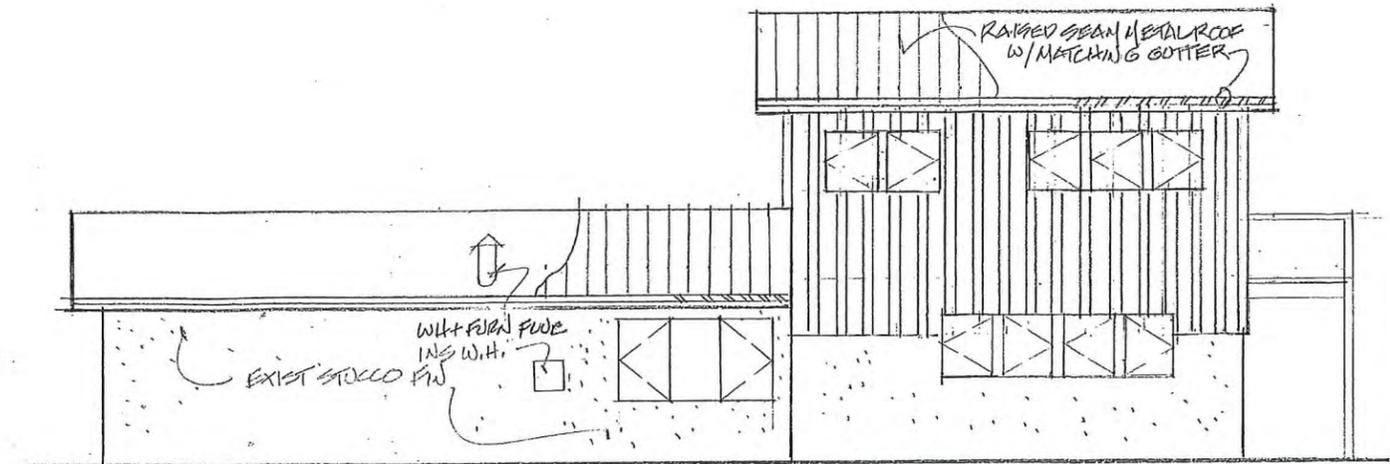
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Job	
Sheet	A-7
Of	Sheets

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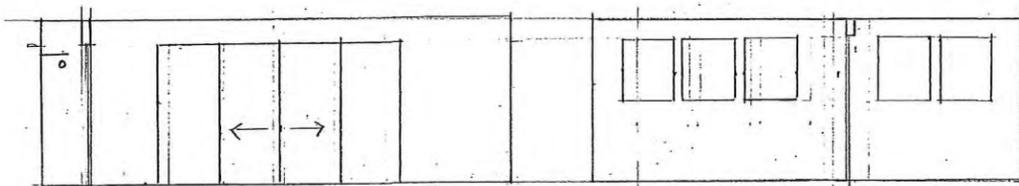
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Date: 5/31/16

Comments:

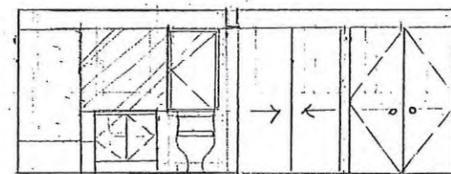


South Elev.



Bedrm #2 East

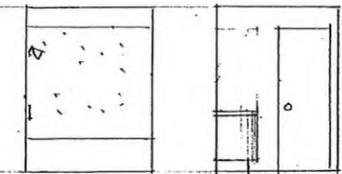
South



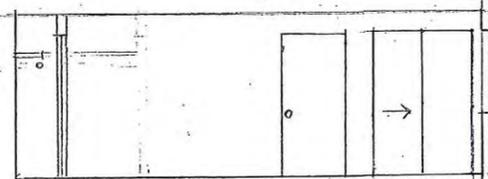
Bath #2



West

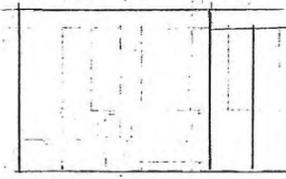


Bath #2 West

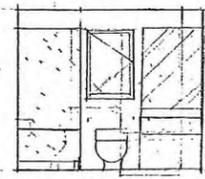


Bedrm #1 East

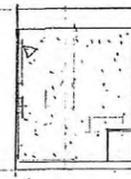
South



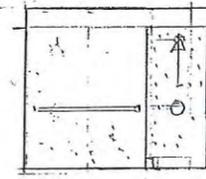
North



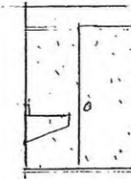
Bath #1 North



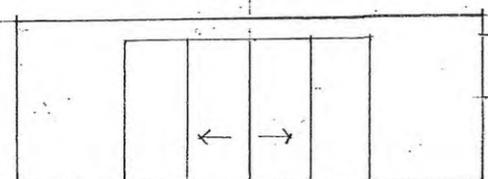
West



South

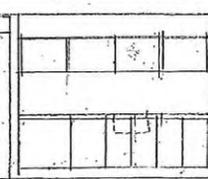


East

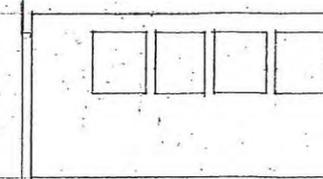


Living Rm. East

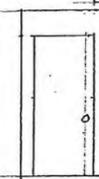
North



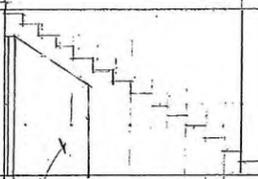
West Wall



South



West



Clear Below Stair

EXISTING BEDRM. NING EXTERIOR ELEV., INTERIOR ELEV. 1/4"=1'-0"
IKENOTO RESIDENCE 324 SECOND ST EAST, CITY OF SONOMA, SONOMA, CA

Date 3/26/16

Scale

Drawn

Job

Sheet A0

Of Sheets

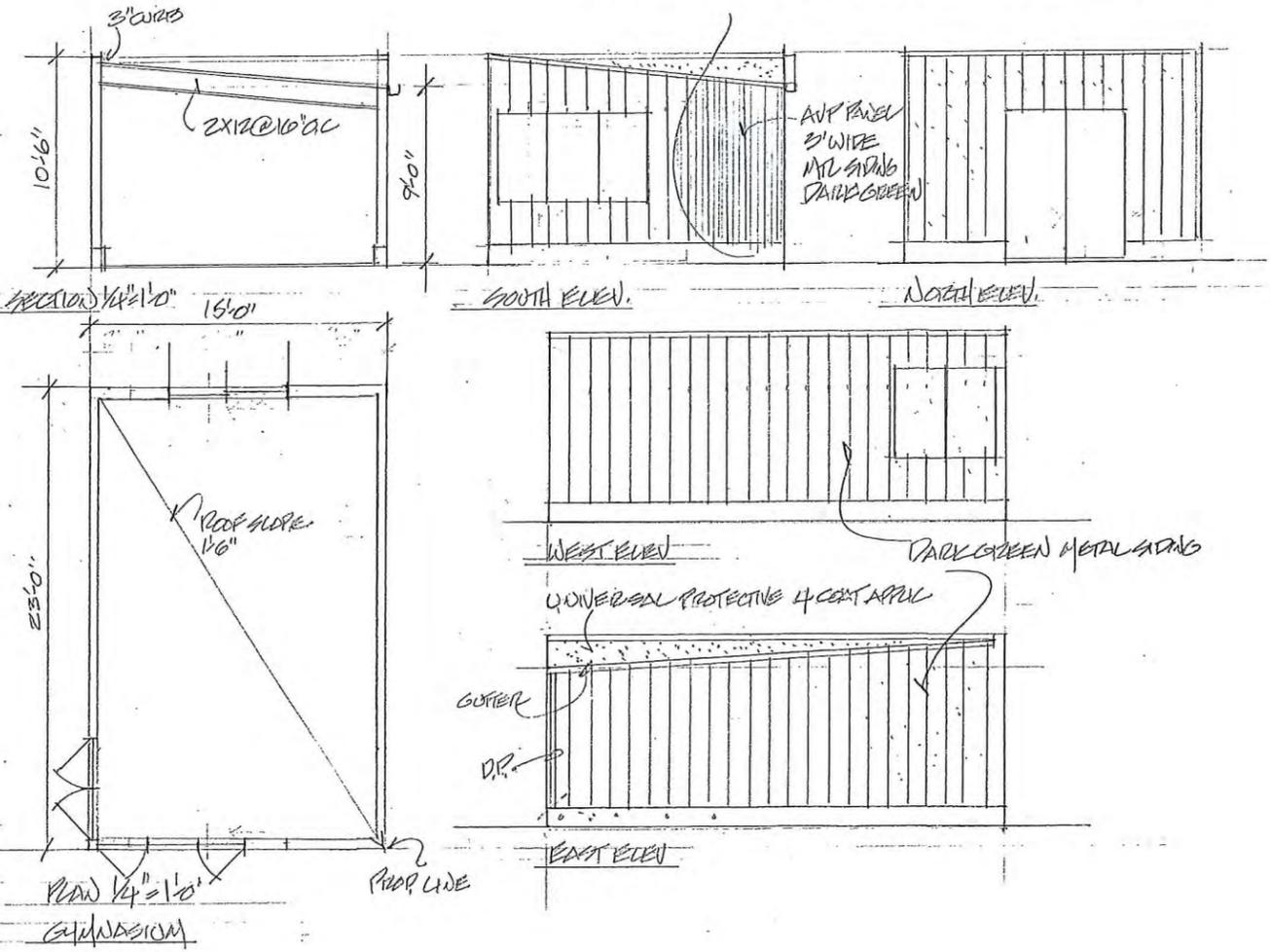
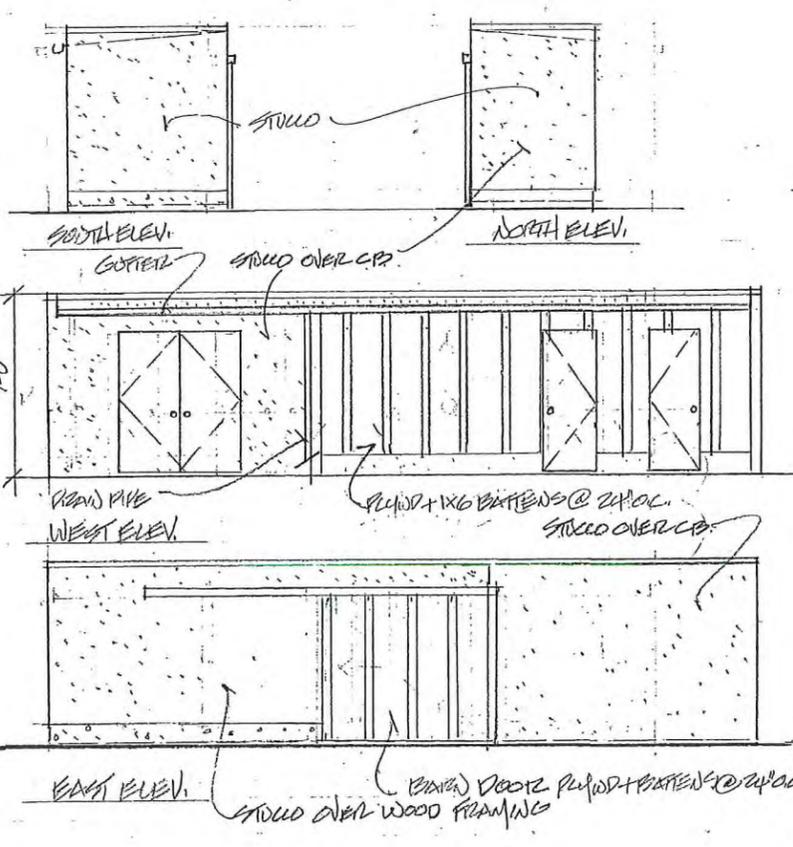
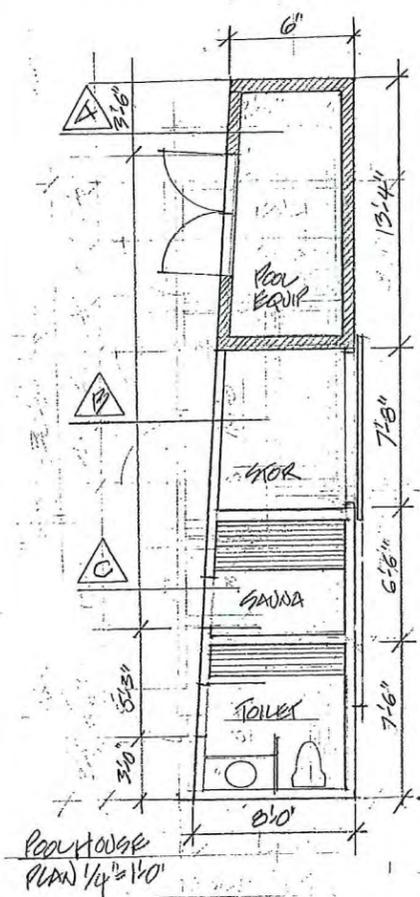
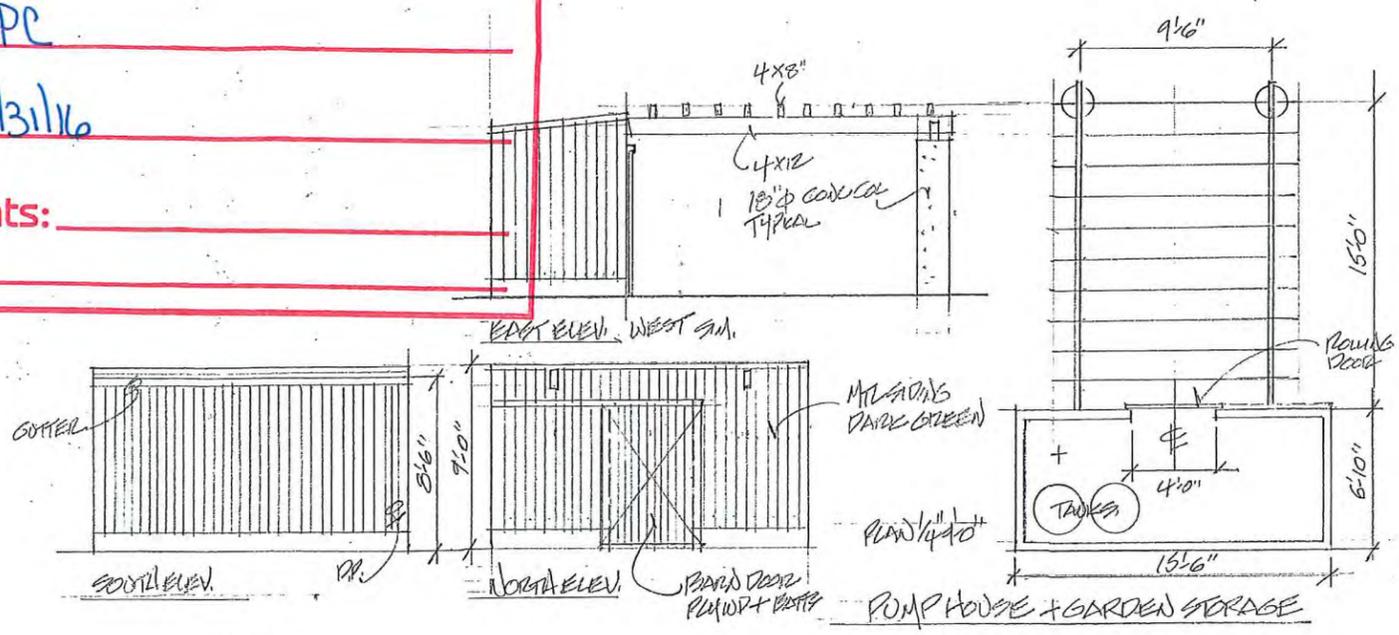
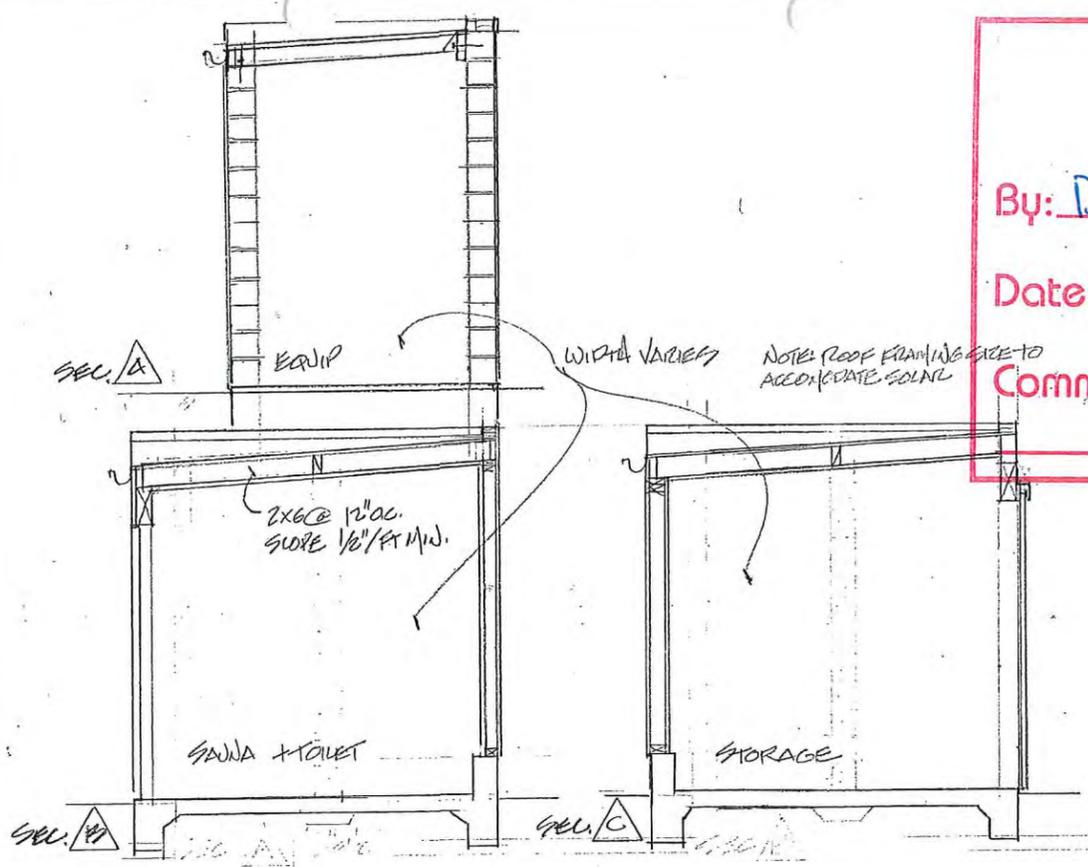
REVISIONS	BY
2/2/16 PMP/PA	
POOL HOUSE PLAN + SECT	3/1/16

APPROVED

By: DRHPC

Date: 5/31/16

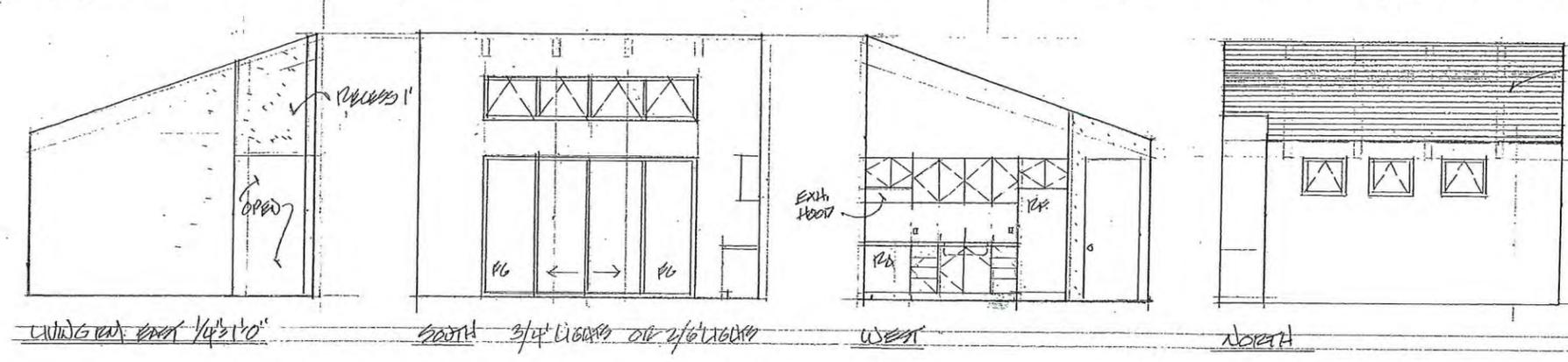
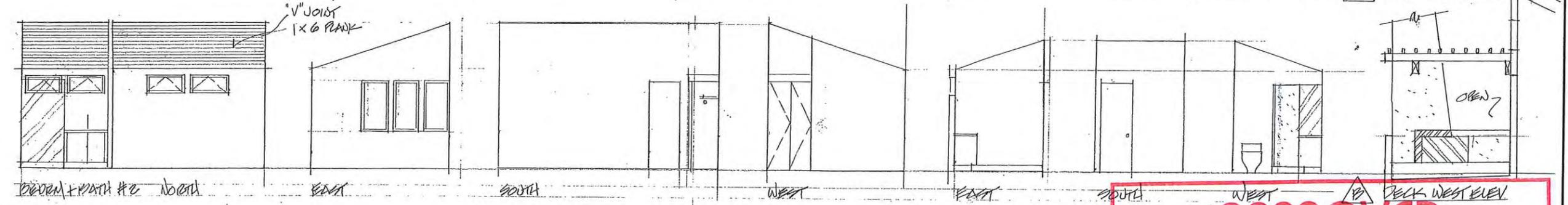
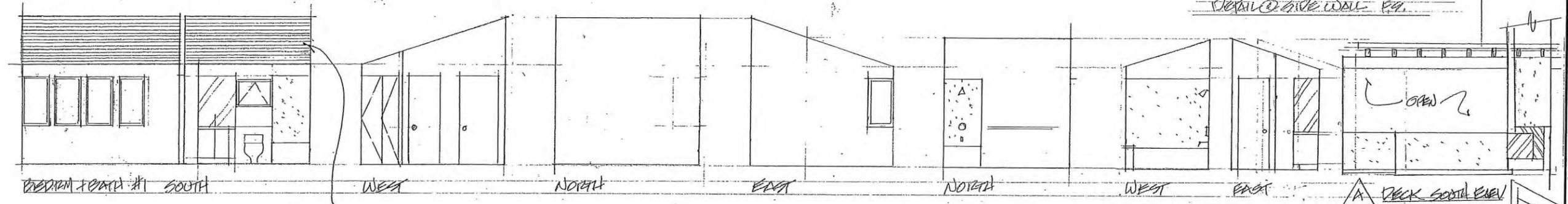
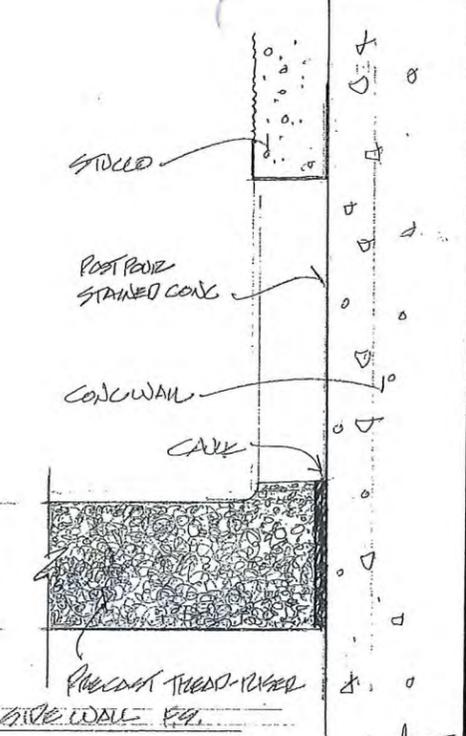
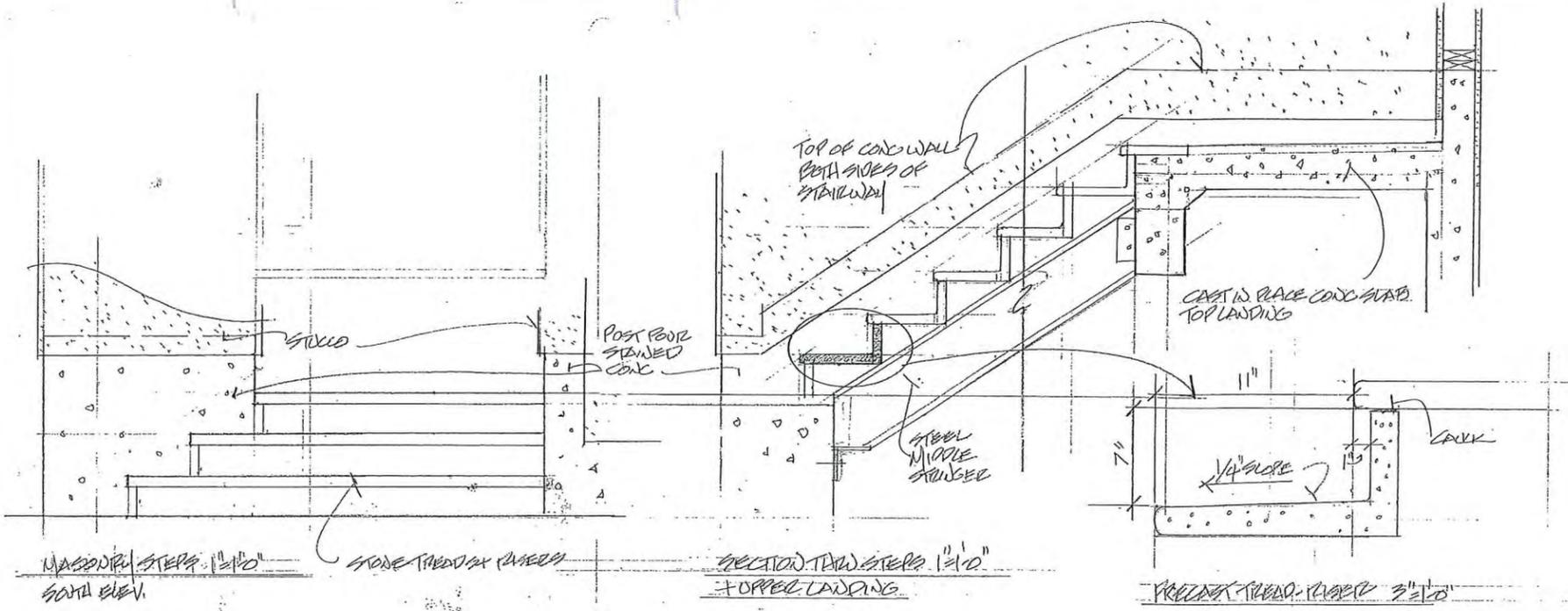
Comments: _____



ACCESSORY BUILDINGS: POOL HOUSE, GYMNASIUM, + PUMPHOUSE 1/4" @ 1'-0" SECTION BUILDING 1/8" @ 1'-0" IKEMOTO RESIDENCE 324 SECOND ST. EAST CITY OF SOLOMA, SONOMA, CA

Date: 3/26/16
Scale:
Drawn:
Job:
Sheet: A9
Of: _____ Sheets

REVISIONS	BY
3/26/16	DRAPC
5/31/16	DRAPC



APPROVED

By: DRAPC

Date: 5/31/16

Comments: _____

GUEST HOUSE INTERIOR ELEVATIONS 1/4"=1'-0" + EXTERIOR STAIR DETAILS
 IKEMOTO RESIDENCE 324 SECOND ST. EAST CITY OF SONOMA, SONOMA CA

Date	3/26/16
Scale	
Drawn	
Job	
Sheet	All
Of	Sheets

Received 5/31/16

Dear Councilmember...

The foundation of our government, and the basis on which all of our laws are formed is...
We all have the right to do as we choose, as long as we do not cause harm to someone else.

So therefore,

It is your powerful duty, as government, not to allow any one of us to take advantage of the other, when there is no justifiable reason for ones overbearing actions toward another...pure and simple.

claudia rannikar
300 2nd st east

August 9, 2016

Sonoma City Council
1 The Plaza
Sonoma, CA 95476

RE: 314/324 Second Street E; Appeal of DRHPC Approval

Dear Council Members:

We would like to take this opportunity to respond to the Appeal of our DRHP Approval, filed by our neighbor, Ron Albert. He objects to the proposed location of our Garage/Guest House. He believes we are required to conform our setback to his existing structure. We don't agree that this is required. In addition, compared to our proposal, his location would have a large negative impact on the community as well as ourselves. We also feel that his Appeal is based entirely on misapplied or misinterpreted development codes.

Five years ago, we made the decision to move to Sonoma for our retirement. We looked for a large lot with the opportunity for a guest house, because in addition to being our primary residence, our home anchors gatherings of our extended families. We found a unique T-shaped lot on a unique street. Our neighborhood includes the horse farm, the Vella Cheese Factory, the Bike Path, the Vintage House and the Patch. It is far from uniform. Developing a plan that deserves this exceptional site and prominent location has taken several years.

To take advantage of an existing building on the site, the final plan is a compound. To us, this layout evokes the rural history of Sonoma. By spreading our family's needs across several structures, we have reduced the overall impact of the main house. The site is entered through a grove of mature olive trees on a driveway intended to look like a gravel farm road. The multiple buildings on the site mimic a relaxed family farm, with it's out-buildings, that grew over time.

To approve our plans, the DRHP Commissioners reviewed our 200 page application and numerous other filings from interested parties. Most of the Commissioners visited the site. After conducting a 2.5 hour hearing, their deliberations were extensive, fair and extremely thoughtful. A review of their discussion will confirm that we were complimented on the thoroughness of our application and our architect was praised for the creativity of his design. All of the Commissioners felt our project will be a beautiful addition to the City and will contribute to its ambiance and rural environment. In view of the Commission's unanimous approval, we hope that the Council will support its Commissioners' hard work and deny the Appeal.

Section 19.42.050.B, Guidelines for Compatibility Do Not Apply .

The Appellant's first and most important objection is based on Section 19.42.050.B of the Development Code. His appeal recites a portion of that section "*The single most important issue of new infill development is one of compatibility, especially when considering larger structures.*" The remainder of this paragraph (which was omitted) is far more illuminating. It reads, "*When new structures are developed adjacent to older single-family residences, there are concerns that the bulk and height of the infill structures may have a negative impact on the*

adjoining smaller-scale structures. *The following considerations are intended to address this concern: (emphasis added)*"

The Appellant's property is NOT a single-family residence and is not smaller. It is a two story rental duplex, that is not owner occupied and is far larger than our proposed Garage/Guest House. Clearly this section, including its setback guidelines, does not apply to our structure. These setback guidelines were the main justification for the Appeal. Even if the Council feels that this section should still apply, these are only guidelines. We are not required to meet all of them. We fully comply with numerous other guidelines in this section.

The Appeal restated the DRHP Finding, required by Section 19.54.080.G.2.c, "*The project substantially complies with the applicable guidelines set forth in Chapter 19.42 SMC (Historic Preservation and Infill in the Historic Zone) (emphasis added).*" Guidelines are not the same as requirements. The requirement, here, is that a majority of the DRHP Commissioners find that we are "substantially" in compliance with the guidelines, not that we have met all of them. By unanimous vote, the DRHP Commissioners agreed that we met the test of substantial compliance.

Downtown Design Guidelines Do Not Apply

The Appeal refers to the Draft Downtown Sonoma Preservation Design Guidelines to demonstrate that the City's design goal is to unify the setback of each house to the sidewalk. Well ... we are not in the Downtown Planning District. By negative implication, that means we are specifically not required to unify the frontage of our building with the neighboring structures. Otherwise we would have simply been included in the District.

While maintaining a uniform setback on the narrow lots in the Downtown Planning District is an appropriate design goal for that area, we are allowed far more flexibility in our eclectic area. For example, there are three driveways directly across the street from our lot covering its full 62 ft frontage. The setbacks to the structures at the ends of those driveways are deeper than we have proposed for our Garage/Guest House.

Section 19.54.080.G Other Findings, Decision

The Appeal notes that there are seven Findings that must be made by the DRHP Commission. Two of these relate to historic structures and local preservation districts and do not apply to our project. We have already addressed Finding 2.c in detail, above. The remaining four required Findings are listed below:

- 1.a. *The project complies with applicable policies and regulations, as set forth in this development code (except for approved variances and exceptions), other city ordinances, and the general plan;*
- 1.b. *On balance, the project is consistent with the intent of applicable design guidelines set forth in this development code; and*
- 1.c. *The project responds appropriately to the context of adjacent development, as well as existing site conditions and environmental features.*
- 2.a. *The project will not impair the historic character of its surroundings;*

The Appellant claims that these Findings cannot be made. In his opinion, the Garage/Guest House location is in conflict with the *"orderly and harmonious appearance of structures and property within the city"* and will have an *"adverse aesthetic impact"* on his property. The Appeal provides no facts or substantiation for these claims, because there can be none. By their nature, these Findings require judgements about a range of considerations and balancing sometimes disparate interests.

The Appellant interprets the term "adverse aesthetic impact" as an absolute. That cannot be the case. If a neighbor only needs to claim that a structure has an adverse aesthetic impact on his property, very few houses can ever be built in Sonoma. The interpretation of this term must be within the discretion of the DRHP Commissioners.

The Appellant's opinion about the validity of the Findings doesn't matter. Neither does ours. The whole purpose of the DRHP Commission is to act as an informed neutral third party which balances the needs of property owners, neighbors and the community. It evaluates the relevant information and viewpoints of the parties and then renders its Findings and Decision. The Commissioners' opinions are the only ones that count. After extensive public comments, review and deliberations, their vote to approve our proposal, without changes, was unanimous.

Other Grounds for Appeal

Beyond rejecting the DRHP Commission's Findings, the Appellant identified three other grounds for his Appeal. We will respond to each of these, below.

- a. Section 19.18.020.B.1. This section appears to require an additional five foot setback for 2-story structures. This issue was discussed with the Planning Staff during project development and was addressed during the hearing. The following is an excerpt from the Staff's email on this topic:

"Development Code section 19.18 contains conflicting information with regard to setbacks for second story structures. Table 3-3 requires a 7 foot minimum and 18 foot combined setback for both one-story and two-story structures; whereas, the Building design section (19.18.020.B.1) states the following "Second stories shall be set back an additional 10 feet from the front setback, and five feet on the sides and rear setbacks". The Planning Director's interpretation has consistently required second story structures to follow the requirements in Table 3-3 and not in the Building design section." – Planning Staff, 5/31/2016.

If the Council wishes to add five feet to the side yard setback, we will have to eliminate the planting strip to the south to provide adequate backup room. This will diminish the Community Benefit of the landscaped view from the street for no meaningful benefit to our neighbor.

- b. Section 19.40.060. This section requires that setbacks be landscaped. The Appellant objects to our plan to gravel this area. We believe gravel is considered landscaping. It certainly will not be an untended weed patch. The area is gated at both ends and cannot be seen by anyone. However, we will add plants, if directed by the Council.
- c. Section 19.40.110. The Appellant states that this section, "prohibits the use of side setbacks for storage of garbage." He is misreading the section. The actual language of Subsection E.3 is, *"Front or street-side yards and setbacks shall not be used for the storage*

of garbage ... (emphasis added)." The street-side yard setback is not the same as a side yard setback, where we plan to keep our waste bins. It applies only to a corner lot and is defined in Subsection B.3 as, "*Street-Side Setback. The side setback, on the street side of a corner parcel ...*" However, we are willing to relocate the bins, if directed by the Council.

Shade Studies

Both the Appellant and we submitted shade studies during the application process. The two studies showed the same results. The only time shade can significantly cross the property line is during winter. However, since the property line is entirely landscaped with tall trees and shrubs, it is unlikely that the proposed Garage/Guest House will ever add any significant shade beyond what is already being cast by the existing landscaping. This is confirmed by the shade simulation for noon on the winter solstice (December 21). That is the hour when the sun is at its maximum southerly position. Shade cast onto the Appellant's property will never be more than this (see Exhibit 1).

Debate over the shade studies took up the bulk of the hearing. Three of the four Commissioners have visited the site. During their deliberations, they noted that the existing yard is already very shady.

Arborist Reports

The Appellant is concerned that construction of our Garage/Guest House may threaten his 40' spruce tree. Both of us have commissioned certified arborist reports. Not surprisingly, each arborist agrees with his client.

Here are the facts:

- Many structures are built closer to mature trees than we have proposed.
- Our arborist has given us specific instructions on protecting the tree during construction.
- We will use a pier and beam foundation near the tree to minimize or completely avoid disturbing the roots.
- The tree will not be pruned. The lower branches will be tied back during construction.
- Currently asphalt covers all of the roots on our side of the property line. It will be carefully removed and replaced with porous gravel, which is better for the tree.

We treasure this tree. It enhances our property as well as our neighbor's. However, in the face of conflicting arborist opinions, we believe our private property rights should take precedence. We have taken more than adequate care in planning construction techniques that will protect the tree.

Owner's View

It is important to remember that the Guest House is a secondary structure. On the other hand, the Garage is our primary parking area and services the Main House. It does not provide parking for the Guest House. We will use the Garage on a daily basis. If it is located where the Appellant wants it, it would be the same as parking in his garage, getting the groceries, walking

all the way through his house, then all the way through his back yard, then 40 more feet to arrive at our kitchen. That's just unreasonable.

Also, this is our final home. Therefore, wheelchair access and ramps have been designed into the Main House and the connecting structures, including the Garage. In the future, we can cover the ramp from the Garage with a solid trellis to keep out the rain, if the need arises. That would be much more difficult and unsightly if the Garage is in any other location.

Based on the Appellant's concerns, we looked at building a 1-story Guest House and Garage. This was very unattractive. It results in a narrow 80 foot long structure that makes the compound look like a school or strip mall.

The Appellant notes that we have four 2-story buildings along our property lines, including his duplex. He points out that his building is north of our property, so generates no shade. Well, there is another 2-story building on our southern backyard boundary, putting us in exactly in the same position he is in. As expected, it adds no shade to our yard beyond what the existing landscaping already produces. Another of the buildings blocks what must have been a great view of the eastern hills. All four of these 2-story buildings were built long after our house. We can honestly say that we would not have objected to any of these developments if they complied with the setback, height and size regulations.

There are several uses for the term, setback. The one that applies to our project is an area in which you cannot build structures. It is not a line at which you must place the structure. Our proposed structure is fully in compliance with all setbacks, height limits and floor area ratios. Also, all of the materials selected for our project can be found on other structures in the neighborhood.

Community Benefit

Perhaps the most important consideration is the impact of our project on the community. By placing the Garage/Guest House structure further back in the lot, we have room to plant a grove of mature olive trees in front. These trees are over 150 years old and have massive and beautifully gnarled trunks. There will be additional landscaping in front of the grove, feathering it down to the sidewalk. This will provide a stunning green zone for the many pedestrians that pass our property every day on their way to the Bike Path.

If we place the structure where the Appellant wants it (equal to his setback), there is only room for minimal front yard landscaping. Also, the last thing our neighborhood needs is another garage close to the street.

Sincerely,



Glenn Ikemoto



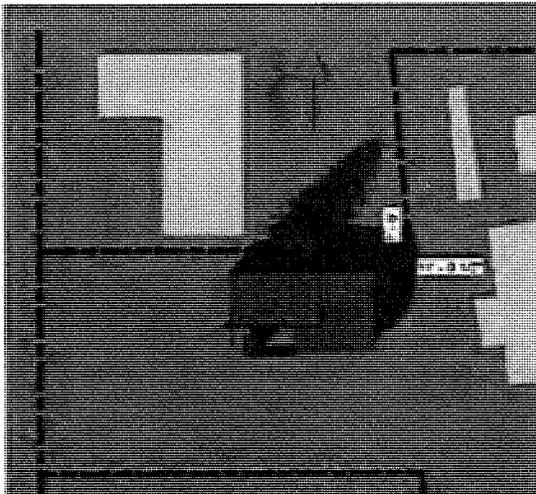
Kim Belchamber

SHADE STUDIES

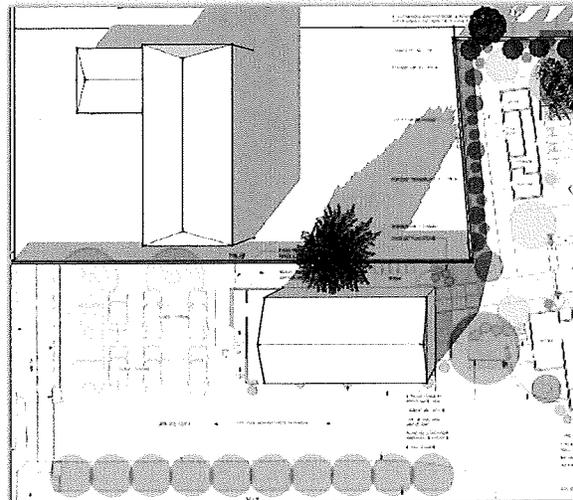
Below is a comparison of the Appellant's shade study with ours. The results are essentially identical. March 21 at 2:00 PM was chosen, because both studies provided a simulation for that date and time. Both models would predict exactly the same thing for other dates and times: shade from the Garage/Guest House doesn't even cross the fence line during the summer and barely crosses during the spring and fall. Even then, it won't cross the existing landscaping.

Comparison of Shade Models (March 21, 2:00 PM)

Appellant's Study

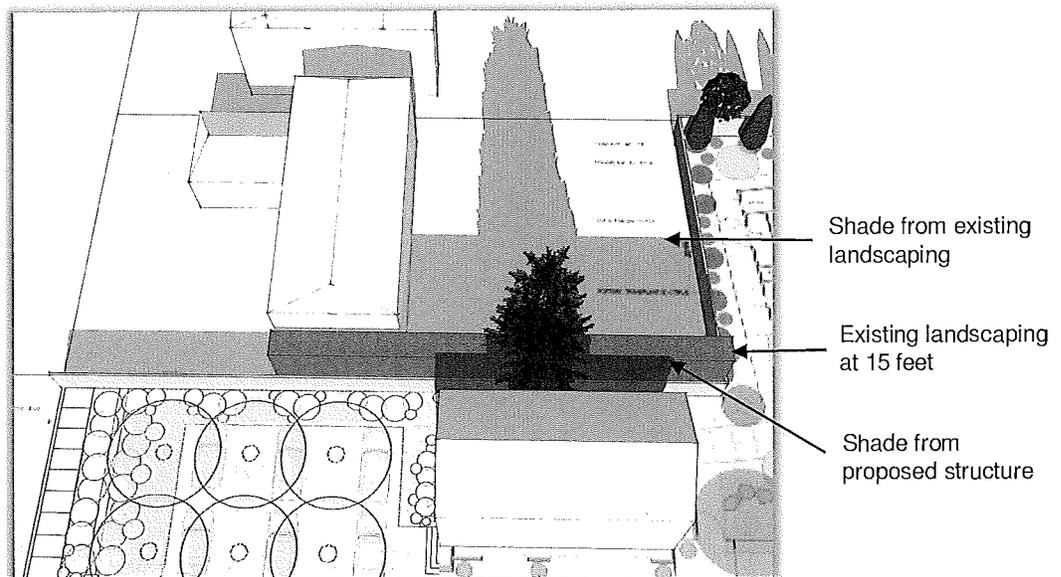


Owner's Study



Maximum Shade Case (December 21, Noon)

Shade across the fence line is at its maximum on the winter solstice, December 21, at noon. Even then, it does not cross the 15+ foot existing landscaping (modelled as a green hedge). All other days and times will have less shade.



SHADE STUDIES

Actual Site Condition (note: gutters are 18 feet high)



Supplement to Appeal for 314-324 Second Street East project

We request that the City Council either overturn the Design Review and Historic Preservation Commission's approval or modify the approval to be conditioned upon the following:

1. The proposed guesthouse/garage shall be moved forward to comply with Section 19.42.050.B of the Development Code so that the setback from the front of the building is either *"Equal to the average front setback of all residences on both sides of the street within 100 feet of the property lines of the new project; or equal to the average front setback of the two immediately adjoining structures on each side of the new project."*
2. The second story of the guesthouse/garage shall be set back an additional 5 feet to comply Section 19.18.020.B.1 of the Development Code; and
3. The height of the building shall be reduced by at least 6'.

The initial appeal provided excerpts from Chapter 19.42 of the Development Code supporting the request to move the building forward. The current location of the guesthouse/garage does not comply with the Code. It does not require any subjective analysis to reach that conclusion. Chapter 19.42 of the Code is clear and unambiguous and the applicant is not in compliance.

The second request that the second story be set back an additional 5 feet is based on the unambiguous requirement of Section 19.18.020.B.1 of the Development Code. Staff cites a table in another Section of the Code that does not include this requirement for the additional 5 foot setback. It is a fundamental law that if two code sections are in apparent conflict, every effort should be made to harmonize the sections. If they cannot be harmonized, the more restrictive provision should be adopted.

The final request is based in part on the newly obtained elevations filed with this Supplement. The applicant represented to City Staff and the Design Review Commission that the proposed building was approximately the same height as our building. The applicant was not required to provide elevations showing the relationship of their proposed building with existing buildings. These elevations show the proposed guesthouse-garage towers over our building. We request that the height be reduced by at least 6' so that it is approximately equal in height to our building.

Finally, whether or not the applicant's proposed location for their guesthouse/garage would endanger our protected tree is irrelevant because the proposed location is prohibited under Sonoma's current law. Nonetheless we submit herewith a supplemental letter from our arborist stating that the location endangers the health of the tree and is indisputably within the tree's dripline and root zone. If requested by staff or any councilmember our arborist will be present at the hearing in order to explain and rebut any challenge to his analysis.

We request the building be moved forward and aligned with the front setbacks of all the other buildings on the street and that the second story be setback an additional 5 feet, as expressly required by current Sonoma law, and that the building's height be reduced by at least 6 feet.

Respectfully submitted,

Ron & Marita Albert

MACNAIR
&
ASSOCIATES
CONSULTING ARBORISTS AND HORTICULTURISTS



July 14, 2016

Mr. Ron Albert
66 George Lane
Sausalito, CA 94965

RE: 324 Second Street East Tree Construction Impact Review

Dear Mr. Albert,

This report is a review of the potential tree impacts from the two-story residential building proposed for the property at 324 Second Street East in Sonoma, CA. At question is the impact on a mature Colorado blue spruce (*Picea pungens* 'Glauca') growing on your property at 310-312 Second Street East.

The blue spruce has an 18.5-inch trunk diameter measured at 4.5 feet above ground with an approximate height of 47 feet and an average crown diameter of 28 feet. The tree appears healthy with no observed significant pest or disease issues.

My understanding is that the building will be constructed seven (7) feet from the property line and 10 feet from face of trunk. Surface roots are likely to be growing below the pavement on the 324 2nd E Street side of the fence. The lower branches of the tree are extending up to seven feet beyond the fence and mid-crown branches extend another three to four feet for a total crown extension of 10 to 11 feet beyond the fence and over the proposed building footprint. Surface roots on the Albert side of the tree extend 17 feet from the face of trunk.

I have reviewed the May 31, 2016 letter from Horticultural Associates (HA) to Magrane Associates regarding tree preservation issues and have the following comments:

- 1.) HA is relying on the drip line as an accurate determination of the location of roots and the appropriate Tree Protection Zone (TPZ) and Mr. Meserve states that it is "the standard of the industry". This issue is specifically discussed in the booklet Best Management Practices *Managing Trees During Construction* (2008). In the section Defining the Tree Protection Zone the use of the dripline for determining the TPZ is discussed as often inadequate. *"Leaning trunks, ¹excurrent trees, trees with small or suppressed canopies, and trees with irregular rooting areas introduce complexity in determining the TPZ because the dripline of the of the canopy may not incorporate and adequate amount of the root zone for successful preservation. In these and other situations the TPZ can be*

¹ Colorado blue spruce is an excurrent, coniferous species with a conical crown form (height is twice as tall as the widest portion of the crown.)

AUG 10 2016

*calculated from the trunk diameter.” The trunk diameter method is based on diameter measured at 4.5 feet that is multiplied by a factor of 6 to 18 to determine the radius of the TPZ. This issue is also discussed in the book Trees and Development- A Technical Guide to Preservation of Trees During Land Development (1998). The text states “*The wide variation in root distribution and tree response, as well as many site variables, means that general tree protection guidelines based upon dripline are not very useful. The dripline can be successfully used in communities in which tree retention focuses on broad-canopied trees, such as oaks. A more appropriate guideline is trunk diameter because the TPZ is adjusted for the size of the tree, independent of canopy conformation.*”*

- 2.) Colorado blue spruce is rated as having moderate to good tolerance to root impacts. As a mature tree, the appropriate factor for determining the TPZ is 1.0 times the trunk diameter (inches), or a radial distance of 18 feet from the face of trunk.
- 3.) The proposed building location is located 10 feet from the trunk of this tree, well within the appropriate TPZ using the trunk diameter method. The building location is also within the actual dripline of the tree, which extends 10 to 11 feet beyond the fence. The HA report incorrectly states that the building is outside the dripline.
- 4.) The HA letter states that the spruce does not have a conical crown form. With a height twice the measurement of the lower crown diameter, this tree has a conical form. Wikipedia also states that the blue spruce has a columnar or conical form (https://en.wikipedia.org/wiki/Blue_spruce).
- 5.) The HA report states that pier and grade beam foundation will protect the tree. My understanding is that the building will be a garage. Garages typically have slab foundations with the top of slab close to the existing outside driveway elevation. Unless the garage floor is elevated above the outside soil elevation, it seems that a grading cut for the foundation is required for the building construction. No foundation, grading, or underground drainage/utility plans are provided as part of the construction impact assessment. A complete analysis of construction impact requires an evaluation of these plans.
- 6.) The HA report uses the analogy of transplanting trees as a basis to assume no damage will occur. The facts are that transplanted trees require intensive irrigation management for up to five years post-transplanting to compensate for root loss. Additionally, transplanted coniferous trees have high decline rates. If the building is built as currently planned, then the area between the building should be mulched and irrigated to compensate for the root loss. A gravel mulch with no irrigation will be a negative factor for a tree recovering from root loss.

Recommendations:

- 1.) Move the building outside the 18 foot TPZ (15 feet from the fence).
- 2.) Perform root pruning procedures at the foundation excavation limits.
- 3.) Mulch and landscape the area between the building and the tree with an irrigation system.

- 4.) Protect the soils from compaction during the construction period using deep mulch, geogrid fabrics, or steel plating.

Please contact me with any questions.

Sincerely,



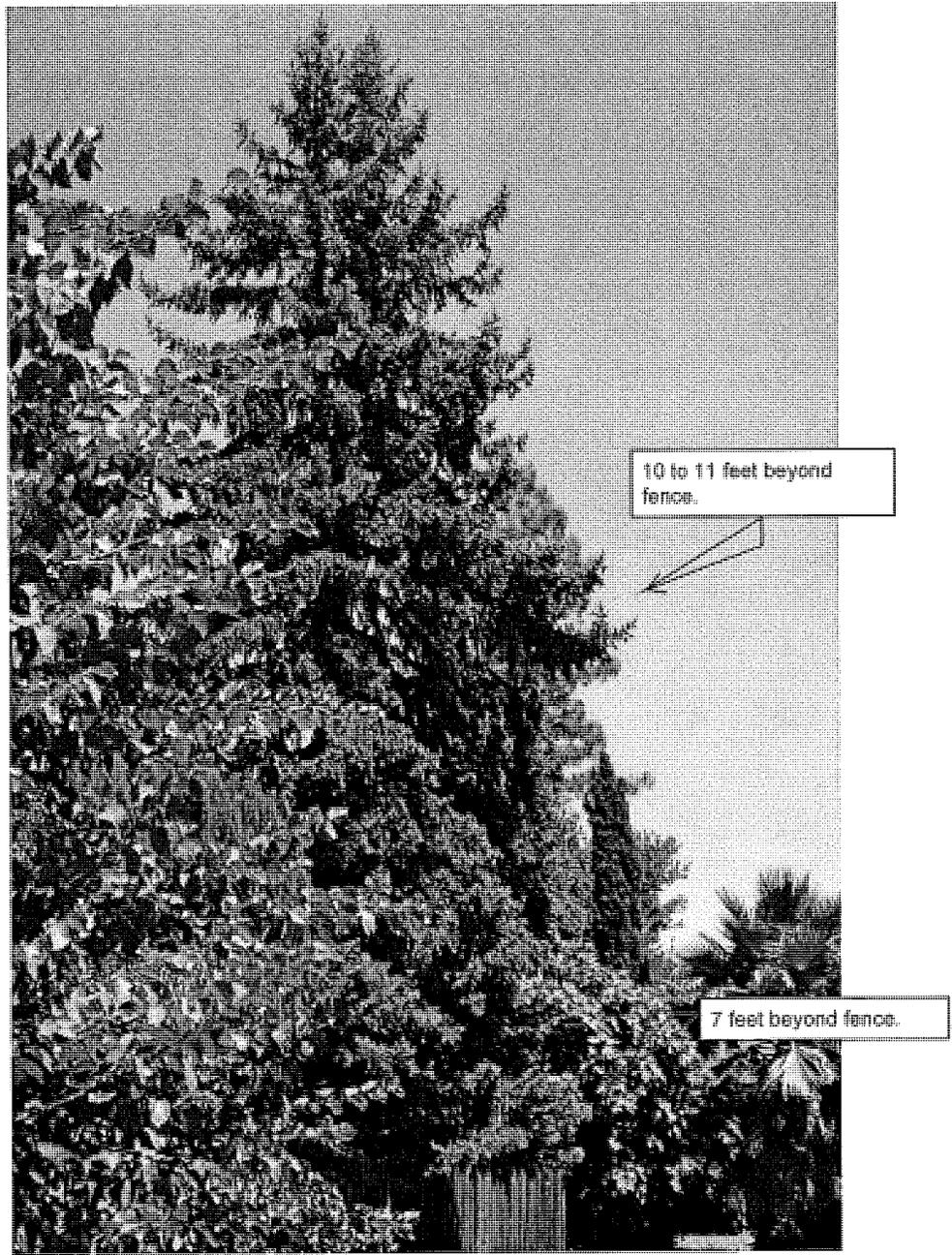
James MacNair

International Society of Arboriculture Certified Arborist WC-0603A
International Society of Arboriculture Qualified Tree Risk Assessor

Tree Images:



View of tree from Albert property. Note conical crown form.



View from street and dripline measurements.



Root extension (arrow) on Albert property 17 feet from face of trunk.



NORTH ELEVATION - EXISTING CONDITION

1/8" = 1'-0"

ANALYSIS OF SOUTH REARYARD WITH ADJACENT
PROPOSED STRUCTURE FOR:

RON ALBERT

PROPERTY ADDRESS: 310 - 312 2nd Street East
Sonoma, CA

AUGUST, 2016

AUG 1 0 2016



NORTH ELEVATION WITH PROPOSED ADJACENT BUILDING

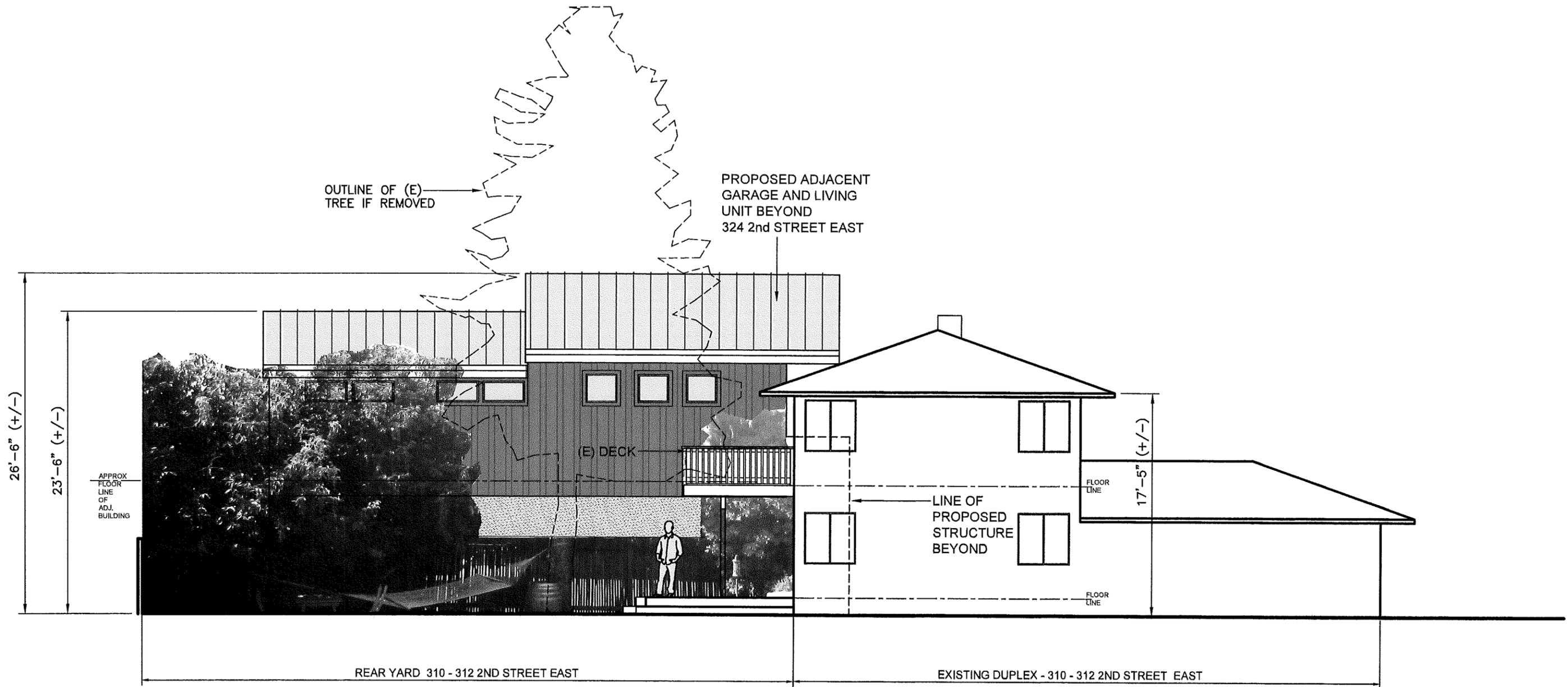
1/8" = 1'-0"

ANALYSIS OF SOUTH REARYARD WITH ADJACENT PROPOSED STRUCTURE FOR:

RON ALBERT

PROPERTY ADDRESS: 310 - 312 2nd Street East
Sonoma, CA

AUGUST, 2016



NORTH ELEVATION WITH TREE REMOVED

1/8" = 1'-0"

ANALYSIS OF SOUTH REARYARD WITH ADJACENT PROPOSED STRUCTURE FOR:

RON ALBERT

PROPERTY ADDRESS: 310 - 312 2nd Street East
Sonoma, CA

AUGUST, 2016

AUG 1 0 2016



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 7A

Meeting Date: 08/15/2016

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, Consideration and Possible Action to Accept the 2015-16 Annual Report of the Sonoma Tourism Improvement District

Summary

The Sonoma Tourism Improvement District (TID) is a benefit assessment district established to fund marketing and promotion efforts for Sonoma lodging businesses. The TID includes all lodging businesses (hotels, motels, inns, bed and breakfasts, and vacation rentals) located within the boundaries of the City of Sonoma. The Council has approved the renewal of the District Management Plan for a 10-year period through June 30, 2025. In accordance with the Plan, the TID board is required to present an annual report at the end of each year of operation to the City Council pursuant to Streets and Highways Code §36650.

The TID Board representatives will present a summary report of their activities during fiscal year 2015-16. At the end of their presentation, Council will be asked to accept the report.

Recommended Council Action

By motion, accept 2015-2016 annual report.

Alternative Actions

Request additional financial information.

Financial Impact

TID collections provide an estimated \$7,350 (1%) administrative fee payable to the City of Sonoma

Environmental Review

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

Status

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

Attachments:

TID Financial Report (Balance Sheet /P & L Report)
TID Annual Budget

cc:

Sonoma Tourism Board c/o Bill Blum, MacArthur Place

Jonny Westom , Sonoma Valley Visitors Bureau

SONOMA TOURISM IMPROVEMENT DISTRICT CORP.
Profit & Loss Budget Overview
 July 2015 through June 2016

	<u>Jul '15 - Jun 16</u>
Ordinary Income/Expense	
Income	
Revenue	
Sonoma TID Revenues	625,000.00
Less City Collection Fees	-6,250.00
Total Revenue	<u>618,750.00</u>
Total Income	<u>618,750.00</u>
Gross Profit	618,750.00
Expense	
Advertising/Marketing Expenses	
SVVB-Marketing Partner	525,000.00
TID Website Expenditures	5,000.00
Web/Computer	500.00
Total Advertising/Marketing Expenses	<u>530,500.00</u>
Business Expenses	
Filing Fees	500.00
Total Business Expenses	<u>500.00</u>
Contract Services	
Accounting/Bookkeeping Fees	3,000.00
Legal Fees	1,000.00
Outside Contract Services	0.00
Total Contract Services	<u>4,000.00</u>
Operations	
Insurance	
Insurance-D&O	1,500.00
Insurance - Liability	600.00
Total Insurance	<u>2,100.00</u>
Postage & Delivery	100.00
Office & Admin Expenditures	300.00
Total Operations	<u>2,500.00</u>
Other Types of Expenses	
Research & Reports	25,000.00
Grants	50,000.00
Total Other Types of Expenses	<u>75,000.00</u>
Total Expense	<u>612,500.00</u>
Net Ordinary Income	6,250.00
Other Income/Expense	
Other Expense	
Remainder to Allocate	6,250.00
Total Other Expense	<u>6,250.00</u>
Net Other Income	<u>-6,250.00</u>
Net Income	<u><u>0.00</u></u>

5:42 AM
07/16/16
Cash Basis

SONOMA TOURISM IMPROVEMENT DISTRICT CORP.

Balance Sheet

As of June 30, 2016

	<u>Jun 30, 16</u>
ASSETS	
Current Assets	
Checking/Savings	
Operating Account	434,291.42
Total Checking/Savings	<u>434,291.42</u>
Total Current Assets	434,291.42
Other Assets	
Start Up Expenses	52,922.00
Accumulated Amortization	<u>-9,702.00</u>
Total Other Assets	<u>43,220.00</u>
TOTAL ASSETS	<u>477,511.42</u>
LIABILITIES & EQUITY	
Equity	
Unrestricted Net Assets	330,171.68
Net Income	<u>147,339.74</u>
Total Equity	<u>477,511.42</u>
TOTAL LIABILITIES & EQUITY	<u>477,511.42</u>

SONOMA TOURISM IMPROVEMENT DISTRICT CORP.
Profit & Loss YTD Comparison

June 2016

	Jun 16	Jul '15 - Jun 16
Ordinary Income/Expense		
Income		
Revenue		
Sonoma TID Revenues	0.00	738,201.63
Less City Collection Fees	0.00	-7,382.01
Total Revenue	0.00	730,819.62
Total Income	0.00	730,819.62
Gross Profit	0.00	730,819.62
Expense		
Advertising/Marketing Expenses		
Advertising/Marketing Misc	0.00	350.00
SVVB-TID Marketing	0.00	525,000.00
TID Website Expenditures	0.00	0.00
Web/Computer	0.00	107.88
Advertising/Marketing Expenses - Other	0.00	250.00
Total Advertising/Marketing Expenses	0.00	525,707.88
Business Expenses		
Filing Fees	-75.00	30.00
Total Business Expenses	-75.00	30.00
Contract Services		
Accounting/Bookkeeping Fees	0.00	5,320.00
Bookkeeping Fees	288.00	288.00
Total Contract Services	288.00	5,608.00
Insurance		
Insurance - Liability	0.00	1,995.00
Total Insurance	0.00	1,995.00
Operations		
Postage & Delivery	0.00	19.60
Office & Admin Expenditures	9.95	119.40
Total Operations	9.95	139.00
Other Types of Expenses		
Research & Reports	0.00	25,000.00
Grants	0.00	25,000.00
Total Other Types of Expenses	0.00	50,000.00
Total Expense	222.95	583,479.88
Net Ordinary Income	-222.95	147,339.74
Net Income	-222.95	147,339.74



CITY OF SONOMA
 City Council
 Agenda Item Summary

Agenda Item:	9
Meeting Date:	08/15/2016

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

Recommended Council Action – Receive Reports

Attachments: None