

**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 December 15, 2014

6:00 p.m.

MINUTES

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

OPENING

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

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

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, City Attorney Walter, Associate Planner Atkins, Planning Director Goodison, Public Works Director Takasugi, Finance Director Hilbrants

1. COMMENTS FROM THE PUBLIC

Terrence (Terry) Leen, Commander of American Legion Jack London Post 489, welcomed the new Councilmembers and stated that he looked forward to working with them. He handed out challenge coins to each Councilmember and explained its significance.

Ed Kenney stated he did not care for roundabouts.

Jack Wagner suggested that the Council take up the issue of term limits as some time in the future and stated that the amount of money it would take to construct a roundabout could be put to better use for things like street repair and energy efficiency.

2. MEETING DEDICATIONS - None

3. PRESENTATIONS - None

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:** Adopt a resolution to co-sponsor an Urban Streams Grant application with the Sonoma Ecology Center. (Res. No. 61-2014)
- Item 4C:** Rescind Resolution 39-2013 establishing an appropriations limit for the Fiscal Year 2013-2014. Approve Resolution establishing a corrected appropriations limit for Fiscal Year 2013-2014 pursuant to Article XIII B of the California Constitution as Amended by Proposition 111. (Res. No. 62-2014) Approve Resolution establishing an appropriations limit for Fiscal Year 2014-2015 pursuant to Article XIII B of the California Constitution as Amended by Proposition 111. (Res. No. 63-2014)
- Item 4D:** Adopt Resolution Updating Signatories for the City of Sonoma's Financial Institution Accounts. (Removed from Consent Calendar, see below)
- Item 4E:** Adoption of an ordinance amending the Development Code to establish a process for addressing requests for reasonable accommodation. (Ord. No. 07-2014)
- Item 4F:** Approval and Ratification of the Appointment of James Cribb to the Planning Commission.

City Manager Giovanatto removed and tabled Item 4D. The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Edwards, to approve the items remaining on the Consent Calendar as presented. The motion carried unanimously.

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

There were no consent calendar items.

6. PUBLIC HEARINGS

Item 6A: Discussion, consideration, and possible action regarding the Chase Street Bridge Replacement Project, including consideration of a Negative Declaration.

Mayor Cook opened the public hearing. Public Works Director Takasugi reported that the proposed project would replace the existing Chase Street Bridge over Nathanson Creek, between Broadway and Austin Avenue. The bridge had been determined by Caltrans to be structurally deficient and functionally obsolete. Because it was within the 100-year floodplain the replacement structure would need to facilitate the flow of water within the creek. The new bridge would be a single-span concrete slab bridge, approximately 30 feet long. Takasugi also reported that a CEQA Draft Initial Study had been completed and Council was being asked to approve it along with a Mitigated Negative Declaration. Staff was pursuing right-of-way acquisition and expected construction to commence in July 2016.

The public comment period opened and closed with none received. Councilmembers expressed their support for the project. It was moved by Clm. Gallian, seconded by Clm. Hundley, to adopt Res. No. 64-2014 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA ADOPTING A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PROGRAM FOR THE CHASE STREET BRIDGE REPLACEMENT PROJECT AT NATHANSON CREEK. The motion carried unanimously.

Item 6B: Discussion, consideration, and possible introduction of an ordinance amending Title 18 of the Sonoma Municipal Code (Sign Regulations).

Mayor Cook opened the public hearing. Associate Planner Atkins reported that the City Council and Design Review and Historic Preservation Commission (DRHPC) met in a joint session on June 3, 2009 and the Commission was requested to revise the sign guidelines. Since that time, they reviewed, considered and discussed proposed changes at several meetings. Input had been received from sign makers, the real estate community, and the Economic Development Advisory Committee. She described the various changes that were being proposed and explained that they were meant to make the requirements more business friendly by increasing the types of applications that could be reviewed and acted upon administratively.

Responding to questions from Councilmembers, Atkins explained the definition of “portable free standing signs” and that regulations for real estate signs were located in another section of the Code. In response to an inquiry from Clm. Edwards, Atkins stated that staff dealt with approximately fifty sign code violations a year; each taking between one and four hours of staff time. In response to an inquiry from Clm. Gallian, Atkins stated that the largest representation at the public meetings was of the real estate community.

Mayor Cook invited comments from the public. Kelso Barnett, DRHPC Chair, stated the Commission spent a great deal of time and effort on the proposed updates and revisions to the Code. They had agreed that Sonoma was special and unique and that the signage should be reflective of that. He encouraged the Council to adopt the proposed changes.

Clm. Agrimonti stated that the business person who had spoke at the last Council meeting regarding sign regulations had made an impression on her and she was sensitive to the local merchants because they were up against a lot of competition.

Clm. Edwards pointed out that the County was currently dealing with the issue of the proliferation of A-frame signs in Kenwood. He said if they were permitted, there would be the issue of pedestrians trying to navigate the sidewalks. Clm. Edwards felt the proposed ordinance included adequate avenues for creativity by the merchants to remain competitive. Clm. Agrimonti added that each process for sign approval came with a cost to the merchants and she would like to see balance. Clm. Edwards pointed out that none of the merchants were present.

Clm. Hundley stated she agreed with the spirit behind the proposed changes and that she wanted to be able to direct business owners to the signage options that were available to them.

Clm. Gallian stated that the proposed ordinance may not be a perfect product but she wanted to move it forward. She moved, and Clm. Agrimonti seconded, to introduce the ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING TITLE 18 OF THE SONOMA MUNICIPAL CODE BY AMENDING THE SIGN REGULATIONS AS THEY PERTAIN TO ADMINISTRATIVE REVIEW, SIGN REVIEW, FREESTANDING SIGNS, ANIMATED SIGNS, AND SIGN PROGRAMS. The motion carried unanimously.

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, consideration and possible action selecting the 2015 City of Sonoma Alcalde.

City Manager Giovanatto reported that the Alcalde Nomination Committee had met and forwarded three names to the Mayor for consideration. Mayor Cook announced his nominee as the 2015 Alcaldessa was Marcie Waldron. It was moved by Clm. Edwards, seconded by Clm. Gallian, to ratify the nomination. The motion carried unanimously.

RECESS: The meeting recessed 6:30 to 6:35 p.m. so that Mayor Cook could call Ms. Waldron and inform her of her selection as the 2015 Alcaldessa.

Item 7B: Discussion, consideration and possible action on a proposal for the upgrade and re-use of the Maysonnave Cottage through a long-term lease.

Planning Director Goodison reported that in 2012 the City Council decided not to demolish the Maysonnave Cottage and began exploring alternative uses for it. In response to a request for proposals for the re-use of the cottage, Benchmark/Hoover submitted a proposal to lease the property for twenty years with an allowance for the cottage to be used as a vacation rental in exchange for lease payments and the renovation of the cottage to a residential occupancy standard. At the conclusion of the lease, the City could then use the accumulated lease payments to improve the cottage to a public standard. In November 2013, the Council approved the proposal in concept and directed staff to negotiate a lease. Goodison stated that lease negotiations had been lengthy and complicated due to the unusual nature of the proposal; however, agreement in principle had been reached on all points except for one that required Council direction. He explained that there was a possibility that the development project could be determined to be subject to prevailing wage requirements which would up the cost significantly and the developers were seeking relief from the City should that occur. Benchmark/Hoover requested that if the payment of prevailing wages was required the City reimburse them for the cost difference, which they estimate at \$15,000 to \$22,500.

Clm. Edwards confirmed that once completed the vacation rental would collect Transient Occupancy Tax. Clm. Agrimonti confirmed that the \$15,000 to \$22,500 was associated with hours worked. In response to inquiry by Clm. Hundley, Goodison explained that the prevailing wage could be triggered if someone were to file an inquiry, claim or complaint with the State Department of Labor.

Mayor Cook invited comments from the public. John Fanucchi stated that the will of Henry Maysonnave specified the property was to be used as a museum or park. He questioned where the extra money would come from if the City had to pay. Goodison stated that funding for the project had been set aside in the Special Project Fund and because of a cost saving realized on the electrical upgrade there were adequate funds for this expense, should it be incurred. Fred Allebach spoke in support of paying a living wage.

A discussion ensued amongst Councilmembers and staff regarding the issues of possible liability, attorney fees and penalties. It was moved by Clm. Gallian, seconded by Clm. Edwards, to authorize payment to Benchmark/Hoover in an amount not to exceed \$22,500 should the project become subject to the prevailing wage and to require that any penalties assessed by the State to be paid by the developer. The motion carried unanimously.

Item 7C: Discussion, Consideration and possible action regarding the annual assignment of Councilmembers to various Boards and Committees.

Mayor Cook stated that he had consulted with each Councilmember regarding their desired committee assignments and then read them aloud. The public comment period was opened and closed with none received. It was moved by Clm. Agrimonti, seconded by Clm. Gallian, to approve the assignments. The motion carried unanimously.

Item 7D: Discussion, consideration and possible action approving the Annual City Council Meeting Calendar for 2015 and adopting a resolution establishing the regular meeting dates.

City Manager Giovanatto presented the 2015 meeting calendar with a recommendation that Council consider going dark the first meeting in August to allow some time off for scheduling vacations. It was moved by Clm. Gallian, seconded by Clm. Hundley, to cancel the first meeting in August and to adopt Resolution Number 65-2014 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA AND THE CITY COUNCIL AS SUCCESSOR AGENCY ESTABLISHING THE REGULAR MEETING DATES OF THE CITY COUNCIL FOR THE 2015 CALENDAR YEAR. The motion carried unanimously.

Item 7E: Presentation by City Attorney Walters: Overview of the Ralph M. Brown Act and Summary Ethics Provisions.

City Attorney Walter presented information regarding the Brown Act, Ethics (AB1234) and the City's stationery use policy.

Mayor Cook invited comments from the public. Fred Allebach commented about ad hoc subcommittees relative to the Brown Act.

Jack Wagner inquired how lobbyists fit in the subject. Attorney Walter explained that Councilmembers needed to exert caution when talking to lobbyists or reporters because they could create a situation where a third person was brought into a conversation.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

There were no regular calendar items.

9. COUNCILMEMBERS' REPORTS AND COMMENTS

Clm. Gallian reported attendance at the SCTA/RCPA and NB Division meetings; the Employee Appreciation Party, Wreaths Across America, Lighting of Snowman at Cornerstone, Sister Cities Association Party, and the Firefighters' Association Party.

Mayor Cook reported attendance at the Library Advisory Board meeting.

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

City Manager Giovanatto commended Public Works staff for their excellent around-the-clock efforts that reduced the impacts of the recent rains. She reminded the public that although we had received significant rainfall, they still needed to conserve water.

11. COMMENTS FROM THE PUBLIC

A business owner who did not give her name stated she was sorry to have missed the discussion regarding the sign ordinance. She said that small business owners had not been included in the ordinance discussions; but she was happy that DRHPC Chair Barnett had agreed to meet with her and other business owners to discuss their concerns.

12. ADJOURNMENT

The meeting was adjourned at 7:51 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 7th day of January 2015.

Gay Johann
Assistant City Manager / City Clerk