

**SPECIAL AND 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, May 4, 2015

5:45 p.m. Closed Session (Special Meeting)

6:00 p.m. Regular Meeting

MINUTES



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

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

5:45 P.M. – SPECIAL MEETING - CLOSED SESSION

CALL TO ORDER

The Mayor opened the meeting and asked for public testimony on closed session items only. No one was present in the audience. The Council then recessed into closed session.

CONFERENCE WITH LEGAL COUNSEL -- EXISTING LITIGATION, Pursuant to Cal. Gov't Code sec. 54956.9(d)(1). Name of case: DMV, LLC v. City of Sonoma

6:00 P.M. -- REGULAR MEETING

Mayor Cook called the meeting to order at 6:05 p.m. Steve Barbose, former City Mayor and Councilmember led the Pledge of Allegiance.

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

OTHERS PRESENT: City Manager Giovanatto, City Attorney Walter, Planning Director Goodison, Administrative Assistant Gipson.

City Manager Giovanatto requested Item 7B be pulled and reagendized for the May 18th Council meeting.

1. COMMENTS FROM THE PUBLIC

Lin de Vincent thanked council and City Attorney Walter for the mobile home parks study session which had 300 in attendance and for the up and coming study session for the three city mobile housing parks rent increase issues to be held sometime in July.

John Kyle expressed his concern of the revisions by the mobile park owners doubling of rents.

Bonnie Kaslan noted that the manufactured housing community is what they are and that there is nothing mobile about the three parks in Sonoma and suggested refraining from the mobile home park ordinance.

Jack Wagner commented on the Sonoma Developmental Center and the potential for SRJC involvement.

Gina Cuclis asked everyone for their support for the special election Measure A the first week of June concerning the condition of the county roads.

Steve Barbose noted an article in the Press Democrat about the Farmers Market match program and food stamp recipients receiving redeemable coupons to use at the local markets and expressed it was a good idea for Sonoma.

Ed Kenny reported there would be a Water District hearing open to the public on May 5th, 2015 at the Valley of the Moon location concerning ground water.

2. MEETING DEDICATIONS

Mayor Pro Tem Gallian dedicated the meeting in memory of Floyd Allen Moses, a local CPA for over 50 years and former hospital administrator of Sonora, CA.

3. PRESENTATIONS – None Scheduled

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 April 20, 2015 City Council Meeting.
- Item 4C:** Approval and ratification of the appointment of Inge Hutzel to the Community Services and Environment Commission for a two-year term.
- Item 4D:** Approval and ratification of the reappointment of Antoinette Kuhry to the Cultural and Fine Arts Commission.
- Item 4E:** Approval and ratification of the appointment of Robert O’Maoilriain to the Cultural and Fine Arts Commission as the Alternate Commissioner for a two-year term.
- Item 4F:** Approval of application for Temporary Use of City Streets by the Sonoma Community Center for the 4th of July Parade on Saturday, July 4, 2015.
- Item 4G:** Request for Proposals (RFP) for the preparation of downtown preservation and design guidelines.

It was moved by Mayor Cook and seconded by Clm. Agrimonti to approve all the items on the Consent Calendar.

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

- Item 5A:** Approval of the Portions of the Minutes of April 20, 2015 City Council Meetings Pertaining to the Successor Agency.

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

6. PUBLIC HEARING

- Item 6A:** Public hearing on an amendment to the Development Code identifying vacation rentals as a conditionally-allowed use in the “Park” zone.

Planning Director Goodison stated this is a development code amendment that the Council has agreed to enter into with Benchmark/Hoover to lease, preserve and restore in making use of the Maysonave Cottage which calls for a twenty year lease of the property, based on 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. Goodison noted that at the conclusion of the lease, the City would then use the accumulated lease payments to improve the cottage to a public standard.

Mayor Cook invited comments from the public. Patricia Cullinan commented that the ordinance should be established to restore resources including historic preservation in the “Park” zone.

It was moved by Clm. Agrimonti, seconded by Clm. Edwards, to establish a vote to allow “vacation rental” as a conditionally-allowed use in the “Park” zone. The motion carried unanimously.

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, consideration, and possible action on a draft amendment to the Management Plan for the Montini Preserve to allow leashed dogs on trails with the Preserve, including consideration of a resolution making findings as required under the California Environmental Quality Act and directing staff to submit a revised amendment to the Open Space District.

Planning Director Goodison reported the Montini Preserve is a 98-acre open space reserve which was transferred to the City of Sonoma as of late last November and now owns. The Open Space District completed a trail system within the Preserve and it is now open to the public. Goodison stated that the City manages the Preserve and currently there is no established allowance for leash dogs. He also related that the City must still adhere to the District's management-plan guidelines which expressly states that pets are not allowed, however the City can apply for amendments to the plan and if approved by staff it would go before the Sonoma County Open Space District for final approval which may not be a sure thing. Goodison said that in February the City's initial application to amend the no-dogs-on-Montini policy was rejected by the Open Space District, which held that the application was not specific about enforcing leash rules, required better assurances that the Preserve's environmental "values" would be protected, and called for the need to trail blaze an alternative western access to the Preserve in order to avoid crossing a State Parks-owned segment upon which dogs would not be allowed under state law. City Staff estimates the cost of a new western access route between \$38,000 and \$113,500. The updated amendment was developed to address the District's concerns for eventual approval. Among the amendment's guidelines are requirements that dog owners using the trails follow certain rules as including dogs being on leash, cleaned up after by owners and prohibited on the Preserve for a minimum of two days per week and one day being on a weekend. Dogs would continue to be prohibited on the adjacent Overlook Trail. Enforcement would consist of signage outlining which trails allow dogs, dogs to be licensed, assigning Community Services officers to patrol the trail system two days a week and fining violators anywhere from \$250-\$500 for subsequent violations. Repeat offenders could have their dog licenses suspended.

Cm. Edwards stated he would prefer the City to find a different place for dogs rendering his daughter had been bitten by a leashed Labradoodle and that she had never quite gotten over this.

Mayor Pro Tem Gallian pointed out that preserving the property is the reason dogs are not allowed on the Preserve, Quarryhill and Overlook Trail. Cm. Gallian also noted a new route or lot line would have to be determined even though the State is fine with the 4th Street access and if the District approved the amendment there would still be no allowance for leashed dogs until the west access is resolved.

Cm. Agrimonti noted she would like to have a clearer picture of the City's proposed enforcement restrictions stating it may be almost unattainable and impossible to enforce.

Cm. Hundley asked if citations could be issued by volunteers and educating and monitoring the public as well as developing a licensing system noting she would like to understand more about the City's ability to enforce the proposed restrictions.

Mayor Cook suggested limitation of one dog per person on the narrow trails would give maximum control of the dog and noted he would like more understanding about the City's ability to enforce proposed restrictions.

Mayor Cook invited comments from the public.

Jack Wagner stated that Maxwell Farms is open for leashed dogs. He also suggested a trial period for dog owners at the Preserve and noted there is an area above the baseball field that might be considered.

RECESS: The meeting recessed from 7:13 p.m. to 7:17 p.m.

Rich Gibson stated he had worked as a park ranger for twenty nine years in Marin County enforcing and educating dog ordinances and noted that dog ownership and walking is a passion and enforcement is not a simple matter. Full cooperation is expected from all stewards.

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Nicole Contano stated she was opposed to passing the amendment. Contano said she had been attacked by unleashed dogs on walks and felt that leash laws are not effectively enforced and that she felt her rights and safety were being violated.

Jackie Stewart stated that dogs have an impact on wildlife and plants and that hikers expect a peaceful experience which would not include dog feces on the trails.

Regina Baker suggested a dog park at the bottom of Montini Trail would eliminate a lot of problems which could be developed within less than two years and suffice everyone's concern.

Brad Day noted local parks should serve the locals and people should be able to hike with their dog giving dog owners a chance to prove themselves.

Steve Barbose stated this is the perfect storm for dog advocates noting there are 2,100 dogs in the city of 11,000 people for which one-third of households have dogs, noting dog owners should have the opportunity to enjoy their dogs. Barbose noted the lot line adjustment is clearly preferable cost-wise.

Jennifer Anderman commented she had never been on Montini Trail and never would go if she could not bring her dog suggesting sharing every other day.

Jeff Nelson stated he had spoken to hundreds of hikers as well as acquired signed petitions and concluded it was not a safe place to bring dogs due to the narrow trails.

Katy Byrne noted that dogs are not out to get anybody.

Rich Lee stated he serves as the president of the Sonoma Valley Dog Owners and Guardians and that the City needs to be more dog friendly noting the contribution to the quality of lives from service dogs and suggested designated days for leashed dogs on the trails.

Ellen Brantway stated she professionally trains dogs and is the vice president of Sonoma Valley Dog and Guardians and supports them on Montini. Brantway noted she has reached out to dog trainers for educational dog seminars on leash manners on the trail in addition to drafting an informational brochure on dogs "do's and don'ts".

Patricia Talbot reported that she opposes the issuance of dogs on the Preserve stating that she lives next door to the Preserve and feels the wildlife and plants should be left to their natural habitat.

Chuck Megamin stated the trails are narrow enough and passing with dogs on leashes would be a mistake.

Fred Allebach showed slides describing the narrow trails and drop off areas of grass with ticks and poison oak noting a group of school children having to hike single file. Allebach stated the Preserve is governed by a conservation easement by a preservation of natural resources as its number one value and would vote against dogs on leash.

Joanna Kemper stated she would vote against dogs on leashes and would like the trail to continue to be a nature trail with its natural resources and wildlife protected.

Jennifer Hainstock noted that she and other dog owners are responsible and would patrol once there was access to the Preserve and stated they should continue to focus on First Street West access suggesting Council go to Assemblyman Marc Levine, Superintendent Gorin or Regional Parks Director Caryl Hart and inquire why she allows dogs in the regional parks.

Maryjo Hart suggested the least restrictive environment would be to have the hikers go on even days and the leashed dogs on uneven days noting hikers could go on both days. Hart expressed there were too many restrictions in the amendment and enforcing would be difficult for citizens that pay taxes that have dogs.

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Arnold Zimmerman noted the Preserve is funded by taxpayers and no taxpayer is prohibited from using the trails and questioned the spending of \$150,000 to continue preliminary work on the Preserve.

Barbara Nelson pointed out that the Preserve presents the opportunity to experience the quiet of nature and educate young ones about the aspect of preserving its natural resources.

Vincent Anibale, Superintendent of Sonoma Sector, Sonoma State Parks stated dogs currently are not permitted on State Park trails and permitting so would conflict with the law, however they are allowed in developed areas of the park.

Phil Vizlacky stated the intention of the Preserve was to be an open space area and noted this is going to be almost impossible to enforce.

Bob Edwards stated he had provided documents that refuted every argument related to proposed licensing requirements commented that in no agency with natural space were there license requirements for dogs on leashes and remarked how ridiculous and time consuming this has gone on and to go forward and pursue this amendment forwarding on to the Open Space for approval.

Lynn Clary stated to preserve the nature of the Preserve and not allow dogs suggesting Maxwell Park as an alternative.

Morgan Sanders said he opposed allowing dogs on Montini Trail and asked if there would be a limit to the ongoing budget.

Clm. Hundley suggested amending the management plan one more time stating there is a lot to look at as far as the nature and size of the trail, presence of wildlife, children and senior citizens hiking. She noted consulting with the Police Chief for enforcement in lieu of licensing in addition to education committee components for leash training. She offered a motion to approve the amendment pending reviewing licensing in favor of enforcement supported by the Police Chief.

Clm. Agrimonti noted she recently hiked Montini Trail and supported moving forward on the amendment. Clm. Edwards questioned a cut-off access for dogs on City property and stated it is a great resource for children and was not in support of dogs on the trails.

Planning Director Goodison stated there was no amendment proposing a dog park within Montini Trail.

Clm. Gallian stated the design of Montini Trail did not accommodate dogs and noted it is very important in considering conservation aspect for the Preserve and was not convinced this would be the time to move forward suggesting seeking input from the Police Chief and would not support the amendment.

City Attorney Walter suggested testing the waters with the District and getting their feedback.

Mayor Cook stated his support for moving forward and commented the City needs to make the decision to fight for local control. Clm. Gallian stated she wanted a direct response from the District if the trail was safe for pets that she did not believe that that question had not been fully answered.

Clm. Hundley agreed on the question of safety of pets on the trail and the liability.

Planning Director Goodison responded that he felt the District did not consider the issue of pets in the original design of the trail as it was not designed to include dogs so the District did not consciously omit the question. As to the liability it would be the City's liability as the City now owns the property.

Clm. Gallian further expressed concern with ongoing maintenance long term maintenance cost and the financial implications of the City.

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Attorney Walter reviewed the specific bullet points contained in the staff report to poll the council on the specific direction for staff to make amendments to the draft of the management plan. Final direction to staff was given to (1) discuss with District staff their flexibility related to allowing multiple dogs per person (2) see police chief's advice on this patrolling of the trail by the CSO's on average number of days and (3) seek input from the police chief on the volunteer patrols used to monitor compliance.

Item 7B: Discussion, Consideration and Possible Action to Approve the 2015-16 City Council Goals.

This item was tabled to the May 18th meeting.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS' REPORTS AND COMMENTS

Clm. Edwards reported on his field trip to the Golden Gate Bridge discussing transit opportunities and invited the public to the Rotary Club's Memorial Day lunch.

Clm. Agrimonti reported she attended the Cinco de Mayo celebration and discussed an organization for young children called Avanti. She commented on being a part of the North Bay Water Shed organization and attended the Sonoma Valley Women's Club Fashion Show.

Clm. Gallian attended the Sonoma County Ag and Open Space District Advisory Committee and announced there will be a hike planned for the public sometime in June to be posted on the website. She attended the Water Advisory Committee and the Technical Advisory Committee recapping what the State is doing for water regulations.

Clm. Hundley reported on the Sonoma Valley Economic Vitality Partnership Steering Committee meeting.

Mayor Cook reported attending the Cinco de Mayo Celebration thanking La Luz on the Plaza and announced the opening of Farmers Market commencing Tuesday, May 5th on the Plaza at 5:30 p.m.

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

No report.

11. COMMENTS FROM THE PUBLIC

None.

12. ADJOURNMENT

The meeting was adjourned at 9:32 p.m. in the memory of Floyd Allen Moses.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 18th day of May 2015.

Rita Gipson
Administrative Assistant

May 4, 2015

