

**SPECIAL CONCURRENT 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, June 22, 2015

5:45 p.m.

AGENDA

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

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

5:45 P.M. – CLOSED SESSION

1. CALL TO ORDER

The Mayor will open the meeting and take public testimony on closed session items only. The Council will then recess into closed session.

2. 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 – OPEN SESSION

CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

1. COMMENTS FROM THE PUBLIC

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

2. MEETING DEDICATIONS

3. PRESENTATIONS

Item 3A: Maribel Campos Day Proclamation

Item 3B: Recognition of Mr. Charles Bouey for thirty years of service on the Marin/Sonoma Mosquito and Vector Control District Board.

Item 3C: Presentation regarding the history and operations of the Marin/Sonoma Mosquito and Vector Control District.

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 April 29 and June 1, 2015 City Council Meetings.**
Staff Recommendation: Approve the minutes.
- Item 4C:** **Adoption of a resolution approving the use of City streets for the City of Sonoma Police Department on July 13, 2015 to conduct the Law Enforcement Special Olympics Flame of Hope Ceremonial Run.**
Staff Recommendation: Adopt the resolution.
- Item 4D:** **Discussion, consideration and possible action authorizing the acceptance and use of a grant from the California Department of Alcohol Beverage Control (ABC).**
Staff Recommendation: Adopt the resolution.
- Item 4E:** **Approval of the allocation of City funded rentals at the Sonoma Veteran’s Memorial Building as requested by the Native Sons of the Golden West (Surf & Turf Dinner), Valley of the Moon Lions Club (Crab Feed), Sonoma Valley High School Boosters Club (Crab Feed), Sonoma International Film Festival, American Legion Jack London Post #489 (Sonoma Bar Battle), Sonoma Community Center (4th of July), and Valley of the Moon Amateur Radio Club (Hamfest).**
Staff Recommendation: Approve the requests for City funded rental days subject to Board of Supervisor’s approval of the 2015/16 agreement.
- Item 4F:** **Adoption of an Ordinance of The City Council of the City of Sonoma amending Titles 13, 14, and 19 of the Sonoma Municipal Code by Amending the Stormwater and Development Regulations as they Pertain to the City’s Legal Authority and Ability to Comply with NPDES Permit No. 2013-0001-DWQ.**
Staff Recommendation: Adopt the ordinance.
- Item 4G:** **Adopt the Plans and Specifications, Award a Contract to Argonaut Constructors, lowest responsible bidder, for the East Napa Road Rehabilitation Project No. 1310; Federal Project No. STPL-5114 (017), and Authorize the City Manager to execute a contract with Argonaut Constructors in the amount of \$568,996.05.**
Staff Recommendation: a) Adopt the Plans and Specifications for the Napa Road Rehabilitation Project No. 1301; Federal Project No. STPL-5114 (017), b) Accept the bids and award the contract to Argonaut Constructors, the lowest responsible bidder, and c) Authorize the City Manager to execute a construction contract with Argonaut Constructors in the amount of \$568,996.05.

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

Item 4H: Adoption of Plans and Specifications, Award a Contract to Sierra Nevada Construction, Inc., lowest responsible bidder, for the 2015 Citywide Slurry Seal Project No. 1501, and Authorize the City Manager to execute a construction contract in the amount of \$157,107.00.

Staff Recommendation: a) Adopt the Plans and Specifications for the 2015 Citywide Slurry Seal Project No. 1501, b) Accept the bids and award the contract to Sierra Nevada Construction, Inc., the lowest responsible bidder, and c) Authorize the City Manager to execute a construction contract for \$157,107.00.

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 June 1, 2015 City Council Meeting Pertaining to the Successor Agency.

Staff Recommendation: Approve the minutes.

6. PUBLIC HEARING

Item 6A: Discussion, Consideration and Possible Action Regarding the Adoption of the FY 2015-16 Operating and Capital Budget for the City of Sonoma and the Sonoma Successor Agency. (City Manager)

Staff Recommendation: Approve resolution adopting the FY 2015-16 Operating and Capital Budget in the amount of \$31,605,859

7. REGULAR CALENDAR – CITY COUNCIL

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

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

12. ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on June 18, 2015. Gay Johann, Assistant City Manager/City Clerk

Copies of all staff reports and documents subject to disclosure that relate to any item of business referred to on the agenda are normally available for public inspection the Wednesday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the

members of the City Council regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the City Clerk's office, No. 1 The Plaza, Sonoma CA during regular business hours.

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

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



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 3A

Meeting Date: 06/22/2015

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager / City Clerk

Agenda Item Title

Maribel Campos Day Proclamation

Summary

Maribel Campos, a Sonoma Valley High School student was recently recognized as the California Youth of the Year by Boys and Girls Clubs of America. This proclamation will recognize her accomplishments by making June 22, 2015 Maribel Campos Day in the City of Sonoma.

Recommended Council Action

Mayor Cook to present the proclamation.

In keeping with City practice, the proclamation recipients have been asked to keep the total length of their follow-up comments and/or announcements to no more than 10 minutes.

Alternative Actions

N/A

Financial Impact

N/A

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Proclamation and newspaper article

Alignment with Council Goals:

cc: Rachel Cusick via email

City of Sonoma



Proclamation

MARIBEL CAMPOS DAY

WHEREAS, Since 1947, Youth of the Year has been Boys & Girls Clubs of America's premier recognition program, celebrating the extraordinary achievements of Club teens. Club members who earn the Youth of the Year title embody the values of leadership, service, academic excellence, and healthy lifestyles. They exemplify the critical impact that Boys Girls Clubs have on the lives of young people; and

WHEREAS, Boys & Girls Clubs of Sonoma Valley, founded in 1962 serves more than 2300 children and teens annually across six Sonoma Valley locations living up to their mission "*To provide youth with positive opportunities to learn and succeed*"; and

WHEREAS, When Maribel Campos, a Sonoma Valley High School student, needed academic help and emotional support the Boys & Girls Clubs of Sonoma Valley was there for her; and

WHEREAS, Taking advantage of leadership opportunities like Keystone at The Club and volunteering with younger Club members Maribel blossomed both personally and academically; and

WHEREAS, Maribel has maintained a 3.8 GPA and will be the first in her family to graduate from high school and go on to college; and

WHEREAS, Maribel was named the 2015 Boys & Girls Clubs of Sonoma Valley Youth of the Year and went on to be named one of three Northern California Youth of the Year recipients; and

WHEREAS, Maribel was selected from among nine outstanding teen Youth of the Year candidates to be named the California Youth of the Year - a prestigious honor presented in recognition of her leadership, service, academic excellence and dedication to live a healthy lifestyle.

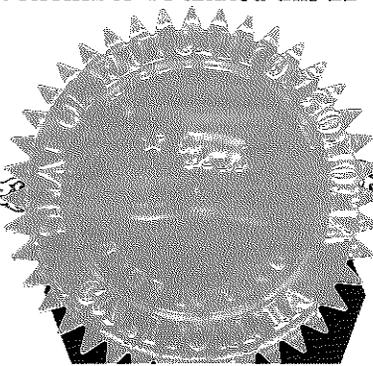
NOW, THEREFORE, I, David Cook, Mayor of the City of Sonoma, do hereby congratulate Maribel on her achievements and proclaim June 22, 2015

MARIBEL CAMPOS DAY

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Sonoma to be affixed this 22nd day of June 2015.



DAVID COOK, MAYOR



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Maribel Campos named Youth of the Year



Lorna Sheridan/Index-Tribune
Maribel Campos was named the 2014 Boys & Girls Clubs of Sonoma Valley Youth of the Year.

BY LORNA SHERIDAN
INDEX-TRIBUNE EDUCATION
EDITOR

Order Article Reprint

Maribel Campos' moving speech began with a quote by positive thinking author Norman Vincent Peale: "Empty pockets never held anyone back. Only empty heads and empty hearts can do that."

Before a crowd of Boys & Girls Club supporters, friends and family, Campos went on to explain that despite growing up in a family with tremendous personal and economic hardships, she has flatly refused to let anything hold her back from realizing her dreams.

Four teens were honored at the well-attended annual event held at the Boys & Girls Clubs of Sonoma Valley's Maxwell Clubhouse Thursday evening: Franklin Franco, Marlen Rojas, Yvette Lopez and Campos. Each finalist delivered a moving

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speech, before Campos was named the Club's 2014 Youth of the Year to much applause.

Campos' parents left their homeland and abandoned everything they had in Mexico to give her and her older brother "the opportunity to live a better life in America and to receive a good education." But life in America has been hard for her family.

In her speech, Campos described life below the poverty line. Her father has battled with depression and was unable to work for several years. "Living under brutal conditions has impacted my life every day. We have moved continuously from trailer home to trailer home," said Campos. "My mother was working long hours for minimum wage and I had to make sure the living conditions at home were clean and cook our meals."

Throughout these tough years, the one constant was the value Campos placed on education and her determination to take advantage of opportunities in front of her. She has excelled at Sonoma Valley High School, where she is now a senior, despite limited support from home. "My parents couldn't help in school because they only finished third grade, and more importantly, they hardly understood the English language."

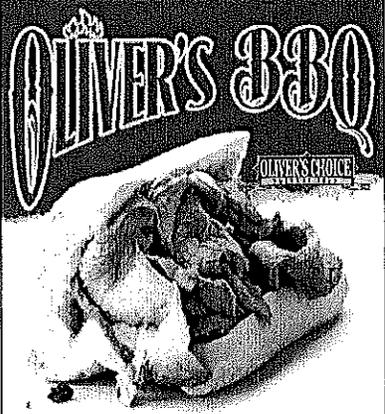
Refusing to be deterred, not only does Campos plan to be the first in her family to graduate from high school, thanks to the Boys & Girls Club, she has her sights set on attending a four-year college next year.

When her courses became more rigorous in high school, Campos' grades started to drop and she knew that she needed help. During her sophomore year, she found both the academic help and emotional support she needed at the Maxwell Clubhouse. She formed close bonds with the staff and spent many hours tutoring younger children. Campos found herself inspired by being their role model.

It was learning about colleges through the Club's Future Focus program that really changed her path. Last summer, she signed up to visit a half-dozen California campuses with the Club. "Those tours and the summer retreat were a critical point in my life because that is when I really got to know the staff, and the support and dedication they put in every single day is inspiring. I don't know where I would be without them or the Club."

Said CEO David Pier, "Maribel is a role model for the other Club members and an example of perseverance in the face of adversity. Our Youth of the Year candidates shone brightly tonight, and reminded us of the importance of what our staff provide for these youth every day -- a safe and caring place in which they can learn and succeed, and the encouragement, love, and guidance for them to do so."

Selection panelists Marisela Rodriguez (La Casa Restaurant); Susan Lowe, executive board member of the Club; and Darius and Sarah Anderson (Ramekins and Chateau Sonoma) were impressed by the bravery, resilience and determination of all four students. "Each of the nominees was outstanding but we



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could only choose one," said Lowe. "Maribel's story of overcoming tremendous obstacles of poverty and family dysfunction throughout her life inspired us. With determination and hard work, she has achieved excellent grades, become a dedicated member of the Boys & Girls Club, and gives back as much as she receives."

The 2014 Youth of the Year candidates each received a \$500 scholarship and Campos received a \$2,000 scholarship and a new laptop computer, all courtesy of the August Sebastiani Foundation.

1 | 2

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CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 3B

Meeting Date: 06/22/2015

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager / City Clerk

Agenda Item Title

Recognition of Mr. Charles Bouey for thirty years of service on the Marin/Sonoma Mosquito and Vector Control District Board.

Summary

Mr. Charles Bouey has continuously served as the City's representative on the Marin/Sonoma Mosquito and Vector Control District Board since February 11, 1985. This recognition is in keeping with the City Council's desire to publicly recognize his many years of service.

Recommended Council Action

Mayor Cook to present the Certificate of Appreciation.

Alternative Actions

N/A

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

Certificate of Appreciation

Alignment with Council Goals:

cc: Charles Bouey via email

CITY OF SONOMA
Certificate of Appreciation

PRESENTED TO

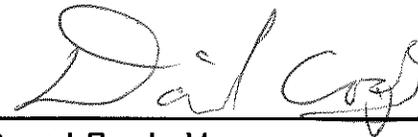
Charles Bouey

FOR SERVICE ON THE

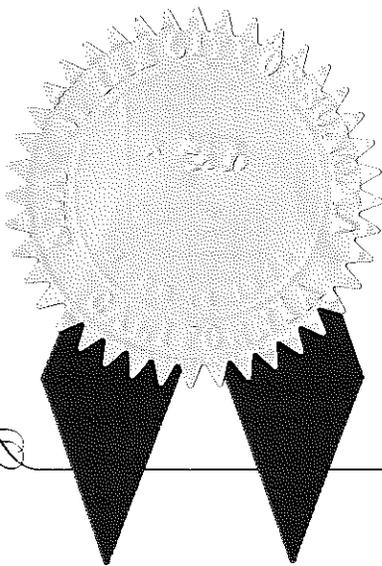
Marin/Sonoma Mosquito & Vector Control District Board

1985 - 2015

PRESENTED THIS 22nd DAY OF JUNE 2015



David Cook, Mayor





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 3C

Meeting Date: 06/22/2015

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager / City Clerk

Agenda Item Title

Presentation regarding the history and operations of the Marin/Sonoma Mosquito and Vector Control District.

Summary

Philip D. Smith, Manager of the Marin/Sonoma Mosquito and Vector Control District will make a presentation regarding the history and operations of the Marin/Sonoma Mosquito and Vector Control District.

In keeping with City practice, Mr. Smith has been asked to limit the total length of his presentation to no more than 10 minutes.

Recommended Council Action

Receive the presentation.

Alternative Actions

N/A

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

MSMVC Brochure

Alignment with Council Goals:

cc: Phillip Smith via email

MSMVCD BOARD OF TRUSTEES

The District is governed by a Board of Trustees, with each board member representing one of the cities or towns and two from each county within the District boundaries. Trustees are appointed by their city or town councils or by the county Board of Supervisors. The Board of Trustees is responsible for setting policy, oversight and approval of expenditures, and setting the budget.

MISSION STATEMENT

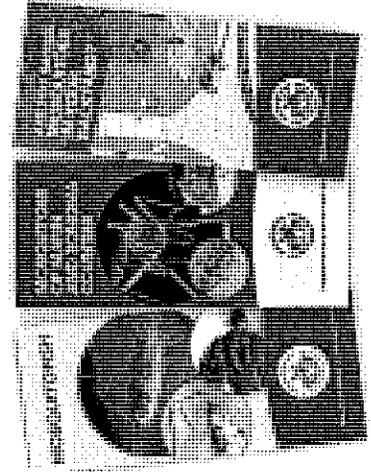
The Marin/Sonoma Mosquito & Vector Control District is committed to protecting the health and welfare of the communities from mosquitoes and vector-borne disease.

OUR SERVICES

Our programs and services are supported by property taxes and are provided free of charge to all residents in Marin and Sonoma counties.

Our services include:

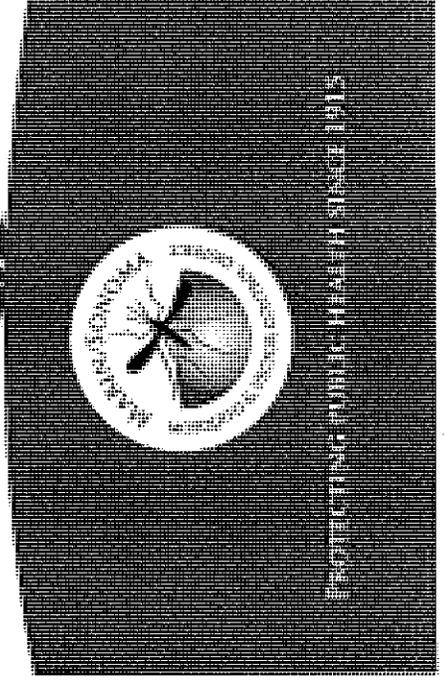
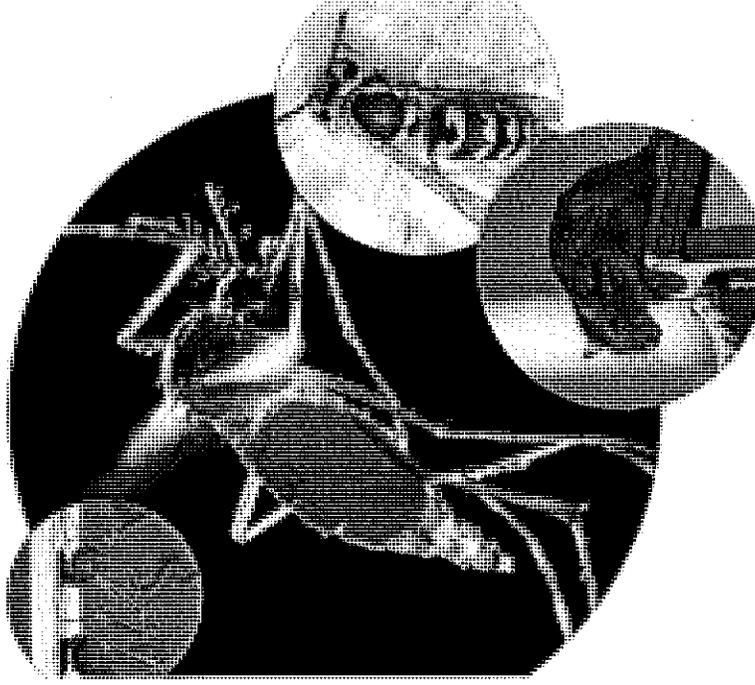
- Mosquito Control & Mosquitofish
- Ground-Nesting Yellowjacket Control
- Rodent Control Advice



A vector is any insect or other arthropod, rodent, or other animal of public health significance capable of causing human discomfort, injury, or capable of harboring or transmitting the causative agents of human disease.

ABOUT US

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CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4B

Meeting Date: 06/22/2015

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the Minutes of the April 29 and June 1, 2015 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

CITY OF SONOMA

CITY COUNCIL SPECIAL MEETING

Wednesday April 29, 2015
3:00 p.m.

*Sonoma Veterans Memorial Building
126 First Street West
Sonoma CA 95476*

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



MINUTES

1. CALL TO ORDER

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

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, and City Attorney Walter.

2. STUDY SESSION – Mobilehome Rent Control Ordinance

Mayor Cook called the meeting to order at 3:00 p.m. City Attorney Walter provided a history of the City's Mobilehome Park Rent Control ordinance, described the meeting format, and provided an overview of the issues to be discussed and the changes that had been proposed for the ordinance. Park residents were represented by Attorney William Constantine. Park owners were represented by Attorney Bradley Yusim. Comments from the public were also received.

After three hours of discussion the City Council reached unanimous consensus to schedule a follow up workshop to continue the discussion and further deliberate the proposed changes to the ordinance.

3. ADJOURNMENT

The meeting was adjourned at 6:00 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 June 2015.

Gay Johann
Assistant City Manager / City Clerk

CONCURRENT SPECIAL 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, June 1, 2015
6:15 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 6:15 p.m. Fire Chief Freeman led the Pledge of Allegiance.

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

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

1. COMMENTS FROM THE PUBLIC

Lin Marie deVincent explained that park residents supported the proposed change to the Mobilehome Rent Control Ordinance that would eliminate the Rent Control Board and transfer decision making responsibility to the City Manager because it would protect the City from frivolous law suits.

Bonnie Joy Kaslan stated that mobilehome park residents were essentially co-investors in the mobilehome parks because of their responsibilities for repairs and upkeep of their homes.

Andrew Sawicki stated that the Montini Trail was no place for dogs.

Karla Noyes urged people to reduce their water consumption, provided a couple of movie recommendations and reported her attendance at numerous meetings and workshops. She stated that everyone needed to reduce their Green House Gas emissions.

2. MEETING DEDICATIONS - None

3. PRESENTATIONS

Item 3A: World Elder Abuse Awareness Day Proclamation

Mayor Cook read aloud the proclamation and presented it to Cynthia Scarborough, Executive Director of Vintage House Senior Center.

Item 3B: Presentation of annual stormwater report and update on stormwater program activities

Stormwater Compliance Specialist Pegg presented the annual stormwater report and update on stormwater program activities.

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 May 18, 2015 City Council Meeting.

Item 4C: Adoption of Ordinance No. 04-2015 entitled AN ORDINANCE OF THE CITY OF SONOMA REQUIRING THE LICENSURE OF TOBACCO RETAILERS AND AMENDING CHAPTER 7.25 OF THE MUNICIPAL CODE.

Item 4D: Approval of Successor Employment Agreement between the City of Sonoma and Carol Giovanatto as City Manager. Approved agreement and authorized the Mayor to execute the agreement on behalf of the City.

Item 4E: Approval of Participation in the Intergovernmental Transfer with Partnership HealthPlan of California (PHC) and Authorization for the City Manager to Sign Agreements. (Res. No. 18-2015 entitled RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR INTERGOVERNMENTAL TRANSFER WITH PARTNERSHIP HEALTHPLAN OF CALIFORNIA)

The public comment period was opened and closed with none received. It was moved by Clm. Gallian, 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 May 18, 2015 City Council Meeting Pertaining to the Successor Agency.

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

6. PUBLIC HEARING

Item 6A: Discussion, consideration, and possible action to conduct the first reading of an Ordinance of The City Council of the City of Sonoma amending Titles 13, 14, and 19 of the Sonoma Municipal Code by Amending the Stormwater and Development Regulations as they Pertain to the City’s Legal Authority and Ability to Comply with NPDES Permit No. 2013-0001-DWQ.

Mayor Cook opened the public hearing. Stormwater Compliance Specialist Pegg reported that it was necessary for the City to amend sections of the Sonoma Municipal Code to remove gaps and impediments to full compliance with National Pollutant Discharge Elimination System (NPDES) Permit No. 2013-0001-DWQ. He explained that NPDES Permit No. 2013-0001-DWQ authorized the City to discharge stormwater from its storm drain system without violating the 1972 Clean Water Act. Pegg provided a detailed description of the proposed revisions.

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

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, consideration and possible action to provide comments and consensus agreement on issues related to the Sonoma County Waste Management Agency (SCWMA).

City Manager Giovanatto reported that the Sonoma County Waste Management Agency (SCWMA) requested Council to weigh in on key aspects related to the continuation of the Joint Powers Authority agreement. She led Council through a matrix of issues and Council reached consensus and provided direction on each one. SCWMA Executive Director Mikus and Department Analyst Carter also responded to Council questions and provided additional information. There were no comments from the public.

RECESS: The meeting recessed from 8:30 to 8:35 p.m.

Item 7B: Discussion, consideration and possible action of a resolution establishing procedures pertaining to appointments to City boards and commissions.

City Manager Giovanatto reported that recent Council discussions had led to a desire to discuss and consider whether amendments to the procedures pertaining to appointments to City boards would be appropriate. She described the current process outlined in Resolution Number 77-2002.

Clm. Edwards stated he wanted to see a more transparent process but did not want to interview applicants at an open Council meeting. He wanted to see a more serious vetting of the applicants and have an alternative to the current practice of allowing only the Mayor to make the nominations.

Mayor Cook invited comments from the public. Robert Felder stated he felt the current system was working and he supported giving more weight to the Alternate when filling a vacancy.

Clm. Hundley stated she wanted to have a conversation about why the current system existed and questioned the statement previously made by Mayor Cook that nominations were a perk of being the Mayor. She stated she was also concerned that there were no females on the Planning Commission. Clm. Hundley stated that she felt there were ways to make the system more transparent and instill more public confidence in it. She proposed to keep the two person subcommittee process but make each of them equal members. Should they not agree on the nominee, they would bring their individual nominations to the Council, explain their reasoning for their selection and let the full Council make the decision of who was appointed. Clm. Hundley pointed out that there were stated qualifications for members of other City commissions and stated that she would like to have the Planning Commissioners develop some qualifications of people they would prefer to work with.

Clm. Edwards stated that Sonoma did not have an elected Mayor, that it was mainly a ceremonial position – serving as the point person for one year with no special power.

Clm. Agrimonti disagreed saying that the Mayor sets the agenda and establishes direction for the Council. She added that she did not want to appoint females just because they were females.

Clm. Gallian stated the current system had worked very well, she would love to see a female on the Planning Commission, and she supported an automatic appointment of the Alternates.

Mayor Cook stated that the hardest part of being the Mayor was commission nominations. He agreed Alternates should be appointed but only by nominations made by the Mayor. He said this discussion would not have come about had there been a full Council present at the first meeting the Planning Commission nomination was presented. He stated the current system worked and there was no need to fix something that was not broken.

CIm. Edwards stated he did not feel the City did the best job it could have done in selecting the Planning Commissioner. The Commission should be made up of a diverse group and be reflective of the community.

CIm. Hundley stated that adding a check to one person's decision would add more confidence in the system, adding a second opinion would make it a stronger choice. She said that would be a small change that would not leave the Mayor out of the system.

Mayor Cook stated the Mayor only makes the nomination; the decision was made by the Council. CIm. Hundley responded that because no one else can make a nomination, the Council was limited to discussing only the nominee presented by the Mayor and not any other applicants.

It was moved by CIm. Agrimonti, seconded by CIm. Gallian, to retain the current system and make appointment of the Alternate automatic if they were willing to accept the appointment. The motion carried three to two. CIm. Edwards and Hundley dissented.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS' REPORTS AND COMMENTS

CIm. Agrimonti reported attendance at the Buena Vista Wine Tool Museum grand opening and a meeting of the Health Action Committee.

CIm. Edwards commended all those who made the Memorial Day activities a huge success.

CIm. Gallian reported attendance at Memorial Day and a Climate Adaptation workshop.

Mayor Cook reported attendance at the Luther Burbank Rose Parade, Memorial Day, Buena Vista Wine Tool Museum grand opening, and the Sonoma Raceway Parade.

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

11. COMMENTS FROM THE PUBLIC – None.

12. ADJOURNMENT

The meeting was adjourned at 9:40 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 2015.

Gay Johann
Assistant City Manager / City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4C

Meeting Date: 06/22/2015

Department

Planning and Community Services

Staff Contact

Associate Planner/Special Event Coordinator Atkins

Agenda Item Title

Adoption of a resolution approving the use of City streets for the City of Sonoma Police Department on July 13, 2015 to conduct the Law Enforcement Special Olympics Flame of Hope Ceremonial Run.

Summary

Special event permit applications that include requests for the closure of City streets in conjunction with the event must obtain City Council approval of the related street closure. Because the event involves use of SR 12, the applicant must also obtain permission and an encroachment permit from Caltrans. The City of Sonoma Police Department has scheduled the Law Enforcement Special Olympics Flame of Hope Ceremonial Run for July 13, 2015, between the hours of 1:30 p.m. and 1:40 p.m. The ceremonial run route will begin on Broadway (State Route 12) at the Sonoma Valley High School and end in the Plaza amphitheater. Details of the requested street closures are specified in the application and in the attached supplemental report.

Recommended Council Action

Adopt the resolution approving the use of city streets and recommending Caltrans approval subject to the following conditions:

1. City of Sonoma Police Department must obtain an appropriate Permit from the State of California Divisions of Highways;
 2. City of Sonoma Police Department must meet with Public Works Parks Supervisor and Street Supervisor at least two weeks prior to the event to finalize traffic plans and submit a written request for special barricading;
 3. City of Sonoma Police Department must provide adequate supervision of the event to ensure that the Plaza is left in its pre-event condition and that all Plaza Use conditions and restrictions are adhered to.
-

Alternative Actions

1. Delay action pending receipt of additional information.
 2. Deny the request.
-

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

1. Resolution
 2. Application
-

Alignment with Council Goals:

N/A

cc: City of Sonoma Police Department, Darcy Proctor

CITY OF SONOMA

RESOLUTION NO. – 2015

**RESOLUTION APPROVING AND CONSENTING
TO THE USE OF CITY STREETS**

Law Enforcement Special Olympics Flame of Hope Ceremonial Run

WHEREAS, City of Sonoma Police Department has applied to the State of California to conduct the Law Enforcement Special Olympics Flame of Hope Ceremonial Run, on State property; and

WHEREAS, the Law Enforcement Special Olympic Flame of Hope Ceremonial Run will temporarily impede and restrict the free passage of State Route 12 on July 13, 2015 between Sonoma Valley High School, 20000 Broadway and the Downtown Sonoma Plaza between the hours of 1:30 p.m. and 1:40 p.m.

NOW THEREFORE be it resolved that the City Council of the City of Sonoma approves and consents to the proposed Law Enforcement Special Olympics Flame of Hope Ceremonial Run and recommends approval of and consents to the proposed restriction of State Highway Route 12 upon terms and conditions deemed appropriate and necessary by the State of California, Department of Transportation, subject to the following conditions:

1. City of Sonoma Police Department must obtain an appropriate Permit from the State of California Divisions of Highways;
2. City of Sonoma Police Department meet with the Public Works Director at least two weeks prior to the event to finalize traffic plans and submit a written request for special barricading;
3. City of Sonoma Police Department must provide adequate supervision of the event to ensure that the Plaza is left in its pre-event condition and that all Plaza Use conditions and restrictions are adhered to.

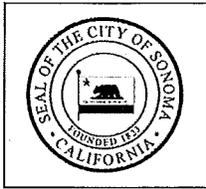
The foregoing Resolution was duly adopted this day 22nd day of June 2015, by the following vote:

Ayes:
Noes:
Absent:

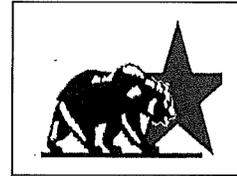
David Cook, Mayor

ATTEST:

Gay Johann
Assistant City Manager/City Clerk



**City of Sonoma
No. 1 The Plaza
Sonoma CA 95476**



**PERMIT APPLICATION
FOR USE OF CITY STREETS**

Application Fee: \$519.00

(Encro 100-00000-000-30203)

Note: Events utilizing any portion of Highway 12 must also obtain permission from Caltrans, District 4, 111 Grand Avenue, Oakland 94612, (510) 286-4404.

Name of Applicant: Darcy Proctor

Name of Sponsoring Organization: City of Sonoma Police Dept

Address: 175 First St. West

Telephone Numbers: Day: 996 3602 Cell: 849 3521 Email: _____

Name of Event: Law Enforcement Special Olympics Flame of Hope

Type of Event – Mark Appropriate Box

Run or Walk

Rally or Assembly

Parade

Other

40 Law Enforcement officers from around the world and 2 Special Olympics

Date(s) of Event: Monday, July 13

Street Closure(s) Requested:

Broadway between Newcomb St and East Napa from 1:30 am/pm to 1:40 am/pm

_____ between _____ and _____ from _____ am/pm to _____ am/pm

_____ between _____ and _____ from _____ am/pm to _____ am/pm

Complete Description of Event. Using additional sheets if necessary, describe the number of participants; duration of the event; the number, type, size and material of all entries including any floats or banners; the number and type of animals and a plan for cleaning up after them; any seating being provided; and Judges Tables. Attach a map of the route to be used and indicating the location of the staging area, announcer's stand, barricade placement, vendors, banners, signs and booths, etc.:

40 LE officers from around the world and 2 Special Olympics will run from SVHS to Amphitheater. Two short speeches, gift exchange, mingle with a crowd

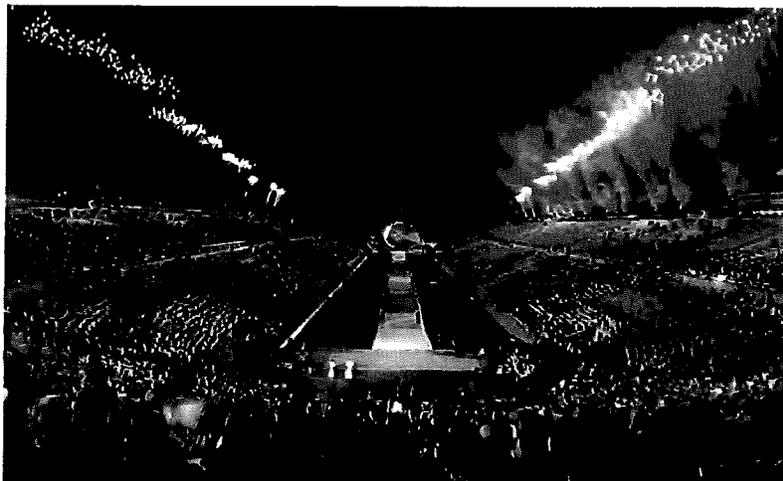
Estimated Daily Attendance: 100

If a Sound Amplification is be used, describe the type, location, purpose and hours of use: KSVY will be providing PA system in Amphitheater for speakers.



City of Sonoma

On Monday, July 13th The Special Olympics Flame of Hope arrives in Sonoma. The Final Leg Team conducts 5 to 8 Touch Runs each day as they move across the State. The runners include 40 – 45 Law Enforcement Officers from all over the world and one Special Olympic athlete. They will conduct a ceremonial run from the Sonoma Valley High School to the Plaza ending at the Amphitheater. Mayor Cook and Bret Sackett, Chief of Police will speak and exchange gifts. The group will visit with the crowd and talk with local residents. The event is scheduled to begin at 1:40pm and end at 2:40pm.



2011 Special Olympics in Athens, Greece

About the Special Olympics World Games Los Angeles 2015 (LA2015)

With 7,000 athletes and 3,000 coaches representing 177 countries, along with 30,000 volunteers and an anticipated 500,000 spectators, the 2015 Special Olympics World Games - being staged in Los Angeles July 25 - August 2, 2015 - will be the largest sports and humanitarian event anywhere in the world in 2015, and the single biggest event in Los Angeles since the 1984 Olympic Games. The 2015 Special Olympics World Games, with the unparalleled spirit, enthusiasm, teamwork, joy and displays of courage and skill that are hallmarks of all Special Olympics events, will feature 25 Olympic-style sports in venues throughout the Los Angeles region. The Opening Ceremony, to be held July 25, 2015 in the historic Los Angeles Memorial Coliseum, site of the 1932 and 1984 Olympic Games, is expected to attract 80,000 spectators.

Sonoma Plaza



City Hall

West Napa St.

East Napa St.

Patten

France

Chase

East Mac Arthur

East Mac Arthur

Malet

Newcomb

Marcy Ct.

Sonoma Valley High School



Broadway
(Route)



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4D

Meeting Date: 6/22/15

Department

Police

Staff Contact

Bret Sackett, Police Chief

Agenda Item Title

Discussion, consideration and possible action authorizing the acceptance and use of a grant from the California Department of Alcohol Beverage Control (ABC).

Summary

The police department applied for and received a grant from the California Department of Alcohol Beverage Control in the amount of \$22,405. The grant objectives include 1) Reduce/deter the amount of underage sales to minors; 2) Work cooperatively with other Sonoma County agencies to reduce and deter sales to minors; and 3) Increase communications/educate ABC licensees in the area of alcohol related crimes.

These objectives will be met by employing a variety of enforcement and education methodologies, including decoy operations, enhanced enforcement projects, and licensee education classes.

In order to be competitive for the grant, the police department expanded of our efforts to include portions of the Sonoma Valley, which will be included in our enforcement and education efforts

Recommended Council Action

Adopt resolution accepting the 2015 Grant from the California Department of Alcohol Beverage Control and direct the Police Chief to sign the contract accepting \$22,405 in grant funds.

Alternative Actions

Council discretion.

Financial Impact

Accepting this grant will provide much needed overtime funding for alcohol related operations.

Environmental Review

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

Status

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

Attachments:

2015 ABC Grant Agreement
Resolution

Alignment with Council Goals:

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

cc:

AGREEMENT NUMBER 15G-LA41
REGISTRATION NUMBER

1. This Agreement is entered into between the State Agency and the Contractor named below:

STATE AGENCY'S NAME
 DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

CONTRACTOR'S NAME
 City of Sonoma through the Sonoma Police Department

2. The term of this Agreement is: July 1, 2015 through June 30, 2016

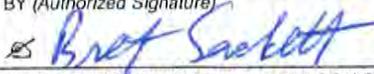
3. The maximum amount of this Agreement is: \$ 22,405

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

Exhibit A – Scope of Work	4 page(s)
Exhibit B – Budget Detail and Payment Provisions	3 page(s)
Exhibit C* – General Terms and Conditions	GTC 610
Check mark one item below as Exhibit D:	
<input checked="" type="checkbox"/> Exhibit - D Special Terms and Conditions (Attached hereto as part of this agreement)	1 page(s)
<input type="checkbox"/> Exhibit - D* Special Terms and Conditions	
Exhibit E – Additional Provisions	_____ page(s)

Items shown with an Asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

CONTRACTOR		California Department of General Services Use Only
CONTRACTOR'S NAME (if other than an individual, state whether a corporation, partnership, etc.) City of Sonoma through the Sonoma Police Department		
BY (Authorized Signature) 	DATE SIGNED (Do not type) 6/1/15	
PRINTED NAME AND TITLE OF PERSON SIGNING Bret Sackett, Chief		
ADDRESS 175 1st Street West Sonoma, CA 95476		
STATE OF CALIFORNIA		
AGENCY NAME Department of Alcoholic Beverage Control		
BY (Authorized Signature) 	DATE SIGNED (Do not type)	
PRINTED NAME AND TITLE OF PERSON SIGNING Ed Jimenez, Assistant Director, Administration		
ADDRESS 3927 Lennane Drive, Suite 100; Sacramento CA 95834		
		<input checked="" type="checkbox"/> Exempt per: SCM 4.04.(A)(3)

SCOPE OF WORK

Applicant: Sonoma Police Department
175 1st Street West
Sonoma, Ca 95476
(707) 996-3602

SUMMARY

Agency Description:

The City of Sonoma contracts with the Sonoma County Sheriff's Office for their law enforcement services. The police department has a total staff of 17; 1 chief, 2 sergeants, 2 community service officers, 10 deputies, 2 administrative aides and 8 volunteers. The department also has an explorer post, which is a group of minors who will help in our alcohol enforcement endeavors. If awarded the grant, we would include the unincorporated Sonoma Valley in our enforcement operations and educational efforts to ensure the program has the broadest possible impact to our wine country community. The targeted operational area covers approximately 156 square miles, which makes up the entire Sonoma Valley.

The City of Sonoma is located in rural Sonoma County situated at the southeast end of the County of Sonoma. The Sonoma Valley and the City of Sonoma is the essential California wine country tourist destination. Being well known as "the wine country," the demographics of the area include approximately 70-percent Caucasian, and 26-percent Hispanic according to the Sonoma Valley Demographics.

The City of Sonoma population is about 11,000, and serves as the primary business, retail, and educational center for the entire Sonoma Valley and, therefore, serves a daily population of nearly 45,000 people. According to the ABC website, there are 204 active on-sale and off-sale retail licenses within our zip code, which includes both the City of Sonoma and Sonoma Valley. This operational area also includes Infineon Raceway, which is home to a major NASCAR event and seven other professional racing series such as NHRA Drag Races and the Indy Grand Prix. The NASCAR race alone draws nearly 100,000 spectators for three days each June.

As a world-class tourist destination, Sonoma Valley is home to 167 wineries, which places us in the heart of California's wine country. In addition to the tasting rooms at the actual winery locations, many wineries have remote or satellite tasting rooms in the City of Sonoma to showcase their wine and reach the largest retail market.

The City of Sonoma is the only municipality in Sonoma County to utilize the services of a City Prosecutor. The Office of the City Prosecutor is responsible for prosecuting all misdemeanors and city ordinance violations that occur within city limits. The City Prosecutor's Office is familiar with local issues and works closely with the police department to aggressively prosecute many of the low-level or "quality of life" issues that plague our City. This ensures crimes, such as alcohol related offenses, will be adequately and aggressively prosecuted, and not be subject to the filing priorities of an overworked District Attorney's Office.

Exhibit A

The Sonoma Police Department was awarded our first GAP grant in FY 2011-12 and have actively worked together with ABC investigators and surpassed our goals and objectives set forth in the grant. As of January, 2011 72 people were trained in LEADS classes. We conducted monthly decoy/shoulder tap operations. During the operations we cited 12 licensed establishments for selling alcohol to minors and we have issued 11 citations to people who have bought alcohol for minors during shoulder tap operations. We sent two officers to a regional task force operation in Berkeley, CA to help enforce alcohol violations at the university. I strongly believe in being a partner with the State of California ABC and support their mission of reducing alcohol related sales to minors.

Funding Sought:

Summary of Goals and Objectives:

The goals and objectives of this grant are 1) to reduce/deter the amount of underage sales to minors 2) to work cooperatively with other Sonoma County agencies to assist them in reducing and deterring their sales to minors and 3) to increase communications/educate licensees in the area of alcohol related crimes.

In order to achieve our goals we will be blending enforcement with educational efforts. Should the Sonoma Police Department be awarded this grant from the ABC, we plan on conducting twenty different operations in the one year grant period. We will also be actively using press releases to inform the public of our operations and will be hosting LEADS classes to assist us in educating the public.

PROBLEM STATEMENT

As a wine country tourist destination, alcohol related offenses continue to be a major issue facing our community. Our unusually high number of ABC licensed establishments results in a large-scale problem of over-concentration throughout our city. In 2012 the Sonoma Police Department arrested 55 people for Driving Under the Influence, 26 people for Public Intoxication, and 32 people for Liquor Law Violations. In 2013 the Sonoma Police Department arrested 67 people for Driving Under the Influence, 36 people for Public Intoxication and 13 people for Liquor Law violations. In 2014 the Sonoma Police Department 72 people for Driving Under the Influence, 33 people for Public Intoxication and 4 people for Liquor Law violations. Statistics would support that the major source of "last drink" locations are local ABC licensed establishments. We also believe the "transitory" nature of wine tasting – moving from one winery to another contributes significantly to prevalence of drunk driving. Statistics also show that there has been an increase of 30% in DUI arrest since 2012 just in the City of Sonoma. With a geographical size of 2.65 square miles, this is a disturbingly high percentage increase.

The public intoxication arrests have remained at an even pace. We believe many of these arrests for public intoxication can be attributed to over-serving at both our retail establishments and local wine tasting rooms.

In 2011, the police department conducted five undercover decoy operations at 50 locations throughout the city and Sonoma Valley area. We targeted both on-sale and off-sale establishments and discovered the youth were able to purchase alcohol at 12 locations.

Exhibit A

In 2009, the City adopted a *Social Host Liability and Prohibition against Underage Drinking Ordinance* to help address this growing problem. To date, the police department has made 98 arrests for violations of this new ordinance. This should speak volumes to the priority the City and the police department place on limiting underage access to alcohol.

Unfortunately, the City lacks the necessary resources to adequately address the problem. Since all on-duty officers must be available to respond for calls for service, minor decoy and shoulder tap operations must be conducted on an overtime basis. The downturn in the economy, coupled with the elimination of the redevelopment agency funding has significantly impacted our budget and, therefore, our ability to fund these special operations. Without grant assistance, we will not be able to adequately address this growing and concerning problem.

As mentioned, the Sonoma PD has received one \$25,000 GAP grant in FY 2011/12. We have been very productive with this grant by supplementing those funds and providing an on duty sergeant to accompany the overtime deputy in most operations. Our grant goal was to conduct quarterly minor decoy/shoulder tap operations but with the SPD providing the on duty sergeant and the ABC providing an on duty investigator we controlled expenses and have been able to fund and maintain monthly operations. It is my goal to continue this relationship with the ABC to achieve mutual interests.

Despite having this grant in 2011 our public intoxication arrest statistics remain unacceptably high and our DUI statistics are also high for a small city. With the extra media coverage and operations conducted I do believe that it is harder for a minor to purchase alcohol in town and awareness is up but there is still much more work to be done and a GAP grant would help us achieve these goals.

PROJECT DESCRIPTION

Our first goal is to reduce/deter the amount of underage sales to minors. In order to achieve this goal we will conduct eight shoulder tap/minor decoy enforcement operations in the City of Sonoma and the Sonoma Valley Operational Area. The operations will be conducted with two SPD deputies, an ABC investigator and a plain-clothes, under-aged volunteer who will attempt to either purchase alcohol at a licensed establishment or attempt to get someone to purchase alcohol for them.

We will also provide two deputies at two Infineon Raceway events. These officers will be in plain clothes in the points of sale area where alcohol is sold. The officers will work cooperatively with ABC Investigators to monitor under aged subjects either trying to purchase alcohol, getting adults to purchase alcohol for them or adults furnishing alcohol to minors. These particular racing events are well known for its over-indulgence of alcohol. With the warm weather and racing atmosphere, consumption of alcohol by minors seems to be an accepted practice and causes numerous law enforcement problems.

We also plan on conducting six general enforcement operations in FY 2015. The first will be on the 4th of July at Independence Day Celebrations. The City of Sonoma has a very large morning parade where the entire downtown plaza is shut down and the streets are lined with people. Local bars are open early and drinking is very prevalent from morning to evening. Two deputies will specifically monitor the bars/patrons for ABC violations. The plaza and surrounding area will also be monitored for under aged drinking.

Our second general enforcement operation will occur on Thanksgiving Eve. This night has become a traditional night of party and celebration as young men and women come back from college and celebrate with their

Exhibit A

classmates and family. In the past there has been several fights break out from the bars. Unfortunately we had no extra staffing other than patrol deputies and policing this event became almost a futile effort. In 2014, with the assistance of the Fire Marshal, the bar owners were contacted in person in advanced, to educate them about alcohol related laws and capacity limits. On Thanksgiving Eve we staffed two uniformed officers to work cooperatively with bar owners with capacity issues, usage of fake identification cards, underage drinking and patrolling the plaza to stop fights early.

The Sonoma Police Department receives numerous applications for ABC licensed special events. These events include Battle of the Bartenders, Martini Madness and the Sonoma Film Festival along with many other alcohol related events. Based on these approved special licenses we would like to conduct four general enforcement details to patrol these events.

The last of our proposed general enforcement operations are to patrol the Farmers Market. In the summer months, every Tuesday night is a Farmers Market where local bands play in the plaza and street vendors are set up selling food to patrons. All the bars are very active and patrons tend to overindulge in their consumption of alcohol. This causes a problem with arguments and fights in the plaza. We are proposing that one deputy patrol for four hours on four different nights just in the plaza area to monitor licensed establishments and enforce alcohol related problems in the plaza.

Our second goal is to work cooperatively with other Sonoma County agencies to assist them in reducing and deterring sales to minors in their communities. In order to achieve this goal, Sonoma Police officers will conduct quarterly minor decoy/shoulder tap operations in other departmental jurisdictions that do not receive ABC grant funding. These operations will be done in a cooperative effort with the local agency with their permission. The Sonoma Police Department will encourage the local agency to take part in the operation so that we can train them to conduct these operations on their own. The minor decoy/shoulder type operations will proceed as above with two SPD deputies, an ABC Investigator, an underage decoy and local agency officers if they so choose. We will publish results to local media outlets to educate the public of our combined efforts.

Our third goal is to increase communications/educate licensees in the area of alcohol related crimes. These educational operations will include four LEAD or RBS classes for licensees. In addition, we will hold at least one LEAD or RBS class exclusively for organizations that host special events throughout the Sonoma Valley. We feel these 1-day special permit events have been overlooked and under-trained, so we will expand our efforts to address their special needs. There is a community room at the Department where we would be able to facilitate these educational classes. We will also continue to reach out to our local ABC Investigators to receive ongoing patrol level training in alcohol-related crimes. During our last grant period we have developed a very positive working relationship with the ABC and look forward to continuing to learn from them in the future.

Project Personnel:

- 8 Shoulder Tap/Minor Decoy Events: 2 Deputies, 1 Volunteer (5 hours each); \$6,170
- 4 Outside Agency Shoulder Tap/Minor Decoy Events: 2 Deputies, 1 Volunteer; \$3101.00
- 4 Special Event General Enforcement, 2 Deputies (5 hours each) \$3085.00
- 2 Sonoma Raceway Events: 2 Deputy (8 hours each); \$2,468
- 4th of July Parade: 2 Deputies, (10 hours each) \$1542.00
- 1 Thanksgiving Eve General Enforcement Detail; 2 Deputies (5 hours each); \$771.00
- 4 Farmers Markets: 2 Deputy (4 hours each); \$2,468

Total Personnel Costs: \$19,605

BUDGET DETAIL

Exhibit B

BUDGET CATEGORY AND LINE-ITEM DETAIL	COST (Round budget amounts to nearest dollar)
A. Personnel Services (Straight Time Salaries, Overtime, and Benefits)	
A.1 Straight Time	\$0.00
A.2 Overtime	\$19,605
A.3 Benefits	Included
TOTAL PERSONNEL SERVICES	\$19,605
B. Operating Expenses (maximum \$2,500)	
Buy money/Decoy expense	\$500
TOTAL OPERATING EXPENSES	\$500
C. Equipment (maximum \$2,500) (Attach receipts for all equipment purchases to monthly billing invoice)	
Tactical jackets/lighting equipment/misc	\$500
TOTAL EQUIPMENT	\$500
D. Travel Expense/Registration Fees (maximum \$2,000) (Registration fee for July 2015 GAP Conference attendee is \$225 each)	
We commit to send two deputies to conference. Any addition funds needed will be provided through department training account.	\$1,800
TOTAL TRAVEL EXPENSE	\$1,800
TOTAL BUDGET DETAIL COST, ALL CATEGORIES	\$22,405

PAYMENT PROVISION

Exhibit B

Page 1 of 2

1. **INVOICING AND PAYMENT:** Payments of approved reimbursable costs (per Budget Detail attached) shall be in arrears and made via the State Controller's Office. Invoices shall be submitted in duplicate on a **monthly basis** in a format specified by the State. Failure to submit invoices and reports in the required format shall relieve the State from obligation of payment. Payments will be in arrears, within 30 days of Department acceptance of Contractor performance, pursuant to this agreement or receipt of an undisputed invoice, whichever occurs last. Nothing contained herein shall prohibit advance payments as authorized by Item 2100-101-3036, Budget Act, Statutes of 2015.
2. Revisions to the "Scope of Work" and the "Budget Detail" may be requested by a change request letter submitted by the Contractor. If approved by the State, the revised Grant Assistance Scope of Work and/or Budget Detail supersede and replace the previous documents bearing those names. No revision cannot exceed allotted amount as shown on Budget Detail. The total amount of the contract must remain unchanged.
3. Contractor agrees to refund to the State any amounts claimed for reimbursement and paid to Contractor which are later disallowed by the State after audit or inspection of records maintained by the Contractor.
4. Only the costs displayed in the "Budget Detail" are authorized for reimbursement by the State to Contractor under this agreement. Any other costs incurred by Contractor in the performance of this agreement are the sole responsibility of Contractor.
5. Title shall be reserved to the State for any State-furnished or State-financed property authorized by the State which is not fully consumed in the performance of this agreement. Contractor is responsible for the care, maintenance, repair, and protection of any such property. Inventory records shall be maintained by Contractor and submitted to the State upon request. All such property shall be returned to the State upon the expiration of this contract unless the State otherwise directs.
6. If travel is a reimbursable item, the reimbursement for necessary traveling expenses and per diem shall be at rates set in accordance with Department of Personnel Administration rates set for comparable classes of State employees. No travel outside of the State of California shall be authorized. No travel shall be authorized outside of the legal jurisdiction of Contractor without prior authorization by the State.

PAYMENT PROVISION

Exhibit B

Page 2 of 2

7. Prior authorization by the State in writing is required before Contractor will be reimbursed for any purchase order or subcontract exceeding \$2,500 for any articles, supplies, equipment, or services to be purchased by Contractor and claimed for reimbursement. Contractor must justify the necessity for the purchase and the reasonableness of the price or cost by submitting three competitive quotations or justifying the absence of bidding.
8. Prior approval by the State in writing is required for the location, costs, dates, agenda, instructors, instructional materials, and attendees at any reimbursable training seminar, workshop or conference, and over any reimbursable publicity or educational materials to be made available for distribution. Contractor is required to acknowledge the support of the State whenever publicizing the work under the contract in any media.
9. It is understood between the parties that this contract may have been written before ascertaining the availability of appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays that would occur if the contracts were executed after that determination was made.
10. BUDGET CONTINGENCY CLAUSE - It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.

If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

Special Terms and Conditions

1. Disputes: Any dispute concerning a question of fact arising under this contract which is not disposed of by agreement shall be decided by the Director, Department of Alcoholic Beverage Control, or designee, who shall reduce his decision to writing and mail or otherwise furnish a copy thereof to the Contractor. The decision of the Department shall be final and conclusive unless, within 30 days from the date of receipt of such copy, the Contractor mails or otherwise furnishes to the State a written appeal addressed to the Director, Department of Alcoholic Beverage Control. The decision of the Director of Alcoholic Beverage Control or his duly authorized representative for the determination of such appeals shall be final and conclusive unless determined by a court of competent jurisdiction to have been fraudulent, capricious, arbitrary, or so grossly erroneous as necessarily to imply bad faith, or not supported by substantial evidence. In connection with any appeal proceeding under this clause, the contractor shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, Contractor shall proceed diligently with the performance of the contract and in accordance with the decision of the State.
2. Termination Without Cause: Either party may terminate this agreement at any time for any reason upon ten (10) days written notice. No penalty shall accrue to either party because of contract termination.
3. Contract Validity: This contract is valid and enforceable only if adequate funds are appropriated in Item 2100-101-3036, Budget Act of 2015, for the purposes of this program.
4. Contractor Certifications: By signing this agreement, Contractor certifies compliance with the provisions of CCC 307, Standard Contractor Certification Clauses. This document may be viewed at <http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx> .
5. If the State determines that the grant project is not achieving its goals and objectives on schedule, funding may be reduced by the State to reflect this lower level of project activity.

CITY OF SONOMA

RESOLUTION NO. __ - 2015

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA ACCEPTING A GRANT FROM THE CALIFORNIA DEPARTMENT OF ALCOHOL BEVERAGE CONTROL

WHEREAS, The City of Sonoma desires to undertake a certain project designated as Sonoma ABC grant 2015 to be funded in part from funds made available through the Grant Assistance Program (GAP) administered by the Department of Alcoholic Beverage Control (hereafter referred to as ABC);

NOW, THEREFORE, BE IT RESOLVED that the Police Chief of the City of Sonoma is authorized to execute on behalf of Sonoma City Council the attached contract, including any extensions or amendments thereof and any subsequent contract with the State in relation thereto.

IT IS AGREED that any liability arising out of the performance of this contract, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and ABC disclaim responsibility for any such liability.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

IT IS ALSO AGREED that this award is not subject to local hiring freezes.

PASSED AND ADOPTED by the City Council of the City of Sonoma on the 22nd day of June, 2015 by the following vote:

AYES:
NOES:
ABSENT:

David Cook, Mayor

ATTEST:

Gay Johann
Assistant City Manager/City Clerk



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4E

Meeting Date: 06/22/2015

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the allocation of City funded rentals at the Sonoma Veteran's Memorial Building as requested by the Native Sons of the Golden West (Surf & Turf Dinner), Valley of the Moon Lions Club (Crab Feed), Sonoma Valley High School Boosters Club (Crab Feed), Sonoma International Film Festival, American Legion Jack London Post #489 (Sonoma Bar Battle), Sonoma Community Center (4th of July), and Valley of the Moon Amateur Radio Club (Hamfest).

Summary

In December 1991, the City entered into a Development and Use Agreement with the County of Sonoma for the Sonoma Veteran's Memorial Building to "allow the City to develop and use the property for 20 years commencing July 1, 1990 and ending June 20, 2010". In addition to other funding provided by the City, the agreement included a provision that the City would make an annual payment to the County of \$10,000 in exchange for use of the facility for City functions twenty days per year. The City Council would then award those City funded rental days to non-profit, school, veterans and other local volunteer organizations. That agreement was extended for the period July 2010 through June 2013. For FY 2014/15 staff negotiated an agreement with the County whereby the City would be granted fifteen facility rentals for a fee of \$1,000 per rental. An agreement for FY 2015/16 with the same terms will be presented to the Board of Supervisors for their approval on June 23, 2015.

A City funded rental allows a group use of the facility for up to twelve hours on the date of their event as long as the building is left clean and is secured upon departure. All use of the facility is subject to the terms and conditions of the County's standard use agreement for the building. Groups are required to provide a refundable security and cleaning deposit at the time of booking.

Ten of the City funded rentals will be allocated for weekend days (Friday 5 p.m. thru Sunday midnight), the remaining five must be used mid-week. City funded rent events may not be held on a County-observed holiday or any day that the use would conflict with use of the building by a Veterans organization. The County allowed an exception to the no Holiday rule for the 4th of July parade staging in this year's agreement.

Staff is presenting seven City funded rent requests and has reserved one weekend day and two weekdays for future City use. If all requests listed on this agenda item are approved, the City will have two weekend and three weekday City funded rentals available for the remainder of the fiscal year.

Recommended Council Action

Approve the requests for City funded rental days subject to Board of Supervisor's approval of the 2015/16 agreement.

Alternative Actions

Council discretion.

Financial Impact

\$15,000 has been included in the 2015/16 budget to cover the cost of fifteen rentals.
\$1,000 is remitted to the County for each City funded rental approved by Council.

Environmental Review

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

Status

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

Attachments:

Agreement with the County & seven requests for City funded rent days

Alignment with Council Goals:

Provide continuing leadership as elected officials and residents of the community by taking steps to assure a safe and vibrant community.

cc: Via email: Michael Balich, Charles Bettinelli, Chickie Vella, Kevin McNeely, Terry Leen, Toni Castrone, David Dammuller

Letter Agreement Between
The County of Sonoma and the City of Sonoma
For
"Free Event Days" at the Sonoma Veterans Building

The purpose of this Letter Agreement is to memorialize the understanding reached between the City of Sonoma (the "City") and the County of Sonoma General Services Department (the "County"), on _____, 2015, regarding City-sponsored "Free Event Days" for use of the Sonoma Memorial Veterans' Building and associated parking areas and grounds by non-profits community organizations that will be designated by the City.

As background, the Sonoma Veterans Memorial Building ("Building") is managed by the County for the benefit of Veterans and the general community. County responsibilities include entering into agreements with individuals, groups, non-profits and others for the use of all or a portion of the Building and surrounding grounds in exchange for certain fees based on time of use, facilities used and activities.

As a benefit to the community in Fiscal Year 2015-2016 the County will provide the City up to fifteen "Free Event Days". These "Free Event Days" will in turn be provided by the City to organizations designated by the City. The City will propose to the County the day or days the City would like to designate as "Free Event Days" and the organization that will be the recipient of each "Free Event Day." County will approve proposed days that are not already scheduled or that are not subject to other use restrictions specified in this Agreement. Recipients will be allowed to use the Building or portions of the Building up to twelve hours on their designated "Free Event Day" subject to the terms and conditions of the standard use agreement for the Building. Prior to each designated "Free Event Day," the City will provide the County \$1,000 to offset the County's cost for providing the Building or a portion of the Building at no charge to the organization identified by the City. The organization will not be charged by the City. The organization will not be charged by the County for the use of the Building as long as the organization agrees to the terms of the County's use agreement, agrees to clean up the area they use and secures the Building after using the Building. Charges may be imposed on the organization by the County for clean up or damage due to the organization's use.

Total "Free Event Days" will be limited to fifteen days per year. Weekend "Free Event Days" will be limited to 10 days per year. Weekends will be defined as Friday 5 pm through Sunday midnight. "Free Event Days" will be limited to no more than twelve (12) hours during normal operating hours. Operating hours are from 8:00am to 11:59pm. County Holidays will not be eligible for "Free Event Days", except July 4, 2015, which will be treated as a "Free Event Day" for use by the City to occupy certain designated areas for parade staging. The July 4, 2015, "Free Event Day" will expire before 2 pm to accommodate a private event scheduled for the Building. The City will work with the Building Manager to assure that its use of the Building does not interfere with the July 4 private event.

The Sonoma Veterans of Foreign Wars and other Veteran's organizations routinely use facilities at the Building for meetings, parties, social events, etc. As Veteran's activities take priority over all other uses of the Building and surrounding areas "Free Event Days" cannot be used if the Free Event conflicts with the Veteran's use of the Building.

The City's declaration of an organization's use of the Building or any portion of the Building as a "Free Event Day" shall in no way change the obligation of the organization to enter into the County's required agreements for the use of the Building, for securing all necessary permits, licenses, insurance and the like. The organization will also be required to follow all rules for the use of the Building, including those regarding, alcohol, noise, hours of use and smoking.

Any penalties, fees, assessments, charges, excessive cleaning costs or other costs incurred to pay for damages or penalties caused by the "Free Event Day" recipient or its guests, vendors, licensees, etc. will be the responsibility of the organization that is the recipient of the "Free Event Day". All events authorized under this agreement will be subject to County approval of reservation applications and issuance of a standard License Agreement for Use of the Sonoma County Veterans Memorial Buildings.

This Letter Agreement may be terminated by either party for any reason upon sixty (60) days prior written notice to the other party. In the event of such termination both the County and the City will honor the terms of this agreement with respect to all "Free Event Days" reserved prior to the termination notice.

The signatures below indicate agreement to the terms of this Letter Agreement:

CITY OF SONOMA

By: 
Carol Giovanatto, City Manager
City of Sonoma

COUNTY OF SONOMA

By: _____
Tawny Tesconi, Interim Director
Department of General Services

APPROVED AS TO FORM

FOR COUNTY:

David McFadden, Deputy County Counsel

Gay Johann

From: Michael Balich <Michael.Balich@sonoma-county.org>
Sent: Monday, February 09, 2015 12:54 PM
To: Gay Johann
Subject: Free day for surf and turf dinner.

Hi Gay, I would like to thank you and the city council for our free day at the Sonoma veterans building this year. Our event was sold out and fun was had by all. I would like to apply again for next year, the date would be January 30th 2016 your help with this is instrumental and is very much appreciated because every penny goes back to the Sonoma Valley High School Scholarship program for graduating seniors. If there is any other information that might be needed please don't hesitate to ask.

Thank you,

Michael Balich
Surf and Turf Chairman
Native Sons of the Golden West
Parlor 111
Home ph. 935-3362
Cell ph. 775-9141
473 Anza court
Sonoma Ca, 95476



Sonoma City Council
City of Sonoma
#1 The Plaza
Sonoma, CA 95476



February 17, 2015

Subject: Veterans' Memorial Building
Rent Subsidy (Free Day) Application

Dear Council:

For approximately 20 years, the Valley of the Moon Lions Club, Sonoma, (a 501-C-4 non-profit organization) has held a crab feed at the Veterans Memorial Building in Sonoma. This is our major fund raising event and we feed 360 people and it is annually on the last Saturday of February.

In the past, we have been included on a list of twenty applicants for use of the facility at the reduced rate of \$800.00+/-.

Two years ago the new management of the building reduced the number of applicants for this *special rate* from twenty to ten applicants. We were not included in that group. Our fee increased to roughly \$3,200.

This charge seriously impacted our donations to programs to which we are committed, ie: providing eye exams, eye glasses, surgery, if necessary for those in need, supporting the Mentoring alliance, Scouting, Little league, a scholarship program for deserving high school students, St. Francis CYO, Sonoma Valley Ed Foundation, etc.

We want to thank you for this free day rate for our February 28, 2015 Crab Feed. And, it is our hope that, in some way, you also consider to allow us to continue to pay at the free day rate for next year, Saturday, February 27, 2016.

Sincerely,

Charles Bettinelli
Valley of the Moon Lions Club Crab Fee Chairman

164 Loma Vista Drive . Sonoma, CA 95476 . Cell.707.695.6570 . Email. 3buckchuck1945@gmail.com

Gay Johann

From: Vella Cheese Company of California <vella@vellacheese.com>
Sent: Monday, March 16, 2015 7:32 PM
To: Gay Johann
Subject: Boosters Club

Hi Gay! Since you were so helpful to me last year in getting a fee waiver for the Sonoma Veterans Building for the Sonoma High School Boosters Club Crab Feed, I was hoping you could tell me if it is too soon to request a waiver for the 2016 Crab Feed. I don't know if there is a time frame or if I just go ahead and submit a request. We were very successful with the one we held in January of this year. We raised 75,000 which helps seventeen different extra-curricular activities. In 2016 we are going to hold the event on February 6th. Thank you for your help last year, it sure made a big difference. Chickie Vella

Vella Cheese Company of CA

315 Second St. East

Sonoma, CA 95476

(707) 938-3232

(707) 938-4307 FAX

www.vellacheese.com

Gay Johann

To: Gay Johann
Subject: FW: Vets Hall "free days"...

Gay Johann
Assistant City Manager/City Clerk
City of Sonoma
1 The Plaza
Sonoma CA 95476
(707) 933-2216

From: Kevin McNeely [<mailto:kevin@sonomafilmfest.org>]
Sent: Friday, May 22, 2015 9:29 AM
To: Gay Johann
Subject: Re: Vets Hall "free days"...

Saturday April 2nd 2016...I suspect this will be the most \$\$...

Kevin W. McNeely
Executive Director
office: 707.933.2600
direct: 707.206.4481

kevin@sonomafilmfest.org
www.sonomafilmfest.org



SONOMA
INTERNATIONAL
FILM FESTIVAL
WELCOMING. ENTERTAINING. INSPIRING.

MAR. 30 – APR. 3, 2016

From: Kevin McNeely [<mailto:kevin@sonomafilmfest.org>]
Sent: Wednesday, May 13, 2015 10:09 AM
To: Carol Giovanatto
Subject: Vets Hall "free days"...

good morning Carol...may I trouble you for information regarding the process to secure "free days" at Veterans Hall...?...we are scheduled to rent it from Wednesday March 30 - April 3 2016...thank you...Kevin

Kevin W. McNeely
Executive Director

Gay Johann

To: Gay Johann
Subject: FW: Free Days at Vet's Building

From: Terry Leen [<mailto:bnz2fr@yahoo.com>]
Sent: Tuesday, May 26, 2015 9:16 AM
To: Gay Johann
Subject: Re: Free Days at Vet's Building

Gay,

Hope you had a good Memorial Day weekend. The Memorial Day event at the Veteran's cemetery and building was very moving and successful. It is nice to have such support from our citizens as well as members of the Sonoma City Counsel.

Here are a few dates for up coming events

Sonoma Bar Battle October 10, 2015
Surf and Turf January 30, 2016

If you could please put this on for the "free" days from the City it would be greatly appreciated.

Respectfully,

Terrence P. Leen
Commander
American Legion Post #489
(707) 337-1397



SONOMA COMMUNITY CENTER

www.sonomacommunitycenter.org

June 5, 2015

Sonoma City Council
#1 the Plaza
Sonoma, CA 95476

Re: Request for Free Day at the Veteran's Building

Dear Mayor Cook and members of the City Council:

The Sonoma Community Center hereby requests the use of a City-subsidized day at the Veterans Building on July 4, 2015.

The unimpeded use of the Veterans' Building parking area is necessary for the successful staging of the parade. Because the Fourth of July celebration is not used as a fundraiser by the Community Center, the free use of the parking lot is very helpful in supporting the event.

Thank you for your attention to this request and for your continued support of the Fourth of July Celebration.

Sincerely,

Toni Castrone
Executive Director

Valley of the Moon Amateur Radio Club
1496 Nut Tree Lane, Sonoma CA 95476

June 8, 2015

Gay Johann, MMC
City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476

RE: Request for use of "Free Day" at the Sonoma Veterans' Memorial Building

Dear City Clerk Johann

As you know, the Valley of the Moon Amateur Radio Club assists the City of Sonoma and Sonoma Valley with communications for civic events and major emergencies. Each year, the City has been kind enough to assist us with our fundraising efforts by generously allowing the use of a "free day" at the Veterans Memorial Building for our annual fundraiser event.

Next year, the event—know as a "hamfest" to amateur radio operators is planned for Saturday, April 30, 2016. The amateur radio operators of Sonoma Valley respectfully request the allocation of a free day for this planned event.

Please let me know if you have any questions of need any additional information.

Thank you for your continued cooperation with our efforts to serve the community.

Sincerely



David Dammuller, KD6FIL
Secretary for the Valley of the Moon Amateur Radio Club.

Email: davidda@sonic.net
Phone: 707-545-5822



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4F

Meeting Date: 06/22/2015

Department

Public Works

Staff Contact

Stormwater Compliance Specialist, Chris Pegg

Agenda Item Title

Adoption of an Ordinance of The City Council of the City of Sonoma amending Titles 13, 14, and 19 of the Sonoma Municipal Code by Amending the Stormwater and Development Regulations as they Pertain to the City's Legal Authority and Ability to Comply with NPDES Permit No. 2013-0001-DWQ

Summary

The City of Sonoma operates a storm drain system that collects stormwater during rain events and discharges it to Nathanson, Fryer, and Sonoma creeks. Stormwater discharges from urban drainage systems often contain pollutants such as sediment, pesticides, and pathogens. The Federal Clean Water Act prohibits discharges of these and other pollutants to a broad class of waterbodies known as Waters of the United States, which includes Nathanson, Fryer, and Sonoma creeks.

In California, the State Water Resources Control Board authorizes operators of storm drain systems to discharge stormwater to Waters of the United States only when a National Pollutant Discharge Elimination System (NPDES) permit has been issued ensuring that the operator has limited the quantity of pollutants in the discharge to the maximum extent practicable.

The State Water Resources Control Board issued NPDES Permit No. 2013-0001-DWQ to the City of Sonoma in 2013. NPDES Permit No. 2013-0001-DWQ requires that City of Sonoma establish legal authority to implement all requirements therein and update relevant ordinances to remove gaps or impediments to full permit compliance.

Recommended Council Action

Adopt the ordinance Amending the Stormwater and Development Regulations as they Pertain to the City's Legal Authority and Ability to Comply with NPDES Permit No. 2013-0001-DWQ

Alternative Actions

N.A.

Financial Impact

Although achieving compliance with NPDES Permit 2013-0001-DWQ has significant costs, amending the Municipal Code to remove gaps and impediments to compliance with NPDES Permit No. 2013-0001-DWQ should have no financial impact and help the City avoid state-imposed fines or settlements for non-compliance with NPDES Permit No. 2013-0001-DWQ.

Environmental Review

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

Status

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

Attachments:

1. Supplemental Report
 2. Ordinance Amendments
-

cc:

SUPPLEMENTAL REPORT

ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING TITLES 13, 14, AND 19 OF THE SONOMA MUNICIPAL CODE BY AMENDING THE STORMWATER AND DEVELOPMENT REGULATIONS AS THEY PERTAIN TO THE CITY'S LEGAL AUTHORITY AND ABILITY TO COMPLY WITH NPDES PERMIT NO. 2013-0001-DWQ

For the City Council Meeting of June 22, 2015

PURPOSE

The City of Sonoma must amend sections of the Sonoma Municipal Code to remove gaps and impediments to full compliance with National Pollutant Discharge Elimination System (NPDES) Permit No. 2013-0001-DWQ. NPDES Permit No. 2013-0001-DWQ authorizes the City to discharge stormwater from its storm drain system without violating the 1972 Clean Water Act.

BACKGROUND

The City of Sonoma operates a storm drain system that collects stormwater during rain events and discharges it to Nathanson, Fryer, and Sonoma creeks. This storm drain system protects the public safety and reduces flood-related property damage; however, discharges from urban storm drain systems are generally known to contain pollutants such as sediment, pesticides, heavy-metals, pathogens, and motor oil. The Federal Clean Water Act prohibits discharges of these and other pollutants to a broad class of waterbodies known as Waters of the United States, which includes Nathanson, Fryer, and Sonoma creeks.

In California, the State Water Resources Control Board is authorized to implement Section 402 of the Federal Clean Water Act, also known as the National Pollutant Discharge Elimination System (NPDES). NPDES rules allow operators of storm drain systems to discharge stormwater to Waters of the United States when a permit has been issued ensuring that the operator has limited the quantity of pollutants in the discharge to the maximum extent practicable.

The State Water Resources Control Board issued NPDES Permit 2013-0001-DWQ to the City of Sonoma in 2013. NPDES Permit 2013-0001-DWQ requires City of Sonoma to establish legal authority to implement all requirements therein and update relevant ordinances to remove gaps or impediments to full permit compliance.

SUMMARY

A comprehensive review of the Sonoma Municipal Code revealed a number of minor gaps and impediments to full permit compliance. Staff has crafted an amendment to the Sonoma Municipal Code that resolves these gaps and impediments.

The amendment to the Sonoma Municipal Code would:

- 1) Update the definition of "Enforcement Official" to reflect changes in staff position titles. (SMC 13.32.030)

- 2) Add a definition of “Erosion and Sediment Control Plan” with different professional credential requirements than those found in SMC 14.20. (SMC 13.32.030)
- 3) Add a definition of incidental runoff to support prohibition of discharges in excess of incidental runoff (SMC 13.32.030)
- 4) Modify the definition of “noncommercial vehicle washing” to exclude fundraiser car washes to support discharge prohibitions. (SMC 13.32.030)
- 5) Add a definition of “non-point source” to support enforcement procedures in SMC 13.32.130. (SMC 13.32.030)
- 6) Add a definition of “point source” to support enforcement procedures in SMC 13.32.130. (SMC 13.32.030)
- 7) Update the definition of “Public works administrator” to reflect changes in staff position titles. (SMC 13.32.030)
- 8) Modify the definition of “Stormwater conveyance system” to reflect the geographic boundaries within which the City possesses authority to regulate storm drainage infrastructure. (SMC 13.32.030)
- 9) Modify the discharge prohibitions to exempt incidental runoff. (SMC 13.32.050)
- 10) Modify the exceptions to discharge prohibitions to include exceptions for incidental runoff, pumped foundation drains, and pressure-release devices. (SMC 13.32.060)
- 11) Add “grading permit” to the list of development approvals which the City may withhold if statewide requirements for stormwater controls and permitting are not demonstrated. (SMC 13.32.070)
- 12) Add activities which increase volumes or rates of stormwater runoff to the scope of activities regulated under SMC 13.32. (SMC 13.32.100)
- 13) Modify the stormwater requirements for new development and adopt a technical manual for compliance. (SMC 13.32.100)
- 14) Modify the stormwater requirements for construction activities. (SMC 13.32.100)
- 15) Modify the inspection-related authorities to exempt inspectors from collecting classified or sensitive information. (SMC 13.32.120)
- 16) Modify the definition of violations and the relationship between violations and public nuisances for the purposes of SMC 13.32. (SMC 13.32.130)
- 17) Modify enforcement timelines. (SMC 13.32.130)
- 18) Add new authorities for issuing stop orders. (SMC 13.32.140)
- 19) Expand the definition of “Erosion and sediment control plan”. (SMC 14.20.020)
- 20) Modify code language referring to erosion and sediment control plans for consistency. (SMC 14.20.035)
- 21) Clarify that the rainy season limitations for construction activities contained in SMC 14.20 apply only to grading permit activities. (SMC 14.20.050)
- 22) Modify language that may preclude on-site detention or retention of stormwater. (14.20.100)
- 23) Clarify and expand erosion and sediment control plan requirements for grading permits. (SMC 14.20.200)
- 24) Require that applicable calculations or other rationales support selection of Best Management Practices specified in erosion and sediment control plans prepared for grading permits. (SMC 14.20.210)
- 25) Modify open space requirements to promote development that provides open spaces with beneficial stormwater and groundwater recharge impacts. (SMC 19.38.010 & 19.40.080)

- 26) Modify screening requirements for trash enclosures to better prevent stormwater pollution. (SMC 19.40.100)
- 27) Modify off-site parking requirements to close a loophole that may be exploited to reduce stormwater mitigation requirements for some development projects. (SMC 19.48.030)
- 28) Modify discretionary review requirements for wheel stops in parking lots when parking areas are adjacent to landscaped areas and drainage is directed to the landscaped area. (SMC 19.48.070)
- 29) Modify subdivision requirements to protect natural channels from a process called “hydromodification” whereby the shape and size of a natural channel is altered when it conveys increased flows due to storm drain improvements. (SMC 19.62.140)
- 30) Modify subdivision requirements to require off-site improvements if off-site stormwater impacts to abutting properties cannot be mitigated on-site. (SMC 19.62.140)

STAFF RECOMMENDATION

Adopt the ordinance Amending the Stormwater and Development Regulations as they Pertain to the City’s Legal Authority and Ability to Comply with NPDES Permit No. 2013-0001-DWQ

ALTERNATIVES

N.A.

CONCLUSION

Adopting the Proposed Ordinance Amendment represents the best method of meeting water quality standards and complying with NPDES Permit No. 2013-0001-DWQ.

The Stormwater Compliance Specialist can be reached at (707) 933-2245 or at cpegg@sonomacity.org with questions or concerns.

CITY OF SONOMA

ORDINANCE NO. __ - 2015

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA
AMENDING TITLES 13, 14, AND 19 OF THE SONOMA MUNICIPAL CODE BY
AMENDING THE STORMWATER AND DEVELOPMENT REGULATIONS AS
THEY PERTAIN TO THE CITY'S LEGAL AUTHORITY AND ABILITY TO
COMPLY WITH NPDES PERMIT 2013-0001-DWQ

THE CITY COUNCIL OF THE CITY OF SONOMA DOES ORDAIN AS FOLLOWS:

Section 1. Sections 13.32.030 through 13.32.170 of Chapter 13.32 (Stormwater Management and Discharge Control) of Title 13 of the Sonoma Municipal Code is hereby amended to read as follows (revisions indicated through the use of strikeouts and underlining):

13.32.030 Definitions.

The following words, when used in this chapter, shall have the following meanings:

“Best management practices (BMPs)” means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage. “Clean Water Act” or “CWA” refers to the Federal Water Pollution Control Act (33 U.S.C. Section 1251, et seq.) and acts amendatory thereof or supplementary thereto.

“Development” means any activity that moves soils or substantially alters the preexisting vegetated or manmade cover of any land. This includes, but is not limited to, grading, digging, cutting, scraping, stockpiling or excavating of soil, placement of fill materials, paving, pavement removal, exterior construction, substantial removal of vegetation where soils are disturbed including but not limited to removal by clearing or grubbing, or any activity which bares soil or rock or involves streambed alterations or the diversion or piping of any watercourse.

Development does not include routine maintenance to maintain original line and grade, hydraulic capacity, or the original purpose of the facility, nor does it include emergency construction activities (i.e., land disturbances) required to protect public health and safety.

“Discharge” shall mean the release, addition or deposit of any fluid, liquid, solid, flowing substance, or any other material or substance to the stormwater conveyance system.

“Employee training program” means a documented employee training program which may be required to be implemented by a business pursuant to a stormwater pollution prevention plan for the purpose of educating its employees on methods of reducing discharge of pollutants to the stormwater conveyance system.

“Enforcement agency” means city of Sonoma.

“Enforcement official” means the public works ~~administrator~~ director, or his or her designee or any agent of the city authorized to enforce compliance with this chapter.

“Erosion and sediment control plan” is a set of plans and/or specifications prepared by, or under the direction of, a licensed professional engineer or other qualified person indicating the specific measures and sequencing to be used to control erosion and sedimentation on a development site during and after construction.

“Food establishment” means any premises, restaurant, soda fountain, cafe, diner, grocery store, fruit stand, vegetable stand, bakery, abattoir, meat processing or packing plant, dairy, ice cream parlor, and any other place where food or drink is sold or offered for sale, processed, stored, prepared or otherwise handled for sale or distribution within the city. Such term shall include any vehicle or mobile unit, shed, stand, building or structure used for the purposes of selling, distribution, processing, preparing or otherwise handling food or drink. This term shall also include frozen desserts retail preparation establishments, mobile food service units, mobile frozen dessert units, prepackaged food establishments, supermarkets, and temporary food establishments.

“Hazardous materials business plan” means a document containing detailed information on the storage of hazardous materials at a facility. Chapter 6.95 of the California Health and Safety Code requires that facilities which use or store such materials at or above reporting thresholds submit this information.

“Illicit connection” means a pipe, facility, or other device, whether on the surface or subsurface, which allows an illicit discharge to enter the stormwater conveyance system regardless of whether said drain or connection had been previously allowed, permitted, or approved by a government agency.

“Illicit discharge” means any discharge to a stormwater conveyance system that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

“Incidental runoff” means illicit discharges of trivial volume except where the discharge is due to facility design, excessive application, intentional overflow, intentional over-application, or negligence.

“Maximum extent practicable (MEP)” means a technology-based standard established by Congress in the Clean Water Act Section 402(p)(3)(B)(iii) for stormwater discharge that municipalities must meet. MEP is generally the result of emphasizing pollution prevention and source control best management practices (BMPs) primarily (as the first line of defense) and in combination with treatment methods serving as backup (additional line of defense). The MEP approach is an ever evolving, flexible and advancing concept, which considers technical and economic feasibility. As knowledge about controlling urban runoff continues to evolve, so does what constitutes MEP.

“National Pollutant Discharge Elimination System (NPDES)” means a permit issued by the U.S. Environmental Protection Agency, State Water Resources Control Board, or the California Regional Water Quality Control Board pursuant to the Clean Water Act, [33 U.S.C. Section 1251](#) et seq., (CWA) that authorizes discharges to waters of the United States and requires the reduction of pollutants in the discharge.

“Noncommercial vehicle washing” means the washing and rinsing of passenger vehicles on private property in which no commercial enterprise or fundraising is being conducted in the washing of those vehicles.

“Nonpoint source” means any source of water pollution that does not meet the definition of “point source” as set forth in the most current version of Section 502(14) of the Clean Water Act and incorporated into California Water Code Section 13373.

“Nonstormwater discharge” means any discharge to the stormwater conveyance system that is not entirely composed of stormwater.

“Plan standard” means any and/or all applicable requirements of the Water Quality Control Plan for Basin 2, adopted by the Regional Water Quality Control Board, San Francisco Bay Region in 1995, and all subsequent amendments.

“Point source” means any source defined in the most current version of Section 502(14) of the Clean Water Act and incorporated into California Water Code Section 13373. Point sources include any discernible, confined and discrete conveyance, including but not limited to any pipe,

ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, or vessel or other floating craft, from which pollutants are or may be discharged. Point sources do not include any agricultural stormwater discharges or return flows from irrigated agriculture.

“Pollutant” means any “pollutant” defined in the most current version of Section 502(6) of the CWA and incorporated into California Water Code Section 13373. Pollutants may include, but are not limited to, the following:

- A. Residential, commercial and industrial waste (such as trash, litter, fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash, and sludge);
- B. Metals such as cadmium, lead, zinc, silver, nickel, chromium, copper and nonmetals such as phosphorous and arsenic;
- C. Petroleum hydrocarbons (such as fuels, lubricants, surfactants, waste oils, solvents, coolants, and grease);
- D. Excessive eroded soil, sediment, and particulate materials in amounts that may adversely affect the beneficial use of the receiving waters, flora or fauna of the state;
- E. Animal wastes (such as discharge from confinement facilities, kennels, pens, recreational facilities, stables, and show facilities); and
- F. Substances having characteristics such as pH less than six or greater than nine, or unusual coloration or turbidity, or excessive levels of fecal coliform, or fecal streptococcus, or enterococcus.

“Premises” means any building, lot, parcel, land or portion of land whether improved or unimproved.

“Public works ~~administrator~~ director” or ~~administrator~~ “director” means the ~~administrator~~ director of the city of Sonoma public works department.

“Receiving waters” means all waters that are “waters of the state” within the scope of the California Water Code, including but not limited to natural streams, creeks, rivers, reservoirs, lakes, ponds, water in vernal pools, lagoons, estuaries, bays, the Pacific Ocean, and ground water.

“Regional Water Quality Control Board” means the California Regional Water Quality Control Board, for the San Francisco Bay Region or the designated state agency required or authorized by the Federal Water Pollution Control Act, as amended, issue waste discharge requirements and dredged or fill material permits which apply and ensure compliance with all applicable provisions of the act and acts amendatory thereof or supplementary, thereto, together with any more stringent effluent standards or limitations necessary to implement water quality control plans, or for the protection of beneficial uses, or to prevent nuisance.

“Stormwater” means surface runoff and drainage associated with storm events, which is free of pollutants to the maximum extent practicable.

“Stormwater conveyance system” means those artificial and natural facilities within the ~~unincorporated area~~ corporate limits of the City of Sonoma, whether publicly or privately owned, by which stormwater may be conveyed to a watercourse or waters of the state, including any roads with drainage systems, streets, catch basins, natural and artificial channels, aqueducts, stream beds, gullies, curbs, gutters, ditches, and natural and artificial channels or storm drains.

“Stormwater pollution prevention plan” means a document which describes the best management practices to be implemented by the owner or operator of a business or construction site to eliminate illicit discharges and/or reduce to the maximum extent practicable pollutant discharges to the stormwater conveyance system.

“Watercourse” means any natural stream, whether flowing continuously or not, that is fed from permanent or natural sources, and includes, without limitation, rivers, creeks, runs, and rivulets. Any term(s) defined in the Federal Clean Water Act, as amended, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency, as amended, and which are not specifically defined above shall, when used

in this chapter, have the same meaning as set forth in said act or regulation. (Ord. 02-2006 § 1, 2006).

13.32.040 Conflicts with other laws.

In the event of any conflict between this chapter and any federal or state law or regulation, that requirement which establishes the higher standard for public health or safety shall govern. To the extent permitted by law, nothing in this chapter shall preclude enforcement of any other applicable law, regulation, order, or permit. (Ord. 02-2006 § 1, 2006).

13.32.050 Discharge prohibitions.

A. Illicit Discharges. Except as provided in SMC [13.32.060](#), it is unlawful and a public nuisance for any person to make or cause to be made any illicit discharge into the stormwater conveyance system in excess of incidental runoff. Notwithstanding the exemptions provided by SMC [13.32.060](#)(A) and (B), if the Regional Water Quality Control Board or the enforcement official determines that any otherwise exempt discharge causes or significantly contributes to violations of any plan standard, or conveys significant quantities of pollutants to surface water(s) or watercourse(s), or is a danger to public health or safety, such discharge shall be prohibited from entering the stormwater conveyance system.

B. Illicit Connection. The construction, use, maintenance or continued existence of illicit connections is prohibited. This prohibition includes illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of the connection.

C. Litter, Dumps, and Stockpiles. Throwing, depositing, leaving, abandoning, maintaining or keeping materials or wastes on public or private lands in a manner and place where they may result in an illicit discharge is prohibited. (Ord. 02-2006 § 1, 2006).

13.32.060 Exceptions to discharge prohibition.

Subject to the authority granted to the Regional Water Quality Control Board and the enforcement official, the following discharges to the stormwater conveyance system are exempt from the prohibition set forth in SMC [13.32.050](#).

A. Any discharge or connection regulated under a NPDES permit issued to the discharger and administered by the state of California pursuant to Division 7, Chapter 5.5 of the California Water Code; provided, that the discharger is in compliance with all requirements of the permit and all other applicable laws and regulations;

B. Discharges from the following activities, which do not cause or contribute to the violation of any plan standard:

1. Water line flushing and other discharges from potable water sources,
2. ~~Incidental runoff due to irrigation and lawn watering,~~
3. Rising ground waters or springs,
4. ~~Passive~~ Foundation and footing drains,
5. Water from crawl space pumps and basement pumps,
6. Air conditioning condensate and hot water temperature and pressure release drains,
7. Noncommercial vehicle washing,
8. Natural flows from riparian habitats and wetlands,
9. Dechlorinated swimming pool discharges,
10. Flows from fire suppression activities, including fire hydrant flows,
11. Waters not otherwise containing wastes as defined in California Water Code Section [13050](#)(d) and California Health and Safety Code Section [25117](#),
12. Diverted stream flows,
13. Uncontaminated ground water infiltration (as defined at [40](#) Code of Federal Regulations Section [35.2005](#)(b)(20)) to separate storm sewers,

14. Uncontaminated pumped ground water;

C. Any discharge, which the enforcement official, the local health officer, or the Regional Water Quality Control Board determines in writing, is necessary for the protection of the public health and safety;

D. Any discharge caused by flooding or other natural disaster, which could not have been reasonably foreseen or mitigated for in advance by the discharger, as determined by the enforcement official. (Ord. 02-2006 § 1, 2006).

13.32.070 Discharge in violation of permit.

Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to or as a condition of a subdivision map, site plan, grading permit, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause. (Ord. 02-2006 § 1, 2006).

13.32.080 Concealment and abetting.

Causing, permitting, aiding, abetting or concealing a violation of any provision of this chapter shall constitute a violation. (Ord. 02-2006 § 1, 2006).

13.32.090 Acts potentially resulting in violation of Federal Clean Water Act and/or Porter-Cologne Act.

Any person who violates any provision of this chapter, any provision of any permit issued pursuant to this chapter, or who discharges waste or wastewater which causes pollution, or who violates any stop order, prohibition, or effluent limitation, may also be in violation of the CWA and/or Porter-Cologne Water Quality Control Act (California Water Code Section 13020 et seq.) and may be subject to the sanctions of those Acts including civil and criminal penalties. (Ord. 02-2006 § 1, 2006).

13.32.100 Reduction of pollutants in stormwater.

Any person engaged in activities which may result in pollutants or increased volumes or rates of stormwater runoff entering the stormwater conveyance system shall, to the maximum extent practicable, undertake the measures set forth below to reduce the risk of illicit discharge and/or pollutant discharge.

A. Business Related Activities – Stormwater Pollution Prevention Plan. The enforcement official may require any business in the city that is engaged in activities which may result in pollutant discharges to develop and implement a stormwater pollution prevention plan, which shall, without limitation, include an employee training program. Business activities which may require a stormwater pollution prevention plan include, but are not limited to, maintenance, storage, manufacturing, assembly, equipment operations, vehicle loading or fueling, or cleanup procedures which are carried out partially or wholly out of doors.

B. Development. ~~The city may adopt by resolution requirements identifying appropriate best management practices to control the volume, rate, and potential pollutant load of stormwater runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants. All development shall incorporate best management practices to control the volume, rate and potential pollutant load of stormwater runoff to comply with all applicable provisions of the City's current NPDES Permit.~~ The city shall endeavor to incorporate such the requirements therein as conditions in any land use entitlement and construction or building-related permit to be issued relative to such development. All development projects subject to such requirements shall submit sufficient evidence to demonstrate the adequacy of proposed best management practices prior to issuance of any

associated land use entitlement or construction or building-related permit. Applicants are required to utilize the latest version of the Bay Area Stormwater Management Agencies Association Post-Construction Manual to design and document applicable best management practices. The owner and developer shall remain in compliance at all times with the terms, provisions, and conditions required by this chapter that are incorporated into the terms and conditions of such land use entitlements and building permits.

C. Construction Activity. Every construction activity for which a building or grading permit is required, and which will result in soil disturbance due to clearing, excavation, or filling shall submit an Erosion and Sediment Control Plan which meets the following criteria:

1.) Where a building permit is required, the Erosion and Sediment Control Plan shall comply with all applicable provisions of the City's current NPDES Permit. Where coverage under the California NPDES Construction General Permit is obtained in addition to a building permit, the Stormwater Pollution Prevention Plan prepared prior to obtaining coverage may be submitted in lieu of an Erosion and Sediment Control Plan.

2.) Where a grading permit is required, the Erosion and Sediment Control Plan shall meet the applicable requirements set forth in SMC 14.20.205 in addition to all applicable provisions of the City's current NPDES Permit. Where coverage under the California NPDES Construction General Permit is obtained in addition to a grading permit, the Stormwater Pollution Prevention Plan prepared prior to obtaining coverage may be submitted in lieu of an Erosion and Sediment Control Plan if the Stormwater Pollution Prevention Plan satisfies all applicable requirements set forth in SMC 14.20.205.

~~Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the enforcement official prior to or as a condition of a subdivision map, site plan, building permit, or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause.~~

D. Compliance with Best Management Practices. Every person undertaking any activity or use of a premises which may cause or contribute to stormwater pollution or contamination, illicit discharges, or nonstormwater discharges shall comply with best management practices guidelines or pollution control requirements as may be reasonably established by the enforcement official. (Ord. 02-2006 § 1, 2006).

13.32.110 Containment and notification of spills.

Any person owning or occupying a premises who has knowledge of any release of pollutants or illicit discharge from or across those premises which might enter the stormwater conveyance system, other than a release or discharge that is permitted by this chapter, shall immediately take all reasonable action to contain and abate the release of pollutants or illicit discharge, and shall notify the enforcement agency within 24 hours of the release of pollutants or illicit discharge. (Ord. 02-2006 § 1, 2006).

13.32.120 Inspections.

Whenever necessary to make an inspection to enforce any of the provisions of this chapter, or whenever an authorized enforcement official has reasonable cause to believe that there exists in any building or upon any premises any condition which constitutes a violation of this chapter, the enforcement official may enter such building or premises at all reasonable times to inspect the same or perform any duty imposed upon the officer by this chapter. Any request for entry shall state that the property owner or occupant has the right to refuse entry and that in the event such entry is refused, inspection may be made upon issuance of a warrant issued by a court of competent jurisdiction. In the event the owner or occupant refuses entry after such request has been made, the enforcement official is empowered to seek assistance from any court of

competent jurisdiction in obtaining such entry. Inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including but not limited to random sampling and/or sampling in areas with evidence of stormwater contamination, illicit discharge, nonstormwater discharge to the stormwater conveyance system, or similar factors.

A. Sampling Authority. During any inspection, the enforcement official may take samples as necessary in order to implement and enforce the provisions of this chapter. This authority may include the installation of sampling and metering devices on private property, or requiring the person owning or occupying the premises to supply samples.

B. Monitoring, Analysis and Reporting Authority. The enforcement official may require monitoring, analysis and reporting of discharges from any premises to the stormwater conveyance system. Upon service of written notice by the enforcement official, the burden, including cost, of these activities, analyses and reports incurred in complying with the requirement shall, to the extent permitted by law, be borne by the property owner or occupant of the facility or activity for which testing and monitoring has been requested.

C. Compliance Inspection Authority. In accordance herewith, the enforcement official may conduct site visits and inspections upon knowledge of discharges from any premises to the stormwater conveyance system.

D. Fee Authority. The city has the authority to conduct inspections and collect fees for the purpose of ensuring compliance with this chapter from any person, firm, corporation or business. A fee schedule for the purpose of recovering the costs to enforce this chapter may be adopted by city council resolution and may, from time to time, be amended by resolution. (Ord. 04-2011 § 1, 2011; Ord. 02-2006 § 1, 2006).

E. Classified or sensitive information. The enforcement official shall only require classified or sensitive information in compliance with the Homeland Security Act or any other federal law that concerns security in the United States.

13.32.130 Enforcement.

Enforcement of this chapter shall be by the enforcement official.

A. Violations. ~~It shall be a violation for any person to violate or cause any other person to violate any of the provisions of this chapter which are declared to be unlawful or a public nuisance fail to comply with, violate, or cause any other person to fail to comply with, or violate any of the provisions of this chapter. Any violation of this chapter shall be deemed a public nuisance and shall be enforceable as described by this this chapter.~~

B. Procedures for Enforcement.

1. Initial Site Visit. The enforcement official, upon receiving notice or other complaint of a potential stormwater violation, will conduct a site visit to determine whether a violation exists. If the enforcement official determines a violation exists, he/she will communicate with the property owner or occupant of the property upon which the violation has occurred and/or the person causing the violation and provide to said person a verbal warning of the violation and description of the corrective action to be taken by said person. The enforcement official shall require said person to complete corrective actions as soon as possible, but no later than 72 hours following issuance of said verbal warning for point-source discharges and no later than 30 days following issuance of said verbal warning for non-point source discharges that could pose an environmental threat.

2. Confirmation that Violation has Ceased. The enforcement official, at his/her discretion, will conduct a follow-up site visit to determine if the violation has been corrected. If the violation has not been corrected, the enforcement official will send a written notice of violation in a letter to the property owner or occupant of the property upon which the violation has occurred and/or the person causing the violation. The notice of violation will state that a violation has occurred, a

description of the violation, when the violations were observed, and a general description of the actions or measures that must be taken in order to correct the violation and a revised timeframe within which corrective actions must be completed.

C. General Penalty. The penalty for violation of this chapter is provided for under Chapter 1.12 SMC.

D. Civil Actions – Injunctive Relief. The city may elect to proceed with a civil action, including seeking injunctive relief, rather than proceed with criminal enforcement actions. Any person, firm or corporation, whether acting as principal, agent, employer or otherwise, who willfully violates any provision of this chapter, or the terms and/or conditions of any permit issued pursuant to this chapter, shall be liable for a civil penalty not to exceed \$1,000 for each day or portion thereof that the violation continues to exist. Any person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any such violation is committed, continued, or permitted. In determining the amount of the civil penalty to impose, the court shall consider all relevant circumstances, including, but not limited to, the extent of the harm caused by the conduct constituting the violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the assets, liabilities, and net worth of the violator, whether corporate or individual, and any corrective action taken by the violator.

E. Additional Remedy. If it is necessary for the city to perform cleanup of the public right-of-way or public property that is affected by the violation, the cost of the cleanup shall be borne by the property owner or occupant of the property upon which the violation occurs or the person causing the violation. (Ord. 04-2011 § 2, 2011; Ord. 02-2006 § 1, 2006).

13.32.140 Stop orders.

The enforcement official is hereby authorized to issue stop orders ~~to prohibit further construction of buildings or structures~~ against a corporation, limited liability company, partnership, sole proprietorship, or individual where the activities of said entity cause or contribute to violations of this title, and such stop orders shall remain in effect until such violations have been resolved. (Ord. 02-2006 § 1, 2006).

13.32.150 Remedies not exclusive.

Remedies under this chapter are in addition to and do not supersede or limit any and all other remedies, civil or criminal. The remedies provided for herein shall be cumulative and not exclusive. (Ord. 02-2006 § 1, 2006).

13.32.160 Disclaimer of liability.

The degree of protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific, engineering, and other relevant technical considerations. The standards set forth herein are minimum standards and this chapter does not imply that compliance will ensure that there will be no unauthorized discharge of pollutants into the waters of the state. This chapter shall not create liability on the part of the city, any officer or employee thereof for any damages that result from reliance on the code or any administrative decision lawfully made thereunder. (Ord. 02-2006 § 1, 2006).

13.32.170 City authority.

The enforcement official is authorized to make any decision on behalf of the city required or called for by this chapter. (Ord. 02-2006 § 1, 2006).

Section 2. Sections 14.20.020 through 14.20.210 of Chapter 14.20 (Excavations, Grading and Fills) of Title 14 of the Sonoma Municipal Code is hereby amended to read as follows (revisions indicated through the use of strikeouts and underlining):

14.20.020 Definitions.

The terms used in this chapter shall have the following meanings:

“As-graded” means the actual surface conditions present on completion of grading.

“Bench” means a relatively level step excavated into earth material on which fill is to be placed, or within a cut or fill slope.

“Best management practices (BMPs)” are construction site controls used to protect water quality.

“Certification” means a written engineering or geologist opinion concerning the progress and completion of the work.

“City engineer” means the city engineer of the city or his/her authorized representative.

“Clearing” is any activity that removes the vegetative surface cover.

“Compaction” is the densification of earth material by mechanical means.

“Contour rounding” means the rounding of cut and fill slopes in the horizontal plane to blend with existing contours or to provide horizontal variation, to eliminate the artificial appearance of slopes.

“Drainage channel or course” means a natural or artificial channel or depression of the ground that, due to its topology, periodically or continuously contains flowing storm water on its surface, including, but not limited to, slopes, swales, ditches, channels, creeks, streams, rivers and similar waterways that carry storm water.

“Drip line” means a line extending around a tree directly underneath the outermost branches of the tree.

“Earth material” is any rock, natural soil or fill and/or any combination thereof.

“Engineered grading” means grading in excess of 5,000 cubic yards or with cuts or fills with any part greater than four feet in cross sectional height or depth or when otherwise designated as such by the city engineer when he/she deems necessary due to hydraulic, geologic or other site conditions or factors.

“Engineering geologist” means a professional engineering geologist registered by the state to practice in the field of engineering geology.

“Erosion and sediment control plan” is a set of plans and/or specifications prepared by, or under the direction of, a licensed professional engineer indicating the specific measures and sequencing to be used to control erosion and sedimentation on a development site during and after construction.

“Erosion control” is a measure that prevents erosion or the wearing away of the ground surface as a result of the movement of wind, water, and/or ice.

“Excavation” means the mechanical removal of earth material.

“Fill” means a deposit of earth material placed by artificial means.

“Grade” means the vertical location of the ground surface. “Existing grade” is the grade prior to grading; “rough grade” is the stage at which the grade approximately conforms to the approved plan; and “finish grade” is the final grade of the site which conforms to the approved plan.

“Grading” means any excavating, filling, or combination thereof.

“Grading inspector” means the city representative authorized to inspect grading activities, as designated by the public works director.

“Key” means the designed compacted fill placed in a trench excavated in earth material beneath the toe of a proposed fill slope.

“Permittee” is the person who is issued the permit. The permittee may also be the applicant but under all circumstances must either be the owner or an authorized representative of the owner of the property where the grading is being done.

“Phasing” is clearing a parcel of land in distinct phases, with the stabilization of each phase completed before the clearing of the next.

“Public works director” means the director of the city of Sonoma public works department.

“Rainy season” means that period of time when rains begin on October 15, whichever comes first, and ending on the following April 15 or when rains cease, whichever occurs last.

“Sediment control measures” are measures that prevent eroded sediment from leaving a construction site.

“Sensitive area” refers to the limits of impervious area that will be located less than 200 feet away from a natural water quality resource including a wetland, stream, pond, spring or river.

“Site” is a parcel of land or a contiguous combination thereof.

“Soils engineer” means a civil engineer experienced and knowledgeable in the practice of soil engineering.

“Start of construction” is the first land-disturbing activity associated with a work of improvement, including clearing and grading.

“Terrace” means a relatively level step constructed in the face of a graded slope surface for drainage and maintenance purposes.

“Variable slope” means the variation in steepness of a cut or fill slope in either a combination of the horizontal or vertical plans of the slope. (Ord. 04-2010 § 1, 2010).

14.20.025 Permits required.

No person, firm or corporation shall perform any grading without first having obtained a written grading permit from the building official or his/her designee. The exceptions outlined in this section shall not apply to grading within or immediately adjacent to drainage channels or courses.

A. Exceptions. A grading permit shall not be required for the following:

1. Excavations below finished grade for basements and footings of a building, retaining wall, swimming pool, or other structure authorized by a valid building permit. This subsection shall not exempt from permit requirements any excavation having an unsupported height greater than five feet after the completion of such structure;
2. Cemetery graves;
3. Refuse disposal sites controlled by other regulations;
4. Excavations for wells or underground storage tanks no greater than 10,000 gallons in size when work is being done under the authority of a valid county well permit or city building permit;
5. Excavation for utilities when performed by a public utility;
6. Stockpiling of dirt, rock, sand, gravel, aggregate or clay of 50 cubic yards or less for a period of 60 days or less; provided, that the stockpile does not obstruct a drainage course or alter the drainage of neighboring properties;
7. Exploratory excavations of 50 cubic yards or less under the direction of a soils engineer or engineering geologist;
8. An excavation of 50 cubic yards or less which is:
 - a. Less than two feet in depth at any given point; or
 - b. Does not create a cut slope greater than five feet in height and steeper than two horizontal to one vertical;
 - c. Outside of the special flood hazard area and does not obstruct a drainage course or alter the drainage of neighboring properties. (Ord. 04-2010 § 1, 2010).

14.20.030 Fees.¹

A. Plan Check Fee. Before accepting a set of plans and specifications for checking, a plan check fee or deposit shall be paid by the applicant.

B. Grading Permit Fee. A grading permit fee shall be paid by the applicant prior to issuance of a grading permit.

C. Fees set forth in this section shall be established and may, from time to time, be amended by city council resolution. (Ord. 04-2010 § 1, 2010).

14.20.035 Application contents.

A. Applications for a grading permit shall be accompanied by plans 24 inches by 36 inches in size prepared at a scale of no smaller than one inch equals 40 feet or at another scale acceptable to the city engineer.

1. Title page shall identify owner's name, owner's mailing address, owner's phone number, site address, assessor's parcel number, planning application number (if any), cubic yards of cut and cubic yards of fill.
2. A vicinity sketch showing roads, adjoining subdivisions and other data to adequately indicate the site location and show its relation to the community.
3. Property lines of the property on which the work is to be performed. The widths, location and identity of all easements.
4. Location of any buildings, structures, drainage devices or public improvements within 50 feet of the proposed grading work.
5. Date, north arrow, scale and accurate contours showing the topography of the existing ground of the proposed site and at least 50 feet beyond its boundary. Indicate source and date of existing contours. Show all drainage courses, channels and creeks.
6. Elevations, dimensions, location, extent and slopes of all proposed grading shown by contours and/or other means. Contours shall be shown at intervals of not greater than five feet, and of not greater than two feet if slope of land is less than ten percent.
7. Details of all surface and subsurface drainage devices, walls or other protective devices to be constructed in connection with, or as part of, the proposed work.
8. A statement indicating the approximate amount and location of any material to be imported from or exported to areas other than that shown on the plans. Proof of permit to dispose of material to another site outside of the city may be required at the discretion of the public works director.
9. Type, circumference and drip line of existing trees with a trunk diameter of six inches or more, measured 24 inches above existing grade. Any trees or vegetation proposed to be removed shall be so indicated including protective fencing as required.
10. Estimated schedule of the grading work.
11. Specify if the property is located in a special flood hazard area as defined in Chapter [14.25](#) SMC.
12. Erosion and sediment control plan in accordance with SMC [14.20.205](#).

B. Additional Application Requirements for Engineered Grading. In addition to meeting the requirements under subsection (A) of this section, projects defined as engineered grading shall also contain the following documentation:

1. A map prepared by a civil engineer showing the location of all areas subject to storm water runoff to and from the site and adjacent areas. A complete hydraulic analysis including the location, width, direction and quantity of flow of each watercourse shall accompany the map.
2. A soils engineering report prepared by a soils engineer, including data regarding the nature, distribution and strength of existing soils, conclusions, and recommendations for grading procedures and design criteria.
3. A geologist report, prepared by an engineering geologist, including an adequate description of the geology of the site and conclusions and recommendations regarding the effect of geologic conditions on the proposed work.
4. A letter from a soils engineer or engineering geologist verifying that he/she has been employed by the applicant and agrees to provide inspection, furnish as-built grading plans and submit final approval statement in accordance with this chapter.
5. The erosion and sediment control plan as provided for in SMC [14.20.205](#) shall be submitted to the city engineer and shall include the placement of structural and nonstructural storm water pollution prevention controls that prevent erosion during construction and post construction.

Erosion and sediment control plans for large-scale projects or when directed by the city engineer in sensitive areas shall be prepared by a certified erosion control specialist. The city engineer, at his/her sole discretion, may allow waivers or deviations from the requirements specified in this section, depending on the site-specific conditions and the complexity of the work. Specific waivers or deviations from these requirements shall be made by written request by the applicant to the city engineer prior to submittal of the plans and specifications. (Ord. 04-2010 § 1, 2010).

14.20.040 Issuance of permit – Prerequisites.

A. No grading permit shall be issued until all required data has been approved by the planning director for conformance with CEQA, project entitlements, conditions of approval and/or zoning codes.

B. No grading permit shall be issued until all required plans and required documentation have been approved by the city engineer and all required fees have been paid.

C. In addition to the requirements of subsections (A) and (B) of this section, no grading permit shall be issued for a subdivision until:

1. All required grading bonds, subdivision improvement agreements and deeds (if applicable) have been received and approved; and
2. The planning commission and/or city council has approved the tentative map. (Ord. 04-2010 § 1, 2010).

14.20.045 Bonds.

A. Posting of Bond Required. A grading permit shall not be issued for a subdivision of five lots or more or for engineered grading unless the applicant has posted a bond executed by the applicant and a corporate surety authorized to do business in the state as a surety in an amount sufficient to cover the cost of corrective work necessary to clean up and remove all debris, to eliminate all hazards or to return the land to its natural condition as much as is possible should the project be abandoned and to ensure the installation of erosion control measures in accordance with an approved erosion and sediment control plan. The bond amount shall be based upon an engineer's cost estimate furnished by the applicant and approved by the city engineer. In lieu of a surety bond, the city may consider at the discretion of city engineer and city attorney cash bond, certificate of deposit, or instrument of credit in an amount equal to that which would be required in the surety bond. Every bond or other surety shall:

1. Comply with all of the provisions of the applicable laws, ordinances and requirements of the city attorney; and
2. Comply with all terms and conditions of the grading permit to the satisfaction of the public works director; and
3. Include conditions that the applicant shall complete all of the work under the permit within the time limit specified in the permit. The public works director may, for sufficient cause, extend the time specified in the permit, but no such extension shall release the surety.

B. Term. The term of each bond shall begin upon the date of issuance of the grading permit and shall remain in effect until released by the public works director upon acceptance of completed grading improvements.

C. Failure to Complete Work. In the event of failure to complete the work and failure to comply with all of the conditions and terms of the permit, the public works director may order the work required by the permit to be completed to his/her satisfaction. The surety executing such bond or deposit shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended by the governing agency in causing any and all such required work to be done. If the work is not completed within the time period specified in SMC [14.20.050](#), the permittee shall be deemed to have abandoned the project and the public works director may, in his/her discretion, order the land to be returned as

much as possible to its natural condition and the surety shall continue to be firmly bound under a continuing obligation for the payment of all necessary costs and expenses that may be incurred or expended by the governing agency in causing such restoration work to be done. In the case of cash deposit, said deposit or any unused portion thereof shall be refunded to the permittee in whatever amount is not necessary to complete the work described. (Ord. 04-2010 § 1, 2010).

14.20.050 Permit commencement, duration and expiration.

The grading permit under this chapter shall be subject to the following conditions:

A. Commencement. Grading, erosion control and sediment control work may commence upon issuance of the grading permit by the public works director. During the rainy season, as defined in SMC [14.20.020](#), grading work may not commence or recommence if erosion and sediment control measures required by SMC [14.20.205](#) have not been installed, implemented and maintained on the site to the satisfaction of the public works director or his/her representative. Regardless of whether a grading permit has been issued, grading shall not commence or recommence within an area that is adjacent to and/or within 50 feet of a drainage channel or course during the rainy season without specific written authorization from the public works director.

B. Duration and Expiration. If the work authorized by any grading permit under this chapter is not commenced within 180 days of the date of issuance, or as otherwise indicated on the permit, or if the work is not completed within one year of the date of issuance, or sooner if indicated on the permit, the permit shall expire and become null and void. Any permittee holding an unexpired grading permit may apply for a one-time extension of the time within which grading must be completed and approved. The public works director may extend the expiration date of the permit for a period not exceeding 180 days. (Ord. 04-2010 § 1, 2010).

14.20.100 Excavating, grading and filling requirements.

A. General. The following shall apply to all grading work covered by a grading permit:

1. One copy of the approved plans and approved revisions thereof, the storm water pollution prevention plan as required by the California Regional Water Quality Control Board, and grading permit shall be kept on the site at all times during the progress of the grading and shall be made available during inspections.
2. All grading and noise therefrom, including but not limited to, warming of equipment motors, shall be subject to the city's noise regulations and limited to the hours stated in Chapter [9.56](#) SMC.
3. All graded surfaces and materials, whether filled, excavated, transported or stockpiled, shall be wetted, protected, covered or contained in such a manner as to prevent any nuisance from dust, sediment, site runoff, or spillage onto adjoining property or streets. Best management practices in accordance with SMC [14.20.205](#) shall be incorporated in the grading activities.
4. No grading shall be conducted so as to encroach upon or alter the established gradient and riparian habitat of drainage courses except when a valid permit and other necessary approvals are obtained from the appropriate state and federal authorities and the necessary environmental review and approvals are received.
5. Whenever any portion of the work requires entry onto adjacent property for any reason, the permittee shall obtain a right of entry from the adjacent property owner in a form acceptable to the city attorney.
6. Grading shall be designed so that lot lines are at the top of slope and with adequate property line setback from the slope to provide for required vertical slope rounding. The tops and toes of cut lines and structures shall be designed to provide for:
 - a. Safety of adjacent property; and
 - b. Safety of pedestrians and vehicular traffic; and

- c. Required slope rounding for adequate foundation support; and
 - d. Required swales, berms and drainage facilities; and
 - e. Sufficient setbacks to meet applicable zoning requirements.
7. The permittee and the grading contractor shall be responsible for the protection of adjacent properties during grading operations. Prior to commencing any grading of the site, the exterior boundaries shall be marked or staked as required by the grading inspector. Boundary markers shall be maintained throughout the grading operation. Temporary barriers and/or protective fencing shall be used when necessary to protect trees and adjacent properties.
 8. Soil stabilization is required for all graded areas. Slopes, both cut and fill, shall be provided with subsurface drainage as necessary for stability.
 9. Slopes, both cut and fill, shall not be steeper than two horizontal to one vertical (2:1), unless special circumstances applicable to the property, including size, shape, topography, location or surroundings, would cause the strict application of the standard to deprive such property of reasonable use. If these conditions exist, a geological and engineering analysis shall verify that steeper slopes are safe and appropriate erosion control measures are specified.
 10. Cut and fill slopes shall be contour-rounded unless the city engineer finds special circumstances applicable to the property that would require deviation from this requirement.
 11. Variable slopes shall be used to mitigate environmental and visual impacts of grading unless the city engineer finds special circumstances applicable to the property that would require deviation from this requirement.
 12. Terraces at least six feet in width shall be established at not more than 30-foot vertical intervals, subject to maximum height limitations, to control surface drainage and debris on cut or fill slopes. Suitable access shall be provided to permit proper cleaning and maintenance.
 13. All drainage facilities shall be designed to carry waters to the nearest practical drainage way approved by the city and/or the Sonoma County water agency and/or other appropriate jurisdiction as a safe place to deposit such waters after all applicable on-site stormwater runoff management, detention, and/or infiltration requirements have been met. If drainage facilities discharge on natural ground, riprap, energy dissipaters or other devices approved by the city engineer shall be constructed.
 14. All building sites shall be graded and sloped away from the building foundation with a minimum slope of two percent for a distance of 10 feet on all sides of every building. If physical obstructions or lot lines prohibit 10 feet of horizontal distance, a five percent slope shall be provided to an alternative method of diverting water away from the foundation as approved by the city engineer. Swales used for this purpose shall be sloped a minimum of two percent where located within 10 feet of the building foundation. Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum of two percent away from the building. Lot surface drainage shall be directed toward approved drainage facilities at a minimum gradient of one-half percent and shall not cross property lines without the appropriate drainage facilities and/or easement.
 15. No cut or fill may intrude closer than the drip line of any tree to be retained on the site unless otherwise recommended, in writing, by an arborist and approved by the city engineer.
- B. Fills. Unless otherwise recommended in the approved soils report, fills shall conform to the following provisions:
1. The ground surface shall be prepared to receive fill by removing vegetation, non-complying fill, topsoil and other unsuitable materials, then scarifying surface to provide a bond with new fill.
 2. Fill on slopes steeper than five horizontal to one vertical (20 percent) and higher than five feet shall require benching into sound bedrock or other competent material as determined by the soils engineer. Bench shall be a minimum width of 10 feet. The area beyond the top of fill shall be sloped for sheet overflow or an approved drainage facility provided.

3. When fill is placed over a cut, the bench under the top of fill shall be at least 10 feet wide and the cut shall be made before placement of the fill and acceptance by the soils engineer or engineering geologist as a suitable foundation for fill.
4. Detrimental amounts of organic material shall not be permitted in fills. No rocks or similar irreducible material with a minimum dimension greater than 12 inches shall be buried or placed in fills. The city engineer may permit placement of larger rock only upon receipt and approval of a method of placement prepared by a soils engineer and under his/her direction. The following conditions shall also apply:
 - a. Rock disposal areas shall be delineated on grading plan.
 - b. Rock sizes greater than 12 inches in maximum dimension shall be 10 feet or more below finished grade, measured vertically.
 - c. Rocks shall be placed so as to assure filling of all voids with fines.
5. All fills shall be compacted to a minimum 90 percent of maximum density. (Ord. 04-2010 § 1, 2010).

14.20.200 Erosion and sediment control regulations – Intent.

The intent of these erosion and sediment control requirements is to regulate construction activities on public and private property in order to control erosion and sedimentation and to protect storm water quality. (Ord. 04-2010 § 1, 2010).

14.20.205 Erosion and sediment control plans.

A. An erosion and sediment control plan, prepared by a civil engineer or other professional who is qualified to prepare such a plan, shall be submitted as part of every grading permit application and shall delineate measures to appropriately and effectively minimize soil erosion and sedimentation; and comply with the design standards and construction site control measures contained in this chapter. The erosion and sediment control plan shall be submitted to the city engineer and shall include the placement of structural and nonstructural storm water pollution prevention controls that prevent erosion during construction. Erosion control plans for engineered grading projects or when directed by the city engineer in sensitive areas shall be prepared by a certified erosion control specialist. The erosion and sediment control plan shall include all of the following as applicable to the proposed grading activity:

1. A description and delineation of the vegetative measures to be taken to minimize erosion and sedimentation;
2. A description and delineation of the temporary and permanent measures to be taken to protect manufactured or disturbed slopes from erosion by mechanical means, such as with mulches, diversion dikes, etc.;
3. The delineation of the drainage control measures to be taken;
4. The extent and manner of the cutting of trees and the clearing of vegetation, the disposal of same, and the measures to be taken for the protection of undisturbed trees and vegetation;
5. The methods to be used for the disposal of excess materials;
6. The methods to be used for the control of dust;
7. A description and delineation of the temporary and permanent measures to be taken to retain sediment on the site;
8. A description of the measures to be taken and the associated best management practices (BMP) inspection schedule to maintain the devices shown on the plan during grading operations and construction on the site;
9. The extent of disturbed ground that will exist, what streets will be paved, and what drainage devices will be installed prior to the start of each rainy season;
10. Locations of at-grade or above-ground drainage facilities and channels;

11. Seeding mixtures and rates, types of sod, method of seedbed preparation, expected seeding dates, type and rate of lime and fertilizer application, and kind and quantity of mulching for both temporary and permanent vegetative control measures; and

12. A list of applicable permits directly associated with the grading or building activity, including, but not limited to the State Water Board's Construction General Permit, State Water Board 401 Water Quality Certification, U.S. Army Corps 404 permit, and California Department of Fish and Game 1600 Agreement.

123. Any other information required by the city engineer.

B. Exemptions. An erosion and sediment control plan, as defined in this Chapter, shall not be required for construction activities that do not require a grading permit; however, the property owner and contractor shall be subject to applicable best management practices for preventing and controlling erosion, sedimentation, and other storm water impacts associated with the work, including any BMP's or plan submission requirements in SMC 13.32. (Ord. 04-2010 § 1, 2010).

14.20.210 Design criteria for erosion and sediment control plans.

A. Technical Guidance. Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in the most recent version of the California Stormwater Quality Association Best Management Practice Handbook, or other handbook authorized for use by the public works director, and shall be adequate to prevent transportation of sediment from the site to any off-site area. A rationale, including any applicable supporting engineering calculations, should be provided for all BMP's included in the Erosion and Sediment Control Plan.

B. Clearing. Clearing techniques that retain natural vegetation and drainage patterns, as described in the California Stormwater Quality Association Best Management Practice Handbook, shall be used to the satisfaction of the city engineer. Clearing, except that necessary to establish sediment control devices, shall not begin until all sediment control devices have been installed and have been stabilized.

C. Grading, erosion and sediment control and waterway crossings. Grading, erosion control practices, sediment control practices, and waterway crossings shall meet the design criteria set forth in the most recent version of the California Stormwater Quality Association Best Management Practice Handbook, or other handbook authorized for use by the public works director, and shall be adequate to prevent transportation of sediment from the site to any off-site area to the satisfaction of the city engineer.

D. General Housekeeping. The following general site and good housekeeping requirements shall be implemented and are special provisions of any grading permit issued:

1. Sufficient erosion and sediment control supplies shall be available on site during the rainy season to protect areas susceptible to erosion during rain events. Contractors shall be prepared year-round to deploy erosion and sediment treatment control practices.

2. Soil disturbance work shall be conducted during dry weather whenever possible.

3. The contractor shall provide adequate materials management, including covering, securing, and segregating potentially toxic materials (asphalt, herbicides, pesticides, fertilizer, grease, oils, fuel, paints, stains, solvents, wood preservatives, etc.), and providing secondary containment for hazardous materials.

4. The contractor shall provide training and equipment to contain spills of oil and other hazardous materials.

5. Designated concrete washout areas shall be established at least 50 feet away from storm drain inlets or drainage facilities and away from the concrete truck access area so that construction traffic will not drive through wash waters. The wash out area shall have a contained area of sufficient volume to completely contain all liquid and waste concrete material plus a sufficient freeboard for rainwater.

6. Paving operations shall control run on and prevent runoff from areas being paved and be conducted in a manner that properly disposes of wastes.

7. Sanitary facilities of sufficient number and size to accommodate construction crews shall be located away from storm drain inlets and drainage facilities, and anchored to prevent being blown over or tipped by vandals. The facilities shall be maintained in good working order and emptied at regular intervals by a licensed sanitary waste hauler.

E. Erosion Control Requirements. The following erosion control requirements shall be incorporated in the erosion and sediment control plans:

1. Projects shall be designed to avoid disturbing land in sensitive areas and to preserve existing vegetation wherever possible.

2. Engineered grading operations shall be scheduled during dry months when practical, and shall allow adequate time before rainfall begins to stabilize the soil with erosion control materials.

3. Seeding and mulching shall be done as soon as grading is complete.

4. If seeding or another vegetative erosion control method is used, the vegetative cover shall become established within a time frame approved by the city engineer, or the city engineer may require the site to be reseeded or a nonvegetative option employed.

5. Special techniques that meet the design criteria outlined in the California Stormwater Quality Association Best Management Practice Handbook on steep slopes or in drainage ways shall be used to ensure stabilization.

6. Soil stockpiles must be stabilized and/or securely covered upon forecast of rain.

7. In areas where permanent re-seeding and planting is not established at the close of the construction season, additional control measures shall be used, such as a heavy mulch layer or another method that does not require germination, to ensure soil stabilization at the site.

8. Where runoff needs to be diverted from one area and conveyed to another, earth dikes, drainage swales, slope drains or other suitable practice shall be constructed in accordance with the design criteria set forth in the most recent version of the California Stormwater Quality Association Best Management Practice Handbook.

9. Techniques shall be employed to prevent the blowing of dust or sediment from the site.

10. Techniques that deliver upland runoff past disturbed slopes shall be employed when determined necessary by the city engineer.

F. Sediment Control Requirements. The following sediment control requirements shall be incorporated in the sediment and erosion control plan:

1. Linear sediment barriers shall be placed below the toe of exposed and erodible slopes, down-slope of exposed soil areas, around soil stockpiles, and at other appropriate locations along the site perimeter.

2. Street sweeping shall be conducted on an as-needed basis to remove sediment from streets and roadways and to prevent the sediment from entering storm drains or receiving waters.

3. Every storm drain inlet with the potential to receive sediment-laden runoff shall be protected in accordance with the design criteria set forth in the most recent version of the California Stormwater Quality Association Best Management Practice Handbook. Inlet protection shall be inspected and maintained frequently.

4. Sediment basins or sediment traps shall be installed on projects where sediment-laden water may enter the drainage system or watercourses and in association with dikes, temporary channels, and pipes used to convey runoff from disturbed areas.

5. Protection for adjacent properties by the use of a vegetated buffer strip in combination with other perimeter controls or other appropriate method, as described in the most recent version of the California Stormwater Quality Association Best Management Practice Handbook or other manual as approved by the public works director.

G. Waterway and Watercourse Protection Requirements. The following waterway and watercourse protection requirements shall be incorporated in the erosion and sediment control plans and implemented when applicable:

1. A temporary stream crossing installed and approved by the appropriate regulatory agencies if a wet watercourse will be crossed regularly during construction.
2. Stabilization of the watercourse channel before, during, and after any in-channel work.
3. All on-site stormwater conveyance channels shall be designed according to the criteria outlined in the California Stormwater Quality Association Best Management Practice Handbook.
4. Stabilization adequate to prevent erosion located at the outlets of all pipes and paved channels.

H. Site Access Requirements. The following construction site access requirements shall be incorporated in the erosion and sediment control plans and implemented when applicable:

1. A temporary access road provided at all sites.
2. Other measures, such as track-out prevention devices, or as required by the grading inspector in order to ensure that sediment is not tracked onto public streets by construction vehicles or washed into storm drains. (Ord. 04-2010 § 1, 2010).

Section 3. Section 19.38.010 of Chapter 19.38 (Open Space Districts) of Title 19 of the Sonoma Municipal Code is hereby amended to read as follows (revisions indicated through the use of strikeouts and underlining):

19.38.010 Existing conditions, desired future, potential changes.

A. Existing Conditions. The three open space districts are characterized by large areas of land in public ownership devoted to open space and recreational uses. The Maxwell district has an area of approximately 89 acres, all of which is owned by Sonoma County and dedicated to use as a regional park. The Maxwell Farms Regional Park encompasses a range of recreational uses, including playing fields, a Boys and Girls Club, and natural hiking areas.

The Vallejo district is dominated by the 57-acre Vallejo Home State Park. The historic buildings within this park are set off by expansive vistas. North of the park are several large, vacant parcels, currently used for grazing but having a zoning of Hillside Residential. Other uses within the district include a complex of city buildings (the police station and the city council chambers) and playing fields, a church, and a small amount of residential development.

The third open space district is comprised of the Mountain Cemetery. This city-owned property, which has an area of approximately 60 acres, has been developed with a historic public cemetery on the lower portion, with the remainder devoted to oak woodlands. The property is a key part of the hillside backdrop north of the city.

B. Desired Future. The general objective for the three districts is to preserve and enhance their value as public open space and recreational resources. A secondary objective for these districts is to maintain significant areas within the city with non-hardscape groundcovers to minimize increased quantities of urban runoff and downstream flooding.

C. Intended Changes. Maxwell Farms Regional Park will continue to be managed by the county department of parks and recreation. The city will maintain its partnership with the county to ensure that future improvements address valley recreational needs while preserving the unique environmental features of the park. Similarly, the city will continue to work with the State Parks Department to ensure that historic resources and open space values associated with the Vallejo Home State Park are preserved. If the privately owned hillside properties behind the park cannot be acquired as open space, the city will need to carefully monitor their development through its hillside regulations in order to minimize visual impacts on the backdrop.

Within the Cemetery district, the Old Mountain Cemetery will continue to be operated as a public cemetery and has recently been expanded to include a veterans' component. The portion of the property that had been used as a landfill will be restored to a natural condition. Within the property, off of Norrbom Road, the development of a water tank has recently been completed. The tank site has been carefully selected to minimize visual impacts. It is intended that the upper portion of the property, which encompasses approximately 60 acres, will be preserved in its natural condition as an oak woodland, with public access provided through a hiking trail. Portions of this area which have been damaged by illegal four-wheel drive activity will be restored over time. (Ord. 2003-02 § 3, 2003).

Section 4. Section 19.40.080 of Chapter 19.40 (General Property Development and Use Standards) of Title 19 of the Sonoma Municipal Code is hereby amended to read as follows (revisions indicated through the use of strikeouts and underlining):

19.40.080 Open space for commercial and mixed use projects.

This section provides requirements and guidelines for the provision of open spaces and related amenities for newly developed or redeveloped commercial uses, including mixed use and live-work development, throughout the city. The intent is to make commercial and mixed use environments more livable, pedestrian-oriented, and humane through the provision of public and private open spaces, including plazas, courtyards, and outdoor dining and seating areas.

A. Open Space Required. All commercial and mixed use projects shall provide permanently maintained outdoor open space, except as provided for in subsection (F) of this section, Exemptions. Unless different standards are applied through planning area regulations found in Division III, Project Design, usable outdoor open space shall be provided as set forth in Table 4-2, below:

Table 4-2 Minimum Open Space Requirements for Commercial and Mixed Use Development	
Type	Area Required
Commercial	
Change in use, with no increase in building area	N.A.
New development, on site <10,000 sq. ft.	7%
New development, on site 10,000 to 20,000 sq. ft.	9%
New development, on site >20,000 sq. ft.	11%
Mixed Use	
New development	300 sq. ft. per unit, any combination public and private
Live-Work1	
New development	250 sq. ft. per unit, any combination public and

Table 4-2
Minimum Open Space Requirements for Commercial and Mixed Use Development

Type	Area Required
	private
Notes: 1. See SMC 19.50.050 for specific regulations pertaining to live/work development.	

Project proponents are encouraged to provide open space areas that exceed the minimum amount required. The city may offer incentives in compliance with subsection (E) of this section.

B. Configuration of Open Space. To ensure that required open space is well-designed, usable, and accessible, the review authority shall employ the following standards and guidelines in evaluating proposed open space:

1. Required open space shall be located on-site.
2. Open space should be provided as continuous, usable site elements that reinforce or enhance other aspects of the site plan, such as pedestrian networks, view corridors, and environmental features.
3. Common open space areas should be oriented to pedestrian circulation and should incorporate seating, enhanced paving materials, lighting, shade trees and/or trellises, and landscaping. Fountains, works of art, and similar features are also encouraged.
4. Private open space for residential and live-work units should be immediately accessible from a kitchen, dining room, family room or master bedroom within the unit it serves.
5. Open space areas intended for residents shall be of sufficient size to be usable by residents:
 - a. Private open space areas should have a minimum dimension of seven feet and a configuration that would accommodate a rectangle of at least 100 square feet;
 - b. Common open space areas should have a minimum dimension of 15 feet.
6. The orientation of private and common open space should take advantage of natural sunlight and should be sheltered from incompatible uses.

C. Allowed Uses. Required open space shall not include driveways, public or private streets, utility easements where the ground surface cannot be appropriately used for open space, parking spaces, or other areas primarily intended for other functions, except for stormwater detention and infiltration functions where the ground surface can be appropriately used for open space during dry weather.

D. Maintenance. Required common open space shall be controlled and permanently maintained by the owner of the property or by multiple project owners through a condominium association or maintenance agreement.

E. Open Space Incentives. Development incentive bonuses to encourage pedestrian-oriented open spaces, open spaces which preserve areas in a pristine natural condition, intensive green roofs that reduce stormwater runoff while providing accessible open space for pedestrians, and open spaces that reduce stormwater runoff through detention or infiltration that exceed the above requirements may be granted at the discretion of the planning commission. The types of bonus incentives that may be available to eligible projects include:

1. Reduced parking requirements (for pedestrian-oriented open space and amenities of an especially high quality);
2. Increased lot coverage;
3. Reduced setbacks.

F. Exemptions. The provision of required open space may be reduced or waived by the review authority (planning commission or design review and historic preservation commission) under the following circumstances:

1. Minor commercial development or additions involving less than 500 square feet of new building area;
2. Infill or replacement development in the Downtown district. (Ord. 06-2013 § 3, 2013; amended during June 2011 supplement; Ord. 2003-02 § 3, 2003).

Section 5. Section 19.40.100 of Chapter 19.40 (General Property Development and Use Standards) of Title 19 of the Sonoma Municipal Code is hereby amended to read as follows (revisions indicated through the use of strikeouts and underlining):

19.40.100 Screening and buffering.

This section provides standards for the screening and buffering of adjoining land uses, equipment and outdoor storage areas, and trash storage areas.

A. Screening Between Different Land Uses. Fences and walls shall be provided and maintained between different zoning districts in the following manner:

1. Wall Height. An opaque screen consisting of plant material and a solid masonry wall or wooden fence, a minimum of six feet in height, shall be installed along parcel boundaries whenever a commercial or industrial development adjoins a residential zoning district and whenever a multifamily zoning district adjoins a single-family residential zoning district. The maximum height of the walls shall comply with the provisions of Chapter 19.46 SMC, Fences, Hedges and Walls.
2. Wall Treatment. The walls or fences shall be architecturally treated on both sides, subject to the approval of the city planner or the design review and historic preservation commission, as applicable.
3. Pedestrian Access. Pedestrian access may be provided between the commercial properties and adjoining common open area(s) within residential developments.
4. Waiver by Planning Commission. The planning commission may waive or modify the requirements for screening walls or fences if one or more of the following findings can be made:
 - a. The development plan adequately provides for the integration of different land uses (e.g., shared parking areas) in such a way that conflicts between the different uses will be avoided;
 - b. An existing wall or fence is in place that meets or would be modified to conform to the intent of this section;
 - c. A lesser level of screening is appropriate due to the nature of the adjoining uses.

B. Mechanical Equipment.

1. Screened from Public View. Roof- or ground-mounted mechanical equipment (e.g., air conditioning, heating, ventilation ducts and exhaust, water heaters, etc.), loading docks, service yards, storage and waste areas, and utility services shall be screened from public view from adjoining public rights-of-way, and adjoining area(s) zoned for residential or open space uses, including views from above the subject project.
2. Architectural Compatibility. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, architectural style, and shall include appropriately installed and maintained landscaping subject to SMC 19.40.060, Landscape standards, and the approval of the city planner or the design review and historic preservation commission, as applicable.

C. Solar Equipment. The placement of solar heating or electrical generation equipment shall be regulated as follows:

1. Roof-Mounted Equipment. Roof-mounted solar collector panels shall be flat, matching the roof pitch, and placed as close as possible to the surface of the roof. All plumbing, piping, and other connections shall be suitably covered with metal flashing painted to match the color of the roof.

2. Ground-Mounted Equipment. Ground-mounted solar collector panels and related equipment shall be placed no closer than five feet to any property line and shall be screened from public view. The height of ground-mounted structures, including collector panels, shall not exceed seven feet.

3. Appurtenant Equipment. Appurtenant equipment and fixtures shall be screened from public view.

4. Use Permit Requirements. The placement of solar equipment shall be subject to design review as set forth in SMC 19.54.080 under the following circumstances:

a. Roof-mounted solar panels proposed for any structure located in the Historic Overlay district.

b. Roof-mounted solar panels with an area of greater than 200 square feet.

c. The proposed placement of solar equipment that does not comply with the provisions set forth in subsections (C)(1) or (C)(2) of this section.

D. Outdoor Storage and Work Yards. Uses with outdoor storage of materials or operations shall comply with the following:

1. Solid Sight-Obscuring Wall and Gate(s). Outside uses shall have a solid sight-obscuring masonry wall or wooden fence not less than six feet, or more than eight feet in height, of a type and design approved by the review authority. The wall shall include sight-obscuring gates. The wall and gate(s) shall be maintained to continuously conform to the satisfaction of the city planner; and

2. All Operations Within Walled Area. Site operations in conjunction with the outdoor uses, including the loading and unloading of materials and equipment, shall be conducted entirely within a walled area.

E. Outdoor Building Supply Area(s). Outdoor building supply areas shall be screened with walls, fencing, meshing, landscaping, or similar material to minimize visibility of the storage area(s), subject to the approval of the review authority.

F. Trash Enclosures. Any outdoor storage of garbage cans, dumpsters, recycling bins or other similar containers shall be enclosed by a solid wooden fence, masonry wall, or other similar enclosure. The enclosure shall be located on the site so as to minimize potential noise, odor, and visual impacts on adjacent properties and prevent the transport of trash, spilled materials or leaks outside of the designated trash area either by wind or stormwater runoff. (Ord. 06-2013 § 3, 2013; amended during June 2011 supplement; Ord. 2003-02 § 3, 2003).]

Section 6. Section 19.48.030 of Chapter 19.48 (Parking and Loading Standards) of Title 19 of the Sonoma Municipal Code is hereby amended to read as follows (revisions indicated through the use of strikeouts and underlining).

19.48.030 General parking regulations.

A. Parking and Loading Spaces to Be Permanent. Required parking and loading spaces shall be permanently available, marked, and maintained for parking or loading purposes and shall be located on the site they are intended to serve unless otherwise approved by the planning commission. Parking facilities approved to be located off-site shall be located within 300 feet of the use they are intended to serve. Where stormwater runoff management, detention, or infiltration is a requirement, parking facilities approved to be located off-site shall be included in all associated runoff calculations.

B. Parking and Loading to Be Unrestricted. Owners, lessees, tenants, or persons having control of operation of a premises for which parking or loading spaces are required by this chapter shall not prevent, prohibit, or restrict authorized persons from using those spaces, except that temporary restrictions may be allowed subject to the approval of the city planner.

C. Existing Parking. Existing parking or loading spaces shall not be reduced to an amount below that which is required by this chapter. The city planner may approve the temporary reduction of parking or loading spaces in conjunction with a seasonal or intermittent use for a period of not more than 30 days. Longer periods may be allowed with the approval of a temporary use permit (SMC 19.54.030).

D. Maintenance. Parking spaces, driveways, maneuvering aisles, turnaround areas, and landscaped areas shall be kept free of dust, graffiti, and litter; and striping, paving, walls, light standards, and all other facilities shall be permanently maintained.

E. Use of Commercial Parking. Parking developed under this chapter for commercial uses shall be available for use by the general public during business hours without charge and without reservation by individual tenant space, unless otherwise authorized by the planning commission. (Ord. 2003-02 § 3, 2003).

Section 7. Section 19.48.070 of Chapter 19.48 (Parking and Loading Standards) of Title 19 of the Sonoma Municipal Code is hereby amended to read as follows (revisions indicated through the use of strikeouts and underlining):

19.48.070 Development standards for parking facilities.

Parking facilities shall be provided in the following manner:

A. Access. Access to off-street parking areas shall be provided in the following manner:

1. Parking areas shall provide suitable maneuvering room so that vehicles enter an abutting street or alley in a forward direction. The review authority may approve exceptions for single-family homes and duplexes, and for nonresidential uses where parking areas immediately adjoin a public alley.

2. A minimum unobstructed clearance height of 14 feet shall be maintained above vehicle lanes and parking spaces.

B. Parking Space and Driveway Dimensions. Parking spaces and access driveways shall be dimensioned in compliance with current city standards on file with the city clerk and made a part hereof. Two-way traffic aisles shall have a minimum width of 20 feet.

C. Drainage.

1. Surface water from parking lots shall not drain over sidewalks or adjacent parcels.

2. Parking lots shall be designed in compliance with the storm water quality and quantity standards of the city's best management practices.

D. Directional Arrows and Signs.

1. Parking spaces, driveways, circulation aisles, and maneuvering areas shall be clearly marked with directional arrows and lines to ensure the safe and efficient flow of vehicles.

2. The city planner may require the installation of the traffic signs in addition to directional arrows to ensure the safe and efficient flow of vehicles in a parking facility.

E. Location. Off-street parking areas shall be located as follows:

1. Required parking shall be located on the same parcel as the uses served, except that parking may be located on a parcel adjacent to, or within 300 feet of, the use served subject to approval of the commission and the recording of a covenant with the county recorder guaranteeing that the required parking will be maintained exclusively for the use served. The agreement shall be approved by the city attorney and a copy shall be filed with the planning division.

2. Uncovered parking spaces shall be set back from any street a minimum distance of five feet. The setback area shall be fully landscaped.

3. Parking facilities shall be separated from buildings by either a raised walkway, landscape strip, or preferably a combination of both. Situations where parking aisles or spaces directly about the building are prohibited.

4. Parking for multifamily uses shall be located within 200 feet of the units they are intended to serve.

5. Bicycle spaces shall be situated so that they do not obstruct the flow of pedestrians at entrances or sidewalks.

F. Striping and Identification. Parking spaces shall be clearly outlined with four-inch wide lines painted on the surface of the parking facility. Parking spaces for the disabled shall be striped and marked according to the applicable state and federal standards.

G. Surfacing. Parking spaces and maneuvering areas shall be paved and permanently maintained with asphalt, concrete, or other all-weather surfacing in compliance with city standards. Alternative surfaces may be allowed subject to the review and approval of the planning commission.

H. Wheel Stops/Curbing. In parking lots of more than 10 spaces, continuous concrete curbing at least six inches high and six inches wide shall be provided for parking spaces located adjacent to fences, walls, property lines, landscaped areas, and structures. Individual wheel stops or a continuous curb with periodic depressions to the level of the adjacent parking surface may be provided in lieu of continuous curbing when the parking is adjacent to a landscaped area, and the drainage is directed to the landscaped area, ~~subject to the approval of the design review and historic preservation commission.~~ Wheel stops shall be placed to allow for two feet of vehicle overhang area within the dimension of the parking space. (Ord. 06-2013 § 3, 2013; amended during June 2011 supplement; Ord. 2003-02 § 3, 2003).

Section 8. Section 19.62.140 of Chapter 19.62 (Subdivision Design and Improvement Requirements) of Title 19 of the Sonoma Municipal Code is hereby amended to read as follows (revisions indicated through the use of strikeouts and underlining):

19.62.140 Storm drainage.

Storm water runoff from the subdivision shall be collected and conveyed by an approved storm drain system. The storm drain system shall be designed for ultimate development of the drainage area. The storm drain system shall provide for the protection of abutting and off-site properties that would be adversely affected by any increase in runoff attributed to the development, including natural channel morphology that may be modified as a result of increased stormwater runoff from the subdivision; off-site storm drain improvements including stormwater runoff detention and/or infiltration may be required to satisfy this requirement. Any easement for drainage or flood control shall be improved as specified by the city engineer. All storm drainage facilities shall be designed in accordance with the Sonoma County water agency "flood control design criteria." (Ord. 2003-02 § 3, 2003).

Section 9. CEQA Determination.

This action to adopt an ordinance amending titles 13, 14, and 19 of the Sonoma Municipal Code by amending the stormwater and development regulations as they pertain to the City's legal authority and ability to comply with NPDES Permit 2013-0001-DWQ is exempt from the provisions of the California Environmental Quality Act in accordance with California Code of Regulations §15307.

Section 10. Severability.

If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 11. Effective Date.

This ordinance shall become effective thirty (30) days from and after the date of its passage.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Sonoma this ___th day of ____ 2015.

David Cook, Mayor

ATTEST:

Gay Johann
Assistant City Manager / City Clerk

State of California)
County of Sonoma)
City of Sonoma)

I, Gay Johann, City Clerk of the City of Sonoma, do hereby certify that the foregoing ordinance was adopted on the ___th day of ____ 2015 by the following vote:

AYES:
NOES:
ABSENT:

Gay Johann
Assistant City Manager / City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4G

Meeting Date: 06/22/2015

Department

Public Works

Staff Contact

Dan Takasugi, Public Works Director/City Engineer

Agenda Item Title

Adopt the Plans and Specifications, Award a Contract to Argonaut Constructors, lowest responsible bidder, for the East Napa Road Rehabilitation Project No. 1310; Federal Project No. STPL-5114 (017), and Authorize the City Manager to execute a contract with Argonaut Constructors in the amount of \$568,996.05.

Summary

Proposed work consists of street rehabilitation and improvements, including edge grinding/conform grinding, digout and repair of localized pavement failures prior to asphalt overlay, crack sealing, placing asphalt pavement leveling course, placement of geosynthetic pavement interlayer, reconfiguring roadway for installation of Class II bike lanes or Class II shared lanes, installation of pavement striping/markings and signing, adjusting utility structures to grade, upgrading existing curb ramps for ADA compliance, miscellaneous concrete sidewalk and curb and gutter construction, replacement of detector loops, temporary traffic control, storm water pollution prevention control and other related work, as set forth on the project Plans and Specifications. Plans and Specifications may be viewed on the City's online plan room at:

www.blueprintexpress.com/sonomacity.

Three bids were received and are summarized in Table 1 on the following page. In accordance with the guidelines in City Purchasing Policy No. 2.1, the City Manager is authorized to approve contract change orders of up to 20 percent of the base bid amount.

Recommended Council Action

It is recommended that Council: a) Adopt the Plans and Specifications for the Napa Road Rehabilitation Project No. 1301; Federal Project No. STPL-5114 (017), b) Accept the bids and award the contract to Argonaut Constructors, the lowest responsible bidder, and c) Authorize the City Manager to execute a construction contract with Argonaut Constructors in the amount of \$568,996.05.

Alternative Actions

Council discretion.

Financial Impact

The City was awarded \$250,000 in federal funding through the One Bay Area Grant (OBAG) Program for the rehabilitation of various streets. Additionally, the City has \$23,533.81 in TDA3 grant funds to apply to the project, for a total of \$273,533.81 in grant funding. The balance of the project will be funded from the General Fund / Gas Tax. The Council approved funding for the Napa Road Rehabilitation Project in the FY14/15 CIP Budget and the project budget will be adjusted in the FY 15/16 CIP Budget pending final approval of the CIP budget by the Council. A 15% construction contingency, construction management/inspection, and geotechnical services are to be funded within the project budget.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Alignment with Council Goals:

Supports the Council Infrastructure Goals to provide reliable, safe, and effective streets infrastructure. Promotes bicycling riding and walking by creation of Class II bike lanes / Class III bike routes and pedestrian accessibility.

Attachments: Table 1 Bid Results
 Figure 1 Project Location

Table 1, Bid Results

	Bidder Name	Company Location	Bid Amount
	Engineer's Estimate		\$668,408.50
1	Argonaut Constructors	Santa Rosa	\$568,996.05
2	Team Ghilotti, Inc.	Petaluma	\$649,895.50
3	Vintage Paving Co., Inc.	Sonoma	\$664,605.92

Figure 1, Napa Road Rehabilitation Project Location





City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4H

Meeting Date: 06/22/2015

Department

Public Works

Staff Contact

Dan Takasugi, Public Works Director/City Engineer

Agenda Item Title

Adoption of Plans and Specifications, Award a Contract to Sierra Nevada Construction, Inc., lowest responsible bidder, for the 2015 Citywide Slurry Seal Project No. 1501, and Authorize the City Manager to execute a construction contract in the amount of \$157,107.00.

Summary

Proposed work consists of street surface treatment (slurry seal) for 23 street segments throughout the City, including: surface preparation; crack seal; removal and replacement of pavement striping and markings; protection of existing utility structures, curb and gutter and cross gutter; traffic control; and other related work. Four bids were received on June 15, 2015 and the lowest responsible base bid was \$157,107.00. Based on the award amount, there will be no room in the budget to add any potential additional streets identified by the bid alternates to the project. Plans and Specifications may be viewed on the City's online plan room at: www.blueprintexpress.com/sonomacity

Four bids were received and are summarized in Table 1 on the following page. In accordance with the guidelines in City Purchasing Policy No. 2.1, the City Manager is authorized to approve contract change orders of up to 20 percent of the base bid amount.

Recommended Council Action

It is recommended that Council: a) Adopt the Plans and Specifications for the 2015 Citywide Slurry Seal Project No. 1501, b) Accept the bids and award the contract to Sierra Nevada Construction, Inc., the lowest responsible bidder, and c) Authorize the City Manager to execute a construction contract for \$157,107.00.

Alternative Actions

Council discretion.

Financial Impact

This project will have funding of \$176,294 budgeted, pending the Council's approval of the FY15/16 CIP Budget. The construction bids came in higher than the Engineer's Estimate of \$143,465. In addition to the Construction Contract of \$157,107, the project budget has a 10% contingency of \$15,107, and a Construction Engineering / Construction Admin amount of \$4,080.

Environmental Review

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

Status

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

Alignment with Council Goals:

Supports the Council Infrastructure Goals to maintain streets infrastructure.

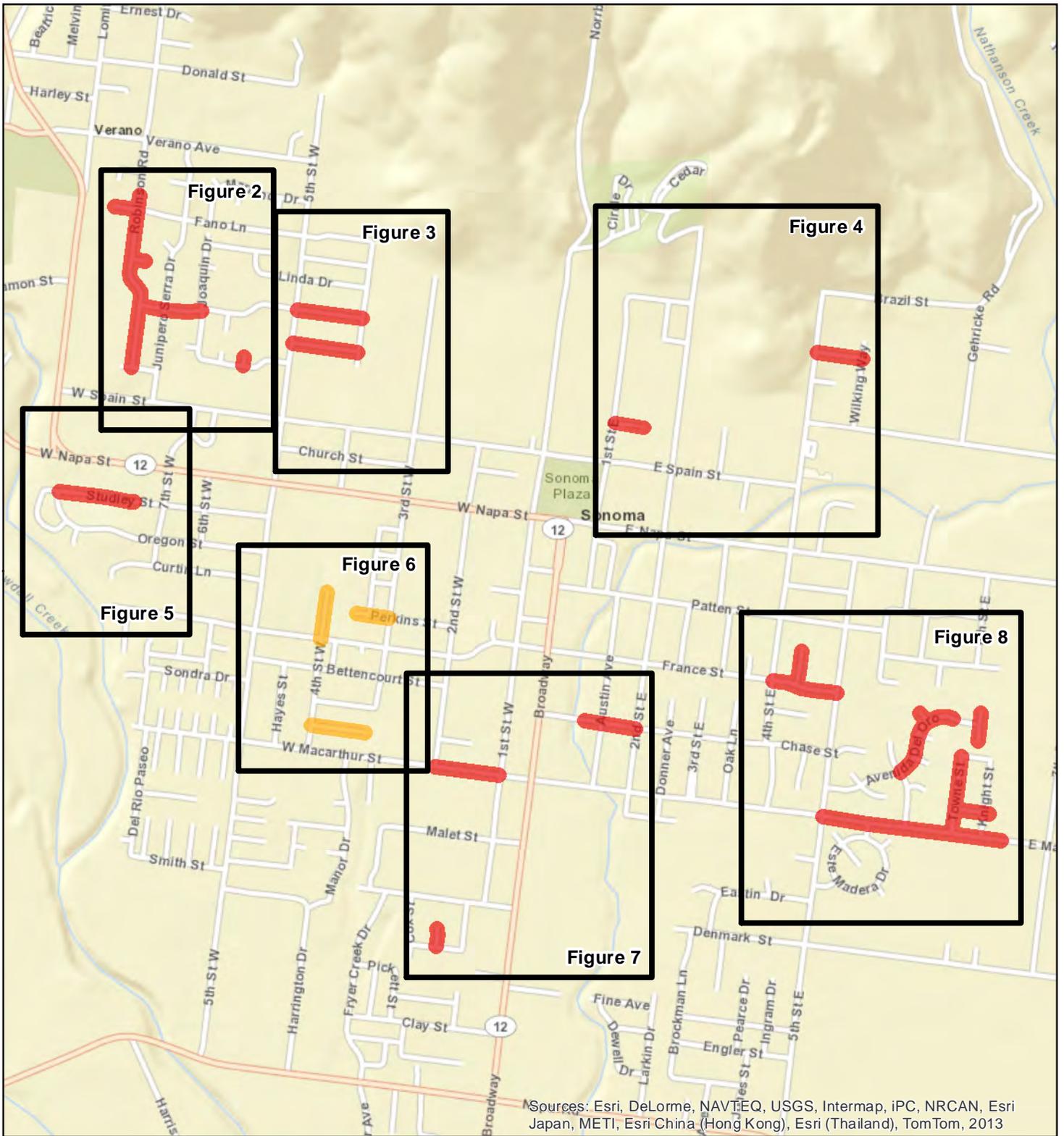
Attachments: Table 1 Bid Results
Table 2 Slurry Seal Street Segments
Figure 1 Street Segment Locations

Table 1, Bid Results

	Bidder Name	Company Location	Bid Amount
	Engineer's Estimate		\$143,465.00
1	Sierra Nevada Construction, Inc.	Sparks, NV	\$157,107.00
2	California Pavement Maintenance Co., Inc.	Sacramento	\$158,944.00
3	Intermountain Slurry Seal	Reno, NV	\$203,302.00
4	Bond Blacktop, Inc	Hayward	\$211,849.00

Table 2, Slurry Seal Street Segments

Street (Slurry Seal Application Area)	Limits of Work	
	Limit From	Limit To
Appleton Way	Cul de Sac south of Ave. Del Oro	Cul de Sac north of Ave. Del Oro
Arguello Court	Robinson Road	Cul de Sac
Avenue Del Oro	Cordilleras Drive	House #693
Chase Street	House #128	Second Street East
Claudia Drive	Fifth Street West	Fourth Street West
East MacArthur Street	Fifth Street East	Cordilleras Drive
East MacArthur Street	Cordilleras Drive	City Limits/200 feet east of Knight
France Street	Fourth Street East	Fifth Street East
Greve Lane	Fourth Street East	Wilking Way
Hudson Court	France Street	Cul de Sac
Lasuen Street	Robinson Road	Joaquin Drive
Mission Terrace	First Street East	Dead End
Neil Court	Beasley Way	Cul de Sac
O Farrel Court	Robinson Road	Cul de Sac
Osenda Court	Joaquin Drive	Cul de Sac
Robinson Road	Lasuen Street	150 feet north of Fano Lane
Robinson Road	Palou Street	Lasuen Street
Rosalie Drive	Fifth St W	Fourth St W
Studley Street	Oregon Street	300 feet west of 7 th St W at #790
Towne Street	East MacArthur Street	Elliot Street
Tronado Court	Ave. Del Oro	Cul de Sac
West MacArthur Street	Second Street West	Broadway
Yount Street	Knight Street	Cul de Sac



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

Slurry Limits of Work

- Base Bid Slurry Seal Limits
- Potential Additional Streets

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City of Sonoma
 2015 Citywide Slurry Seal Project
 Project Number 1501

Job Number	8411929
Revision	0
Date	27 Apr 2015

Location and Limits of Slurry Seal Figure 1

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 Data source: Sonoma County, Parcels, 2012; GHD, Limits of Slurry Seal, 2014. Created by:afisher2



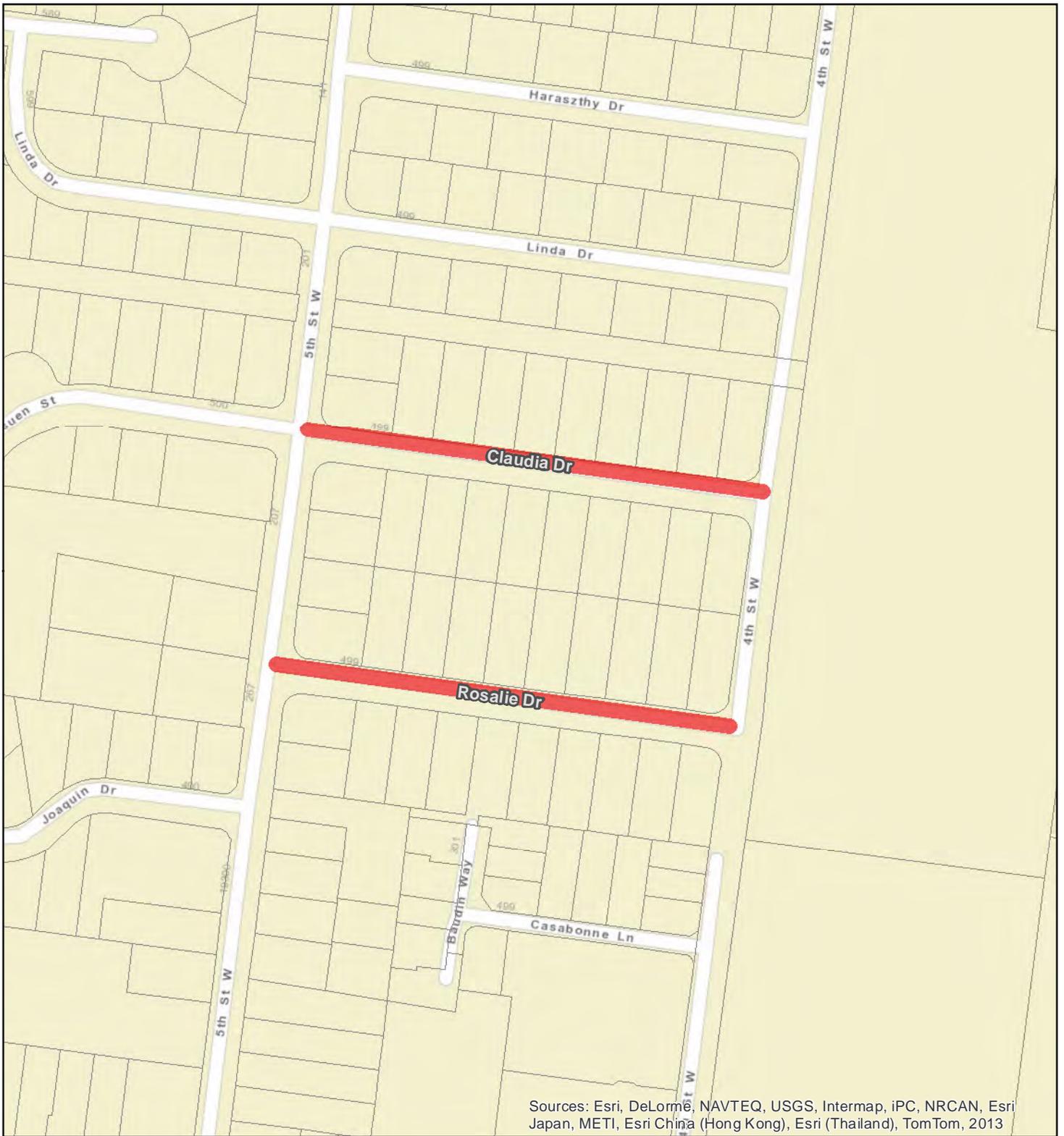
Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

-  Parcels
- Slurry Limits of Work**
-  Base Bid Slurry Seal Limits
-  Potential Additional Streets

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Revision	0										
Date	27 Apr 2015										

Location and Limits of Slurry Seal Figure 2

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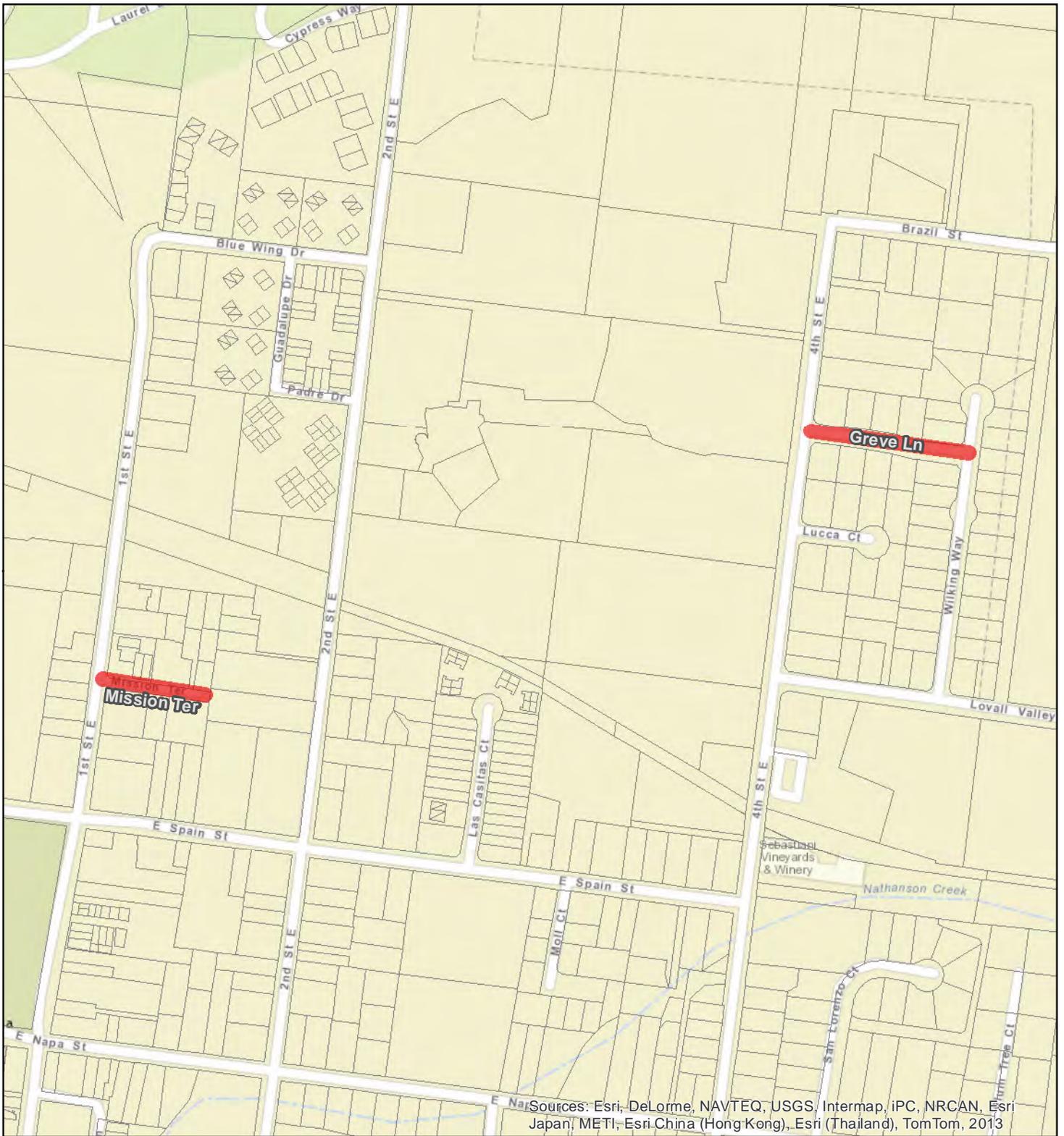


-  Parcels
- Slurry Limits of Work**
-  Base Bid Slurry Seal Limits
-  Potential Additional Streets

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Location and Limits of Slurry Seal Figure 3

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Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

-  Parcels
- Slurry Limits of Work**
-  Base Bid Slurry Seal Limits
-  Potential Additional Streets

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Revision	0										
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<p>Location and Limits of Slurry Seal Figure 4</p>											

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-  Parcels
- Slurry Limits of Work**
-  Base Bid Slurry Seal Limits
-  Potential Additional Streets

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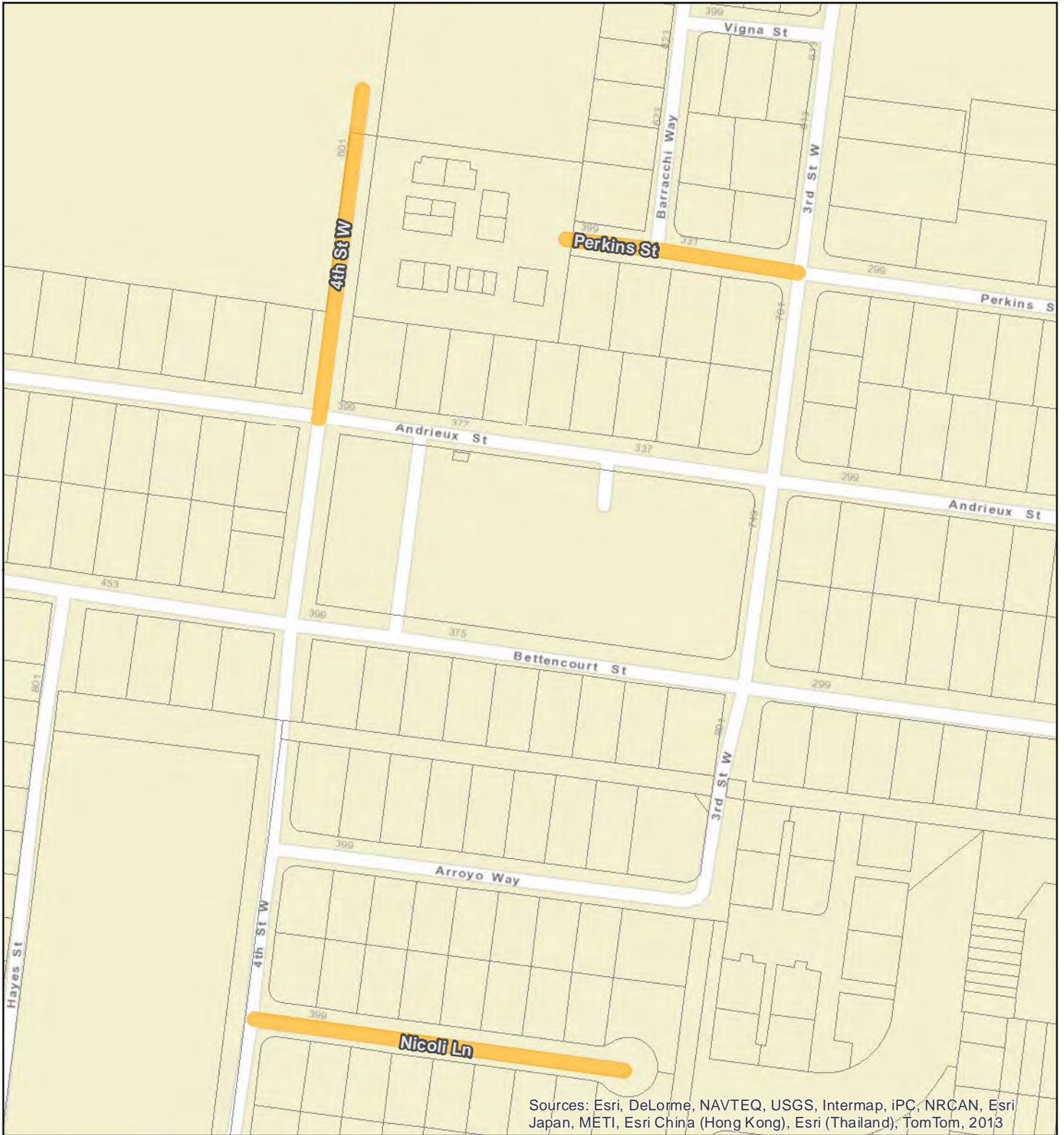


City of Sonoma
2015 Citywide Slurry Seal Project
Project Number 1501

Job Number 8411929
Revision 0
Date 27 Apr 2015

Location and Limits of Slurry Seal Figure 5

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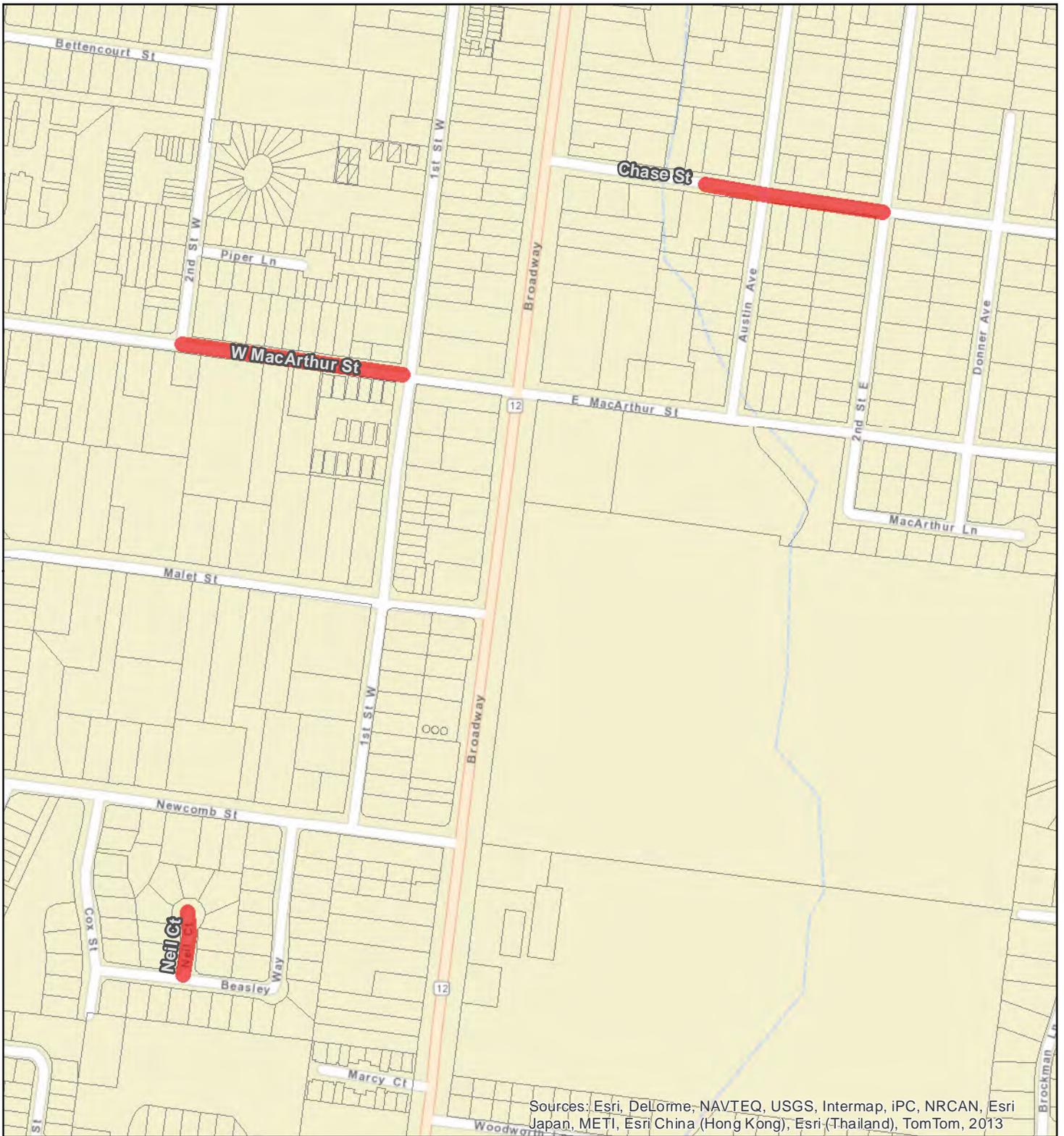


- Parcels
- Slurry Limits of Work**
- Base Bid Slurry Seal Limits
- Potential Additional Streets

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Location and Limits of Slurry Seal Figure 6

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-  Parcels
- Slurry Limits of Work**
-  Base Bid Slurry Seal Limits
-  Potential Additional Streets

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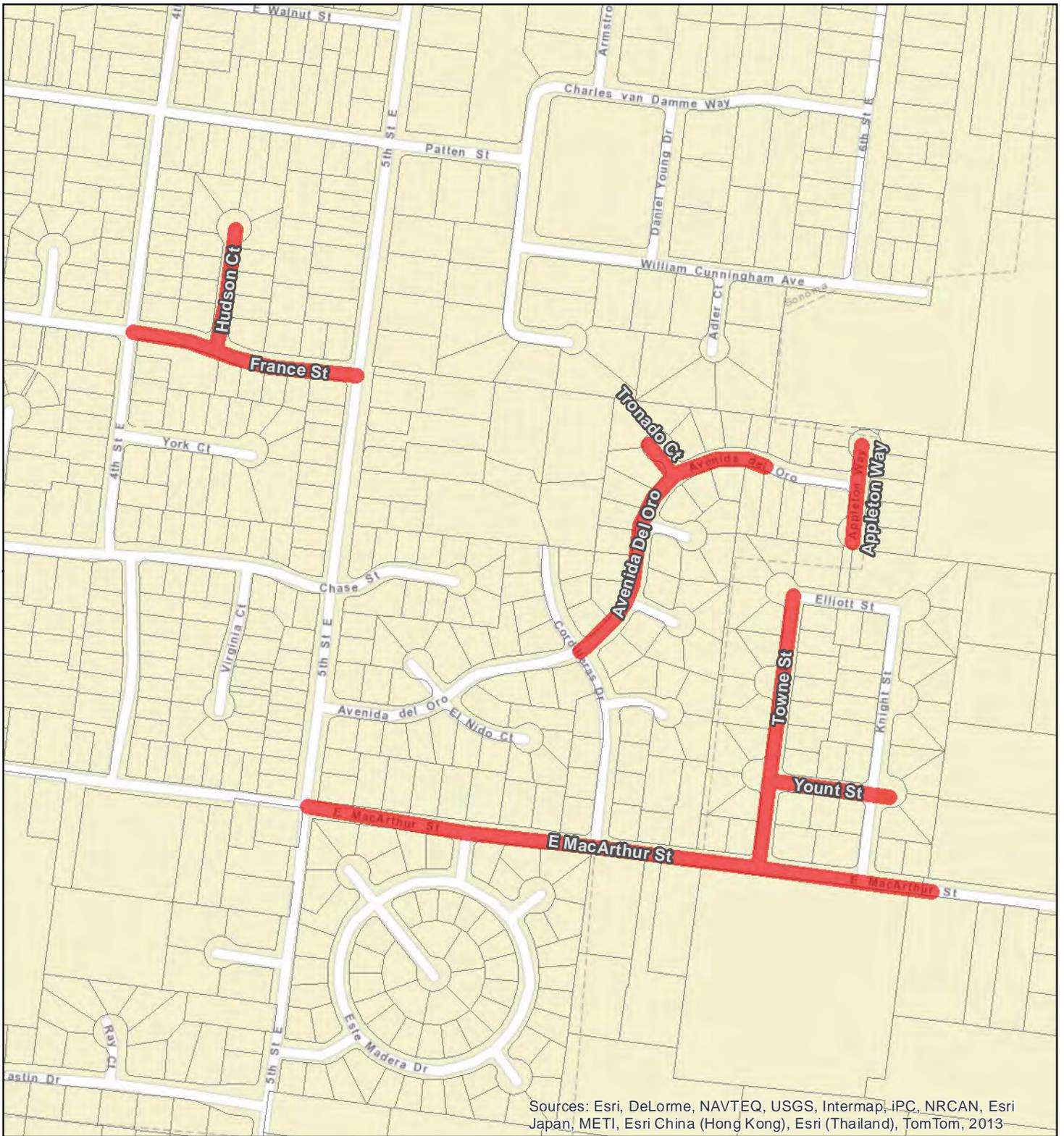


City of Sonoma
2015 Citywide Slurry Seal Project
Project Number 1501

Job Number	8411929
Revision	0
Date	27 Apr 2015

Location and Limits of Slurry Seal Figure 7

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- Parcels
- Slurry Limits of Work**
- Base Bid Slurry Seal Limits
- Potential Additional Streets

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City of Sonoma
2015 Citywide Slurry Seal Project
Project Number 1501

Job Number	8411929
Revision	0
Date	27 Apr 2015

Location and Limits of Slurry Seal **Figure 8**

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CITY OF SONOMA
City Council/Successor Agency
Agenda Item Summary

City Council Agenda Item: 5A

Meeting Date: 06/22/2015

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the Portions of the Minutes of June 1, 2015 City Council Meeting 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: 06/22/2015

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, Consideration and Possible Action Regarding the Adoption of the FY 2015-16 Operating and Capital Budget for the City of Sonoma and the Sonoma Successor Agency

Summary

On June 15th Council convened in a Budget Workshop to review the proposed 2015-16 Operating and Capital Budget for the City and Successor Agency. The workshop provided the opportunity for Department Managers to present a detailed overview to the City Council of the budgets they manage.

Included with the workshop were the presentations by the Tier 1 non-profit agencies who had requested increases in their base FY 14-15 grant amounts. Following the presentations, Council gave direction to staff on the amounts to be granted for the FY 15-16 operating budget. Staff has incorporated the change in the proposed budget and presents the Final FY 14-15 Operating and Capital Budget for Adoption.

Recommended Council Action

Approve resolution adopting the FY 2015-16 Operating and Capital Budget in the amount of \$31,605,859

Alternative Actions

Direct changes to the proposed budget; return for reconsideration on July 6th

Financial Impact

Adoption of the Budget will allow for continued operation of the City.

Environmental Review

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

Status

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

Attachments:

FY 2015-16 Operating & Capital Budget (City Managers Message) Complete budget may be found on the City website www.sonomacity.org or by contacting the City Clerk.

Resolution [including Exhibit A & Exhibit B]

Alignment with Council Goals:

2015-16 FISCAL MANAGEMENT Goal is to “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:



2015-16 OPERATING & CAPITAL BUDGET CITY OF SONOMA & SONOMA SUCCESSOR AGENCY

City Manager's Budget Message

The City of Sonoma continues to be a leader in providing a high quality of life for our residents and businesses and supports a community where people can live, work, and play. These efforts are guided and enhanced through the adoption of the FY 2015-16 Operating and Capital Budget. Sound budgeting practices allows the City to maintain our streets and roads, keep our Parks beautiful, contribute to local non-profit recreation services and provide public safety and emergency medical services. This budget addresses the need to continue to focus on sustainability of our water system and conservation to address the impacts of the drought, evaluate housing policies and establish downtown design standards. It is reflective of the leadership of the Council set through the their 2015-16 Council Goals and provides the work plan for City staff for the coming year.

The City's Operating and Capital Budget is viewed as one of the most important discussions that the Council engages in during the year. The annual budget is considered a policy document which sets the financial course for the City of Sonoma and defines the service priorities provided to the community. The prudent management of annual revenues protects the City from engaging in obligations beyond reasonable limits or setting expectations for growth that cannot be sustained.

Council's direction through their 2015-16 FISCAL MANAGEMENT Goal is to "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." To this end, it is an honor to present a balanced budget for the City of Sonoma and the Sonoma Successor Agency for FY 2015-16 in the amount of \$31,605,859. This budget includes the resources necessary to best meet the all goals and objectives of the City Council. It identifies and funds vital services

important to the community, enables the implementation of the major City projects and other important objectives as determined by Council, reinvests in infrastructure and provides employees with the tools and equipment to deliver services to our citizens in the most cost efficient way.

The City survives and thrives on a tourist based economy which has in the most recent three year period seen a vibrant recovery from the recession and economic downturn. Sonoma realized a swifter recovery than most California cities, based in part by the initiation of the Tourism Improvement District and a robust marketing program. Sonoma has become a 12-month tourist destination as opposed to only "peak season". What staff is beginning seeing in the closing months of the 2014-15 fiscal year and the predictions for 2015-16 is the leveling off of the economy which is and should be expected. Sonoma has a built-in economic mediation level due to the limits of the hotel industry, but which still is at an enviable peak compared to other communities. Still, it is one that needs to be recognized and respected now to assure that should the State and National economists be correct, when the next recession wave hits (predicted for in 2018), the City will have maintained its solvent financial position especially considering the significance of economically sensitive revenues related to tourism.

Sonoma is a full-service City which supplies and manages the general core services with a complement of 34 total full-time employees which handle the duties of Administration, Community Development, Public Works Water and Cemetery Services. Public Safety Services are provided through contractual agreements with the Sonoma County Sheriff's Department for Law Enforcement and Traffic Enforcement. Fire and Emergency Medical/Ambulance Services are provided by contract with Sonoma Valley Fire Rescue Authority. The City has maintained the Police Services Contract since 2004 and Fire/EMS Services Contract since 2012. In addition, the City maintains cooperative partnership agreements with the Sonoma Valley Chamber of Commerce for Economic and Business Development Services, Sonoma Valley Visitors Bureau for Tourism and Visitors Services and the Tourism Improvement District for Marketing Services. It is through the creation of these regionalized partnerships that the City has managed more efficient and innovative ways to deliver high quality, cost-effective services to the community.

Sonoma City Council, Management Staff and City employees all work as a team to create a positive environment and standard of excellence that is experienced by residents, businesses and visitors on a daily basis. It is only with this culture and ethic that Sonoma's historic character is sustained for future generations.

Respectfully submitted,



Carol E. Giovanatto, City Manager

STATE OF THE CITY

The City of Sonoma presents a total balanced City budget for the period July 1, 2015 through June 30, 2016 in the amount of \$31.6 million which is inclusive of all funds. This represents a total budgetary increase for all funds of approximately 7.5% as compared to the 2014-15 Adopted Budget. This increase is predominately attributable to capital projects within the Water and Streets Departments. There are also limited one-time expenditures in the individual budget areas. Each of the four major funds, General Fund, Gas Tax Fund, Cemetery Fund and Water Fund maintain separate revenue sources which are discussed separately below. The General Fund is balanced with annual tax revenues, service fees, grant funds and interfund transfers. The General Fund is also the supporting fund for both the Gas Tax and Cemetery Funds each of which do not have sufficient annual revenues to balance expenditures. Both funds remain in deficit fund balance positions but have been sustained by the General Fund since the Council adopted the budget policy in 2012 to contain the deficits until a long-term financing plan can be established. The Water Fund is an Enterprise Fund and is therefore funded through user fees as required by Governmental Accounting Standards. This was ratified through the adoption of the 2014 Water Rate Study and Rate Plan update. Secondary minor funds and Internal Service Funds are self-balancing through interfund transfers.

The City overall has experienced a healthy economy with significant gains in major revenue sources over the past several years. This is due to the recovery from the recession and the vibrant tourism and real estate market. Tax revenues into the City's General Fund comprise the largest single category of revenue of which approximately 69% are sales or tourism related. During this three-year period the City has seen upwards of 15-20% increases in these tourism-related taxes. In the projections for FY 2015-16, staff is tempering the high thrust of prior year's increases based on 2015 revenue streams. As had been anticipated, the continual incline is beginning to reflect a gradual leveling off. This is not without justification as the Hotel occupancy rates are bumping the 85-90% ranges. It is time to manage our economic gains in a more realistic approach. With a longer range view, this budget incorporates an average increase of economic growth in the 5-7% increase range. Expenditure levels for City Department expenditures overall mirror these increases with exception to those that contain Capital Project expenditures or those that have external revenue sources such as Grant revenues. Overall, the City is in sound financial position and the current State of the City is good-to-excellent. This rating is attributed to current and past municipal fiscal stewardship by Council and staff who have focused on maintaining a conservative approach to revenue projections, tight budget controls and the on-going review of internal policies and procedures to assure that all work products and tasks gain the highest of efficiencies. The public can be secure that taxpayer assets are managed with the utmost respect and oversight.

INTRODUCTION - GENERAL FUND

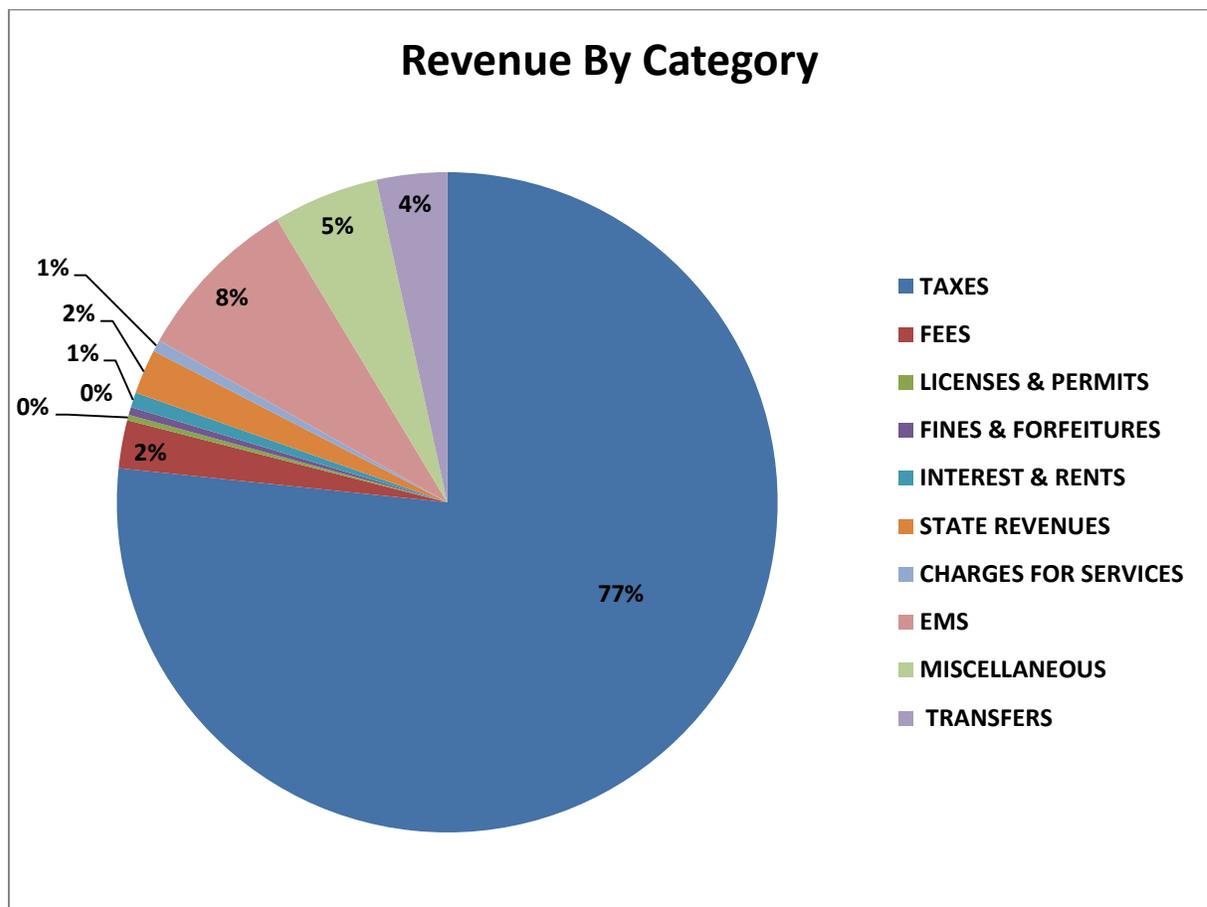
The General Fund is the largest fund in the City structure with the budget for FY 2015-16 set at \$16,826,752. While this amount represents a fully balanced budget, there are no excess revenues over expenditures. Normal operating increases are anticipated and included in the calculations. The General Fund provides funding for all direct public services including Administration, Community Development, Public Works and Public Safety. The City of Sonoma continues to experience fiscal stability, based in major part on wise decisions by current and past City Councils and staff to maintain expenditure controls coupled with a solid tax base of three dominant revenue sources – transient occupancy tax, property tax and sales tax. In conjunction with this stable tax base, the City's Budget also includes a local revenue measure to assist with meeting the long-term Goals set by the City Council for a sustainable Sonoma. In October 2012, a majority of the voter-approved Measure J, a City 1/2% sales tax for a period of five years (sun-setting in June 2017). As a "general" tax, Measure J revenue is dedicated to local services in the City of Sonoma. This was the promise to the voters who passed the tax and this is what the budget validates. This fiscal stability has provided continued security in terms of keeping City services intact and expanding where appropriate, to meet the needs of our residents. As directed by the City Council in their 2015-16 Goals, staff will be initiating efforts to begin formulating the election cycle for renewal of Measure J for the November 2016 ballot. As required by State revenue and taxation code, a tax measure must be (other than by Special Election) placed on a ballot of general election during which candidates for local electoral seats are running for office. Parallel to this requirement are the timeframes that the expiration of the Measure J tax measure which will occur mid-point of a regular election cycle. It is not a wise or recommended use of local tax dollars to incur a cost of a special election and therefore, Council is choosing to bring the renewal of Measure J forward during a general election prior to expiration of the tax. Total tax dollars from Measure J contributing to the sustainability of the public services and Capital Infrastructure upgrades for the citizens of Sonoma is approximately \$2.3 million annually.

The General Fund maintains stable Reserve levels in accordance with the City's Reserve Policy and Council Goals. Prudent and effective financial, economic and service planning over many years by Council and staff has resulted in the General Fund being in a very stable condition. Reserve levels for the City's General Fund are presently at approximately 28% of revenue, excluding the Emergency Reserve dedicated as business continuance in the event of a major disaster. This is in line with the Council's Goal of maintaining a minimum Reserve level of 25%.

GENERAL FUND REVENUE OVERVIEW

Revenue for the General Fund is classified in major categories which can and do vary from year to year based on the economic climate and influences. While the major categories remain fairly consistent such as Taxes and Emergency Medical Services (EMS), the remaining classifications may vary to reflect the changes in expenditure drivers influences.

The primary source of revenue to the General Fund is in the classification of "TAXES" which comprises 77% of the total of all revenue. Sonoma relies on this major revenue category to sustain the core public services such as Administration, Police, Fire, Parks and Development Services. Revenues within this category include Property Taxes, Transient Occupancy Taxes, Sales Tax/Measure J, Business Licenses and Franchise Taxes. Without the health of this category of revenue, Sonoma could not to sustain the high level of public services that are presently available to the residents and businesses.



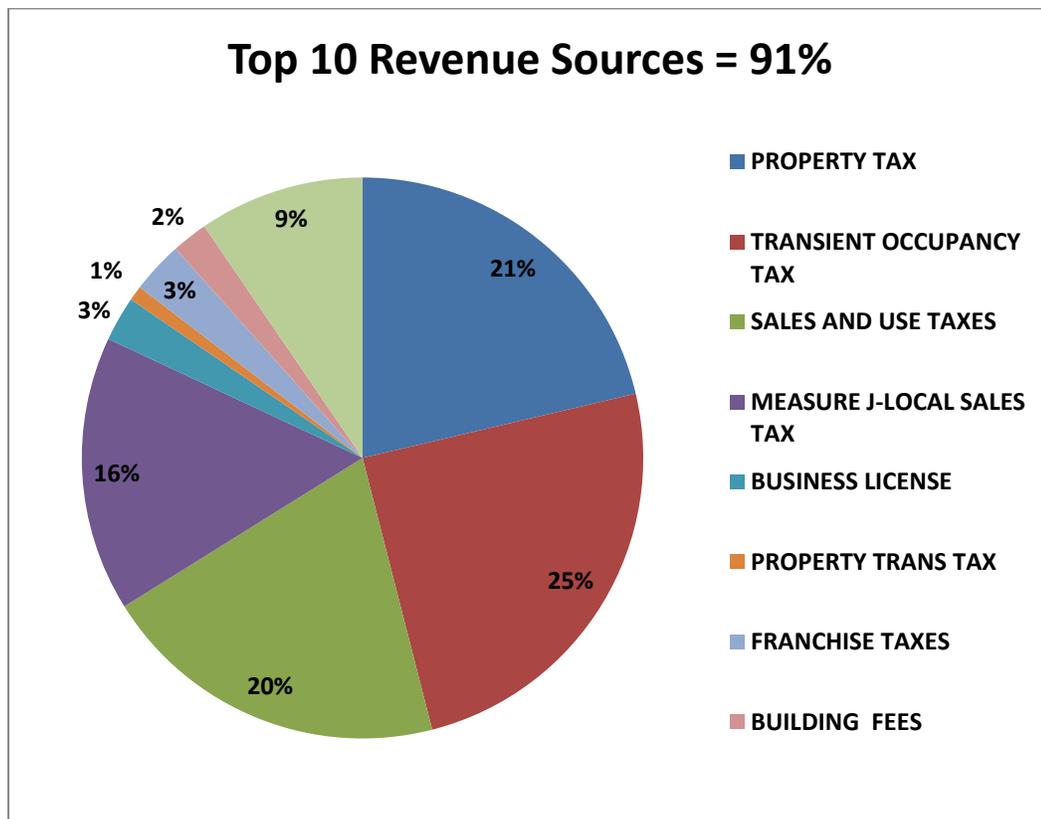
CATEGORY	2015 BUDGET	2016 BUDGET
TAXES	12,251,080	12,898,245
FEES	410,130	395,650
LICENSES & PERMITS	56,000	45,110
FINES & FORFEITURES	80,900	65,000
INTEREST & RENTS	145,500	122,840
STATE REVENUES	988,754	368,534
CHARGES FOR SERVICE	139,052	96,407
EMS/AMBULANCE FEES	1,360,000	1,385,000
MISCELLANEOUS	76,500	871,000
TRANSFERS	554,298	578,966
TOTAL REVENUE	16,062,214	16,826,752

MAJOR VARIATIONS FOR 2016:

- TAXES: Property Tax is estimated at 3.5% increase based on information from Sonoma County Auditor-Controller's office, Transient Occupancy Tax is budgeted to increase by 5% over 2015 and Sales taxes are budgeted at a 4.3% increase (per MuniServices forecast).
- FEES: Council adopted the annual fee schedule update in February 2015. The overall impact of the annual recalculations actually decreased many City fees. This is a direct reflection of tighter budgeting controls, efficiencies by City employees processing service requests, new software technology and the re-evaluation of overhead and benefit rates.
- LICENSES & PERMITS: Encroachment Permit revenue reduced based on projected actuals for 2015 causing this revenue source to be reduced.
- FINES & FORFEITURES: Revenue reduced based on projected actuals for 2015. Change in parking around Plaza from 2-hr. to 3-hr. parking has reduced the Parking Fine revenue by approximately 30%.
- INTEREST & RENTS: Reduced based on low investment income at LAIF. Staff will be updating City's investment policy to allow for longer term investment strategy which will increase opportunities to increase earnings.
- STATE REVENUES: Reduction in State revenues reflective of major portion of grant proceeds received in 2015.
- CHARGES FOR SERVICES: Reduced based on realigning charges for public works services as reimbursements to expenditures.
- ROLL-FORWARD PRIOR YEAR: Continuation of project revenue from FY 2014-15 from projects and programs that cross fiscal years.
- TRANSFERS: Amounts due the General Fund from other funds for services or other legally-obligated reimbursements.

TOP 10 REVENUE SOURCES

A separate but equally important evaluation is made of the top 10 major revenue sources in the General Fund. Of the 62 separate revenue types which comprise the total General Fund revenue, the top 10 sources comprise 91% of the total revenue which finances all public services. This is both a positive and potentially a negative, as these sources are the most vulnerable to economic influences including inflation, recession or natural disasters. Caution is being exercised in forecasting future growth patterns. Sonoma's largest industry is tied to tourism and as such we measure our revenue stream and economic viability by those "tourism-related dollars" of TOT, Sales Tax (general and Measure J). Approximately 40% of all General Fund revenue comes from these three sources. Analysis reveals that tourism into the City accounts for approximately 60% of the funding of these three revenue sources. Tourism is not solely related to overnight visitors (i.e. "heads in beds"), in fact restaurants and food-products are the top sales tax producing category. Tourists are also supporting our local restaurants. Sonoma is fortunate to have these sources to sustain the public services for our residents and keep our business community whole. But, as previously discussed, trends in latter fiscal year 14-15 are reflecting a slight leveling off of TOT revenues and to a lesser extent sales tax. To assure that the City maintains prudent fiscal management of revenue resources, staff is reducing growth predictions in the tourism-related areas.



TOP 10 REVENUE SOURCES	% of TOTAL	2016 BUDGET
TRANSIENT OCCUPANCY TAX	21%	3,587,220
PROPERTY TAX	19%	3,096,948
SALES TAX	18%	2,960,824
MEASURE J SALES TAX	13%	2,292,845
EMS/AMBULANCE FEES	8%	1,385,000
VEHICLE LICENSE FEES	5%	817,236
FRANCHISE FEES	3%	434,000
BUILDING PERMIT FEES	2%	320,000
BUSINESS LICENSE TAX	2%	375,000
RE PROPERTY TRANSFER TAX	1%	125,000

GENERAL FUND EXPENDITURE OVERVIEW

Expenditures within the General Fund are accounted for within 15 separate departments including: General Administration (Council, Clerk, Manager, Finance, Attorney), Public Safety (Police, Fire) and General Services (Public Works, Streets/Capital, Planning, Development, Community Activities, Non-Departmental and Successor Agency). In addition, a separate department total comprises all funding from the General Fund which supports other operations of the City [referred to as "Transfers to Other Funds"]. Once again, as the City's primary operating fund, the General Fund, is balanced without the use of City reserves. The expenditures within the General Fund [as well as other Funds within the Budget] reflect the Council Goals and Priorities for 2016.

There were several significant global changes to various City departments which reflect variations in the total budgets when compared to the prior fiscal year. These changes were necessary to create both efficiencies and future succession planning for the overall health of the organization. These are discussed briefly below:

General Fund Expenditure Breakdown by Department

Expenditure/Department	FY 2014-15 Adopted Budget	FY 2015-16 Budget	% Change
City Council	139,160	84,818	-39%
City Clerk	163,626	160,098	-2%
City Manager	194,366	194,996	0%
Finance	205,249	222,437	8%
Legal	250,000	277,000	10%
Police	4,394,506	4,540,912	3%
Fire/EMS	5,038,273	5,044,719	*0%
Public Works	907,796	1,226,583	35%

Streets-Capital Projects	2,150,964	1,812,400	*-16%
Planning	723,453	713,425	-1.5%
Building	493,788	513,669	3%
Community Activities	204,500	348,984	*70%
Non-Departmental	476,623	417,560	-12%
Successor Agency	371,765	329,292	-13%
Transfers to Other Funds	692,145	940,320	36%
TOTAL ALL EXPENDITURES	16,406,214	16,826,752	2.56%

Overview of Department-Specific Variances

City Council -39%: Decrease due to change of health benefit coverage for 3 new Councilmembers resulting in lower premiums.

Finance +8%: Modest increase in Finance budget as follows:
 [1] \$5,000 - Costs of copier services and business license mailings were previously included in other departments; [2] \$3,500 - Increase primarily related to additional reports required from California Public Employee Retirement System (CALPERS) to meet Government Accounting Standards Board (GASB) requirements; [3] \$1,000 Increase staff training permitting staff to continue to assume higher value activities

Legal +10%: Current legal fees for FY 2014-15 at budget limit; increase predicted due to additional legal work for code enforcement, ordinance updates (smoking and Mobile home rent control, etc.) and City Attorney contract review.

Fire *0%: Budget for the Fire Services appears to have no increase in costs. This is due to a shifting of costs for the City's remaining obligation of retirement costs for prior employees shifted from City employment to employment under the SVFRA Contract for Services. This annual payment of \$125,000 is now captured under Transfers to Other Funds. Absent this realignment, the Fire Budget for contract services would reflect an increase of 2.8%.

Public Works/Parks +35%: This budget is reflecting a significant increase due to the increasing responsibilities in two primary areas: Parks and Stormwater responsibilities. Both are highly staff intensive for public and municipal safety. There are 17 parks encompassing nearly 40 acres, 9 play structures, 2 public restrooms, Class I bike trail, hiking trail, a duck pond, and rose garden which require labor-intensive management. The Stormwater Compliance program is a rapidly evolving function to comply with the State's recent mandates included in the Construction Stormwater Permit, the Industrial Stormwater Permit, and the Municipal Phase II Stormwater Permit. Realignment of staff to focus on these two core areas has increased the personnel budget. Secondly, the utilities for all

parks moved to this budget (in previous years utilities were accounted for in Non-Departmental).

Streets-Capital Projects -16%: Per Council Goals, Street projects and infrastructure are paramount in the City Budget. This line item project budget is reduced due to timing of grant-funded projects and FY 15-16 major projects related to Water infrastructure.

Planning Budget -3%: Decrease in Planning Budget is primarily due to the near-completion of the Circulation Element update. This project began late in 2015 and will be completed in FY 15-16. Budget also includes funding for development of Downtown Design Guidelines and Housing Impact Fee study.

Non-Departmental -12%: Decrease due to realignment of the utilities for all parks moved from this budget to Public Works/Parks.

Community Activities +70%: Relatively large increase to account for realignment of several costs items and recognition of accomplishing the Council's 2015-16 Goals: [1] costs related to the Economic Vitality Program which was moved from the Successor Agency budget to the Community Activities Budget to better reflect the City's contribution to the *Community Character and Economic Viability*; [2] Funding of the SV Chamber of Commerce for Economic Vitality Partnership Contract (*Community Character and Economic Viability*). [3] In line with Council Goals is increase in funding and establishment of the Community Fund (*Create a Sonoma Community Fund equal to 1.5% of General Fund Tax Revenue sources to provide as funding opportunities for nonprofit organizations*). This amount is 14.6% higher than prior year; [4] Funding for a part-time Special Events Coordinator to manage Plaza activities. This position is envisioned to be a contract employment position.

Successor Agency -13%: Decrease in costs accounted for in Successor Agency [to the former Sonoma Community Development Agency] by removing the Economic Vitality Partnership program (to Community Activities budget) and transfer of disallowed CREBS bond payment by Department of Finance previously funded under former Redevelopment Agency.

Transfers to Other Funds +36%: the percentage increase for this department encompasses all monies that are moved from the General Fund to other funds within the City's Budget structure for specific purposes. Two transfers of funds are included in FY 2015-16 which were accounted for in other budgets in the prior year budget which are [1] transfer to fund the retirement costs for prior public safety employees transferred to SVFRA contract for service; [2] transfer of \$6,184 to the Cemetery Fund to balance the current year operational shortfall (note: shortfall \$100,000 less than prior year); [3] interfund loan for LED lighting project approved by Council in May 2015; [4] increase in funding for Gas Tax

Fund to off-set general street maintenance due to continuing reduction of State funding sources such as Hwy Users Tax/Prop 42.

OTHER RECOMMENDED CITY BUDGETS [NON-GENERAL FUND]

Expenditure/Department	FY 2014-15 Budget	FY 2015-16 Budget
Gas Tax-Street Maintenance	830,240	1,103,103
Maysonnave Property	10,317	10,430
Cemeteries	342,132	253,447
Water	6,837,625	8,393,367
Management Information Systems	243,530	254,820
Long-term Building Maintenance	262,825	227,471
Vehicle Replacement	265,900	247,625
CDA/Recognized Obligation Schedule	4,343,498	3,877,493
Debt Svs-Pension Obligation Bond	410,950	411,350

GAS TAX SPECIAL REVENUE FUND – STREET MAINTENANCE

The Gas Tax Fund is designated as a Special Revenue Fund which is dedicated for specific purposes/projects and their uses are legally restricted. The revenues are earmarked for direct program costs and project expenditures. Expenditures are driven by project or workload rather than the precise period of the fiscal year. The City Gas Tax Fund accounts for all street-related expenditures including personnel, street sweeping, engineering, pavement and sidewalk maintenance and capital infrastructure projects. Gas Tax revenues are derived from fuel surcharge taxes. Uses of these funds are strictly regulated by the State Board of Equalization to be utilized solely for travel way purposes. The Gas Tax Fund must maintain a "Maintenance of Effort" (MOE) level to be eligible to receive grants and State funding. The City accounts for all street general maintenance costs through the Gas Tax Fund to maintain its MOE level. This fund has slowly become non self-sustaining as the State has lowered the funding level of Gas Tax and shifted other street-related dollars. Since approximately 2010, the General Fund has continued to transfer funds to sustain this fund. In FY 2015-16 the total transfer from the General Fund is \$352,970. Street lighting is accounted for in the Gas Tax Fund and the installation of the new LED lighting will be a significant long-term benefit to assist in reducing the reliance on the General Fund. The funding for the LED lighting project is through a zero-percent loan from PG&E augmented with an inter-fund loan from the General Fund in the amount of \$43,034.

ENTERPRISE FUNDS- CEMETERY & WATER

The City maintains two Enterprise Funds (Water and Cemetery). By Governmental Accounting definition, Enterprise Funds are *“to account for operations that are financed and operated in a manner similar to private business enterprise-where the intent of the governing body is that the costs of providing goods or services are financed or recovered primarily through user charges.”* Each individual fund is discussed below.

CEMETERY FUND

The Cemetery Fund accounts for maintenance and operation of the Mountain, Valley, and Veterans’ cemeteries. Operational revenues are generated through site sales, burial costs, and miscellaneous lettering charges. Expenditures from the funds result from activities related to burials, maintenance of existing plots and landscaping, brush clearing, weed abatement, litter, and utilities. The Cemetery Fund remains in a serious deficit position of approximately \$1.6 million. This deficit position has grown over a decade to its current position. The City has worked to address possible solutions including previously convening a Cemetery sub-committee to review operations and potential to privatize the operations [including sale of the Cemetery property]. During the past two fiscal years, the City’s General Fund has supported the Cemetery fund by transferring an annual amount generally in excess of \$100,000 each year to sustain the fund and not increase the existing deficit. In the FY 2015-16, due to realignment of personnel the General fund offset is \$6,184. City staff will be addressing the deficit position during FY 2015-16 and bring forward a recommendation on a multi-year debt write-down plan for Council consideration.

WATER OPERATIONS FUND

The Water Utility provides for the maintenance and operation of the City’s water distribution system. Water supplied to Sonoma customers is wholesale-purchased through an agreement with the Sonoma County Water Agency augmented in part by City wells. Funding for the Water Utility is derived from user fees and charges. The FY 2015-16 Budget was developed based on the adopted 2014 Water rate structure and operational model including the change in the tiered rates for both residential and commercial customers. In addition, the Finance Department completed the conversion from bi-monthly utility billing to a monthly billing system which also resulted in changes to the service and penalty fees. Greater focus in water conservation education, monitoring and maintenance efforts is forefront in this year’s budget. Shifting duties and responsibilities and participation in Countywide promotions to raise public awareness is constant. The Water Conservation line item includes \$100,000 in funding for conservation and rebate programs. The City has engaged the major tourism establishments in assuring that they are distributing the water conservation message to their guests. This budget also includes funding for the

Plaza Well Feasibility Study, continuing with the recycled water project and groundwater management program.

Capital Improvement Plan

The City's Capital Improvement Plan [CIP] has become an integral component of the City's Budget process. In prior years, the CIP was adopted after the budget process and was not viewed within the context of the budget. Beginning in FY 2013-14, staff initiated presenting the CIP as a companion document with the budget to reflect the on-going workload of Capital Projects. With the restructuring of the Public Works Director position to include the City Engineer responsibilities, this is a key focus of the budget. The projects recommended for completion have been included in the 2015-16 Budget.

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CITY OF SONOMA

RESOLUTION NO. __ - 2015

A RESOLUTION OF THE CITY OF SONOMA AND THE SUCCESSOR
AGENCY OF THE FORMER SONOMA COMMUNITY DEVELOPMENT AGENCY
ADOPTING THE OPERATING AND CAPITAL BUDGET
FOR FISCAL YEAR 2015-2016

WHEREAS, the City Manager submitted a preliminary one-year operating budget to the City Council which has been given due and careful study and consideration, and which the Council finds to be a true and concise statement of projected revenues and disbursements for fiscal year 2015-2016 and designed to effect the best possible use of City revenues.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Sonoma that the total operating and capital budget submitted by the City Manager in the amount of \$31,605,859 as set forth in Exhibit A which is attached hereto and by this reference made a part hereof is hereby adopted as the total operating and capital budget of the City of Sonoma for fiscal year 2015-2016.

BE IT FURTHER RESOLVED, that the 2016 Capital Improvement Plan is approved in accordance with the CIP plan attached as exhibit "B" and incorporated into the 2015-16 Operating and Capital Budget for the City of Sonoma:

PASSED AND ADOPTED by the City Council of the City of Sonoma at their regular meeting held on the 22nd day of June 2015 by the following vote:

AYES:
NOES:
ABSENT:

David Cook, Mayor

ATTEST:

Gay Johann
Assistant City Manager/City Clerk

EXHIBIT A
City of Sonoma

Operating Budget for FY 2015-16

Expenditure/Department	FY 2015-16 Adopted Budget
City Council	84,818
City Clerk	160,098
City Manager	194,996
Finance	222,437
Legal	277,000
Police	4,540,912
Fire/EMS	5,044,719
Public Works	1,226,583
Streets-Capital Projects	1,812,400
Planning	713,425
Building	513,669
Community Activities	348,984
Non-Departmental	417,560
Successor Agency	329,292
Transfers to Other Funds	939,860
TOTAL ALL EXPENDITURES	16,826,753

Expenditure/Department	FY 2015-16 Adopted Budget
Gas Tax-Street Maintenance	1,103,103
Maysonnave Property	10,430
Cemeteries	253,447
Water Utility	8,393,367
Management Information Systems	254,820
Long-term Building Maintenance	227,471
CDA/Recognized Obligation Schedule	3,877,493
Debt Svs-Pension Obligation Bond	411,350
Vehicle Replacement Fund	247,625

**City of Sonoma
FY 2015-16 Maintenance and Capital Improvement Program**

EXHIBIT "B"

							Projected Funding Sources - FY 2016 ONLY					
Project	Approximate Project Expenses To-Date	Estimated FY16 Project Expenses	Estimated Project Expenses After FY16	Estimate of Total Project Cost	Project Contact	LTBM 610	GF-SPECIAL PROJECTS FUND 100	WATER CIP 512	STREETS CIP 100	CEMETERIES CIP 501	GRANTS see Comments	COMMENTS / FUNDING and GRANT EXPLANATIONS
City Buildings												
PB-1	Youth Center (VOMNS) ADA Improvements	-	46,500	40,400	86,900	Wirick	46,500					LTBM - 100% of project costs (Spring 2016 Start Construction)
PB-2	Carnegie Bldg - Repairs, Repainting, Carpet Replacement and Public Restroom Improvements	-	15,000	148,800	163,800	Wirick	15,000					LTBM - 100% of project costs
PB-3	Depot Museum ADA and Code Improvements	-	40,700	-	40,700	Wirick	40,700					LTBM - 100% of project costs (Early 2016 Start Construction)
PB-4	Fire Station Stairway Flooring Replacement Project	-	18,700	-	18,700	Wirick	18,700					LTBM - 100% of project costs (Winter 2015/16 Start Construction)
City Building Totals		-	120,900	189,200	310,100		120,900	-	-	-	-	
Parks, Cemeteries and Open Space												
												0
Parks, Cemeteries and Open Space Totals		-	-	-	-		-	-	-	-	-	
Combined Water and Street Improvements												
SW-1	Corp Yard Warehouse ADA Restroom and Emergency Shower Improvements	-	30,000	150,000	180,000	Takasugi		15,000	15,000			Initial Design of \$30,000 in 15/16, Construction in FY 16/17 Water CIP - 50% of project costs \$15,000 (FY15/16) Streets CIP - 50% of project costs \$15,000 (FY15/16)
SW-2	Corp Yard Material Stockpile Bin Covers	-	38,000					19,000	19,000			Water CIP - 50% of project costs \$19,000 (FY15/16) Streets CIP - 50% of project costs \$19,000 (FY15/16)
Combined Water and Streets Totals		-	68,000	-	-		-	34,000	34,000	-	-	

**City of Sonoma
FY 2015-16 Maintenance and Capital Improvement Program**

EXHIBIT "B"

							Projected Funding Sources - FY 2016 ONLY						
Project	Approximate Project Expenses To-Date	Estimated FY16 Project Expenses	Estimated Project Expenses After FY16	Estimate of Total Project Cost	Project Contact	LBTM 610	GF-SPECIAL PROJECTS FUND 100	WATER CIP 512	STREETS CIP 100	CEMETERIES CIP 501	GRANTS see Comments	COMMENTS / FUNDING and GRANT EXPLANATIONS	
Streets/Sidewalks/Bikeways Improvements													
SS-1	Napa Road - Street and Bikeway Improvements - Broadway to Jones Street	50,000	840,400		890,400	Takasugi				566,866		273,534	OBAG Grant = \$250K (applied - award decision in summer 2013) TDA3 Grant = \$5K; TDA3 Grant (from Depot Park) = \$18533.81 Streets CIP = \$566,866 (FY 15/16)
SS-2	Citywide Sidewalk Repair Program		50,000			Takasugi			50,000				Streets CIP = \$50,000 (FY15/16) Phase 3 of the sidewalk inspection, repair, and cost-share program, planned at \$50K per year.
SS-3	2015 Street Slurry Seal Program	22,000	168,000						168,000				Streets CIP = \$168,000 (FY15/16)
SS-4	2016 Street Rehabilitation Program		550,000		550,000	Takasugi			550,000				Streets CIP = \$550,000 (FY15/16) Includes 80% of cost for various Street Rehabilitation. 20% of project (\$110,000) is charged to water utility improvement. \$112,000 will be used toward design and construction management/inspection. \$438,000 is budgeted for construction.
SS-5	Chase Street Bridge Replacement Project	451,000	120,000	1,968,266	2,539,266	Takasugi			25,000		95,000		Federal HBRR Grant = \$2,045,348 Streets CIP = \$25,000
Streets/Sidewalks/Bikeways Total		523,000	1,728,400	1,968,266	3,979,666				1,359,866		368,534		
Water Mains, Wells, Pumps Improvements													
WM-1	Well No. 8 (Field of Dreams) - New Municipal Well	112,700	990,750		1,103,450	Takasugi		715,633			275,117		Water CIP = \$990,750 (FY15/16) Reimbursement from SCWA Local Supply / Recycled Water / Tier 2 Program (LRT2) is \$275,117.
WM-2	Groundwater Banking Pilot Project	10,000	25,000		35,000	Takasugi		25,000					Water CIP = \$50,000 (FY15/16) SCWA seeking grant funding to assist with implementation of pilot project.
WM-3	West Napa Street Water Main & Services Replacement (Broadway-Staples)	204,000	2,663,000		2,867,000	Takasugi		2,663,000					Water CIP = \$2,663,000 (FY 15/16) Need to complete prior to Caltrans West Napa Street repair project (Caltrans anticipated programming scheduled for 2018/19)
WM-4	2016 Citywide Water Lateral Replacement		110,000		110,000	Takasugi		110,000					Water CIP = \$110,000 (FY15/16) Replaces old water service lines that are at the end of their useful life and may be leaking. 20% of 2016 Street Rehabilitation Project.
WM-5	Replace Water Meter Registers and Radios		100,000		100,000	Takasugi		100,000					Water CIP = \$200,000 (FY15/16) Replaces old meter registers/radios that are out of warranty and have no leak detection capability.
WM-6	Relocation of Water Main on Chase St. Bridge		40,000	100,000	140,000	Takasugi		20,000			20,000		Water CIP = \$40,000 (FY15/16) Design in FY14/15 and FY15/16 for \$40,000. Under reimbursement funding agreement with SCWA design of Sewer relocation is \$20,000.
WM-7	Relocation of SCWA Water Master Meter		50,000		50,000	Takasugi		50,000					Water CIP = \$50,000 (FY15/16) Relocation of master meter intended to reduce unaccounted water loss
WM-8	Recycled Water Turnout to Engler Park		50,000		50,000	Takasugi		50,000					Water CIP = \$50,000 (FY15/16) City cost to extend recycled water 1-block from Fifth St. East in conjunction with SCWA recycled water extension
Water Mains, Wells, Pumps Total		326,700	4,028,750	100,000	4,455,450			3,733,633			295,117		
Total of All City Projects		849,700	5,946,050	2,257,466	8,745,216		120,900	3,767,633	1,393,866		663,651		
SONOMA AS SUCCESSOR AGENCY													
	2011 CDA TAX ALLOCATION BOND PROJECTS (THAT ARE NOT LISTED ABOVE)	579,000	-	4,759,100	4,759,100	Takasugi							Given the hold on CDA TAB Projects, some projects are proceeding as listed above. The figures in this row only account for the projects listed in the 2011 CDA TAB Project List that are not otherwise included in the City Projects above.
Total of All Capital Improvement Projects		1,428,700	5,946,050	7,016,566	13,504,316		120,900	3,767,633	1,393,866		663,651		



CITY OF SONOMA
 City Council
 Agenda Item Summary

Agenda Item:	9
Meeting Date:	06/22/2015

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

Recommended Council Action – Receive Reports

Attachments: None