

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



**Community Meeting Room, 177 First Street West
Monday, May 21, 2012**

**5:15 p.m. Special Joint Meeting with the
Cultural & Fine Arts Commission**

6:00 p.m. Regular Meeting

AGENDA

City Council
Joanne Sanders, Mayor
Ken Brown, Mayor Pro Tem
Steve Barbose
Laurie Gallian
Tom Rouse

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

**5:15 P.M. – SPECIAL MEETING
JOINT MEETING WITH CULTURAL AND FINE ARTS COMMISSION
IN THE CONFERENCE ROOM NEXT TO THE COMMUNITY MEETING ROOM**

Item SS1: Study Session with Cultural and Fine Arts Commission to discuss, consider and provide possible direction to staff regarding proposed revisions to Public Art Ordinance.
Staff Recommendation: Hold study session. Provide direction to staff, if desired, regarding revisions to Public Art Ordinance.

6:00 P.M. – REGULAR MEETING

**CALL TO ORDER & PLEDGE OF ALLEGIANCE
ROLL CALL (Brown, Gallian, Barbose, Rouse, Sanders)
REPORT ON CLOSED SESSION, if any**

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. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

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

4. PRESENTATIONS

Item 4A: Proclamation Recognizing Ben Flajnik

Item 4B: Sonoma International Film Festival 2012 – Wrap up Presentation

5. 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 5A: Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only. (Standard procedural action - no backup information provided)

Item 5B: Approval and Ratification of the Appointment of Nellie Cravens to the Cultural and Fine Arts Commission for a two-year term.
Staff Recommendation: Approve and ratify the appointment.

Item 5C: Request by the American Legion Post 489 for City-subsidized use of the Sonoma Valley Veterans Memorial Building for one day on November 3, 2012.
Staff Recommendation: Approve the request subject to applicant's compliance with the City's standard insurance requirements.

Item 5D: Request by the Native Sons of the Golden West for City-subsidized use of the Sonoma Valley Veterans Memorial Building for one day on January 26, 2013.
Staff Recommendation: Approve the request subject to applicant's compliance with the City's standard insurance requirements.

Item 5E: Approval of the Minutes of the May 7, 2012 Meeting.
Staff Recommendation: Approve the minutes.

Item 5F: Adoption of Plans and Specifications and Award of Contract to Mascon Inc/Argonaut Constructors Joint Venture, lowest responsible bidder, for the Este Madera Road Rehabilitation Project No. 1119 and approval of Change Order No. 1 for the total amount of \$369,685.00.
Staff Recommendation: It is recommended that Council: i) Adopt the Plans and Specifications for the Este Madera Road Rehabilitation Project No. 1119, ii) Accept the three (3) bids and award the contract to Mascon Inc/Argonaut Constructors Joint Venture, the lowest responsible bidder for \$302,485.00, and iv) approve CCO#1 for \$67,200, for a total contract amount of \$369,685.00.

Item 5G: Request by the Veterans of Foreign Wars for City-subsidized use of the Sonoma Valley Veterans Memorial Building for one day on September 8, 2012.
Staff Recommendation: Approve the request subject to applicant's compliance with the City's standard insurance requirements.

6. 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 6A: Approval of the portions of the Minutes of the May 7, 2012 City Council / Successor Agency Meetings pertaining to the Successor Agency.
Staff Recommendation: Approve the minutes.

7. PUBLIC HEARING – None Scheduled

8. REGULAR CALENDAR – CITY COUNCIL

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

Item 8A: Discussion, consideration, and possible direction to staff regarding the City’s Economic Development Program and the Sonoma Valley Economic Development Partnership. (City Manager)
Staff Recommendation: Discuss, consider, and provide direction to staff, if appropriate.

Item 8B: Receive status report on the 2012 Pavement Management Program report and impact of the loss of redevelopment funding on the City’s street rehabilitation program. (Public Works Director)
Staff Recommendation: Receive staff report and discuss; file the 2012 Pavement Management Program report.

Item 8C: Discussion, consideration, and possible direction to staff regarding proposed revisions to the Special Event Policy. (Public Works Director)
Staff Recommendation: Discuss, consider and if desired, approve CSEC recommended revisions to the Special Event Policy.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

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

10. COUNCILMEMBERS’ REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Item 10B: Final Councilmembers’ Remarks.

11. COMMENTS FROM THE PUBLIC

12. PUBLIC COMMENTS REGARDING CLOSED SESSION

Public testimony on closed session item(s) only.

13. CLOSED SESSION

Item 13A: **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**, pursuant to Government Code §54956.8. Property: Sonoma Valley Regional Library, 755 West Napa Street, Sonoma. Agency Negotiators: City Attorney Walter, City Manager Kelly. Negotiating Parties: Sonoma County Library, a Joint Powers Agency. Under Negotiation: Price and terms of payment of lease.

14. RECONVENE IN OPEN SESSION & REPORT ON CLOSED SESSION

15. ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on May 15, 2012. GAY JOHANN, 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 available for public inspection the Monday 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: SS1

Meeting Date: 5/21/12

Department

Administration

Staff Contact

Linda Kelly, City Manager

Agenda Item Title

Study Session with Cultural and Fine Arts Commission to discuss, consider and provide possible direction to staff regarding proposed revisions to Public Art Ordinance

Summary

Following lengthy study, the City Council adopted the Public Art Ordinance in April 2009. Since that time, the economy has impacted the City's revenue streams during the extended recession to the extent that the Council has waived the .25% annual public art contribution from the General Fund for successive years. Further, the City's former redevelopment agency's bond-funded projects were recently challenged by the State Department of Finance, and thus, one source of funding for public art under the 1% mandated contribution is uncertain at this time.

Staff advises that due to experience with the Public Art Ordinance to date, revisions to the Ordinance should be considered as follows:

- a. Section 19.51.020.G. should be amended to narrow the definitions of public development projects that are eligible for the funding contribution. This is to acknowledge that the City's financial situation does not currently and may not in the future allow for 1% contributions to public art.
 - b. Section 9.51.030.B should be amended to provide the City Council with the sole discretion regarding whether to apply the up-to-1% contribution to a project. The amendment recommended would also clarify the point in the process whereby the percentage would be calculated.
 - c. The recommended effective date for the amendments is retroactive to January 1, 2011 to account for those former Sonoma Community Development Agency bond projects.
-

Recommended Council Action

Hold study session. Provide direction to staff, if desired, regarding revisions to Public Art Ordinance.

Alternative Actions

Defer action or take no action.

Financial Impact

The amendments would make the awarding of any funding for public art at the sole discretion of the City Council and would remove the mandated funding component of the ordinance.

Environmental Review

Status

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

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

Attachments:

Proposed amendments to Public Art Ordinance
Ordinance No. 04-2009, Public Art Program
Public Art Program Guidelines

cc: Cultural and Fine Arts Commission

CITY OF SONOMA

ORDINANCE NO. XX - 2012

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING SECTIONS 19.51.020 AND 19.51.030.B OF CHAPTER 19.51 (PUBLIC ART PROGRAM) OF THE SONOMA MUNICIPAL CODE

The City Council of the City of Sonoma does hereby ordain as follows:

SECTION 1. The definition for “public development project” in Section 19.51.020 of Chapter 19.51 of the Sonoma Municipal Code is amended to read as follows:

G. “Public development project” ~~is a City-owned building, structure, public park or any portion thereof, within the City limits of the City of Sonoma that undergoes construction, alteration, repair or improvement and is funded in whole or in part by the City shall include, but not be limited to the construction or remodel of any City-owned building, structure, park, utility, street, sidewalk, or parking facility, or any portion thereof, within the limits of the City of Sonoma~~

SECTION 2. Section 9.51.030.B of Chapter 19.51 of the Sonoma Municipal Code is amended to read as follows:

B. Public Development Projects: ~~All public City-owned development projects with total building permit valuation costs in excess of \$250,000 shall devote an amount equal to one percent (1%) of such costs for the~~ Within thirty (30) days after the City Council award of any bid for a public development project with a bid amount exceeding \$250,000, the City Council, at its sole discretion, shall determine if an amount not to exceed one percent (1%) of the original bid amount shall be contributed to the Public Art Fund for the purpose of acquisition of works of art for placement in the City. For public development projects with Federal and/or State match requirements or other grant-funded projects, the up to 1% shall only apply to the City's portion of the project funding. The contribution to the public art fund for public development projects, if any, shall be made prior to the recording of the Notice of Completion for the public development project.

SECTION 3 – SEVERABILITY. The City Council of the City of Sonoma hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional on its face or as applied. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be invalid, the validity of the remaining portions of this ordinance shall not be affected.

SECTION 4 - EFFECTIVE DATE. This ordinance shall take effect and be in force thirty days after it is adopted and shall apply to all public development projects the contracts for which were awarded on or after January 1, 2011.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sonoma this day of 2012.

Joanne Sanders, Mayor

ATTEST:

Gay Johann, City Clerk

I hereby certify that the foregoing Ordinance was adopted at a regular meeting of the City Council on the [REDACTED] day of [REDACTED] by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Gay Johann, City Clerk

CITY OF SONOMA

ORDINANCE NO. 04 - 2009

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA ADDING CHAPTER 19.51, RELATING TO PUBLIC ART, TO THE CITY OF SONOMA MUNICIPAL CODE

Section 1. Chapter 19.51 is added to the Sonoma Municipal Code to read in full as follows:

CHAPTER 19.51 PUBLIC ART PROGRAM

Sections:

19.51.010	Purpose
19.51.010	Definitions
19.51.030	Funding
19.51.040	Cultural and Fine Arts Commission Responsibilities

19.51.010 PURPOSE

The purpose of the Public Art Ordinance is to authorize, fund, and establish procedures for artworks in the public realm within the City of Sonoma. It will help to guarantee the development of public art work as a whole in the City, ensuring a closer relationship between the landscape, buildings, community, and art. It creates a process for the community to work together to make Sonoma an even more interesting, memorable, and beautiful place to live, go to school, work, and visit.

The Public Art Program seeks to:

- A. Contribute to the City's civic pride and sense of identity, and enhance its physical and aesthetic environment;
- B. Augment Sonoma's reputation as a City that celebrates the arts;
- C. Enrich the lives of Sonoma residents and visitors by incorporating the visual arts into public spaces, and expand their concepts of art by encouraging site-specific works that engage the surrounding environment;
- D. Encourage collaboration between artists, landscape architects, urban planners, architects, engineers, and other designers;
- E. Integrate the work and thinking of artists into the planning, design, and construction of City facilities, buildings, and public spaces;
- F. Engage the citizens of Sonoma in creative partnerships with artists;
- G. Provide curatorial expertise and project management for the acquisition and maintenance of public art work in Sonoma.

19.51.020 DEFINITIONS

- A. Permanent Installation: artwork or art place with a permanent site as opposed to a temporary site.
- B. Public Art Annual Plan: a prioritized list of visual arts projects to be undertaken in any given year with budgets and recommended site and design approach, developed by the Cultural and Fine Arts Commission in conjunction with City officials.
- C. Public Art Fund: a fund within the City of Sonoma into which all monetary contributions for public art work shall be deposited.
- D. Public Art Guidelines: The regulations adopted by the Cultural and Fine Arts Commission and approved by the City Council which establish procedures to carry out

the purpose of this Ordinance. The guidelines shall include but not be limited to criteria for selection of artists and art works, procedures for maintenance of a file of interested artists, procedures for artistic competitions, and requirements for the maintenance of works of art. The Cultural and Fine Arts Commission may amend the guidelines from time to time with the approval of the City Council.

- E. Public Art Master Plan: a planning document including public art policies and guidelines, recommending sites and expenditures for public art work, and describing public art's relationship to the City of Sonoma's General Plan.
- F. Public Art Work: Public art works involve visual artists working through the public art process creating original works in public spaces that include, but are not limited to, paintings, murals, stained glass, fiber work, statues, reliefs or other sculpture, monuments, fountains, arches, or other structures intended for ornament or commemoration, carvings, frescos, mosaics, mobiles, photographs, drawings, collages, prints, crafts other decorative and utilitarian works in clay, fiber, wood, metal, plastics and other materials. Public art work includes media works such as film, video, photo projections, and computer generated artworks. Works of art may be temporary as well as permanent. Public art work projects also include artists serving on design and development teams to identify opportunities to incorporate art in the public space.
- G. Public Development Project: shall include, but not be limited to the construction or remodel of any City-owned building, structure, park, utility, street, sidewalk, or parking facility, or any portion thereof, within the limits of the City of Sonoma.
- H. Public Space: any place or property within the City limits which is open to the general public for its use, or which is in public view, or is generally accessible and visible to the public.
- I. Temporary Installation: artwork that is installed in a given place for a limited time.

19.51.030 FUNDING

- A. Establish a Public Art Fund: The City shall establish a special revenue fund designated as the "Public Art Fund" for the deposit of gifts, bequests to the City for public art work, and other funds for works of art in accordance with the Public Art Program. The Public Art Fund is used exclusively as a means of isolating and identifying all monetary transactions pertaining to the City Public Art Program. Appropriation of funds to support the Public Art Program shall be made to the Public Art Fund, consistent with the City's budget cycle, Capital Facilities Program plan, and major capital projects identified by the City Council.
- B. Public Development Projects: All public City-owned development projects with total building permit valuation costs in excess of \$250,000 shall devote an amount equal to one percent (1 %) of such costs for the acquisition of works of art for placement in the City. For public projects with Federal and/or State match requirements or grant-funded projects, the 1% shall only apply to the City's portion of the project funding.
- C. Annual City Allocation: an amount equal to one-quarter-of-one-percent (.25%) of the City of Sonoma's budgeted General Fund expenditures shall be appropriated annually to the City's Public Art Fund, provided that said appropriation shall be capped at \$25,000 per fiscal year. The City Council reserves the right to waive or reduce the annual allocation if the City's financial situation does not allow for the funding to be set aside. The City Council shall adopt such a waiver or reduction by adopting a resolution setting forth the findings for the waiver.

19.51.040 CULTURAL AND FINE ARTS COMMISSION RESPONSIBILITIES

The Sonoma Cultural and Fine Arts Commission shall:

- A. Establish guidelines to carry out the purpose of the ordinance. The guidelines shall include but not be limited to criteria for selection of artists and artwork, review criteria for proposed gifts of artwork to the city, commercial and industrial development project art

- selection guidelines, procedures for art competitions, and requirements for the maintenance of artwork.
- B. Develop and implement a Public Art Annual Plan for the City of Sonoma in conjunction with City officials.
 - C. Recommend the expenditure of funds for the purchase of public art work or for the commission of design, execution and/or placement of works of art, for maintenance of public art work, and for administration of the Public Art Program.
 - D. Collaborate with City staff in the identification and evaluation of potential sites for exterior artwork.
 - E. Approve artist or artists to be commissioned for a project; artist or artists to develop design proposals for a project; or artist or artists whose existing work is to be selected for a project.
 - F. Approve artist design proposals and sites for permanent public art work.
 - G. Approve design and sites for temporary public art work.
 - H. Appoint panels for the selection of public art work.
 - I. Recommend to the City Council the acceptance or rejection of gifts or loans of public art work.
 - J. Oversee the maintenance, care, and record of the public art work collection.

Section 2. Application. This Ordinance shall apply to any public development project as of the date the Ordinance takes effect.

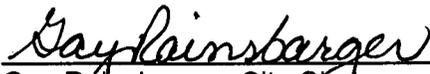
Section 3. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act pursuant to CEQA Guidelines section 15060(c)(2) in that the Council finds there is no foreseeable possibility that the implementation of this ordinance may have a significant effect on the environment.

Section 4. Severability. If any section, subsection, sentence, clause, phrase, or word of this ordinance is for any reason held to be invalid, the validity of the remaining portions of this ordinance shall not be affected.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sonoma this 1st day of April 2009.



 Ken Brown, Mayor

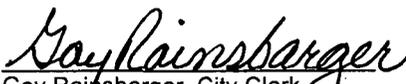
ATTEST:


 Gay Rainsbarger, City Clerk

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

I, Gay Rainsbarger, City Clerk of the City of Sonoma, do hereby certify that the foregoing ordinance was adopted on April 1, 2009 by the following vote:

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



 Gay Rainsbarger, City Clerk

Public Art Policy and Procedures

CITY OF SONOMA CULTURAL AND FINE ARTS COMMISSION

Contents

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 Appendix 3: Ownership and Maintenance
 Appendix 4: Existing Public Artworks in Sonoma

Reasons for the Policy

The purpose of the Public Art Program is to:

1. Enhance the physical and aesthetic environment of the City of Sonoma by commissioning or acquiring works of art for public spaces inside or outside of buildings.
2. Expand people's notion of art by encouraging site-specific works of art that engage the surrounding environment.
3. Integrate the work and thinking of artists into the planning, design, and construction of City facilities, buildings, and public spaces.
4. Celebrate the diverse character of Sonoma.
5. Engage the citizens of Sonoma in creative partnerships with artists.

This policy establishes funding mechanisms, procedures, criteria, roles, and responsibilities for the administration and management of the City of Sonoma Public Art Program.

Policy Statement

In the interest of making public art an integral element of the City of Sonoma built and cultural environment, the City of Sonoma shall establish and maintain a program for the creation and acquisition of public artwork.

The Cultural and Fine Arts Commission will be responsible for the development and maintenance of the Public Art Program, including but not limited to the approval of public art guidelines, policies and procedures, an annual public art plan, commissioned artists and artworks, and art acquisitions.

The Cultural and Fine Arts Commission will report to the City Council annually on the Public Art Program status.

The City of Sonoma will dedicate one percent (1%) of the estimated construction cost of new City owned facilities including buildings, parks, and renovation projects for eligible expenditures of public art. The 1% is based on a calculation of the totals of actual construction costs at the end of the year, which will be deposited into the Public Art Fund. Public art funds will not be included in projects less than \$250,000.

The Cultural and Fine Arts Commission may also seek grants and gifts of public art.

The City of Sonoma will set aside .25% (.0025) of estimated General Fund expenditures annually to create or acquire public art.

Any temporary or permanent works of art installed within the City of Sonoma are subject to City Public Art policies, procedures, and guidelines.

Funding

Public Art Fund

A special fund, designated as the "Public Art Fund," is established for the deposit of gifts, bequests to the City for public art, and other funds for works of art in accordance with the Public Art Program. The Public Art Fund is used exclusively as a means of isolating and identifying all monetary transactions pertaining to the City Public Art Program.

The City Manager, or his or her designee, is the custodian of the Public Art Fund.

A portion of the Public Art Fund shall be appropriated for administrative costs associated with the selection of public art and for maintenance of works of public art.

Staff salaries will not be funded from the Public Art Fund, except for repair and maintenance costs, as noted in the Appropriate Use of Public Art Program Funds section of these Guidelines, if performed by City employees, and as otherwise authorized by the Cultural and Fine Arts Commission in consultation with the City Manager.

Appropriation of funds to support the Public Art Program shall be made to the Public Art Fund, consistent with the City's budget cycle, Capital Facilities Program plan, and major capital projects identified by the City Council.

Funding Basis

All City construction projects with total building permit valuation costs in excess of \$250,000, which are funded after the adoption of the Public Art Ordinance, will contribute to the City's Public Art Fund.

Calculation Base

The amount of the annual appropriation for art shall be equal to .25% of annual General Fund expenditures, capped at \$25,000 in any one budget year, plus one percent (1%) of the estimated construction costs for eligible City construction projects, if allowed by the specified project funding source(s).

Appropriation

At the time a City eligible construction project is proposed, the City staff responsible for preparing the construction budget shall calculate and include a budgeted line item for a contribution to the public art fund. Fund transfers to the Public Art Fund will occur at the end of the project when all construction costs are known.

Combining Funds from Multiple Projects

In general, public art will be installed within or adjacent to the building or place for which the appropriation, bonds, or gift was received, if appropriate. Public art funds received from two or more capital projects may be combined or pooled to acquire or create a single artwork of higher quality or of greater City impact than could be achieved through two or more individual artworks. The Cultural and Fine Arts Commission must approve the combination of funds.

Combining funds affords the opportunity to look at the needs of the City as a whole and use the art monies only for those projects that may have the greatest impact on the community or offer the best opportunities for artist involvement. When appropriate, pooling affords the opportunity for the Cultural and Fine Arts Commission to ensure that art projects are adequately funded. The Cultural and Fine Arts Commission will determine which City construction projects will include an art project.

Appropriate Use of Public Art Program Funds:

1. Selection, acquisition, and installation of artworks;
2. Artist fees, design, planning, and pre-design service contracts and commissions;
3. Expenses for technical assistance provided to artists by architects and/or engineers in order to design, document, and/or certify the artwork;
4. Repair and maintenance of City public artworks benefited by the Public Art Fund;
5. Citizen forums and educational workshops organized to gather information and/or educate about public art and the City's public art collection; and
6. Documentation and public education material for the Public Art Program and public art projects.

Ineligible Costs of Public Art Program Funds:

Appropriations received for public art related to a specific City project may not be used for the following:

1. Artwork that is temporary or installed for a short duration or that has a life expectancy of less than 20 years;
2. Directional elements such as graphics, signage, or color coding, except where these elements are integral parts of a public art project;
3. Art objects that are mass produced and of standard design, such as playground equipment or fountains;
4. Reproduction of original works of art by mechanical or other means, except in cases of film, video, photography, printmaking, or other artistic media;
5. Decorative or functional elements designed by the building architect, except where deemed an integral part of the artist's work;
6. Landscape architecture, except when deemed an integral part of an artist's work.
7. Maintenance of artwork sited on private lands;
8. Artwork submitted by the project architect, landscape architect, or other project consultants;
9. Generally, costs not directly related to selecting, fabricating, and installing the artwork.

Special Situations

Ownership of Artwork

Once installed, all public works of art become the property of the City of Sonoma. The City may remove the artwork from public display, deaccession the artwork, or destroy the artwork. If it shall at any time decide to destroy the artwork, the City shall offer the artist a reasonable opportunity to recover the artwork. If the City causes the distortion, mutilation, or other modification of the artwork that would be prejudicial to the artist's honor or reputation, the artist shall have the right to prevent the City from attributing the authorship of the artwork to the artist. If it proposes to alter the site of the artwork materially and the alteration affects the intended character and appearance of the artwork, the City shall consult with the artist in the planning and execution of any such alteration and shall make a reasonable effort to maintain the integrity of the artwork.

Conflict of Interest of Panelists and Committee Members

Any persons who would receive financial gain from the selection of artists or artworks are ineligible to serve on an Artist Selection Panel. Such persons include gallery dealers, artists' agents, and brokers. Relatives of the Cultural and Fine Arts Commission, or any persons who have a personal relationship with competing artists that could be identified as a conflict of interest, are not eligible to serve on Artist Selection Panels. Any artist selected to serve on the Artist Selection Panel is precluded from having his/her work considered for any public art project during his/her time of service. City of Sonoma staff is ineligible to apply for public art projects or commissions.

MAINTENANCE

Durability and Maintenance Requirements

All permanent public art must be durable and require minimal maintenance. All permanent works of art must have a life expectancy of 20 years or more. An analysis of anticipated maintenance requirements will precede the selection of each public artwork. The projected annual maintenance cost must not exceed five percent (5%) of the replacement value of the artwork.

Deferred maintenance on pre-existing public artworks in the City shall not be borne solely by the Public Art fund.

Responsibilities

City Council

1. Authorize funds for public art.
2. Accept or reject gifts, loans or public art on behalf of the City.

City Manager

1. Approve the amount of each project budget to be designated for public art.
2. Approve the combination of public art funds from two or more projects.
3. Recruit and retain program staff and/or consultants as needed.
4. Notify the Cultural and Fine Arts Commission of the amount of each project budget to be designated for public art.
5. Authorize expenditures from the Public Art Fund.

Cultural and Fine Arts Commission

1. Recommend to the City Manager the amount of each project budget to be designated for public art.
2. Administer the Public Art Program:
 - a. Develop and implement a plan for public art in the City of Sonoma.
 - b. Select artists and commission public artwork, as recommended by the Artist Selection Panel through their artist and artwork selection process.
 - c. Collaborate with City staff in the identification and evaluation of potential sites for exterior artwork.
 - d. Manage the overall processes of artist recruitment, screening, selection, and commissioning of artwork, working with the Artist Selection Panel procedures.
 - e. Coordinate the implementation of the public art projects with the artist, City staff, and the affected user group(s).
 - f. Verify and coordinate permitting requirements with the City Building Department prior to the fabrication of a public art project.
 - g. Monitor maintenance needs and refer maintenance requests to the City Manager. Recommend to the City Manager the combination or pooling of public art funds from two or more capital projects when deemed appropriate.
 - h. Provide annual reports to the City Council on the status of the Public Art Program.
 - i. Develop Public Art Annual Plan.
 - j. Approve artist or artists to be commissioned for the project; an artist or artists to develop design proposals for the project; or an artist or artists whose existing work is to be selected for the project.

- k. Approve artist design proposals.
- l. Approve sites for permanent public artwork.
- m. Artist Selection Panels.
- n. Provide recommendations to the City Council for the acceptance or rejection of gifts, loans or public art.

Artist Selection Panel

1. Recommend to the Cultural and Fine Arts Commission artworks or artists to be commissioned for the project; an artist or artists to develop design proposals for the project; or an artist or artists whose existing work is to be selected for the project.
2. Recommend to the Cultural and Fine Arts Commission artist design proposals.
3. Recommend to the Cultural and Fine Arts Commission sites for permanent public artwork.

Planning Department

1. Collaborate with the Cultural and Fine Arts Commission in the identification and evaluation of sites for exterior artwork.

Public Works Department

1. Work with Cultural and Fine Arts Commission to define site restrictions for public artwork into the design of each project.
2. Work with selected artist to choose and incorporate site requirements for public artwork into the design of each project.
3. Coordinate installation of the artwork with the implementation of building projects.
4. Upon recommendation by the Cultural and Fine Arts Commission, provide routine maintenance, such as dusting and sweeping for interior artwork and groundskeeping for exterior artwork.
5. Upon recommendation by the Cultural and Fine Arts Commission, provide non-routine maintenance services for a fee, which may be charged against the Public Art Fund. Services to be charged to the Fund may include but not be limited to labor, materials and vandalism repair.

Public Art Staff/Consultant

Under the supervision of the City Manager, and with guidance from the Cultural and Fine Arts Commission:

1. Recruit artists, write and disseminate Request for Proposals/Qualifications, and identify appropriate methods for the artist selection process.

2. Identify and recruit panelists for the selection panel.
3. Pre-screen the applicant pool for qualified candidates for review by the selection panel.
4. Schedule and facilitate meetings of the selection panel.
5. Submit the recommendations of the selection panel to the Cultural and Fine Arts Commission for approval.
6. Solicit comments and/or approvals for works of art from appropriate City departments relative to safety and maintenance.
7. Submit comments or recommendations made by City departments to the Cultural and Fine Arts Commission for review and resolution.
8. Convene and facilitate public meetings related to the project.
9. Collaborate with the user group(s) and other City departments to coordinate the roles and responsibilities of the artist, architect, engineers, general contractor, and other professionals involved in a project.
10. Coordinate the design, development, fabrication, and installation of public art with appropriate City departments, including, but not limited to the Planning Department, Building Department and the Public Works Department.
11. Prepare and maintain City Public Art project files.
12. Prepare an annual report to the City Council on the status of the Public Art Program.
13. Manage maintenance of public art and obtain maintenance services from Public Works Department and experts in the field of public art conservation.
14. Coordinate community outreach and education, publications, and promotion of Public Art Program.
15. Coordinate the development of the public art annual plan with appropriate City Planning and Public Works staff and the Cultural and Fine Arts Commission.

Procedures

Selecting Artists

Introduction

The Cultural and Fine Arts Commission will select artists for public art projects via open competition, direct selection, or limited competition/invitational. The actual selection will be made according to the following steps and use the artist selection criteria indicated at the end of this procedure.

The process shall occur during the schematic design phase of a project to which the public art relates and the results reported to the City Council when the schematic design for the project is reviewed and approved by the Council.

Competitive Selection

Artist Selection Panel

Each Artist Selection Panel shall be comprised of a minimum of five (5) voting members, including two (2) members of the Cultural and Fine Arts Commission and one (1) member of the Design Review Board. The remaining members shall include, as applicable, the project architect, and members of the public at large appointed by the Cultural and Fine Arts Commission. Public Art staff/consultant, if any, and City staff shall serve in an advisory capacity to the Panel and artists with respect to the physical opportunities and constraints of the site, the historical background of the department(s) residing in the building where the artwork will occur, and other building design and structural information that may assist the panel in evaluating proposals.

Artist Selection and Design Review Process

The selection process will proceed as follows:

1. The Cultural and Fine Arts Commission shall issue written instructions to Artist Selection Panel members detailing their duties and responsibilities related to the selection.
2. The Panel shall choose one of the methods of selecting artists or artwork listed below.
3. The Panel shall use the credentials, proposals, and/or materials submitted by artists to evaluate them with the Artist Selection Criteria.
4. The Panel shall recommend to the Cultural and Fine Arts Commission an artist or artists to be commissioned for the project; an artist or artists to develop design proposals for the project; or an artist or artists whose existing work is to be selected for the project. In the case where an artist or artists

- have been asked to prepare a specific design proposal, the panel shall review the proposals and shall select the artwork in accordance with the established criteria (Appendices 4 & 5).
5. If a consensus cannot be reached, a vote shall be taken with the majority carrying the decision. Panelists shall each have one vote, and no panelist shall have the right to veto. The panel shall have the option of making no selection.
 6. The panel's recommendation shall be submitted to the Cultural and Fine Arts Commission for approval.
 7. The Cultural and Fine Arts Commission shall review the panel's recommendation and vote to approve, reject, or refer the recommendation back to the Panel for further review with changes recommended by the Commission.
 8. If approved, the Cultural and Fine Arts Commission will direct the artist to commence with the project.
 9. If no selection is recommended, the Cultural and Fine Arts Commission shall determine whether to:
 - a. Initiate a new selection process
 - b. Revise the project
 - c. Abandon the project

a. Methods of Selecting Artists or Artwork

Artists or artwork may be selected for public art projects by one of the following methods:

Open competition

Any professional artist is eligible to participate, subject to limitations established by the Cultural and Fine Arts Commission.

A Request For Qualifications (RFQ) or a Request For Proposals (RFP) shall be developed. The RFQ or RFP shall be distributed as widely as possible through local media, the arts media, and through direct mailings to artists and arts organizations. The RFQ or RFP shall include:

1. A description of the project including its goals and the project parameters, including the characteristics of the site, potential approaches to the project and any physical or legal restrictions that may apply.
2. The anticipated scope of work for the artist.
3. Application procedures, including requested materials, eligibility factors, and timelines.
4. Selection procedures.
5. Criteria for the selection of artist(s) and artwork(s).
6. The project budget.

Direct selection

For public art projects that fall under the budget amount required for a competitive request for proposal (RFP) process pursuant to the City Procurement Policy, the Cultural and Fine Arts Commission may:

1. Select one or more artists to work on the project through direct invitation of qualified candidates by means of direct mailings of the RFQ or RFP, or through phone contact with artists, arts organizations, galleries, or other sources for the purpose of soliciting names of artists to be considered for a project.
2. Develop a short list of qualified artists to present to a selection panel for review and selection of one or more artists for the project. Artist(s) or completed artwork(s) may be chosen directly by the Cultural and Fine Arts Commission upon recommendation from a selection panel.

Any selection for professional services shall be in accordance with the City's Purchasing Ordinance and Procurement Policy.

Limited competition or invitational:

Artists are invited by the Cultural and Fine Arts Commission to submit proposals, a completed artwork, or otherwise participate in a public art project. Applicants may be pre-screened and evaluated relative to the minimum criteria and qualifications outlined in the RFQ or RFP. The Artist Selection Panel reviews the slate of qualified candidates.

b. Artist Selection Criteria

The Artist Selection Panel shall evaluate an artist through consideration of the following criteria:

1. Artistic quality, including excellence in the artwork's craftsmanship, originality in conception, and integrity of the materials used.
2. The appropriateness of the artwork to the surrounding community to include its scale, form, content, and design.
3. The relationship of the artwork to the social and cultural identity of the community where the artwork will occur.
4. The artist's proposed budget and the artist's ability to successfully complete the project on time and within the proposed budget.
5. The artist's proposed materials and their appropriateness to the project as regards structural and surface integrity, protection against theft, vandalism, public safety and weathering, and an analysis of long-term maintenance needs.
6. The artist's proposed method of installation of the artwork and an evaluation of safety and structural factors involved in the installation.

7. The durability of the materials and the projected cost of maintenance of the artwork.
8. Artists will be considered for commission on the basis of their professional qualifications, as demonstrated by past work, relevant professional experience, the appropriateness of a specific proposal to the project goal and parameters, and the probability that the artist can successfully complete the project.
9. Works of art or proposals submitted by the project architect and/or members of the design team and artists who are members of or related to the Cultural and Fine Arts Commission, the Artist Selection Panel or City employees will be excluded from consideration.
10. Artists shall not receive more than two commissions from the City of Sonoma in any five-year period, nor shall artists receive more than one commission in consecutive years. These restrictions shall apply to individual artists, artists who are commissioned as part of a team, and/or any artists who will receive credit for any commissioned project.
11. Artists may be selected on a national or international basis. Though preference may be given to Sonoma County-based artists on any given project, the Cultural and Fine Arts Commission shall encourage a wide diversity in style, scale, and media in public art, and encourages the exchange of ideas and creative skills from all artists.

Identifying Sites for Artwork

At the initiation of schematic design for a project for which exterior artwork is recommended by the Artist Selection Panel, the Cultural and Fine Arts Commission, the selected artist(s), and City staff will collaborate to:

1. Identify possible sites for the artwork and if the artist(s) has been selected, sites for artwork.
2. Evaluate the site, or alternative sites, using the following criteria:
 - a. Visibility and public access to the site
 - b. Interior and exterior traffic patterns to and around the site
 - c. Existing architectural and natural features adjacent to the site
 - d. Existing works of art or design elements within the site's vicinity
 - e. Potential impact of the art on the surrounding environment
 - f. Potential impact of the art on other City departments, residents, and businesses
 - g. Future development potential of the site
 - h. Public safety
 - i. Maintenance requirements
3. Consult with affected City departments.
4. Advise the Cultural and Fine Arts Commission on the development requirements associated with the site.

Based on the preceding evaluation, the Cultural and Fine Arts Commission will approve the site for the artwork.

Appendices

In support of this policy, the following appendices are included:

Appendix 1: Gifts and Loans Policy

Appendix 2: Definitions

Appendix 3: Ownership and Maintenance Policy

Appendix 4: Existing Public Artworks in Sonoma

APPENDIX 1: Gifts and Loans

General

The Gifts and Loans Policy provides a process for the review of proposed gifts and loans of artwork or other artistic objects to the City of Sonoma to be placed on public property, and for the placement, care, and preservation of artwork acquired through this process.

Conditions Governing the Donation of Artwork to the City of Sonoma

Potential donors of artworks must submit the following information to the Cultural and Fine Arts Commission. The Cultural and Fine Arts Commission will review the materials and determine the feasibility of the proposed donation.

- A. Photographs and/or slides of the work of art that depict it from all sides.
- B. A written description of the artwork, including dimensions (height, width, depth and weight), materials used, and any frames, backings, mounts or anchoring systems to be used in installation of the artwork.
- C. A site plan that identifies and describes the proposed site for the artwork which accurately depicts the artwork in relationship to the surrounding environment.
- D. A written description and/or drawing of the proposed method of installation and a timeline for the transportation and installation of the artwork.
- E. An estimated cost for transporting and installing the artwork (to be done at the donor's expense, unless otherwise agreed to by the City of Sonoma).

Review and Acceptance Criteria

Proposed gifts and loans of artwork shall be evaluated by the Cultural and Fine Arts Commission using the following criteria:

- A. An analysis of the relationship of the proposed artwork to its proposed location and its relevance to its primary audience.
- B. An evaluation of the work's artistic and aesthetic quality and integrity, relative to its form, materials, and craftsmanship.
- C. In consultation with City staff, the availability and appropriateness of an acceptable site for the artwork.
- D. An analysis of the financial impact of the proposed gift on the City of Sonoma, including costs related to the insuring of the artwork, any long-term maintenance or conservation costs, and routine operations or maintenance requirements.

Conditions of Acceptance

Conditions governing the exhibition of artwork on City of Sonoma property:

- A. The Cultural and Fine Arts Commission encourages clear and unrestricted gifts to the City of Sonoma. Any conditions or restrictions attached to a gift or loan must be presented to the Cultural and Fine Arts Commission for review and approval. Restrictions and conditions will also be reviewed by City Attorney and/or City insurance entities.

- B. No work of art will be accepted with conditions deemed unacceptable by the Cultural and Fine Arts Commission, nor will any work of art be accepted with a guarantee in perpetuity.
- C. A legal document of transmittal, transferring title or loan of the artwork and defining the rights and responsibilities of all parties, must accompany all gifts of artwork.
- D. The City of Sonoma requires that the creator of the artwork (artist) waive any right to the preservation of the artwork under the conditions set forth in the 1990 Visual Artist's Rights Act. The artist may, however, retain any right to disclaim authorship of the artwork pursuant to any of these Acts. Before any gift is accepted by the City of Sonoma, the artist must acknowledge in writing his/her approval that the City of Sonoma may remove and/or destroy the artwork at its discretion. In the event the City of Sonoma should decide to remove or destroy the artwork, the City of Sonoma will provide the artist with 30 days' notice of its intent to do so. The artist may, upon written approval by the City of Sonoma and at his/her own expense, remove and retain the artwork in lieu of its being destroyed by the City of Sonoma.
- E. The CFAC's role with respect to acceptance of gifts is to provide recommendations to the City Council for the acceptance or rejection of gifts, loans or public art.

Conditions Governing Artwork on Loan to the City of Sonoma

Materials to be Submitted by Lender

Persons or organizations requesting to temporarily exhibit a work of art in or on City-owned property must submit the following:

- A. Photographs and/or slides of the works of art to be exhibited.
- B. A description of the location where the artwork will be exhibited and a written authorization from the City of Sonoma that approves the proposed loan of the artwork in that location.
- C. A written description and/or drawing of the proposed method of installation and a timeline for the transportation and installation of the artwork.

Lender's Agreements

When exhibiting a work of art on City of Sonoma property, the lender must agree in writing to the following:

- A. Unless otherwise agreed to in writing by the City of Sonoma, the lender shall be responsible for all costs associated with the transportation, installation, de-installation, and insurance of the artwork, in accordance with City insurance guidelines.
- B. Upon removal of the artwork, the lender must return the site to its original condition and remove any debris caused by or resulting from the exhibition of the artwork. Such debris includes, but is not limited to, any parts or materials from the artwork purposefully or purposelessly removed from the body of the artwork.
- C. Unless otherwise agreed to in writing by the City, the lender must agree to exhibit the artwork at his/her own risk and to bear the expenses of any losses or damages to the artwork. The lender must agree to hold the City of Sonoma harmless from any and all liabilities or any damages or losses to the artwork.

- D. The lender must agree to produce and display an educational label next to or near the loaned artwork that meets the specifications of CFAC and City staff.
- E. The lender must agree to remove the artwork within three days notice to do so by the City if the artwork becomes damaged or destroyed and/or becomes a danger or visual impediment to the public.

Acceptance of Monetary Gifts for the Acquisition of Artwork

Proposed monetary gifts to the City of Sonoma for the purpose of acquiring artwork shall be referred to the Cultural and Fine Arts Commission for review, with ultimate decision for acceptance to be made by the City Council. Any monetary gifts shall be deposited into the Public Art Fund.

APPENDIX 2: Definitions

Artwork (Works of Art): Original and unique creations in visual media produced by or under the control of practitioners generally recognized by their peers and critics as professional artists including, but not limited to:

- two-dimensional media such as graphics, calligraphy, drawing, painting, photography, collage, and printmaking and including both portable and permanently installed work (such as murals);
- three-dimensional sculptural media including work in relief, in the round, assemblages, constructions, and landscape environments;
- crafts and folk arts in clay, fiber, textiles, glass, wood, metal, stone, masonry, mosaics, and plastic;
- building and landscape features such as grates, lights, floors, and seating in unique or limited editions produced under the control of an artist;
- electronic media, including works such as film, video, photo projections, sound, light and computer generated artworks produced under the control of the artist.

Artist Selection Panel: Each Artist Selection Panel shall be comprised of a minimum of five (5) voting members, including two (2) members of the Cultural and Fine Arts Commission and one (1) member of the Design Review Board. The remaining members shall include, as applicable, the project architect, and members of the public at large appointed by the Cultural and Fine Arts Commission.

City: City of Sonoma.

Commission: Sonoma Cultural and Fine Arts Commission.

Commissioner: an individual appointed to serve on the Sonoma Cultural and Fine Arts Commission.

Construction: is the installation, alteration, repair or improvement of any public structure, road, building or other public improvement of any kind. For City construction projects that do not involve the construction of buildings, such as sidewalks, "construction" shall have its usual and customary meaning.

City Construction Project: any construction project that is paid for or funded wholly or in part by the City.

Council: Sonoma City Council.

Cultural and Fine Arts Commission: the standing City of Sonoma Commission responsible for matters relating to the enactment of the City of Sonoma Public Art Policy. The Cultural and Fine Arts Commission's purpose and role is defined in the Sonoma Municipal Code.

Estimated Construction Costs: the estimated value of construction contracts for a city construction project included in the budget submitted to the Sonoma City Council for the purpose of determining the one percent (1%) allocation for public art. "Estimated Construction Costs" shall not include the cost of sales tax, demolition, site preparation, property acquisition, financing, furnishings, fixtures, and equipment, design services, and environmental assessment and/or remediation and other similar costs associated with the project.

Public Art Fund: a fund within the City of Sonoma into which all monetary contributions for public art shall be deposited. Should the Public Art Fund be discontinued by act of the City Council, all remaining funds shall be deposited into the General Fund of the City.

Public Art: original visual creations, which are sited in a manner accessible and visible to the public.

Public art collection: any work of art, which has been accepted by the Sonoma Cultural and Fine Arts Commission into the collective body of artwork owned by the City.

Permanent Installation: artwork or art place with a permanent site as opposed to a temporary site. Permanent is considered at least 20 years in duration.

Public Art Master Plan: a planning document including public art policies and procedures as well as recommended sites and expenditures for public art and public art's relationship to the City of Sonoma's General Plan.

Public Art Projects: projects which involve visual artists working through the public art process that result in the creation of original works in public spaces that include, but are not limited to, paintings, murals, stained glass, fiber work, statues, reliefs or other sculpture, monuments, fountains, arches, or other structures intended for ornament or commemoration, carvings, frescos, mosaics, mobiles, photographs, drawings, collages, prints, crafts other decorative and utilitarian in clay, fiber, wood, metal, plastics and other materials. Public art includes media works such as film, video, photo projections, and computer generated artworks. Works of art may be temporary, as well as permanent. Public art projects also include artists serving on design and development teams to identify opportunities to incorporate art in the public space.

Public Art Annual Plan: a prioritized list of visual arts projects to be undertaken in any given year with budgets and recommended site and design approach, developed by the Cultural and Fine Arts Commission in conjunction with the City staff.

Public Places: all publicly- and privately-owned spaces, indoor and outdoors, which are generally accessible to the public.

Temporary Installation: artwork that is installed in a given place for a limited time, generally up to three months.

Visual Art Professional: any of the following who is respected in his/her field and knowledgeable about contemporary visual art: artist, curator, art critic, art historian, architect, landscape architect, urban designer.

APPENDIX 3: Ownership and Maintenance

Unless otherwise agreed, routine maintenance of the artwork shall be determined by the City Manager in consultation with the Public Works Director. Routine maintenance shall include such tasks as dusting, sweeping, and other such activities. The Cultural and Fine Arts Commission will notify the City Manager of the definition and procedures of routine maintenance. Extraordinary maintenance and/or conservation of the artwork shall be defined and determined by the Cultural and Fine Arts Commission.

Any proposed work of art, which is deemed by the Cultural and Fine Arts Commission to require extraordinary operations or maintenance on the part of the City, is subject to review by the City Manager.

Public Art Program staff, in consultation with the City Manager and Public Works Department staff, shall develop an annual maintenance needs survey of the public art collection and shall determine appropriate budgets and procedures for the care and maintenance of the collection.

APPENDIX 4: Existing Public Artworks in Sonoma

Both privately and publicly held (not limited to City ownership or responsibility).

Public Collection

Title: Untitled

Artist: Jan Hansen

Media: tile mural

Dimensions:

Date: 2002

Commission Amount: \$25,000

Commissioned by: City of Sonoma

Location: Sonoma Fire Station, Second Street West

Title: Star of Honor

Artist: Robert Behrens

Media: granite, water, concrete

Dimensions: various

Date: 2004

Commission Amount: \$500,000

Commissioned by: Private donations

Location: Veterans' Cemetery, First Street West

Title: Bear Flag Monument

Artist: John A. MacQuarrie

Media: bronze

Dimensions: sculpture: 8x6x3', base: 9x9x9'

Date: 1914

Commission Amount: unknown

Commissioned by: unknown

Location: Sonoma Plaza

School District

Title: unknown (dragon sculpture)

Artist: Abe Singer

Media: steel

Dimensions: unknown

Date: 2005

Commission Amount: unknown

Commissioned by: unknown

Location: Sonoma Valley High School, Chet Sharek Plaza

Title: unknown

Artist: Marsha Klein

Media: Painted mural
Dimensions: unknown
Date: 2004
Commission Amount: unknown
Commissioned by: unknown
Location: Sassarini Elementary School

Title: unknown
Artist: Diane Egger-Bovet
Media: tile murals
Dimensions: unknown
Date: 2000
Commission Amount: unknown
Commissioned by: unknown
Location: Prestwood Elementary School

Title: unknown
Artist: Janey Mulas
Media: tile murals
Dimensions: unknown
Date: 2000
Commission Amount: unknown
Commissioned by: unknown
Location: Prestwood Elementary School

Private

Title: Untitled
Artist: Gayle Manfre
Media: painted mural
Dimensions: 13 fence panels, approximately 6'x3' each
Date: 1999-2005
Commission Amount: \$13,000
Commissioned by: Sonoma Valley Inn
Location: City walkway fence adjacent to Sonoma Valley Inn

Title: Untitled
Artist: Claudia Wagar
Media: painted mural
Dimensions: 16'x8'
Date: 1989-90
Commission Amount: \$5,000
Commissioned by: Art Fichtenberg
Location: Mercato 1 Building, 452 First Street East

Title: Untitled

Artist: Steffan Gold (restored three times by Foster and Kleiser)

Media: painted mural

Dimensions: approximately 42' long

Date: 1976

Commission Amount: unknown

Commissioned by: Cuneo Family

Location: 500 East Napa Street (facing Broadway)



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4A

Meeting Date: 05/21/2012

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Proclamation in Recognition of Ben Flajnik.

Summary

Mayor Sanders and Mayor Pro Tem Brown requested a proclamation to recognize Ben Flajnik, star of the ABC's top rated reality show "The Bachelor".

Recommended Council Action

Mayor Sanders to present the proclamation to Mr. Flajnik.

Alternative Actions

Council discretion

Financial Impact

n/a

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

1. Proclamation
-

Copy to: Ben Flajnik - via email

City of Sonoma



Proclamation

IN RECOGNITION OF BENJAMIN FLAJNIK

WHEREAS, Benjamin (Ben) Flajnik, raised in Sonoma, had an innate entrepreneurial spirit and an irrepressible urge to dream big and make music. Following a colorful, fun and memorable childhood in Sonoma, Ben pursued Music Production at University of Arizona and became an accomplished musician; and

WHEREAS, While still playing and making music, Ben established an internet advertising company in San Diego but could never quite shake the desire to make wine and in 2008 established Envolve Winery in Sonoma with his childhood friend; and

WHEREAS, In his 28th year, Ben appeared in ABC's "The Bachelorette" and the following year (2012), he starred in ABC's top rated reality show "The Bachelor", some of which was filmed in the Sonoma area; and

WHEREAS, Sonoma is proud of Ben Flajnik and wishes to acknowledge his life, his successes, and his contributions to the community; and

WHEREAS, Filming portions of "The Bachelor" in Sonoma brought with it an injection of revenue benefiting the local economy as well as bringing international exposure to our wonderful little City; and

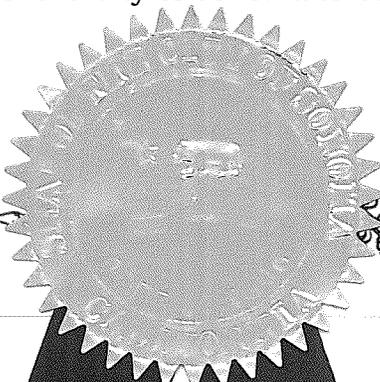
WHEREAS, The show, viewed by millions of viewers around the world, provided a look into the City of Sonoma and served as a marketing blitz worth an untold amount of money; and

WHEREAS, The City will benefit from the exposure for years to come.

NOW, THEREFORE, I, Joanne Sanders, Mayor of the City of Sonoma, and on behalf of the citizens of Sonoma, congratulate Ben Flajnik on his successes and extend our sincere appreciation and gratitude for the role he has played in bringing glimpses of the City of Sonoma into the homes of millions of viewers; and do also extend our best wishes to him in all his future endeavors.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sonoma to be affixed this 21st day of May 2012.

JOANNE SANDERS, MAYOR





City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4B

Meeting Date: 5/21/12

Department

Administration

Staff Contact

Linda Kelly, City Manager

Agenda Item Title

Sonoma International Film Festival 2012 – Wrap up Presentation

Summary

Mayor Sanders has requested a presentation regarding a wrap-up of the 15th Annual Sonoma International Film Festival which took place April 11-15. Film Festival Executive Director Kevin McNeely is scheduled to provide a presentation to the Council.

Recommended Council Action

Receive 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:

cc:



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5B

Meeting Date: 05/21/2012

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Approval and Ratification of the Appointment of Nellie Cravens to the Cultural and Fine Arts Commission for a two-year term.

Summary

The Cultural and Fine Arts Commission (CFAC) consists of seven members and one alternate. A minimum of five of the regular members and the alternate must be City residents. Appointments are made when a nomination made by the Mayor is ratified by the City Council.

This appointment will be to fill the position vacated by Kathy Swett upon completion of eight years on the Commission.

Mayor Sanders has nominated Nellie Cravens, the current CFAC Alternate, for appointment to an initial two-year term ending.

Recommended Council Action

Approve and ratify the appointment.

Alternative Actions

Council discretion.

Financial Impact

N/A.

Environmental Review

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

Status

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

Attachments:

None

cc:

Nellie Cravens via email



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5C

Meeting Date: 05/21/2012

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Request by the American Legion Post 489 for City-subsidized use of the Sonoma Valley Veterans Memorial Building for one day on November 3, 2012.

Summary

In 1991 the City entered into a Development and Use Agreement with Sonoma County to undertake a major renovation of the Sonoma Valley Veterans Memorial Building. The agreement also provided that the City would pay the County \$10,000 annually to offset operational expenses and in return the City would be allowed use of the facility up to twenty times per fiscal year. Through the years, the City developed a program whereby many, if not all, the City's allocated days were assigned to local students and non-profit or charitable organizations. In June 2010, the City Council approved a three-year extension of the agreement.

The American Legion Post 489 requested City-subsidized use of the Veteran's Building on November 3, 2012 for their annual Dance for the Troops fundraiser.

If all three requests on the May 21 Consent Calendar are approved, the City will have fifteen allocated days remaining for the fiscal year ending June 30, 2013.

Recommended Council Action

Approve the request subject to applicant's compliance with the City's standard insurance requirements.

Alternative Actions

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

Financial Impact

The City pays \$10,000 annually to the County in return for the use of the Veteran's Building for twenty days throughout the year. The value of each City-subsidized day provided to an outside organization is \$500.

Environmental Review

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

Status

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

Attachments:

Request from Gary Magnani

cc: Gary Magnani via email

Gay Johann

From: American Legion Sonoma, CA <post489@hotmail.com>
Sent: Friday, May 11, 2012 1:09 PM
To: Gay Johann
Subject: RE: Free dates

Hi Gay,
Thanks for letting me know my requests did not reach you.

1. American Legion
4th annual Dance for the Troops
November 3, 2012, Saturday, 6pm to 10pm
Raise funds for care packages to send to Afghanistan hospital, troops and other active duty military installations (\$20K + last 3 yrs)
Live music, appetizers, no host bar, live and silent auction

2. Native Sons of the Golden West
9th annual Surf & Turf
January 26, 2013, Saturday, 6pm to 10pm
Raise funds to award scholarships to graduating SVHS seniors (\$70K + last 8 yrs)
Live music, rib eye steak, prawns, no host bar and live auction

Thanks Gay...Please let me know if more information is needed.
Gary
996-8386

From: gjohann@sonomacity.org
To: ken@bearflagsocialclub.com
CC: post489@hotmail.com
Subject: RE: Free dates
Date: Wed, 9 May 2012 23:35:52 +0000

Gary, I don't have any requests for rent subsidy from you pending. Can you send the information to me? I would be happy to get it on the next Council agenda if I have the info by next Monday.

Thanks,
Gay

Gay Johann, MMC
City Clerk/Assistant to the City Manager
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476
707-933-2216
707-938-2559 Fax
www.sonomacity.org

From: Ken Brown [<mailto:ken@bearflagsocialclub.com>]
Sent: Wednesday, May 09, 2012 4:29 PM



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5D

Meeting Date: 05/21/2012

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Request by the Native Sons of the Golden West for City-subsidized use of the Sonoma Valley Veterans Memorial Building for one day on January 26, 2013.

Summary

In 1991 the City entered into a Development and Use Agreement with Sonoma County to undertake a major renovation of the Sonoma Valley Veterans Memorial Building. The agreement also provided that the City would pay the County \$10,000 annually to offset operational expenses and in return the City would be allowed use of the facility up to twenty times per fiscal year. Through the years, the City developed a program whereby many, if not all, the City's allocated days were assigned to local students and non-profit or charitable organizations. In June 2010, the City Council approved a three-year extension of the agreement.

The Native Sons of the Golden West requested City-subsidized use of the Veteran's Building on January 26, 2013 for their annual Surf & Turf fundraiser.

If all three requests on the May 21 Consent Calendar are approved, the City will have fifteen allocated days remaining for the fiscal year ending June 30, 2013.

Recommended Council Action

Approve the request subject to applicant's compliance with the City's standard insurance requirements.

Alternative Actions

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

Financial Impact

The City pays \$10,000 annually to the County in return for the use of the Veteran's Building for twenty days throughout the year. The value of each City-subsidized day provided to an outside organization is \$500.

Environmental Review

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

Status

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

Attachments:

Request from Gary Magnani

cc: Gary Magnani via email

Gay Johann

From: American Legion Sonoma, CA <post489@hotmail.com>
Sent: Friday, May 11, 2012 1:09 PM
To: Gay Johann
Subject: RE: Free dates

Hi Gay,
Thanks for letting me know my requests did not reach you.

1. American Legion
4th annual Dance for the Troops
November 3, 2012, Saturday, 6pm to 10pm
Raise funds for care packages to send to Afghanistan hospital, troops and other active duty military installations (\$20K + last 3 yrs)
Live music, appetizers, no host bar, live and silent auction

2. Native Sons of the Golden West
9th annual Surf & Turf
January 26, 2013, Saturday, 6pm to 10pm
Raise funds to award scholarships to graduating SVHS seniors (\$70K + last 8 yrs)
Live music, rib eye steak, prawns, no host bar and live auction

Thanks Gay...Please let me know if more information is needed.
Gary
996-8386

From: gjohann@sonomacity.org
To: ken@bearflagsocialclub.com
CC: post489@hotmail.com
Subject: RE: Free dates
Date: Wed, 9 May 2012 23:35:52 +0000

Gary, I don't have any requests for rent subsidy from you pending. Can you send the information to me? I would be happy to get it on the next Council agenda if I have the info by next Monday.

Thanks,
Gay

Gay Johann, MMC
City Clerk/Assistant to the City Manager
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476
707-933-2216
707-938-2559 Fax
www.sonomacity.org

From: Ken Brown [<mailto:ken@bearflagsocialclub.com>]
Sent: Wednesday, May 09, 2012 4:29 PM



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5E

Meeting Date: 05/21/2012

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Approval of the Minutes of the May 7, 2012 Meeting.

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

DRAFT MINUTES

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

Community Meeting Room, 177 First Street West

Monday, May 7, 2012

5:30 p.m. Closed Session (Special Meeting

6:00 p.m. Regular Meetings

MINUTES

City Council

Joanne Sanders, Mayor

Ken Brown, Mayor Pro Tem

Steve Barbose

Laurie Gallian

Tom Rouse



5:30 P.M. – SPECIAL MEETINGS - CLOSED SESSION

1. CALL TO ORDER

At 5:30 p.m. Mayor Sanders called the meeting to order. No one from the public was present to provide public testimony on closed session items. The Council recessed into closed session with all members, except Clm. Rouse, present. City Manager Kelly and Assistant City Attorney Abaci were also present for Item 2A. Assistant City Manager Giovanatto joined the meeting for Item 2B.

2. CLOSED SESSION

ACTING AS THE CITY COUNCIL:

Item 2A: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.
Significant exposure to litigation pursuant to subdivision (b) of Government Code §54956.9: (one potential case)

ACTING AS THE CITY COUNCIL AND THE CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE DISSOLVED SONOMA COMMUNITY DEVELOPMENT AGENCY:

Item 2B: CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION.
Initiation of litigation pursuant to Cal. Gov't Code section 54956.9(c): one potential case

6:00 P.M. – REGULAR MEETING

The City Council reconvened in open session and Mayor Sanders called the meeting to order at 6:00 p.m. Clm. Barbose led the Pledge of Allegiance.

PRESENT: Mayor Sanders and Councilmembers Barbose, Brown, and Gallian
ABSENT: Clm. Rouse

ALSO PRESENT: City Manager Kelly, Assistant City Manager Giovanatto, City Clerk Johann, Assistant City Attorney Abaci, Planning Director Goodison, Public Works Director Bates.

REPORT ON CLOSED SESSION - Assistant City Attorney Abaci reported that no action was taken regarding Closed Session Item 2A. Regarding Closed Session Item 2B, the Council, Acting as the Successor Agency, by a vote of 4-0 voted to appeal the Department of Finance

decision not to approve the Recognized Obligation Payment Schedule for the first six months of the year.

1. COMMENTS FROM THE PUBLIC

Bonnie Krupp stated that the City's leaf blower regulations should include a homeowner medical exception (to the hours of operation) and reported that landscaping company owners were not displaying their company name on their vehicles as required by the ordinance.

Students Francesca Pharo and Gracie Vollert stated that due to budget cuts all middle school sports programs had been canceled for the next school year. They reported that a group called Save our Sports (SOS) had been formed and were conducting fundraising events so the sports programs could be reinstated at Adele Harrison and Altimira Middle Schools. They asked the public to make donations and/or attend one of the many fund raising events. Joanna Greenslade added that they needed to raise at least \$52,000.

Herb Golenpaul reported on the Safe Boating Week activities and announced that he had been certified as a Coastguard Auxiliary Crewmember.

Amy Miller stated that the Transcendence Theatre Company (TTC), a professional regional theatre company, had recently located in Sonoma. She reported they were producing Broadway concerts and musicals at the Jack London State Historic Park. TTC's Inaugural 2012 Summer Festival would include a series of "Broadway Under The Stars" Concerts along with community service, engagement, and education programs throughout the entire Sonoma Valley. Ms. Miller requested a place on a future Council agenda to make a ten-minute presentation about the company. Mayor Sanders invited Ms. Miller to contact her to discuss the request.

Stephan Stubbins, a member of TTC, sang "A Never Never Land" to the enjoyment of all.

Bob Parmelee asked when the City would get the \$250,000 promised for taking on the Successor Agency responsibility.

Harry Blum stated that Sonoma Valley Sun FM and TV were conducting their annual membership drive and encouraged everyone to help them with their fundraising efforts.

Toni Castrone, Sonoma Community Center, stated appreciation for all City employees and said it had been an honor to host an ice cream party for them.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

Clm. Brown thanked the Community Center for hosting the ice cream party for City employees and announced he would be holding office hours every Tuesday during Farmers Market.

Clm. Gallian reported she joined the 350 Garden Challenge.

Clm. Barbose reminded everyone of next weekend's Sonoma Gran Fondo cycling event.

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

City Manager Kelly introduced Assistant City Attorney Abaci and reported that the agenda had been amended last Friday by the addition of Item 6B. The next meeting of the Oversight Board would be held May 9 at 5:00. She stated that Public Works Director Bates would be in contact with Ms. Krupp regarding her concerns related to the leaf blower ordinance. In response to the question posed by Mr. Parmelee, City Manager Kelly stated that the \$250,000 administrative allocation, listed in the Recognized Obligation Payment Schedule, had not been challenged by the Department of Finance; however staff had no idea when the funds would be allocated.

4. PRESENTATIONS

Item 4A: Proclamation declaring May 10, 2012 Bike to Work Day

Mayor Sanders donned her bike helmet and presented the proclamation to Sandra Lupien and Jeffrey Montague of the Sonoma County Bicycle Coalition. She stated her appreciation for the coalition and urged all children to wear their bicycle helmets. Ms. Lupien announced the many events planned around Bike to Work Day. Mr. Montague thanked the Council for collaborating with them in helping make Sonoma bicycle friendly.

Item 4B: Proclamation for National Public Service Recognition Week, May 6-12, 2012

Mayor Sanders stated her appreciation for all public employees and thanked City Manager Kelly for her leadership. City Manager Kelly accepted the proclamation on behalf of the employees and stated that she had a great team to work with.

5. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

Item 5A: Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only.

Item 5B: Approval of the Minutes of the January 12, 2012, January 30, 2012, February 22, 2012, February 22, 2012 Special, and April 16, 2012 Meetings.

Item 5C: Approval and ratification of the appointment of Bryce E. Letcher to the Countywide Bicycle & Pedestrian Advisory Committee for a two-year term.

Item 5D: Adoption of resolution adopting terms and conditions of employment for non-represented confidential personnel and for executive, management and administrative personnel. (removed from consent, see below)

Item 5E: Approve Pets Lifeline 30th Anniversary special event application and authorize suspension of enforcement of Sonoma Municipal Code 8.12.040 (prohibiting dogs in public parks) at Depot Park July 28, 2012 from 8:00 a.m. - 5:00 p.m.

Item 5F: Authorize Request for Proposals for issuance of Pension Obligation Bonds.

Item 5G: Adoption of a resolution denying the appeal of Kevin and Bernadette Calhoun regarding Planning staff's interpretation of the provisions of an easement pertaining to 19725 Seventh Street East (confirming the City Council action of April 16, 2012).

Mayor Sanders removed Consent Item 5D and invited comments from the public. Bryce Letcher stated he hoped Council approved his appointment to the Bicycle Advisory Committee.

It was moved by Clm. Gallian, seconded by Clm. Brown, to approve the Consent Calendar except for Item 5D. The motion carried unanimously except that Sanders abstained from voting on Item 5G and the April 16, 2012 minutes, Clm. Rouse was absent.

Referencing Item 5E, Clm. Barbose thanked Nancy King and Bob Edwards for their continued efforts towards making the City more dog friendly.

Mayor Sanders stated that she had known Mr. Letcher for a number of years and that he was a very enterprising young man with his own bicycle touring business. Clm. Brown thanked Mr. Letcher for stepping forward. Mayor Sanders stated that she pulled Item 5D because she wanted to defer action until the Council had a chance to discuss the future salary and benefit package in Closed Session. City Manager Kelly stated that could be scheduled in June when there would be a full Council present.

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

Item 6A: Approval of the portions of the Minutes of the January 12, 2012, January 30, 2012, February 22, 2012, February 22, 2012 Special, and April 16, 2012 City Council / Successor Agency Meetings pertaining to the Successor Agency.

It was moved by Clm. Gallian, seconded by Clm. Brown, to approve Consent Item 6A. The motion carried unanimously except that Sanders recused on the April 16, 2012 minutes. Clm. Rouse was absent.

Item 6B: Authorization for Successor Agency to enter into an agreement with Marilyn Pinelli Gallagher Trust, on behalf of Royal Crown Cleaners, for groundwater monitoring wells associated with 32 Patten Street, Sonoma.

City Manager Kelly reported that the property located at 32 Patten Street was once the location of underground fuel storage tanks and had been the subject of groundwater monitoring for several years. The Sonoma County Department of Health Services had approved a Remedial Action Completion Certification pending proper destruction of the monitoring wells and soil vapor probes and had also indicated that the owners of the dry cleaner site (Royal Crown Cleaners) on Broadway might want to assume ownership/responsibility for selected monitoring wells. Representatives of Royal Crown Cleaners were drafting an agreement and staff was requesting authorization for the Successor Agency to enter into an agreement in a form acceptable to City staff and the City Attorney.

It was moved by Clm. Gallian, seconded by Clm. Barbose, to grant authorization as requested. The motion carried unanimously, Rouse absent.

7. PUBLIC HEARING – None Scheduled

8. REGULAR CALENDAR – CITY COUNCIL

Item 8A: Conduct of public meeting to allow public testimony regarding the proposed new assessment upon the formation of the Sonoma Tourism Improvement District.

City Manager Kelly reported that the City Council, at the April 2, 2012 meeting, adopted a Resolution of Intention to form a Tourism Improvement District (TID) for a period of three years (July 1, 2012 – June 30, 2015). Following the meeting of April 2, notices regarding the Public Meeting of May 7, 2012 and the Public Hearing of June 18, 2012 were mailed to all lodging establishments in City limits in accordance with the law governing the formation of Tourism Improvement Districts. She stated that Council was not being asked to make any decisions; that the purpose of the public meeting was to allow public testimony regarding the proposed new assessment of 2% on all overnight stays in the City of Sonoma lodging establishments (hotels, bed and breakfast inns and vacation rentals).

Clm. Barbose asked how secure the funding from the Successor Agency for the visitor Bureau was. City Manager Kelly stated that the Recognized Obligation Payments (ROPS) would be submitted and approved every six months. She added that the contract with the Visitor Bureau would expire in 2016 and that at this time, the State Department of Finance was not challenging the contract. City Manager Kelly reported that the TID proponents were willing to include a mechanism in their Management Plan to alleviate the funding uncertainty for the Visitor Bureau.

City Manager Kelly then provided an electronic presentation outlining details of the proposed TID. She pointed out that the final decision on the TID would not take place until after the June vote on the City's Sales Tax measure.

Clm. Barbose asked if the TID could underwrite special events or festivals. City Manager Kelly stated that event promoters could make requests directly to the TID Board. She acknowledged that the TID funds could be used for marketing purposes but it was unclear if they would be able to underwrite an event.

Mayor Sanders invited comments from the public.

Bob Edwards stated his opposition to the proposed TID. He stated the Council should instead raise the Transient Occupancy Tax (TOT) and use the funds; but if they moved ahead with the TID they should require the agreement (between the TID and the City) be in front of them and the agreement should include credible benchmarks. He asked that his comments and written correspondence be made part of the record. Attorney Abaci responded that this was a fairly informal process and there was no administrative record.

Bill Blum, MacArthur Place, stated the TID was not a tax; it was a self-assessment for the purpose of promoting overnight business. The beneficiaries would be the local businesses and the City.

Fran Meininger said she was representing sole proprietor retail and stated that small businesses benefited greatly from the Visitor Bureau marketing efforts.

Byron Jones, owner of vacation rentals and President of the Bed and Breakfast Organization, stated his support for the TID.

Doug McKesson said the TID was a great idea and the City would be the winner.

Bryan Smucker stated that he owned a store in St. Helena and one in Sonoma and he could attest to the value of the marketing done by the Sonoma Valley Visitor Bureau.

Herb Golenpaul said it was a tax no matter what you call it. He did not support the TID and suggested the Council raise the TOT instead.

Dan Parks, Inn at Sonoma, said the concept was not to advertise the hotels; it was to promote Sonoma as a tourist destination.

Cllm. Brown stated his firm belief that the proposed TID would affect the potential for the Sales Tax measure to pass. He said he would adamantly encourage the Council to require that the agreement between the City and the TID be reviewed before approval of the TID.

Cllm. Gallian asked if a member of the public wanted additional information, whom would they contact. City Manager Kelly said to refer them to her.

Cllm. Barbose agreed that the agreement should be considered concurrently with approval of the TID. He stated his continued support for moving ahead and pointed out that the hoteliers had said they would support a TOT increase if the City needed to go that route.

Mayor Sanders stated that the various types of businesses showing support was significant. She stated that Sonoma had managed to keep taxes down and had the lowest rates in the County.

City Manager Kelly reported that the next step in the process would be a public hearing on June 18, 2012. She said the public hearing would provide another opportunity to receive public input on the proposed Resolution of Formation and; per Council's direction, staff would bring the agreement between the TID and the City for Council's concurrent consideration.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

There were no items for consideration.

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Cllm. Brown reported that the Friends of the Library and the Library Advisory Board announced a formal open house and unveiling of the newly renovated library would be held June 23, 2012. They had expressed special appreciation to Development Services Director Wirick and Public Works Director Bates for their cooperation during the library renovation. Cllm. Brown reported that the Fire Oversight Board heard that the department experienced a 10% increase in call volume.

Mayor Sanders requested press coverage of the Fire Oversight Board meetings.

Cllm. Gallian reported on the Water Advisory and the Ag and Open Space Committee meetings.

Cllm. Barbose reported on the North Bay Watershed Association meeting where they discussed the Napa River restoration project.

Mayor Sanders reported that on a recent trip to Washington DC she met with our Congressman and brought up the conflicts between Federal and local regulations relating to disposal of medications.

Item 10B: Final Councilmembers' Remarks.

Clm. Barbose reported that he joined Sonoma County Regional Parks Foundation and encouraged others to join and support the local parks.

Mayor Sanders reminded everyone to wear their bike helmets and reported that she was able to assist a very ill resident, John McKindley, in hooking up with Vet Connect.

11. COMMENTS FROM THE PUBLIC

Herb Golenpaul suggested that everyone get their wills and/or trusts in order and reported that he would be buried in the Veterans Cemetery in Dixon at no cost to himself.

12. ADJOURNMENT

The meeting was adjourned at 8:10 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 2012.

Gay Johann, MMC
City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5G

Meeting Date: 05/21/2012

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Request by the Veterans of Foreign Wars for City-subsidized use of the Sonoma Valley Veterans Memorial Building for one day on September 8, 2012.

Summary

In 1991 the City entered into a Development and Use Agreement with Sonoma County to undertake a major renovation of the Sonoma Valley Veterans Memorial Building. The agreement also provided that the City would pay the County \$10,000 annually to offset operational expenses and in return the City would be allowed use of the facility up to twenty times per fiscal year. Through the years, the City developed a program whereby many, if not all, the City's allocated days were assigned to local students and non-profit or charitable organizations. In June 2010, the City Council approved a three-year extension of the agreement.

The Veterans of Foreign Wars requested City-subsidized use of the Veteran's Building on September 8, 2012 for their All American Car Show fundraiser.

If all three requests on the May 21 Consent Calendar are approved, the City will have fifteen allocated days remaining for the fiscal year ending June 30, 2013.

Recommended Council Action

Approve the request subject to applicant's compliance with the City's standard insurance requirements.

Alternative Actions

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

Financial Impact

The City pays \$10,000 annually to the County in return for the use of the Veteran's Building for twenty days throughout the year. The value of each City-subsidized day provided to an outside organization is \$500.

Environmental Review

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

Status

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

Attachments:

Request from Dan Parker
The Traveling Wall Flyer

cc: Dan Parker via email



May 14, 2012

Ms. Gay Johann
City Clerk
c/o City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476

Re: Rent Subsidy

Dear Gay:

Bear Flag Post 1943 requests the city council take into consideration granting a rent subsidy day for our All American Car Show to be held at the Veterans building September 8, 2012 from 8:00 AM-5:00 PM.

Proceeds from the car show will go to support bringing the Cost of Freedom Tribute to Sonoma this November and to help fund our youth programs.

I have attached a copy of the rental agreement with the county and the Cost of Freedom Tribute program schedule and flyer which the car show will help fund.

Please email me with any questions you may have or you can reach me by phone at 775.7972.

Thank you for your help.

Best regards,

A handwritten signature in black ink, appearing to read "Dan Parker", is written over the "Best regards," text.

Dan Parker
Commander

Cost of Freedom Tribute

featuring

THE TRAVELING WALL



November 7-11, 2012

Nov. 7~Welcome Escort, 3-5 PM

Nov. 8~Opening Ceremony, 1:00 PM

Nov. 9~Law Enforcement & Firefighter
Recognition Day

Nov. 10~Veterans Day Celebration

Nov. 11~Veterans Day Observance

Sonoma Veterans Hall

126 First Street West

- Exhibits Open 24Hrs/Day
- Events and Ceremonies
- Flyover
- Distinguished Speakers
- 80% Scale Vietnam Wall
- Military & First Responder Display



www.VFWpost1943.org

707.938.3543

AVTT is an outdoor, handicap accessible event.





City of Sonoma
City Council/Successor Agency
Agenda Item Summary

City Council Agenda Item: 6A

Meeting Date: 05/21/2012

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Approval of the portions of the Minutes of the May 7, 2012 City Council / Successor Agency Meetings pertaining to the Successor Agency.

Summary

The minutes have been prepared for Council review and approval.

Recommended Council Action

Approve the minutes.

Alternative Actions

Correct or amend the minutes prior to approval.

Financial Impact

N/A

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

See Agenda Item 5E for the minutes



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8A

Meeting Date: 5/21/12

Department

Administration

Staff Contact

Linda Kelly, City Manager

Agenda Item Title

Discussion, consideration, and possible direction to staff regarding the City's Economic Development Program and the Sonoma Valley Economic Development Partnership

Summary

Since 2004, the City of Sonoma has approached economic development through a partnership concept, realizing regional economies of scale and working in conjunction with the Sonoma Valley Chamber of Commerce and the Sonoma County Community Development Commission, contributing to a Valley-wide economic development effort. The partnership has evolved and currently, support for the partnership is provided as follows:

- City of Sonoma (former redevelopment funding): \$69,360
- Sonoma County (former redevelopment funding): \$15,640
- SV Chamber of Commerce: (in-kind support)

Total Budget: \$85,000

The Partnership has been very successful, has won multiple awards and has been emulated in other jurisdictions. The value of the Partnership is clear, and is not at issue; however, the traditional funding for the program has come to an end with the dissolution of redevelopment, and thus a new model for funding this critical program must be found.

The City of Sonoma utilized redevelopment tax increment through the former Sonoma Community Development Agency (CDA) to fund its partnership share. The current Economic Development Partnership Memorandum of Understanding (MOU) expires July 9, 2012, and the MOU is listed on the City of Sonoma Successor Agency Recognized Obligation Payment Schedule (ROPS). The current MOU as listed on the ROPS has not been challenged by the State of California.

Unfortunately, all indications from the State Department of Finance (DOF) lead staff to believe that the DOF will not allow new contracts to be entered into for the purpose of committing future property tax increment in the former redevelopment project area.

The Sonoma Valley Chamber of Commerce has notified the City (see attached letter) that the Chamber Board directed a \$15,000 private funding match be allocated from the Chamber budget as of July 1, 2012 for the Economic Partnership. Further, the Chamber Board directed Chamber staff to apply for County of Sonoma Advertising Program Funding in the amount of \$16,000 which could be directed toward the Partnership. This is a tremendous commitment by the Chamber of Commerce in a time of economic uncertainty, and speaks to the substantial and enduring value that the Economic Development Program provides on many levels throughout the business community.

The purpose of this agenda item is to discuss with Council the current situation and its consequences, discuss options, and hear the City Council's ideas for the future of the program.

Recommended Council Action

Discuss, consider, and provide direction to staff, if appropriate.

Alternative Actions

Postpone discussion.

Financial Impact

In the absence of another funding source or grant, the General Fund would be the only City fund available to supplant redevelopment funding to support the City's share toward continuance of the Economic Development Program. Since the City's financial status is uncertain at this time, staff cannot recommend a commitment to General Fund program funding prior to the outcome of the

June 5, 2012 sales tax election. Further, the City's new property tax share (post-redevelopment) is not known at this time.

Environmental Review

Status

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

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

- Memorandum of Understanding
- Economic Partnership accomplishments
- Letter from Sonoma Valley Chamber of Commerce

cc: Jennifer Hainstock, District Director, Supervisor Brown, County of Sonoma
Jennifer Yankovich, CEO, Sonoma Valley Chamber of Commerce
Laurie Decker, Economic Development Program Manager

**MEMORANDUM OF UNDERSTANDING
REGARDING JOINT FUNDING OF ECONOMIC DEVELOPMENT PROGRAM**

This Memorandum of Understanding regarding Joint Funding of Economic Development Program (hereinafter MOU) is entered into this 19th day of Jan, 2011, by and between the City of Sonoma Community Development Agency, a municipal corporation (hereinafter AGENCY), Sonoma Valley Chamber of Commerce, a non-profit corporation, (hereinafter CHAMBER), and the Sonoma County Community Development Commission, a public body corporate and politic (hereinafter COMMISSION).

WITNESSETH

WHEREAS, CHAMBER, AGENCY, and COMMISSION wish to continue to operate and carry out a program to maintain and enhance economic development within Sonoma Valley, including the Sonoma Redevelopment Project Area and The Springs Redevelopment Project Area; and

WHEREAS, CHAMBER, AGENCY, and COMMISSION desire to fund such a program in order to maintain and enhance the economic viability of the area

NOW, THEREFORE, IT IS AGREED by the parties hereto as follows:

1. CHAMBER, AGENCY, and COMMISSION shall carry out an economic development program (hereinafter PROGRAM) that may include, but is not limited to: contracting for the services of an Economic Development Manager; establishing economic development goals, a strategy, work program and program budget to accomplish those goals; and providing for administrative support of the same.
2. This MOU shall be effective from and including July 9, 2010 through July 9, 2012 unless terminated earlier as provided in Sections 11 and 12, below.
3. The total budget for the PROGRAM will be \$85,000 per year.
4. During the term of this MOU, AGENCY intends to allocate \$69,360 per year for PROGRAM expenses including a contract for business support services provided by or through the direction of the Economic Development Manager. As pertains to the City of Sonoma, this MOU is contingent on the ability of the Sonoma Community Development Agency to exist and meet its funding obligations.
5. During the term of this MOU, COMMISSION intends to allocate \$15,640 per year for PROGRAM expenses
6. During the term of this MOU, CHAMBER intends to assign staff and allocate other resources required to provide indirect support services for the PROGRAM, including provision of meeting space for the Steering Committee and for the Economic Development Manager, general office/clerical support for the Economic Development Manager, and administrative support for PROGRAM events and for the marketing of the PROGRAM services,
7. AGENCY will administer the \$85,000 annual program budget and will invoice COMMISSION for reimbursement in the amount of \$15,640 per year. Invoices will be issued biannually in December and June in the amount of \$7,820
8. CHAMBER, AGENCY and COMMISSION shall, through an Economic Development Steering Committee comprised of one member of the Sonoma City Council, one member of the Board of Directors of the CHAMBER, the City of Sonoma City Manager, the Executive Director of the CHAMBER, and the COMMISSION's Redevelopment Manager, jointly oversee the PROGRAM and make recommendations with respect to the PROGRAM.

9. Monthly written reports shall be provided by the Economic Development Manager to the Steering Committee in a format approved by the City Manager and the COMMISSION's Redevelopment Manager, summarizing the activities of the Economic Development Project Manager and progress on work programs or special projects.
10. The CHAMBER shall indemnify, hold harmless and defend the AGENCY and COMMISSION, their agents and employees for all liability, actions, claims, damages, costs or expenses including attorney's fees and witness costs which may be asserted by any person, including the CHAMBER, arising out of or in connection with the performance by the CHAMBER hereunder except those arising out of the sole negligence of the AGENCY or of the COMMISSION.
11. The CHAMBER shall comply with all applicable federal, state, and local laws, rules, and regulations with regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition, pregnancy, disability, sexual orientation or other prohibited basis.
12. During the term of this MOU, CHAMBER shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain insurance as described in Exhibit A.
13. Neither party hereto shall assign, sublet or transfer any interest in or duty under this MOU without written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.
14. At any time and without cause, AGENCY shall have the right in its sole discretion to terminate this MOU by giving written notice to the CHAMBER and COMMISSION ninety (90) days prior to the intended termination date.
15. At any time and without cause, COMMISSION shall have the right in its sole discretion to terminate this MOU by giving written notice to the CHAMBER and AGENCY ninety (90) days prior to the intended termination date.
16. At any time and without case, CHAMBER shall have the right in its sole discretion to terminate this MoU by giving written notice to the AGENCY and COMMISSION ninety (90) days prior to the intended termination date.
17. Upon termination of this MOU by any party the terminating party shall be responsible for meeting its financial and other obligations under this agreement for the period until the termination date is in effect. Any party shall be entitled to receive reimbursement of its pro-rata share of any and all prepaid amounts as provided herein. The prepaid amount owed to the terminating party shall be determined as a percentage of the total payment extended for the term being prematurely terminated.
18. The CHAMBER covenants that it presently has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of its services hereunder. The CHAMBER further covenants that, in the performance of this contract, no person having any such interest shall be employed or be otherwise assigned to perform any task arising hereunder.
19. In the event any party brings an action or proceeding for damages arising out of the performance of any other party under this MOU or to establish the right or remedy of any other party or parties, the prevailing party shall be entitled to recover reasonable attorney's fees and costs as a part of such action or proceeding.
20. Nothing contained in the MOU shall be construed to create and the parties do not intend to create any rights in third parties.

21. Notices shall be mailed to the parties at the following addresses:

AGENCY

Sonoma Community Development Agency
No. 1 The Plaza
Sonoma, CA 95476

CHAMBER

Sonoma Valley Chamber of Commerce
651-A Broadway
Sonoma, CA 95476

COMMISSION

Sonoma County Community Development Commission
1440 Guerneville Road
Santa Rosa, CA 95403

- 22. This MOU represents the entire and integrated agreement between AGENCY, CHAMBER and COMMISSION and supersedes all prior negotiations, representation or agreements, either written or oral. This MOU may be modified or amended only by a subsequent written agreement signed by all parties.
- 23. The laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this MOU and shall also govern the interpretation of this MOU.
- 24. This MOU is not intended to create, shall not be interpreted as creating, and does not constitute a "joint powers agreement" as that term is used in sections 6500 et seq. of the California Government Code.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and the day and year first above written.

Date: 1-19-11

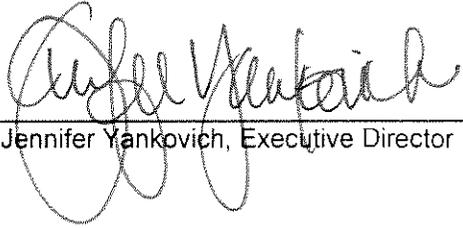
**CITY OF SONOMA
COMMUNITY DEVELOPMENT AGENCY**



Linda Kelly, Executive Director

Date: 1-19-11

SONOMA VALLEY CHAMBER OF COMMERCE



Jennifer Yankovich, Executive Director

Date: 1/19/11

**SONOMA COUNTY
COMMUNITY DEVELOPMENT COMMISSION**



Kathleen H. Kane, Executive Director

Exhibit A
Insurance Requirements

With respect to performance of work under this Agreement, CHAMBER shall maintain and shall require all of its subcontractors, consultants, and other agents to maintain, insurance as described below.

A. Workers' Compensation Insurance. Workers' compensation insurance with statutory limits as required by the Labor Code of the State of California. Said policy shall be endorsed with the following specific language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days' prior written notice to the Sonoma County Community Development Commission.

B. General Liability Insurance. Commercial general liability insurance covering bodily injury and property damage using an occurrence policy form, in an amount no less than One Million Dollars (\$1,000,000) limit for each occurrence and One Million Dollars (\$1,000,000) each for the general aggregate and the products/completed operations aggregate. Said commercial general liability insurance policy shall either be endorsed with the following specific language or contain equivalent language in the policy:

a. Sonoma County Community Development Commission, its officers and employees, is named as additional insured for all liability arising out of the on-going and completed operations by or on behalf of the named insured in the performance of the MOU re. Joint Funding of Economic Development Program between the COMMISSION and the CHAMBER.

b. The inclusion of more than one insured shall not operate to impair the rights of one insured against another insured, and the coverage afforded shall apply as though separate policies had been issued to each insured, but the inclusion of more than one insured shall not operate to increase the limits of the company's liability.

c. The insurance provided herein is primary and non-contributory coverage to the COMMISSION with respect to any insurance or self-insurance programs maintained by the COMMISSION.

d. This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the COMMISSION.

C. Automobile Insurance. Automobile liability insurance covering bodily injury and property damage in an amount no less than One Million Dollars (\$1,000,000) combined single limit for each occurrence. Said insurance shall include coverage for owned, hired, and non-owned vehicles. Said policy shall be endorsed with the following language:

This policy shall not be cancelled or materially changed without first giving thirty (30) days prior written notice to the Sonoma County Community Development Commission.

D. Documentation. The following documentation shall be submitted to the COMMISSION:

a. Properly executed Certificates of Insurance clearly evidencing all coverages and limits required above. Said Certificates shall be submitted prior to the execution of this Agreement. CHAMBER agrees to maintain current Certificates of Insurance evidencing the above-required coverages and limits on file with the COMMISSION for the duration of this Agreement.

- b. Copies of properly executed endorsements required above for each policy. Said endorsement copies shall be submitted prior to the execution of this Agreement. CHAMBER agrees to maintain current endorsements evidencing the above-specified requirements on file with the COMMISSION for the duration of this Agreement.
- c. Upon COMMISSION'S written request, certified copies of the insurance policies. Said policy copies shall be submitted within thirty (30) days of COMMISSION'S request.
- d. After the Agreement has been signed, signed Certificates of Insurance shall be submitted for any renewal or replacement of a policy that already exists, at least ten (10) days before expiration or other termination of the existing policy.
- e. Policy Obligations. CHAMBER's indemnity and other obligations shall not be limited by the foregoing insurance requirements.



Sonoma Valley Economic Development Partnership 2004 - present

Background:

The Partnership was formed by the City and Chamber in 2004, with the County joining in 2006 through the Springs Redevelopment Area. Partnership initiatives and services are guided by a five-member Economic Development Steering Committee, which meets monthly and is comprised of a Chamber Board member, Chamber CEO, City Council member, City Manager, and County redevelopment agency representative.

Strategy and Goals:

The Partnership's seven major goal areas are based on a strategic plan that was adopted in 2005 and include:

- Assist and promote **business retention and expansion** so existing businesses can be successful and remain in the community
- **Diversify the economy** by working with the County to identify, attract, and strengthen new and old business clusters in industrial areas outside the city limits
- Continue to support and **strengthen existing industries** that have made Sonoma a world-class tourist destination
- **Target and attract new businesses** that complement those that are already in Sonoma, and are compatible with our "community character"
- Enhance the image of Sonoma as a "**business friendly**" city through programs that are designed to welcome and assist
- Work with schools, non-profits, existing businesses and government agencies to create programs to **train, support, and attract a skilled workforce**
- Support and pursue economic development that maintains or improves **the environment**.

Each January the Economic Development Steering Committee identifies a set of 5-10 more detailed strategies for the coming year, based on the strategic plan and current issues and needs.

Funding:

The Partnership program budget of \$85,000 has remained unchanged for at least the past five years:

Contract services, Econ Dev Mgr (1000 hrs/yr)	\$65,000
SBDC contract (business counselor & workshops)	\$ 5,000
Memberships (CALED, CDA); training; conferences	\$ 2,265
Services and supplies	<u>\$12,735</u>
TOTAL:	\$85,000

Funding for the program for the past several years has been:

Sonoma Community Development Agency	\$69,360
Sonoma County Community Dev. Commission	<u>\$15,640</u>
TOTAL:	\$85,000

The Chamber provides in-kind support, including marketing, office space, and administrative support.

Accomplishments:

Accomplishments of the Sonoma Valley Economic Development Partnership to date include:

- One-on-one assistance provided to 100-150 new, prospective and existing businesses each year.
- One-on-one business counseling services provided to 25-50 local businesses each year through partnerships with the Small Business Development Center and the local chapter of SCORE.
- A cumulative total of more than 50 local businesses assisted through redevelopment loan programs for building rehabilitation and façade improvement in the City and the Springs.
- Numerous improvements to the downtown shopping environment, including business wayfinding signage for the Plaza periphery, improved directional signage for public parking and public restrooms, holiday wreaths, a year-round Plaza banner program, and a new ordinance to regulate newsracks on public sidewalks.
- SonomaValley4Biz.com, a "one-stop shop" for new, relocating, and existing businesses, visited about 13,000 times each year. The website includes a site-finding tool as well as economic and demographic information, permit guides, start-up resources, and much more.
- Development of information packets for new businesses, as well as business attraction print materials, posters for vacant storefronts, Chamber banner, and print advertisements in SONOMA magazine, under the theme of "Picture Your Business In Sonoma".
- Business Workshops offered (3-5 per year) on topics that have included Access to Capital, Do-It-Yourself P.R., Retail Academy, From Kitchen to Market, and Social Media Marketing. The SBDC's "So You Want To Start a Business" series is now offered in Sonoma once a year, and a guide to business resources at area colleges and universities was developed and is available on the Partnership website.
- Development of a Green Hospitality linen card program, water conservation resource guide, a Green Events guide, and other business sustainability programs.
- Development of a Shop Sonoma program to promote the many benefits to the community of "thinking local first," including an annual Shop Sonoma Day promotion on Black Friday, a Shop Sonoma facebook page, window stickers, etc.
- Annual events such as "Tops in Sonoma" business retention and recognition event, including a survey of the Valley's largest tax generators and recognition for outstanding commercial property Improvement projects.
- Assistance with City streamlining efforts, including revisions to regulations for business signage, development of a City permit guide for small businesses, and participation on the City's streamlining working group.
- Coordination with various local and regional organizations on economic development issues, resources, projects, and programs. Locally, these include the Sonoma Valley Visitors Bureau, Sonoma Valley Vintners & Growers Association, and Sonoma Valley Adult School. On a regional basis, these organizations include the Santa Rosa and Napa Small Business Development Centers, the Business & Entrepreneurship Center, SCORE, Sonoma County Economic Development Board, and Sonoma County BEST. The Economic Development Manager also represents the Valley by serving on the Sonoma County Workforce Investment Board, the Sonoma County Innovation Action Council, and the City Advisory Committee to the North Bay I-Hub.

Key Issues and Trends Affecting the Partnership

1. **Elimination of redevelopment.** The State' elimination redevelopment has ended the traditional funding source for the Sonoma Valley Economic Development program (the current MoU expires July 9, 2012). It has also created a major budget deficit for the City of Sonoma, put a halt to several redevelopment-funded programs and projects (e.g. façade improvement and commercial rehab loan programs), and threatens key infrastructure projects.
2. **Growth in regional economic development efforts.** Examples include Sonoma County BEST, the North Bay i-Hub, the regional Business & Entrepreneurship Center, and expansion of the Sonoma County Economic Development Board.
3. **Lagging jobs recovery in Sonoma County.** (see attached article)



May 15, 2012

TO: Mayor and Council Members, City of Sonoma

FROM: Jennifer A. Yankovich, Executive Director

SUBJECT: Sonoma Economic Development Partnership Update

Purpose

To ensure the continuation Economic Development Partnership between the City of Sonoma and the Sonoma Valley Chamber of Commerce for the purpose of:

- Retaining existing local businesses
- Enhancing local business opportunities and expansions
- Attracting desirable businesses to the City of Sonoma

For eight years, before most Cities developed similar programs, the Economic Development Partnership has been directly benefiting the City of Sonoma through job retention and creation. The Partnership has increased local business promotion, provided a point of contact for City staff and elected officials to be more effective and proactive in meeting the needs of businesses and commercial property owners, enhancing availability of jobs, goods and services to the residents of the City of Sonoma.

Background

The City of Sonoma has been the lead public agency in the formation and funding of the Economic Development Partnership since its inception in 2004 and the sole funding agency for the first years.

Benefits of the Economic Development Partnership to the City can be quantifiably measured, as demonstrated in the report to Council at its May 21st meeting. Hundreds of businesses and jobs have received direct benefit from the program services and hundreds more benefit by the increased availability of economic information and improved coordination of public and private sector interests.

One telling measure of the success of the Sonoma Valley Economic Development Partnership has been its implementation by other communities, and public agency award recognition, as a model program to promote and encourage economic development and job creation.

Sonoma Valley Chamber of Commerce

651-A Broadway Sonoma, CA 95476 p 707 996-1033 f 707 996-9402 sonomachamber.com



Economic Development Partnership Funding Strategy

At its January 2012 planning session, the Chamber Board of Directors prioritized the Economic Development efforts of the Chamber due to the elimination of California Redevelopment funding and its commitment to ensuring local business continues to be supported by the Economic Development Manager position. The Board directed a \$15,000 private funding match be allocated from the Chamber budget as of July 1, 2012 and directed Chamber staff to apply for public funds for Economic Development activities to strengthen the partnership and maximize the public/private investment in local jobs and tax revenues.

Current Funding Summary- July 1, 2012

\$15,000	Sonoma Valley Chamber of Commerce (Private Business Match)
\$16,000*	County of Sonoma Funding Advertising Program Funding (pending)

Key components of the future partnership include:

- Funding for City Economic Development Manager
- Implementation of Economic Development Strategy for the City of Sonoma
- Provision of ongoing training, service and support programs to local businesses
- Provision of ongoing communication with commercial property owners and leasing agents to assist in filling vacancies
- Assist City with specific economic/commercial development action plans to support community needs as defined in the General Plan (ie. Four Corners, West Napa Street, Broadway, Highway 12)
- Provision of ongoing assistance to business owners and City staff to promote understanding of issues relating to zoning, planning and permitting process.
- Marketing of City and Chamber economic development activities
- Point of contact for economic development inquiries at City and Chamber
- Development of reports to track and evaluate program activities including substantive data regarding businesses served and projects initiated/assisted

Thank you for the opportunity to work together to ensure the future of the Economic Development Partnership is a priority project for City funding consideration. The Chamber is working to identify additional private industry, regional and public partners to fund and/or provide resources to build on the success of the Economic Development Partnership and further leverage the City investment to support and promote the quality of local business and jobs.



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8B

Meeting Date: 05/21/12

Department

Public Works

Staff Contact

Milenka Bates, Public Works Director

Agenda Item Title

Receive and file the 2012 Pavement Management Program report.

Summary

The City is required to update its Pavement Management Program (PMP) every two years in order to receive State and Federal funds for pavement rehabilitation. The PMP report was recently completed. The document is entitled *Pavement Management Program*, dated February 2012, and was prepared by Capitol Asset & Pavement Services. Based on the report, the City's current Pavement Condition Index (PCI) is 70. A PCI of 70 indicates that that City's streets are in "Good" condition. Note that there are individual streets in the City that are in poor condition but the report takes a weighted average of the City's street network which is the number reported to MTC. A summary of the City street system follows: 62% in "good" condition; 17% in "fair" condition; 13% in "poor" condition; and 8% in "very poor" condition.

A copy of the 2012 PMP Report is available for viewing at the City Hall Building Department or on-line at <http://www.sonomacity.org/uploads/PW/2012PMP.pdf>. The Executive Summary of the report is attached to this summary.

Recommended Council Action

Receive and file the 2012 Pavement Management Program report.

Alternative Actions

None.

Financial Impact

The report shows that the 5-year budget needed to maintain a PCI of 70 is \$1.0 M per year. The CDA budget had previously supplied approximately \$800,000 per year for street rehabilitation but that funding is no longer available. Without the CDA funding, it is estimated that the PCI will drop to a PCI of 67 (fair condition) during the next 5-year period.

Environmental Review

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

Status

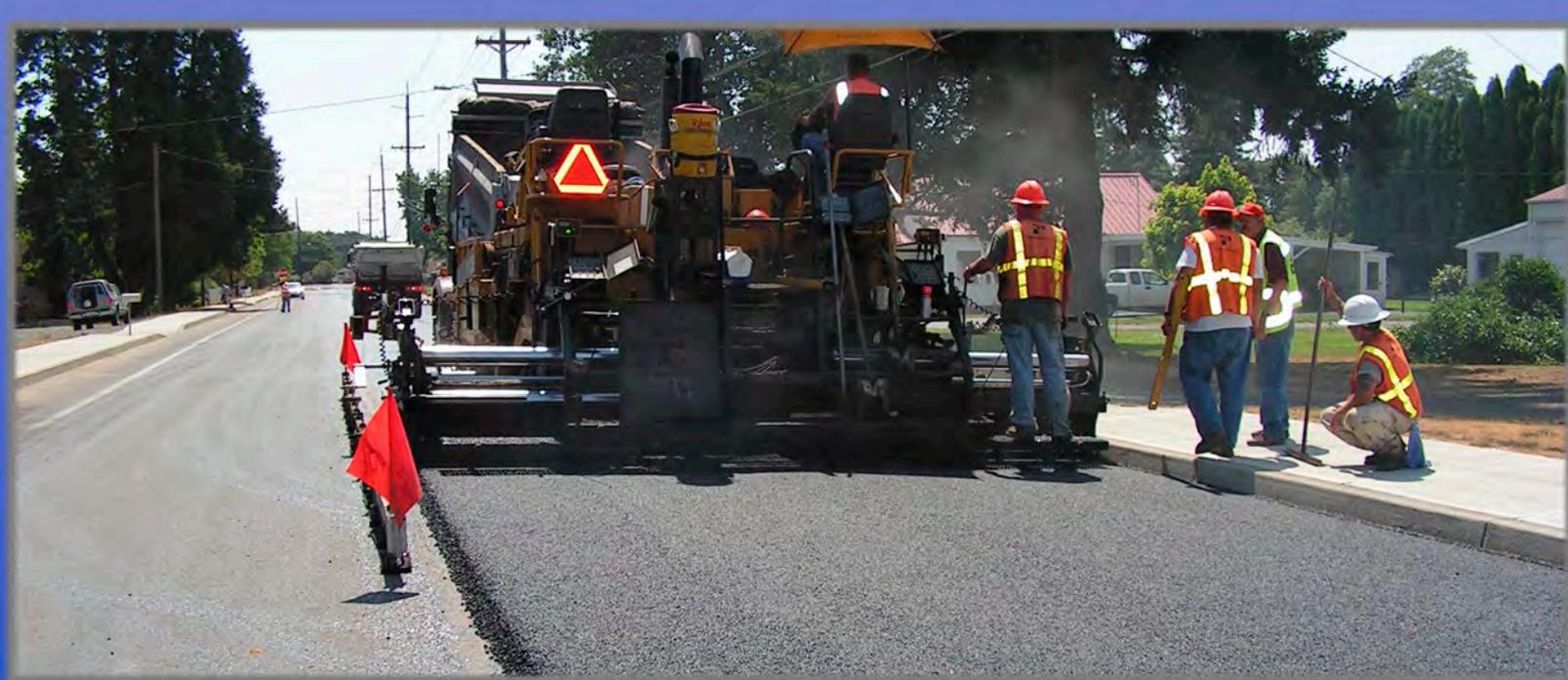
- Approved/Certified
 - No Action Required
 - Action Requested
-

Attachments:

Executive Summary, 2012 PMP report

cc:

Pavement Management Program Budget Options Report



Executive Summary

Capitol Asset & Pavement Services, Inc. was selected as part of the Metropolitan Transportation Commission Pavement Management Technical Assistance Program (P-TAP) to perform visual inspections of all of the streets in the City of Sonoma. All 33.79 centerline miles of streets were evaluated in accordance with MTC standards and the Streetsaver Online 9.0 database was updated with the inspection data. Pavement inspections were completed in July 2011.

The maintenance decision tree treatments and costs were reviewed and updated to reflect current pavement maintenance treatment prices. Maintenance & Rehabilitation history data was updated for street maintenance projects completed in the last two years (since June 2009). A Budgetary Needs analysis was performed based on the updated inspections and treatment costs and four budget scenarios were evaluated to compare the effects of various funding levels.

The City's street network consists of 33.79 centerline miles of streets. A detailed visual inspection of the City's streets resulted in a calculated average PCI of 70. The previous inspection in 2008 had the overall network PCI at 75. The 5 point decrease in PCI over three years is due to the deterioration of a majority of streets. Using a 0-100 PCI scale, with 100 being the most favorable, a rating of 70 places the City's street network in the lower range of the 'Good' condition category.

Four scenarios were analyzed for various street maintenance funding levels. The budget includes preventative maintenance and rehabilitation work for existing paved street surfaces. The City's current strategy of street maintenance, along with current prices for the treatments, was entered into a decision tree matrix. This matrix defines what treatments need to be applied to streets in varying PCI condition. Utilizing this decision matrix, it was determined that the City will need to spend \$15.8 million over the next five years to bring the street network into 'optimal' condition, or an overall street network PCI in the low to mid 80's. At this level, the City should be able to maintain the street network in the future with mostly cost-effective preventative maintenance treatments (crack seals and surface seals). Comparing this with the current funding level of \$4.5 million over the next five years shows that the network PCI decreasing by one point, to 69 by 2016. Scenarios were also run to determine the funding level required to maintain the current network PCI of 70 as well as to increase the PCI by 5 points over five years.

Table 1 – Summary of Outcome of Different Funding Levels (Scenarios)

Scenario #	1	2	3	4	5
Average yearly budget	\$3.17 million	\$1.23 million (w/CDA funding)	\$0.59 million (w/o CDA funding)	\$1.0 million (Maintain PCI)	\$1.7 million (Increase PCI+5)
Total budget for 5 years	\$15.8 million	\$6.17 million	\$2.9 million	\$5.0 million	\$8.5 million
Current PCI	70	70	70	70	70
Current % in 'Good' condition	62.2%	62.2%	62.2%	62.2%	62.2%
PCI after 5 years (change)	85 (+15)	72 (+2)	67 (-3)	70 (±0)	75 (+5)
Backlog after 5 years	\$0	\$10.7 million	\$14.2 million	\$11.5 million	\$8.4 million
% 'Good' In 5 years	98.4%	74.2%	66.8%	78.8%	86.5%



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8C

Meeting Date: 05/21/2012

Department

Public Works

Staff Contact

Milenka Bates, Public Works Director

Agenda Item Title

Discussion, consideration, and possible direction to staff regarding proposed revisions to the Special Event Policy

Summary

At the February, March and April meetings, the Community Services and Environment Commission (CSEC) discussed with staff the Special Event Policy. The CSEC is proposing revisions to: (1) tighten up the financial reporting; (2) bring understanding to the Minimum Contributions section; and (3) clarification of enforcement of the For Profit businesses 40% gross proceeds donation that is required to go to non-profits. CSEC Chair Chris Petlock and Assistant City Manager Carol Giovanatto suggested using a template for financial reporting to assist event organizers that struggle with the reporting and also suggested that the policy be revised to include proof of receipt of funds from the beneficiary(ies) of the event. Other suggested revisions were added to assist staff when the Event Organizers do not follow Special Event Policy. Further suggested revisions are housekeeping. If approved, staff would bring back a resolution formally adopting revisions to the policy.

Recommended Council Action

Discuss, consider and if desired, approve CSEC recommended revisions to the Special Event Policy.

Alternative Actions

Not approve suggested changes and request additional information from Staff and CSEC Commissioners. Suggest additional revisions.

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

Proposed revisions to the Special Event Policy

cc:

CITY OF SONOMA

RESOLUTION NO. 19 - 2007

**RESOLUTION AMENDING THE SPECIAL EVENTS POLICY TO ALLOW AN
EXCEPTION FOR THE SALE OF WHOLESALE PURCHASED ARTS AND
CRAFTS AT SPECIAL EVENTS AT DEPOT PARK**

IT IS HEREBY RESOLVED, by the City Council of the City of Sonoma as follows;

1. The revised Special Events Policy that is attached hereto and by this reference made a part hereof is hereby adopted.
2. Resolution No. 18-2007 is hereby rescinded in its entirety.

The foregoing Resolution was duly adopted this day 6th day of June 2007, by the following vote:

Ayes:	Sanders, Sebastiani, Brown
Noes:	Barbose, Cohen
Absent:	None

Stanley Cohen, Mayor

ATTEST:

Gay Rainsbarger, City Clerk

CITY OF SONOMA

SPECIAL EVENTS POLICY

Revised by Resolution No. 19 - 2007

A. PURPOSE

The purpose of this policy is to set rules and processes that will guide the Community Services and Environment Commission and City staff in seeking an appropriate balance between the benefits of organized events and their associated impacts on the community.

B. COMMUNITY BENEFITS OF SPECIAL EVENTS

Special Events can create a sense of community for the City of Sonoma and Sonoma Valley by, among other things:

- Providing a gathering place for residents
- Establishing and maintaining local traditions
- Providing exposure and celebration of diverse cultures
- Showcasing the talents of local artists
- Enhancing the local economy by promoting Sonoma as a destination for tourists and shoppers
- Generating income for local community-serving non-profit organizations
- Generating funds to support public programs and projects
- Generating income for non-local causes
- Educating the public and increasing public awareness about issues of local concern

C. COMMUNITY COSTS OF SPECIAL EVENTS

Special Events can generate impacts to area residents and businesses and to the City of Sonoma by, among other things:

- Adding to traffic congestion and exacerbating parking problems
- Impinging on the use of public spaces for non-structured, passive enjoyment by area residents
- Having a negative impact on the health and appearance of public landscaping and on the condition of public buildings
- Adding direct expenses to the City budget for maintenance of public facilities
- Adding indirect expenses to City operations by diverting staff resources away from other high priority work programs and projects

D. SPECIAL EVENT APPLICATION AND PERMIT PROCESS

Every special event held on property or in a facility owned, leased, or otherwise controlled by the City of Sonoma requires a special event permit.

This provision is not intended to regulate recurring program activities on public property, conducted by the City or by a lessee of City property, where the activity is specifically authorized by use permit and/or by the terms of the property lease.

1. Application Content and Deadlines

- a. A complete application must be submitted prior to a proposed event being considered for approval. An incomplete application will not be processed or scheduled for review until all information is submitted in accordance with this policy.
 - 1) For small scale events, complete applications must be submitted at least 21 days prior to the event.
 - 2) For all other events, complete applications must be submitted at least 120 days prior to the event. An exception to the 120 day submittal deadline may be granted provided 2/3 of the Community Services and Environment Commission vote in the affirmative to grant the exception.
- b. A complete application must include the following:
 - 1) Special Event Application Form with required attachments.
 - 2) Payment of aAll required application fees, rental fees, costs and damage deposits.
 - 3) If the event includes an admission charge, sale of event promotional items such as, but not limited to clothing and souvenirs, charges to exhibitors or vendors for booth or display space, sponsorship involving cash donations to the sponsoring organization, on-site solicitation of donations or any other cash income, an event budget shall be submitted showing estimated income by source, estimated direct event production expenditures (including, but not limited to, the costs of goods to be sold) and a letter from identifying the planned beneficiary(ies) of any excess of income over expenditures. Event are required to donate 40% of gross proceeds [income] receipts in accordance with Resolutions 56-206 and 19-2007.
- c. Costs associated with efforts required of City forces to provide traffic control, parking restrictions, special barricading, emergency medical services, on-site monitoring of events or other special event needs shall be the responsibility of the applicant and shall include all costs incurred by the City, including actual time, material and equipment costs. A cost estimate will be provided subsequent staff review of the application. A deposit for estimated costs shall be provided prior to the application being considered by the CSEC. Payments and deposits for police services must be arranged through the Police Department with the Sonoma County Sheriff's Department.
- d. Special Events proposing encroachments on the state highway or the closure of City streets must obtain the appropriate permits as set forth in Chapter 12.20 of the Sonoma Municipal Code.
- e. New events that are unusually unique in nature will be evaluated case by case and may be subject to City Council approval. All costs associated with efforts required of City forces to review the Special Event Application and provide comment to event needs and City impact shall be the responsibility of the applicant. A cost estimate will be provided with initial application review; a deposit for estimated costs shall be provided at the time the application is submitted and is required to complete the application process.

- f. Special events sponsored by, or, held on the property owned by other governmental agencies including, but not limited to the Sonoma Valley Unified School District, Sonoma County, and the State of California Department of Parks and Recreation, are not required to obtain special events permits from the City. Such agencies are encouraged to consult with the Special Events Coordinator during the planning stages of such events to address community impacts such as traffic, parking, noise, security, etc.

2. Staff Review

- a. Small-scale events may be reviewed and approved by the Special Event Coordinator^[cg1], with or without interdepartmental review.
- b. Events of eight hours or more in duration or events of any duration which in the judgment of the Special Event Coordinator raise unusual issues, will be subject to an interdepartmental review prior to a decision by the Special Event Coordinator or by the CSEC. Interdepartmental review will be scheduled on an as-needed basis by the Special Event Coordinator. Interdepartmental review may result in recommended conditions of approval to be considered by the Special Event Coordinator or by the CSEC.

3. CSEC Review and Findings

Applications for events requiring CSEC approval will be placed on the next available CSEC agenda after staff review is completed. Applications will not be scheduled for CSEC review and approval until all required information has been provided and all staff reviews have been completed. CSEC meetings are scheduled in conformance with Brown Act noticing requirements.

Findings

In making determinations about approval or conditions of a special event permit, the CSEC shall consider and make findings regarding the following factors:

- a. Does the application conform to all general and site-specific restrictions, requirements and guidelines as set forth in this Policy and in the Appendices hereto?
- b. In the case of a recurring event, to what level did prior events adhere to all general and site-specific restrictions, requirements and guidelines and to specific conditions of approval, as indicated in post-event reports prepared by staff and in the post-event reviews conducted by the CSEC?
- c. What are the nature and magnitude of the community benefits that are anticipated for this event, and, for recurring events, what was the magnitude of community benefits, including the value of donations to non-profit beneficiaries, realized by prior events?

~~d.~~—What are the nature and magnitude of the community costs and impacts that are anticipated for this event and, for recurring events, what was the magnitude of community costs and impacts that were experienced in prior events?

d.

4. Post-Event Review

Sponsoring Organizations must attend a post event review at the next meeting of the CSEC that is held not more than ninety days after the event. The event representative shall provide the event's complete and full financial statements (actual gross income and expenditures) to the City Clerk within seventy days after the event prepared in accordance with Generally Accepted Accounting Principals, including a simple budget to actual analysis and detail of any overhead expense line that exceeds 10% of gross receipts (an example may be requested from staff). City staff shall provide completed post event evaluation for review and discussion at the post event review meeting. Payment of all post event invoices, charges, fees or penalties must be received within ten days subsequent prior to post event review, any deposit will be refunded after the post event review is complete. Proof of receipt of funds from the beneficiary(ies) of the event is required to be submitted.

Conditions of approval of subsequent years' events may be affected by the organization's failure to attend the mandatory post event review and/or to provide required information, which failure may also constitute grounds for denial of future years' event permits.

5. Modification of Approved Permit

Once an application is approved, no event shall be modified without prior approval of the CSEC or of the Special Event Coordinator, whichever approved the event. The Special Event Coordinator is authorized to approve minor modifications. Modifications that require CSEC approval include, but are not limited to, changes in the dates, duration, and location of the event.

6. Appeal of CSEC or Staff Decisions

Decisions of the Special Event Coordinator or of the CSEC to approve or deny a permit, and any conditions of an approved permit may be appealed to the City Council as provided in the Municipal Code.

E. RESTRICTIONS, REQUIREMENTS AND GUIDELINES

1. Date and Location Preference

- a. Date and location preference for City facility use is given to longstanding recurring events and to locally based City or Sonoma Valley organizations benefiting the community on a non-profit basis.
- b. In order to qualify for a preference in conducting a regularly scheduled event, sponsors of recurring events of eight hours or more in duration (including set-up and take-down time) shall submit a letter to the City Clerk by January 1 of the year in which the event is to take place indicating the date or dates and the location on which the event is expected to take place, being sure to include set-up and take-down dates This letter will be used for scheduling purposes only and will not constitute an application as required above.

- c. A “master calendar” shall be prepared by City staff to assist with schedule coordination.
- d. Upon receiving their approvals, all other events shall be placed on the master calendar on a first-come, first-served basis subject to location availability and adherence to policies limiting the number and frequency and the location of events.
Applicants are encouraged to submit an alternate venue location as a back up, along with the application for the desired venue.

Except for small scale events as defined herein, in no case shall two or more special events be scheduled on the same weekend at any given venue.

2. Plaza Park Events

For restrictions, requirements and guidelines applicable to events at Plaza Park, see Appendix A.

3. Depot Park Events

For restrictions, requirements and guidelines applicable to events at Depot Park, see Appendix B.

4. Events at All Other Venues

For restrictions, requirements and guidelines applicable to events at any venue other than Plaza Park and Depot Park, see Appendix C.

5. Unique Events and/or Locations

As determined by the City Manager, event locations or new events that are unusually unique in nature may be referred to the City Council for review and approval.

F. FEES AND COSTS

1. The City Council shall from time to time by resolution as it deems necessary and appropriate provide for and set all rates, charges and fees for special event permit applications, use of, or impact to, City facilities and other costs related to special events.
2. Application and facility rental fees shall not be charged for “City-sponsored events,” although such events shall be subject to the normal application and review process. The decision of the Special Event Coordinator as to whether an event is a “City-sponsored event” may be appealed to the City Council as provided in the Municipal Code.
3. Rental fees shall not be charged for “Small-scale events.” Application processing fees may be charged at the discretion of the Special Event Coordinator, depending on the amount of time deemed necessary to review the application. Additional fees for late submittals, incomplete applications will apply. ~~and~~ Deposits will be forfeited for not attending pre and post event reviews. Decisions of the Special Event Coordinator in this regard may be appealed to the City Council as provided in the Municipal Code.

4. The Community Services and Environment Commission shall annually establish an appropriate rental fee for the Farmers' Market, as part of its annual review of the Farmers' Market Plaza Use Application.
5. Except as provided for with respect to "City-sponsored events" and Small-scale events," as defined, fee waivers for Special Event application fees, rental fees and other related costs are prohibited.

G. DEFINITIONS

For the purpose of this Policy, the following definitions shall apply:

Application Processing Fee – Charges for staff time and expenses for processing special event permit applications. Application fees are established by the City Council by resolution.

City Property – Any City street, sidewalk, parking lot, park, plaza, or any other property owned or controlled by the City.

City Sponsored Event – A special event that meets at least one of the following criteria:

1. The City is the primary financial beneficiary of the event.
2. The City provides significant funding or material support to the event due to its overall civic importance.
3. The City Council has agreed to be named as the sponsor or co-sponsor of the event

Event – Includes special event.

Event Organizer – Any person or organization that conducts, manages, promotes, organizes, aids or solicits attendance at a commercial or non-commercial special event.

Goods – Includes goods, wares, personal property, merchandise or any other similar item which is generally sold.

Gross Proceeds – the sum of all cash received by an event organizer for a special event, including, but not limited to, admission charges, sale of event promotional items, charges to exhibitors or vendors for booth or display space, licensing, sponsorships, television, advertising, sale of goods, donations at the event and similar revenues and concessions.

Longstanding Recurring Event – An event that has utilized the same City venue for 20 consecutive years.

Public Facility – Any property located within the Sonoma City limits and owned by the City of Sonoma or by any other governmental agency, such as the Sonoma Valley Unified School District, California State Parks or Sonoma County.

Rental Fee - A fixed amount for the rental of all or a portion of a venue, based on the length of the event; where applicable a maintenance fee for facility rehabilitation/maintenance is included with the rental fee. Rental fees are established by the City Council by resolution.

Sidewalk – That portion of a highway or street, other than the roadway, set apart by curbs, barriers, markings or other delineation for pedestrian travel.

Small Scale Event – An event that, in the judgment of the Special Event Coordinator, requires less than two hours of total staff time for pre-event preparation and/or post-event rehabilitation of the event venue, makes use of no more than two sectors of the Plaza or other venue, and does not exceed six hours in duration (including time required for set-up and take down).

Special Event – An activity on public property open to the general public, with or without an admission charge. Special events include:

1. Any organized formation, parade, procession or assembly of persons, which may or may not include animals, vehicles or any combination thereof which is to assemble or travel in unison on any street which does not comply with normal or usual traffic regulations or controls; or,
2. Any organized assemblage of persons at any park or facility, owned by the City or by any other governmental agency, such as the Sonoma Valley Unified School District, California State Parks or Sonoma County which is to gather for a common purpose under the direction and control of a person; or,
3. Any other organized activity conducted by a sponsoring organization or person for a common or collective use, purpose or benefit which involves the use of, or has an impact on, City property or facilities and the provisions of city services in response thereto.

Examples of special events include, but are not limited to concerts, parades, special interest shows or expos, markets, fairs, festivals, block parties, community events or mass participation sports (such as, marathons and running events, bicycle races or tours, etc.).

For the purpose of this policy, special events are distinguished from the following:

- Private events which may be authorized on public property but which are not open to the general public;
- Recurring program activities on public property, conducted by the City or by a lessee of City property, where the activity is specifically authorized by use permit and/or by the terms of the property lease;
- Events on private property.

Special Event Coordinator — The person assigned by the city manager to carry out the duties and responsibilities set forth in this policy.

Special Event Permit - A permit issued under this Resolution.

Special Event Venue - That area for which a special event permit has been issued.

Street – A way or place of whatever nature publicly maintained and open to use of the public for purposes of vehicular travel. Street includes Highway 12.

Tax-exempt non-profit organization – An organization that is exempted from payment of income taxes by federal or state law and which has been in existence for a minimum of three months preceding the date of application for a special event permit. Proof of tax exempt status must be submitted with application.

Tax-exempt non-profit organization; locally based – An organization that qualifies as a tax-exempt non profit organization and provides community benefit within Sonoma City, Sonoma Valley, or Sonoma County. Proof of tax exempt status must be submitted with application.

Vendor – any person who sells or offers to sell any goods, food, or beverages within a special event venue.

**CITY OF SONOMA
SPECIAL EVENTS POLICY**

APPENDIX A

**PLAZA PARK
RESTRICTIONS, REQUIREMENTS AND GUIDELINES**

The following restriction, requirements and guidelines apply to all special events conducted at Plaza Park.

1. Limitations on the number and frequency of events and on event activities

- a. Events exceeding eight hours in duration (including set-up and take-down time) shall not be scheduled in the Plaza Park on successive weekends between June 1 and October 1 of any given year.

With the approval of the CSEC, exceptions may be granted to the following Longstanding recurring special events: The Ox Roast sponsored by the Community Center, Hit the Road Jack sponsored by VOM Boys & Girls Club and VOM Hospice, Flag Day Celebration sponsored by Native Sons of The Golden West, Fourth of July Celebration co-sponsored by the City and the Sonoma Community Center.

- b. The Plaza Horseshoe Lawn shall not be available for active use, such as, but not limited to, tents, booths, Jumping Jacks, etc. during special events. This restriction is intended to allow an unobstructed view of City Hall a National Historic Landmark and to minimize damage to the lawn. With the approval of the CSEC, an exception may be granted for limited active use of the Plaza Horseshoe Lawn.
- c. In order to minimize compaction and damage to the Plaza landscape during the wet season, Special Events shall be restricted to paved areas of the Plaza from and including November through May. Small scale events, as defined in this policy, may be allowed to use lawn area during the wet season.
- d. The number of Special Events held in the Plaza Park is limited to twenty-five events per year. The Farmers Market events shall be counted as one event.

2. Rotation of off-limit areas in the Plaza

Each calendar year on a rotational, four-year cycle, one quadrant of the Plaza shall be closed to Special Event use for the entire year. This restriction does not prevent the restricted quadrant from being open to casual use and enjoyment by the general public. With the approval of the CSEC, an exception may be granted for limited active use of the restricted quadrant.

3. Duration and Hours of Operation

- a. No Special Event shall exceed a maximum of 72 hours, including set-up and take-down time. The CSEC shall have the discretion to place specific time limits on any event through its review of event applications within the total seventy-two hour limit.

Should a Special Event exceed the 72 hour limit, event organizers shall be subject to a penalty charge to be established by the City Council by resolution. In addition, conditions of approval of subsequent years' events may be affected by the organization's failure to observe the 72-hour limit, which failure also may constitute grounds for denial of future years' event permits.

~~With the approval of the CSEC, the "Salute to the Arts" event may be permitted to use the Plaza for up to a maximum of 96 hours, including set up and take down time.~~

4. Restroom Facilities

All events utilizing public restrooms shall be required to provide restroom monitors to ensure that no vandalism occurs during the course of the event and that restrooms are vacated and locked at the close of the event. Event Sponsors shall be responsible for cleaning and supplying restrooms.

5. Solid Waste and Recycling

All event applicants are required to submit a ~~recycling and solid waste~~ Waste Minimization and Recycling Plan that minimizes the production of solid waste, provides for convenient recycling containers for event attendees and for event participants/vendors/etc., that provides for a sufficient number of trash receptacles for non-recyclable waste and that assures that the venue is returned to a trash-free and sanitary condition for use by the general public. Helpful hints for event planners will be provided as part of the special event application packet.

6. Noise

Amplified music shall normally cease no later than 10:00 PM; however, the CSEC shall have the authority to extend the time through the application review process if circumstances warrant an extension.

7. Banners

With approval of the Sonoma City Council, a banner may be displayed on the Plaza to advertise Special Events held at the Plaza or at other locations in the City. Banners advertising a community-wide event of general interest and sponsored by a noncommercial community group shall not exceed six square feet, nor shall they be displayed for longer than 3 consecutive days; allowable display time commencing one day prior to the event. Appearance and content of the banner are subject to Council review and approval. Banners shall not be displayed in the Plaza horseshoe lawn. Methods of supporting the banner and location in the Plaza are subject to review and approval by the Public Works Administrator or his or her designee.

8. Minimum Contributions

- a. For events that are sponsored by a non-tax exempt organization (as defined in this policy) that anticipate any cash income from the event (as described in Section D(1)(b)(3)), sponsoring organizations must donate a minimum of 40% of the gross

proceeds from the event to one or more locally based non-profit organizations. The amount of donation to each specified non-profit beneficiary must be submitted at the post event review meeting.

- b. Should a sponsoring organization wish to provide donation to a designated non-profit recipient other than a locally based non-profit organization, those donations must be channeled through a locally based non profit organization, such as the American Red Cross Sonoma Chapter, or other such organization approved by the CSEC.

Conditions of approval of subsequent years' events may be affected by the organization's failure to provide the required information regarding the 40% donation to non-profit beneficiaries, which failure may also constitute grounds for denial of future years' event permits. A copy of non-profit IRS form 990 or equivalent shall be required with subsequent year's Special Event Application submittal.

9. Limitations on the Sale of Wholesale Purchased Arts and Crafts

Arts and crafts sold at special events shall not be purchased wholesale and then sold retail at the event.

10. Proof of Insurance

- a. Proof of insurance shall be provided at least one week prior to the commencement of any event.
- b. No event shall commence set up or delivery of event supplies, materials, or equipment without required insurance documents submitted and verified by the City Clerk to meet all City requirements.

11. Business Licenses and Sales Tax

- a. Every vendor or exhibitor participating in an event is required to obtain a City of Sonoma business license, as provided in Title 5 of the Sonoma Municipal Code.
- b. Sponsoring organizations are required to cooperate with the City in assuring compliance with the City's business license requirements, for example, by providing lists of vendors and exhibitors upon request by the City.
- c. Sponsoring organizations shall cooperate with the City in programs to assure that all taxable retail sales occurring at events are reported as taking place within the City.

12. Public Access to City Facilities During Events

Special Events shall not exclude the public from the general use of any park or public property or charge an entry fee to any city park or public property during the course of the event. Fees may be charged for event participation.

**CITY OF SONOMA
SPECIAL EVENTS POLICY**

APPENDIX B

**DEPOT PARK
RESTRICTIONS, REQUIREMENTS AND GUIDELINES**

The following restriction, requirements and guidelines apply to all special events conducted at Depot Park.

1. Limitations on the number and frequency of events and on event activities

- a. Events exceeding eight hours in duration (including set-up and take-down time) shall not be scheduled in the Depot Park on successive weekends between June 1 and October 1 of any given year.
- b. In order to minimize compaction and damage to the Depot Park landscape during the wet season, Special Events shall be restricted to paved areas of the Depot Park from and including November through May. Small scale events, as defined in this policy, may be allowed to use lawn area during the wet season.
- c. The number of Special Events held in the Depot Park is limited to twenty-five events per year. The Farmers Market events shall be counted as one event. .

2. Signage

A Banner advertising the event will be allowed in the Depot Park only with the approval of the CSEC. Banners shall not exceed six square feet, nor shall they be displayed for longer than the duration of the event; allowable display time commencing with the first day of the event. Appearance and content of the banner are subject to CSEC review and approval. Methods of supporting the banner and location in the Depot Park are subject to review and approval by the Public Works ~~Administrator~~Director or his or her designee.

3. Duration and Hours of Operation

- a. No Special Event shall exceed a maximum of 72 hours, including set-up and take-down time. The CSEC shall have the discretion to place specific time limits on any event through its review of event applications within the total seventy-two hour limit.

Should a Special Event exceed the 72 hour limit, event organizers shall be subject to a penalty charge to be established by the City Council by resolution. In addition, conditions of approval of subsequent years' events may be affected by the organization's failure to observe the 72-hour limit, which failure also may constitute grounds for denial of future years' event permits.

- b. ~~With the approval of the CSEC, the "Salute to the Arts" event may be permitted to use the Depot Park for up to a maximum of 96 hours, including set-up and take-down time.~~

4. Restroom Facilities

All events utilizing public restrooms shall be required to provide restroom monitors to ensure that no vandalism occurs during the course of the event and that restrooms are vacated and locked at the close of the event. Event Sponsors shall be responsible for cleaning and supplying restrooms.

5. Solid Waste and Recycling

All event applicants are required to submit a ~~recycling and solid waste plan~~ Waste Minimization and Recycling Plan that minimizes the production of solid waste, provides for convenient recycling containers for event attendees and for event participants/vendors/etc., that provides for a sufficient number of trash receptacles for non-recyclable waste and that assures that the venue is returned to a trash-free and sanitary condition for use by the general public. Helpful hints for event planners will be provided as part of the special event application packet.

6. Noise

Amplified music shall normally cease no later than 10:00 PM; however, the CSEC shall have the authority to extend the time through the application review process if circumstances warrant an extension.

7. Banners

With approval of the Sonoma City Council, a banner may be displayed on the Plaza to advertise Special Events held at the Plaza-Depot or at other locations in the City. Banners advertising a community-wide event of general interest and sponsored by a noncommercial community group shall not exceed six square feet, nor shall they be displayed for longer than 3 consecutive days; allowable display time commencing one day prior to the event. Appearance and content of the banner are subject to Council review and approval. Banners shall not be displayed in the Plaza horseshoe lawn. Methods of supporting the banner and location in the Plaza are subject to review and approval by the Public Works ~~Administrator~~ Director or his or her designee.

8. Minimum Contributions

a. For events that are sponsored by a non-tax exempt organization (as defined in this policy) that anticipate any cash income from the event (as described in Section D(1)(b)(3)), sponsoring organizations must donate a minimum of 40% of the gross proceeds from the event to one or more locally based non-profit organizations. The amount of donation to each specified non-profit beneficiary must be submitted at the post event review meeting.

~~a. For events that anticipate any cash income from the event (as described in Section D(1)(b)(3)), sponsoring organizations must donate a minimum of 40% of the gross proceeds from the event to one or more locally based non-profit organizations. The amount of donation to each specified non-profit beneficiary must be submitted at the post event review meeting.~~

~~b.a.~~ Should a sponsoring organization wish to provide donation to a designated non-profit recipient other than a locally based non-profit organization, those donations must be channeled through a locally based non profit organization, such as the American Red Cross Sonoma Chapter, or other such organization approved by the CSEC.

Conditions of approval of subsequent years' events may be affected by the organization's failure to provide the required information regarding the 40% donation to non-profit beneficiaries, which failure may also constitute grounds for denial of future years' event permits. A copy of non-profit IRS form 990 or equivalent shall be required with subsequent year's Special Event Application submittal.

9. Limitations on the Sale of Wholesale Purchased Arts and Crafts

Arts and crafts sold at special events shall not be purchased wholesale and then sold retail at the event, except that the Sonoma City Council, may, in its discretion, grant an exception for limited sale of arts and crafts purchased wholesale and then sold retail at the event.

10. Proof of Insurance

- a. Proof of insurance shall be provided at least one week prior to the commencement of any event.
- b. No event shall commence set up or delivery of event supplies, materials, or equipment without required insurance documents submitted and verified by the City Clerk to meet all City requirements.

11. Business Licenses and Sales Tax

- a. Every vendor or exhibitor participating in an event is required to obtain a City of Sonoma business license, as provided in Title 5 of the Sonoma Municipal Code.
- b. Sponsoring organizations are required to cooperate with the City in assuring compliance with the City's business license requirements, for example, by providing lists of vendors and exhibitors upon request by the City.
- c. Sponsoring organizations shall cooperate with the City in programs to assure that all taxable retail sales occurring at events are reported as taking place within the City.

12. Public Access to City Facilities During Events

Special Events shall not exclude the public from the general use of any park or public property or charge an entry fee to any city park or public property during the course of the event. Fees may be charged for event participation.

**CITY OF SONOMA
SPECIAL EVENTS POLICY**

APPENDIX C

**ALL VENUES OTHER THAN PLAZA PARK AND DEPOT PARK
RESTRICTIONS, REQUIREMENTS AND GUIDELINES**

The following restriction, requirements and guidelines apply to special events conducted at venues other than Plaza Park and Depot Park

1. Restroom Facilities

All events utilizing public restrooms shall be required to provide restroom monitors to ensure that no vandalism occurs during the course of the event and that restrooms are vacated and locked at the close of the event. Event Sponsors shall be responsible for cleaning and supplying restrooms.

2. Solid Waste and Recycling

All event applicants are required to submit a ~~recycling and solid waste plan~~ Waste Minimization and Recycling Plan that minimizes the production of solid waste, provides for convenient recycling containers for event attendees and for event participants/vendors/etc., that provides for a sufficient number of trash receptacles for non-recyclable waste and that assures that the venue is returned to a trash-free and sanitary condition for use by the general public. Helpful hints for event planners will be provided as part of the special event application packet.

3. Noise

Amplified music shall normally cease no later than 10:00 PM; however, the CSEC shall have the authority to extend the time through the application review process if circumstances warrant an extension.

4. Banners

With approval of the Sonoma City Council, a banner may be displayed on the Plaza to advertise Special Events held at the Plaza or at other locations in the City. Banners advertising a community-wide event of general interest and sponsored by a noncommercial community group shall not exceed six square feet, nor shall they be displayed for longer than 3 consecutive days; allowable display time commencing one day prior to the event. Appearance and content of the banner are subject to Council review and approval. Banners shall not be displayed in the Plaza horseshoe lawn. Methods of supporting the banner and location in the Plaza are subject to review and approval by the Public Works ~~Administrator~~ Director or his or her designee.

5. Minimum Contributions

a. For events that are sponsored by a non-tax exempt organization (as defined in this policy) that anticipate any cash income from the event (as described in Section

D(1)(b)(3)), sponsoring organizations must donate a minimum of 40% of the gross proceeds from the event to one or more locally based non-profit organizations. The amount of donation to each specified non-profit beneficiary must be submitted at the post event review meeting.

- b. Should a sponsoring organization wish to provide donation to a designated non-profit recipient other than a locally based non-profit organization, those donations must be channeled through a locally based non profit organization, such as the American Red Cross Sonoma Chapter, or other such organization approved by the CSEC.

Conditions of approval of subsequent years' events may be affected by the organization's failure to provide the required information regarding the 40% donation to non-profit beneficiaries, which failure may also constitute grounds for denial of future years' event permits. A copy of non-profit IRS form 990 or equivalent shall be required with subsequent year's Special Event Application submittal.

6. Limitations on the Sale of Wholesale Purchased Arts and Crafts

Arts and crafts sold at special events shall not be purchased wholesale and then sold retail at the event.

7. Proof of Insurance

- a. Proof of insurance shall be provided at least one week prior to the commencement of any event.
- b. No event shall commence set up or delivery of event supplies, materials, or equipment without required insurance documents submitted and verified by the City Clerk to meet all City requirements.

8. Business Licenses and Sales Tax

- a. Every vendor or exhibitor participating in an event is required to obtain a City of Sonoma business license, as provided in Title 5 of the Sonoma Municipal Code.
- b. Sponsoring organizations are required to cooperate with the City in assuring compliance with the City's business license requirements, for example, by providing lists of vendors and exhibitors upon request by the City.
- c. Sponsoring organizations shall cooperate with the City in programs to assure that all taxable retail sales occurring at events are reported as taking place within the City.

9. Public Access to City Facilities During Events

Special Events shall not exclude the public from the general use of any park or public property or charge an entry fee to any city park or public property during the course of the event. Fees may be charged for event participation.

10. Duration and Hours of Operation

Hours of operation shall be established by the permitting authority based on the nature of the event and the nature of impacts on neighboring properties.

11. Other Conditions

- a. Other restrictions, requirements and guidelines for events at City venues other than Plaza and Depot Parks may be developed on a case by case basis during the application review to address specific impact or issues at such venues.
- b. Recommended conditions are identified through the staff review process; conditions for approval are moved forward with applications that require CSEC approval.
- c. As determined by the City Manager, event locations or new events that are unusually unique in nature may be subject to City Council approval.



City of Sonoma
City Council
Agenda Item Summary

Agenda Item: 10A
Meeting Date: 05/21/2012

Department Administration	Staff Contact Mayor and Council Members
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Agenda Item Title

Council Members Report on Committee Activities.

Summary

Council members will report on activities, if any, of the various committees to which they are assigned.

MAYOR SANDERS	MPT. BROWN	CLM. BARBOSE	CLM. GALLIAN	CLM. ROUSE
ABAG Alternate	AB939 Local Task Force	City Facilities Committee	ABAG Delegate	City Audit Committee
Community Dev. Agency Loan Subcommittee	Cemetery Subcommittee	Community Dev. Agency Loan Subcommittee, Alt.	Cemetery Subcommittee	Community Dev. Agency Loan Subcommittee
LOCC North Bay Division Liaison, Alternate	Cittaslow Sonoma Valley Advisory Council, Alt.	Community Choice Aggregation Focus Grp.	Cittaslow Sonoma Valley Advisory Council	LOCC North Bay Division Liaison
Sonoma County Mayors & Clm. Assoc. BOD	City Facilities Committee	North Bay Watershed Association	City Audit Committee	Sonoma County M & C Assoc. Legislative Committee, Alt.
Sonoma County M & C Assoc. Legislative Committee	Sonoma Community Center Subcommittee	Sonoma Community Center Subcommittee	Sonoma County Transportation Authority	Sonoma Valley Citizens Advisory Comm. Alt.
Sonoma Disaster Council	Sonoma County Health Action, Alternate	Sonoma County Transportation Authority, Alt.	(SCTA) Regional Climate Protection Authority	S.V. Economic Development Steering Committee, Alt.
Sonoma Housing Corporation	Sonoma County Mayors & Clm. Assoc. BOD	(SCTA) Regional Climate Protection Authority, Alt.	LOCC North Bay Division, LOCC E-Board, Alternate (M & C Appointment)	
S.V.C. Sanitation District BOD	Sonoma Disaster Council, Alternate	Sonoma County Waste Management Agency	Sonoma County/City Solid Waste Advisory Group (SWAG), Alt.	
S.V. Economic Development Steering Committee	Sonoma Housing Corporation	Sonoma County/City Solid Waste Advisory Group (SWAG)	Sonoma County Ag Preservation and Open Space Advisory Committee (M & C Appointment)	
S.V. Fire & Rescue Authority Oversight Committee	S. V. Citizens Advisory Commission	VOM Water District Ad Hoc Committee	VOM Water District Ad Hoc Committee	
S. V. Library Advisory Committee	S.V.C. Sanitation District BOD, Alt.	Water Advisory Committee, Alternate	Water Advisory Committee	
Successor Agency Oversight Board	S.V. Fire & Rescue Authority Oversight Committee			
	S. V. Library Advisory Committee, Alternate			
	Substance Abuse Prevention Coalition			

Recommended Council Action – Receive Reports

Attachments: None