

**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, June 18, 2012  
5:30 p.m. Closed Session (Special Meeting)  
6:00 p.m. Regular Session**

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

**MINUTES**

**SPECIAL MEETING - 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 present. City Manager Kelly was also present.

**2. CLOSED SESSION**

**A: CONFERENCE WITH LABOR NEGOTIATORS**, pursuant to Government Code §54957.6. Agency designated representatives: City Manager Kelly. Employee Organizations: Non-represented Confidential, Executive, Management and Administrative personnel.

**REGULAR MEETING**

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

**PRESENT:** Mayor Sanders and Councilmembers Barbose, Brown, Gallian, and Rouse  
**ABSENT:** None

**ALSO PRESENT:** City Manager Kelly, City Clerk Johann, City Attorney Walter, Planning Director Goodison, Fire Chief Garcia, and City Engineer Bertolero.

**REPORT ON CLOSED SESSION** - Mayor Sanders stated that no reportable action had been taken while in Closed Session.

**1. COMMENTS FROM THE PUBLIC**

Christine Armstrong expressed her support, and encouraged the City Council to set aside funds, for a community swimming pool.

Herb Golenpaul commented on Wales' tree planting program and the First District Supervisor race.

Deirdre Sheerin announced the November 10, 2012 ribbon cutting for the Sweetwater Spectrum development.

**2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS**

**Item 2A: Councilmembers' Comments and Announcements**

Cm. Barbose commended all who helped with the rainwater catchment system installed at the Community Center. He also expressed appreciation to the Saldana family, owners of Llanos Landscape Maintenance, for offering to provide maintenance and clean up of the Valley Cemetery for a full year.

Cm. Brown announced that a group of volunteers would clean up the Valley and Mountain cemeteries on June 23, 2012. He also announced that Napa County Transportation Agency would soon be providing back and forth transportation between Napa and Sonoma.

**Item 2A: Councilmembers' Comments and Announcements, Continued**

Mayor Sanders announced that a special meeting to discuss the budget would be held June 25, 2012. She thanked all the voters for passing the City's sales tax measure (Measure J) and to those who voted for her for First District Supervisor.

Clm. Gallian reported attendance at the High School graduation, the Ox Roast, Chicken BBQ, and the Oversight Board meeting. She dedicated the meeting to Richard Schreuder and announced that she will be running for City Council again in November.

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

City Manager Kelly announced that the agenda had been amended last Thursday for the addition of Consent Calendar Item 5J. She also reported that the Oversight Board had submitted a request to the State Department of Finance for reconsideration of the disputed items on the Recognized Obligations Payment Schedule for 1/1/12 – 6/30/12 totaling \$1.2 million.

**4. PRESENTATIONS – None Scheduled**

**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 June 4, 2012 Meeting.**
- Item 5C: Approve the Notice of Completion for the Maxwell Village Pedestrian Improvements Project No. 0928 constructed by Quimu Contracting Inc. and Direct the City Clerk to File the Document.**
- Item 5D: Request by Sonoma Community Center for City-subsidized use of the Sonoma Valley Veterans Memorial Building for one day on July 4, 2012. Approved subject to applicant's compliance with the City's standard insurance requirements.**
- Item 5E: Second Reading and adoption of an ordinance establishing new regulations for Formula Businesses. Removed from consent, see below.**
- Item 5F: Request by Order of Sons of Italy Valley of the Moon Lodge #1959 for City-subsidized use of the Sonoma Valley Veterans Memorial Building for one day on March 2, 2013. Approved subject to applicant's compliance with the City's standard insurance requirements.**
- Item 5G: Approval of a resolution declaring the results of the June 5, 2012 Special Municipal Election. Carried over to a future meeting.**
- Item 5H: Adopt Resolution Accepting Public Improvements for the MacArthur Subdivision, a 26-lot subdivision located at 165 & 179 West MacArthur Street. Removed from consent, see below.**
- Item 5I: Adopt Resolution Accepting Public Improvements, Approving Amendment No. 1 to the Private Water System Agreement, and Accepting the Grant of Fire Access Easement for the Rancho de Sonoma Mobile Home Park located at 19275 Sonoma Highway. Removed from consent, see below.**
- Item 5J: Execution of purchase agreement for a new 2012 Ford E-450 Leader 168 Custom Type III Ambulance. Removed from consent, see below.**

City Manager Kelly stated that the Registrar of Voters office had not completed the official canvass of votes and therefore Item 5G would be carried over to a future agenda. She also pointed out that Council had been provided with copies of an amended resolution for Item 5I.

Issac Raboy removed Item 5E. Herb Golenpaul removed Items H, I and J. Mayor Sanders asked the City Clerk to correct the spelling of a word in the June 4, 2012 minutes.

It was moved by Clm. Rouse, seconded by Clm. Gallian, to approve the items remaining on the Consent Calendar and with the minutes corrected as requested by Mayor Sanders. The motion carried unanimously, except that Clm. Gallian abstained on Item 5F due to a conflict because she was a member of the organization requesting the subsidy.

**Item 5E: Second Reading and adoption of an ordinance establishing new regulations for Formula Businesses.**

Mayor Sanders invited comments from the public.

Isaac Raboy requested that the City Council amend the ordinance to include the Old Bowl property, located on Sonoma Highway, in the list of exempted shopping centers.

It was moved by Clm. Rouse, seconded by Mayor Sanders, to redraft the ordinance to include the Old Bowl in the list of exempted shopping centers. The motion failed with the following vote: AYES: Rouse, Sanders. NOES: Barbose, Brown and Gallian. ABSENT: None.

It was moved by Clm. Barbose, seconded by Clm. Brown, to adopt the ordinance entitled An Ordinance of the City Council of the City of Sonoma Amending Title 19 of the Sonoma Municipal Code By Establishing Zoning Regulations Pertaining to Formula Businesses. The motion carried with the following vote: AYES: Barbose, Brown and Gallian. NOES: Rouse, Sanders. ABSENT: None.

**Item 5H: Adopt Resolution Accepting Public Improvements for the MacArthur Subdivision, a 26-lot subdivision located at 165 & 179 West MacArthur Street.**

Mayor Sanders stated that her ownership of property within five hundred feet of the subject property created a conflict of interest for her and she would have to recuse. She stepped down from the dais and left the meeting room.

Mayor Pro Tem Brown invited comments from the public. Herb Golenpaul noted that the developer would maintain the improvements for the first year and asked who would be responsible for the maintenance after that. City Engineer Bertolero responded that the City would maintain the water line and storm drain improvements and the homeowners' association would maintain the streets and streetlights.

It was moved by Clm. Rouse, seconded by Clm. Gallian, to adopt Resolution Number 22-2012 entitled Resolution of the City Council of the City of Sonoma Accepting Public Improvements for the MacArthur Subdivision Located at 165 and 179 West MacArthur Street. The motion carried unanimously, Mayor Sanders absent.

**Item 5I: Adopt Resolution Accepting Public Improvements, Approving Amendment No. 1 to the Private Water System Agreement, and Accepting the Grant of Fire Access Easement for the Rancho de Sonoma Mobile Home Park located at 19275 Sonoma Highway.**

Upon returning to the dais, Mayor Sanders invited comments from the public. Herb Golenpaul asked several questions regarding the project. City Engineer Bertolero responded that the State Department of Housing and Community Development had signed off on the project and that she was unsure how much staff time had been spent; but the property owner would reimburse the City for all staff time spent on the project.

It was moved by Clm. Rouse, seconded by Clm. Barbose, to adopt Resolution Number 23-2012 entitled Resolution of the City Council of the City of Sonoma Accepting Public Improvements and Approving Amendment No. 1 to the Private Water System Maintenance Agreement for the Rancho de Sonoma Mobile Home Park and the Water Main Extension Thereof. The motion carried unanimously.

**Item 5J: Execution of purchase agreement for a new 2012 Ford E-450 Leader 168 Custom Type III Ambulance.**

Mayor Sanders invited comments from the public. Herb Golenpaul inquired why the radio equipment could not be reused in the new ambulance and why the Valley of the Moon Fire District was not purchasing the vehicle. Fire Chief Garcia stated that the joint powers agreement specified that the City and the District would each maintain their own equipment. He added that some of the radio equipment would be reused where possible.

It was moved by Clm. Rouse, seconded by Clm. Brown, to approve the purchase of the ambulance and to authorize the City Manager to sign the purchase contract. The motion carried unanimously.

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

**Item 6A: Approval of the portions of the Minutes of the June 4, 2012 City Council / Successor Agency Meetings pertaining to the Successor Agency.**

It was moved by Clm. Gallian, seconded by Clm. Rouse, to approve the minutes as corrected in 5B above. The motion carried unanimously.

**7. PUBLIC HEARING**

**Item 7A: Discussion, consideration and possible action to adopt resolution finding no majority protest to the levy of assessments, establishing the Sonoma Tourism Improvement District, and approving the Management District Plan and an agreement between the Sonoma Tourism Improvement District Corporation and the City of Sonoma.**

City Manager Kelly reported that on April 2, 2012, the City Council adopted Resolution No. 18-2012, a Resolution of Intention to form the Sonoma Tourism Improvement District (STID) and on May 7, 2012, held a public meeting regarding the proposed STID, in accordance with applicable law. She stated that the purpose of this public hearing was to receive protests and public testimony, if any, regarding the levy of new assessments to be levied beginning July 1, 2012, pursuant to the formation of the STID.

City Manager Kelly reviewed a list of provisions that had been included in the agreement over which the City Council had discretion and provided additional details relating to the management plan. She reported that the purpose of the proposed 2% assessment on room rentals was to provide marketing and sales promotions to increase overnight tourism and to market Sonoma as a tourist, meeting and event destination with an emphasis on the off-season. She stated that would result in increased revenue to the City in the form of sales and transient occupancy tax.

Mayor Sanders opened the public hearing. Christine Armstrong urged the Council to make sure that the smaller lodging businesses benefited from the increased advertising efforts.

George Webber stated that other cities in Sonoma County had higher transient occupancy taxes and that visitors to Sonoma would not care if the room tax was 10% or 12%. He supported the STID formation.

Bill Blum, General Manager of MacArthur Place, thanked City staff for their efforts and acknowledged it had been a long process. He said the hoteliers were happy with the agreement overall but did have a concern about the provision allowing the City Council to appoint a representative to the STID Board of Directors. He suggested such an appointment would create a conflict for a Councilmember.

David Cook expressed support for the STID stating it was a good partnership between government and local business.

Herb Golenpaul did not support the STID and stated amazement that the City would only receive 1% of the assessments for doing all the work required to collect and account for it. He said if he was in charge he would nominate Clm. Brown for appointment to the STID Board.

Seeing there were no additional persons wanting to speak, Mayor Sanders closed the public hearing.

Clm. Brown asked about Mr. Blum's comment regarding a Councilmember serving on the STID Board. City Attorney Walter stated he did not feel it would create a conflict of interest and the law allowed the City Council to appoint an existing member to the Board. He added it was not unusual for a City Council to name an existing nonprofit organization, such as a Chamber of Commerce, as the STID nonprofit and to serve as the Board of Directors.

It was moved by Clm. Rouse, seconded by Clm. Barbose, to adopt Resolution Number 24-2012 entitled A Resolution of the City Council of the City of Sonoma Declaring Results of Majority Protest Proceedings, Establishing the Sonoma Tourism Improvement District, and Approving Both the Management District Plan and an Agreement With the Sonoma Tourism Improvement District corporation. The motion carried four to one, Clm. Brown dissented.

## 8. REGULAR CALENDAR – CITY COUNCIL

**Item 8A: Discussion, consideration and possible action on the preparation of an application to designate portions of the City as a “Priority Development Area”, pursuant to the Bay Area regional FOCUS development and conservation strategy.**

Planning Director Goodison reported that the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), along with other regional agencies, were developing a voluntary, incentive-based strategy addressing development and conservation known as FOCUS. The basic purpose of the strategy was to identify, on a regional basis, locally designated areas that were suitable for infill development and areas that were priorities for conservation so that regional resources such as transportation grants and open space grants were allocated accordingly. With respect to the identification of infill opportunity areas, the FOCUS effort employed the term “Priority Development Area” (or PDA), which is defined as locally-identified, infill development opportunity areas within existing communities. They are generally areas of at least 100 acres where there is local commitment to developing more housing along with amenities and services to meet the day-to-day needs of residents in a pedestrian-friendly environment served by transit. To be eligible to become a PDA, an area had to be within an existing community, near existing or planned fixed transit or served by comparable bus service, and planned for more housing.

Goodison stated that as the FOCUS strategy moved forward, transportation funding grants made by MTC would increasingly emphasize projects that are located in PDAs. He said it was staff's view the designation of the downtown area and the Highway 12 corridor as a PDA should be investigated in order to keep Sonoma competitive in transportation funding opportunities, which include road improvements, transit and bicycle improvements. The PDA designation would not require any change in the City's General Plan, the Development Code, or the Growth Management Ordinance, as the PDA would simply recognize areas that are already zoned as Commercial, Mixed Use, and multi-family residential.

Mayor Sanders questioned why the matter had been agendized as a business item and was not on Consent. Goodison responded that preparing the application would take a considerable amount of staff time and staff did not want to move ahead without discussing and receiving direction from the City Council.

Mayor Sanders stated that it concerned her that the program was called Focus and not One Bay Area. She said that One Bay Area had become very controversial and she felt a change in the name would be confusing to the public.

CIm. Barbose asked how much staff time would be involved in preparing the application. Goodison responded that he and the City Engineer would be involved but he was unsure how much time it would require.

CIm. Gallian stated that the work would have to be done eventually; that the City would have to address areas of congestion.

Mayor Sanders invited comments from the public. David Cook suggested that Council obtain additional information prior to making a decision.

It was moved by CIm. Barbose, seconded by CIm. Gallian, to authorize staff to prepare an application for the designation of the downtown and Highway 12 corridor as a Priority Development Area and, once completed, return to the Council for authorization to file the application.

Mayor Sanders stated she did not support the motion because of her concerns. She stated that an area in American Canyon, where her business was located, had been designated a PDA which resulted in problematic gridlock. She was also concerned about the empty busses that were not serving the needs of the residents.

The motion carried four to one, Mayor Sanders dissented.

## 9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

There were no items.

## 10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

### **Item 10A: Reports Regarding Committee Activities.**

CIm. Rouse reported attendance at the Economic Development Steering Committee meeting where he learned that three new businesses had opened in the month of May and two more were in the works.

CIm. Gallian reported attendance at the Mayors and Councilmembers Association meeting and reported that they will take up the issue of the library joint powers authority agreement at the August 9 meeting which will be held in Sonoma.

CIm. Brown announced that Comcast was making a contribution towards the August 9 Mayors and Councilmembers meeting to help defray the costs of the meeting.

Mayor Sanders announced that long-time Librarian Stephan Buffy was retiring and she would be recognizing him at a future meeting. She reported attendance at the SV Fire and Rescue Authority meeting and learning that the City would be picking up 57% of the costs in the upcoming year, an increase over the original 53%.

### **Item 10B: Final Councilmembers' Remarks.**

Mayor Sanders announced the Council would conduct a special meeting on June 25, 2012 to review the 2012/13 budget.

## 11. COMMENTS FROM THE PUBLIC

Herb Golenpaul commented that an increase in the Transient Occupancy Tax would have been better than the STID.

## 12. ADJOURNMENT

The meeting was adjourned at 7:55 p.m. in memory of Richard Schreuder.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 2<sup>nd</sup> day of July 2012.

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Gay Johann, MMC  
City Clerk