

**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, July 16, 2012
5:00 p.m. Closed Session (Special Meeting)
6:00 p.m. Regular Session

MINUTES

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

5:00 P.M. – SPECIAL MEETING - CLOSED SESSION

1. CALL TO ORDER

At 5:00 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 and City Attorney Walter were also present.

2. CLOSED SESSION

- A: PUBLIC EMPLOYEE PERFORMANCE EVALUATION**, pursuant to Government Code §54957. Title: City Manager.
- B: CONFERENCE WITH LABOR NEGOTIATORS.** Agency representatives: City Manager & City Attorney. Employee Organization: City of Sonoma Employees' Association (SEIU 1020). Pursuant to Government Code §54957.6.

6:00 P.M. – REGULAR MEETING

The City Council reconvened in open session and Mayor Sanders called the meeting to order at 6:05 p.m. Patrick Carter, of Sonoma County Waste Management Agency, 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, Public Works Director Bates, Stormwater Coordinator Atkins.

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

1. COMMENTS FROM THE PUBLIC

Herb Golenpaul stated that he recently had to replace his water heater and questioned why a \$250 Building Permit was necessary. He also inquired how the average citizen could find out if specific features in their home met current code requirements.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

Cm. Brown praised the Sonoma Valley Rotary for cleaning up the vacant site at the corner of MacArthur and Broadway.

Cm. Gallian thanked the Community Center and the Sonoma Valley Firefighters Association for a wonderful 4th of July celebration. She reported attendance at the Napa-to-Sonoma Wine Country Half Marathon reception and the Schell-Vista Fire Department's annual chicken BBQ.

Cm. Rouse stated that the Broadway Under the Stars production at Jack London State Park was terrific and he encouraged all to take in a performance.

Cm. Barbose reported attendance at the Healdsburg Water Carnival, a fundraising event for Sonoma County Regional Parks.

Item 2A: Councilmembers' Comments and Announcements, Continued

Mayor Sanders complimented the entries in the 4th of July parade and stated they demonstrated great community spirit. She reported having received complaints from constituents regarding public intoxication at the fireworks display and loud noise emanating from the Marathon culmination in the Plaza on Sunday morning. She announced that she would not run for a third term. Mayor Sanders stated that she had thoroughly enjoyed her time on the Council and it had been an honor to serve; however, she wanted to be more active in her business and with her family.

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

City Manager Kelly announced that the July meeting of the Oversight Board had been cancelled and that staff would be studying the implications of recently adopted legislation, AB 1484. The next meeting of the Board would be in August. She also announced that the Economic Development Steering Committee had changed its meetings to the third Wednesday of the month.

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 25 and July 2, 2012 Meetings.

Item 5C: Approval of City co-sponsorship and Water Conservation funding for Dri-Water pilot project for Cittaslow Pollinator Pal Sunflower Project.

CIm. Gallian removed Item 5C. It was moved by CIm. Gallian, seconded by CIm. Brown, to approve the items remaining on the Consent Calendar. The motion carried unanimously.

Item 5C: Approval of City co-sponsorship and Water Conservation funding for Dri-Water pilot project for Cittaslow Pollinator Pal Sunflower Project.

CIm. Gallian inquired about the project. Public Works Director Bates explained that as part of the Cittaslow USA Pollinator Pals project, Cittaslow Sonoma Valley would be planting 18 wine barrels of sunflowers in the City of Sonoma with a total of 60 barrels planted in Sonoma Valley. Each barrel would have three 5-gallon pots of blooming sunflowers inside during the months of August - September. As part of learning about new products and technology, the City Water Conservation Program is proposing to team with Cittaslow and as a pilot, use a product called Dri-Water for irrigating the planters. The City would co-sponsor the project and provide sufficient tubes of Dri-water for the 18 barrels within the City. The cost would be approximately \$475.00, and the funding for the pilot project would come from the Water Conservation Fund.

The public comment period opened and closed with none received.

It was moved by CIm. Rouse, seconded by CIm. Gallian, to approve City co-sponsorship of the program and the use of Water Conservation funds for the Dri-Water project. 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 25 and July 2, 2012 City Council / Successor Agency Meetings pertaining to the Successor Agency.

It was moved by CIm. Rouse, seconded by CIm. Gallian, to approve the consent calendar. The motion carried unanimously.

7. PUBLIC HEARING – None Scheduled.

8. REGULAR CALENDAR – CITY COUNCIL

Item 8A: Discussion, consideration and possible action on parameters of a draft ordinance for a countywide Single Use Carryout Bag Ban being considered by the Sonoma County Waste Management Agency.

Henry Mikus reported that the Sonoma County Waste Management Agency (SCWMA) had previously received conceptual support of a countywide bag ban from the ten members of SCWMA and had followed up by preparing a draft ordinance. He said agency staff were meeting with individual cities again to obtain input on the proposed draft ordinance.

Patrick Carter presented a power point presentation providing background information and reporting on the stakeholder meetings that had been held. He reported that at least fifty California jurisdictions had already passed similar ordinances banning plastic bags and imposing a fee for the purchase of paper bags. Carter pointed out that the ban would not apply to the plastic bags used by customers in the produce or meat departments. He explained the differences between a regional ordinance adopted by SCWMA and a model ordinance adopted by individual jurisdictions.

Mayor Sanders invited comments from the public. Herb Golenpaul stated stores should have to pay customers that reuse their paper bags.

Clm. Barbose and Mayor Sanders stated that the section of the ordinance relating to recordkeeping and inspection seemed overly onerous and should be toned down. Clm. Gallian stated that the paper bag price should be ten cents and the price should be uniform throughout the County.

Councilmembers reached unanimous consensus to go with the regional ordinance method and thanked Mikus and Carter for the presentation.

Item 8B: Discussion and consideration of the Draft Phase II Stormwater Permit and Authorization for City Manager to Sign Comment Letters.

Stormwater Coordinator Atkins provided historical background regarding the City's stormwater permitting and reported that the State Water Resources Control Board had issued a revised draft Phase II Stormwater Permit. She summarized the impacts of the revisions being proposed and noted they would significantly increase personnel and consultant costs for the City.

Clm. Barbose stated that Ms. Atkins and another person had made a lengthier presentation for the North Bay Watershed Association and that all had agreed it represented regulation gone amuck.

Mayor Sanders invited comments from the public. David Cook supported the authorization of staff to send comment letters. Herb Golenpaul inquired what would happen if the City did not comply. Atkins responded that there would be fines and the City would be open to third party litigation.

It was moved by Clm. Gallian, seconded by Clm. Rouse, to authorize the City Manager to sign comment letters and to specify in red ink the unfunded mandates. The motion carried unanimously.

Item 8C: Discussion, consideration and possible action on the potential use of a City-owned property located at Fifth Street West/West MacArthur Street as a dog park, requested by Mayor Sanders.

Planning Director Goodison reported that earlier this year, Mayor Sanders held a preliminary discussion with Bob Edwards of the Sonoma Valley Dog Owners and Guardians (SVD OG) about the feasibility of making use of a vacant City-owned property located at the northeast corner of Fifth Street West and West MacArthur Street as a dog park. The one-half acre lot comprised of two parcels was donated to the City by the Cuneo family as an unrestricted gift. It had a General Plan land use designation of "Park", was undeveloped and featured a natural drainage swale. Neighboring properties on the north and east were zoned residential.

Clm. Rouse inquired how the drainage swale would affect the future development of the lot. Goodison stated that residential development would most likely require removal of the swale; however, if developed as a park the swale could remain. Clm. Barbose confirmed that the swale discharge ended up in Fryer Creek.

Mayor Sanders invited comments from the public. Bob Edwards stated his appreciation of the Mayor agendizing this idea and expressed concerns relating to the drainage swale that cut

Item 8C: Dog Park, Continued

through the parcel, traffic at the busy intersection and the impact of a dog park on surrounding neighbors. He said the Dog Park Association would need to know what it would cost to develop the parcel before they decided to take the project on.

Judi Shapiro stated that a larger dog park would benefit residents and visitors alike. Herb Golenpaul questioned if the donors had placed restrictions on the gifted property. He pointed out that five hundred thirty people lived across the street from the location and suggested that before they do something for dogs, the Council do something for the people. David Cook supported further exploration of development of the site as a dog park or a people park.

Councilmembers reached majority consensus to direct staff to determine the current value of the property, conduct further exploration of the use of the Cuneo site, and to come up with other possible sites for a dog park.

Item 8D: Discussion, consideration and possible action regarding formation of a City Donation and Sponsorship Program similar to that of the City of American Canyon, requested by Mayor Sanders.

City Clerk Johann reported that Mayor Sanders placed this item on the agenda to find out if other Councilmembers were interested in the formation of a City Donation and Sponsorship Program similar to the program created by the City of American Canyon in 2011. American Canyon's goal in creating the program was to encourage donations and sponsorship to help fund City events and programs as an alternative to downsizing or eliminating programs or services as a result of the economic downturn. Their City Council adopted a Donation and Sponsorship Policy, authorized production of a brochure listing the varied opportunities available to community benefactors. Their Parks and Recreation Department assumed administration of the program.

Johann stated that American Canyon reported having received \$1,500 in cash contributions in 2011 and \$750 to date this year as a result of their Donation and Sponsorship Policy. In communications received from American Canyon staff and Councilmembers, they had indicated their belief that the program would be more successful if they could dedicate more staff time and outreach to the community.

Mayor Sanders stated that she learned of American Canyon's program when the City sent a letter and brochure to her American Canyon office.

Clm. Rouse said it was an interesting idea but pointed out that Council has heard repeatedly about staff having to do more work with less people. He inquired if the City had a mechanism in place allowing individuals to make donations. City Manager Kelly responded that in the past people had donated benches and trees and had donated to the tree fund and skate park. She pointed out the ability to adopt a section of the bike path and the recent group of volunteers who stepped up to clean the cemetery.

Mayor Sanders invited comments from the public. Herb Golenpaul stated that people would donate when they wanted to and he saw no need for a special program. David Cook stated he liked the idea as long as it did not cost a lot of money.

Clm. Brown stated he liked the idea and could envision a partnership with one of the local newspapers for development of a brochure.

Clm. Rouse said he was not in favor of the idea but would support enhancement of the City's website to include information about potential donation opportunities. Clm. Barbose agreed.

Clm. Gallian stated she supported the idea of asking the Alcalde if it was something they would like to take on. She stated that potential donors were being solicited by nonprofit groups all the time and suggested exploring the subject in the future when we were not in a fiscal crisis.

City Manager Kelly suggested that all current opportunities could be placed in one spot.

Mayor Sanders acknowledged that there were not three in support of the idea but announced that she and Clm. Brown would continue to look into the possibility of creating such a program.

Item 8E: Discussion, consideration and possible action on a City Council appointment to the Sonoma Tourism Improvement District Corporation Board of Directors, requested by Mayor Pro Tem Brown and Councilmember Gallian.

City Manager Kelly reported that Mayor Pro Tem Brown and Councilmember Gallian requested discussion, consideration and possible action on a City Council appointment to the Sonoma Tourism Improvement District Corporation (STIDC) Board. She stated that the agreement between the City and STIDC stated: "The City Council may, in its sole and unfettered discretion, at any time during the term of this Agreement appoint one member to the Organization's board of directors as a voting or non-voting member of the board. The member may be a councilmember, city manager, or a designee appointed by the City Council to serve on the board. If the City Council is denied the right provided in this paragraph, the City may terminate this Agreement immediately."

City Manager Kelly reported that the STIDC Board had elected officers as follows: President Norm Krug, Vice President Dan Parks, Treasurer David Dolquist, and Secretary Bill Blum. Other Board members were Byron Jones and Wendy Stewart. She added that the City Attorney had determined that if the Council were to make an appointment it would be a voting (vs. non-voting) member of the board.

Cm. Brown inquired about the potential for a conflict of interest if a Councilmember were appointed. City Attorney Walter stated that there would not be a financial conflict because the appointee would serve without compensation and that it would really be a policy decision by the City Council. Cm. Rouse stated he felt the scenario would create a conflict.

Discussion ensued regarding the potential conflict and the limits that would be placed on communication if a Councilmember were to be appointed to the Board. Cm. Barbose asked City Manager Kelly if she could handle the additional responsibility. She responded that it was important for the City to be in on it on the ground floor and if appointed she would keep the Councilmembers informed regarding Board actions.

Mayor Sanders invited comments from the public. Bill Blum said the Board would be happy to have Ms. Kelly as the City's representative. He pointed out that she attended most of the Visitor Bureau Board meetings and was familiar with their marketing program.

Bob Edwards stated that he opposed formation of the District but now that it was formed, it was imperative that the City Council take every measure to ensure its success. He stated that Cm. Brown should be appointed. David Cook stated that having the City Manager on the Board was a good idea. Dan Parks also stated that the Board would be happy to have Ms. Kelly. Herb Golenpaul stated that Cm. Brown was the man for the job.

Cm. Rouse stated he did not feel the Council should make an appointment at this time. Mayor Sanders agreed and took a straw poll to see if there were three that felt that way. There were not. It was moved by Cm. Gallian, seconded by Cm. Barbose, to appoint the City Manager to the STIDC Board. The motion carried four to one, Cm. Rouse dissented.

Item 8F: Discussion, consideration and possible action regarding designation of the voting delegate and alternate for the 2012 League of California Cities Annual Conference.

City Manager Kelly reported that the League of California Cities 2012 Annual Conference would be held September 5-7, 2012 in San Diego. An important part of the Annual Conference was the Annual Business Meeting scheduled for noon on Friday September 7. At that meeting, representatives (delegates) from each city consider and take action on resolutions that establish League policy. In order for the City of Sonoma to cast a vote at the September 7 Annual Business Meeting, the City Council must designate a Voting Delegate and up to two Alternates. The deadline to provide these designations to the League is August 15.

Councilmembers briefly discussed attendance at the conference and reached a majority consensus not to send anyone.

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. Barbose reported attendance at the North Bay Watershed Association meeting.

CIm. Gallian reported attendance at the Sonoma County Transportation Agency meeting.

Mayor Sanders reported attendance at the Library Advisory Committee meeting. She said the library would be revising their fee schedules, adding ebooks in September and would be recruiting for a new Librarian to replace the retiring Stephan Buffy.

Item 10B: Final Councilmembers' Remarks.

CIm. Brown reminded all that the City was hosting the August 9, 2012 meeting of the Mayors' and Councilmembers' Association of Sonoma County. He also announced the City Party would be held on July 31, 2012.

Mayor Sanders stated that there were a noticeable number of dogs in the Plaza during the last two events (July 4 and Hit the Road Jack) and she would like to see additional foot patrol in the future.

11. COMMENTS FROM THE PUBLIC

There were no comments from the public.

12. ADJOURNMENT

The meeting was adjourned at 8:43 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 5th day of September 2012.

Gay Johann, MMC
City Clerk