

**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, August 20, 2012

5:00 p.m. Study 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

STUDY SESSION

Item SS1: Presentation and Study Session on Sonoma Clean Power - Community Choice Aggregation

First District Supervisor Valerie Brown stated that Sonoma County was one of a few counties committed to reducing greenhouse gas emissions. She stated that the purpose of the study session was to bring the Council up to speed with the Sonoma Clean Power, Community Choice Aggregation (CCA) program and provide an opportunity for Councilmembers to weigh in on the subject.

Clm. Gallian stated that her husband was employed by PG&E and that she had requested a ruling from the Fair Political Practices Commission regarding her participation in this subject. She said the ruling had not been received so out of an abundance of caution, she would recuse herself. Clm. Gallian stepped down from the dais and left the room.

Cordel Stillman and Steve Shupe, Sonoma County Water Agency, presented a power point presentation providing background information, proposed benefits, and future steps for creation of the Sonoma Clean Power program.

Bob Williamson, member of the CCA Steering Committee, stated that Council should focus on truth in advertising. He stated that citizens should be made aware that there would be reductions in Green House Gas emissions but not in Sonoma County.

Woody Hastings, Climate Protection Campaign, expressed his support for the program stating that it would provide a choice to Sonoma's constituents.

Ann Hancock, Climate Protection Campaign, stated that they would be actively compiling lists of program participants and supporters.

Tom Conlon expressed his support for the program.

RECESS: The meeting recessed 6:05 to 6:10 p.m.

REGULAR MEETING

The City Council reconvened and Mayor Sanders called the meeting to order at 6:10 p.m. Clm. Brown led the Pledge of Allegiance.

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

ALSO PRESENT: City Manager Kelly, Assistant City Manager Giovanatto, City Clerk Johann, City Attorney Walter, Police Chief Sackett, Public Works Director Bates.

1. COMMENTS FROM THE PUBLIC

David Cook welcomed anyone who wished to discuss his campaign for City Council to contact him.

Elizabeth Kane announced the upcoming events surrounding the 200th Buena Vista Winery anniversary and formal signing of the Tokaj Sister City Agreement.

1. COMMENTS FROM THE PUBLIC, Continued

Ed Kenney spoke regarding issues related to the Sonoma Valley Hospital Board of Directors.

Madolyn Agrimonti, Sonoma Valley Hospital Boardmember, corrected statements made by Mr. Kenney.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

Cm. Brown announced upcoming Amistad Award event at Robledo Winery and reported that the City Council candidates would be on his morning radio show.

Cm. Rouse congratulated the Sonoma Valley Education Foundation for another successful Red & White Ball.

Cm. Barbose congratulated Cm. Gallian for receiving an Amistad Award. He stated that he was troubled by CALFire's recent fundraiser for Muscular Dystrophy Association (MDA). Noting that none of the City's nonprofit groups were allowed to do so, he stated he did not like that they were out in the streets stopping traffic to collect donations. Cm. Barbose made it clear that he supported MDA and CalFire but did not like the message being sent that they were not subject to the same rules that apply to others.

Cm. Gallian dedicated the meeting in the memory of Joan Huguenard. She thanked Bill Kizer, Respect Our Loved Ones (ROLO) founder, for leading the recent cleanup of Mountain Cemetery.

Mayor Sanders stated that she had heard from concerned neighboring property owners regarding the Planning Commission's recent approval of a Use Permit to allow a school at the site. She announced the appeal deadline and said she would be following up on that issue.

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

City Manager Kelly announced that the Sonoma Tourism Improvement District Board approved contracts with Sonoma Valley Visitor Bureau at its first meeting. She also announced upcoming meetings of the Cemetery Subcommittee and Oversight Board and that the next City Council meeting would be on Wednesday, September 5, 2012 due to the Monday holiday.

4. PRESENTATIONS

Item 4A: Proclamation Recognizing National Health Center Week

Mayor Sanders presented a proclamation recognizing National Health Center Week to Cheryl Johnson, CEO of Sonoma Valley Community Health Center.

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 July 16, 2012 Meeting. (Removed from Consent and carried over to the next meeting)

Item 5C: Request by Valley of the Moon Lions Club for City-subsidized use of the Sonoma Valley Veterans Memorial Building on February 23, 2013. Approved subject to applicant's compliance with the City's standard insurance requirements.

Item 5D: Approval of contract with the County of Sonoma for services related to municipal elections and authorization for the City Manager to execute the agreement on behalf of the City. Approved and authorized the City Manager to execute on behalf of the City.

Item 5E: Adopt a Resolution Appointing Council Committee to Select Labor Negotiator. (Res. No. 32-2012)

Item 5F: Adoption of Plans and Specifications and Award of Contract to Quality Painting & Maintenance, lowest responsible bidder, for the 2 MG Water Tank Improvements Project in the amount of \$84,000.

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

- Item 5G:** Adoption of Plans and Specifications and Award of Contract to Coastside Concrete, lowest responsible bidder, for the Maxwell Village Water Services Replacement in the amount of \$69,000.00.
- Item 5H:** Request by Children’s Medical Aid Foundation for City-subsidized use of the Sonoma Valley Veterans Memorial Building on September 15, 2012. Approved subject to applicant’s compliance with the City’s standard insurance requirements.
- Item 5I:** Resolution Establishing an Appropriations Limit for FY 2012-13 Pursuant to Article XIII B of the California Constitution as Amended by Proposition 111. (Res. No. 33-2012)
- Item 5J:** Adoption of Plans and Specifications and Award of Contract to Valley Slurry Seal Company, lowest responsible bidder, for the 2012 Citywide Slurry Seal Project in the amount of \$79,500.00.
- Item 5K:** Approve the Notice of Completion for the Este Madera Road Rehabilitation Project Constructed by Mascon Inc./Argonaut Constructors Joint Venture and Direct the City Clerk to File the Document.
- Item 5L:** Adopt a resolution setting a policy to continue following all provisions of the Brown Act notwithstanding the 3-year suspension adopted by State Legislature. (Res. No. 34-2012)
- Item 5M:** Approve Application for Temporary Use of City Streets for the 2012 Valley of the Moon Vintage Festival Parade, Blessing of the Grapes, Water Fight and Foot Race. Approved subject to conditions recommended by staff.

Clm. Barbose removed Item 5B and carried the minutes over to the next meeting. Clm. Gallian confirmed with the City Attorney that she could vote on Item 5D even though she is a candidate in the November election.

The public comment period opened and closed with none received. It was moved by Clm. Barbose, seconded by Clm. Gallian, to approve the Consent Calendar except for Item 5B. 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 July 16, 2012 City Council / Successor Agency Meeting pertaining to the Successor Agency.
- Item 6B:** Discussion, Consideration and Possible Action on Adoption of the Third Recognized Obligation Payment Schedule [ROPS] for the period January 1, 2013 through June 30, 2013.

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

7. PUBLIC HEARING

- Item 7A:** Public Hearing to consider establishing a diversion fee for participation in the Sonoma Valley Youth and Family Services Diversion Program (SVYFS), and discussion, consideration and possible action adopting resolution implementing fee.

Police Chief Sackett reported that Sonoma Valley Youth and Family Services Program provided diversion services to juvenile offenders who commit first-time or minor criminal offenses. The program, which began in 1997, provides services to families that live within the boundaries of the Sonoma Valley Unified School District and is administered through the City Prosecutor’s Office. Sackett stated that during budget discussions staff began to think about a way to offset some of the costs of the program and were now suggesting establishment of a fee for participation in the program.

City Prosecutor Bob Smith and Assistant City Prosecutor Cynthia Ashmore further described the program and how it benefited participants and the community at large. Chief Sackett explained how the proposed \$150 fee had been calculated and that those currently in the school district’s reduced and free lunch program would be eligible for a reduction or waiver of the fee.

Item 7A: Public Hearing - Youth and Family Services Diversion Fee, continued

Mayor Sanders opened the public hearing. David Cook stated that the diversion program was important and he supported the \$150 fee. Seeing there were no additional public comments, Mayor Sanders closed the public hearing.

It was moved by Clm. Barbose, seconded by Clm. Rouse, to adopt the resolution entitled Resolution of the City Council of the City of Sonoma Establishing a New User Fee for Participation in the Youth and Family Services Diversion Program, setting the fee at \$150. The motion carried unanimously. (Res. No. 35-2012)

8. REGULAR CALENDAR – CITY COUNCIL

Item 8A: Discussion regarding law enforcement issues associated with the Annual 4th of July Celebration and Fireworks show, requested by Mayor Sanders.

Mayor Sanders stated that because of concerns related to her by constituents, she requested a discussion of the law enforcement related issues and challenges associated the annual 4th of July Celebration and Fireworks show. She stated that, in addition to the poor behavior demonstrated by some, she had concerns about pedestrian safety and the flow of traffic.

Chief Sackett stated that for future years, he felt the need to increase the staffing level for both the parade and fireworks show in order to provide adequate coverage and he was recommending one additional motorcycle unit for the parade and at least 2 additional motorcycle units for the fireworks show. In addition, he recommended use of the jail transportation van, which would allow the department to make multiple arrests without having to transport arrestees to Santa Rosa. He estimated the additional resources, available from the Sheriff's department would cost in excess of \$3,000. Chief Sackett added that, in light of some of the issues experienced this year, the City Council might want to review the City's policy on alcohol possession and consumption.

Clm. Rouse inquired if the Chief was seeing an increase in the number of incidents or an increase in the number of people. Chief Sackett responded that the crowd had been much larger this year. In response to a question posed by Clm. Gallian Chief Sackett explained that, with the exception of regulations for public parks, there were no prohibitions on public alcohol consumption and possession. Clm. Rouse suggested the use of volunteers to collect donations to help offset the additional law enforcement costs. City Manager Kelly responded that the volunteer firefighters struggled to collect enough to cover the cost of the fireworks.

Mayor Sanders stated that some had suggested the use of crossing guards to assist pedestrians in making their way across congested streets and the use of specified parking areas with shuttles running back and forth. Chief Sackett stated that crossing guards had been used but the issue lies with the huge volume of vehicles trying to leave downtown at one time. Mayor Sanders asked what could be done to increase safety. Sackett suggested an increase in patrol efforts early on and trying to education the public on safety and awareness issues. Mayor Sanders suggested public safety messages and event-related information could be placed on the City website.

Mayor Sanders invited comments from the public. Deirdre Sheerin stated that many would be willing to assist if they knew there was a need and nonprofit groups would be a good way to get the word out.

David Cook thought that partnerships with nonprofit groups was a good idea.

Tony Castrone stated that the Community Center would do anything they could to help with making the event safer and better.

Bill Kizer offered the services of Respect Our Loved Ones (ROLO) to help with clean up.

Mayor Sanders asked if staff had received enough direction. Chief Sackett stated that it appeared he had support for increasing staff and use of the bus in future years. He said his department would work with the Fire Department and the Community Center to provide more information to the public. Mayor Sanders stated that the Council should consider devoting money towards the communication effort and that it should be well thought out. She added that she would be in favor of reviewing the City's alcohol policy. Clm. Rouse stated that it was just a small minority that was causing the problems and he agreed that a communication plan was a good idea. City Manager Kelly stated that staff could put a budget estimate together during budget preparation.

Item 8B: Discussion, consideration and possible action to appoint a City representative to the County Library Joint Powers Agreement Committee.

City Manager Kelly reported that at the August 9, 2012 Mayors' and Councilmembers' Board of Directors meeting, a discussion was held regarding the Sonoma County Library Joint Powers Agreement (JPA). County Supervisors Brown and McGuire were in attendance. Supervisor McGuire suggested creation of an ad hoc committee with Mayors' and Councilmembers' Board representation to consider revisions to the JPA. Following discussion, which included the desire for each jurisdiction to be represented on such a committee, the Mayors' and Councilmembers' Board provided direction to request that each City Council appoint an individual to serve on a subcommittee to consider revision of the Library JPA agreement. The City-appointed representative could be a Councilmember, City staff member, or other individual as designated by each individual Council. The committee would be made up of 11 members: 9, representing one from each city; 1 from the County; and 1 from the Library Commission. The goal was to have each appointment reported to the County Administrator by September 20, 2012.

Mayor Sanders stated that Supervisor McGuire also spoke about the Director position. City Manager Kelly added that he had suggested an examination of the Director appointment process.

Mayor Sanders invited comments from the public. David Cook commended Councilmembers and staff for their involvement in many other committees and boards.

It was moved by Clm. Gallian, seconded by Clm. Rouse, to appoint the City Manager as the representative and the Assistant City Manager as the alternate. The motion carried unanimously.

Item 8C: Discussion, consideration and possible action on a request for a letter of support for SB 214 (Wolk) regarding Infrastructure Financing Districts, requested by Councilmember Gallian.

City Manager Kelly reported Councilmember Gallian was requesting Council consideration of a letter of support for SB 214. She explained that Senate Bill 214 was authored by Senator Lois Wolk, who now represents the City of Sonoma. The bill would amend provisions of infrastructure financing district (IFD) law to allow the creation of IFDs without a vote of the people and with provisions to extend bonding from 30 to 40 years. The financing could be used by a city for a variety of public works projects without impacting school districts' share of property taxes or the State general fund. With the loss of redevelopment, revision to the IFD law could be one new tool to assist cities with infrastructure financing options.

Clm. Gallian stated that she felt this legislation would provide an important tool for use in the future financing of infrastructure projects. Clm. Barbose inquired where the money would come from. The City Manager responded that the City would pledge property tax funds for repayment.

Mayor Sanders invited comments from the public. David Cook stated he was against the Council supporting the legislation because the issue of public financing should be taken to the voters for approval.

Clm. Barbose stated he had serious concerns that would need to be addressed before utilizing the process but he had no problem supporting the legislation. It was moved by Clm. Barbose, seconded by Clm. Gallian, to send a letter of support. Clm. Brown stated he did not like voting on something if he was not behind it. Mayor Sanders stated she would not support it either because she did not like the part that said it would not be taken to the voters. The motion failed two to three; Councilmembers Rouse, Brown and 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.

Clm. Barbose reported that the Solid Waste Advisory Group had been advised that County staff received direction from the Board of Supervisors to move forward with a restructuring plan for waste management.

Item 10A: Reports Regarding Committee Activities, Continued

Clm. Gallian reported that the Regional Climate Protection Authority did not meet but had been a partial sponsor of the Biochar Conference. The Water Advisory Committee received a presentation regarding Cotati's use of messaging on their water bills.

Clm. Brown reported that Sonoma Valley Citizens Advisory Committee continued the discussion regarding Hanna Boys Center to their next meeting.

Mayor Sanders reported that the library fee increases had been approved and that the library would be purchasing many more ebooks. She stated she was surprised and disappointed when she showed up for the Economic Development Steering Committee (EDSC) and found Clm. Gallian there weighing in on issues. She added that it was not her choice to Brown Act with Clm. Gallian regarding the MOU being discussed.

Item 10B: Final Councilmembers' Remarks.

Clm. Brown reported that the Planning Commission would be conducting a public meeting regarding the Chateau Sonoma hotel proposal. He said he received a lot of positive feedback from attendees at the Mayors and Councilmembers meeting hosted by Sonoma and that some had said it was the best meeting ever.

Clm. Gallian stated she had attended the EDSC meeting as a member of the public and had no intention of taking the Mayor's place as the appointed representative.

11. COMMENTS FROM THE PUBLIC

There were no comments from the public.

12. PUBLIC COMMENTS REGARDING CLOSED SESSION

There were no comments from the public and the Mayor announced that the City Council would convene in closed session at 8:45 p.m. All members were present. Also present was City Manager Kelly and City Attorney Walter.

13. CLOSED SESSION

Item 13A: 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.

14. RECONVENE IN OPEN SESSION & REPORT ON CLOSED SESSION

At 9:00 p.m. the Council reconvened in open session and Mayor Sanders announced that no reportable action had been taken.

15. ADJOURNMENT

The meeting was adjourned at 9:00 p.m. in memory of Joan Huguenard.

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