

**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, December 3, 2012  
5:00 p.m. Closed Session (Special Meeting)  
6:00 p.m. Regular Session**

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

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**AGENDA**

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

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

**1. CALL TO ORDER**

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

**2. CLOSED SESSION**

**Item 2A: PUBLIC EMPLOYEE APPOINTMENT.** Title: City Manager. Pursuant to Government Code 54957.

**Item 2B: PUBLIC EMPLOYMENT.** Title: City Manager. Pursuant to Government Code 54957.

**Item 2C: CONFERENCE WITH LABOR NEGOTIATORS.** Agency designated representative: Mayor, Joanne Sanders. Unrepresented employee: City Manager. Pursuant to Cal. Gov't Code section 54957.6.

**Item 2D: PUBLIC EMPLOYEE PERFORMANCE EVALUATION,** pursuant to Government Code §54957. Title: City Attorney.

**OPENING**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

**ROLL CALL** (Gallian, Barbose, Rouse, Brown, Sanders)

**REPORT ON CLOSED SESSION**

**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**

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

#### 4. PRESENTATIONS

**Item 4A:** Recognition of the Service of City Manager Kelly, Public Works Director Bates and City Engineer Bertolero

**Item 4B:** Viewing of new video “Tips for Starting a Business in Sonoma” (6 minutes)

#### 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 of a resolution declaring the results of the November 6, 2012 General Municipal Election.  
Staff Recommendation: Adopt the resolution.

**Item 5C:** Approval of Employment Agreement between the City of Sonoma and Carol Giovanatto as City Manager.  
Staff Recommendation: Approve agreement and authorize the Mayor to execute the agreement on behalf of the City.

**Item 5D:** Approve the Notice of Completion for the Maxwell Village Water Services Replacement Constructed by Coastside Concrete and Direct the City Clerk to File the Document.  
Staff Recommendation: Approve the Notice of Completion and Direct the City Clerk to File the Document.

**Item 5E:** Adoption of a Resolution upholding the appeal of the Planning Commission’s decision to deny the application of Chris Konecny (Peet’s Coffee & Tea) for a Use Permit to allow a formula restaurant within an existing building on a commercial property located at 591 Broadway, subject to revised conditions of approval.  
Staff Recommendation: Adopt the resolution upholding the appeal.

**Item 5F:** Adoption of a resolution denying the appeal and upholding the Planning Commission’s decision to approve, as an adaptive re-use, administrative offices and wine tasting by appointment within a historic residence (143 West Spain Street/138 Church Street), along with the development of associated off-street parking.  
Staff Recommendation: Adopt resolution denying the appeal.

**Item 5G:** Approval of the Minutes of the November 5 and November 14, 2012 Meetings.  
Staff Recommendation: Approve the minutes.

**Item 5H:** Ratify Mayor’s nomination of James K. Cribb to fill the current vacancy on the Planning Commission, and should said nomination not garner sufficient votes to ratify same, then the Mayor may nominate another person or other persons to fill this position for the Council’s consideration and ratification; information regarding the Planning Commission appointment process is also provided for the Council’s consideration.  
Staff Recommendation: Nomination by the Mayor, ratification by the City Council.

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

**Item 5I:** Approve the Notice of Completion for the 2MG Water Tank Improvements Project Constructed by Quality Painting and Maintenance and Direct the City Clerk to File the Document.

Staff Recommendation: Approve the Notice of Completion for the 2MG Water Tank Improvements Project constructed by Quality Painting and Maintenance and Direct the City Clerk to File the Document.

**Item 5J:** Adoption of Resolution authorizing the City Manager to grant interim incentive pay to specified management employees of the City to fulfill duties of Interim Public Works Director.

Staff Recommendation: Adopt resolution.

**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.*

There were no Successor Agency consent calendar items at the time of packet preparation.

**7. COUNCILMEMBER RECOGNITIONS**

**Item 7A:** Mayor Pro Tem Brown will present a plaque and the Outgoing Mayor’s gavel to Mayor Sanders.

**Item 7B:** Councilmember comments

**Item 7C:** Comments by Mayor Sanders

**8. OATHS OF OFFICE**

**Item 8A:** City Clerk Johann will administer the Oath of Office and present a Certificate of Election to newly elected Councilmembers.

**Item 8B:** Newly sworn in Councilmembers are seated at the dais.

**Item 8C:** Councilmember comments.

**9. SELECTION OF MAYOR AND MAYOR PRO TEMPORE**

**Item 9A:** Mayor Pro Tem Brown to open nominations for Mayor and Mayor Pro Tempore.

**Item 9B:** New Mayor to assume chair of the meeting and direct the dais seating arrangement.

**10. RECESS: The meeting will recess for a brief reception. Cake will be served.**

**11. PUBLIC HEARING – None Scheduled**

**12. REGULAR CALENDAR – CITY COUNCIL**

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

**Item 12A:** Discussion, consideration and possible action on Capital Improvement Program and Amendments to the FY 2013 Operating Budget. (Assistant City Manager)  
Staff Recommendation: Accept Capital Improvement Plan for 2013 and approve resolutions to amend the 2013 Operating Budget to include allocations for Capital Projects.

**13. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY**

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

There were no Successor Agency regular calendar items at the time of packet preparation.

**14. COUNCILMEMBERS' REPORTS AND FINAL REMARKS**

**Item 14A:** Reports Regarding Committee Activities.

**Item 14B:** Final Councilmembers' Remarks.

**15. COMMENTS FROM THE PUBLIC**

**16. ADJOURNMENT**

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on November 29, 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 normally available for public inspection the Wednesday before each regularly scheduled meeting at City Hall, located at No. 1 The Plaza, Sonoma CA. Any documents subject to disclosure that are provided to all, or a majority of all, of the members of the City Council regarding any item on this agenda after the agenda has been distributed will be made available for inspection at the City Clerk's office, No. 1 The Plaza, Sonoma CA during regular business hours.***

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

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