

**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

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.



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4A

Meeting Date: 12/03/12

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Recognition of the service to the City of City Manager Linda Kelly, Public Works Director Milenka Bates, and City Engineer Toni Bertolero.

Summary

Mayor Sanders will present certificates of appreciation for service to the City as follows:

City Manager Linda Kelly, January 22, 2008 – December 12, 2012

Public Works Director Milenka Bates, October 30, 2002 – December 28, 2012

City Engineer Toni Bertolero, April 19, 2008 – December 7, 2012

Recommended Council Action

Mayor to present the Certificates of Appreciation.

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:

Certificates of Appreciation (3)

cc via email:

City of Sonoma
Certificate of Appreciation

PRESENTED TO

Linda Kelly
City Manager

For Dedicated Service to the City of Sonoma
1/22/2008 - 12/12/2012

PRESENTED THIS 3rd DAY OF DECEMBER 2012



Joanne Sanders
Joanne Sanders, Mayor

City of Sonoma
Certificate of Appreciation

PRESENTED TO

Milenka Bates
Public Works Director

For Dedicated Service to the City of Sonoma
October 30, 2002 – December 28, 2012

PRESENTED THIS 3rd DAY OF DECEMBER 2012

Joanne Sanders, Mayor



City of Sonoma
Certificate of Appreciation

PRESENTED TO

Toni Bertolero
City Engineer

For Dedicated Service to the City of Sonoma
4/19/2008 - 12/7/2012

PRESENTED THIS 3rd DAY OF DECEMBER 2012



Joanne Sanders
Joanne Sanders, Mayor



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4B

Meeting Date: 12/3/12

Department

Administration

Staff Contact

Linda Kelly, City Manager

Agenda Item Title

Viewing of new video "Tips for Starting a Business in Sonoma" (6 minutes)

Summary

The City, in conjunction with the Sonoma Valley Economic Development Partnership, has produced a brief video to assist new businesses with understanding the steps necessary to open a business in the City. The video will be made available through several media links, including a link on the City's website, SVTV, the Chamber, and DVDs will be available at City Hall, among other means of distribution.

Recommended Council Action

View video.

Alternative Actions

Defer viewing.

Financial Impact

The video was produced within the City's Economic Development budget.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

None

cc:



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5B

Meeting Date: 12/03/12

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Approval of a resolution declaring the results of the November 6, 2012 General Municipal Election.

Summary

A General Municipal election was conducted in the City of Sonoma on November 6, 2012 for the purpose of electing two members of the City Council. At the time of preparation of the agenda packet, the official statement of votes cast had not been received from the County Clerk; however staff has been assured it will be available prior to the December 3 City Council Meeting. The resolution will be completed and copies of the official statement of votes cast will be made available at, or prior to, the City Council meeting.

Recommended Council Action

Adopt the resolution.

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:

Resolution

CITY OF SONOMA

RESOLUTION NO. xx - 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 6, 2012, DECLARING THE RESULT AND SUCH OTHER MATTERS AS REQUIRED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Sonoma, California, on Tuesday, November 6, 2012, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the County Election Department canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SONOMA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the whole number of ballots cast in the precincts except absent voter ballots and provisional ballots was _____.

That the whole number of vote by mail ballots cast in the City was _____, the whole number of provisional ballots cast in the City was _____, making a total of _____ ballots cast in the City.

Section 2. That the names of persons voted for at the election for Member of the City Council are as follows: Madolyn Agrimonti, David Cook, Laurie Gallian and Cameron Stuckey.

Section 3. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective offices for which the persons were candidates were as listed in "Exhibit A" attached.

Section 4. The City Council does declare and determine that: 1) _____ and _____ were elected as Members of the City Council for the full term of four years.

Section 5. That the City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of ballots cast in the City; (2) The names of the persons voted for; (3) For what office each person was voted for; (4) The number of votes given at each precinct to each person; and (5) The total number of votes given to each person.

Section 6. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

Section 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED 3rd day of December 2012, by the following
vote:

AYES:
NOES:
ABSENT:

Joanne Sanders, Mayor

ATTEST:

Gay Johann, City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5C

Meeting Date: 12/3/12

Department

Administration

Staff Contact

Linda Kelly, City Manager

Agenda Item Title

Approval of Employment Agreement between the City of Sonoma and Carol Giovanatto as City Manager

Summary

Following a closed session held on November 19, 2012, the Mayor announced the City Council's agreement to appoint current Assistant City Manager Carol Giovanatto as the next City Manager of Sonoma, effective December 13, 2012. The Council's appointment of Carol Giovanatto as City Manager is subject to formal adoption of an employment agreement (attached) at a regular City Council meeting.

The employment agreement has been reviewed and revised by the City Attorney. The terms and conditions of employment are consistent with standard terms and conditions of City Manager employment agreements implemented by the City in the past.

Recommended Council Action

Approve agreement and authorize the Mayor to execute the agreement on behalf of the City.

Alternative Actions

N/A

Financial Impact

Sufficient funds to cover the provisions of the employment agreement are included in the adopted budget for FY 2012-13.

Environmental Review

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

Status

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

Attachments:

Employment Agreement

cc: Carol Giovanatto

EMPLOYMENT AGREEMENT

THIS AGREEMENT is between the CITY OF SONOMA ["City"] and CAROL GIOVANATTO ["Employee"] and is dated for convenience this _____ day of December, 2012.

RECITALS:

City desires to employ CAROL GIOVANATTO as City Manager of the City of Sonoma. CAROL GIOVANATTO desires to serve as City Manager of the City of Sonoma, beginning December 13, 2012.

The City Council as appointing power, and CAROL GIOVANATTO, desire to agree in writing to the terms and conditions of CAROL GIOVANATTO'S employment as City Manager.

AGREEMENT:

1. DUTIES.

[a] City agrees to employ CAROL GIOVANATTO as City Manager of the City of Sonoma to perform the functions and duties specified in the ordinances and resolutions of City, and to perform other legally permissible and proper duties and functions as the City Council may from time to time assign.

[b] Employee shall perform her duties to the best of her ability in accordance with the highest professional and ethical standards of the profession and shall comply with all general rules and regulations established by the City, including the City of Sonoma's Code of Ethics.

[c] Employee shall not engage in any activity which is, or may become, a conflict of interest, prohibited contract, or which may create an incompatibility of office as defined under California law. Prior to performing any services under this Agreement and annually thereafter, the Employee must complete disclosure forms required by law. However, Employee may engage in charitable endeavors not involving employment or activities related to the business of the City so long as such outside activities do not interfere with Employee's duties under this Agreement.

2. TERM.

[a] The term of this Agreement shall be for one [1] year commencing on December 13, 2012, unless terminated by either party in accordance with the provisions set forth in Paragraph 3 or until terminated by the event of the death or permanent disability of Employee. The term may be extended or revised by mutual, written agreement of the parties.

[b] At least thirty (30) days prior to the end of the term of this Agreement, the City Council shall give Employee written notice stating whether the City Council intends to allow this Agreement to expire without renewing its term or to extend the term of this Agreement. If the

City Council states that it desires to extend or renew the term of this Agreement, it shall do so conditionally, stating that any such extension or renewal shall be subject to the parties reaching agreement on the terms and conditions of any such extension or renewal, and inviting Employee to discuss any such terms and conditions with the Mayor as soon as is practicable, with the objective of reaching an agreement, if one can be reached, prior to the end of the term of this Agreement. If no such agreement can be timely reached, then this Agreement shall expire at the end of its term.

[c] Employee agrees to remain in the exclusive employ of the City during the term of this Agreement.

3 RESIGNATION AND TERMINATION.

[a] Employee may resign at any time and agrees to give City at least forty-five [45] days advance written notice.

[b] City may at any time terminate Employee upon forty-five [45] days advance written notice.

[c] The parties recognize and affirm that: 1) Employee is an "at will" Employee whose employment may be terminated by the City without cause, and 2) there is no express or implied promise to Employee for any form of continued employment. This Agreement is the sole and exclusive basis for an employment relationship between Employee and City.

[d] For the ninety-[90] day period immediately following a general or special election at which a Council member is elected to office, the City Council agrees not to terminate the services of Employee without cause; provided, however, that the City Council may give to Employee the 45-day notice described in Paragraph 3(b) during said 90-day period as long as the effective date of Employee's termination specified in said 45-day notice is not any sooner than the day after said 90-day period.

4. SEVERANCE PAY.

If the City Council terminates Employee by giving Employee the 45-day notice of termination specified in Paragraph 3(b), then the City agrees to pay Employee a cash payment equal to three (3) months' aggregate salary, based on the salary in effect on the date of termination. This cash payment may be paid, at the option of the Employee, in 1) lump sum upon the date of termination; 2) lump sum on January of the calendar year following termination, or 3) three (3) equal monthly installments. Such payment by the City will release the City from any further obligations or liabilities under this Agreement.

Notwithstanding the foregoing to the contrary, the Employee shall not be entitled to be paid severance pay in the event (a) this Agreement expires and is not renewed, or (b) Employee's employment is terminated due to her death or permanent disability.

5. SALARY.

[a] City agrees to pay Employee One Hundred Forty-Five Thousand Dollars [\$145,000] in salary per annum for her services, payable in installments at the same time as other employees of the City are paid and subject to customary withholding.

[b] Thereafter and subject to a satisfactory evaluation of performance on the anniversary date hereof, City may increase Employee's compensation by written amendment to this Agreement.

[c] The salary compensation provided in this paragraph shall not be decreased unless the same percentage decrease is applied to all management employees.

6. AUTOMOBILE.

Employee's duties require that she shall have the use of an automobile at all times during her employment with the City. City shall reimburse Employee Four Hundred Dollars [\$400.00] per month for the expenses of owning, maintaining, and insuring a personal automobile. The amount of reimbursement shall be evaluated each fiscal year and, if appropriate, adjusted to reflect increased costs. The auto allowance shall appear on Employee's payroll stub as ordinary income and as part of her salary, but it shall not be considered part of Employee's base salary for purposes of this Agreement. Employee shall be responsible for all operation expenses, maintenance expenses, replacement costs, and insurance for the automobile. Employee shall at all times maintain insurance for the automobile in an amount and with coverages acceptable to the City, name the City as an additional insured thereon, provide the City evidence of such insurance and shall inform her insurer that the automobile is used for personal and business purposes.

7. BUSINESS EXPENSES.

City shall pay for or provide Employee reimbursement of all actual business expenses incurred in the performance of her duties under this Agreement. Without prior written approval from the City Council, Employee shall not incur business expenses in excess of the amount annually budgeted and approved by the City Council for this item. Employee shall provide written documentation verifying the incurring of each expense and the necessity therefor, which said documentation shall be permanently maintained by the City in accordance with its records retention policies. Notwithstanding the foregoing, mileage shall not be reimbursed to Employee.

8. SUPPLEMENTAL BENEFITS.

The City shall also provide the Employee the same benefits and increases in same as provided to non-public safety management employees and as they may be amended from time to time, except that in any event City shall provide One Hundred Percent [100%] of the cost of medical, vision and dental benefits. All actions taken by the City relating to benefits for such management employees shall be considered actions granting the same benefits to Employee. As used herein, benefits include but are not limited to holidays, administrative leave, sick leave, administrative leave, retirement benefits and payments, health insurance, vision insurance, dental insurance, and life insurance.

9. LEAVE BENEFITS.

[a] Vacation Leave. Employee shall be entitled to fifteen [15] vacation days each year,

[b] Sick Leave. Employee shall be entitled to twelve [12] days of sick leave each year.

[c] Administrative Leave. Employee shall be entitled to ten [10] days of administrative leave annually.

10. RELOCATION ASSISTANCE.

This section not applicable.

11. PERFORMANCE EVALUATION.

The City Council shall conduct a performance evaluation six [6] months after the beginning of employment but no adjustment in compensation shall be made at that time. Thereafter, the City Council shall evaluate Employee's performance at least annually, at which time adjustments to compensation may be considered. The review of the performance of Employee shall be subject to a process, form, criteria, and format for the evaluation, which shall be mutually agreed upon by the City Council and Employee. In addition, every year the City Council and Employee will set goals and objectives for the ensuing year.

12. OTHER TERMS AND CONDITIONS OF EMPLOYMENT.

The City Council, by resolution, shall fix any other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with provisions of this Agreement or law.

13. NOTICES.

Any notices required by this Agreement shall be in writing and either given in person or by first class mail with the postage prepaid and addressed as follows:

TO CITY: City Council
Atten: Mayor
City of Sonoma
No. 1 the City
Sonoma, CA 95476

TO EMPLOYEE: Carol Giovanatto
City Manager
City of Sonoma
c/o 533 Port Circle
Cloverdale, CA 95425

14. GOVERNMENT CODE SECTION 53243.2

Pursuant to Cal. Gov't Code section 53243.2, Employee agrees that if this Agreement is terminated, Employee shall reimburse the City the full amount of any cash settlement Employee received from the City relating to that termination if the Employee is convicted of a crime involving an abuse of her office or position.

This Agreement is executed on the date above stated.

CITY OF SONOMA

CAROL GIOVANATTO

Mayor

Date: _____

Date: _____

ATTEST:

Gay Johann, City Clerk

APPROVED AS TO FORM:

Jeffrey Walter, City Attorney



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5D

Meeting Date: 11/19/2012

Department

Public Works

Staff Contact

Milenka Bates, Public Works Director

Agenda Item Title

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

Summary

The City Council awarded the contract to Coastside Concrete on August 20, 2012. The work In general consisted of removal of existing and installation of new 1-inch and 2-inch water services, as indicated in the plans, including the temporary lighting and systems for construction, demolition and removal of asphalt, asphalt saw cutting, trenching, shoring, construction dewatering, demolition and installation of water service materials, temporary traffic control, haul-off of excess material, temporary and final surface restoration including placement of hot mix asphalt trench patch, concrete grade curb and pavers, pavement marking, and other related work, as set forth on the project Plans and Specifications. Much of the work was conducted between the hours of 8:00 p.m. and 6:00 a.m. in order to minimize water shutdowns and impacts to the businesses in the shopping center.

Contract Summary Table

	General Description	Amount
	Approved Original Contract and Contract Pay Items	\$69,000.00
CCO #1	Additional Water Meter Work	\$417.31
	Final Contract Amount	\$69,417.31

Recommended Council Action

It is recommended that Council 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.

Alternative Actions

None.

Financial Impact

At its August 20, 2012 meeting, Council approved a CIP budget of \$118,000 for Project costs, including the design, testing, construction and project contingency. There are adequate funds in the Water Capital Fund.

Environmental Review

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

Status

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

Attachments:

Notice of Completion

When recorded, return to:

City of Sonoma
Attn: City Clerk
No. 1 The Plaza
Sonoma, CA 95476

OFFICIAL BUSINESS: Exempt from Recording Fees Pursuant to California Government code §6103.

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. On the 19th day of November, 2012, the public project known as:
Maxwell Village Water Services Replacement Project No. 1205 was completed.
2. The name and address of the party filing this Notice is:
City of Sonoma, No. 1 The Plaza, Sonoma, CA 95476
3. The name and address of the Contractor responsible for the construction of said public project is:
Coastside Concrete, 2160 West Hearn, Santa Rosa, CA 95407.
4. The name and address of said Contractor's insurance carrier is:

Arthur E. Schieffer & Son (Broker)
338 Center Street
P.O. Box 515
Healdsburg, CA 95448
5. The general description of the public project was: removal of existing and installation of new 1-inch and 2-inch water services, as indicated in the plans, including the temporary lighting and systems for construction, demolition and removal of asphalt, asphalt saw cutting, trenching, shoring, construction dewatering, demolition and installation of water service materials, temporary traffic control, haul-off of excess material, temporary and final surface restoration including placement of hot mix asphalt trench patch, concrete grade curb and pavers, pavement marking, and other related work, as set forth on the project Plans and Specifications. All work, with few exceptions as noted, was conducted between the hours of 8:00 p.m. and 6:00 a.m. per the Specifications.
6. The original contract amount was: \$ 69,000

Recording of this document is requested for **CITY OF SONOMA** and on behalf of the **City of Sonoma**, a Municipal Corporation, under Section 6103 of the Government Code.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Linda Kelly, City Manager

Dated: _____, 2012

ATTEST: _____
City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5E

Meeting Date: 12/03/12

Department

Planning

Staff Contact

Associate Planner Atkins/Planning Director Goodison

Agenda Item Title

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 (implementing the City Council action of November 19, 2012).

Summary

The Peet's Coffee & Tea application was reviewed by the Planning Commission at its meeting on September 9 2012. In its review, the Planning Commission considered the application submittal, staff report, correspondence and public testimony on the item. In the course of the public hearing, issues were raised by members of the public related to the negative impact of introducing another coffee shop in the area. The Planning Commission expressed concerns with traffic generation, pedestrian safety, and the relation of the application to the formula business findings. After holding a public hearing on the matter, the Planning Commission ultimately voted 4-3 to deny the use permit (Comm. Willers, Roberson, Tippel dissenting; Comm. Howarth absent).

On September 25, 2012, Mayor Sanders filed an appeal of the Planning Commission's decision requesting that the City Council review the decision. Pursuant to Municipal Code Section 1.24.070 (Appeals by Council Members), any member of the City Council may appeal any final decision of any city commission, board or official to the city council. If an appeal is made by a councilmember, there shall be a presumption applied that the reason for the appeal is because the appealed decision or interpretation has significant and material effects on the quality of life within the City of Sonoma. No inference of bias shall be made because of the appeal and no other reason need be stated by the councilperson in his/her notice of appeal.

After considering the appeal at its meeting of November 19, 2012, the City Council voted 5-0 to uphold the appeal of the decision of the Planning Commission, subject to additional conditions of approval, thereby approving the use permit. As directed by the Council, staff has prepared a draft resolution (attached), including the revised conditions, to implement the City Council's decision.

Recommended Council Action

Adopt the resolution upholding the appeal of the decision of the Planning Commission to deny a Use Permit to allow a formula restaurant within an existing building on a commercial property, subject to the revised conditions of project approval.

Alternative Actions

Direct amendments to the resolution and/or revisions to the conditions of project approval.

Financial Impact

N.A.

Environmental Review

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

Status

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

Attachments:

1. Draft Resolution
-

cc:

CITY OF SONOMA

RESOLUTION NO.

A RESOLUTION OF THE SONOMA CITY COUNCIL UPHOLDING THE APPEAL OF THE PLANNING COMMISSION'S DECISION TO DENY AN 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

WHEREAS, on August 8, 2012, an application was filed by Chris Konecny (on behalf of Peet's Coffee & Tea) for a Use Permit allow a formula restaurant within an existing building on a commercial property located at 591 Broadway and,

WHEREAS, upon considering this request in the course of a public hearing held on September 13, 2012, the Planning Commission voted 4-3 to deny the Use Permit application (Comm. Willers, Roberson, Tippel dissenting; comm. Howarth absent); and,

WHEREAS, this decision was appealed to the City Council by Mayor Sanders pursuant to Municipal Code Section 1.24.070 (Appeals by Council Members); and,

WHEREAS, Municipal Code Section 1.24.070 (Appeals by Council Members) provides that there shall be a presumption applied that the reason for the appeal is because the appealed decision or interpretation has significant and material effects on the quality of life within the City of Sonoma, and that no inference of bias shall be made because of the appeal; and,

WHEREAS, the City Council considered the appeal in a duly noticed public hearing held on November 19, 2012; and,

WHEREAS, pursuant to Section 15303(c) of the State CEQA Guidelines, the conversion of this existing small structure from one use to another is Categorically Exempt from the provisions of CEQA (Class 3 – New Construction of Conversion of Small Structures):

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sonoma hereby finds and declares as follows:

Section 1. The project is deemed categorically exempt from environmental review pursuant to Section 15303(c) of the State CEQA Guidelines, which exempts the conversion of existing small structures from one use to another from the provisions of CEQA (Class 3 – New Construction of Conversion of Small Structures).

- A. The project is exempt under said Section 15303(c) because it involves the conversion of a portion of a single structure encompassing less than 10,000 square feet of floor area from office to restaurant use—a commercial use—on a parcel zoned for such use. Furthermore, the subject building is located in an urbanized area in the downtown of the City of Sonoma and involves a coffee and tea house that does not include the use of significant amounts of hazardous substances. In addition, all necessary public services and facilities are available to the subject property and the surrounding area is not environmentally sensitive.
- B. There is no evidence in the record that establishes that there exist any “unusual circumstances” surrounding the conversion of the office space here in question to a coffee and tea house that set it apart from any other small commercial structure to be converted to restaurant use in an urbanized area without the use of hazardous substances in a downtown, commercial area zoned for such uses.
- C. In addition, according to the traffic study prepared for the project, in the near-term the implementation of the project would result in acceptable Level of Service (LOS) operation during both morning and evening peak periods at all of the intersections in the vicinity of the project site. In the long-term, under projected traffic conditions (year 2035), the traffic study indicates that the intersection of West Napa Street/Broadway would operate at LOS E during peak conditions in the A.M. period, which is below the LOS D identified in the Circulation Element of the General Plan as being the normal acceptable minimum. This deficiency, which is projected to occur with or without the proposed project, results from the fact that the signalization of this intersection is not proposed due to the concern that this could harm the historic nature of the Plaza. This issue is

recognized in the Circulation Element, which notes that at the intersection of Broadway/West Napa Street *“reduced LOS **accepted** in order to preserve the historic character of the Plaza.”* Specifically, the traffic study indicates that by the year 2035, the project’s impact, accumulated with other traffic being generated by other uses in the relevant area, would increase this deficiency by adding about 5 seconds to the delay period at the intersection, an increase that the City Council hereby determines to be insignificant and within the contemplated LOS found acceptable in the General Plan’s Circulation Element.

Section 2. The findings required to approve this project as set forth in Sections 19.50.035 and 19.54.040 of the Sonoma Municipal Code are made as follows:

- A. The proposed use is consistent with the General Plan in that subject property has a land use designation of “Commercial” and, as specifically provided for in the definition of that land use designation, restaurants are allowed subject to use permit review.
- B. The proposed project is consistent with applicable provisions of the Development Code in that the property has a zoning designation of “Commercial” and restaurants are expressly allowed in the Commercial zone subject to use permit. The proposed use complies with all applicable standards and regulations of the Development Code. Because the business would occupy an existing commercial building, the proposal does not raise any issues in terms of compliance with building setback, FAR, lot coverage, and building height standards. In addition, the existing seven-stall parking lot on the subject property is sufficient for the number of seats that are proposed for the use, based on the parking requirements set forth in Sonoma Municipal Code (“SMC”) section 19.48.040.
- C. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity in that the project involves a commercial use within an existing commercial building located in the fully developed downtown area and the operating characteristics of the proposed use do not raise any issues of compatibility with neighboring uses, which include offices, retail, and restaurants. In addition, according to the traffic study prepared for the project, in the near-term the implementation of the project would result in acceptable Level of Service (LOS) operation during both morning and evening peak periods at all of the intersections in the vicinity of the project site. In the long-term, under projected traffic conditions (year 2035), the traffic study indicates that the intersection of West Napa Street/Broadway would operate at LOS E during peak conditions in the A.M. period, which is below the LOS D identified in the Circulation Element of the General Plan as being the normal acceptable minimum. This deficiency, which is projected to occur with or without the proposed project, results from the fact that the signalization of this intersection is not proposed due to the concern that this could harm the historic nature of the Plaza. This issue is recognized in the Circulation Element, which notes that at the intersection of Broadway/West Napa Street *“reduced LOS accepted in order to preserve the historic character of the Plaza.”* Specifically, the traffic study indicates that by the year 2035, the project’s cumulative impact would increase this deficiency by adding about 5 seconds to the delay period at the intersection, an increase that the City Council hereby determines to be insignificant and within the contemplated LOS found acceptable in the General Plan’s Circulation Element.
- D. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located, because the features of the existing commercial building in which the use will be located will be retained and any signs proposed for the business will be required to comply with the sign regulations set forth in SMC Title 18 (Signs and Display Advertising).
- E. Because the project involves a restaurant that is part of a chain of ten or more units, it qualifies as a “formula business” as defined in the SMC. Pursuant to the Development Code regulations pertaining to Formula Businesses, a use permit is required because the property is located in the Historic Overlay zone. In order to approve the issuance of a Formula Business use permit, certain findings must be made. Those findings can be and are made here. First, the Formula Business establishment will promote diversity and variety to assure a balanced mix of commercial uses available to serve both resident and visitor populations in that the business’ focus on coffee and tea sales, including the sale of bulk coffee, and the business’ hours of operation that extend into the evening are not replicated in any existing restaurant or café in the downtown area. The evidence showed that there is a significant number of residents in the City’s southern areas who intend to patronize this establishment if approved and who testified that such a business is sorely lacking in the downtown area.

- F. Second, the proposed use, together with its design and improvements, is consistent with the unique and historic character of Sonoma, and will preserve the distinctive visual appearance and shopping/dining experience of Sonoma for its residents and visitors because the basic appearance of the existing commercial building in which the use will be located will not change. In 2005, the exterior of the building in which the project would be located was substantially remodeled and upgraded to reflect a Mediterranean-style design. This remodel was subject to the review and approval of the Design Review Commission, which approved the plan on a vote of 5-0, making findings that the design alterations to the building were substantially consistent with the design guidelines for commercial buildings in the Downtown Planning Area set forth in the Development Code and that the design alterations responded appropriately to the context of the site, including its downtown setting. Since this approved design will not be altered by the subject project, the building will remain consistent with the unique and historic character of the downtown and will preserve the existing visual appearance of the area.

Section 3. Based upon the findings set forth above, the City Council upholds the appeal of the Planning Commission's decision to deny a Use Permit to allow a formula restaurant and instead approves the granting of a Use Permit to allow the subject building to be used as a formula restaurant as applied for, subject to the conditions of approval, as set forth in Exhibit A, which said conditions shall include the recommendations identified in the traffic analysis dated November 1, 2012.

The foregoing Resolution was duly adopted this 3rd day of December, by the following roll call vote:

AYES:
NOES:
ABSENT:

Joanne Sanders, Mayor

ATTEST:

Gay Johann, CMC
City Clerk

EXHIBIT A

City of Sonoma Planning Commission
CONDITIONS OF PROJECT APPROVAL
Peet's Coffee & Tea Use Permit – 591 Broadway

As revised by the City Council on November 19, 2012

1. The restaurant use shall operate in conformance with the project narrative, except as modified by these conditions and the following:
 - a. A maximum of twenty-eight (28) seats shall be permitted for the restaurant.
 - b. The business shall operate from no earlier than 5:30 a.m. to no later than 10 p.m. daily

Enforcement Responsibility: Planning Division

Timing: Ongoing

2. The applicant shall obtain a Sonoma County Water Agency Survey for Commercial/Industrial Wastewater Discharge requirements from the Sonoma county Permit and Resource Management Department (PRMD), and shall submit the completed Survey, along with two (2) copies of the project site plan, floor plan, and plumbing plan to the Engineering Division of PRMD. If additional sewer pre-treatment and/or monitoring facilities are required by the Sonoma County Water Agency per this Survey, the applicant shall comply with the requirements of the Survey prior to occupancy of the proposed coffee shop. The issuance of tenant improvement permits is contingent upon completion of the Survey.

Enforcement Responsibility: Planning Division; Sonoma County Health Dept.

Timing: Prior to issuance of a Building Permit; Ongoing

3. The applicant shall construct a Sampling Manhole with dual waste lines for discharge of domestic and “process” wastewater from the proposed coffee shop. The Sampling manhole shall be constructed in accordance with Sonoma County Water Agency Design and Construction Standards for Sanitation Facilities, and shall be constructed under a separate permit issued by the Engineering Division of PRMD.

*Enforcement Responsibility: Sonoma County Permit and Resource Management Department,
Planning Division*

Timing: Prior to issuance of a Building Permit

4. In accordance with the requirements of the Survey for Commercial/Industrial Wastewater Discharge Requirements, the applicant shall install a grease trap sized for the proposed coffee shop. The manufacturer, size, and location of the grease trap shall be approved by the Sonoma County Water Agency and the grease trap shall be installed under a separate permit issued by the Engineering Division of PRMD, prior to occupancy of the proposed coffee shop.

Enforcement Responsibility: Sonoma County Water Agency

Timing: Prior to issuance of a Building Permit

5. The applicant shall pay increased sewer use fees per Sonoma Valley County Sanitation District Ordinance, Section 5.05, “Alteration of Use”, for conversion of the existing commercial suite to a

coffee shop. The increase sewer fees shall be paid to the Engineering Division of PRMD prior to occupancy of the proposed coffee shop.

Enforcement Responsibility: Sonoma County Permit and Resource Management Department, Planning Division

Timing: Prior to issuance of a Building Permit

4. All Fire Department and applicable Building Code requirements shall be met. A building permit may be required for any necessary tenant improvements and/or installation of fixtures and appliances associated with the restaurant use. The applicant shall contact the Building Department regarding permit requirements.

Enforcement Responsibility: Fire Department; Building Division

Timing: Prior to food preparation and service

5. Any signage or exterior building alterations proposed for the business shall be subject to review and approval by City Staff or the Design Review Commission (DRC) as appropriate.

Enforcement Responsibility: Planning Division; DRC

Timing: Prior to installation of signage or exterior alterations to the building

6. All Fire Department requirements shall be met.

Enforcement Responsibility: Fire Department; Building Division

Timing: Prior to issuance of a Building permit

8. All Building Code requirements shall be met, including accessibility requirements. A building permit shall be required for the necessary tenant improvements associated with the restaurant use. The applicant shall contact the Building Department regarding permit requirements.

Enforcement Responsibility: Fire Department; Building Division

Timing: Prior to food preparation and service

9. The crossing of the southern leg of Broadway/McDonell Street shall be repainted with ladder-style markings to enhance visibility.

Enforcement Responsibility: Planning Division; Building Division; City Engineer; Public Works Division

Timing: Prior to issuance of a Building Permit

10. The proposed on-site bicycle parking shall be provided in a convenient location as determined by the Planning Director in the exercise of his sole discretion.

Enforcement Responsibility: Planning Division

Timing: Prior to issuance of a Building Permit

11. Signs shall be installed in the parking areas indicating which seven (7) parking spaces are designated for use by Peet's Coffee & tea customers.

Enforcement Responsibility: Planning Division

Timing: Prior to issuance of a Building Permit



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5F

Meeting Date: 12/03/2012

Department

Planning

Staff Contact

David Goodison, Planning Director

Agenda Item Title

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.

Summary

At its meeting of August 9, 2012, the Planning Commission held a public hearing on a Use Permit application to allow the adaptive re-use of a historic residence as an office with a limited wine tasting component. After holding a public hearing on the application and discussing the matter itself, the Planning Commission continued the item for further discussion, giving direction to the applicant to revise the proposal with respect to off-street parking. At a subsequent meeting, held on September 13, 2012, the Planning Commission reviewed a modified proposal and, following a public hearing and discussion, voted 7-0 to approve a use permit allowing the adaptive re-use the property. An appeal of this decision was filed by Philip Rososco and Lisa Valenti, of 144 West Spain Street. When the City Council heard this appeal at public hearing held on November 5, 2012, the Council voted 5-0 to uphold the decision of the Planning Commission and to direct staff to prepare a resolution formalizing this action for consideration at a subsequent Council meeting.

Recommended Council Action

Adopt resolution denying the appeal and upholding the decision of the Planning Commission.

Alternative Actions

Council discretion.

Financial Impact

Neither the application nor the appeal raise any significant issues with respect to financial impacts on the City.

Environmental Review

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

Status

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

Attachments:

1. Draft Resolution
-

cc:

Philip Rososco/Lisa Valenti
144 West Spain Street
Sonoma, CA 95476

Three Sticks Wines/Price Family Vineyards
Attn. Prema Behan
35 Patten Street
Sonoma, CA 95476

Steve Martin, P.E.
130 South Main Street
Sebastopol, CA 95472

Robert and Leslie Demler
143 West Spain Street
Sonoma, CA 95476

Sid Hoover (via email)

League for Historic Preservation
Attn. Barbara Wimmer (Via email)

CITY OF SONOMA

RESOLUTION NO. XX

A RESOLUTION OF THE SONOMA CITY COUNCIL UPHOLDING THE DECISION OF THE PLANNING COMMISSION TO APPROVE A USE PERMIT ALLOWING, 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, SUBJECT TO CONDITIONS OF APPROVAL

WHEREAS, on July 13, 2012, an application was filed by Steve Martin, P.E., on behalf of the Three Sticks Wine Company, for a Use Permit to allow the adaptive re-use of a historic residence as an office with a limited wine tasting component on a site located at 143 West Spain Street/138 Church Street; and,

WHEREAS, this application was initially considered by the Planning Commission in a public hearing held on August 9, 2012, at which time the Planning Commission continued the item with direction to the applicants to submit a revised proposal that better addressed parking issues while respecting the historic character of the property; and,

WHEREAS, the applicants developed a revised proposal that was considered by the Planning Commission at its meeting of September 13, 2012, at which time the Commission voted 7-0 to approve the use permit, subject to conditions of approval; and,

WHEREAS, this decision was appealed to the City Council by Philip Rosasco and Lisa Valenti, of 144 West Spain Street, who cited concerns that included consistency with the General Plan and the Development Code as well as issues of compatibility with residential uses in the area; and,

WHEREAS, the City Council considered the appeal in a duly noticed public hearing held on November 5, 2012, and voted unanimously to deny the appeal and approve the application:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sonoma finds and declares as follows:

Section A.

1. The subject property is developed with a structure known as the Vallejo-Castenada adobe. Constructed circa 1842, it is one of the oldest buildings in Sonoma. Due to its age, its associations with the family of General Mariano Vallejo, and its adobe construction, this building is historically significant and is recognized as such in that it is identified by the State Office of Historic Preservation as a contributing building to the Plaza National Landmark District that is eligible for listing on the California Register of Historic Resources. The designation of the Vallejo-Castenada Adobe as a contributing structure qualifies it as an "officially designated structure" with respect to its historic significance, which makes it eligible to be considered for adaptive re-use, pursuant to section 19.42.020(A) of the Development Code.
2. The proposed adaptive re-use is consistent with the City of Sonoma 2020 General Plan because of General Plan policies and implementation measures in the Community Development Element and in the Housing Element that allow for the adaptive re-use of historically-significant structures, in which uses that are not normally permitted may be

authorized as an incentive for historic preservation. Specifically, the project is consistent with and responsive to the following General Plan policies:

- a. "Reinforce the historic, small-town characteristics that give Sonoma its unique sense of place." (Table CDE-S, Goal CD-S, p. 22.)
- b. "Preserve and enhance the scale and heritage of the community without imposing rigid stylistic restrictions." (Table CDE-S, Policy S.1, p. 22.) "Preserve and continue to utilize historic buildings as much as feasible." (Table CDE-S, Policy S.4, p. 22.)
- c. "Encourage the designation and preservation of local historic structures and landmarks, and protect cultural resources." (Table CDE-S, Policy S.8, p. 23.)
- d. "Develop incentives for property owners to preserve historic resources." (Table CDE-S, Implementation Measure S.8.1, p. 23.)

Under the Housing Element, Sonoma *"encourages the adaptive reuse of historic structures, permitting uses not otherwise allowed through the base zone as well as allowing for increased residential densities."* (Housing Element, p. 37.) The Housing Element specifically acknowledges Sonoma's *"successful adaptive reuse ordinance."* (Housing Element, p. 37.) The implementation mechanism associated with the policies in the Community Development Element cited above is the Development Code, which, at the time that the current General Plan update was adopted, included the provisions for adaptive re-use that have been applied to this project.

3. The proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of the Development Code, because, pursuant to Section 19.42.020 of the Development Code (Adaptive Reuse of Historic Structures), limited nonresidential uses, including office, wine tasting and retail, are allowed on properties within the Historic Overlay Zone with a use permit, provided that the use is consistent with the intent of preserving existing historic structures and the historic context of the site. Section 19.42.020 (B)(2) of the Code identifies allowed uses for adaptive reuse, including (e) professional and service-oriented offices, and (g) wine tasting facilities. Section 19.92.020 (O)(4) of the Development Code defines "professional office" to include the provision of management services. In and from the subject property, the applicant shall provide services to its clientele and wine-list members including, arranging for wine tastings, scheduling appointments, selling wine, maintaining books of accounts, and providing word processing services to the applicant and its clients. The applicant shall also be operating its business from the property, which includes managing vineyards owned by the applicant. Consequently, the applicant's proposed office use constitutes "professional and service-oriented offices" within the meaning of the Code.

As set forth in section 19.42.020(A) of the Development Code, structures eligible for adaptive reuse include officially designated structures and structures with potential historical value. Because the Vallejo-Castenada Adobe has been identified by the State Office of Historic Preservation as a contributing building to the Plaza National Landmark District it qualifies as an "officially designated structure" and is therefore eligible for consideration for adaptive reuse. The proposed re-use of the subject structure does not contemplate modifying or changing the exterior of the structure and will retain the existing residential character, scale and style of the building. In addition, off-street parking will be developed to support the proposed use, consistent with the requirements of the Development Code. Specifically, a seven-stall parking lot will be developed on the vacant parcel adjoining the residence on the south. The parking lot will be screened with landscaping and a stucco wall, matching the design of existing walls associated with the

residence. The entrance to the parking lot will be gated and the gate would be closed and locked during off-hours. The parking stalls, which have a width of 9 feet, a depth of 20 feet, and which feature a 27-foot back-up depth, comply with City standards. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity in that the subject property is located in a transitional area, with commercial uses on the east and residential uses on the west. Furthermore, the limited hours of operation, the nature of the office use, and the limitation on wine-tasting to small groups by appointment only—all of which are controlled in the conditions of approval—ensure that the use will be quiet and compatible with residential neighbors.

5. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located, because the historic adobe will be preserved and maintained and its exterior shall not be changed or modified. In addition, the seven-stall parking lot that would be developed on the vacant lot behind the residence will feature a low stucco wall that matches the design of the residential property, a gate, and screening landscaping on all sides.
6. The proposed use will serve to enhance, perpetuate, preserve, protect and restore those historic districts, neighborhoods, sites, structures, and zoning districts which contribute to the aesthetic and cultural benefit of the City in that the Vallejo-Castenada adobe, as it exists now and as it will exist under the use permit granted by this Resolution, possesses and will continue to possess considerable historic significance and by allowing the structure to be utilized for an economically viable use through its conversion to office and wine tasting use will make it more likely that the owners of the building will expend the resources necessary to adequately preserve the structure over the long-term. Although the Vallejo-Castenada Adobe has been well-maintained over the years, this historic asset is in need of immediate attention in order to be perpetuated, preserved and protected. On August 6, 2012, at the request of the applicant, Garavaglia Architecture issued a report on its inspection of the property. While noting the care taken by its owners present and past to preserve the structure, the report identified several issues that require attention. For example, the report noted that water is the primary reason for the failure of an adobe and suggested maintenance activity for the west exterior wall in order to address weathering of the wood elements. The inspection revealed minor paint bubbling on the exterior of one north-facing window. As to maintenance overall, the report called for immediate repair of exterior finishes; regular inspections of the site drainage system; paint maintenance; and roof replacement in-kind. As stated in the report, *"roof maintenance is one of the key activities to protect adobe structures from damage. The existing roof is worn and shingles are starting to warp."* Through their project narrative and other submittals made with respect to the application, the applicants have indicated their willingness to take the necessary steps to perpetuate, preserve and protect this historic property. They have also indicated their commitment to making available the necessary financial resources to accomplish these objectives. The enhancement, preservation and protection of the Vallejo-Castenada adobe will also enhance, preserve and help protect the historic district, neighborhood and zoning district in which the home is located. An historic district's historical significance is made up of and dependent upon the features and structures that are found in that district, and if one or more of those features or structures is allowed to deteriorate or fall into disrepair, then the whole district/neighborhood's historical character is adversely affected. As indicated in the General Plan, *"The community's*

history and its role as a cultural center are enhanced through . . . careful preservation of historic features.” (General Plan, Content and Purpose, p. 2.)

7. The proposed use will serve to stabilize and improve the economic value of historic districts, neighborhoods, sites, structures, and zoning districts, in that the conversion of the Vallejo-Castenada adobe to office and wine tasting use will increase its economic value. Deterioration of this historic resource over time would significantly impact the economic value of the surrounding area. The vacant lot behind the adobe currently has no productive economic use and is open to trespassing and public nuisance. The applicant’s ability to adaptively reuse the property for its intended purposes is the driving force behind the financial investment that will be necessary to maintain the property, and thus also improve the economic value of the district and neighborhood in general.
8. The proposed use will serve to preserve diverse architectural design reflecting phases of the City’s history, and encourage design styles and construction methods and materials that are compatible with the surrounding neighborhood(s), in that the conversion of the Vallejo-Castenada adobe to an office and wine tasting use will not entail any external alteration to the building and, as such, its acknowledged contribution to the historical character of the neighborhood and the historical district in which it is located will continue and provide a design standard that may be emulated by other developers and users of land in the vicinity.
9. Section 19.42.020(E)(4) of the Development Code provides for approval of adaptive reuse if, among other findings, the adaptive reuse would promote and encourage continued private ownership and utilization of structures now so owned and used. Both parcels involved in this application are currently under private ownership, and will continue as such with the applicant. The City’s approval of adaptive reuse for the Vallejo-Castenada adobe was a necessary factor in the current applicant’s desire to take ownership of the property and commit to necessary improvements thereon. The proposed use will thus serve to promote and encourage continued private ownership and utilization of structures now so owned and used. This project is privately funded and involves no use of public funds

Section B.

The City Council concurs with the Planning Commission in finding that this project is categorically exempt from environmental review. (Class 3: New Construction/Conversion of Small Structures)

Section C.

The City Council hereby upholds the decision of the Planning Commission to approve a Use Permit allowing the adaptive reuse of the subject property, including the conditions of approval required by the Planning Commission a true and correct copy of which are attached hereto as Exhibit A and incorporated by this reference.

The foregoing Resolution was duly adopted this 3rd day of December, by the following roll call vote:

AYES:
NOES:
ABSENT:

Joanne Sanders, Mayor

ATTEST:

Gay Johann, CMC
City Clerk

FINAL/CORRECTED 9/19/2012

City of Sonoma Planning Commission
CONDITIONS OF APPROVAL
 Three Sticks Wines--Use Permit for Adaptive Re-Use
 143 West Spain Street
 September 13, 2012

1. The office use shall operate in conformance with the project narrative and site plan as set forth in the staff report dated September 13, 2012, except as modified by these conditions and the following:
 - a. Public hours for all use components shall be limited 8 a.m. to 6 p.m. Monday through Friday and from 9:00 a.m. to 3:00 p.m. on Saturdays, except as modified below.
 - b. The primary use of the structure shall be as an administrative office.
 - c. As a secondary use, not to exceed 35% of the building area, wine-tasting shall be allowed within the approved business hours of operation. Wine-tasting shall be limited to groups not to exceed eight persons and shall be by appointment only. Wine-tasting shall be limited to 11 a.m. to 5 p.m. Monday through Friday and from 11:00 a.m. to 3:00 p.m. on Saturdays.
 - d. Retail sales to the general public are prohibited.
 - e. The parking lot on the vacant parcel, as shown on the site plan, shall be gated and the gate shall be closed and locked during hours when the business is closed.
 - f. Food preparation shall not be allowed on the property and food service shall occur only in conjunction with the wine-tasting activity and shall be limited to small, pre-prepared items such as breads and cheeses.
 - g. The alternative site plan, dated 9/4/12, in which the existing garage is retained, is authorized. However, the site plan providing for the demolition of the garage (also dated 9/4/12) is preferred.
 - h. If the preferred site plan is implanted, the new storage building, no office use shall be allowed in the new storage building.
 - i. The area south of the parking lot on the Church Street parcel shall be landscaped and/or used as a garden until such time as an alternative use may be authorized.

Enforcement Responsibility: *Planning Department*
Timing: *Ongoing*

2. The applicant shall obtain any necessary permits and/or clearances from the Sonoma County Health Department and the State Department of Alcoholic Beverage Control for the wine-tasting component of the use. Food/beverage preparation and service shall conform to the limitations of the permit.

Enforcement Responsibility: *Planning Division; Sonoma County Health Dept.*
Timing: *Prior to occupancy; Ongoing*

3. The applicant shall comply with the following requirements of the Sanitation Division of Sonoma County Permit & Resource Management Department (PRMD) and the Sonoma County Water Agency (SCWA):
 - a. The applicant shall submit a Wastewater Discharge Survey to PRMD. The Applicant shall obtain a **Survey for Commercial/Industrial Wastewater Discharge Requirements** ("Green form") from PRMD, and shall submit the completed Survey, along with two (2) copies of the project site plan, floor plan and plumbing plan to the Sanitation Section of PRMD. The Survey evaluation must be completed by the Sonoma County Water Agency and submitted to the PRMD Engineering Division before a building permit for the retail expansion can be approved.
 - b. If additional sewer pre-treatment and/or monitoring facilities (i.e. Grease trap, Sampling Manhole, etc.) are required by the Sonoma Valley County Sanitation District per this Survey, the Applicant shall comply with the terms and requirements of the Survey prior to commencing any food service. If required, the Sampling Manhole shall be constructed in accordance with Sonoma County Water Agency *Design and Construction*

Standards for Sanitation Facilities, and shall be constructed under a separate permit issued by the Engineering Division of PRMD.

- c. In accordance with Section 5.05, "Alteration of Use", of the Sonoma Valley County Sanitation District Ordinances, the Applicant shall pay increased sewer use fees for conversion of the existing single-family dwelling to a winery administration and wine tasting facility. The square footage of the existing dwelling shall be converted to "office space" by a factor of 0.26 ESD (Equivalent Single-family Dwelling billing unit) per 1,000 square feet. The increased sewer use fees shall be paid the Engineering Division of PRMD prior to the commencement of the winery administration and wine tasting facility operations.
- d. A sewer clearance shall be provided to the City of Sonoma Building Department verifying that all applicable sewer fees have been paid prior to the issuance of any building permit. **Note: Substantial fees may apply for new sewer connections and/or the use of additional ESDs from an existing sewer connection. The applicant is encouraged to check with the Sonoma County Water Agency immediately to determine whether such fees apply.**

*Enforcement Responsibility: Sanitation Division of Sonoma County Planning & Management
Resource Department; Sonoma County Water Agency/City of Sonoma
Building Department*

Timing: Prior to issuance of a building permit

4. The Applicant shall pay any required increased water fees in accordance with the latest adopted rate schedule. The existing water meter and connection to the City water main shall be upgraded to current standards and appropriate size as deemed necessary, with payment of applicable fees. A dedicated irrigation meter/line shall also be provided.

Enforcement Responsibility: Public Works Department; Water Operations Supervisor; City Engineer

Timing: Prior to issuance of the Encroachment Permit and commencement of construction

5. All Fire Department requirements shall be met, including the provision of a fire sprinkler system throughout the structure if the total building permit valuation of all work within the structure exceeds \$100,000 over any three-year period. If sprinklers are required, a separate fire service water line/connection with approved backflow prevention device shall also be required in accordance with City standards, subject to review and approval by the Fire Chief and City Engineer.

Enforcement Responsibility: Fire Department; Building Department

Timing: Prior to issuance of a building permit

6. All Building Code requirements shall be met, including accessibility requirements. A building permit shall be required for any necessary tenant improvements associated with the change in use. The applicant shall contact the Building Department regarding permit requirements.

Enforcement Responsibility: Fire Department; Building Department

Timing: Prior issuance of a building permit

7. The design details of the screening walls, the screening landscaping, and the replacement structure (if implemented), and any exterior changes to the residence shall be subject to the review of the Design Review Commission (DRC). Proposed signs shall be subject to DRC review or staff review, as applicable.

Enforcement Responsibility: Planning Department; DRC

Timing: Prior to installation of signage or exterior alterations to the building

8. If new exterior lighting is proposed, it shall be addressed through a lighting plan, subject to the review and approval of the Design Review Commission (DRC). All proposed exterior lighting for the building and/or site shall be indicated on the lighting plan and specifications for light fixtures shall be included. The lighting shall conform to the standards and guidelines contained under Section 19.40.030 of the Development Code (Exterior Lighting). No light or glare shall be directed toward, or allowed to spill onto any offsite areas. All exterior light

fixtures shall be shielded to avoid glare onto neighboring properties, and shall be the minimum necessary for site safety and security. Light standards shall not exceed a maximum height of 15 feet.

Enforcement Responsibility: *Planning Department; DRC*
Timing: *Prior to issuance of an occupancy permit*

9. Damaged portions of the curb, gutter and sidewalk along the West Spain Street frontage of the property shall be repaired or replaced as deemed necessary by the Streets Supervisor and/or City Engineer. An encroachment permit shall be required for all work within the public right of way, including the installation of a driveway cut to serve the parking lot.

Enforcement Responsibility: *Streets Supervisor; City Engineer; Public Works Department*
Timing: *Prior to issuance of an occupancy permit*

10. The addition to those already identified, the following agencies must be contacted by the applicant to determine permit or other regulatory requirements of the agency prior to issuance of a building permit, including the payment of applicable fees:

- a. Sonoma Valley Unified School District [For school impact fees].

Enforcement Responsibility: *Building Department; Public Works Department*
Timing: *Prior to issuance of a building permit*

11. The applicant shall work with the City of Sonoma and the Sonoma League for Historic Preservation to develop a protocol to allow periodic public access to the historic building.

Enforcement Responsibility: *Planning Department*
Timing: *Prior to issuance of an occupancy permit*

12. Bicycle parking shall be provided.

Enforcement Responsibility: *Planning Department*
Timing: *Prior to issuance of an occupancy permit*

13. The commercial use of the parcel located at 143 West Spain Street, as allowed for under this Use Permit for Adaptive Re-use, is contingent upon the provision of and on-going access to the off-street parking on the property at 138 Church Street, as shown on the approved site plan. Should the property at 138 Church Street be sold or transferred to a different ownership without the recordation of an easement, subject to the prior review and approval of the City Engineer, that secures the continued use of the approved off-street parking on a permanent basis, the commercial use shall immediately cease.

Enforcement Responsibility: *Planning Department*
Timing: *On-going*



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5G

Meeting Date: 12/03/2012

Department

Administration

Staff Contact

Gay Johann, City Clerk

Agenda Item Title

Approval of the Minutes of the November 5 and November 14, 2012 Meetings.

Summary

The minutes have been prepared for Council review and approval. Revisions submitted by Mayor Sanders, Councilmember Barbose, and Councilmember Gallian for the November 5 minutes are indicated by underlining.

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 & 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, November 5, 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

MINUTES

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 Labor Consultant Walker were also present.

2. CLOSED SESSION

Item 2A: **CONFERENCE WITH LABOR NEGOTIATOR**, pursuant to Government Code §54957.6. Agency designated representative: Karen Walker. Employee Organizations: City of Sonoma Employees' Association (SEIU 1020), and 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 6:10 p.m. Robert Garant 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, Planning Director Goodison.

REPORT ON CLOSED SESSION – Mayor Sanders stated that no reportable action had been taken.

1. COMMENTS FROM THE PUBLIC

Madolyn Agrimonti, current City Council Candidate, encouraged the public to get involved and run for office or seek appointment to a City commission. She thanked City staff for being kind to all the candidates.

Ed Kenney reminded everyone about the Cost of Freedom Traveling Wall Tribute November 7-11, 2012.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

Clm. Rouse stated he enjoyed meeting with Junior High leadership class students, answering their questions and leading them on a tour through City Hall.

Mayor Sanders and Councilmembers Brown, Barbose and Gallian reported on the touching memorial service held in the memory of David "Lumpy" Williams. Clm. Brown asked that the meeting be adjourned in the memory of "Lumpy" and Heath Hunter.

Clm. Gallian reported attendance at the Daily Acts breakfast and the Wine Country Marine Ball. She asked that the meeting be dedicated towards the recovery of two students recently hit by a vehicle in a Fifth Street West pedestrian crossing.

Mayor Sanders announced an opening on the Design Review Commission and that Chamson Sister City Committee was seeking new members. She said she would be declaring November 30 as David "Lumpy" Williams Day.

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

City Manager Kelly reported that the Sonoma Tourism Improvement District launched its marketing program with a large insert in the San Francisco Chronicle.

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 October 15, 2012 Meeting.** (Removed from Consent, see below)
- Item 5C: Request by Sonoma Community Center for City-subsidized use of the Sonoma Valley Veterans Memorial Building on January 13, 2013.** Approved subject to applicant's compliance with the City's standard insurance requirements.
- Item 5D: Approval and Ratification of the appointment of James K. Cribb to the Planning Commission for a two-year term effective November 5, 2012.** (Removed from Consent, see below)
- Item 5E: Approve the Notice of Completion for the 2012 Citywide Slurry Seal Project Constructed by Valley Slurry Seal Company and Direct the City Clerk to File the Document.**
- Item 5F: Consideration of actions by the City Council to authorize purchase and sale of Pension Obligation Bonds in an amount not to exceed \$3,250,000.** (Removed from Consent, see below)
- Item 5G: Approve a Resolution of the City Council of the City of Sonoma Authorizing the Examination of Sales or Transactions and Use Tax Records By Designated Positions.**
- Item 5H: Second reading and adoption of an ordinance to Amend Title 8 of Sonoma Municipal Code pertaining to Animal Care and Control.**

Item 5D: Approval and Ratification of the appointment of James K. Cribb to the Planning Commission for a two-year term effective November 5, 2012. (Removed from Consent, see below)

Cm. Barbose removed Item 5D. Mayor Sanders stated that staff had requested removal of 5F and she would remove 5B. Cm. Brown stated that for full transparency he would recuse from voting on Item 5D. He stated he had talked to two Councilmembers about elements of the issue and that no collective concurrence had taken place. The public comment period was opened and closed with none received. It was moved by Cm. Rouse, seconded by Cm. Gallian, to approve the items remaining on the Consent Calendar. The motion carried unanimously.

Item 5B: Approval of the Minutes of the October 15, 2012 Meeting.

Mayor Sanders noted a correction to the minutes. The public comment period was opened and closed with none received. It was moved by Cm. Rouse, seconded by Cm. Brown, to approve the minutes as corrected. The motion carried unanimously.

Item 5D: Approval and Ratification of the appointment of James K. Cribb to the Planning Commission for a two-year term effective November 5, 2012.

Cm. Brown stepped down from the dais and left the room.

Sanders stated we are fortunate so many strong candidates applied for the position. All candidates were very well qualified but James Cribb is best for Sonoma. Cm Rouse was scheduled to conduct the interviews but had to cancel on the same day due to his schedule. City ordinance does not require the mayor conduct the interviews with another council member. Cm Barbose stated it has been Council tradition to promote the alternate.

} JS

Mayor Sanders expressed her disappointment with Cm. Brown's actions and cause for recusal. She stated that she had interviewed six candidates, gave them all fair consideration, and came to the conclusion that James Cribb was best suited to fill the vacancy on the Planning Commission. She then invited comments from the public. Ed Kenney stated that Cm. Brown had violated the Brown Act and that was ethically wrong.

Cm. Barbose stated that he removed the item from the Consent Calendar because he felt that the current alternate (Bill Willers) should be promoted to the regular position. He added that if the Council did not respect and honor the service of commission alternates with promotion, the City would have a hard time filling the alternate positions. Cm. Barbose stated that Mr. Cribbs was a fine candidate and his position regarding the appointment had nothing to do with Mr. Cribbs personally. He proposed that on a subsequent agenda the Council appoint the current alternate to the regular seat on the commission and Mr. Cribb to the alternate position.

Sanders stated that Cm. Barbose does not have the ability to make the appointment, that is the mayor's job. Sanders clarified that a Brown Act violation occurs when one council member speaks to more than one other Council member about the same agenda item, that it does not require that a collective concurrence take place and that a dark cloud has been cast over this appointment due to Mr. Brown's action. Barbose stated Sanders would not be around for much longer.

} JS
← JS/SB

Cm. Rouse stated his support for the Mayor's decision and noted that Mr. Cribb had served on the Design Review Commission for eight years.

Clm. Gallian stated that she had spoken with Commissioner Willers and had inquired if he had been contacted by the Mayor regarding possible appointment. He stated that he had not been asked. Clm. Gallian stated that the appointment process needed to be shored up and that she would have liked to have seen two Councilmembers involved in the interview process.

} LG

Clm. Barbose stated he spoke to Mr. Willers who stated it had been his expectation to be appointed when an opening came up. Mayor Sanders stated that it was obvious that a motion to appoint Cribb would result in a tie vote and they should move on to another item on the agenda.

Sanders stated there is no provision in the municipal code that requires alternates to be promoted to regular positions. She stated the Council had discussed this very subject and decided not to automatically promote the alternate. She said that Mr. Barbose was aware these interviews were taking place and that if we automatically promote alternates, it would have been unnecessary to conduct the interviews.

} JS

Clm. Barbose said that he was not aware that the mayor did not intend to follow tradition and appoint the alternate when she scheduled interviews. Clm Barbose stated that he spoke with Mr. Willers and that he understood when he accepted the appointment as an alternate that he would be appointed to a regular position on the planning commission when one opened up. He stated that while the only thing that could be done tonight was to either ratify the nomination or Mr. Cribb or not, he again suggested that the matter be brought back at a subsequent meeting and that Mr. Willers be appointed to the regular position and Mr. Cribb be appointed to the alternate. Mayor Sanders stated that Clm Barbose did not have authority to make the appointment, only she did. Clm Barbose said he understood that, but that Mayor Sanders would only be mayor for two more meetings. She said she was aware of that and that there was a two to two split on this matter and it is up to the mayor to make another appointment and try and get three votes to ratify it. She urged the public to contact the council and make their opinions known on this matter. Council

} SB

Clm. Brown returned to the dais.

Item 5F: Consideration of actions by the City Council to authorize purchase and sale of Pension Obligation Bonds in an amount not to exceed \$3,250,000.

Assistant City Manager Giovanatto stated that she removed the item from the Consent Calendar because State law required a separate vote. She reported that on September 5, 2012 the Council had authorized the issuance of Pension Obligation Bonds for an estimated amount not to exceed \$3,250,000 in order to refinance certain pension side fund obligations. The projected cost savings were \$382,000 in reduced retirement payments over a nine-year period. The public comment period was opened and closed with none received. It was moved by Clm. Barbose, seconded by Clm. Rouse, to adopt the resolution entitled A Resolution of the City Council of the City of Sonoma Authorizing the Sale of its City of Sonoma 2012 Taxable Pension Obligation Bonds and Authorizing and Directing the Execution and Delivery of a Bond Purchase Agreement Relating Thereto and Providing Other Matters Relating Thereto. The motion carried unanimously.

RECESS: The meeting recessed from 6:53 to 7:00 p.m.

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

Item 6A: Approval of the portions of the Minutes of the October 15, 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 on an appeal of 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.

Planning Director Goodison reported that Philip Rososco and Lisa Valenti, 144 West Spain Street, filed an appeal of the Planning Commission's decision to approve, as an adaptive re-use, administrative offices and wine tasting by appointment within a historic residence located at 143 West Spain and 138 Church Street, along with the development of associated off-street parking. He provided additional details regarding the property presently owned by Robert Demler and known as the Vallejo-Castenada adobe constructed circa 1842. The project applicant was Three Sticks Wine Company, Price Family Vineyards, represented by Bill Price.

Mayor Sanders opened the public hearing. Appellant Philip Rosasco stated that only professional and service oriented offices were permitted under the adaptive use provision, which was intended for disadvantaged properties with hardships pertaining to lot or structure, not for the sale of a house as in this case. He also stated that the conversion of the adobe to a wine tasting facility and offices would have a negative impact on the privacy and quiet enjoyment of the entire neighborhood, in addition to creating more traffic and congestion.

Barbara Wimmer, President of the League for Historic Preservation, stated they supported the adaptive reuse permit and they were looking forward to working with Three Sticks Winery in the preservation of the property.

Yvonne Bowers stated the home would need a lot of maintenance and preservation that a typical family would not be able to afford. She supported the Planning Commission's decision.

Bill Price thanked staff and acknowledged the hard work of the Planning Commissioners. He stated that their proposed use of the property would result in less impact to the neighborhood than the previously approved use as a vacation rental. He said Three Sticks Winery was committed to the project and preservation of the historic property.

Steve Martin, Civil Engineer for the applicants, stated the proposed use would result in fewer vehicle trips per day than the currently allowed development of the property.

Karla Noyes stated that the conservation easement on the property would ensure its preservation and she supported the Planning Commission's decision.

Deana Castagnasso stated that the Council needed to consider the safety of pedestrians and those who live in the alleyway.

Prema Behan, Three Sticks Winery, stated they had added an additional three feet of setback along the alley to create a safer environment. She said it was important to them to be good neighbors and they had made every attempt to communicate with neighboring residents and property owners from the beginning.

Rosemarie Pedranzini stated that traffic in the area was already a problem and she did not think the City needed another tasting room.

Michelle Drake and Les Swaller expressed support for the Planning Commission's decision.

Michael Woods, attorney for Three Sticks Winery, stated his agreement with staff's opinion that the adaptive reuse was consistent with the General Plan. He said the approval of the use permit supported a local business enterprise and would help preserve the historic Plaza area. It would retain the residential character, scale and style of the historic adobe.

Seeing there were no additional comments from the public, Mayor Sanders closed the public hearing.

It was moved by Clm. Rouse, seconded by Clm. Barbose, to deny the appeal and uphold the decision of the Planning Commission and to direct staff to prepare an implementing resolution for adoption at a subsequent meeting. Clm. Barbose stated that the Demlers loved the property and they would not be selling it if they did not feel it was in the best interests of the property. He added it was noteworthy that the League for Historic Preservation supported the use permit. The motion carried unanimously.

RECESS: The meeting recessed from 8:00 to 8:05 p.m.

8. REGULAR CALENDAR – CITY COUNCIL

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Clm. Brown reported on the Sonoma Valley Citizens Advisory Commission meeting.

Clm. Barbose reported on the North Bay Watershed Association meeting, Sonoma County Waste Management and the Waste Advisory Group meetings.

Clm. Gallian reported on the Water Advisory Committee and the Sonoma County Open Space and Agricultural District meetings.

Mayor Sanders reported that the Economic Development Steering Committee and staff had worked with a local business towards a more reasonable water hookup fee.

Item 10B: Final Councilmembers' Remarks.

Clm. Brown announced that the Police Chief was distributing bumper stickers promoting pedestrian safety.

Clm. Gallian reminded everyone to attend the Cost of Freedom tribute.

Mayor Sanders stated that she presented a proclamation to two long-time high school football coaches and that the school could use a better public address system. She requested that staff provide updates on the Montini Trail and Mills Act.

11. COMMENTS FROM THE PUBLIC - None

12. PUBLIC COMMENTS REGARDING CLOSED SESSION - None

13. CLOSED SESSION

Item 13A: PUBLIC EMPLOYEE PERFORMANCE EVALUATION, pursuant to Government Code §54957. Title: City Attorney.

The Council, with all members present, convened in closed session at 8:31 p.m. Attorney Walter was also present for a portion of the meeting.

14. RECONVENE IN OPEN SESSION & REPORT ON CLOSED SESSION

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

15. ADJOURNMENT

The meeting was adjourned at 9:01 p.m. in the memory of David "Lumpy" Williams and Heath Hunter and with wishes for a speedy recovery for the two students recently hit by a vehicle in a crosswalk.

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

**SONOMA CITY COUNCIL
Special Meeting**

**Wednesday, November 14, 2012
5:00 p.m.**

Community Meeting Room, 177 First Street West

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



MINUTES

1. CALL TO ORDER

At 5:05 p.m. Mayor Sanders called the meeting to order.

2. PUBLIC COMMENT

No one from the public was present to provide public testimony on the closed session item.

3. CLOSED SESSION

Item 3A: PUBLIC EMPLOYEE APPOINTMENT. Title City Manager, Acting/Interim City Manager. Pursuant to Government Code 54957.

Item 3B: PUBLIC EMPLOYMENT. Title City Manager, Acting/Interim City Manager. Pursuant to Government Code 54957.

Item 3C: CONFERENCE WITH LABOR NEGOTIATORS. Agency designated representative: Mayor, Joanne Sanders. Unrepresented employee: Acting/Interim City Manager. Pursuant to Cal. Gov't Code section 54957.6.

The Council recessed into closed session with all members present. City Manager Kelly, Assistant City Manager Giovanatto, and Attorney Walter were also present.

4. ANNOUNCEMENT REGARDING ACTION TAKEN IN CLOSED SESSION

At 5:59 p.m. Council reconvened in open session and Mayor Sanders announced that no reportable action had been taken during the closed session.

5. ADJOURNMENT

The meeting was adjourned at 6:00 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: 5H

Meeting Date: 12/3/2012

Department

Administration

Staff Contact

Linda Kelly, City Manager

Agenda Item Title

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

Summary

The Planning Commission consists of 7 members and one alternate who serve at the pleasure of the City Council. Commissioners may serve for a total of eight years (Two-year term, Four-year term, Two-year term). At least six members and the alternate must reside within the City limits.

This appointment will fill the position recently vacated by Michael George. Mayor Sanders interviewed six candidates and has nominated James K. Cribb for appointment to a regular seat on the Planning Commission for a two-year term effective December 3, 2012.

Attached to this agenda item are the following:

- Application of James K. Cribb
 - Applications of all remaining applicants, in alphabetical order:
 - Peter Adams
 - Robert Garant
 - Jennifer Gray
 - Bert Nevins
 - Bill Willers
 - Resolution No. 77-2002, Establishing guidelines pertaining to expired terms and reappointments to City boards and commissions
 - Staff report of February 16, 2005 regarding Commissioner appointment process
 - City Council minutes of December 21, 2005 regarding Commissioner appointment process
 - City Council minutes of December 2, 2009 regarding discussion of Planning Commission structure and appointment process
 - Minutes of the City Council meeting of December 2, 2009, which included a discussion and consideration of Planning Commission structure and appointment process
 - Letter from resident Fred Peterson dated November 27, 2009 regarding appointment to fill Planning Commission vacancy
-

Recommended Council Action

Nomination by the Mayor, ratification by the City Council.

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:

Planning Commission Applications
Resolution No. 77-2002
Staff report from February 16, 2005
Minutes of the City Council meeting of December 21, 2005
Minutes of the City Council meeting of December 2, 2009
Letter from Fred Peterson dated November 27, 2012

cc:



CITY OF SONOMA

COMMISSION APPLICATION

SEP-5 2012
CITY CLERK

NAME: JAMES K CRIBBS

ADDRESS: 1061 BROADWAY SONOMA CA 95476

MAILING ADDRESS: PO BOX 1465 SONOMA CA 95476

CONTACT INFO (Please include daytime & evening phone numbers and email address):

DAY: 707.935.3645 MOBILE: 707.225.7141

EMAIL: james@sonomadogcamp.com

COMMISSION OF INTEREST: PLANNING

HAVE YOU EVER ATTENDED A MEETING OF THIS COMMISSION? YES HOW MANY? 12 MOL

If you are not selected for the commission listed above, would you be interested in serving on any of our other commissions? If so, please indicate which commission(s): NO

HOW MANY YEARS HAVE YOU RESIDED IN SONOMA? 10 YEARS

PRESENT OCCUPATION: BUSINESS OWNER, SONOMA DOG CAMP

EDUCATION

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
UNIVERSITY OF So. FLORIDA	ENGLISH ED	1977, BA
UNIVERSITY OF CENTRAL FLORIDA	INSTRUCTIONAL DESIGN	1988, MA

COMMUNITY SERVICE EXPERIENCE

ORGANIZATION	DATES SERVED	POSITION
CALIFORNIA ACADEMY OF SCIENCES	1992-1996	DOCENT
TELEGRAPH HILL NEIGHBORHOOD CENTER	1996-2001	BOARD OF DIRECTORS
CITY OF SONOMA DESIGN REVIEW COM.	2004-2012	COMMISSIONER

(Use additional paper if necessary)

OTHER RELEVANT EXPERIENCE OR EXPERTISE: _____

BUSINESS OWNER IN SONOMA FOR EIGHT YEARS

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THIS COMMISSION?

TO REVIEW, MAKE RECOMMENDATIONS, AND APPROVE
PROJECTS RELATED TO LAND USE IN THE CITY.

WHICH ACTIVITIES OF THIS COMMISSION INTEREST YOU THE MOST? ABILITY

TO SHAPE CHARACTER OF COMMUNITY AND CONTRIBUTE
TO UPDATES TO GENERAL PLAN

WHICH ACTIVITIES INTEREST YOU THE LEAST? NONE

WHAT WOULD BE YOUR GOAL AS A COMMISSIONER? TO GUIDE & FACILITATE

APPROVAL OF PROJECTS THAT WOULD BRING NEW ECONOMIC
VITALITY TO SONOMA WITHOUT DAMAGING ITS HISTORIC
AND PERSONAL CHARACTER

WHAT DO YOU FEEL YOU COULD CONTRIBUTE TO SEE THESE GOALS REALIZED?

MY EIGHT YEARS AS A BUSINESS OWNER AND EIGHT YEARS
OF EXPERIENCE ON THE DESIGN REVIEW COMMISSION

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

CHIP ROBERSON 707.933.8011

EARL SHUTTLEWORTH 707.939.2522

Applicant Signature



Date

AUGUST 23, 2012

Submitted applications will be kept in the active file for one year. All submitted applications are available for public inspection.

Return completed form to:
City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476



AUG 21 2012
CITY CLERK

CITY OF SONOMA

COMMISSION APPLICATION

NAME: Peter Adams

ADDRESS: 544 Mariano Dr., Sonoma, CA 95476

MAILING ADDRESS: 544 Mariano Dr., Sonoma, CA 95476

CONTACT INFO (Please include daytime & evening phone numbers and email address):

Day and Evening phone 707-996-1513 petebadams@gmail.com

COMMISSION OF INTEREST: Planning Commission

HAVE YOU EVER ATTENDED A MEETING OF THIS COMMISSION? Yes HOW MANY? 5

If you are not selected for the commission listed above, would you be interested in serving on any of our other commissions? If so, please indicate which commission(s): Community Services

HOW MANY YEARS HAVE YOU RESIDED IN SONOMA? 35 years

PRESENT OCCUPATION: Retired Fisheries Biologist

EDUCATION

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
University of Redlands	Biology	1970 Bachelor of Science
University of California, Davis	Ecology	Masters of Science 1973 Phd 1978

COMMUNITY SERVICE EXPERIENCE

ORGANIZATION	DATES SERVED	POSITION
Community Service Com.	1988-1996	Member and Chair
High School Design Team	1992	Member
Boy Scouts	1992-2004	Packmaster/Troop Leader
Little league/CYO Basketball		Coach

(Use additional paper if necessary)

OTHER RELEVANT EXPERIENCE OR EXPERTISE: I have had a great deal of experience managing natural resources, including ESA listing of steelhead in Creek. This has given me experience in dealing with contentious situations.

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THIS COMMISSION?

The City Plan is the vision of how development should occur. The Planning Commission provides advice on how individual projects fit into that vision.

WHICH ACTIVITIES OF THIS COMMISSION INTEREST YOU THE MOST? I want Sonoma to maintain the character it has now. I would also like to look for projects that would enhance that character.

WHICH ACTIVITIES INTEREST YOU THE LEAST? Dealing with situations where both sides have legitimate concerns is always difficult.

WHAT WOULD BE YOUR GOAL AS A COMMISSIONER? I would want every person to feel that they have heard and understood regardless of the outcome.

WHAT DO YOU FEEL YOU COULD CONTRIBUTE TO SEE THESE GOALS REALIZED?

I have a great deal of patience in listening to people and have found that many times, solutions arise from the listening process.

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

Claudine and Tim Sweeters 996-5636 Debbie and Sid Finley 938-4640

SOME COMMISSION POSITIONS MUST BE FILLED BY A **QUALIFIED ELECTOR** OF THE CITY OF SONOMA. A QUALIFIED ELECTOR IS A PERSON WHO IS 1) A U.S. CITIZEN; 2) AT LEAST 18 YEARS OF AGE; AND 3) RESIDES WITHIN THE BOUNDARIES OF THE CITY OF SONOMA.

ARE YOU A QUALIFIED ELECTOR OF THE CITY OF SONOMA? YES NO

I DECLARE UNDER PENALTY OF PERJURY THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.

Pete Adams
Applicant Signature

8/21/2012
Date

All submitted applications are available for public inspection.

Return completed form to:
City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476

CURRICULUM VITAE

NAME: PETER B. ADAMS

ADDRESS: Adams Fisheries Consulting
544 Mariano Dr.
Sonoma, California 95476
(415) 279-0685
petebadams@gmail.com

EDUCATION:

Ph.D., Ecology, University of California, Davis, 1986

M.S., Ecology, University of California, Davis, 1973

B.S., Biology, University of Redlands, 1970

EXPERIENCE:

- 2001-2010 Fishery Investigation Chief
Southwest Fisheries Science Center
National Marine Fisheries Service
Santa Cruz, California
- 2001-present Researcher
University of California, Santa Cruz
Santa Cruz, California
- 1999-present Associate Researcher
National Research Council
Washington, D. C.
- 1999-2010 Salmon Science Coordinator
Southwest Fisheries Science Center
National Marine Fisheries Service
Santa Cruz, California
- 1996-2000 Salmon Analysis Population Team Leader
Southwest Fisheries Science Center
National Marine Fisheries Service
Tiburon, California
- 1976-1996 Fishery Biologist (Research)
National Marine Fisheries Service

Southwest Fisheries Science Center
Tiburon, California

1975 Lecturer Population Ecology
University of California
Davis, California

1974 Sea Grant Traineeship
University of California, Davis
Davis, California

RESEARCH INTERESTS:

- Population dynamics of ESA-listed and exploited populations: Population viability analysis and stock assessment
- Ecosystem fishery management and modeling
- Statistical analysis of exploited populations of salmonids and groundfishes
- Climate change impacts on salmonid populations
- Survey sampling design
- Spatial ecology of fishes

PROFESSIONAL EXPERIENCE

2010 Klamath Science Conference, Co-Organizer
2009 Central Valley Two-Gates Review Panel
2009 NMFS mass marking/mark selective fisheries workgroup
2008 California salmon decline workgroup
2008 Eulachon Biological Review Team
2007-present NCES panel on Salmon Monitoring to Detect Climate Change
2004-2008 California Technical Review Teams
2003-present California Coastal Salmonid Monitoring workgroup
2003-2006 NMFS “Significant portion of the range” workgroup
2003-2005 Green Sturgeon Biological Review Team
1998-present Salmonid Biological Review Team
1983-1986 Pacific Fisheries Management Council (PFMC) Groundfish Management Team (GMT)
1976-1978 NMFS Multispecies harvesting workgroup

HONORS AND AWARDS:

U.S. Dept. of Commerce, Bronze Award 2003, 2007
Performance Awards, 1992, 1994, 1999, 2001, 2002, 2003, 2005, 2007
Special Act Award, 1981

Outstanding Article of the Year in Fishery Bulletin, 1980, 1986
Jastro Fellowship, University of California, Davis, 1975
Bachelors of Science, magna cum laude, University of Redlands

PROFESSIONAL AFFILIATIONS:

American Institute of Fishery Biologist
American Fisheries Society
Ecological Society of America

PUBLICATIONS:

Gustafson, R., M. Ford, P. Adams, J. Drake, R. Emmett, K. Fresh, M. Rowse, E. Spangler, R. Spangler, D. Teel, and M. Wilson. 2012. Conservation Status of Eulachon in the California Current. *Fish and Fisheries*. 13(2): 122-138

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Pipal, K., M. Jessop, D. Boughton, and P. Adams. 2009. Using dual-frequency identification sonar to estimate adult steelhead escapement in the San Lorenzo River, California. *California Fish and Game* 96(1): 90-95

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Population status of North American green sturgeon, *Acipenser medirostris*. *Environmental Biology of Fishes* 79(3-4):339-356.

Adams, P. B., L. W. Botsford, K. W. Gobalet, R. A. Leidy, D. R. McEwan, P. B. Moyle, J. J. Smith, J. G. Williams, and R. M. Yoshiyama. 2007. Coho salmon are native south of San Francisco Bay: a reexamination of North American coho salmon's southern range limit. *Fisheries* 32(9):441-451.

Boughton, D. A., P. B. Adams, E. Anderson, C. Fusaro, E. Keller, E. Kelley, L. Lentsch, J. Nielsen, K. Perry, H. Regan, J. Smith, C. Swift, L. Thompson, and F. Watson. 2007. Viability criteria for steelhead of the south-central and southern California coast. NOAA Technical Memorandum NMFS-SWFSC-407. 33 p.

Hard, J. J., J. M. Myers, M. J. Ford, R. G. Kope, G. R. Pess, R. S. Waples, G. A. Winans, B. A. Berejikian, F. W. Waknitz, P. B. Adams, P. A. Bisson, D. E. Campton, and R. R. Reisenbichler. 2007. Status review of Puget Sound steelhead (*Oncorhynchus mykiss*). NOAA Technical Memorandum NMFS-NWFSC-81. 117 p.

Lindley, S. T., R. S. Schick, E. Mora, P. B. Adams, J. J. Anderson, S. Greene, C. Hanson, B. P. May, D. R. McEwan, R. B. MacFarlane, C. Swanson, and J. G. Williams. 2007. Framework for assessing viability of threatened and endangered Chinook salmon and steelhead in the Sacramento-San Joaquin Basin. *San Francisco Estuary and Watershed Science* 5(1): article 4. 26 p.

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Boughton, D. A., P. B. Adams, E. Anderson, C. Fusaro, E. Keller, E. Kelley, L. Lentsch, J. Nielsen, K. Perry, H. Regan, J. Smith, C. Swift, L. Thompson, and F. Watson. 2006. Steelhead of the south-central / southern California coast: population characterization for recovery planning. NOAA Technical Memorandum NMFS-SWFSC-394. 116 p.

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Good, T. P., R. S. Waples, and P. Adams (eds.). 2005. Updated status of federally listed ESUs of west coast salmon and steelhead. NOAA Technical Memorandum NMFS-NWFSC-66. 598 p.
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Laidig, T. E., K. R. Silberberg, and P. B. Adams. 2001. Age validation of the first, second, and third annulus from the dorsal fin rays of lingcod (*Ophiodon elongatus*). NOAA Technical Memorandum NMFS-SWFSC-306. 24 pp.

Silberberg, K. R., T. E. Laidig, P. B. Adams, and D. Albin. 2001. Analysis of maturity in lingcod, *Ophiodon elongatus*. California Fish and Game 87(4):139-152.

Spence, B. C., T. H. Williams, E. P. Bjorkstedt, and P. B. Adams. 2001. Status review update for coho salmon (*Oncorhynchus kisutch*) from the Central California Coast and the California portion of the Southern Oregon/Northern California Coasts Evolutionarily Significant Units. National Marine Fisheries Service, Southwest Fisheries Science Center, Santa Cruz Laboratory, California. 111 p. (April 12, 2001 revision. Individual authors not specified in publication.)

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Adams, P.B., M.J. Bowers, H.E. Fish, T.E. Laidig, and K.R. Silberberg. 1999. Historical and Current Presence-Absence of Coho Salmon (*Oncorhynchus kisutch*) in the Central California Coast Evolutionarily Significant Unit. SWFSC Administrative Report SC-99-02. 26p.

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Laidig, Thomas E., Peter B. Adams, Charles H. Baxter, and John L. Butler. 1995. Feeding on euphausiids by *Octopus rubescens*. Calif. Fish Game 81(2):77-79.

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1995. Population estimates of Pacific coast groundfishes from video transects and swept-area trawls. *Fish. Bull.*, U.S. 93:446-455.

Adams, Peter B.

1994. An examination of the 1992 and 1993 commercial and recreational lingcod sampling in Oregon and California. Appendix J. *In* Status of the Pacific coast groundfish fishing throughout 1994 and recommended biological catches for 1995. Pacific Fishery Management Council, Portland, Oregon.

Silberberg, Kelly R., and Peter B. Adams

1993. A comparison of the recreational and commercial fisheries for lingcod (*Ophiodon elongatus*) off the Pacific coast of the United States, and a description of the recreational lingcod fishery. U. S. Dep. Commer., NOAA Tech. Memo., NOAA-TM-NMFS-SWFSC-193, 29 p.

Adams, Peter B., Stephen Ralston, and Thomas E. Laidig

1993. Occurrence of an exceptional catch of pelagic juvenile lingcod (*Ophiodon elongatus*) off Point Reyes, California. *Fish. Oceanogr.* 2(2):97-100.

Adams, Peter B.

1992. Brown rockfish. *In* Leet, William S., Christopher M. Dewees, and Charles W. Haugen (eds.), California's living marine resources and their utilization, p. 127. California Sea Grant, Sea Grant Extension Publication UCSGEP-92-12.

Adams, Peter B.

1992. Copper rockfish. *In* Leet, William S., Christopher M. Dewees, and Charles W. Haugen (eds.), California's living marine resources and their utilization, p. 128. California Sea Grant, Sea Grant Extension Publication UCSGEP-92-12.

Adams, Peter B.

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Adams, Peter B., and James E. Hardwick

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Adams, Peter B. (editor) and Staff of the Tiburon Laboratory

1992. Progress in rockfish recruitment studies. SWFSC Admin. Rep., Tiburon, T-92-01, 63 p.

Adams, Peter B., and Wayne M. Samiere

1991. A computerized "expert system" to aid in the identification of juvenile rockfish (Genus *Sebastes*). P. 47-57 In Laidig, Thomas E., and Peter B. Adams (Eds.), Methods used to identify pelagic juvenile rockfish (genus *Sebastes*) occurring along the coast of central California. U. S. Dep. Commer., NOAA Tech. Memo., NOAA-TM-NMFS-SWFSC-166.

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Laidig, Thomas E., and Peter B. Adams

1991. Introduction: Methods used to identify pelagic juvenile and larval rockfish (genus *Sebastes*) occurring along the coast of central California. In Laidig, Thomas E., and Peter B. Adams (Eds.), Methods used to identify pelagic juvenile rockfish (genus *Sebastes*) occurring along the coast of central California, p. 1-5. U. S. Dep. Commer., NOAA Tech. Memo., NOAA-TM-NMFS-SWFSC-166.

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1988. Distribution and diet of Cassin's Auklet and common murre in relation to central California upwellings, p. 982-990. In Ouellet, H. (ed.), Acta XIX Congressus Internationalis Ornithologici, Vol. I, Ottawa, Canada. 22-29. VI. 1986. Univ. Ottawa Press.

Smith, S. E., and Peter B. Adams

1988. Daytime surface swarms of *Thysanoessa spinifera* (Euphausiacea) in the Gulf of the Farallones, California. Bull. Mar. Sci. 42(1):76-84.

Adams, Peter B.

1987. The diet of widow rockfish *Sebastes entomelas* in northern California. In Lenarz, William H., and Donald R. Gunderson (eds.), Widow rockfish. Proceedings of a workshop, Tiburon, California, December 11-12, 1980, p. 37-41. U.S. Dep. Commer., NOAA Tech. Rep. NMFS-48.

Adams, Peter B.

1987. Trophic and life history considerations with respect to multispecies management policies. Ph. D. Thesis, University of California, Davis, 214 p.

Adams, Peter B.

1986. Status of lingcod (*Ophiodon elongatus*) stocks off the coast of Washington, Oregon and California. In Pacific Fishery Management Council, Appendix 7, p 1-54. Status of the Pacific Coast groundfish fishery through 1986 and recommended acceptable biological catches for 1987. Portland, Oregon.

Hobson, Edmund, Peter Adams, James Chess, Daniel Howard, and Wayne Samiere

1986. Temporal and spatial variations in the numbers of first-year juvenile rockfishes off northern California. U. S. Dep. Commer., NOAA, NMFS, SWFC Admin. Rep., Tiburon, T-86-02, 16 p.

Adams, Peter B.

1982. Feeding behavior of the widow rockfish (*Sebastes entomelas*), a diurnally feeding rockfish. In Cailliet, G. M., and C. A. Simenstad (eds.), Gutshop '81, p. 198-204. Wash. Sea Grant Publ. WSG-WO 82-2. Seattle.

Adams, Peter B., and Constance J. Ryan

1982. Morphology and growth of a pugheaded brown rockfish, *Sebastes auriculatus*. Calif. Fish and Game 68(1):54-57.

Adams, Peter B.

1980. Morphology and distribution patterns of several important species of rockfish (genus *Sebastes*). Mar. Fish. Rev. 42:80-82.

Adams, Peter B.

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Adams, Peter B., and E. O. Garton

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Adams, Peter B., and Hiram W. Li.

1976. Three computer simulation games for the instruction of population dynamics. Fisheries (Bethesda) 1(1):22.



CITY OF SONOMA

COMMISSION APPLICATION

AUG 16 2012
CITY CLERK

NAME: Robert Garant

ADDRESS: 617 1st Street West, Sonoma

MAILING ADDRESS: Same

CONTACT INFO (Please include daytime & evening phone numbers and email address):

Day Phone: 707-939-1948, evening: 707-343-1163

email (personal): rgarant1@yahoo.com

COMMISSION OF INTEREST: Planning

HAVE YOU EVER ATTENDED A MEETING OF THIS COMMISSION? Yes HOW MANY? 12

If you are not selected for the commission listed above, would you be interested in serving on any of our other commissions? If so, please indicate which commission(s): _____

HOW MANY YEARS HAVE YOU RESIDED IN SONOMA? 5 years

PRESENT OCCUPATION: Civil/Structural Engineer

EDUCATION

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
Univ of Michigan	Civil Engineering	Bach.-Science (Civil Eng) 1970

COMMUNITY SERVICE EXPERIENCE

ORGANIZATION	DATES SERVED	POSITION
Governor's Office of Emergency Services	11/2008 to Present	Disaster Safety Assessor

(Use additional paper if necessary)

OTHER RELEVANT EXPERIENCE OR EXPERTISE: 35 years of engineering design
experience relating to buildings, public works, bridges. Planning
of various community roads, water, sewer and transportation systems

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THIS COMMISSION?

It is my understanding that the Commission reviews and makes recommend-
tions relating to projects as they relate to the City's Codified
zoning and planning rules.

WHICH ACTIVITIES OF THIS COMMISSION INTEREST YOU THE MOST? _____

Reviewing new projects to assist in maintaining the historic and
cultural elements of the City that make it so unique.

WHICH ACTIVITIES INTEREST YOU THE LEAST? Paperwork.

WHAT WOULD BE YOUR GOAL AS A COMMISSIONER? _____

My goal would be to fairly and judiciously administer the planning
and zoning codes of Sonoma.

WHAT DO YOU FEEL YOU COULD CONTRIBUTE TO SEE THESE GOALS REALIZED?

I feel my long career in the design and building community, with exper-
ience in residential, commercial and public works, would bring a
technical voice to the Commission.

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

Vic Conforti - 996-7923, Nancy Simpson - 217-2482

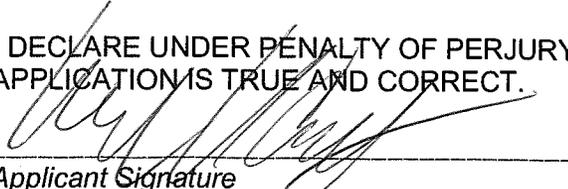
SOME COMMISSION POSITIONS MUST BE FILLED BY A **QUALIFIED ELECTOR** OF THE CITY OF SONOMA. A QUALIFIED ELECTOR IS A PERSON WHO IS 1) A U.S. CITIZEN; 2) AT LEAST 18 YEARS OF AGE; AND 3) RESIDES WITHIN THE BOUNDARIES OF THE CITY OF SONOMA.

ARE YOU A QUALIFIED ELECTOR OF THE CITY OF SONOMA?

YES

NO

I DECLARE UNDER PENALTY OF PERJURY THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.


Applicant Signature

August 15, 2012

Date

All submitted applications are available for public inspection.

Return completed form to:
City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476



CITY OF SONOMA

COMMISSION APPLICATION

NAME: Jennifer Gray

ADDRESS: 186 Padre Drive, Sonoma, CA 95476

MAILING ADDRESS: P.O. Box 221 Sonoma, CA 95476

CONTACT INFO (Please include daytime & evening phone numbers and email address):

(707) 953-6034

gray.jennifer@gmail.com

COMMISSION OF INTEREST: Planning

HAVE YOU EVER ATTENDED A MEETING OF THIS COMMISSION? No HOW MANY? _____

* But have viewed and made reports.

If you are not selected for the commission listed above, would you be interested in serving on any of our other commissions? If so, please indicate which commission(s): _____

HOW MANY YEARS HAVE YOU RESIDED IN SONOMA? 40+

PRESENT OCCUPATION: Graduate Student, USC-MPA

EDUCATION

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
<u>See resume</u>		

COMMUNITY SERVICE EXPERIENCE

ORGANIZATION	DATES SERVED	POSITION
<u>See resume</u>		

(Use additional paper if necessary)

OTHER RELEVANT EXPERIENCE OR EXPERTISE: _____

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THIS COMMISSION?

WHICH ACTIVITIES OF THIS COMMISSION INTEREST YOU THE MOST? _____

WHICH ACTIVITIES INTEREST YOU THE LEAST? _____

WHAT WOULD BE YOUR GOAL AS A COMMISSIONER? _____

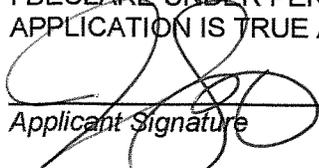
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ARE YOU A QUALIFIED ELECTOR OF THE CITY OF SONOMA? YES NO

I DECLARE UNDER PENALTY OF PERJURY THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.



Applicant Signature

8/29/12

Date

All submitted applications are available for public inspection.

Return completed form to:
City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476

Jennifer Gray
186 Padre Drive
Sonoma, Ca 95476
Gray.jennifer@gmail.com
707-953-6034

Planning Commission Application

Other relevant experience or expertise:

I am very interested in the process of planning and development in Sonoma. I recently wrote an extensive conflict analysis report on the Formula Business Ordinance for a course at University of Southern California, Sacramento campus in Alternative Dispute Resolution. I am currently completing my Masters in Public Administration at the Price School of Policy, Planning and Development. I interviewed several of the stakeholders and learned a lot about the process, dynamics, concerns and language with regard to development and planning. The experience of research and writing the analysis heightened an existing interest in planning. It was fascinating to compose the analysis and without bias.

Of note, I have a strong grasp of the role of city government through experience and education. I have completed courses in ADR, Public Budget and Finance, Microeconomics, Leadership in the Public and Private Sectors, Human Behavior in Public Organizations and many others.

On personal note, I have lived in Sonoma off and on (mostly on) since 1973 and have watched the trajectory of development in the city. I have the advantage of decades of observation as well as a clear understanding of the elements Sonomans cherish, most notably our city center where we gather as a community. At the same time, I appreciate that the city needs to support sustainable and viable opportunities for businesses and homeowners to flourish. I chose to return to Sonoma to raise my son because I believe strongly in the community and care deeply about the future of this city. I believe my experience as a longtime resident of the city is relevant and an important element of my application.

Professionally, I have dedicated my career to serving others and the Planning Commission would be an extension of service to the community. For over a decade I was a high school teacher and union leader. While at first glance this may connote liberalism, I'm actually a dedicated centrist and count these experiences with allowing me to learn the power of listening, negotiation and problem solving. I believe in a strong community, built on social values and yet strongly supportive of business. There is a balance to be found within every issue. In my former career, I was able to represent the issues of the faculty while maintaining a realistic vision that enabled the school to operate in a fiscally sound manner. Building and maintaining positive relationships with all stakeholders was crucial to the process

of highly successful and progressive negotiations. The school did close in 2011, but every effort was made by the faculty to financially support the organization. The reasons for the closure were never fully disclosed to the public.

In addition to teaching, I spent several summers volunteering, two of which were in city government in San Francisco. I have a strong interest in local public policy and planning is an important part of the process.

What is your understanding of the role and responsibility of this commission?

The city website is clear: "The Planning commission prepares, revises and implements the comprehensive long-term General Plan for the physical development of the City and surrounding areas. It conducts hearings and makes decisions and/or recommendations on a variety of land use applications." In other words, planning commissioners are entrusted by the community to perform due diligence in shaping and adhering to the General Plan, which essentially lays out the vision of where the city is going. The General Plan elements include community development, local economic development, environmental resources, circulation, public safety, and noise concerns. Currently, Sonoma's General Plan was composed in 2006 and runs through 2020.

Commissioners must attend meetings, listen to all sides without predetermined judgments, research accordingly, ask pertinent questions, suggest alternatives when necessary, and promote a fair and equal process. Commissioners should not promote purely ideological views and must be able to balance the interests of all stakeholders. Commissioners must conduct themselves with professionalism and transparency in order to responsibly represent the interests of the city and the citizens.

Which activities of this commission interest you the most?

I am interested in all aspects of the commission, but the area of particular interest is responsible, sustainable and smart growth of businesses in the city. This area encompasses a tremendous amount of variables and impacts the community, both positively and otherwise.

Which activities interest of this commission interest you the least?

None.

What would be your goal as a commissioner?

To listen with an open mind, but not a naïve heart. I wish to represent the best interests of the citizens of Sonoma with an eye toward the future citizens as well. To encourage responsible and sustainable growth while maintaining the essential

elements that make Sonoma one of the most amazing places on earth. To utilize my professional and personal skills in service to my community.

What do you feel you could contribute to see these goals realized?

I am a curious person with a strong work ethic, considerable critical thinking skills, an understanding of the role of government and an appreciation for the private sector. I am a good negotiator and pride myself on seeing solutions inside of challenges. I can be diplomatic and yet possess a strong mind. I have strong academic skills which may help in deconstructing the process and issues. Most of all, I have a tremendous love for the city and community.

Please list two local references and their phone numbers:

Dr. Richard & Disty Thompson	707.938.2063
Cheryl Diehm	707.322.9091

Jennifer Lynn Gray

186 Padre Drive, Sonoma, CA 95476 ● 707.953.6034 ● gray.jennifer@gmail.com

Professional Experience

Ursuline High School, Santa Rosa, CA, January 2001- June 2011 (Closed June 2011)

Reference: Graham Rutherford, Principal of Cardinal Newman High School 707-546-6470

Ursuline Faculty Organization

Team member: 2003-2011 / President: 2006-2011

- Served as lead negotiator for all faculty matters;
- Led faculty meetings to address collective concerns and convey policy changes;
- Helped develop faculty contract as well as the current salary schedule;
- Negotiated yearly with the principal and board of trustees regarding contracts, COLA, health care and retirement benefits, and alterations to the general contract ;
- Served as liaison between the administration and faculty in cases of termination of employment, renegotiation of contract terms and policy changes.

Instructor of AP English, 2001--2011

AP Language and Composition, Yearbook, Freshmen English, Creative Writing, Literature of Film, Public Speaking

- Classroom management, assessment and evaluation / Supervision of students / Parent relationships;
- Taught entire Junior AP program for Ursuline and its brother school, Cardinal Newman;
- Curriculum development, including technology integration.

Yearbook Advisor, 2004 -2010

Humanities Lecture Series Coordinator, 2001 - 2011

Project Homeless Connect Coordinator, 2005-2011

Awards: 2002 Teacher of the Year; 2010 American Red Cross "Real Hero" Nominee; 2010 Coca Cola Scholars Foundation, Educator of Distinction

Upward Bound at Napa Valley College, Napa Ca., June 2001-- December 2006

Supervisor: Anna Martinez, Director (707) 259-8027

Instructor of English

- Wrote and implemented year round curriculum that emphasized SAT prep, writing skills, reading comprehension and critical thinking
- Created an annual reader focusing on Multicultural literature
- Chaperoned field trips
- During the school year, taught Saturday school and assisted in college applications, primarily focusing on personal essays

Paradigm Management Services, Sebastopol, Ca., February 2005 – July 2008

Supervisor: Dr. Paula Sundance, M.D. (707) 829-0455 (Deceased, 12/09)

Editor: Catastrophic Case Management Reports

- Edited reports approximately 15-35 pages in length
- Major and minor editing of grammar, punctuation, logical progression of ideas, clarity and any apparent biases
- Maintain confidentiality

Education

Dominican University of California, San Rafael, CA, 1996-2001

- Honors Program Scholar
- Two bachelor of arts degrees: English Literature and History
- Summa Cum Laude; Departmental Honors (History and English)

University of Southern California, Sacramento Campus, Sacramento, Ca

GPA: 3.8

August 2011 -- May 2013 (Expected Graduation); Masters in Public Administration (MPA)

Volunteer Activities

Project Homeless Connect, San Francisco, Ca., August 2005 – Present

Supervisor: Judith Klain, MPA/HS, Director of PHC (415) 255-3908

Day of Management / Event Volunteer, August 2005 -- Present:

Triage worker: Lead Volunteer

Coat Drives: December 2005, February 2006, December 2007, December 2009: Collected and distributed over 6000 coats

Staff Volunteer, Summer 2008

Ground Floor Public Affairs, San Francisco, Ca., June – August 2007

Supervisor: Alex Tourk (415) 215-1199

- Organized a fundraising event for Project Homeless Connect that focused on philanthropic organizations
- Organized the launch party for approximately 400 people to officially open the firm

Mayor Gavin Newsom's Office, San Francisco, Ca., Summer 2005 & 2006

Supervisor: Alex Tourk, (415) 215-1199 & Ruby Rippey (415) 519-5673

2005: Assistant to Ruby Rippey-Tourk, Commission Secretary / 2006: Interim Commission Secretary (limited scope)

Aneth Community School (A Navajo Primary School) in Montezuma Creek, Utah, Summer 2003 & 2004

Supervisor: Cordella Begay (435) 651-3271

Position: Teacher / Chaperone



CITY OF SONOMA

COMMISSION APPLICATION

AUG 21 2012

CITY CLERK

NAME: BERT NEVINS

ADDRESS: 414 BROCKMAN Lane

MAILING ADDRESS: SONOMA CA 95476

CONTACT INFO (Please include daytime & evening phone numbers and email address):

Phone 707 721 1344

BERTNEVINS@EARTHLINK.NET

COMMISSION OF INTEREST: PLANNING COMMISSION

HAVE YOU EVER ATTENDED A MEETING OF THIS COMMISSION? yes HOW MANY? 1

If you are not selected for the commission listed above, would you be interested in serving on any of our other commissions? If so, please indicate which commission(s): _____

Design Review or Community Services

HOW MANY YEARS HAVE YOU RESIDED IN SONOMA? 1 / MARIA - 20

PRESENT OCCUPATION: RETIRED

EDUCATION

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
<u>N.Y.U.</u>	<u>INDUSTRIAL</u>	<u>B.S. 1974</u>
	<u>Distribution</u>	

COMMUNITY SERVICE EXPERIENCE

ORGANIZATION	DATES SERVED	POSITION
<u>Mill Valley</u>	<u>1994 - 96</u>	<u>BUSINESS ADVISORY</u>
		<u>COMMITTEE TO THE</u>
		<u>MAYOR</u>

(Use additional paper if necessary)

OTHER RELEVANT EXPERIENCE OR EXPERTISE: WAS VICE president of
A manufacturing (garment) for 10 years + Real Estate
Business (own company) for past 20 years

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THIS COMMISSION?
LISTEN, LEARN, VALIDATE, do what's best
for the community (do no harm)

WHICH ACTIVITIES OF THIS COMMISSION INTEREST YOU THE MOST? REAL ESTATE, LAND, building permits etc.

WHICH ACTIVITIES INTEREST YOU THE LEAST? SOCIAL EVENTS

WHAT WOULD BE YOUR GOAL AS A COMMISSIONER? ADD VALUE to
the city, AS MAKING IT better for
our citizens

WHAT DO YOU FEEL YOU COULD CONTRIBUTE TO SEE THESE GOALS REALIZED?
HARD WORK AND lots of energy
AND knowledge

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

CARLY LANG 415 828 9443 - BOB EARLY 707 889 4929

SOME COMMISSION POSITIONS MUST BE FILLED BY A **QUALIFIED ELECTOR** OF THE CITY OF SONOMA. A QUALIFIED ELECTOR IS A PERSON WHO IS 1) A U.S. CITIZEN; 2) AT LEAST 18 YEARS OF AGE; AND 3) RESIDES WITHIN THE BOUNDARIES OF THE CITY OF SONOMA.

ARE YOU A QUALIFIED ELECTOR OF THE CITY OF SONOMA? YES NO

I DECLARE UNDER PENALTY OF PERJURY THE INFORMATION PROVIDED ON THIS APPLICATION IS TRUE AND CORRECT.


Applicant Signature

Aug 18, 2012
Date

All submitted applications are available for public inspection.

Return completed form to:
City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476

rec'd 8.29.12



CITY OF SONOMA

COMMISSION APPLICATION

NAME: Bill Willers

ADDRESS: 873 First Street West, Sonoma CA

MAILING ADDRESS: Same

CONTACT INFO (Please include daytime & evening phone numbers and email address):

707 996-2396 (o) 707 996-4926 (h)

COMMISSION OF INTEREST: Planning Commission

HAVE YOU EVER ATTENDED A MEETING OF THIS COMMISSION? Yes HOW MANY? 75+

If you are not selected for the commission listed above, would you be interested in serving on any of our other commissions? If so, please indicate which commission(s): Not at this time.

HOW MANY YEARS HAVE YOU RESIDED IN SONOMA? 23

PRESENT OCCUPATION: Architect

EDUCATION

SCHOOL	MAJOR	GRADUATION DATE & DEGREE
University of California, Berkeley	Architecture	1984 BA Architecture

COMMUNITY SERVICE EXPERIENCE

ORGANIZATION	DATES SERVED	POSITION
Planning Commission	8/2011-current	Alternate
CDA Workgroup	8/2004-11/2004	Appointed Member
Town Design Guideline Task Force		Appointed Member

(Use additional paper if necessary)

OTHER RELEVANT EXPERIENCE OR EXPERTISE:

I have been a licensed architect since 1988. I have represented applicants in front of planning commissions throughout the bay area as well in Sonoma. As an involved citizen I was actively involved in the update of Sonoma's current General Plan, Housing Element, Development Code and Design Guidelines. I am familiar with California Planning Law and the requirements of CEQA.

WHAT IS YOUR UNDERSTANDING OF THE ROLE AND RESPONSIBILITY OF THIS COMMISSION?

To review planning applications for their conformance with the planning documents of City of Sonoma and the State of California. Also when requested, the Planning Commission will make recommendations to the City Council as they relate to certain planning policy directions.

WHICH ACTIVITIES OF THIS COMMISSION INTEREST YOU THE MOST?

All of them.

WHICH ACTIVITIES INTEREST YOU THE LEAST?

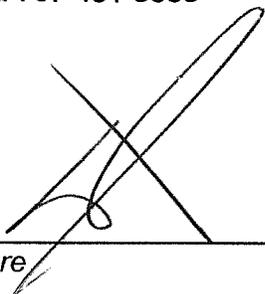
None

WHAT WOULD BE YOUR GOAL AS A COMMISSIONER? To serve the City of Sonoma and to treat all applicants fairly while maintaining the vision of the General Plan and applying the laws codified in the Development Code.

WHAT DO YOU FEEL YOU COULD CONTRIBUTE TO SEE THESE GOALS REALIZED? As I stated above I am very familiar with all of the planning documents of the City and the State of California. I have participated in the meeting that shaped the City documents and have an insight as to the intent of the documents.

PLEASE LIST TWO LOCAL REFERENCES AND THEIR PHONE NUMBERS:

Larry Barnett 707 939-0915
August Sebastiani 707 481-5635



Applicant Signature

Aug. 29, 2012
Date

Submitted applications will be kept in the active file for one year. All submitted applications are available for public inspection.

Return completed form to:
City Clerk
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476

CITY OF SONOMA

RESOLUTION NO. 77 - 2002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA ESTABLISHING GUIDELINES PERTAINING TO EXPIRED TERMS AND REAPPOINTMENTS TO CITY BOARDS AND COMMISSIONS

WHEREAS, the City Council of the City of Sonoma encourages citizen participation on its many boards and commissions; and

WHEREAS, Chapter 2.40 of the Sonoma Municipal Code Chapter provides general provisions for boards and commissions including how appointments are made and the total number of years that may be served; and

WHEREAS, California Government Code §54972 requires preparation and posting of a Local Appointments List on or before December 31 of each year; and

WHEREAS, California Government Code §54974 requires posting of a special vacancy notice whenever an unscheduled vacancy occurs on any board or commission; and

WHEREAS, the City Council desires to provide written guidelines pertaining to the procedure for advertisement, appointment and reappointment of board or commission members.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Sonoma hereby establishes the following guidelines regarding advertisement, appointment and reappointment of board or commission members:

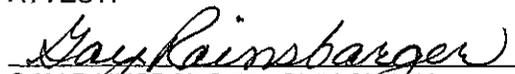
1. Whenever an unscheduled vacancy (due to resignation, death, termination, or other) occurs on any board or commission, the City Clerk shall: A) Post a vacancy notice pursuant to the provisions of G.C. 54974; and B) Publish a Vacancy Notice at least one time, no later than ten days prior to the deadline to submit applications, in a newspaper of general circulation published and circulated in the city.
2. Six weeks prior to expiration of a board or commission member's term, the City Clerk shall provide written notification to the Mayor. The notification shall include the name of the member, the board or commission to which they are appointed, the date of the original appointment, and whether they are eligible for a four year or two year appointment pursuant to Municipal Code section 2.40.070.
3. The Mayor shall consider the reappointment of the member whose term is expiring.
4. If the Mayor determines that reappointment of the member is advisable, then he/she shall contact the member to ask if they are willing to accept appointment to another term. If the member is willing, the Mayor shall notify the City Clerk to place the reappointment on a future City Council agenda.
5. If the Mayor determines that reappointment of the member is not advisable, he/she shall notify the committee member and the City Clerk of that determination no later than four weeks prior to the expiration of the member's term.
6. Upon receipt of the notification from the Mayor that a member will not be reappointed to a position, the City Clerk shall advertise the vacancy pursuant to Section 1 above.

The foregoing Resolution was duly adopted this 9th day of October 2002, by the following vote:

AYES: (4) Brown, Barnett, Ashford, Mazza
NOES: (0) None
ABSENT: (1) Costello


ALBERT C. MAZZA, MAYOR

ATTEST:


GAY RAINSBARGER, CITY CLERK



**City of Sonoma
City Council
Agenda Item Summary**

City Council Agenda Item: 6 E
Meeting Date: 02-16-05

Department Administration	Staff Contact City Manager
Agenda Item Title Commissioner Appointment Process (Requested by Councilmember Sanders)	

Summary

At the January 19 City Council meeting, Councilmember Sanders asked that Council schedule a discussion about the process for appointing members to City Commissions.

A quick review of City files found a couple of instances when this issue was considered – a process approved in 1987 (minutes attached) and a review in 1996, by which time the City’s process had been modified, apparently through general practice. The agenda summary and staff memo from 1996 are attached. As noted on the agenda summary, Council at that time decided not to change the then-existing process. A 2002 League of Women Voters Survey was also available in City files and is enclosed for reference.

The same optional appointment methods that were presented in the 1996 staff memo remain viable today, although the approaches used by various Sonoma cities may have changed since 1996.

The current process in Sonoma is as follows:

1. all vacancies are advertised, as required by State law
2. applications are submitted to the City Clerk by an established deadline
3. the Mayor and another Councilmember, selected by the Mayor, interview applicants in private
4. the Mayor presents a nomination at a Council meeting
5. Council acts to ratify (or not ratify) the Mayor’s nomination

In the event Council wishes to modify the current process or scrap it in favor of a completely different approach, direction should be provided to staff to bring back a complete proposal at a future Council meeting.

Recommended Council Action

Council discretion. Provide direction to staff with respect to any changes that Council may want to consider.

Alternative Actions

Examples of alternatives to the current process are included in the attached 1996 staff memo and in the League of Women Voters survey. Other modifications may be developed through Council deliberation.

Financial Impact

Extensive staff review of options could divert staff resources from other work programs and projects. It is unlikely that options such as those presented in the 1996 staff memo would create additional costs, although some could result in an increase in staff time devoted to the process.

Environmental Review	Status
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input type="checkbox"/> No Action Required
<input type="checkbox"/> Exempt	<input type="checkbox"/> Action Requested
<input checked="" type="checkbox"/> Not Applicable	

- Attachments:**
1. Excerpt of March 9, 1987 City Council minutes
 2. Agenda Summary and Staff Memo from February 7, 1996
 3. *How California Cities Make Appointments to Non-Elective Positions* (League of Women Voters, 2002)

City Council Minutes 12/21/05:

Item 6C: Commission Appointment Process.

City Manager Fuson explained that, pursuant to Council direction, staff had prepared a proposal for changes to the commission appointment process. The changes included a requirement that Planning Commission applicants be interviewed by the entire City Council and appointment made by a ballot system rather than by Mayoral nomination with Council ratification. The other change would require that the Mayor's nominee for vacant seats would be announced in writing in the agenda summary distributed prior to the Council meeting rather than at the meeting.

Gina Cuclis, Planning Commissioner, stated that she had major concerns with the proposed change and that she felt it would discourage people from applying. Randy Cook, Planning Commissioner, questioned the addition of another hurdle to obtaining qualified people to serve on commissions. Steve Barbose, Planning Commissioner, stated that the proposal would discourage people from wanting to serve on the commission. Morgan Sanders stated that the Council had already made a decision. He said an open interview would allow the City Council to make a decision not based on someone else's opinion.

Clm. Cohen stated he believed he would hear more in a private setting and had not supported the change. He said; however, that if the new process was approved, it should be applied to all commissions. Clm. Barnett stated that he had never had a problem with the old interview system and did not feel it needed to be changed. He said he had no problem with revealing names of the nominees. Clm. Brown stated he had interviewed before the entire Council and was okay with it.

Clm. Sanders stated that open government would attract applicants. She stated that the League of Women Voters supported an open process and that 42% of local governments had a similar process. Clm. McKesson stated he was happy with the way it was but would agree to add some criteria and basic interview questions. He added that the Planning Commissioners had pointed out some valid points.

It was moved by Clm. Barnett, seconded by Mayor McKesson, to retain the current interview system and to modify the process whereby the name of the nominee would be revealed in the agenda report. The motion carried three to two, Sanders and Brown dissented.

City Council Minutes 12/2/09:

Item 7C: Discussion and Consideration of Planning Commission Structure and Appointment Process, requested by Councilmember Sebastiani.

City Manager Kelly reported that at the March 2009 City Council retreat, Councilmembers requested an opinion on alternative Planning Commission appointment models, including changing to a process whereby each Councilmember would appoint one Commissioner, and potentially changing the structure of the Commission. She stated that Councilmember Sebastiani requested that this item move forward for Council discussion, to determine whether there is Council consensus to continue researching this matter, including determining the steps required to implement such a change. City Manager Kelly stated that an ordinance amending the Municipal Code would be required to make a change to the process. She presented a survey indicating how other Sonoma County cities select their Planning Commissioners.

Clm. Sebastiani stated that as Councilmembers, they need to look at the status quo and ask why things are done the way they are. He said it was clear that Council had quite a bit of latitude in determining the makeup and the appointment process for commissions. Clm. Sebastiani stated that the Planning Commission makes decisions that land directly in the Council's lap and he would like to see their accountability closer to the voters. He suggested that each Councilmember appoint one Planning Commissioner.

Clm. Sanders expressed concern about the cost of the proposed change. City Manager Kelly stated that any associated costs would be absorbed through existing staff. Mayor Barbose asked the City Attorney if there would be an issue with Clm. Gallian serving on Council and her husband serving as a Planning Commissioner. Interim City Attorney Walter stated this was a gray area – there was a question of the appearance of a conflict, but there was no legal conflict. He explained existing case law addressing this issue. Attorney Walter stated that in Woodland the Council had the power to remove a Planning Commissioner and had removed one. The Commissioner sued and the removal was upheld in the Court of Appeals.

Interim City Attorney Walter stated that while there was not an actual conflict here; there was an appearance of a conflict of interest that was a concern. Clm. Gallian asked if she should recuse herself since her spouse was a Planning Commissioner. Interim City Attorney Walter recommended she step down. Clm. Gallian recused herself and left the dais.

Mr. Golenpaul stated he did not feel the public understood the issue that Clm. Sebastiani brought up.

John Kelly thanked Clm. Sebastiani for bringing up this subject. He said the current Planning Commission has taken on an adjudicated capacity.

Chip Roberson, 601 Charles Van Damme, stated he was currently on the Planning Commission. He said he was open to the idea, but felt the process should be approached carefully.

Fred Peterson
1190 Brockman Lane
Sonoma, California 95476

November 27, 2012

Mayor Joanne Sanders
Sonoma City Council
City of Sonoma
#1 The Plaza
Sonoma, CA 95476

Re: Appointment to Fill Planning Commission Vacancy

Dear Mayor Sanders:

Violations of the Brown Act should – and do -- have consequences. Here in Sonoma, because of your discovery of Councilmember Ken Brown's serial communications with Steve Barbose and Tom Rouse, Mr. Brown has been recused from any further participation concerning City Council action on the Planning Commission vacancy. The record of the last meeting of the City Council made it clear that Mr. Brown's communications were used in an attempt to develop a concurrence as to action to be taken concerning the appointment to the Planning Commission, both as to the candidate to be selected and the purported primacy of "tradition and custom" dictating the elevation of the alternate to any open position. This is not a violation of the Brown Act that could be cured or corrected by simply "doing it over again."

My letter to you of November 16, 2012, demanded that the City Council cure or correct that Brown Act violation by recusing Mr. Brown from any further participation concerning the Planning Commission appointment. If Councilman Brown were not recused, his violation of the Brown Act would have usurped the nomination authority from our present mayor, so that Mr. Brown could have made that nomination – effectively using his unlawful conduct to seize the nomination authority for himself. The order that Mr. Brown shall be recused, made at the last meeting, does cure and correct the Brown Act violation. Thanks to the City Attorney for recognizing that complete recusal of Mr. Brown is the appropriate action to cure the violation in this instance.

In his Brown Act communication with Councilmember Rouse, Ken Brown said that your nomination of any candidate other than Mr. Willers, the alternate member of the Planning Commission, was a "**strong-arm approach.**" Steve Barbose has publicly said that tradition and custom **require** the nomination and ratification of Mr. Willers, because he is the alternate. Clearly, Mr. Barbose and Mr. Brown share the same agenda with respect to their determination to have their preferred candidate appointed to the Planning Commission, notwithstanding your exclusive right to make the nomination.

I respectfully contend that Messrs. Brown and Barbose are mistaken about the process. The following provisions of the Municipal Code are controlling:

2.40.100 Appointments.

Appointments to city commissions **shall** be filled by nomination of the mayor and ratification by the city council. (Ord. 2003-03 § 1, 2003; Ord. 84-8 § 2, 1984. Formerly 2.40.110).

2.40.110 Alternates.

A. In addition to regular members, the city council shall appoint one alternate member to each city board or commission now in existence or hereafter established.

B. The alternate shall, like regular members, attend the regular meetings and special meetings of the board or commission to which he/she is appointed. The alternate shall review staff reports and documents and otherwise prepare for such meetings. At such meetings, the alternate shall be identified for the record. That alternate shall publicly announce any items on the agenda that he/she is disqualified from participating in because of a conflict of interest. If, as a result of absences, one or more regular members cannot participate at a regular or special meeting, the alternate shall move to any vacant seat and shall participate as a regular member until the completion of the agenda. If the alternate participates due to a conflict of interest of a regular member, the alternate shall participate as a regular member only until the affected item is completed. In the event an absent member arrives after the commencement of an agenda item, the alternate shall participate as a regular member until the completion of the current item, at which time the alternate shall move back to the alternate's seat and shall stop participating as a regular member. In the event an item on which the alternate member has participated as a regular member is continued to a subsequent meeting, the alternate shall continue to participate as a regular member on the item at any and all such subsequent meetings.

C. The qualifications, appointment, term of office, attendance, removal and other requirements applicable to the alternate shall be the same as those for regular members of the board or commission, except that the alternate position may be filled only by a qualified elector of the city. The alternate shall also be subject to the requirements of and shall abide by the Ralph M. Brown Act, the Political Reform Act and other law applicable to the regular members of the board, commission or group.

D. In the event that a vacancy occurs on the board or commission, upon nomination by the mayor and ratification by the city council, **the alternate**

may be appointed to the vacancy without further recruitment for a replacement for the regular member. For the purpose of determining the term of office pursuant to SMC 2.40.070, the time served as an alternate member shall not be counted toward the term to be served as a regular member. (Ord. 03-2007 § 1, 2007; Ord. 2003-03 § 1, 2003; Ord. 2000-14 § 1, 2000. Formerly 2.40.120).

2.44.010 Composition.

The planning commission shall consist of seven members, six of whom shall be qualified electors of the city, and shall be appointed in accordance with SMC 2.40.100. No person shall be elected, appointed, reelected, or reappointed as chair or vice chair of the planning commission, unless such person is a qualified elector of the city. Any person so elected or appointed shall maintain city residence as a qualification for the office, and upon loss of such residence, shall vacate the office. (Ord. 2003-03 § 2, 2003; Ord. 84-8 § 3, 1984).

[**Bold** and *italic* emphasis has been added]

Note that the Municipal Code uses “permissive language” with respect to appointment of the alternate to fill a vacancy: “... the alternate **may** be appointed to the vacancy without further recruitment...” Use of the word “may” is controlling. If this provision read “shall” or “will,” appointment of the alternate to fill the vacancy would be mandatory. See section 2.40.100, where the mandatory word “shall” is used. As an attorney, one would expect Mr. Barbose to understand the significance of “mandatory” versus “permissive” language.

Please also note that commissioners who are not qualified electors of the city can only be nominated by the mayor as regular members, and cannot serve as alternates. If the alternate must always be elevated to fill a regular vacancy as Mr. Barbose asserts, a non-resident member could never be appointed over an alternate – and of course, we know that is not the applicable rule of law.

We should be wary of anyone who asserts that his interpretation of “tradition and custom” should trump the plain meaning of the Sonoma Municipal Code. It is very clear that it is the mayor’s right and duty to make nominations to fill vacancies on the planning commission, subject to ratification of the council. In this case it is apparent that Messrs. Barbose and Brown seek to usurp the mayor’s authority to make nominations to fill a planning commission vacancy. Their efforts to manipulate and contravene the appointment process are misplaced – they should seek to change sections 2.40.100 and 2.40.110 D of the Sonoma Municipal Code, rather than insist that their contrived interpretation of those sections is controlling.

Mayor Joanne Sanders
November 27, 2012
Page 4

Please include this letter in the packet materials for the related City Council agenda item for upcoming December 3 meeting.

Very truly yours,

/s/ Frederick F. Peterson

Frederick F. Peterson

FFP\Letter to Mayor Sanders 11-27-12



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5I

Meeting Date: 12/03/2012

Department

Public Works

Staff Contact

Milenka Bates, Public Works Director

Agenda Item Title

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.

Summary

The City Council awarded the contract to Quality Painting and Maintenance on August 20, 2012. The work in general included re-coating and replacement of cathodic protection components for the 2MG potable water reservoir located on East Napa Street, including removal, containment and disposal of the existing coating system, substrate preparation and application of the new coating systems. Removal of existing cathodic protection system components and reinstallation of all new components was also part of the work.

Contract Summary Table

General Description	Amount
Approved Original Contract and Contract Pay Items	\$84,000.00
Final Contract Amount	\$84,000.00

Recommended Council Action

It is recommended that Council 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.

Alternative Actions

None.

Financial Impact

The Council approved \$390,000 in the FY 2012/13 water operations budget for the recoating of the tank. There are adequate funds in the Water Enterprise Fund.

Environmental Review

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

Status

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

Attachments:

Notice of Completion

When recorded, return to:

City of Sonoma
Attn: City Clerk
No. 1 The Plaza
Sonoma, CA 95476

OFFICIAL BUSINESS: Exempt from Recording Fees Pursuant to California Government code §6103.

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. On the 3rd day of December, 2012, the public project known as:
2MG Water Tank Improvements Project No. 1203 was completed.
2. The name and address of the party filing this Notice is:
City of Sonoma, No. 1 The Plaza, Sonoma, CA 95476
3. The name and address of the Contractor responsible for the construction of said public project is:
Quality Painting and Maintenance, P.O. Box 19178, Reno, NV 89511.
4. The name and address of said Contractor's insurance carrier is:

Warren Reed Insurance, Inc (Broker)
1521 Highway 395 North
Gardnerville, NV 89410
Attn: Todd R. Wilcks
5. The general description of the public project was: re-coating and replacement of cathodic protection components for the 2MG potable water reservoir located on East Napa Street, including removal, containment and disposal of the existing coating system, substrate preparation and application of the new coating systems. Removal of existing cathodic protection system components and reinstallation of all new components was also part of the work.
6. The original contract amount was: \$ 84,000

Recording of this document is requested for **CITY OF SONOMA** and on behalf of the **City of Sonoma**, a Municipal Corporation, under Section 6103 of the Government Code.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Linda Kelly, City Manager

Dated: _____, 2012

ATTEST: _____
City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5J

Meeting Date: 12/3/12

Department

Administration

Staff Contact

Linda Kelly, City Manager

Agenda Item Title

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.

Summary

With the pending vacancy in the Public Works Director position, the City Manager is proposing that existing management staff cover the duties of the Public Works Director on an interim basis, not to exceed 120 days, with the option of a 30 day extension. It is anticipated that this time frame will provide the City the opportunity to conduct a full competitive recruitment to fill the regular Public Works Director position.

Drawing upon the existing skills, knowledge and talent base of current City staff, it is proposed that two management-level employees receive interim incentive pay for assuming the duties of the Public Works Director until a new Director is hired.

Per the attached proposed resolution, Wayne Wirick, Development Services Director/Building Official, would serve as Interim Public Works Director in addition to his current position, and would receive a 15% incentive pay increase to his base salary for the duration of the assignment. David Goodison, would assist the Interim Public Works Director with specified duties and would receive a 5% incentive pay increase to his base salary for the duration of the assignment.

Recommended Council Action

Adopt resolution.

Alternative Actions

Do not adopt, and direct the City Manager to pursue alternatives for hiring an Interim Public Works Director.

Financial Impact

Due to the salary savings anticipated with the pending vacancy in the Public Works Director position, this proposal will save a minimum of \$35,000 versus hiring an Interim Public Works Director from outside the City organization.

Environmental Review

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

Status

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

Attachments:

Resolution

cc:

CITY OF SONOMA

RESOLUTION NO. __ - 2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA AUTHORIZING THE CITY MANAGER TO GRANT INCENTIVE PAY TO SPECIFIED MANAGEMENT EMPLOYEES

WHEREAS, the City has a need to temporarily fill a vacant management position, and the City Manager recommends a temporary acting assignment of current City management-level employees to fill this vacancy on a temporary basis; and

WHEREAS, the City Manager does not have separate authority to grant acting, interim or incentive pay to management employees of the City to account for additional duties assumed on an interim basis.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SONOMA does resolve as follows:

1. The City Manager is hereby authorized to grant acting interim incentive pay to the following current management employees:
 - a. Wayne Wirick, Development Services Director/Building Official, is hereby granted a 15% increase to his current base salary for the duration of his assignment as Interim Public Works Director. Granting of said 15% increase shall commence on the first day the City Manager assigns him to act as Interim Public Works Director and shall cease on the day following the last day the City Manager revokes such assignment. In any case, such assignment shall not exceed 120 days in total. Notwithstanding the foregoing, the City Manager is hereby granted the authority to extend acting interim incentive pay to Wayne Wirick for up to an additional 30 days.
 - b. David Goodison, Planning Director, is hereby granted a 5% increase to his current base salary for the duration of his assignment to assist the Interim Public Works Director with duties as assigned to him by the City Manager and/or Interim Public Works Director. Granting of said 5% increase shall commence on the first day the City Manager assigns him to assist the Interim Public Works Director and shall cease on the day following the last day the City Manager revokes such assignment. In any case, such assignment shall not exceed 120 days in total. Notwithstanding the foregoing, the City Manager is hereby granted the authority to extend acting interim incentive pay to David Goodison for up to an additional 30 days.

ADOPTED this 3rd day of December, 2012 by the following vote:

AYES:
NOES:
ABSENT:

Joanne Sanders, Mayor

ATTEST:

Gay Johann, City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 12A

Meeting Date: 12/03/2012

Department

Administration

Staff Contact

Carol E. Giovanatto, Assistant City Manager

Agenda Item Title

Discussion, consideration and possible action on Capital Improvement Program and Amendments to the FY 2013 Operating Budget

Summary

On July 2nd Council adopted the 2012-2013 Operating Budget. The adoption was exclusive of the projects contained in the 5-year Capital Improvement Plan. The projects for 2012-13 require that the City and Successor Agency Budget be amended to ratify the Capital Projects. A recap of project expenditures is shown below. Detail pages follow.

SUMMARY OF COSTS FOR FY 2012-13	
GENERAL FUND	\$455,000
CDA 2011 TAB-SUCCESSOR AGENCY	\$7,499,600
GENERAL FUND-SPECIAL PROJECTS	\$70,300
LONGTERM BUILDING MAINTENANCE	\$200,330
WATER FUND	\$590,000
COMMUNITY DEVELOPMENT BLOCK GRANT	\$140,000
ZONE 3A GRANT	\$90,000
HSIP GRANT	\$106,000
TOTAL ALL PROJECTS	\$9,151,230

All projects presented for FY 2012-13 CIP Budget are illustrated on Exhibit A [attached]. Projects funded through the 2011 CDA Tax Allocation Bond ("TAB's") which are reflected in the Capital Improvement Plan have been previously approved by the Community Development Agency Board upon issuance of the Bond in 2011. The State continues to take the position that proceeds of bonds issued after December 31, 2010 may not be used by Successor Agency's, but the City as Successor Agency continues to take the position that since the Bond covenants warranted to the Bond holders that the Bond proceeds were to be expended for particular, tax-qualified purposes, spending the proceeds for these purposes is a legal obligation owed by the Successor Agency to the Bond holders. Moreover, AB x 1 26 and AB 1484 both provide that proceeds of bonds must be spent for the purposes for which the bonds were issued. Thus, staff is including the projects promised to be funded by the TAB's in the 2012-13 CIP Budget.

Recommended Council Action

Accept Capital Improvement Plan for 2013 and approve resolutions to amend the 2013 Operating Budget to include allocations for Capital Projects

Alternative Actions

Request additional information; add or delete Capital Projects for 2013

Financial Impact

The requested modifications to the FY 12-13 Budget as presented, total \$9,151,230.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Capital Improvement Plan Spreadsheet + 2011 CDA Bond Project Listing
Resolutions [City and Successor Agency]

cc:

CITY OF SONOMA CAPITAL IMPROVEMENT PROGRAM (FY 2013)
PROJECT INFORMATION

PB - PUBLIC BUILDINGS

PB-1

BOND HOUSE & BARN DEMOLITION

Description: Demolish the substandard Bond House and Barn (*work completed 11/2012*)

Budget or estimate: FY 2013 = \$60,000 for de-construction. [LTBM]

Staff/Project Contact: Wayne Wirick, Development Services Director / Building Official

PB-2

CITY HALL - BELL TOWER STRUCTURAL REPAIR

Description: Repair the bell tower and bell support frame at City Hall. Dry rot has resulted in deterioration of the bell tower support frame resulting in roof leaks and an unsafe condition at the bell tower. For FY 2013, investigate design alternatives for the repair and prepare bid documents.

Budget or estimate FY 2013 = \$25,300 for design work only; FY 2014 = Approximately \$138,700 for repair work. [LTBM]

Staff/Project Contact: Wayne Wirick, Development Services Director / Building Official

PB-3

CITY HALL - STONE CLEANING

Description: Clean mildew from City Hall exterior stone

Budget or estimate FY 2013 = \$8,700 [LTBM]

Staff/Project Contact: Wayne Wirick, Development Services Director / Building Official

PB-5

VOM NURSERY SCHOOL - ADA IMPROVEMENTS

Description: Evaluate and design required ADA improvements for the VOM Nursery School at 136 Mission Terrace.

Budget or estimate FY 2013 = \$13,000 (Design Only) [LTBM]

Staff/Project Contact: Wayne Wirick, Development Services Director / Building Official

PB-6

SCSH - REROOFING, GUTTER REPAIR, EXTERIOR PAINTING & SELECTIVE DRY ROT REPAIR (34 UNITS AND CARPORTS)

Description: Make much needed repairs to Sonoma Creek Senior Housing (SCSH). Includes reroofing all buildings, repairing gutters and rotted exterior siding and re-painting the exterior of all buildings.

Budget or estimate: FY 2013 = \$14,500 for design work only; FY 2014 = \$550,000 for repair work. [LTBM]

Staff/Project Contact: Wayne Wirick, Development Services Director / Building Official

PB-7

DEPOT MUSEUM ADA AND CODE IMPROVEMENTS

Description: Bring interior ramp and doorways into compliance with current accessibility requirements. Make safety improvements at the 2nd floor stairway.

Budget or estimate: FY 2013 = \$7,800 for design work only; FY 2014 = \$19,500 for repair work: [LTBM]

Staff/Project Contact: Wayne Wirick, Development Services Director / Building Official

PB-8

FIRE STATION PAINTING AND DAYROOM & KITCHEN FLOORING REPLACEMENT PROJECT

Description: Interior and exterior re-painting of the Fire Station (excluding the interior of the Museum and Mechanic Garage). Replacement of the flooring in the Dayroom, Kitchen, Dining area and Stairway.

Budget or estimate: FY 2013 = \$96,300 for design and replacement/repainting work. [LTBM]

Staff/Project Contact: Wayne Wirick, Development Services Director / Building Official

PB-10

CORP YARD WAREHOUSE ADA RESTROOM AND EMERGENCY SHOWER IMPROVEMENTS

Description: Create ADA restroom and emergency shower in the Corp Yard Warehouse Building. Emergency shower needed to comply with OSHA requirements

Budget or estimate: FY 2013 = \$10,000 for design only; \$50,000 for construction. [50% Special Projects Fund - 50% Water Fund]

Staff/Project Contact: Wayne Wirick, Development Services Director / Building Official

PB-12

CITY PROPERTY LID DEMONSTRATION PROJECT (CARRYOVER)

Description: Demonstration Low Impact Development (LID) project on city-owned property to include LID features such as rain garden, rain harvesting, low water use plantings, pervious paving, etc., and public outreach brochures or plaques. The purpose of the project is to allow residents to see how they can incorporate LID features into their outdoor landscape and hardscape.

Budget or estimate: FY 2013 = \$120,000 [Zone 3A \$90,000; Water Fund \$30,000]

Staff/Project Contact: Wendy Atkins, Planner

PO – PARKS & OPEN SPACE

PO-6

DEPOT PARK ADA IMPROVEMENTS

Description: Phase I includes pathway improvements at Depot Park to improve non-ADA compliant pathways from street to the museum and other pathway accessibility issues. Phase II includes other Depot Park improvements, including additional ADA and lighting improvements. Funding for Phase I is through CDBG grant funds and Phase II is through General Fund or potentially a future CDBG grant..

Budget or estimate: \$140,000 (FY 13, CDBG)
\$124,000 (FY 14, General Fund or CDBG)

Staff/Project Contact: City Engineer

PO-9

CEMETERY EXPANSION AT VETERANS PARK

Description: Expansion of the Veterans Memorial Park Cemetery to provide inventory for immediate need. Development of at least one row of 16 on North side of star.

Budget or estimate: \$40,000 (FY 13, General Fund) / APPROVED

Staff/Project Contact: Trent Hudson, Cemetery Supervisor

WS – WATER/STREET IMPROVEMENTS

WS-2

CONSTRUCTION NAPA ROAD STREET IMPROVEMENTS

Description: This project is the street overlay of Napa Road from Broadway to the eastern city limits. The City installed a water line extension on Napa Road in 2010. It is the City's policy to perform a street overlay for streets impacted by water system trenching. The design is currently 90 percent complete but was put on hold due to funding issues with CDA-TAB monies. The City is applying for OBAG (One Bay Area Grant) for pavement rehabilitation of Napa Road through SCTA/MTC but those funds would not be available until FY 2014, if programmed. The request includes \$50,000 in FY 2013 to complete the plans and other pre-construction efforts.

Budget or estimate: \$650,000 [FY 2013: \$50,000 GF ; FY 2014: OBAG \$250,000, GF/Special Projects, \$250,000]

Staff/Project Contact: Public Works Director/City Engineer

SS – STREETS/SIDEWALKS/BIKEWAYS

SS-1

LEVERONI & BROADWAY TURN LANE & SIGNAL IMPROVEMENTS

Description: This project is the traffic signal modification and Caltrans coordination to include a dedicated southbound Leveroni Road left-turn signal onto northbound Broadway. Although this signal is owned and maintained by Caltrans, funding has been obligated by Caltrans through the HSIP (Highway Safety Improvement Program). Project construction is scheduled for FY 2013.

Budget or estimate: \$200,000 [\$106,000 HSIP grant; \$94,000 GF]

Staff/Project Contact: City Engineer

SS-4

CITYWIDE SLURRY SEAL PROGRAM - COMPLETED

Description: This project consists of annual slurry seals of streets throughout the city. The purpose of this program is to perform preventative maintenance of the streets through crack sealing and slurry sealing of streets that are in fairly good condition to extend the life of the street and thereby avoiding costly street rehabilitation and reconstruction of the street. This program is consistent with the goals identified in the City's Pavement Management Program report.

Budget or estimate: \$150,000 per year [GF]

Staff/Project Contact: Public Works Director/City Engineer

SS-5

CHASE STREET BRIDGE REPLACEMENT

Description: This project is the replacement of Chase Street Bridge at Nathanson Creek. The bridge has been identified as structurally deficient by Caltrans. The City has received a Federal transportation grant of \$1.2M (Highway Bridge Replacement Program -- HBRP) for the design and construction work. The project is currently on hold due to funding for the local match which was to come from CDA-TAB. The request is to complete the design in FY 2013 with construction in FY 2014.

Budget or estimate: \$1,568,000 [FY 2013: \$203,000, GF; FY 2014: \$1,200,000 HBRP grant, \$165,000 GF]

Staff/Project Contact: City Engineer

WM – WATER MAINS, WELLS, PUMPS

WM-1

WELL NO 8

Description: This project is for the well citing study, pilot testing and installation of a municipal well within city limits. The initial citing has been for KT Carter Park site but may need to be sited in a different location because of potential problems with the southern area of the city identified by the Sonoma Valley groundwater study (recently updated in 2009). Another location will be studied in the northern end of the city, close to the Field of Dreams park site. The construction is scheduled for FY 2014.

Budget or estimate: \$750,000

Staff/Project Contact: Steve MacCarthy, Water Supervisor

WM-3

Sonoma Valley Groundwater Assessment/Replacement Plan

Description: This project is for a potential groundwater banking or aquifer storage project in partnership with the Sonoma County Water Agency. The first phase is for the preparation of the feasibility study/plan and the second phase is for the pilot test project. The estimated budget is the City's share of the costs.

Budget or estimate: \$200,000 [FY 2013: \$25,000; FY 2014: \$175,000]

Staff/Project Contact: Public Works Director/City Engineer

WM-7

ASR/Infiltration Basin/Watershed Enhancements)

Description: This project is a Bay Area IRWMP Prop. 84 or Prop. 1E grant application in partnership with the Sonoma County Water Agency and the Sonoma Ecology Center. Prop. 1E grant is more likely due to competition for the Prop. 84 funds which means a 50% local match. The current project description is for an infiltration/retention basin, Fryer Creek/West MacArthur Street culvert “duck pond” improvements, and other Fryer Creek restoration/enhancements as part of the “City Urban Streams” grant application. If approved, funds would be available in FY 2014. The project estimate is preliminary at this stage and will be modified as it becomes clear how much grant funding is available for this project.

Budget or estimate: \$1,900,000 [FY 2014: \$150,000, FY: 2015: \$250,000; FY 2016: \$1,500,000]; Funding sources (amounts and proportions TBD): Prop. 1E, Zone 3A, Water Fund (nominal amount nexus is watershed protection for groundwater supplies – most will be from grants)

Staff/Project Contact: Public Works Director/City Engineer

WM-9

Maxwell Village Service Line Replacement - Completed

WM-10

Sonoma Valley Recycled Water Project

Description: This project is a recycled water project with the Sonoma Valley County Sanitation District (SVCS D) as the lead agency. This project is included in the City’s adopted Urban Water Management Plan 2010 and will help provide potable offsets to the City’s water supply. It is not yet clear what the costs will be, what the City’s share of the cost is and when the project will occur. At this time, SVCS D is applying for grant funding to provide for the bulk of the costs. The budget estimate and time stated below are “placeholders” until more information is provided by SVCS D.

Budget or estimate: \$500,000

Staff/Project Contact: Public Works Director

WM-11

Sonoma Development Center Conjunctive Use Project

Description: This project is a joint use project with the Valley of the Moon Water District as the lead agency. The SDC (owned and operated by the State of California) owns a lake and a surface water treatment plant. City and VOMWD are in discussions with the State regarding an emergency use agreement for water that will be delivered to VOM and in turn, the same amount of VOM Russian River water supply would be “wheeled” to the City under this arrangement. The first year of the project is the feasibility study and the second year is the construction of the intertie connection from the SDC to the VOM water system.

Budget or estimate: \$350,000 [FY 2013: \$50,000; FY 2014: \$300,000]

Staff/Project Contact: Public Works Director/City Engineer

List of CDA Tax Allocation Bond Projects - 2012-2016 CAPITAL IMPROVEMENT PLAN

Project Name				Project Cost	Budget Breakdown	
30 Napa Road Rehabilitation				\$700,000	396	54025
31 France Street				\$404,000	396	54019
Citywide Pavement Mgmt/Sidewalk/ADA/Storm Drain						
Project Breakdown:	From:	To:				
1 Leveroni	Broadway	Hiking path	\$173,000		396	54021
2 Second Street West	West Napa	West Spain	\$54,000		396	54022
2 Spain Street	Second St West	First Street West				
3 First Street West	344 First West	Hiking path	\$49,000		396	54022
4 Fryer Creek Drive	Hiking path	Newcomb	\$74,000		396	54028
5 Oregon Street	e/o Sixth West	Fifth West	\$47,000		396	54030
6 Seventh Street West	Studley	West Napa	\$35,000		396	54030
7 Third Street West	Arroyo	Bettencourt	\$37,000		396	54017
8 Church Street	Fifth West	Fourth West	\$71,000		396	54022
9 Curtin Lane	Seventh West	601 Curtin Ln	\$230,000		396	54024
10 Newcomb Street	w/o Fryer Creek	Broadway	\$133,000		396	54028
11 Malet Street	First West	Broadway	\$24,000		396	54029
12 Fifth Street West	West MacArthur	175' south	\$97,000		396	54021
14 Curtin Lane	601 Curtin Ln	Fifth West	\$190,000		396	54024
15 Hayes Street	Where widens	Bettencourt	\$59,000		396	54017
16 Fourth Street West	Bettencourt	Andrieux	\$97,000		396	54017
17 Harrington Drive	440 Harrington	Manor Drive	\$91,000		396	54024
18 Patten Street	Broadway	Austin	\$63,500		396	54022
19 Fifth Street West	175' s/o W MacArthur	Harrington	\$220,000		396	54021
20 Barrachi Way	Perkins	Bachero	\$87,000		396	54030
21 Broadway	MacArthur	Napa Road	\$500,000		396	54029
ADA ramps, sidewalks	1st St W/Andrieux	Andrieux	\$549,100		396	54016
22 Nathanson Creek Outfall	France Street	Nathanson Creek	\$50,000		396	54026
23 West MacArthur Culvert TBD	Third Street West	Fryer Creek	\$450,000			
24 Fryer Creek Bypass TBD	Bettencourt	Arroya Way	\$1,220,000		396	54031
25 Robinson Road SD Impr. TBD	Robinson		<u>\$570,000</u>		396	54031
	<i>Subtotal</i>			\$5,170,600		
26 Bikeway Improvements-Fryer Creek Bridge				\$300,000	396	54023
27 Leveroni & Broadway Turn Lane/Signal Improvements				\$200,000	396	54020
28 Comprehensive Bike Lane and Signage				\$175,000	396	54018
29 Chase Street Bridge Reconstruction				<u>\$550,000</u>	396	54027
TAB Projects Total for Streets/Sidewalks/Bikeways/Storm Drain				\$7,499,600		

CITY OF SONOMA

RESOLUTION ___-2012

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA
AMENDING THE FY 2012-13 OPERATING BUDGET TO INCORPORATE THE
ADOPTED CAPITAL IMPROVEMENT PROJECTS FOR 2013**

WHEREAS, the 2012/13 Fiscal Year Budget was adopted on July 2, 2012, and

WHEREAS, subsequent to the budget adoption, the Council has reviewed and approved Capital Projects to be incorporated into the 2012/13 operating and capital budget, and

WHEREAS, the City Council determined during their 2013 Capital Improvement Plan review that the following budget appropriations be approved in accordance with the CIP plan attached as exhibit "A":

<u>SUMMARY OF COSTS FOR FY 2012-13</u>	
GENERAL FUND	\$405,000
GENERAL FUND-SPECIAL PROJECTS	\$70,300
LONGTERM BUILDING MAINTENANCE	\$200,330
WATER FUND	\$590,000
COMMUNITY DEVELOPMENT BLOCK GRANT	\$140,000
ZONE 3A GRANT	\$90,000
HSIP GRANT	\$106,000
TOTAL ALL PROJECTS	\$1,651,630

WHEREAS, sufficient funds are available in all funds for this budget amendment.

NOW, THEREFORE, BE IT RESOLVED by this City Council that the Budget for Fiscal Year 2012-2013 is hereby amended as stated.

The foregoing Resolution was duly adopted this 3rd day of December 2012, by the following roll call vote:

AYES: ()
NOES: ()
ABSENT: ()
ABSTAINING: ()

Mayor

ATTEST:

Gay Johann, City Clerk

CITY OF SONOMA

RESOLUTION NO. SA 04 - 2012

A RESOLUTION OF THE CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF SONOMA AMENDING THE FY 2012-13 OPERATING BUDGET TO INCORPORATE THE ADOPTED CAPITAL IMPROVEMENT PROJECTS FOR 2013

WHEREAS, the 2012/2013 Fiscal Year Budget was adopted on July 2, 2012, and

WHEREAS, subsequent to the budget adoption, the City Council as Successor Agency has reviewed and approved Capital Projects to be incorporated into the 2012/13 operating and capital budget, and

WHEREAS, the City Council as Successor Agency determined during their 2013 Capital Improvement Plan review that the following budget appropriations be approved:

2011 CDA TAX ALLOCATION BOND PROJECTS	\$7,499,600
TOTAL ALL PROJECTS	\$7,499,600

WHEREAS, sufficient funds are available through the use of 2011 TAB proceeds for this budget amendment.

NOW, THEREFORE, BE IT RESOLVED by this City Council as Successor Agency that the Budget for Fiscal Year 2012-2013 is hereby amended as stated.

The foregoing Resolution was duly adopted this 3rd day of December 2012, by the following roll call vote:

- AYES: ()
- NOES: ()
- ABSENT: ()
- ABSTAINING: ()

Chair

ATTEST:

Gay Johann, Secretary



City of Sonoma
City Council
Agenda Item Summary

Agenda Item: 14A
Meeting Date: 12/03/2012

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

Recommended Council Action – Receive Reports

Attachments: None