

**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 17, 2012*

**4:30 p.m. Closed Session (Special Meeting)
6:00 p.m. Regular Session**

MINUTES



City Council
Ken Brown, Mayor
Tom Rouse, Mayor Pro Tem
Steve Barbose
David Cook
Laurie Gallian

4:30 P.M. – SPECIAL MEETING - CLOSED SESSION AGENDA

1. CALL TO ORDER

At 4:30 p.m., Mayor Brown called the meeting to order. City Manager Giovanatto announced that staff was requesting that an additional Closed Session Item be added to the agenda pursuant to Government Code §54956.9(b), an item relating to anticipated litigation. She reported that there was a need to take immediate action and the need to take action came to the attention of staff subsequent to the agenda being posted. It was moved by Clm. Rouse, seconded by Clm. Gallian, to add an additional Closed Session discussion for Anticipated Litigation to the Closed Session agenda. The motion carried unanimously.

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 Giovanatto was also present for the entire closed session. City Attorney Walter was also present for Closed Session Item 2B (both items). Labor Negotiator Walker was also present for Closed Session Item 2A. Development Services Director/Building Official Wirick was also present for one of the two items listed as Closed Session Item 2B.

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.
- Item 2B** **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION.** Significant exposure to litigation, two potential cases. Pursuant to Government Code §54956.9(b).

6:00 P.M. – REGULAR MEETING AGENDA

The City Council reconvened in open session and Mayor Brown called the meeting to order at 6:10 p.m. Mrs. Kathleen Hill led the Pledge of Allegiance.

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

ALSO PRESENT: City Manager Giovanatto, City Clerk Johann, City Attorney Walter, Planning Director Goodison, Administrative Services Manager Lanning.

REPORT ON CLOSED SESSION – City Attorney Walter reported that the Council met in closed session for the reasons listed on the agenda. It took no action requiring reporting out, except that it gave direction to initiate an action and the action, the defendants, and the other particulars shall, once formally commenced, be disclosed to any person upon inquiry, unless to do so would jeopardize the agency's ability to effectuate service of process on one or more unserved parties, or that to do so would jeopardize its ability to conclude existing settlement negotiations to its advantage.

MOMENT OF SILENCE

At the request of Mayor Brown, a moment of silence was observed in memory of the families and victims of the Sandy Hook Elementary School shooting in Newtown Connecticut on December 14, 2012.

1. COMMENTS FROM THE PUBLIC

Herb Golenpaul requested that each member of City Council make a list of four things they hope to accomplish during their term on the City Council.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

CIm. Barbose requested that the meeting be adjourned in memory of the families and victims of the Sandy Hook Elementary School shooting in Newtown Connecticut on December 14, 2012 and that a letter be sent to the community communicating the Council's sentiments of support.

CIm. Gallian commented that as a public school employee, Friday had been one of the most difficult days since 9 - 11. She stated that children need to be reassured that they are safe at school. She requested the meeting also be adjourned in the memory of Gary Shipston.

Mayor Brown announced commission openings and reported receipt of a letter from John Schantz expressing his displeasure with the Hawkes Winery scooter which was being consistently parked on First Street West.

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

City Manager Giovanatto reported the City Hall hours of operation during the Holidays and that Public Works personnel would be on call as appropriate.

4. PRESENTATIONS

Item 4A: Proclamation in the Memory of Gerald N. Hill

Mayor Brown stated that his first act as Mayor was to request a proclamation for a gentleman who was an amazing citizen and loving husband and father. He read aloud the Proclamation in Loving Memory of Gerald N. Hill and presented it to Mrs. Kathleen Hill. Mayor Brown acknowledged the City Clerk for a beautiful job putting the proclamation together.

Mrs. Hill thanked Mayor Brown on behalf of her entire family and stated that the remembrance meant a lot to all of them.

4. PRESENTATIONS, Continued

Item 4B: Recognition of Yvonne Bowers' service on the Sonoma Valley Citizens Advisory Commission.

Mayor Brown presented Yvonne Bowers with a Certificate of Appreciation for her service on the Sonoma Valley Citizens Advisory Commission. Ms. Bowers stated that serving on the Commission had been a wonderful opportunity.

Item 4C: Recognition of Jeff Baptista's service on the Sonoma Valley Citizens Advisory Commission.

Mayor Brown stated that Mr. Baptista was unable to attend the meeting and the City Clerk would mail a Certificate of Appreciation to him.

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: Adopt Resolution Updating Signatories for the City of Sonoma's Financial Institution Accounts. (Res. No. 51-2012)

Item 5C: Authorization for Change in Designated Signatories in the Local Agency Investment Fund. (Res. No. 52-2012)

Item 5D: Approval of the Minutes of the November 19 and December 3, 2012 Meetings.

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

- Item 5E:** Approval and Ratification of the Reappointment of Anna Whitmore to the Community Services and Environment Commission for term ending February 23, 2017.
- Item 5F:** Approval and ratification of the appointment of D. Michael Thomas to the Community Services and Environment Commission for a two-year term ending December 17, 2014.
- Item 5G:** Approval and ratification of the reappointment of Rosemary Sutcliffe to the Traffic Safety Committee for a term ending January 19, 2017.
- Item 5H:** Approval and ratification of the reappointment of Kelso Barnett to the Design Review Commission for a four-year term ending February 7, 2017.
- Item 5I:** Discussion, consideration and possible action on a resolution adopting a “Complete Streets” policy, consistent with the MTC eligibility requirements for One Bay Area Grants. Removed from Consent, see below.

Clm. Cook removed Item 5I. The period of public comment was opened and closed with none received. It was moved by Clm. Rouse, seconded by Clm. Barbose, to approve the Consent Calendar except for Item 5I. The motion carried unanimously.

- Item 5I:** Discussion, consideration and possible action on a resolution adopting a “Complete Streets” policy, consistent with the MTC eligibility requirements for One Bay Area Grants.

Clm. Cook stated that if there was no urgent need to take action on this item, he would like the item carried over to allow additional time to research the issue. There were no objections from the other Councilmembers.

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

- Item 6A:** Approval of the portions of the Minutes of the November 19 and December 3, 2012 City Council / Successor Agency Meetings pertaining to the Successor Agency.

It was moved by Clm. Rouse, seconded by Clm. Gallian, to approve the Consent Calendar. The motion carried unanimously.

7. PUBLIC HEARING

- Item 7A:** Discussion, consideration and possible action adopting a resolution in support of the City’s Community Development Block Grant [CDBG] Application for FY 2013/14.

Administrative Services Manager Lanning reported that the City participates with other Sonoma County cities in the federal Community Development Block Grant [CDBG] Program. In past years, the program funded seismic retrofit, affordable housing, and ADA improvements to City Parks. She stated that staff was recommending submittal of an application for funds to support the continuation of the Sonoma Valley Economic Development Partnership for the 2013/14 funding cycle and added that any CDBG funds received would be used to offset the cost to the General Fund for the Economic Development program.

Mayor Brown opened the public hearing. Herb Golenpaul stated that grant funds should go towards helping the homeless. Seeing there were no additional comments, Mayor Brown closed the public hearing.

It was moved by Clm. Rouse, seconded by Clm. Gallian, to adopt the resolution entitled A Resolution of the City Council of the City of Sonoma Endorsing and Prioritizing Applications for the Community Development Block Grant Consolidated Application for FY 2013/14 and to authorize staff to forward the application to the County. (Res. No. 54-2012) The motion carried unanimously.

8. REGULAR CALENDAR – CITY COUNCIL

Item 8A: Discussion, consideration and possible action selecting the 2013 City of Sonoma Alcalde.

City Manager Giovanatto reported that the nominating committee had met and submitted the names of Gary Edwards, Les and Judy Vadasz, and Rob Wilson to the Mayor for consideration. Clm. Rouse stated he would once again donate a month of his City Council salary towards the cost of the reception.

Mayor Brown invited comments from the public. Gary Edwards stated he was honored but would withdraw his name from consideration and stated his support for the nomination of Les and Judy Vadasz. Mr. Edwards stated he would be happy to donate the cheese for this year's reception. The following persons also spoke in support of the nomination of Les and Judy Vadasz: Steve Kyle, Richard Dale, Ann Zieminski, Kate Eilertson, Kathy Witkowicki, Lynette Lyon, Louann Calamagno, Kelly Mathers, Steve Pease, Bill Lynch, Whitney Evans, and Dick Drew.

Mayor Brown stated that Les and Judy Vadasz were amazing citizens and it gave him great pleasure to nominate them. It was moved by Clm. Rouse, seconded by Clm. Barbose, to ratify the nomination of Les and Judy Vadasz as the 2013 Alcalde and Alcaldessa. The motion carried unanimously.

RECESS: The meeting recessed from 7:00 to 7:10 p.m.

Item 8B: Review and Consideration of a Refuse Rate Adjustment for 2013 with City Franchisee Sonoma Garbage Company, Inc.

City Manager Giovanatto reported that Sonoma Garbage Company, Inc. (SGC) submitted a proposal for a 4.59% rate increase and incorporation of the Commercial Food Waste Composting Service on a permanent basis. Giovanatto stated that the proposed rate increase would increase the average residential customer's bill by .55 cents per month. She also reported that all refuse and recycling materials were being taken to the Sonoma County Central Landfill or Sonoma Transfer Station.

Mayor Brown invited comments from the public. Ken Wells stated he was present to answer any questions about the proposal. At Mayor Brown's request, Mr. Wells explained the food waste composting service and reported that about two dozen Sonoma businesses were participating.

Herb Golenpaul spoke against the proposed rate increase.

It was moved by Clm. Barbose, seconded by Clm. Gallian, to adopt the resolution entitled A Resolution of the City Council of the City of Sonoma Approving Refuse Rate Adjustments. (Res. No. 55-2012) and to authorize incorporation of the Commercial Food Waste Composting Service on a permanent basis. The motion carried unanimously.

Item 8C: Discussion, Consideration and possible action Annual Assignment of Councilmembers to various Boards and Committees.

The public comment period was opened and closed with none received. Mayor Brown went through the list of assignments with input from the other Councilmembers. It was moved by Clm. Gallian, seconded by Clm. Rouse to ratify the appointments as shown on the list below. The motion carried unanimously.

Board/Committee/Commission	2013 Representative
AB 939 Local Task Force (Sonoma County Waste Management Agency) 2 nd Thurs, bimonthly, afternoons in Santa Rosa	Ken Brown City Manager, Alternate
Association of Bay Area Governments (ABAG), General Assembly Annual April meeting in S F	Laurie Gallian, Delegate Tom Rouse, Alternate
Cemetery Subcommittee Formed 9/3/08, meets as needed	Laurie Gallian David Cook
Cittaslow Sonoma Valley Advisory Council	Laurie Gallian; Steve Barbose, Alt.
City Audit Committee Meets on an as needed basis	Laurie Gallian Tom Rouse
City Facilities Committee Meets on an as needed basis	Tom Rouse David Cook
City Historian	George McKale, through 7/2/14
League of California Cities N.B. Division Liaison Quarterly evening meetings, various locations	David Cook Laurie Gallian, Alternate
North Bay Watershed Assn. Board of Directors Monthly morning meetings, first Friday of Month, in Novato	Steve Barbose Public Works Director, Alternate
Oversight Board to the Dissolved Sonoma Community Development Agency (CDA)	Ken Brown David Cook, Alternate
Sonoma Community Center Subcommittee (Ad Hoc) Meets on an as needed basis	Steve Barbose Ken Brown
Sonoma County Health Action Monthly meetings, First Friday in Santa Rosa	Patricia Talbot Ken Brown, Alternate
Sonoma County Mayor and Councilmembers Association Board of Directors (Mayor and Mayor Pro Tem)	Ken Brown Tom Rouse
Sonoma County Mayor and Councilmembers Association Legislative Committee – First Friday in Santa Rosa, 9:30 a.m.	David Cook Tom Rouse, Alternate
Sonoma County Transportation Authority & Regional Climate Protection Authority – Monthly Monday p.m. meetings in Santa Rosa	Laurie Gallian Steve Barbose, Alternate
Sonoma County Waste Management Agency Monthly morning meetings, third Wednesday, Santa Rosa	Steve Barbose City Manager, Alternate Public Works Dir., 2 nd Alt.
Sonoma County/City Solid Waste Advisory Group (SWAG)	Steve Barbose, Laurie Gallian Alt.
Sonoma Disaster Council (Mayor and Mayor Pro Tem per Muni Code) Quarterly, 2 nd Thursday	Ken Brown Tom Rouse, Alternate
Sonoma Housing Corporation (Mayor and Mayor Pro Tem) Meets on an as needed basis	Ken Brown Tom Rouse
Sonoma Tourism Improvement District Board	City Manager Giovanatto
Sonoma Valley Citizens Advisory Commission Monthly evening meetings, fourth Wed., in Sonoma	Ken Brown Tom Rouse, Alternate
Sonoma Valley County Sanitation District Board of Directors (Mayor & Mayor Pro Tem) Meets as needed, Tuesday mornings	Ken Brown Tom Rouse
S.V. Economic Development Steering Committee Monthly morning meetings, first or second Monday	Ken Brown Tom Rouse, Alternate
Sonoma Valley Fire & Rescue Authority Oversight Committee/Transition Team (Mayor and Mayor Pro Tem)	Ken Brown Tom Rouse
Sonoma Valley Library Advisory Committee , Meets second Thursday, 4 p.m.	David Cook Ken Brown, Alternate
Substance Abuse Prevention Coalition , Meets as needed	Ken Brown
Valley of the Moon Water District / City of Sonoma Ad Hoc Committee Meets on an as needed basis	Laurie Gallian Steve Barbose
Water Advisory Committee Quarterly morning meetings, first Monday, in Santa Rosa	Laurie Gallian Steve Barbose, Alternate

Item 8D: Discussion, consideration and possible adoption of Annual City Council Meeting Calendar for 2013.

City Manager Giovanatto presented the 2013 meeting calendar for consideration by the City Council. Clm. Cook asked if, instead of bumping meeting dates to Wednesdays when there was a Monday holiday; if they could be bumped to the following Monday. Clm. Rouse stated that would also make it easier for him in arranging his work schedule. Mayor Brown indicated his desire to conduct study sessions with the commissions. Upon further discussion, Council reached unanimous consensus to rearrange meeting dates in January and February and to cancel the first meeting in August for a summer recess.

Mayor Brown invited comments from the public. Herb Golenpaul stated the Council just wasted fifteen minutes of the public's time; that they should have discussed the calendar outside of the meeting. Robert Felder stated his desire that the City Council have a study session with the Planning Commission.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

There were no items.

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Clm. Barbose reported on the meetings of the North Bay Watershed Association and the Solid Waste Advisory Group.

Clm. Gallian reported on the meetings of the Sonoma County Transportation Authority and the League of California Cities Executive Committee.

Item 10B: Final Councilmembers' Remarks.

Clm. Barbose stated that at the request of a constituent, he would like to place the discussion of the bike paths on West MacArthur Street on a future agenda. He said it would provide an opportunity for all those interested in the subject to come and speak.

Clm. Gallian stated the Wreaths Across America had been a heart-warming event.

11. COMMENTS FROM THE PUBLIC

Mahri Best read aloud a poem entitled "Now is the Time to Love Unconditionally".

12. ADJOURNMENT

The meeting was adjourned at 8:05 p.m. in the memory of the families and victims of the Sandy Hook Elementary School massacre in Newtown Connecticut on December 14, 2012 and Gary Shipston.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 1st day of January 2013.

Gay Johann, MMC
City Clerk