

**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, April 15, 2013
5:00 p.m. Closed Session (Special Meeting)
6:00 p.m. Regular Session**

AGENDA

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

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

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

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.

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to Cal. Gov't Code section 54956.9(d)(2): One potential case involving the claims of the County of Sonoma that the County's cities are liable for the costs of closing and monitoring the closure of the County's central landfill.

6:00 P.M. – REGULAR MEETING AGENDA

RECONVENE, CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL (Cook, Barbose, Rouse, Gallian, Brown)

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

Item 2A: Councilmembers' Comments and Announcements

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

4. PRESENTATIONS

Item 4A: Proclamation declaring the Fourth Friday in April 2013 Children's Memorial Day

4. PRESENTATIONS, Continued

Item 4B: Proclamation declaring April 14-20 The Week of the Young Child

Item 4C: Proclamation declaring April 2013 Autism Awareness Month

Item 4D: Presentation by the Sonoma County Department of Health Services on strategies to improve the oral health of Sonoma County, including a potential water fluoridation program.

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 the Minutes of the March 25 Goal Setting, March 25 Ethics Training, and April 1, 2013 Meetings.
Staff Recommendation: Approve the minutes.

Item 5C: Approval and Ratification of the Reappointment of Matthew Tippell to the Planning Commission for a four-year term.
Staff Recommendation: Approve and ratify the reappointment of Matthew Tippell.

Item 5D: Approval of agreement for Economic Development Project Management services with Laurie Decker.
Staff Recommendation: Approve the agreement with Laurie A. Decker and authorize the City Manager to sign it on behalf of the City.

Item 5E: Approval of a temporary exception to Sonoma Municipal Code §8.06.070 allowing dogs in the Plaza Park Horseshoe Lawn in conjunction with Pets Lifeline Bark in the Park event on July 27, 2013.
Staff Recommendation: The CSEC recommends approval of this temporary exception allowing dogs in the Plaza Park on the Horseshoe Lawn on July 27, 2013.

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.

Item 6A: Approval of the portions of the Minutes of the April 1, 2013 City Council / Successor Agency Meeting pertaining to the Successor Agency.
Staff Recommendation: Approve the minutes.

7. PUBLIC HEARING – None Scheduled

8. REGULAR CALENDAR – CITY COUNCIL

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

Item 8A: Discussion, Consideration and Possible Action to Increase Parking Limits on the Plaza from 2 hours to 3 hours. (City Manager)
Staff Recommendation: Council direction.

Item 8B: Receive and File Report on Initiative Procedures and Discussion Concerning Individual Council Members Commenting Thereon. (City Attorney)
Staff Recommendation: Receive and file report.

Item 8C: Discussion, consideration and possible action authorizing City Manager to solicit proposals and retain qualified consultant(s) to assist staff in commencing and prosecuting the analysis and investigation concerning the impacts described in Elections Code section 9212 (and any others identified by the Council) of the proposed Hotel Limitation Measure. (City Manager)
Staff Recommendation: Authorize the City Manager to evaluate the options for preparing the report, solicit proposals and/or evaluate other such actions as necessary to meet the 30-day timeframe should the Council call for the report.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

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

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Item 10B: Final Councilmembers' Remarks.

11. COMMENTS FROM THE PUBLIC

12. ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on April 11, 2013. 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: 04/15/2013

Department

Administration

Staff Contact

Gay Johann, City Clerk/Assistant to the City Manager

Agenda Item Title

Proclamation declaring the Fourth Friday in April 2013 Children's Memorial Day.

Summary

The committee to Minimize Occurrences of Violence in Everyday Society (MOVES) has requested recognition of Children's Memorial Day by a proclamation declaring the fourth Friday of April 2013 Children's Memorial Day and by flying the Children's Memorial Flag at City Hall on April 17, 2013 as has been done in previous years.

In keeping with City practice, proclamation recipients have been asked to keep the total length of their follow-up comments and/or announcements to not more than 10 minutes.

Recommended Council Action

Mayor Brown to present the proclamation.

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:

1. Proclamation

cc: Katie Sanchez via email

City of Sonoma



Proclamation

CHILDREN'S MEMORIAL DAY

Whereas, throughout America, tragic cases of violence against children are occurring with increasing frequency and senselessness, destroying innocent lives and devastating families; and

Whereas, Sonoma County has had violent preventable child deaths by guns, knives, automobiles, physical abuse, and suicide; and

Whereas, the people of the City of Sonoma believe in the celebration of life, diversity, and hope for the future through our children, and deplore and condemn acts of violence committed upon the children of our community; and

Whereas, the Board of MOVES (Minimize Occurrences of Violence in Everyday Society) is committed to raising individual and public consciousness of the need to care for all our children and to honor young lives lost; and

Whereas, MOVES has acquired a Children's Memorial Flag from the Child Welfare League of America, which has become a recognizable symbol of the need to do a better job of protecting children, and which is sponsoring a national effort to memorialize child victims, and which has been adopted in other California communities; and

Whereas, the Children's Memorial Flag will be flown at City Hall on April 17, 2013 in remembrance of young lives cut short by senseless violence.

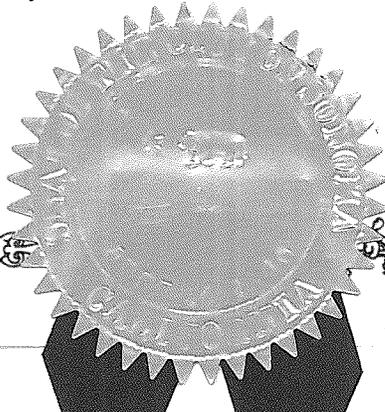
NOW, THEREFORE, I, Ken Brown, Mayor of the City of Sonoma, do hereby proclaim the fourth Friday of April 2013

CHILDREN'S MEMORIAL DAY

In the City of Sonoma and I urge all citizens to increase their participation in efforts to prevent child abuse and child death, thereby strengthening the community in which we live.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Sonoma to be affixed this 15th day of April 2013.

KEN BROWN, MAYOR





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

City Council Agenda Item: 4B

Meeting Date: 04/15/2013

Department

Administration

Staff Contact

Gay Johann, City Clerk/Assistant to the City Manager

Agenda Item Title

Proclamation declaring April 14-20 The Week of the Young Child.

Summary

Carol Simmons, Coordinator of the Child Care Planning Council of Sonoma County requested a proclamation declaring April 14-20 The Week of the Young Child. Cathy Vaughn, Child Care Planning Council member, and Director of Montessori School of Sonoma, will be present to receive the proclamation.

In keeping with City practice, proclamation recipients have been asked to keep the total length of their follow-up comments and/or announcements to not more than 10 minutes.

Recommended Council Action

Mayor Brown to present the proclamation.

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:

1. Proclamation

cc: Carol Simmons and Cathy Vaughn via email

City of Sonoma



Proclamation THE WEEK OF THE YOUNG CHILD

Whereas, the Child Care Planning Council of Sonoma County and other local organizations, in conjunction with the National Association for the Education of Young Children, are celebrating the Week of the Young Child, April 14-20, 2013; and

Whereas, these organizations are working to improve early learning opportunities, which provide a foundation of learning and are crucial to the growth and development of young children and to building better futures for everyone in Sonoma; and

Whereas, teachers, child care providers and others who make a difference in the lives of young children in Sonoma deserve thanks and recognition; and

Whereas, public policies that support early learning for all young children are crucial to young children's futures.

NOW, THEREFORE, I, Ken Brown, Mayor of the City of Sonoma, in recognition and support of the people, programs and policies that are committed to high-quality early childhood education, do hereby proclaim April 14-20, 2013

THE WEEK OF THE YOUNG CHILD

in the City of Sonoma and encourage all citizens to work to make a good investment in early childhood education.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Sonoma to be affixed this 15th day of April 2013.

KEN BROWN, MAYOR





City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4C

Meeting Date: 04/15/2013

Department

Administration

Staff Contact

Gay Johann, City Clerk/Assistant to the City Manager

Agenda Item Title

Proclamation declaring April 2013 Autism Awareness Month in the City of Sonoma.

Summary

Mayor Brown would like to recognize World Autism Awareness Month by doing a proclamation declaring the month of April 2013 Autism Awareness Month in the City of Sonoma.

Recommended Council Action

Mayor Brown to read the proclamation.

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:

1. Proclamation
-

City of Sonoma



Proclamation WORLD AUTISM AWARENESS MONTH

WHEREAS, autism is the most common condition in a group of developmental disorders known as autism spectrum disorders (ASDs); and

WHEREAS, autism is the fastest growing developmental disability in the United States; and

WHEREAS, autism now affects one in every 88 children born in the United States and is increasing by more than 14% annually; and

WHEREAS, every concerned citizen, including immediate and extended family members, neighbors, community members and leaders, caregivers and anyone in the community who touches the lives of persons with autism, has a role to play in supporting children and adults with autism in the City of Sonoma, Sonoma County, California and around the world; and

WHEREAS, community members recognize that no matter where a person is on the autism spectrum they will have individual personalities, abilities and interests and should be warmly welcomed and embraced in communities; and

WHEREAS, on December 18, 2001 the United Nations General Assembly adopted a resolution that declared April 2 as World Autism Awareness Day (WAAD), in perpetuity and that WAAD is one of only three official health-specific United Nation Days.

NOW, THEREFORE, I, Ken Brown, Mayor of the City of Sonoma, do hereby proclaim the month of April 2013

AUTISM AWARENESS MONTH

in the City of Sonoma and urge the community to celebrate the unique talents and skills of persons with autism and learn more about autism for the benefit of our community.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Sonoma to be affixed this 15th day of April 2013.

KEN BROWN, MAYOR





City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4D

Meeting Date: 04/15/13

Department

Planning and Community Services

Staff Contact

David Goodison, Planning Director

Agenda Item Title

Presentation by the Sonoma County Department of Health Services on strategies to improve the oral health of Sonoma County, including a potential water fluoridation program

Summary

As part of its mandate to promote health, the Sonoma County Department of Public Health (DHS) is engaged in a multi-pronged approach to address the oral health problems in Sonoma County. While access to dental care, tooth sealants, fluoride varnishes and oral health education have all expanded, DHS has found that untreated dental decay continues to be a significant problem, disproportionately affecting lower income and Latino children. In light of this finding, the Board of Supervisors charged DHS to conduct a study of the county's water delivery system and the feasibility of community water fluoridation. On February 26, 2013, DHS presented an updated status report on oral health within Sonoma County, along with the results of the water system study, which included a preliminary cost/benefit assessment of fluoridation as well as proposed next steps in developing more detailed information.

Acting on the recommendations of DHS, the Board of Supervisors voted unanimously to authorize the preparation of a "Preliminary Engineering Design Report and Cost Estimate" that would identify and evaluate alternative methods of retrofitting the Sonoma County Water Agency's (SCWA) delivery system to provide for the fluoridation of the SCWA water supply. This report is expected to be completed by October 2013. At the same time DHS is embarking on a process of community and stakeholder outreach that includes the formation of an advisory committee. The advisory committee's charge, in addition to reviewing the preliminary design plan and cost estimate, is to develop a funding plan. The outreach process, which has already started, is expected to continue through June 2015. In addition, all of the other DHS oral health strategies will continue to be expanded, with outcomes monitored through an updated county-wide survey.

The prospect of fluoridating the water supply raises several issues. Water contractors, which include the City of Sonoma, have expressed concern that the costs associated with implementing and maintaining the system might be added to the cost of purchasing water from the SCWA. A preliminary estimate in the DHS report identifies a capital cost of \$8.5 million and an annual operating cost of \$973,000, none of which is captured in the SCWA's long-range budget planning. The funding plan to be developed by the advisory committee is anticipated to be a partnership of private and public resources, with the goal of minimizing any financial effect on retailers. It is City staff's understanding that the cost of fluoridation could only be added to the wholesale SCWA water rate if the contractors consented to that through an amended Restructured Agreement with the SCWA, a process that would require unanimous approval by the water contractors. Another issue related to local water utilities is that because water purchased from the SCWA is often mixed with local water supplies, achieving an optimal fluoridation level could require locally-based facilities or changes to the way that local wells are used. Presumably, this issue will be assessed in the preliminary engineering report. Lastly, there is some degree of controversy associated with the concept of water fluoridation.

The Board of Supervisors has not taken any final action on the matter of fluoridation. It has simply authorized an engineering study and a public outreach effort. Staff suggests waiting for these processes to unfold before the City Council weighs in with specific recommendations.

Note: At the City Council meeting of May 6, 2013, the Weston A. Price Foundation will be given the opportunity to make a presentation opposing the concept of fluoridation.

Recommended Council Action

Receive DHS presentation and ask questions of City and DHS staff.

Alternative Actions

N.A.

Financial Impact

Whether or not a water fluoridation project would have a financial impact on the City is unknown at this time. However, if the project were to be funded through increased SCWA water rates or require locally-managed facilities to optimize fluoridation levels, the City could experience significant costs.

Environmental Review

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

Status

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

Attachments:

1. Sonoma County Fluoridation Draft Assessment Report (February 26, 2013)
 2. Letter from Letter from Chris DeGabriele, Technical Advisory Committee Chair and General Manager of the North Marin Water District
 3. DHS Briefing Binder (Not included in packet. Available for download here:
<http://www.sonomacity.org/default.aspx?Pageid=455>)
-

cc: Lynn Silver Chalfin, MD, MPH, FAAP, Sonoma County Health Officer
Matt Winkelman. City Engineer

Life is Better
WITH TEETH



Sonoma County Fluoridation Assessment Draft Report

Prepared by:

Lynn Silver Chalfin, MD, MPH, FAAP
Sonoma County Health Officer

February 26, 2013



Rita Scardaci
Director of Health Services

Acknowledgement: This report was prepared with the assistance of the California Dental Foundation (CDAF), Ms. Marjorie Stocks and Engineer Lyle Hoag, with technical input from Sonoma County Water Agency and from surveys on water retailer systems. All cost estimates and system descriptions were prepared by CDAF. Percent of water supplied locally was from the Sonoma County Water Agency (SCWA). The summary of benefits and costs is primarily from the Centers for Disease Control and Prevention. The final report is the responsibility of the Sonoma County Department of Health Services.

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Executive Summary

Dental health problems continue to be a major source of preventable suffering and expenditures for Sonoma County residents of all ages. An epidemic of dental disease is compromising the health and quality of life of Sonoma County's children. Almost half of our kindergarteners and about 6 out of every 10 of our third graders have experienced tooth decay, and over 16 percent of them have *untreated* decay. Poor and Latino children have over twice the rate of dental disease of wealthier or white children. The elderly are also particularly severely affected by the discomfort, dangers and cost of dental disease. Left untreated, tooth decay often has serious consequences, including needless pain and suffering, difficulty speaking and chewing and lost days in school. For adults, this situation has been exacerbated by the discontinuation of Medical dental services in 2009.

Fluoridation is the single most cost-effective and equitable approach to improving dental health. Nevertheless fluoridation is only one of several tools needed to optimize oral health. These pillars of oral health also include education on good oral hygiene and dietary practices, provision of varnishes and sealants, access to dental care. Strengthening of each of these pillars is being pursued in concert in Sonoma County. Former Surgeon General Richard H. Carmona, MD said of water fluoridation that it "is a powerful strategy in our efforts to eliminate differences in health among people and is consistent with my emphasis on the importance of prevention."¹ After sixty years, water fluoridation remains the primary method of preventing dental caries in public health dentistry. In northern California, all the major cities except San Jose are fluoridated, and fluoridation in Santa Clara County is now beginning. That includes Sacramento, San Francisco, most of Contra Costa and Alameda counties, and southern Marin County. All the Peninsula communities that are served by the San Francisco Public Utilities Commission system are also fluoridated. In Sonoma County, only Healdsburg and the adjacent Fitch Mountain area, and the Coast Guard facility in Petaluma, receive fluoridated water.²



Creating local policy in favor of fluoridation is complex, and the progress in the communities named above has taken place over several decades. However, developments in California, beginning with AB 733 (the Fluoridation Act of 1996), have helped to move fluoridation forward, particularly in the

¹ Surgeon General Richard H. Carmona, *Statement on Community Water Fluoridation, 2004*, U.S. Centers for Disease Control and Prevention. Retrieved on August 2, 2010, from http://www.cdc.gov/fluoridation/fact_sheets/sg04.htm/

² "Toothache: Unending Fight About Fluoride Leaves a Cavity in Kids' Health," *Sonoma Press Democrat*, May 20, 2008, retrieved on July 7, 2010, from <http://www.pressdemocrat.com/article/20080520/OPINION/805200313/>

metropolitan areas of southern California. In the last five years, the percentage of Californians who receive fluoridated water has risen from 27 to 58 percent.³

Although the Fluoridation Act of 1996 applies to retail water systems with over 10,000 connections, requiring them to fluoridate if funding is available, recent approaches to fluoridation have begun with an investigation of regional water delivery systems, which often involve a wholesale system. Most urban populations in the state are supplied by a wholesale water delivery system. Given the current economic climate, achieving optimally fluoridated water in the most cost-effective way possible is essential. Engaging wholesale systems often results in cost containment in the installation of fluoridation equipment. That would be the case in Sonoma County, where fluoridation of the major population centers would best be achieved by beginning with the fluoridation of the wholesale supplier, Sonoma County Water Agency (henceforth referred to as the Water Agency). For the cities of Santa Rosa, Petaluma, Rohnert Park, Cotati and Sonoma and the Valley of the Moon water district, the SCWA provided an average of 84 percent of the water supply over 4 years. Windsor receives a lesser percent of its water from SCWA.

The service area of the Water Agency includes communities served primarily by eight major retail systems, commonly called the Water Retailers. In addition to the Water Agency water that they purchase, each of the major Water Retailers owns and operates a retail water supply, herein referred to as “supplemental.” Certain supplemental supplies of the retail systems may ultimately require installation of fluoridation equipment if they are to deliver optimally fluoridated water to their customers, if they are regularly used and supply significant volumes of water. In addition to the funding required for the Water Agency, financial challenges in the fluoridation of the supplemental supplies of these retail systems will need to be addressed over time. Financial planning for fluoridation should seek to minimize the impact on ratepayers.

Oral Health in Sonoma County

Oral health continues to be a major public health challenge in Sonoma County. This is particularly the case for the County’s poor and minority residents. Access to dental services for children, while improving, remains precarious. Since State MediCal coverage of dental services was ended July 2009 as a result of the budget crisis, access for low-income adults has been an even more serious challenge for the safety net. Even



³ The 27% figure is from the U.S. Centers for Disease Control and Prevention, *2006 Water Fluoridation Statistics*, retrieved on August 2, 2010, from <http://www.cdc.gov/fluoridation/statistics/2006stats.htm/>. The 58% figure is from an e-mail communication on August 3, 2010 from Rosanna Jackson, Chief of the Oral Health Unit of the California Department of Public Health.

for the middle class, care for caries, root canals, extractions and infections represent a frequent and significant burden of preventable suffering, lost productivity, and family expenditures. While the focus is usually on children, in reality poor dental health is also a particularly severe problem in pregnancy, and for the elderly. One third of poor elderly in the United States have no teeth remaining. Amongst middle aged adults, aged 45 - 64, nationally only 29 percent had a full set of permanent teeth (excluding third molars); this includes 19 percent of Hispanic adults and 11 percent of non-Hispanic black adults compared with nearly 35 percent of non-Hispanic white adults.⁴

Almost 25 percent of Sonoma County residents are under the age of 18.⁵ In 2010, 13 percent of county families were living under the Federal poverty level. Over 40 percent of the County's school children are eligible for the free or reduced price meal program, with school districts in Santa Rosa, Petaluma, Sonoma, and Monte Rio having the greatest number of participants. According to a recent Community Health Needs Assessment, many of the County's poorest children live in a small number of low-income neighborhoods clustered along the Highway 101 corridor and in the Sonoma Valley, largely served by the Sonoma County Water Agency.

The Sonoma County Smile Survey of June 2009, an oral health assessment of a sample population of kindergarten and third-grade children, revealed that:

An epidemic of dental disease is compromising the health and quality of life of Sonoma County's children. Almost half of our kindergarteners and about 6 out of every 10 of our third graders have experienced tooth decay, and over 16 percent of them have *untreated* decay. Left untreated, tooth decay often has serious consequences, including needless pain and suffering, difficulty speaking and chewing and lost days in school.

Hundreds of Sonoma County kindergarteners and third graders in the study had serious problems from dental disease - abscesses, inflammation, and pain. All of these can lead to reduced school performance, lack of concentration, and absenteeism. Extrapolated to all school children in Sonoma County, thousands of school children are suffering from advanced dental disease. The problem is so severe that every day there are children in the County requiring treatment under general anesthesia, with its attendant risks, to manage dental disease.



⁴ Dye BA, Li X, Thornton-Evans G. Oral health disparities as determined by selected Healthy People 2020 oral health objectives for the United States, 2009–2010. NCHS data brief, no 104. Hyattsville, MD: National Center for Health Statistics. 2012.

⁵ *Community Health Needs Assessment, Sonoma County 2008–2011*. Retrieved on June 3, 2010, from <http://www.sonoma-county.org/health/ph/data/pdf/needsassessment2008.pdf/>

Fewer than one in five children in Sonoma County have received dental sealants, a well accepted clinical intervention to prevent tooth decay on molar teeth.

Poor children and children of color are much more likely to have tooth decay and suffer the consequences of untreated disease. While even one third of white or high income children exhibit decay, two thirds of Latino or low-income children have decay. One of every five Latino children, and one in ten white children, needed early or urgent dental treatment.

Both of these studies recommended community water fluoridation as a primary means of preventing tooth decay and improving oral health.

Figure 1. Oral Health of Kindergarten and Third Grade Sonoma County Children by Percent

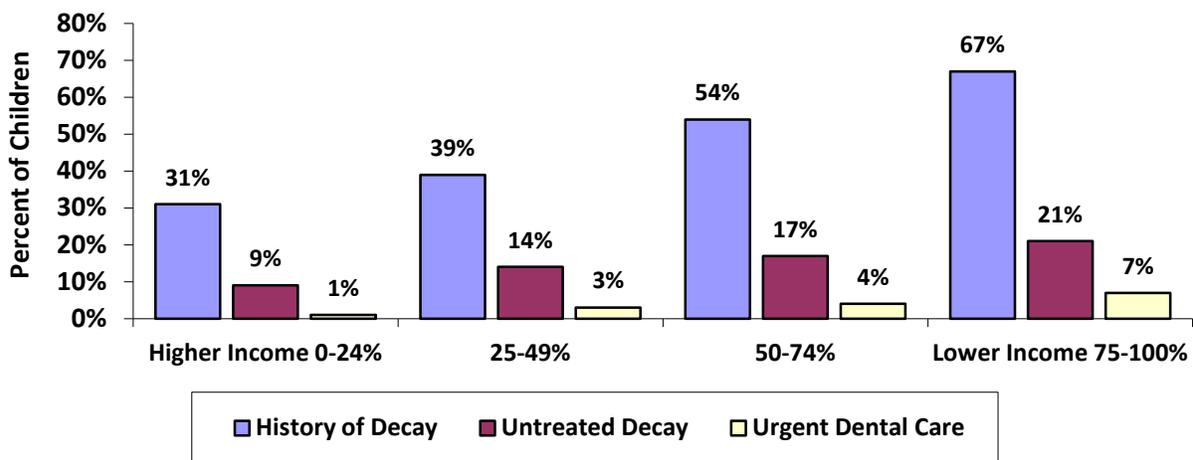


Table 1. Oral Health of Kindergarten & 3rd Grade Children By Race/Ethnicity (Source: Sonoma County Smiles Survey, 2009)

Variable	Non Hispanic White % Children	Hispanic/Latino % Children
Number Screened	475	828
% With Decay	32	65
% with Untreated Decay	11	20
% Need Treatment (Early or Urgent)	11	19
% need Urgent Treatment	2	6
% 3 rd Graders with Sealant	16	17

There are five basic pillars on which to improve dental health. The first and most wide reaching is fluoridation. The second is provision of dental sealants in school aged children. The third is the use of varnishes in infancy and childhood. The fourth is expansion of access to dental care. The fifth is education on appropriate personal dental habits, including brushing and flossing and good dietary practices. The United States Task Force on Community Preventive Services considers the first two, water fluoridation and school based sealant programs, the most strongly evidence based and recommends implementation of both.

In their review of the evidence,⁶ the Task Force found that:

- Tooth decay typically decreased by 30 percent to 50 percent after starting or continuing community water fluoridation.
- In examining the effectiveness of school-based or school-linked dental sealant programs, there was typically a 60 percent decrease in tooth decay on the chewing surfaces of posterior teeth after sealant application. School-based and linked programs in the United States generally target vulnerable populations less likely to receive private dental care such as children eligible for free and reduced lunch programs.

The County is working to address **all** five of these. We are working with the Oral Health Task Force, the Sonoma County oral Health Access Coalition (SCOHAC), Community Action Partnership and Santa Rosa Junior College to expand delivery of dental sealants to elementary school children and to strengthen community education. Sealants however only prevent caries in molar teeth. WIC programs are expanding the regular use of fluoride varnishes in low income infants and young children. We are working through the Oral Health Task Force and with the major provider systems in the County to expand access to dental care, although care for low income adults continues deficient. However fluoridation continues to be the strategy that can reach the largest number of residents of all walks of life, permanently and at low cost, and contribute to preventing suffering and reducing disparities. Implementation of the other practices does not replace the value of fluoridation.

Fluoridation Safety and Effectiveness

While this report will not seek to review the scientific literature on the safety and efficacy of fluoridation in depth, a brief summary from the Centers for Disease Control and Prevention (CDC) is included below. Suffice it to say that both older and recent systematic reviews of the scientific literature, and new studies from around the world, continue to substantiate the important public

⁶ United States Task Force on Community Preventive Services. Promoting Oral Health: Interventions for Preventing Dental Caries, Oral and Pharyngeal Cancers, and Sports-Related Craniofacial Injuries. MMWR November 30, 2001/50 (RR21) pp 1-13.

health benefits of fluoridation. No health problems have been substantiated as being associated fluoride at the levels used in water fluoridation with the exception of dental fluorosis, usually a minor cosmetic change, also associated with water supplies naturally high in fluoride. Many of the studies cited by those opposed to water fluoridation in fact take out of context literature on recognized problems associated with very high levels of fluoride in drinking water, levels much higher than that used for water fluoridation. Fluoride, like Vitamin A or salt, is not good to lack completely, keeps you healthy in small amounts, and causes harm in excess. Many countries use either water fluoridation, or salt fluoridation (not employed in the United States). A recent proposal by the Department of Health and Human Services lowers the recommended fluoride level for water to the bottom of the currently recommended range (0.7 mg/L). It responds to increases in fluoride intake from other sources and should reduce the occurrence of fluorosis, which is generally mild.



“Fluoride, like Vitamin A or salt, is not good to lack completely, keeps you healthy in small amounts, and causes harm in excess.”

Reviews of scientific literature are an important resource to judge the safety of community water fluoridation. Scientific reviews are helpful because they:

- Consider evidence from published studies on a subject.
- Use carefully-designed methods to critically examine scientific evidence.
- Use national and international panels of experts in various health and scientific disciplines. This includes experts that may come from fields outside of oral health; such as, medicine, biophysics, chemistry, toxicological pathology, and epidemiology.
- Judge the quality of individual studies and summarize the strength of the entire body of evidence.

Scientific and public health organizations have conducted scientific reviews about fluoridation during the past two decades. These reviews provide compelling evidence that community water fluoridation is a safe and effective method for reducing tooth decay across all ages. While some developed countries have recently matched reductions in tooth decay of those in fluoridated countries, these are in general countries which created universal health and dental systems and have lesser income inequality than the United States. Sadly, income inequality is rising in the US and while access to health insurance is improving, dental coverage has deteriorated in California.

United States Public Health Service Review of Fluoride: Benefits and Risks, 1991

This report provides a comprehensive review and evaluation of the public health benefits and risks of fluoride from drinking water and other sources.

*Institute of Medicine Dietary Reference Guidelines, 1997*⁷

These guidelines describe the dietary reference intakes for specific nutrients known to be beneficial to health including fluoride.

*National Academy of Sciences on Fluoride in Drinking Water*⁸

The National Academy of Sciences, and its National Research Council (NRC), has considered the health effects of fluoride in drinking water on several occasions, most recently 2006, when they evaluated the maximum allowable level in water. They recognized evidence of toxicity of fluoride naturally present in high concentrations in some settings and suggested that some effects may still be present at the current maximum level of 4 milligrams per liter (mg/L). That level however is more than 5 times the level currently recommended for water fluoridation of 0.7 mg/L.

*Australian Government*⁹

Australia's National Health and Medical Research Council (NHMRC) conducted a systematic review published in 2007 that considered recent evidence relating to the efficacy and safety of fluoride interventions, with an emphasis on widespread public health initiatives. The report, *A Systematic Review of the Efficacy and Safety of Fluoridation*, primarily addressed the caries-reducing benefits and associated health risks of providing fluoride systemically. The council found that:

- Community water fluoridation is beneficial for reducing dental caries (tooth decay).
- Water fluoridation at optimal levels does not affect the risk of bone fractures.
- There is no clear association between water fluoridation and overall cancer incidence or mortality.

The reviewed studies do not suggest an increased risk of adverse health effects at optimal fluoridation levels.

⁷ Institute of Medicine. Dietary Reference Intakes for Calcium, Phosphorus, Magnesium, Vitamin D, and Fluoride. National Academy press, Washington, D.C., 1997.

⁸ Board on Environmental Studies and Toxicology (BEST), National Research Council. Fluoride in Drinking Water: A Scientific Review of EPA's Standards. National Academy Press, Washington DC 2006

⁹ National Health and Medical Research Council of Australia. A Systematic Review of the Efficacy and Safety. Canberra 2007

NHMRC is Australia's main agency for supporting health and medical research; developing health advice for the Australian community, health professionals, and governments; and providing advice on ethical behavior in health care and conduct for health and medical research.

University of York

A systematic review of public water fluoridation was released in 2000 by the National Health Service (NHS) Centre for Reviews and Dissemination, University of York, United Kingdom.¹⁰ This review looked at the evidence of positive and negative effects for community water fluoridation. They identified five objectives and evaluated the studies relating to each objective. Based on the best available research they found that:

- Community water fluoridation reduces tooth decay.
- Fluoridation is still effective even with the use of many other sources of fluoride.
- There is no clear association between fluoridation and bone fractures or cancer.
- There appears to be no difference between benefits from natural and artificial fluoridation.
- There is an association between the water fluoride concentration and the occurrence of dental fluorosis.
- No clear evidence of other potential negative health effects were found.

Cost Savings of Community Water Fluoridation

In general studies continue to show that widespread community water fluoridation prevents cavities and saves money, both for families and the health care system.

*An Economic Evaluation of Community Water Fluoridation*¹¹

An analysis of the most current data available on the effectiveness and costs of water fluoridation. The study compares average per person cost of community water fluoridation with the cost of prevented disease. This study:

- Demonstrates that fluoridation not only is cost-effective, but also is cost saving, which is rare for public health interventions.
- Shows that the reduction in costs of fillings (dental restorations) greatly exceeds the cost of water fluoridation in communities of any size.
- Illustrates the annual per person water fluoridation costs for communities of various sizes.

¹⁰ NHS Centre for Reviews and Dissemination. Systematic review of the efficacy and safety of the fluoridation of drinking water. CRD Report 18. York: University of York. 2000

¹¹ Griffin SO, Jones K, Tomar SL. *J Public Health Dent* 2001;61(2):78–86

- Determines an average cost savings, which ranges from \$15.95 per person per year in a small community to \$18.62 per person per year in a larger community.

***Water Fluoridation and Costs of Medicaid Treatment for Dental Decay - Louisiana, 1995-1996.*¹²**

Findings suggest that Medicaid-eligible children in communities without community water fluoridation had an increased cost for dental treatment per child that was twice as high as those children living in fluoridated communities.

***Geographic variation in Medicaid claims for dental procedures in New York State: role of fluoridation under contemporary conditions*¹³**

This 2010 study found that, compared with the predominantly fluoridated counties, the mean number of restorative, endodontic, and extraction procedures per recipient was 33.4 percent higher in less fluoridated counties. The mean number of claims per child for caries-related services was inversely correlated with the extent of fluoridation in a county.

Environmental Safety Concerns

A recent review by Pollick¹⁴ found that issues related to discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise have been found to be non-significant. Emissions of fluoride into the air are not released outside the well houses. Fluoride concentrations in rivers downstream of the discharges increase by less than 0.01 mg/L due to adding fluoride to the water supply system. In a literature review, Osterman found no instance of municipal water fluoridation causing recommended environmental concentrations to be exceeded. Nor does the concentration of fluoride in the treated water reach levels known to harm any plant or animal species.^{11, 12}

While highly concentrated fluoride is corrosive, at the concentration found in potable water it is not, although pH may require adjustment. Concentrated fluoride does require that workers use appropriate occupational protection precautions.

Fluoride pollution, when it occurs, is unrelated to water fluoridation and comes from industries, particularly phosphate ore production and use as well as aluminum manufacture, mining, and coal burning.^{28, 47, 48} Fluoride pollution is therefore recognized as an industrial hazard; however water fluoridation is not considered a potential source of fluoride pollution.⁴⁶

¹² *MMWR*, September 3, 1999; 48(34):753–757.

¹³ Kumar JV, Adekunle O, Melnik TA, *Public Health Rep.* 2010 Sep-Oct;125(5):647-54

¹⁴ Pollick HF. Water Fluoridation and the Environment: Current Perspective in the United States. *Int J Occup Environ Health* 2004;10:343–350

Fluoridation is supported by the American Water Works Association, the World Health Organization (WHO), American Medical Association (AMA), Canadian Medical Association (CMA), Centers for Disease Control (CDC), American Dental Association (ADA), Canadian Dental Association (CDA) and many other professional organizations.

Fluoridation in California and Regional Approaches

In 2006, with just 27 percent of the population receiving the benefits of community water fluoridation, California was ranked 48th in the nation *in the percent of the population receiving fluoridated water* by the Centers for Disease Control and Prevention (CDC).¹⁵ Recent gains by proponents based primarily in southern California have resulted in a substantial increase in the number of Californians drinking fluoridated water, including the residents of the City of Los Angeles and the City of San Diego. Now, more than 58 percent of Californians drink optimally fluoridated community water.

This paper will (a) describe the water delivery system in southern Sonoma County that is served by the Water Agency and eight retailers, (b) provide a rough cost estimate to fluoridate the Sonoma County Water Agency system, and (c) highlight the barriers and challenges to fluoridation.

As a result of the Fluoridation Act of 1996, and subsequent grant funding from The California Endowment, a dramatic change occurred in the state relative to fluoridation. Extensive work has been done to educate communities on the health benefits of fluoridation. Legal and legislative efforts have underscored the intent of the Fluoridation Act to make fluoridation a matter of statewide concern. The Act was written to apply to retail delivery systems. However, engagement of major wholesale systems in the state has changed the current approach to fluoridation. The fluoridation of the Metropolitan Water District of Southern California (which is the largest urban wholesale water district in the state) and the fluoridation of the San Francisco PUC site at Sunol Valley (which serves the Peninsula) have resulted in cost efficiencies in engineering and in greater population numbers being served. Fluoridation provided by a wholesale Water Agency typically negates the need to install equipment at each turnout to the retail systems it supplies.

A Regional Approach

Given the success of fluoridation proponents in working with wholesale distributors, such as the Metropolitan Water Agency, recent planning for fluoridation has become more regional in nature, rather than more locally focused, as it used to be. From the perspective of both engineering and cost, logic favors an approach to fluoridation that begins with wholesale agencies. Most communities in California are served by a configuration of wholesale and retail water suppliers.

¹⁵U.S. Centers for Disease Control and Prevention, *2006 Water Fluoridation Statistics*, retrieved on August 2, 2010, from <http://www.cdc.gov/fluoridation/statistics/2006stats.htm/>

Retail agencies served by a wholesale Water Agency need to be involved in the latter’s decision to fluoridate, because retail agencies will frequently supplement their water supply with groundwater or water from other sources to which fluoride has *not* been added. Therefore, in order to provide optimal level of fluoridation in the distribution system, some retail agencies may need to install fluoridation equipment at their sites. This may be the case with some retail customers of the Sonoma County Water Agency.

In Sonoma County there are approximately 139 local providers of water. Twenty of these have over 1000 service connections. Only two are over 10,000 connections.

Table 2. Sonoma County Water Retailers with Over 1,000 Connections

Water System Name	Service Connections	Population
City of Santa Rosa	54,603	157,985
City of Petaluma	19,125	55,900
City of Rohnert Park	9,095	42,650
Town of Windsor	9,052	26,955
Valley of the Moon Water District	6,854	23,858
City of Healdsburg	4,431	11,254
City of Sonoma	4,214	10,807
City of Cloverdale	3,114	8,200
City of Sebastopol	2,885	7,750
City of Cotati	2,575	7,532
Sweetwater Springs CWD – Guerneville	2,522	6,000
California-American Larkfield (PUC)	2,367	7,775
Sea Ranch Water Company (PUC)	1,838	1,299
Russian River County Water District	1,255	3,400
Sonoma State University	1,100	8,700
Sweetwater Springs CWC – Monte Rio	1,063	3,000
Bodega Bay Public Utility District	1,058	1,423

Source: CDPH Drinking Water Field Operations Branch

The **Sonoma County Water Agency** is the largest single source of water in the county. There are eight major retail systems that purchase water from the Water Agency and their representatives serve as an advisory committee to the Water Agency’s Board of Directors. These eight major customers provide treated water to the communities in southern Sonoma County and northern Marin County. The Water Agency also supplies supplemental water to the Marin Municipal Water District, which serves the communities in southern Marin County. Marin Municipal currently fluoridates its water supply.

Wholesale distributors are not impacted by the Fluoridation Act. Therefore, to gain widespread support for fluoridation, it is important for fluoridation proponents to work with the wholesale distributors' customers. Presenting wholesale fluoridation's economies of scale to decision-makers has been a key point in this often prolonged and sensitive process.

Legal and Legislative Support for Fluoridation

The Fluoridation Act requires retail systems of 10,000 service connections or more to fluoridate their water supplies when funds are provided from an outside source. In Sonoma County, only Petaluma and Santa Rosa are over the 10,000 connection limit that would require them to fluoridate if funding is available. The Act applies to retail systems, but due to the configuration of wholesale and retail sources in metropolitan areas, the impact of the Act is often realized after the wholesale system in a region begins fluoridation. Frequently, the water supplied by wholesale systems is blended with supplemental sources by retail systems. Depending on the percentage of water supplied by the wholesale system considerable benefit for oral health can be obtained, however if wholesale water is mixed with significant amount of local water the level of fluoridation can be "suboptimal" for caries prevention. To adjust this, many retail systems install fluoridation equipment.

One challenge for many retail systems has been that while engineers may be able to design and build cost-efficient fluoridation systems for treatment plants and wells, they tend to resist construction at turnouts - that is, connections from a wholesale distributor. This is because these connections, having often been created decades ago, now lie in areas that are hard to access, which makes the costs prohibitive. Furthermore, obtaining the necessary land and permits can be costly and time-consuming.

In 2004, the Fluoridation Act was amended by SB 96 (Alpert/San Diego) which was designed to clarify funding provisions and address issues for retailers receiving water from multiple sources. In addition, SB 96 added language declaring that the Fluoridation Act preempts local regulations, ordinances, and initiatives that prohibit or restrict fluoridation of drinking water by public water systems subject to the Act.

California courts have upheld the Fluoridation Act declaring that it preempts local efforts to prohibit fluoridation of water systems subject to its requirements.¹⁶ Courts have also rejected private citizen challenges to fluoridation claiming the addition of fluoride violated their constitutional rights. In rejecting such claims, the court stated there is no fundamental constitutional right to fluoride-free

¹⁶ *City of Watsonville v. California State Department of Health Services*, 133 Cal. App. 4th 875 (2005), review denied.

water and that fluoridation is a reasonable and proper exercise of the police power in the interest of public health.¹⁷

Due to the application of these legislative and legal efforts, communities in California continue to fluoridate their water supplies. Most notable is the change in the largest city in the nation that lacked fluoridated water - San Diego - which began providing optimal fluoridation to residents in 2011. The Board of Supervisors of Santa Clara County approved a measure to move forward on fluoridation in December 2012.

Funding for Capital Costs and Coalition Support

Capital funding for fluoridation in other parts of the state has been provided by The California Endowment and the county - level First 5 Commissions of San Diego, Sacramento, and Los Angeles. Early in the statewide fluoridation effort (1990s), support for community activity was provided by The California Wellness Foundation. The PEW Charitable Trusts currently has an oral health initiative, of which fluoridation is a part, but does not fund large capital projects. The Health Trust is supporting Santa Clara County's efforts. Local foundations have provided small grants for community education and coalition activity. Community leaders have engaged federal and state legislative representatives to seek appropriations for capital funding. In general efforts have used approaches that seek to minimize any potential impact on ratepayers.

Description of Water Systems and Capital Estimates

Obtaining clear cost estimates for fluoridation is an essential component of the planning required for policy development. The following sections provide an overview of (a) the water production facilities of the Water Agency and the Water Retailers, and (b) the communities they serve. The sections also provide (a) rough conceptual estimates by CDAF for installing fluoridation facilities, and (b) rough estimated operating costs for the first year. Table 1 provides estimated capital and operating costs for centralized fluoridation of the Water Agency. Table 2 illustrates the higher estimated costs of fluoridating SCWA water at all of the turnouts. Table 3 provides additional information on the percent of water supplied locally, supplementary local sources, and natural fluoride levels.

The Sonoma County Water Agency

The Water Agency operates a wholesale water supply and transmission system that operates under a Board of Directors, which is composed of the Sonoma County Board of Supervisors. The Water Agency provides potable water for roughly 600,000 people in Sonoma and Marin counties.

¹⁷ *Cosbon, et al. v. City of Escondido, et al.*, 132 Cal. App. 4th 687 (2005), review denied.

According to 2011 data, the average fluoride concentration in the Sonoma County Water Agency's two collectors is 0.13 mg/L, well below the level recommended.

The Water Advisory Committee (WAC)

The WAC, which meets quarterly, represents the major municipal systems and water districts that receive water from the Water Agency. The members of the WAC are also called the Water Agency's Prime Water Retailers (or Water Retailers). The WAC is composed of eight elected officials from the districts and communities served by the Water Agency. Each member is appointed by his or her council or board. The purpose of the WAC is to advise the Water Agency's Board of Directors on policy and fiscal matters affecting the Water Retailers. An affirmative ballot requires a minimum of five votes and 50 percent of the weighted vote (which is based on usage).

The member agencies of the WAC include:

- City of Cotati
- North Marin Water District
- City of Petaluma
- City of Rohnert Park
- City of Santa Rosa
- City of Sonoma
- Valley of the Moon Water District
- Town of Windsor

The liaison from the Water Agency Board of Directors to the WAC is Supervisor Efren Carrillo.

The Technical Advisory Committee (TAC), which meets monthly, is a second tier of the WAC that advises on decisions regarding water supply issues in the Water Agency's service area.

Water Agency Customers

In addition to the eight Water Retailers, the Water Agency serves approximately fifty other customers. However, the discussion surrounding capital and operating costs in this report will essentially be limited to the 8 Water Retailers. The Water Agency also sells water to Marin Municipal Water District and to California American Water, Larkfield District, and supplies Forestville but they are not part of the WAC.

Water Agency Production Facilities

The Water Agency's water originates from six Collector Wells (or caissons), seven production wells along the Russian River, and three wells in the Santa Rosa plain.

Collector Wells. Six collector wells extract water from the aquifer beneath the streambed adjacent to the Russian River, near Wohler and near Mirabel. Chlorine is added to water pumped from the collector wells at two active chlorination facilities to provide a residual amount of disinfection. Additionally, the pH of the water is adjusted for corrosion control purposes.

Russian River Well Field. Seven vertical wells at the Mirabel Road site, collectively called the Russian River Well Field, draw water from the aquifer adjacent to the Russian River. Chlorine is added to the supply and the pH of the water is adjusted for corrosion control purposes.

Santa Rosa Plain Wells. Three vertical groundwater supply wells are located along the Russian River Cotati Intertie pipeline in the Santa Rosa Plain: the Occidental Road Well, the Sebastopol Road Well, and the Todd Road Well. Chlorine is added to the supply.

Proposed Fluoridation Sites and Capital Estimates

Rough planning-level cost estimates have been prepared for construction costs, capital costs, and first-year operation and maintenance (O&M) costs for the Water Agency water supply system.¹⁸

Several of the local water systems of retailers use groundwater, primarily or exclusively, for meeting peak demands or emergencies. Many of their wells are of small capacity and on constrained well sites. The per-gallon cost of providing fluoridation at each well would be so high that it would be prudent to investigate alternatives, such as using controlled source water blending, combining sources for treatment, or designating some wells as standby sources. Given these factors, a study of which wells need to be addressed and of alternative approaches to fluoridating seems particularly appropriate for the cities of Petaluma and Rohnert Park, the Valley of the Moon Water District, and perhaps others.

The Sonoma County Water Agency supplied approximately 84 percent of the water provided to customers by its retailers (excluding Windsor) in Sonoma County between in 2007-2011, (87% in 2007, 86% in 2008, 80% in 2009, 82% in 2010 and 84% in 2011). Therefore almost two thirds of the population of the county would receive near optimally fluoridated water through fluoridation of the SCWA. In Windsor the agency provides only approximately 12 percent of the water (with SCWA serving primarily a non-residential area) and the percentage in Marin County is lower, however Marin Municipal Water district already fluoridates. Fluoridation at these levels (with the exception of Windsor) would provide substantial health benefits, and local fluoridation of supplementary sources,

¹⁸ A questionnaire was distributed to the Prime retailers and the California American Water Company to obtain site-specific information about the supplemental sources. Nearly all the systems responded. When a response was not obtained, information was obtained from the system's website.

as appropriate, could proceed gradually over a period of years to achieve optimal fluoridation where local sources are significant suppliers.

Water Agency engineers anticipate five source points for installing new fluoridation equipment. The rough estimated costs for fluoridation facilities at the source points, and the first year estimated annual costs for operating and maintaining the system, are presented in Table 1 below. The next step to obtain more refined estimates of cost would be to carry out a preliminary engineering design plan after an on-site assessment.

Table 3: Estimate of Costs for an Optimally Cost-Effective First Step: Fluoridation at Water Agency Sites (Source: California Dental Foundation 2012)

Site	Cost
Wohler Collector	\$2,700,000
Mirabel Collector	\$2,700,000
Occidental Well	\$390,000
Sebastopol Well	\$390,000
Todd Well	\$390,000
Total Expected Capital Costs	\$6,570,000
Contingencies, 30%	\$1,971,000
Total Planning-Level Capital Cost	\$8,541,000
Total First Year O&M Cost	\$973,000
Capital Cost per Sonoma County Connection served	\$67

The efficiency of approaching the Water Agency to assist the retail agencies in reaching a uniform level of fluoride in their systems is clear. If all eight customers sought to fluoridate at the turnouts, the capital costs could be as high as \$22 million (Table 4). The regional approach to fluoridation negates the need to advocate for a costly and complex system of fluoridation at individual turnouts.

Distribution

The Water Agency distribution system consists of about 156 active turnouts, of which 74 serve the Water Retailers. If the Water Agency did not fluoridate, each turnout would require installation of equipment similar to that used at a well site, with an average capital cost of \$300,000 per turnout. Table 4 provides an overview of the Water Retailers, the number of active turnouts, and the estimated cost to fluoridate at the turnouts, and indicates whether the Water Retailers are subject to the Fluoridation Act, once funds are provided.

Table 4: Higher Cost Approach: Fluoridation of SCWA Water at Each Turnout*

Retail System	Active Turnouts	Approximate Number of Service Connections	Estimated Average Capital Cost to Fluoridate Turnouts	Subject to Fluoridation Act
Cotati	2	2,500	\$600,000	No
N. Marin W.D.	2	20,575	\$600,000	Yes
Petaluma	7	19,300	\$2,100,000	Yes
Rohnert Park	11	8,900	\$3,300,000	No
Santa Rosa	40	57,000	\$12,000,000	Yes
Sonoma	1	3,381	\$300,000	No
Valley of the Moon W.D.	10	6,800	\$3,000,000	No
Windsor	1	9,200	\$300,000	No
Total	74	127,656	\$22,200,000	
Capital Cost per Sonoma County Connection Served			\$173.90	

*The Estimated Average Capital Cost to Fluoridate at the Turnouts is calculated by multiplying the average cost per turnout (\$300,000) by the number of turnouts. Source: California Dental Foundation 2012.

Supplemental Sources for the Water Retailers

All of the Water Retailers supplement the water purchased from the Water Agency with local supplies, mostly from groundwater wells. Typically, water sources contain some level of fluoride. The optimal level of fluoride for caries prevention benefit, while minimizing dental fluorosis, is 0.7 mg/L, as recommended by the Department of Health and Human Services.¹⁹ The HHS proposed recommended optimal level of 0.7 mg/L is set to promote public health benefits of fluoride for preventing tooth decay while minimizing the chance for dental fluorosis. The EPA's enforceable maximum standard for the highest level of fluoride that is allowed in public water supplies is 4.0 mg/, and is set to protect against risks from exposure to too much fluoride. Table 3 below illustrates the primary communities served by the retail system, the average percent of water from the SCWA 2007-2011, the number and nature of supplemental sources of water, the current average fluoride levels in the supplemental sources. Additionally Forestville is fully supplied by SCWA water. It is evident that the percent of water supplied locally varies widely, and that the cost of fluoridation per connection served by the retailer could vary enormously between retailers, if a strategy of fluoridating all sources were used rather than starting with the wholesaler. This strongly suggests that, after fluoridation of the wholesale supplier, a careful mapping and analysis of local sources,

¹⁹ This agrees with the current CDC recommendation regarding optimal fluoride levels. <http://www.hhs.gov/news/press/2011pres/01/20110107a.html>, retrieved on November 22, 2011

their volume and distribution, and of alternative approaches, would be a critical next step to assess which sources it would be sensible to fluoridate in addition to the wholesaler and with what priority for an optimally cost effective approach. These preliminary analyses suggest that after SCWA, fluoridation of Windsor and of selected wells from Rohnert Park and from Valley of the Moon Water District might serve the largest number of residents with a lesser percentage from of water from SCWA. However even Rohnert Park, Valley of the Moon and Cotati, with the lowest percentage of SCWA water after Windsor, would benefit substantially from SCWA fluoridation.

Table 5: Characteristics of supplemental SCWA local water retailer systems

Contractor	Major Communities Served	Average% of Water from local sources 2007-2011*	Approx. Number of Service Connections	Active Local Sources	Current Fluoride Level (mg/L)
Cotati	Cotati	31.4	2,500	3 wells	0.26
North Marin W.D.	Novato	23.4	20,575	1 Treatment plant	0.10
Petaluma	Petaluma	8.1	19,300	8 wells	0.18
Rohnert Park	Rohnert Park	26.44	8,900	30 wells	0.05
Santa Rosa	Santa Rosa	5.3	57,000	2 wells	0.21
Sonoma	Sonoma	4.34	3,381	5 wells	0.38
Valley of the Moon W.D.	Sonoma (part); Glen Ellen; Agua Caliente; Fetters Hot Springs, Boyes Hot Springs; El Verano	16.2	6,800	6 wells	0.1
Windsor	Windsor	88**	9,200	5 wells	not available

* Source: CDAF 2012

** T. Schram SCWA

Description of Estimates

Obtaining a final estimate for capital and operating costs is often a process of negotiation between the funding agency and the water system. The amended Fluoridation Act allows for a state-appointed engineer to intervene in the process of developing a reliable estimate for a retail system. In theory, this provision should help to contain capital costs. However, it is important to remember that the state does not intervene in the determination of the design for fluoridation installation. Therefore, every local water system can design and build to its unique standards.

Cotati: Cotati is the smallest incorporated community in Sonoma County, with a population of approximately 7,100 residents. The percent of water received from SCWA between 2007 and 2011 was 69 percent. The city has two turnouts from the Water Agency and three wells that are chlorinated individually.

The City Council has five members, who are elected at large and select the Mayor from among themselves.

North Marin Water District: This district has two systems, one that serves Novato and the other that serves the Point Reyes area in West Marin. For this report, we are interested in the system that purchases water from the Water Agency and serves the City of Novato's approximately 53,000 residents. This system is supplemented by the surface water treatment plant at Stafford Lake.

The North Marin Water District receives approximately 80 percent of its water from its two turnouts from the Water Agency Aqueduct (77% between 2007 and 2011). The Stafford Water Treatment Plant is owned by the North Marin Water District and supplies approximately 20 percent of Novato's water. The plant is typically operated in the spring through early fall to supplement the supply from the Water Agency. Because it provides surface water, full treatment of the supply is required.

The North Marin Water District is governed by a five-member elected Board of Directors.

Petaluma: 92 percent of the water (2007-2011) supplied to the approximately 60,000 residents of Petaluma came from the city's seven active turnout connections from the Water Agency. The city supplements that supply with eight local groundwater sources. The Petaluma City Council governs the city's municipal water supply. The Council consists of six members and the Mayor, who is elected at large.

Rohnert Park: Rohnert Park provides treated water to its approximately 43,000 residents primarily from 11 turnouts from the Water Agency (providing 74 percent of the water supply 2007-2011.). The water supply is supplemented with water from a series of 30 groundwater wells located throughout the city. The water distributed from city wells is treated with chlorine.

The high number of wells in Rohnert Park and the attendant cost to fluoridate at each well site requires consideration of an alternative approach to achieve optimal fluoridation over time. Some alternatives mentioned previously include: using controlled source blending, combining sources for treatment, or designating some wells as standby sources.

The five-member City Council governs the city's municipal water supply.

Santa Rosa: The City of Santa Rosa is the Water Agency's largest retail customer. Most of the water supplied to the approximately 150,000 residents is received from the Water Agency through 40 active turnout connections (95% 2007-2011) Fluoridation of the SCWA would result in very close to optimal fluoridation of Santa Rosa's water benefitting over one third of County residents, including many low income residents. A small portion of the city's water supply is produced by groundwater wells.

The Santa Rosa City Council, which has seven members elected at large, one of whom is selected as Mayor, governs the retail water system.

Sonoma: The City of Sonoma water system serves a population of approximately 9,000 residents. The city receives treated water from the Water Agency from one turnout, representing 96 percent of its water in 2007-2011. In addition, it has five active groundwater wells.

The City Council has five members elected at large, who select the Mayor from among themselves and oversee all municipal operations.

Valley of the Moon Water District: The service area of this district encompasses a population of approximately 23,000 residents in Glen Ellen and the Sonoma Valley. It receives treated water from the Water Agency from 10 turnouts, which provide 84 percent of its water 2007-2011, and supplements that supply with six groundwater wells and one leased well.

A five-member board of directors governs the district, with each director elected at large for a four-year term.

Windsor: The Town of Windsor's approximately 26,000 residents are served by Water Agency water and supplemental wells. Windsor has one direct connection from the Water Agency, Five large wells located adjacent to the Russian River, and three emergency wells. The supply is predominantly from local wells.

The Windsor Town Council consists of five elected Council members, one of whom is chosen by the Council to serve as Mayor. The Town Council also serves as the Board of Directors for the Windsor Water District.

Other Customers of the Water Agency: Included in the customers of the Water Agency are additional permitted retail water systems, agricultural users, and institutional users.

Additional Retail Systems: California American Water Company (Cal American) serves the unincorporated area of Larkfield-Wikiup and the township of Fulton with 2,400 service connections. Cal American purchases Water Agency water through one turnout. In order to supply optimally fluoridated water to their customers, Cal American would have to fluoridate at their treatment plant where the water from the wells is blended.²⁰

Kenwood Village Water Company is an example of a smaller retail customer of the Water Agency that may have considerations similar to those of the Water Retailers. As mentioned previously, the

²⁰ The capital and O&M estimate for Cal American can be found in Appendix A, page 37.

Water Agency supplies supplemental water to the Marin Municipal Water District which currently fluoridates its water supply.

Agricultural Users: Many of the Water Agency’s 60 customers use “surplus agricultural water.” It would be helpful to discover to what extent groundwater sources are used by the growers in addition to water purchased from the Water Agency, since growers may have a concern for the potential of increased costs for water used in irrigation and in processing their products.

Institutional Users: The Sonoma Developmental Center is an example of an institutional customer of the Water Agency.

Community/System Impact

If the Water Agency were to fluoridate its water supply, the communities served by the Water Agency’s retail customers would be impacted in the following manner. The largest city in the Water Agency’s service area, Santa Rosa, as well as the City of Sonoma, would derive the greatest benefit and would receive almost optimally fluoridated water. Santa Rosa has 40 turnouts, the greatest number of turnouts from the Water Agency, with relatively few wells. The costs to fluoridate through the Water Agency would be significantly lower than if Santa Rosa were to fluoridate at its turnouts. Similarly, Petaluma would also have well over 90 percent of their supply well fluoridated. These three areas represent 62 percent of the connections amongst these Water Agency retailers (Figure 1).

Rohnert Park, Cotati, and Valley of the Moon would still derive significant clinical benefit from substantial but partial fluoridation as they would have a third, a quarter, and a sixth of their supply respectively unfluoridated with fluoridation of SCWA alone. Windsor’s water would receive little fluoride. The number of wells and costs involved will represent a greater challenge. These Water Retailers could have a relatively greater number of supplemental sources and higher costs to bring their systems up to optimal, however the real cost of *an ideal* fluoridation strategy for each city requires further study and analysis well by well to identify appropriate priorities and technology.

Communities Not Served by the SCWA

Of the County’s incorporated areas, only the Cities of Cloverdale, Sebastopol and Healdsburg are not served by SCWA, and Healdsburg has been fluoridating its water since 1952. A significant part of the county’s population resides in unincorporated areas not served by the SCWA, served either by individual wells or small water companies. Further assessment of the feasibility and cost of fluoridation of water supplies for these additional locations is warranted, as is the case for Windsor. None are covered by the 1996 law fluoridation requirement.

Potential Support to Fluoridation in Sonoma County

In general fluoridation receives broad support from the medical, dental, and public health communities, and others familiar with the burden of dental disease. Most people in the United States and many other countries reside in communities that support and maintain fluoridation as a public health service. Locally, for example, the Sonoma County Oral Health Task Force, representing many leading health organizations; the County Maternal and Child Health Advisory Committee, also representing a large number of local community organizations; the Sonoma County Medical Association; St. Joseph's Health; Sutter Health; Santa Rosa Community Health Centers; and other health providers have expressed support.

Potential Concerns to Fluoridation in Sonoma County

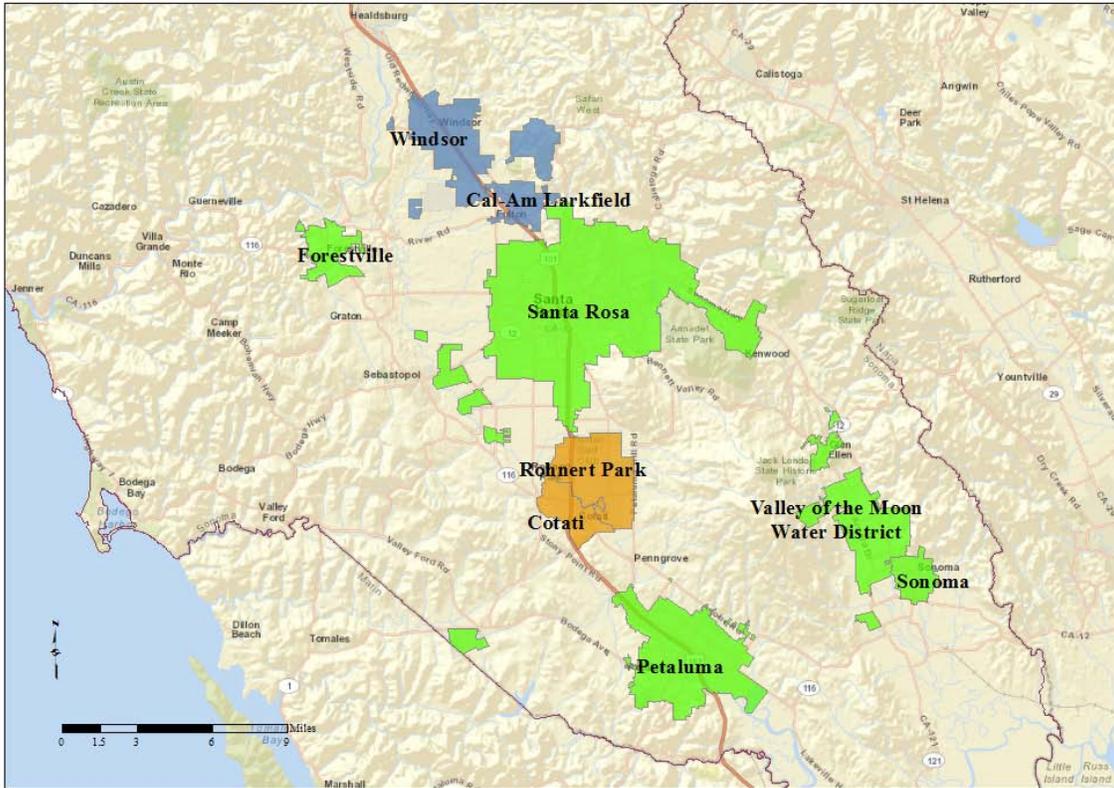
Possible concerns about fluoridation in Sonoma County may arise from three primary sources: agricultural, environmental, and water interests.

Agricultural interests served by the Water Agency may have concerns about how fluoridated water will impact the safety or taste of their products and the sales of those products. Although it has been demonstrated that fluoridated water does not affect the safety or taste of agricultural products, it is important to address the potential concerns of growers. Healdsburg has long maintained its successful agricultural endeavors with fluoridated water in place.

Environmental concerns about fluoride are generally expressed through various local community grassroots environmental organizations. It is important to engage these organizations to understand their concerns and attempt to educate the community on the scientific basis of fluoridation. No significant negative environmental impact of water fluoridation has been established. Concerns may be framed as protecting freedom of choice, while fluoridation advocates argue that the public water supply is designed to protect public health and it is more important to protect people's health than to protect some people's concern for their freedom to use unfluoridated water.

There are several organizations in Sonoma County that are involved with water-related issues, such as distribution, conservation, and pollution. Local water retailers and political leaders express concern about how the cost of fluoridation will be addressed and what impact it will have on their ratepayers. Several individuals have expressed concerns over fluoridation efforts in the county, and further input from this sector is expected. The Department of Health Services has held a number of meetings to receive input from all sides of the debate and will continue to do so. It will be important to hear the opinions of all, to broadly engage and educate members of the community and to seek to address any concerns raised. Fluoridation has, unfortunately, not been the object of consensus in many communities, and the creation of public policy has generally required weighing the public benefit for many in relation to the concerns of some residents.

Figure 2. Approximate Percentage of Local Water in Communities served by the Water Agency that would be fluoridated with Initial Fluoridation of the Sonoma County Water Agency alone.



Retailer	Average % of Water from Sonoma County Water Agency 2007-2011	Approx. # of Service Connections	Active Local Sources	Current Fluoride Level (mg/L)
Forestville	100%	909	0	-
Sonoma	96%	3,381	5 wells	0.38
Santa Rosa	95%	57,000	2 wells	0.21
Petaluma	92%	19,300	8 wells	0.18
Valley of the Moon W.D. ¹	84%	6,800	6 wells	0.1
Subtotal Approximate Number of Service Connections		87,390		
Rohnert Park	74%	8,900	30 wells	0.05
Cotati	69%	2,500	3 wells	0.26
Subtotal Approximate Number of Service Connections		31,975		
Cal-Am Larkfield	30%	2,367	5 wells	-
Windsor	12%	9,200	5 wells	-
Subtotal Approximate Number of Service Connections		11,567		
¹ Serving Glen Ellen; Agua Caliente; Fetters Hot Springs; El Verano; and part of Sonoma.				
Map Legend: Average % of Water from Sonoma County Water Agency				
	80-100%		60-80%	
				< 60%

Financial Challenges in Supplementary Systems

The information above supports fluoridation of the wholesale system as the most economical initial approach to fluoridation in the Water Agency's service area, which will bring the overall water supply for most of the SCWA customers close to optimal fluoridation. However, there are potential financial challenges to the retail systems. The ideal goal in fluoridation is to provide optimally fluoridated water to all customers of a water system. However the cost and benefits of pursuing perfect fluoridation vary from retail system to retail system and well to well and should be carefully analyzed to design the optimal strategy for rolling out ideal fluoridation over time. Nevertheless, **the perfect should not be the enemy of the good.** The systems or communities with the greatest number of supplemental sources are Rohnert Park (30 wells), Petaluma (8 wells), Windsor (6 wells), and Valley of the Moon (6 wells). These sources should be analyzed with care to balance fiscal implications, timing and the optimization of health.²¹ However the existence of significant but less than perfect fluoridation during a transition period of years in some communities, will provide a significant degree of dental protection, far greater than that currently available to residents, and will not cause harm.

Ongoing Costs

In many communities in California, fluoridation capital costs were awarded to systems with the anticipation that they would incorporate the ongoing costs for fluoridation into their annual budgets. Although ongoing costs are a relatively small percentage of a system's annual budget, consumers or a system itself could raise concerns about potential rate increases. In fact, when the Water Agency previously raised rates to its customers 6.9 percent in April 2010,²² several retail systems passed all or some of those costs on to their customers.²³ The range of increases was from approximately \$1.00 per month to \$4.00 per month.²⁴ Nationally, the average cost of fluoridation is approximately \$1.25 per household per year, or fifty cents per person.²⁵ According to city officials, in Healdsburg, which has a small population, the cost of operating the system is roughly \$3.20 (\$37,100/11,725 residents) per resident per year. Larger systems tend to have lower costs per gallon or per capita. This cost

²¹ Petaluma and Rohnert Park face fiscal challenges. See respectively City of Petaluma, California, Fiscal Year 2010 Budget (<http://cityofpetaluma.net/finance/pdf/2010budget/BudgetSections/message-from-CM.pdf>), and *Sonoma Press Democrat*, August 24, 2010.

²² Sonoma County Water Agency, *Water Rates: 2010–2011 Water Transmission Budget Approved*. Retrieved on August 21, 2010, from <http://www.scwa.ca.gov/water-rates>

²³ As of July 1, 2010, Santa Rosa water ratepayers saw a 2.8% increase in the usage component of their water charges. City of Santa Rosa, California, *Water and Sewer Rate Information*, retrieved on August 24, 2010, from <http://ci.santa-rosa.ca.us/departments/utilities/aboutus/Pages/ProposedWaterandSewerRateInformation.aspx/>

²⁴ The Board of Directors of the North Marin Water District unanimously adopted a 9% increase in residential water rates, effective on July 1, 2010. See the *Marin Independent Journal*, May 27, 2010.

²⁵ American Dental Association, *Fluoridation Facts* (Chicago: Author, 2005). According to the U.S. Census Bureau, there are, on average, 2.59 people per household. U.S. Census Bureau, *State & County QuickFacts*, retrieved on August 20, 2010, from <http://quickfacts.census.gov/qfd/states/00000.html>

would need to be considered for the ongoing sustainability of the effort. It is important to remember that, when compared with the restorative costs of dental disease in a community, fluoridation is one of the most cost-effective public health measures available. The CDC estimates that for every dollar spent on community water fluoridation, \$38 are saved in dental restorative care.²⁶

“The CDC estimates that for every dollar spent on community water fluoridation, \$38 are saved in dental restorative care.”²⁷

Next Steps

The next key step in this process would be to go beyond CDAF’s rough estimates and verify what the actual cost of fluoridation of the Sonoma County Water Agency will be. To do so will require the execution of a preliminary engineering design plan. Only with such a plan, which can provide a cost estimate on the order of plus or minus 15-20 percent, will it be practical to assess the financial requirements for fluoridation and develop a financing plan. We also recommend the creation of a Fluoridation Advisory Committee to advise the Department of Health Services in this process. The Department, in coordination with the Water Agency, will continue to work with local water retailers to understand their needs and concerns in relation to this issue.

The County’s other work to improve the dental health of the community should continue irrespective of decisions in relation to fluoridation, as these approaches are complementary and synergistic.

We recommend as the next steps in this process that the Board of Supervisors resolve to:

Continue various activities relating to promoting and advancing oral health in Sonoma County including:

- 1) Contracting with Community Action Partnership to lead community-based oral health activities; and
- 2) Contracting with The Lew Edwards Group to develop a public education campaign related to oral health efforts.

²⁶ U.S. Centers for Disease Control and Prevention, *Community Water Fluoridation*, retrieved on August 25, 2010, from http://www.cdc.gov/fluoridation/fact_sheets/cost.htm/

²⁷ U.S. Centers for Disease Control and Prevention, *Community Water Fluoridation*, retrieved on August 25, 2010, from http://www.cdc.gov/fluoridation/fact_sheets/cost.htm/

Continue efforts to analyze the potential of fluoridation in Sonoma County including:

- 1) Convening an advisory committee to provide guidance on the fluoridation planning and implementation process;
- 2) Contracting with California State University, Sacramento to facilitate the advisory committee and discussions with community stakeholders and water retailers; and
- 3) Contracting with MWH Americas, Inc. to develop a Preliminary Engineering Design Report for fluoridation of Sonoma County Water Agency's drinking water supply with Sonoma County Water Agency staff providing technical assistance and oversight of the agreement.

By March 2014 staff will return to the Board with a detailed design and implementation plan for fluoridation of Sonoma County Water Agency's drinking water supply. This plan will include more accurate cost estimation and proposed financing details and will be developed in partnership with the Water Agency, community stakeholders, and city representatives.

Appendix A
Fluoridation Cost Estimates
Consideration of Fluoridation of Public Water Supplies
in the Sonoma County Water Agency Service Area

Method

Planning level cost estimates were prepared for construction costs, capital costs and first year operation and maintenance costs for the Sonoma County Water Agency (Water Agency) water supply system.

Sonoma County Water Agency Estimate

The CDAF consultant met with Water Agency interim General Manager Grant Davis to provide an overview of the assessment process and gain preliminary information about the Water Agency system. A subsequent meeting was held with Pamela Jeanne, Deputy Chief Engineer - Operations, the CDAF consultant and the CDAF consulting engineer to discuss the project. An estimate prepared by Water Agency staff in November 2008 for capital and operating costs was provided to the CDAF consultants. That estimate was reviewed and revised to be consistent with the assumptions used in this study (See Appendix B, Basis of Cost Estimates).

Appendix B Basis of Cost Estimates

Cost Estimates

A large majority of the total public water supply in the Sonoma County Water Agency (Water Agency) service area is provided by the Water Agency through its Russian River water supply facilities, its three off-river wells, and its aqueduct system. If the Water Agency were to fluoridate its entire supply to the optimum fluoride concentration of near 0.7 mg/L (0.7 parts per million) of fluoride ion, then the average fluoride concentration delivered by each retailing water utility within the Water Agency would vary. California water supply regulations require that, with some exceptions, each fluoridated public water supply maintain near-optimum fluoride concentration. However the state understands that fluoridation and extension to local sources can take time and that suboptimal fluoridation has immediate health benefits. It is open to receiving proposals for initial fluoridation of wholesale systems.

Planning-level cost estimates have been prepared for construction costs, capital costs, and first year operation and maintenance (O&M) costs for the Water Agency supply system.

Basis of Cost Estimates

Price Level. These cost estimates are based on review and tabulation of costs for similar projects in Northern California. In the case of the Water Agency facilities a staff cost estimate developed in 2008 was the starting point for this study. Construction of facilities included in this project is assumed to commence in 2012, and initial operation in 2013.

Construction prices change (generally increase) with time. For purposes of adjusting costs for price escalation, the published Engineering News-Record 20-cities Construction Cost Index (ENR-CCI) is used. In August 2010 the index was 8840. Cost estimates herein are based on an ENR-CCI of 9300. First-year O&M costs are for calendar year 2013.

Estimating Accuracy. These planning-level cost estimates are not precise. Allowances believed to be adequate are included for every cost element of a utility capital improvement project. The total costs presented should be within plus or minus 30 percent of actual program costs.

Fluoridation Chemical and Price. The design of each fluoridation project should include a site-specific evaluation of alternative fluoride chemicals and feeding systems. The choice of chemical can vary with the size of project, available chemical supply (reliability and price), and the experience and preferences of the utility personnel.

This concept-level plan assumes the use of liquid fluorosilicic acid (FSA). FSA is by far the most commonly used fluoride chemical in the U.S. and is usually of lowest cost. FSA as purchased is a concentrated acid, and all appropriate care must be taken in design and operation of systems using any fluoride chemical - especially FSA.

In recent years, FSA supplies have had some unsettling changes in reliability and price. The FSA supply situation is now believed (by EPA, AWWA, and other experts) to be largely stabilized. It is assumed that FSA will be delivered by a vendor to each fluoridation facility in the form of a 23 percent solution of FSA. In most cases, on-site storage of 35 day's supply is included. The delivered unit price is assumed to vary from \$3.50 to \$4.20 per pound of fluoride ion, for largest to smallest facilities covered by this study.

In the design phase each water source should be assessed for the need for caustic or other stabilizing chemicals to be fed along with the fluoride chemical. The costs of such possible additional treatments are not included herein. Coordination of fluoridation and other water treatment processes should, of course, also be investigated during design.

Site-Specific Information. Some basic technical information about each water supply source was requested from each of the water suppliers listed above. The purpose of this information was to tailor each cost estimate, albeit roughly, to the site-specific circumstances of each source. Most of the cost estimates herein are based on such site-specific information.

Cases where no (or incomplete) information was provided are noted. Best available data were obtained from on-line sources including water master plans, Water Agency annual reports, capital improvement plans, annual water quality reports, etc. It should be noted that estimates provided do not include right-of-way costs which are site specific.

Construction Cost. Each construction cost estimate represents expected construction bid prices in mid-2012 for construction, complete, of all fluoridation facilities required by a utility under one, or a few, contracts awarded to experienced general contractors.

Construction cost estimates are based on data from similar projects adjusted for price escalation and major scope differences. The basic component for cost estimating is a complete and operable fluoridation facility constructed within an existing water production housing having adequate space, access, utilities, and Supervisory Control and Data Acquisition (SCADA) service to the new fluoride system. The minimum construction cost for such a basic facility at a well station is about \$100,000. Additional amounts are added for upsizing and additional components or space required on a site-specific basis.

Expected Capital Cost. Expected project capital cost is the estimated construction cost (defined above) plus these allowances:

Engineering, including all planning, engineering, and other professional technical services required (except 2, below) during all phases of the project. An allowance of 20 percent of estimated construction cost is made.

Construction management services, including management of bidding, awards and payments, inspection and testing of construction, and system startups. An allowance of 20 percent of estimated construction cost is made.

Program management, including scoping, contracting, regulatory and permitting coordination, financing, legal, and public information. An allowance of 10 percent of estimated construction cost is made.

In total, these additional components of capital cost (allowances) add 50 percent to the estimated project construction cost, and the resulting total is termed the “Expected Capital Cost”.

Total Planning-Level Capital Cost. Finally, a Total Planning-level Capital Cost is presented. This is the Expected Capital Cost (defined above) plus a 30 percent allowance for scoping and pricing contingencies. These are unanticipated items of work and unforeseen pricing changes. This contingency allowance can be reduced as the project proceeds toward completion.

First-Year O&M Cost. An estimate is given the expected first year (2013) actual cost of operation and maintenance (O&M) of the new fluoridation systems. This cost does not include depreciation or capital replacements or other long-term asset management factors. First-year O&M cost estimates herein do include:

Operating labor at a total unit cost of \$80.00 per hour. In most cases, fluoridation system operation will be coordinated with other system operations for best efficiency. We assume an incremental labor requirement of about 300 hrs/yr for an individual well station, up to about 500 hours per year for a larger plant.

Non-routine maintenance and short term replacements; an annual allowance of 3 percent of estimated construction cost is made.

Utilities, supplies, and services other than fluoride chemical; an annual allowance of 3 percent of estimated construction cost is made.

Fluoride chemical. Purchase of fluorosilicic acid (FSA) to treat annual water production of each facility to a finished fluoride concentration of 0.7 mg/L. FSA purchase assumptions are outlined above.²⁸

²⁸ Estimates were prepared at .7 mg/L. Current CDC recommendation is .7 mg/L.



March 20, 2013

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Lynn Silver-Chalfin
Sonoma County Health Officer
3313 Chanate Road
Santa Rosa, CA 95403

Re: Sonoma County Oral Health Update and Fluoridation Assessment Draft Report

Dear Ms. Chalfin:

The Technical Advisory Committee (TAC) representing the Water Contractors receiving wholesale water supply from to the Sonoma County Water Agency (SCWA) requested I send this letter to you regarding the subject presentation to the Sonoma County Board of Supervisors (Board) on February 26, 2013. My personal comments offered at that meeting are included herein for your reference.

The Water Contractors acknowledge the concern regarding oral health in Sonoma County as documented by the 2009 Sonoma County Smile Survey. The Water Contractors were first made aware of those findings and the potential consideration of fluoridating SCWA's water supply at the February 28, 2012 Board meeting where we learned that the Board desires to see such an undertaking completed.

The Water Contractors are surprised however that the oral health update presented on February 26, 2013, did not inform the Board or the general public on progress made since February 2012 in both fulfilling the recommendations of the 2011 Sonoma County Task Force on Oral Health or on completing the next steps identified at the Board's February 2012 meeting. The 2011 Sonoma County Task Force on Oral Health identified that "Some strategies viewed as essential to building an effective oral health system, such as publicly funded dental insurance for low-income adults or fluoridation of the public water supply, were not considered for inclusion (in their recommendation) because they cannot be accomplished within the targeted time frame or with local efforts alone." Those February 2012 next steps stated: "The Department will collaborate with the Water Agency to identify next steps, timeline and required resources. Together we will work with cities, stakeholders, partners, and water districts' representatives, to set a course to complete the fluoridation feasibility study including analysis of data, development of an evaluation process, alignment of any recommendation to current national standards, and projected oral health improvement outcomes, while building community understanding and consensus." There was not information in the February 2013 report describing what progress was made on collaboration, working together, an evaluation process, data analysis, or building community understanding and consensus.

The Water Contractors understand that the estimate prepared for the capital improvements necessary to fluoridate the SCWA water supply totals \$8.3M with an annual operations and maintenance (O/M) commitment of just under \$1M. The Water Contractors believe that funding for the capital and O/M costs cannot be passed on to the rate payers, including the contractors and their retail customers or tax payers funding

Ms. Lynn Silver-Chalfin
Sonoma County Health Officer
March 20, 2013
Page 2

SCWA activities. This has been substantiated by Sonoma County Water Agency Counsel, who has advised that the Restructured Agreement for Water Supply would need modification, requiring unanimous approval by the Water Contractors, to enable such funding to be passed through to the Water Contractors.

The Water Contractors suggests that Sonoma County Department of Health Services focus anticipated funding on the other four pillars of dental health (dental sealants in school aged children, varnishes, expansion of access to dental care, and education on appropriate personal dental habits of brushing, flossing and a healthy diet). The funding planned for costs necessary to fluoridate SCWA's water supply could make an immediate impact for those residents in need, were it focused on these other four pillars of dental health, especially since the Board did not authorize the conclusion stipulated in the next steps of the fluoridation assessment draft report which states: "By March 2014 staff will return to the Board with a detailed design and implementation plan for fluoridation of SCWA's drinking water supply."

Sincerely,



Chris DeGabriele
NMWD General Manager
Technical Advisory Committee Chair

Enclosure

CD/kly

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Comments of Chris DeGabriele
Sonoma County Board of Supervisor Meeting
February 26, 2013

Sonoma County Oral Health Update

- My name is Chris DeGabriele, General Manager of the North Marin Water District and Chair of the Technical Advisory Committee to Sonoma County Water Agency.
- My comments today are solely my own since neither the North Marin Water District Board of Directors nor the Water Advisory Committee or the Technical Advisory Committee have had an opportunity to collectively review the subject board item including the Sonoma County Fluoridation Assessment Draft Report.
- I did attend the public meeting at Sonoma County Department of Health Services last Friday, February 22nd and was pleased to learn that Sonoma County Department of Health Services intends to update the Sonoma County Smile Survey completed in June 2009. I do have some suggestions how that survey may be improved including analysis of the data.
- I am also pleased to see in the staff report that none of today's recommended actions will have an immediate cost impact on the Water Agency or the Water Contractors.
- With regard to the Fluoridation Assessment Draft Report, it is my understanding that Sonoma County Water Agency is a public water system and subject to the health and safety code provisions regarding fluoridation of its water supply. North Marin Water District, and I believe the other Water Contractors, understand that the capital and operation and maintenance costs to fluoridate the water supply cannot be funded from water rate payers or tax payers from within its water system.
- Fluoridation of the water supply is always controversial. Prior to enactment of the 1996 Fluoridation Act many Boards and Councils asked for a community vote to decide the matter. That's what happened at MMWD in the early 1970's. The Act took the decision out of local provider's hands. If sufficient outside funds, such as from Federal block grants or donations from private foundations, are available the public water system must be fluoridated notwithstanding any objection by the water systems customers.



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5B

Meeting Date: 04/15/2013

Department

Administration

Staff Contact

Gay Johann, City Clerk/Assistant to the City Manager

Agenda Item Title

Approval of the Minutes of the March 25 Goal Setting, March 25 Ethics Training, and April 1, 2013 Meetings.

Summary

The minutes have been prepared for Council review and approval.

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

**CONCURRENT SPECIAL MEETINGS OF THE
SONOMA CITY COUNCIL
&
SONOMA CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE
DISSOLVED SONOMA COMMUNITY DEVELOPMENT AGENCY**



**Sonoma Community Center, Room 208
276 East Napa Street
Sonoma CA 95476**

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

**Monday, March 25, 2013
2:00 p.m.**

**CITY COUNCIL GOAL SETTING WORKSHOP
MINUTES**

1. CALL TO ORDER

At 2:00 p.m. Mayor Brown called the meeting to order.

PRESENT: Mayor Brown and Councilmembers Barbose, Cook, Gallian, and Rouse

ABSENT: None

ALSO PRESENT: City Manager Giovanatto and City Clerk/Assistant to the City Manager Johann

2. COMMENTS FROM THE PUBLIC

There were no comments from the public.

3. GOAL SETTING WORKSHOP

The City Council conducted a goal setting workshop facilitated by City Manager Giovanatto. City Manager Giovanatto stated that the results of the workshop would be disclosed at an upcoming City Council meeting.

4. ADJOURNMENT

The meeting was adjourned at 4:50 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 _____ 2013.

Gay Johann, MMC
City Clerk/Assistant to the City Manager



CITY OF SONOMA

ETHICS TRAINING WORKSHOP

*Community Meeting Room
177 First Street West, Sonoma CA*

**Monday March 25, 2013
6:00 p.m.**

MINUTES

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

1. OPENING

At 6:00 p.m. Mayor Brown called the meeting to order.

2. ETHICS TRAINING WORKSHOP FOR CITY COUNCIL, BOARD AND COMMISSION MEMBERS

City Attorney Jeff Walter and Assistant City Attorney Veronica Nebb conducted an ethics training workshop for members of the City Council, members of City boards and commissions, and staff.

3. COMMENTS FROM THE PUBLIC

There were no comments from the public.

4. ADJOURNMENT

The meeting was adjourned at 8:10 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 _____ 2013.

Gay Johann, MMC
City Clerk/Assistant to the City Manager

**CONCURRENT REGULAR MEETINGS OF THE
SONOMA CITY COUNCIL
&
SONOMA CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE
DISSOLVED SONOMA COMMUNITY DEVELOPMENT AGENCY**



***Community Meeting Room, 177 First Street West
Sonoma CA 95476***

**Monday, April 1, 2013
6:00 p.m.**

MINUTES

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

OPENING

Mayor Brown called the meeting to order at 6:00 p.m. Toni Kuhry led the Pledge of Allegiance.

PRESENT: Mayor Brown and Councilmembers Barbose, Rouse, Cook, and Gallian

ABSENT: None

ALSO PRESENT: City Manager Giovanatto, City Clerk/Assistant to the City Manager Johann, City Attorney Walter, and Associate Planner Atkins.

1. COMMENTS FROM THE PUBLIC

Kristin Land reported a recent altercation involving her son and stated that the Police Department wrote it off as a fight instead of an assault. She said there had not been any investigation or follow up and she was concerned for the safety and well-being of the children in the community.

Deidre Sheerin announced that nine residents had moved into the Sweetwater Spectrum group home for autistic adults. She announced that autism was the fastest growing disability in the country and invited those interested to schedule tours of the facility.

Don Bandur inquired what the procedure was for placing a topic on a Council agenda. City Manager Giovanatto explained that topics submitted by the public would need a Councilmember sponsorship to be placed on an agenda.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

Cm. Rouse dedicated the meeting in the memory of John Cardinale. Cm. Barbose dedicated the meeting in the memory of Wylie Hartman. Cm. Barbose announced that the issue he had asked to be on a future agenda relating to use of the public parking lot behind Murphy's by the Basque Boulangerie had been resolved. He stated that the owner of the bakery whose delivery vans had been taking up many of the parking spots for many hours during the day had voluntarily offered to cease that practice. Cm. Barbose thanked the new owner of the bakery and welcomed them to the community.

Clm. Cook announced he would conduct an open office hour at City Hall every other Wednesday between 11 and 12 beginning April 3.

Mayor Brown and Clm. Gallian expressed their concerns and assured Ms. Land they would follow up on her issue. Mayor Brown dedicated the meeting in the memory of Bea Oliver and Ron Pfleger. He also noted that his birthday was the next day (April 2).

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

City Manager Giovanatto reported that the Economic Development Steering Committee and Chamber were conducting an online survey about Plaza parking time limits. The Police Department would be conducting an alcohol beverage server training April 17. The City received a check from the County as a result of the settlement agreement relating to the over-collection of tax administration fees by the County. The Arbor Day celebration would be April 26 in the Plaza. City Manager Giovanatto wished Mayor Brown a Happy Birthday.

4. PRESENTATIONS

Item 4A: Presentation of the Cultural and Fine Arts Commission’s 2013 Student Creative Arts Award to Ms. Maya Smoot.

Lisa Carlsson, Cultural and Fine Arts Commissioner, presented a certificate and award check in the amount of \$2,000 to Sonoma Valley High School drama student Maya Smoot. Ms. Smoot thanked the City and the Commissioners for the recognition.

Item 4B: Recognition of Robert Wentworth’s service on the Mobilehome Park Rental Review Board.

Mayor Brown presented Mr. Wentworth a certificate of appreciation for his service on the Mobilehome Park Rental Review Board since 1996. Mr. Wentworth thanked the Council and stated it was time for someone younger to take over.

Item 4C: National Crime Victims’ Rights Week Proclamation

Mayor Brown read aloud the proclamation declaring April 21-27 Crime Victims’ Rights Week and presented it to Chief Deputy District Attorney Alexander McMahon. Mr. McMahon thanked the Council for the recognition and stated that the impact of crime was pervasive and knew no boundaries. His office served over 20,000 victims in 2012.

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 March 4 and March 18, 2013 Meetings.

Clm. Barbose removed the minutes from the consent calendar. The public comment period opened and closed with none received.

Clm. Barbose presented changes to the March 4, 2013 minutes. It was moved by Clm. Cook, seconded by Clm. Gallian, to approve the minutes as revised. The motion carried unanimously.

Clm. Barbose presented changes to the March 18, 2013 minutes. It was moved by Clm. Barbose, seconded by Clm. Gallian, to approve the minutes as revised. The motion carried unanimously.

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

Item 6A: Approval of the portions of the Minutes of the March 18, 2013 City Council / Successor Agency Meeting pertaining to the Successor Agency.

The public comment period was opened and closed with none received.

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

7. PUBLIC HEARING – None Scheduled

8. REGULAR CALENDAR – CITY COUNCIL

Item 8A: Adoption of resolution authorizing a TDA Article 3 grant application for bicycle improvements (Depot Park bike path maintenance and Napa Road Class 2 bicycle lanes).

Associate Planner Atkins reported that the proposed grant application would be for \$70,000 in TDA3 funding to add bicycle improvement features to two Public Works projects: 1) the Napa Road Rehabilitation Project; and, 2) the Depot Park Maintenance Project. Construction for the Napa Road Rehabilitation Project was scheduled for 2014, while construction of the Depot Park Project was scheduled for the summer of 2013. With respect to the Napa Road rehabilitation project, the grant funding would enable the striping of Class 2 bike lanes along Napa Road from Broadway to the City limits, east of Fifth Street East. The Depot Park component of the proposed grant funding would allow for the rehabilitation of the existing segment of Class 1 bike path that runs through Depot Park.

Clm Rouse inquired if there were any strings attached. Atkins responded that there was no matching funds requirement for this particular grant.

Mayor Brown invited comments from the public. George Steddart, effected homeowner on Napa Road, inquired which side of Napa Road would be affected. Atkins responded that bike lanes would be installed on both sides of the road. She also noted that a turn lane would be installed at Larkin Drive.

Matt Mickler stated his appreciation to the City for pursuing the grant funds. He said the projects were really needed.

Clm. Gallian inquired what other funding source could have been used. City Manager Giovanatto responded that this was a redevelopment funded project prior to elimination of redevelopment by Governor Brown. It was moved by Clm. Barbose, seconded by Clm. Gallian, to adopt the resolution entitled A Resolution by the Sonoma City Council approving the request to the Metropolitan Transportation Commission for the allocation of fiscal year 2013-2014 Transportation Development Act Article 3 Pedestrian/Bicycle project funding for the City of Sonoma. (Res. No. 15-2013) The motion carried unanimously.

Item 8B: Discussion, Consideration and Possible Action on Proposed Changes to the League of California Cities Bylaws.

City Manager Giovanatto reported that the League's Board of Directors approved submitting two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that: 1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities or by city officials from at least five or more cities; and 2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority vote.

The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Cook, to authorize the City Manager to submit a ballot in favor of the proposed bylaw changes. The motion carried unanimously.

Item 8C: Discussion, Consideration and Possible Action Relating to Support for California Mayors United Against Proposition 8, Requested by Mayor Brown.

Mayor Brown stated that he had been invited to join other California Mayors who were speaking out against Proposition 8 and encouraging the Supreme Court to find it unconstitutional and restore the freedom to marry to all Californians.

Mayor Brown invited comments from the public. Mark Vogler stated the Council had been very proactive and he encouraged them to take it one step further and speak out in favor of marriage for all. He cited personal examples of why gays should be allowed to marry.

It was moved by Clm. Gallian, seconded by Clm. Rouse, to authorize Mayor Brown to support California Mayors United Against Proposition 8. The motion carried unanimously.

Item 8D: Report on 2013 City Council Goal-Setting Work Session.

City Manager Giovanatto reported that the City Council held a roll up your sleeve goal-setting session that went very well. She presented a summary of the goals and pointed out that the Council chose to not prioritize them but to advance them at their own pace. She thanked the Council for development of manageable goals and stated that she would be bringing forth a full report including next steps at a future meeting.

The public comment period was opened and closed with none received. Mayor Brown thanked City Manager Giovanatto and her staff for a very well-run work session.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Clm. Barbose reported on a meeting of the Sonoma County Waste Management Agency.

Clm. Rouse reported on the Economic Development Steering Committee meeting.

Mayor Brown also reported attendance at the Economic Development Steering Committee meeting

CIm. Gallian reported on the Ethics Training Workshop facilitated by City Attorney Walter, the Ag Preservation and Open Space meeting, Water Advisory Committee and Cittaslow meeting.

Item 10B: Final Councilmembers' Remarks.

CIm. Rouse led everyone in singing Happy Birthday to Mayor Brown.

CIm. Gallian announced it was School Library Month.

11. COMMENTS FROM THE PUBLIC - None

12. ADJOURNMENT

The meeting adjourned at 7:17 p.m. in memory of Bea Oliver, Ron Pflieger, John Cardinale and Wylie Hartman.

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 _____ 2013.

Gay Johann, MMC
City Clerk/Assistant to the City Manager



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5C

Meeting Date: 04/15/2013

Department

Administration

Staff Contact

Gay Johann, City Clerk/Assistant to the City Manager

Agenda Item Title

Approval and Ratification of the Reappointment of Matthew Tippell to the Planning Commission for a four-year term.

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). Seven members and the alternate must reside within the City limits.

Matthew Tippell was originally appointed to the Planning Commission on May 8, 2011 and Mayor Brown has nominated him for reappointment for an additional four-year term.

Recommended Council Action

Approve and ratify the reappointment of Matthew Tippell.

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:

None.

cc:

Matthew Tippell via email



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5D

Meeting Date: 04/15/2013

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Approval of agreement for Economic Development Project Management services with Laurie Decker.

Summary

In March of 2004 the City entered into an agreement with the Sonoma Valley Chamber of Commerce for economic development services. The agreement involved creation of the Economic Development Steering Committee charged with creation of an economic development program consisting of hiring a private consultant, establishment of economic development goals and work program. The City provided annual funding of the program in the amount of \$75,000. Former City Manager Pam Gibson was hired to perform the services of the Project Manager and did so until retiring in June 2006. The former Sonoma Community Development Agency entered into a contractual relationship with Laurie A. Decker in July 2006 for performance as the Economic Development Project Manager.

Under the terms of this proposed agreement between the City and Ms. Decker, the work program and services provided by Ms. Decker will be under the direction of the City Manager.

Recommended Council Action

Approve the agreement with Laurie A. Decker and authorize the City Manager to sign it on behalf of the City.

Alternative Actions

Council discretion.

Financial Impact

The not-to-exceed contract amount of \$80,000 will be included in the FY 2013-14 annual budget. The Economic Development Project Managers prior contract was funded through redevelopment. The current contract is funded from the General Fund as follows: \$70,000 for economic development activities and \$10,000 for special projects.

Environmental Review

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

Status

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

Attachments:

Professional Services Agreement

cc: Laurie Decker via email

**PERSONAL SERVICES AGREEMENT
ECONOMIC DEVELOPMENT AND SPECIAL PROJECTS MANAGER**

THIS AGREEMENT is made and entered into this ____ day of _____, 2013, by and between the City of Sonoma (hereinafter referred to as "City") and Laurie A. Decker (hereinafter referred to as "Consultant").

RECITALS:

WHEREAS, City desires to retain the services of Consultant to serve in the capacity of Economic Development Manager, for the joint economic development partnership between the City of Sonoma and the Sonoma Valley Chamber of Commerce ("Chamber"), and to conduct special projects for the City; and

WHEREAS, Consultant represents to the City that she is qualified by virtue of experience, training, education and expertise to provide such services.

NOW, THEREFORE, City and Consultant mutually agree as follows:

Section 1. Scope of Work.

The Scope of Work is attached as Exhibit A and incorporated by this reference. It may be modified from time to time by the City Manager but insofar as the City is concerned, any amendments to this Agreement or its Exhibits must be approved by the City Council.

Consultant warrants that all of her services shall be performed in a competent, professional and satisfactory manner and in accordance with the standards of its profession.

Section 2. Term.

This Agreement shall commence on May 1, 2013 and services required hereunder shall be completed by May 1, 2014. This contract may be extended by mutual consent.

Section 3. Compensation.

3.1 Rate Schedule.

Services provided by Consultant shall be billed to the City at an hourly rate of \$80.00. The total amount shall not exceed \$80,000 in any City fiscal year provided for as follows: \$70,000 dedicated to Economic Development Services and \$10,000 for Special Projects as designated by the City Manager.

Included within the above compensation are all the Consultant's office, incidental, travel, communication, supplies, printing, and overhead expenses and any and all other expenses that she might incur in connection with her performance hereunder. Notwithstanding the foregoing, expenses that Consultant incurs for attending conferences and other events necessary to the proper performance of her obligations hereunder and which are approved, in writing, in advance by the City Manager shall be reimbursed by the City and said payments or reimbursements shall be in addition to the hourly rate that Consultant otherwise is entitled to under this agreement. Travel time, meals, lodging, and travel expenses shall not be compensated unless approved in advance, in writing, by the City Manager.

The compensation agreed to herein shall be the only compensation, salary and/or benefit of any sort to which Consultant shall be entitled hereunder. Consultant expressly waives any rights that she may have to any other compensation, salary and/or benefit accruing as a result of her performance under this Agreement, including any benefits, payments or entitlements she might be entitled to under the rules and regulations of CalPERS and the laws which it is charged with enforcing and administering. The parties acknowledge that Consultant was previously a public employee employed by a CalPERS-covered employer. The parties acknowledge and agree that the services provided by Consultant, the manner in which she is paid and the manner in which she performs said services do not qualify as CalPERS-covered employment.

3.2 Method of Payment.

Consultant shall submit invoices each month based on total services rendered during the previous month, provided said services have been performed to the satisfaction of the Steering Committee, which is made up of representatives from the City of Sonoma and the Sonoma Valley Chamber of Commerce. Each invoice shall set forth the dates on which she renders services under this Agreement, the times spent and the nature of each service for which Consultant seeks payment under this Agreement. Consultant shall bill in .25/hour increments. Provided that Consultant is not otherwise in default under this Agreement, the City will pay monthly based on approved invoices in accordance with this Section.

For extra work or expenses not part of this Agreement, a written authorization from the City Manager is required prior to Consultant performing the extra work or incurring any expense.

3.3 Records of Expenses.

Consultant shall keep complete and accurate records of all costs and expenses incurred incidental to services covered by this Agreement. Consultant shall keep complete and accurate records of all the time she spends in rendering services hereunder, which said records shall include the dates, times and nature of the services so rendered. These records will be made available at all times to City and Chamber. Consultant must keep said records for at least three years following the termination of this Agreement.

Section 4. Independent Contractor.

It is agreed that Consultant shall act and be an independent contractor and not an employee of City or Chamber, and shall obtain no rights to any benefits which accrue to those agencies' employees. She shall control her work and the manner in which it is performed. Consultant, her officers, employees and agents shall not have any power to bind or commit the City to any decision or course of action.

Section 5. Limitations upon Subcontracting and Assignment.

Consultant shall not contract with any other entity or person to perform the services required without written approval of the City Manager following consultation with the Steering Committee. Consultant shall provide properly skilled professional and technical personnel to perform all services under this contract. The Consultant shall not engage the services of any person or persons now employed by the City, except with the written permission of the City. This Agreement may not be assigned, voluntarily or by operation of law, without the prior written approval of the City Manager following consultation with the Steering Committee. If Consultant is permitted to subcontract any part of her performance under this Agreement, Consultant shall be responsible for the acts and omissions of its subcontractor as it is for persons directly employed. Nothing contained in this Agreement shall create any contractual relationships between any subcontractor and City or Chamber. All persons engaged by Consultant in the work described herein will be considered employees of Consultant. City will deal directly with and will make all payments to Consultant.

Section 6. Changes to Scope of Work.

Changes in the Scope of Work may occur from time to time, within the broad general framework of the Scope that has already been outlined. In the event of a change in the Scope of Work which exceeds the general framework as outlined, the Parties hereto shall execute an addendum to this Agreement setting forth with particularity all terms of the new agreement, including but not limited to any additional Consultant's fees.

Section 7. Familiarity with Work.

By executing this Agreement, Consultant warrants that she has investigated the work to be performed and is capable of performing that work.

Section 8. Time of Essence.

Time is of the essence in the performance of this Agreement.

Section 9. Compliance with Law.

Consultant shall comply with all applicable laws, ordinances, codes and regulations of federal, state and local government.

Section 10. Conflicts of Interest.

Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of the services contemplated by this Agreement.

Section 11. Copies of Work Product.

All services to be rendered hereunder shall be subject to the direction and approval of the City Manager. All reports submitted to the Steering Committee shall be in reproducible format.

Section 12. Ownership of Documents.

All reports, information, data and exhibits prepared or assembled by Consultant in connection with the performance of its services pursuant to this Agreement are confidential to the extent permitted by law, and Consultant agrees that they shall not be made available to any individual or organization without prior written consent of the Steering Committee. All such reports, information, data, and exhibits shall be the property of the City and Chamber and shall be delivered to the City and Chamber upon demand.

Section 13. Qualifications.

City has relied upon the professional ability and training of Consultant and her representations that she is qualified to perform the services for which she is being compensated in a highly competent manner, as material inducements to enter into this Agreement. Consultant shall perform in accordance with generally accepted professional practices and standards as well as the requirements of applicable federal, state and local laws, it being understood that acceptance of Consultant's work by City shall not operate as a waiver or release. Consultant represents and warrants to City that (a) she has all licenses, permits, qualifications, insurance and approvals of whatever nature which are legally required for Consultant to practice her profession, and (b) she shall, at its sole cost, keep in effect or obtain at all times during the term of this Agreement any licenses, permits, insurance and approvals which are legally required for Consultant to practice her profession.

Section 14. Termination.

City, shall have the right to terminate this Agreement by giving written notice of termination to Consultant. This Agreement and Consultant's services shall be terminated upon Consultant's receipt of said notice. If the City terminates this Agreement, Consultant shall be compensated for all work satisfactorily performed prior to the time of receipt of the termination notice, and she shall be compensated for materials ordered by the Consultant or services of others ordered by the Consultant prior to receipt of the termination notice whether or not such materials or final instruments of services of others have actually been delivered, provided that the Consultant is not able to cancel such orders for materials or services of others. In the event this Agreement is terminated by the City, Consultant shall not be entitled to any additional compensation over that provided herein; nor shall Consultant be entitled to payment for any alleged damages or injuries (including lost opportunity damages) purportedly caused by the termination of this Agreement by the City pursuant hereto. Consultant shall have the right to terminate this Agreement by giving thirty (30) days' advance written notice of termination to City; provided, however, that upon delivery of said notice, the Consultant shall immediately meet with the City Manager so that Consultant's duties, work tasks and allowable charges therefor during said thirty (30) day period can be specified by the City Manager..

Section 15. Insurance.

Consultant shall take out and maintain at all times during the life of this contract, the policies of insurance with insurers with a Best rating of no less than A:X111, as described in **Exhibit B**.

Section 16. Notice.

All notices shall be personally delivered or mailed to the below listed addresses, or to such other addresses as may be designated by written notice. These addresses shall be used for delivery of service of process:

To City: City of Sonoma
 No. 1 the Plaza
 Sonoma, Ca. 95476
 Attn: City Manager

To Consultant : Laurie A. Decker
 P.O. Box 1209
 Sonoma, CA. 95476

Section 17. Attorneys' Fees.

If any action at law or in equity is necessary to enforce or interpret the terms of this Agreement, the prevailing party shall be entitled to reasonable attorneys' fees, costs and necessary disbursements in addition to any other relief to which he may be entitled.

Section 18. Dispute Resolution.

In the event of a dispute arising between the parties regarding performance or interpretation of this Agreement, the dispute shall be resolved by binding arbitration under the auspices of the Judicial Arbitration and Mediation Service ("JAMS"). The costs of said arbitration shall be borne 50-50 by the parties.

Section 19. Entire Agreement.

This Agreement constitutes the entire understanding and agreement between the parties and supersedes all previous negotiations between them pertaining to the subject matter thereof.

Section 20. Not a Third Party Beneficiary Contract.

This Agreement is not a third party beneficiary contract and may not be enforced by any person or entity other than the parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

Laurie Decker
Economic Development Project Manager

CITY OF SONOMA

By: _____
Carol E. Giovanatto, City Manager

CONSULTANT

By: _____
Laurie Decker

ACKNOWLEDGED

SONOMA VALLEY CHAMBER OF COMMERCE

Jennifer Yankovich, Executive Director



ECONOMIC DEVELOPMENT MANAGER

Scope of Services

Summary

The Economic Development Manager is a part-time, contract position responsible for creating and managing business retention, expansion, creation and attraction activities under the general direction of the City Manager and in consultation with the Economic Development Steering Committee (EDSC) made up of City of Sonoma and Sonoma Valley Chamber of Commerce representatives.

The Economic Development Manager coordinates with representatives of business, commercial property owners, local government, and the local community in the implementation of an economic development program in accordance with the established goals of the Partnership.

Duties

The duties and responsibilities of the Economic Development Manager include:

- Work with the EDSC to develop an annual Work Plan based on the Partnership's economic development strategy and current needs/issues
- Serve as a point of contact in addressing inquiries for potential business opportunities in the community; provide assistance to individuals and businesses desiring to establish, expand or retain business in Sonoma. May serve as initial point of contact for locations in the unincorporated area of Sonoma Valley, making referrals to counterparts at the County level for further assistance.
- Act as liaison for the business community and local government with regard to business retention and expansion efforts
- Implement business retention activities such as the annual "Tops in Sonoma" survey and recognition event
- Identify and promote the advantages of the City of Sonoma as a place to do business; create promotional materials
- Maintain, improve, and promote the Partnership's website for business development, SonomaValley4Biz.com
- Assess needs of local business and implement business assistance programs utilizing Chamber, City and County resources (trainings, workshops, written information)
- Develop and implement strategies to support identified growth sectors, such as specialty foods, health & wellness, and creative professional services.
- Assess City processes affecting the business community; make recommendations for streamlining and other process modifications; develop outreach materials to help businesses to understand and navigate City processes
- Identify and assist in implementing cost-effective ways to support downtown vitality and the visitor experience of the community; coordinate Partnership activities with local tourism industry organizations

- Coordinate with and promote programs, resources, and activities that support development of a workforce that meets the needs of local industries
- Compile data, surveys, and other information on the local economy; research and monitor current economic conditions utilizing City, County and Chamber resources including regional economic development information and reports
- Serve as local representative to Countywide and regional economic development activities and organizations.
- Promote green business practices and connect local businesses to available resources and incentives
- Conduct special projects as assigned in support of the economic development goals of the City, Chamber, and Partnership as appropriate.
- Assist City staff in developing policies and/or ordinances related to the City's economic development goals.
- Monitor progress toward meeting the goals and objectives of the economic development strategy and prepare an annual cumulative report of Partnership accomplishments. The annual report shall include information showing how the Manager performed and how much time the Manager spent in performing each of the Manager's duties outlined above including.
 - a. The approved Work Plan shall be attached as an exhibit.
 - b. Total number of contacts the Manager made pursuant to the second bullet point, describing:
 1. the date(s) of contact
 2. the category of inquiries [by type]
 3. the type of assistance that the Manager provided
 6. new businesses in operation at time of report
 6. business relocations at time of report
 7. the total number of hours the Manager devoted to this component of her duties

The Scope of Services may also include conducting special projects as assigned by the City Manager for miscellaneous services for the betterment of the City. For such projects, a task orders shall be prepared and approved in writing by the City Manager. Task order shall include a description of the project, a summary of project tasks, a project schedule, and an estimate of the number of consultant hours.



City of Sonoma

EXHIBIT B CONSULTANT INSURANCE REQUIREMENTS

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by the Consultant, his agents, representatives, employees or sub-consultants.

Minimum Limits of Insurance

Consultant shall maintain limits no less than:

1. Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.

Other Insurance Provisions

The automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The City, its officers, officials, employees and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant: **The endorsement shall read as follows:** *"The City of Sonoma, its officers, officials, employees and volunteers are hereby added as additional insured, but only as respects work done by, for or on behalf of the named insured."*
2. For any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects the City, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City, its officers, officials, employees, contractors, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it. **The endorsement shall read as follows:** *"This policy shall be considered primary insurance as respects any other valid and collectible insurance the City may possess, including any self-insured retention the City may have, and any other insurance the City does possess shall be considered excess insurance only and shall not contribute with it."*
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given the City.
4. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the Civil Code.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A. M. Best rating of no less than A: VII, unless otherwise acceptable to the City.

Verification of Coverage

Consultant shall furnish the City with original certificates and amendatory endorsements affecting coverage required by this clause. The endorsements and policies shall conform to the City's requirements and meet the City's approval. All certificates and endorsements are to be received and approved by the

City before work commences. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5E

Meeting Date: April 15, 2013

Department

Public Works

Staff Contact

Debra Rogers, Management Analyst

Agenda Item Title

Approval of a temporary exception to Sonoma Municipal Code §8.06.070 allowing dogs in the Plaza Park Horseshoe Lawn in conjunction with Pets Lifeline Bark in the Park event on July 27, 2013.

Summary

The Community Services and Environment Commission (CSEC) approved the Plaza use permit for Pets Lifeline July 27, 2013 Bark in the Park event at their April 10, 2013 meeting. The permit application includes use of the Plaza Horseshoe Lawn, upon which dogs are normally prohibited. Pursuant to Sonoma Municipal Code §8.06.070(B) the City Council may permit dogs in the Plaza Park associated with an approved Plaza Use Permit and CSEC has recommended Council approval of a temporary exception for this event.

8.06.070 Dogs in park facilities – Exceptions.

A. Dogs are prohibited in all areas of Plaza Park and on the Sonoma Overlook Trail, regardless of whether they are restrained by a leash. Dogs are permitted in all other city park facilities, except in children's playground areas of any city park; provided, that a waste bag dispensary is located within the park facility, and such dog is under the control of a competent person and under restraint by a leash not to exceed six feet in length. As used in this section, Plaza Park shall mean that property used for park purposes surrounded by 1st Street East, 1st Street West, Napa Street, and Spain Street, but excludes the sidewalks nearest the roadway and the area inside the park used for vehicular traffic or parking.

B. Notwithstanding the foregoing, the city council may prohibit or permit, as the case may be, dogs in certain parks pursuant to an approved special use permit or plaza use permit.

Recommended Council Action

The CSEC recommends approval of this temporary exception allowing dogs in the Plaza Park on the Horseshoe Lawn on July 27, 2013.

Alternative Actions

Council Discretion.

Financial Impact

Permit fees paid by Pets Lifeline for this event totaled \$1,046.

Environmental Review

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

Status

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

Attachments:

1. Staff report to CSEC
 2. Plaza Use Permit Application
-

cc:

Nancy King via email

MEMO

To: Community Services and Environment Commission

Staff: Debra Rogers, Management Analyst

Meeting Date: April 10, 2013

Agenda Item: Plaza Use Application – Bark in the Park & Pooch Promenade

Sponsor: Pets Life Line Animal Shelter

Date of use: July 27, 2013

Area(s) of use: Plaza Horseshoe

In addition, the applicant is requesting the use of a restricted area of the Plaza, the Horseshoe Lawn.

Discussion

The Special Event Committee (SEC) considered the event application on April 1, 2013. Bark in the Park & Pooch Promenade is a fund raiser for Pets Lifeline. The event application request for an exception (SMC 8.06.070 Dogs in Park Facilities) to use the Horseshoe Lawn will go before City Council on April 15, 2013. The event was approved last year by the City Council.

Discussion with Applicants and Conditions of Approval:

- Police:
 - Support event application with City Council's approval for Plaza use (only the horseshoe grass is affected according to event applicant's proposal).
 - Dogs must be on leash at all times.
 - Provide extra A-Frame signs "No Dog Entry/No Dogs in the Park" at outer entrances of Plaza.
 - Direct people with leash dogs being registered for the dog parade, to enter the Horseshoe on Broadway.
 - Community Service Officers (CSO) to provide information table regarding responsible dog ownership.
 - Temporary fencing around the Plaza Horseshoe pavement will have monitors at each sidewalk entrance to allow pedestrian access to the Horseshoe.
 - Must have City Alcohol Permit (signed by Police Chief and City Manager following CSEC approval) and State Alcohol Permit.

- Public Works:
 - The proposed event to be held entirely on Plaza Horseshoe area.
 - The City Council approved the event in 2012, utilizing both the Plaza Horseshoe pavement and Depot Park, suspending enforcement of SMC 8.12.040 Dogs in Public Parks for the event.
 - Subsequently changes were incorporated as an update to the Sonoma Municipal Code pertaining to animals, modified by Ordinance 05-2012: Dogs are prohibited in Plaza Park lawn areas, but are allowed on sidewalks nearest the roadway (around the Plaza) and the area inside the park (horseshoe pavement) used for traffic and parking).
 - Use of the Horseshoe Lawn would require approval by the CSEC and City Council to grant an exception to use the Horseshoe lawn for the Pets Lifeline event (SMC 8.06.070).
 - Pets Lifeline Volunteers (30+) will support park regulations for their event by: monitoring the Plaza Park; provide clean-up as needed with doggie bags; discourage dogs into the Horseshoe not registered for the event; have a trained canine handler on sight to assist with any dog to dog issues.
 - Vendors along one side of Horseshoe will include food and beverage.
 - Activities are planned for children and live music.
 - Information and demonstrations include: pet adoptions, spay and neuter education, Pet Lifeline information and dog agility course.
 - Sponsors include: Sonoma News, SVD OG and Vintage Kennel.
 - A celebrity judge is planned for the Pooch parade judging.
- Fire:
 - Event will require an event day inspection.
 - Maintain 20 foot Fire Department access around entire horseshoe.
 - Abide by Special Event Requirements (provided).

SMC 8.06.070 Dogs in park facilities – Exceptions.

A. Dogs are prohibited in all areas of Plaza Park and on the Sonoma Overlook Trail, regardless of whether they are restrained by a leash. Dogs are permitted in all other city park facilities, except in children’s playground areas of any city park; provided, that a waste bag dispensary is located within the park facility, and such dog is under the control of a competent person and under restraint by a leash not to exceed six feet in length. As used in this section, Plaza Park shall mean that property used for park purposes surrounded by 1st Street East, 1st Street West, Napa Street, and Spain Street, but excludes the sidewalks nearest the roadway and the area inside the park used for vehicular traffic or parking.

B. Notwithstanding the foregoing, the city council may prohibit or permit, as the case may be, dogs in certain parks pursuant to an approved special use permit or plaza use permit. (Ord. 05-2012 § 2, 2012).

Recommended Commission Action:

- Approve the event application; discuss exception to use the Horseshoe Lawn.
- Provide recommendation to the City Council to approve the CSEC's recommendation to approve the event application, with the Conditions of Approval.

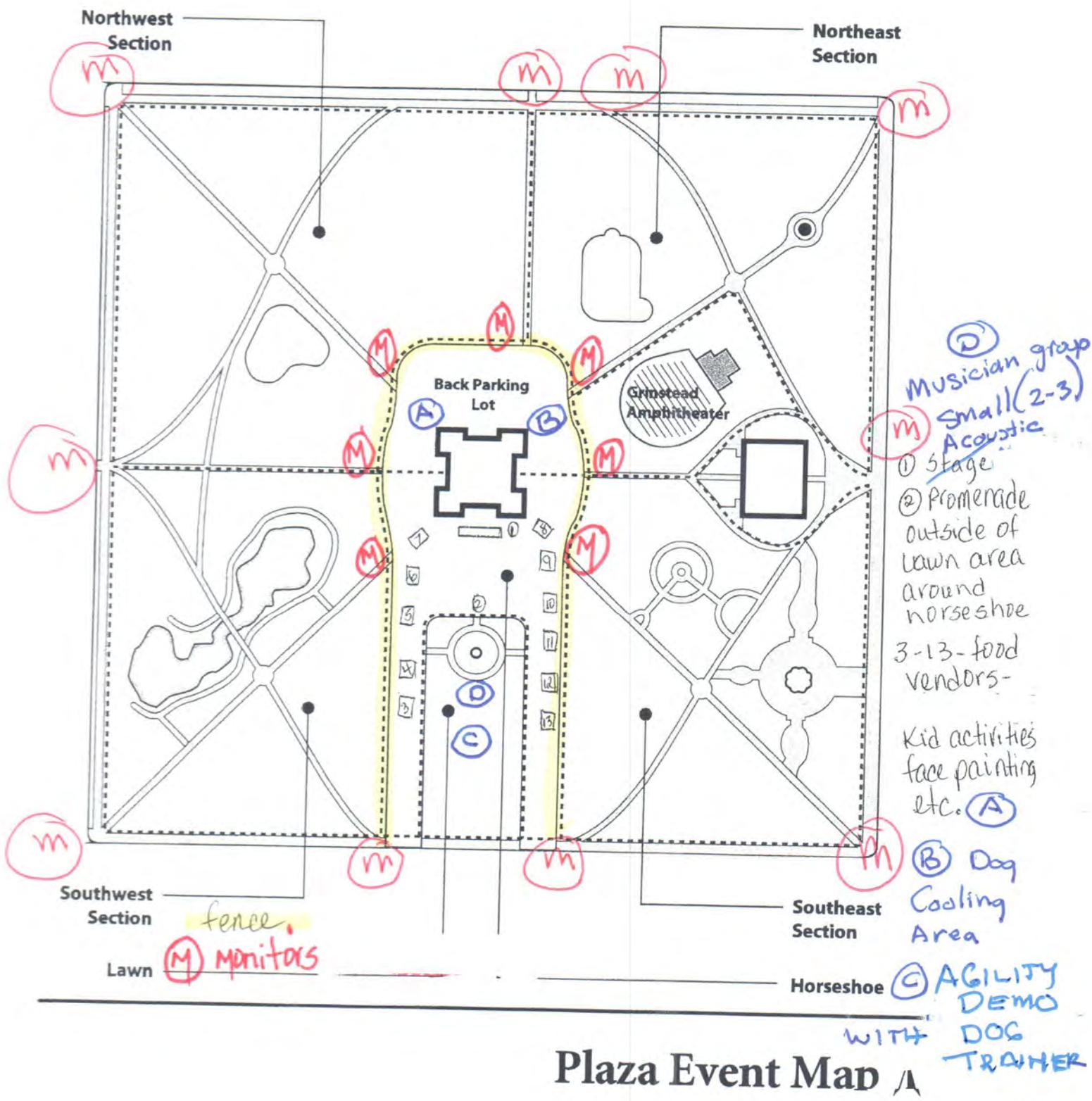
Special Event Committee members: Police Sergeant Thompson, Fire Administrative Captain Jones, Public Works Event Coordinator, Public Works Parks and Street Department Supervisors.

Attachments:

Plaza Use Application – 2013

Post Event Review and Excerpt's form October 10, 2012 minutes.

Please indicate the location of all major features and activities associated with this event.



Plaza Event Map



2013 Bark in the Park & Pooch Promenade

Presented to Special Events Commission and Community Services and Environment Commission.

Proposal for event to be held entirely in the Horseshoe in the Plaza.

Dogs in Horseshoe:

Pooch Promenade to start in Plaza Horseshoe and to walk around plaza on sidewalk & return to horseshoe for judging. Judging to end by 10am. Winners announced by 11am.

Owners are asked to take dogs home after contest.

Steps taken to monitor dogs and prevent dogs from going into other areas of plaza park:

- 1) Temporary fencing around area.
- 2) Recognizable Volunteer monitors (tshirts, hats, etc.) to patrol areas all day. Includes pooper scooper duties.
- 3) Signage to supplement existing "No Dogs in Plaza"
- 4) All Bark in the Park printed material will instruct owners to take dogs home after contest results are given.
- 5) Attached Dog Registration form for Pooch Promenade (includes owner responsibilities).
- 6) Trained canine handler volunteers to assist with any dog to dog issues.
- 7) Any unruly dogs/owners asked to leave immediately.

We feel confident that these measures will result in an orderly event with no issues.



City of Sonoma
No. 1 The Plaza
Sonoma CA 95476
 (707) 933-2229



PLAZA PERMIT APPLICATION

Name of Event: Bark in the Park Today's Date: 3/6/13

Sponsoring Organization: Pets Lifeline

New Event Returning Event Non Profit Tax-exempt organization (Tax Exempt letter required)

Event Contact Person: Nancy King Title: _____

Mailing Address: P.O. Box 341 Sonoma CA 95476
Street or PO Box City State Zip

Daytime phone: 707.996.4577 x 102 Evening phone: 707.364.8746

Cell Phone: _____ E-mail: nancyking@petslifeline.org 707.996.4595

Plaza Area(s) Requested

SE Section NW Section Amphitheater Horseshoe Pavement
 NE Section SW Section Rear Parking Lot

Hours of Use (Include Set-up & Clean-up)

EVENT DATES: YEAR: <u>2013</u>	Start Time - Set-Up:	Event Start Time:	Event End Time:	End Time - Tear Down & Clean-up:	Estimated Attendance:
Date: <u>7/27/13</u>	<u>6A</u>	<u>9A</u>	<u>3P</u>	<u>5P</u>	<u>200</u>
Date: _____	_____	_____	_____	_____	_____

THIS SECTION TO BE COMPLETED BY STAFF:

Rental Fees Per Day: For each section and area.	Maintenance Fees: Based on total hours of event.	Refundable Deposits: For each section and area.																									
<table border="1"> <thead> <tr> <th># of Days x Fee = \$</th> <th># of Sections X Fee</th> </tr> </thead> <tbody> <tr> <td>___ X SE Section \$200 \$ _____</td> <td>1 X \$75 (1- 12 hrs) \$ <u>75</u></td> </tr> <tr> <td>___ X SW Section \$150 \$ _____</td> <td>___ X \$150 (12-24 hrs) \$ _____</td> </tr> <tr> <td>___ X NE Section \$150 \$ _____</td> <td>___ X \$250 (24-36 hrs) \$ _____</td> </tr> <tr> <td>___ X NW Section \$150 \$ <u>Closed - 2013</u></td> <td>___ X \$400 (36-48 hrs) \$ _____</td> </tr> <tr> <td>1 X \$100 - Amphitheater \$ <u>100⁰⁰</u></td> <td>___ X \$600 (> 48 hrs) \$ _____</td> </tr> <tr> <td>1 X \$100 - Horseshoe \$ <u>100⁰⁰</u></td> <td>PARKING: \$200/DAY + \$20 PER SPACE= _____</td> </tr> <tr> <td>1 X \$150-Rear Parking Lot \$ <u>150⁰⁰</u></td> <td>PARKING: \$ _____</td> </tr> <tr> <td>\$ 50 - Barricades \$ _____</td> <td>MAINTENANCE + \$ <u>75</u></td> </tr> <tr> <td>TOTAL RENTAL FEES: \$ <u>350</u></td> <td></td> </tr> </tbody> </table>	# of Days x Fee = \$	# of Sections X Fee	___ X SE Section \$200 \$ _____	1 X \$75 (1- 12 hrs) \$ <u>75</u>	___ X SW Section \$150 \$ _____	___ X \$150 (12-24 hrs) \$ _____	___ X NE Section \$150 \$ _____	___ X \$250 (24-36 hrs) \$ _____	___ X NW Section \$150 \$ <u>Closed - 2013</u>	___ X \$400 (36-48 hrs) \$ _____	1 X \$100 - Amphitheater \$ <u>100⁰⁰</u>	___ X \$600 (> 48 hrs) \$ _____	1 X \$100 - Horseshoe \$ <u>100⁰⁰</u>	PARKING: \$200/DAY + \$20 PER SPACE= _____	1 X \$150-Rear Parking Lot \$ <u>150⁰⁰</u>	PARKING: \$ _____	\$ 50 - Barricades \$ _____	MAINTENANCE + \$ <u>75</u>	TOTAL RENTAL FEES: \$ <u>350</u>		<table border="1"> <thead> <tr> <th># of Days x Fee x # Sec. \$</th> </tr> </thead> <tbody> <tr> <td>___ X \$100 (X # Sections)= \$ _____</td> </tr> <tr> <td>___ X \$100 Amphitheater \$ _____</td> </tr> <tr> <td>1 X \$100 Horseshoe \$ <u>100⁰⁰</u></td> </tr> <tr> <td>1 X \$100 Rear Parking-Lot \$ <u>100⁰⁰</u></td> </tr> <tr> <td>TOTAL DEPOSIT: \$ <u>200⁰⁰</u></td> </tr> </tbody> </table>	# of Days x Fee x # Sec. \$	___ X \$100 (X # Sections)= \$ _____	___ X \$100 Amphitheater \$ _____	1 X \$100 Horseshoe \$ <u>100⁰⁰</u>	1 X \$100 Rear Parking-Lot \$ <u>100⁰⁰</u>	TOTAL DEPOSIT: \$ <u>200⁰⁰</u>
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Application Fee Small scale vs. large scale event (\$149 or \$253)	\$ <u>253</u>	Park 100-30702
Rental Fees	\$ <u>350</u>	Park 100-30702
Maintenance Fees	\$ <u>75</u>	Park 100-30702
Damage Deposits	\$ <u>200</u>	750-22950
Parking Fees	\$ <u>1</u>	Park 100 30702
STREET USE PERMIT (attach)	\$ _____	Encro 100 30203
TOTAL DUE:	\$ <u>1,046</u>	

Insurance is required & must be submitted two weeks prior to the event.

Insurance provided

By City Of Sonoma:

Yes No

Other Name of your insurance agent:

Ins process fee \$90 100-30702
 Insurance 750-22950

Note: Application is incomplete until all fees are paid.

- Approved as a small scale event, no further review necessary: Date: _____ Approved by: _____
- Port-O-Potties required: _____

PROVIDE A COMPLETE DESCRIPTION OF THE EVENT: Attach additional sheets as necessary. Include the number, type, size and material of all structures, furniture, trailers, tents, canopies, booths, BBQs, generators, cookhouses, stages, tables, chairs, signs, vendors, etc.

Pooch Promenade & Dog Contest Festival
w/ booths, wine and kids activities after

- EVENT COMPONENTS:** (Please indicate which of the following components are included in your event)
- | | | |
|---|--|--|
| <input type="checkbox"/> Use of City Streets * | <input type="checkbox"/> Barricades Needed | <input checked="" type="checkbox"/> Electricity Needed |
| <input type="checkbox"/> Publicity Banners or Signs | <input checked="" type="checkbox"/> Booths or Other Temporary Structures | <input checked="" type="checkbox"/> Amplified Sound or Music |
| <input checked="" type="checkbox"/> Alcohol Served ** | <input checked="" type="checkbox"/> Food Vendors | <input checked="" type="checkbox"/> Food cooked on site |
| <input checked="" type="checkbox"/> Canopies or Tents (stakes) ***
(NOT ON LAWN) | <input type="checkbox"/> Admission Charge | <input type="checkbox"/> Staff review: Mandatory**** |

- * Use of City Streets – Requires approval by the City Council. Submit a completed Permit Application for Use of City Streets along with your Use Application. Requests to close some portion of Highway 12 Broadway, W. Napa Street, and/or Sonoma Highway- must also be approved by Caltrans: 707-762-5540. Call SCTA for any change to bus stops (closure of Plaza Horseshoe): 707-576-7433.
- ** Alcohol Served – Requires approval by the Police Chief and the City Manager. Submit a completed Permit Application for Possession and Consumption of Alcoholic Beverages on City Property along with your Plaza Use Application.
- *** Stakes – Due to underground utilities, no metal, wood, or any type of stake shall be driven into the lawn area without authorization from the Public Works Department.
- **** Applicant – Must arrange & attend a pre-event site inspection with Parks Supervisor Terry Melberg, Call 707-933-2239, two weeks prior to the event.

PROPOSED BUDGET: Please attach your proposed budget (income and expenses). _____

SECURITY PLAN: Please describe your Security Plan (final will be approved by the Police Chief).
Trained volunteers or service club members
will provide security detail for our event

ACCESSIBILITY PLAN: Please describe your Accessibility Plan. Attach additional sheets as needed.
N/A NO vehicles or special equipment involved.

RECYCLING PLAN: Special Events Waste Minimization Planning Form. Please attach for all events.

PLAZA EVENT MAP: On the attached map of the Plaza indicate the location of all major features and activities associated with the event. Include the location of fencing, barricades, first aid facilities or ambulances, stages, platforms, canopies, tents, portable toilets, booths, beer gardens, cooking areas, trash containers, dumpsters, generators, vehicles, trailers, exit locations, etc.

Applicant Agreement: I, the undersigned, as applicant or on behalf of the applicant, signify that the information provided on this application is true and correct and hereby accept full responsibility for any breakage or damage to property or building, and for department and conduct of those attending the function for which the facility is requested. I agree to indemnify, defend, and hold harmless the City of Sonoma, its officer, officials, employees and volunteers from and against all claims, damages, losses and expenses including attorney fees arising out of the negligent act or omission of myself, any agent, anyone directly or indirectly by them or anyone for whose acts by them may be liable, except where caused by the active negligence, sole negligence or willful misconduct of the City. If permission is granted, I, or my representative agrees to be present during the entire use of the facility. This agreement requires that the City of Sonoma be named as "an additionally insured" and that the applicants insurance apply on a primary and non-contributory basis, over any coverage the city of Sonoma may have. My signature below signifies that I agree to abide by all of the conditions of this application, the Special Event Use Policy and of any contract issued based on this application. I also agree to pay to the City of Sonoma all costs the City may incur as a result of any failure to comply with all of these conditions including damages due to failure to leave the premises in rentable condition.

Signature: [Handwritten Signature] Print Name: Nancy J. King Date: 2/11/15

Approved: _____



**City of Sonoma
No. 1 The Plaza
Sonoma CA 95476**



**PERMIT APPLICATION
POSSESSION AND CONSUMPTION
OF ALCOHOLIC BEVERAGES ON CITY PROPERTY**

Application Fee: \$168.00
(Park 100 30702)

Note: If charging a fee for alcohol or charging an admittance fee and serving alcohol, you must obtain a temporary sales permit from the Alcoholic Beverage Control Board @ 50 D St. Room 130, Santa Rosa 95404 707.576.2165

Name of Applicant: Nancy King

Name of Organization: Pets Lifetime

Address: 19686 9th St. East, P.O. Box 341, Sonoma, CA 95476

Telephone Numbers: Day: 707 996 4577 Night: _____ Fax: _____ Email: nancyking@petslifetime.org

Name or Description of Event: Bark in the Park - Dog Contest and

Festival

Date(s) of Event: 7/27/13

Location of Event: City of Sonoma - Horseshoe section of Plaza

Estimated Daily Attendance: 200

Will Alcohol be Sold or Dispensed Free of Charge? No

Will the Event be Open to the Public or by Invitation Only? Open to public

Is There a Charge for Admittance? No

Type of Alcoholic Beverages To Be Served: Wine & Beer, Spirits

Dates and Times Alcohol Will Be Served: 11:30 am - 5 pm

I do hereby acknowledge and affirm that all information contained herein is accurate to the best of my knowledge and agree to assume full responsibility and liability for and indemnify, and suits for or by reason of injury to any person or damages to any property of the parties hereto or of the third persons for any and all cause or causes whatsoever on in any way connected with the holding of said event or any act or omission or thing in any manner related to said event and its operation irrespective of negligence, actual or claimed, upon the part of the City, its agents or employees.

Nancy King
Applicant's Signature

3/31/13
Date

For City Use Only

To Be a Valid Permit, This Application Must Have the Approval of the City Manager and the Police Chief

Date Event Approved by CSEC: _____ Fee Paid: Date _____ Amount _____

APPROVED: (If not approved, please attach explanation)

City Manager Date

Police Chief Date



CITY OF SONOMA
City Council/Successor Agency
Agenda Item Summary

City Council Agenda Item: 6A

Meeting Date: 04/15/2013

Department

Administration

Staff Contact

Gay Johann, City Clerk/Assistant to the City Manager

Agenda Item Title

Approval of the portions of the Minutes of the April 1, 2013 City Council / Successor Agency Meeting pertaining to the Successor Agency.

Summary

The minutes have been prepared for Council review and approval.

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:

See Agenda Item 5B for the minutes



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8A

Meeting Date: 04/15/2013

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, Consideration and Possible Action to Increase Parking Limits on the Plaza from 2 hours to 3 hours.

Summary

At the March 18th Council meeting staff was directed to analyze the impacts of increasing the parking limits around the Plaza from 2 hours to 3 hours. Councilmember Cook had requested Council support for this analysis. Staff has completed the analysis of the impacts and costs which are detailed in the attached supplemental report. Both the Chamber and the Economic Development Steering Committee have discussed this issue. The Economic Development Manager and Chamber Executive Director have spoken to business owners in the Plaza area.

Recommended Council Action

Council direction.

Alternative Actions

The Council may choose to retain the current time limit, to extend the time limit to three hours in the immediate are of the Plaza, or change the limit to 3 hours throughout the downtown parking zone.

Financial Impact

Annual costs for signage and replacement = \$1,300-\$5,200 determined by area targeted for change.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Supplemental Report

cc:

Jennifer Yankovich, Sonoma Chamber of Commerce

Supplemental Report

Discussion, Consideration and Possible Action to Increase Parking Limits on the Plaza from 2 hours to 3 hours

For the Council meeting of April 15, 2013

The information below is a result of the analysis prepared by staff.

Change to Parking Signage:

Two options were considered for designated parking limits as follows.

1. Plaza Business Area: Parking signs within one block of the Plaza could be designated as the extended time zone. The cost for changing approximately 30 signs to reflect the three-hour limit would be at a cost of \$1,260.
2. Business Route: If the Council approved the increase in parking limit to include the main business route, it would require changing 122 signs at a total cost of \$5,124. Under this scenario, the outer areas of what is now the 2-hour parking zone would retain the current time limit. The complete signage area for Business Route would include:
 - a. Broadway, Both north and south bound lanes
 - b. 1st Street West and East
 - c. Spain St from 2nd St West to 2nd St East
 - d. 2nd West from W Spain to W Napa
 - e. West Napa from 2nd West to 2nd East
 - f. McDonnell St
 - g. Maple St
 - h. Church St

Enforcement Issue:

Creating a designated "Plaza Business Area" could ultimately be problematic for law enforcement and the parking citation process. The procedure for documenting time limits would be affected [i.e. tire marking] and may impact the efficiency of parking enforcement personnel. It may well prove confusing or controversial for the public and business community to have different parking limitations.

Parking Violations:

The municipal code has two sections that apply to 2 hr parking limitations – 10.48.190 and 10.48.195. In essence, some areas are designated as 2 hr parking during certain times of the day – such as on the Plaza - and other areas are designated at 2 hr parking at all times – such as Church Street near the alley. The table below shows the number of citations issued for 10.48.190 – 2 hr parking during certain times of the day:

<u>Year</u>	<u>Citations</u>	<u>Net Revenue</u>
2010	1518	\$60,720
2011	1252	\$50,080
2012	1171	\$46,840

If the overall goal of the parking enforcement program is to gain voluntary compliance, then one could argue that it's working since we've seen a 23% decrease in violations in the past 3 years. However, when you look at raw numbers, this equates to one less citation per day which certainly isn't significant and could be attributed to a variety of other factors. In addition, the city does not see all of the net revenue. About \$10 of every citation – regardless of the amount of the citation – goes to the State, then we have revenue sharing agreement with the County to manage all the paperwork, reviews, appeals, and court proceedings (if needed). The revenue agreement calls for 50/50 split for the first \$30k, 60% City/40% County for the next \$30, 70% City/30% County for the next \$30k, and 75% City/25% County for remaining.

Response from Public/Business Community:

Staff has received four direct responses from the Public as a result of the Council meeting discussion. All are in favor of increasing the limit. Through the Economic Development Partnership with the Chamber, an online survey was taken to receive input from the Plaza Business community. Of the 25 survey responses received, 70% of the survey respondents were in favor of increased limits and 25% of the survey respondents were not in favor. For those not in favor, most cited the business employees parking in the parking slots as their main concern. This is an issue that businesses face now. We will be working with our Economic Development Manager to attempt to gain voluntary compliance from business owners as to directing their employees to park in established parking lots. However, a City-enforced restriction is not possible as public parking spaces are available for all to use.

Potential Downtown Parking Study

Staff has not conducted a parking a study addressing the overall usage of parking spaces in the downtown, the current rate of turnover, and the impacts on parking usage and economic activity associated with changing the current time limit, as this was outside the scope of direction provided by the City Council. Looking ahead, it is likely that the Circulation Element for the of the City's General Plan will need to be updated in the next fiscal in order to respond to changes in State law. As part of that update, the City Council may wish to consider the inclusion of a downtown parking assessment and management plan, as it has been more than 10 years since this issue has been evaluated in-depth.

Financial Impact:

A one-time financial impact would be approximately \$1,300 to purchase new signage for the Plaza Business Area only; to expand to the business route would increase cost to \$5,200 for change out of all new signs. On-going the replacement signs would be covered through the normal budget process.

Implementation:

Should Council approve the increased limits, Public Works estimates that the signs would be installed in approximately 30 days.



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8B

Meeting Date: 04/15/2013

Department

City Attorney

Staff Contact

Jeffrey A. Walter, City Attorney

Agenda Item Title

Receive and File Report on Initiative Procedures and Discussion Concerning Individual Council Members Commenting Thereon.

Summary

A notice of intent to circulate a petition which proposes an ordinance governing hotels containing more than 25 rooms has been submitted to the City Clerk. Pursuant to law, the City Attorney has drafted a ballot title and ballot summary which must be included in the petition itself. Attached is a copy of the ballot title and ballot summary prepared by the City Attorney. See Exhibit A. Also attached (as Exhibit B) is a timetable identifying the principal steps in the processing, circulating and acting upon an initiative petition. Generally, from the date that the proponent's have received the ballot title and summary, the proponents have 180 days to collect signatures. Upon the submittal of the signed petitions to the City Clerk, the County Elections Official has 30 days to determine whether the signatures are verifiable and constitute at least 10%, or at least 15%, of the registered voters. If the initiative petition is signed by 15% of the registered voters, when it is presented to the Council, the Council must (1) adopt the measure, (2) order a special election 88 to 103 days thereafter, or (3) order the preparation of a report. If the petition is signed by less than 15%, but not less than 10%, upon its presentation to the Council, the Council must (1) adopt the measure, (2) order it placed on a regular election not less than 180 days thereafter, or (3) order preparation of a report.

The report that the Council can order be prepared can analyze the initiative measure's fiscal impact, its effect on the internal consistency of the City's general and specific plans, its effect on the use of land, its impact on funding for infrastructure of all types, its impact on the community's ability to attract and retain business and employment, and any other matters the City Council requests to be in the report. The report must be presented to the Council no later than 30 days after the Elections Official certifies to the Council that the petition has been signed by the requisite number of voters. Once the report is completed and returned to the Council for consideration (within 30 days), the Council must either adopt the initiative measure within 10 days after the report is submitted or order an election.

If the measure is placed on the ballot, the Council will have the opportunity to prepare an argument in favor of or against the measure. The City Attorney is required to prepare an impartial analysis which is included in the ballot pamphlet. The election is held and if the measure is approved by a majority of the voters voting on it, it becomes effective. The substantive portions of the measure which impose conditions precedent to the filing of and approving an application for a hotel containing more than 25 rooms may not be amended or repealed except by a subsequent vote of the registered voters.

Recommended Council Action

Receive and file report.

Alternative Actions

Take no action.

Financial Impact

None.

Environmental Review

Status

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

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

1. Initiative Timeline
 2. Ballot Title and Summary
-
-

Table 2-1. Processing an Initiative—Tasks and Timelines

Task	Description	Timeline
1. Draft Initiative	Anticipate all problems and maximum timelines. Rule of thumb for land use initiatives: Use amendments to the general plan to avoid “consistency” problems.	Usually takes 30 to 60 days
2. Draft and File Notice of Intent	File with elections official; must be accompanied by text of initiative; may include 500-word statement of reasons for petition; signed by one to three [five] ¹ proponents; plus up to \$200 filing fee (refundable if within one year petition is determined sufficient by elections official). Elections Code ² §§ 9202; [9103, 9104]	Filed at same time as initiative text
3. Ask for Ballot Title and Summary	File request for “ballot title and summary” with elections official. Elections official to transmit immediately to agency attorney. §§ 9203(a); [9105(a)]	Request made when initiative text and notice of intent are filed
4. Agency Attorney Prepares Title and Summary	Attorney must describe purpose of measure. Ballot title must be a true and impartial statement of the measure’s purpose. §§ 9203(a); [9105(a)]	Attorney has a maximum of 15 calendar days to prepare
5. Use of Title and Summary	When completed, elections official delivers ballot title and summary to proponents. Proponents must include accurate copy of title and summary in the heading above the measure’s text and on top of each page of initiative petition where signatures appear (in cities, only the title must be included above the text in each section). §§ 9203; 9207; [9101, 9105]	
6. Challenge to Title and Summary	Writ of mandate can be filed to amend title and summary. Will be amended if clearly false, misleading, or inconsistent with sections 9203 or [9105]. Writ proceeding to be expedited. §§ 9204; [9106]	Writ must be filed before posting or publishing notice of intent and circulating petition
7. Publish Notice of Intent, and Ballot Title and Summary	Must publish notice of intent and ballot title and summary in adjudicated newspaper of general circulation if published in city. If adjudicated paper is published in county, publish notice, etc., once, and post in three places in city. §§ 9205; [9105(b)]	Must publish at least once; call newspaper for publishing deadlines
8. Commence Circulating Initiative Petition after Publication	Only <i>after</i> publication is completed may proponents commence circulating petition for signatures. §§ 9207; [9108]	
9. Format of Initiative Petition	Top of each page of initiative petition where signatures appear <i>must</i> contain ballot title and summary. §§ 9203(b); [9105(c)]	
10. File Proof of Publication with Elections Official		Within 10 days after publication must file proof with city elections official. No time limit for county petitions.
11. Collect Signatures		Proponents have 180 days to collect signatures. Period starts from the last of: <ul style="list-style-type: none"> • Receipt of ballot title and summary • Termination of writ proceedings, or • Receipt of amended ballot title and/or summary to file petitions with elections official §§ 9208; 9210; [9110; 9113]

1. Bracketed numbers refer to county requirements or Elections Code provisions pertaining to county elections, as the case may be.

2. All section references are to the California Elections Code.

Table 2-1. Processing an Initiative – Tasks and Timelines (continued)

Task	Description	Timeline
12. Election Official Examines Petition Signatures	Within 30 days (excluding Saturdays, Sundays, and holidays) after petitions are filed, elections official examines initiative petitions to determine if there are requisite number of signatures. §§ 9211; [9114, 9115]	
13. Elections Official Certifies Results	After examination is completed, elections official certifies results (if there are requisite number of signatures).	Certification presented at next <i>regular</i> city council meeting. §§ 9211; [9114]
14. Special Election	<p>If initiative petition is signed by 15 percent [20 percent] or more of registered voters [voters voting for governor in last gubernatorial election] and petition contains an express request that it be immediately submitted to voters at a special election, council:</p> <ul style="list-style-type: none"> • Adopts it at meeting at which petition is certified or within 10 days, or • Orders a special election 88 to 103 days later, or • Orders “report” <p>§§ 9214; [9116]; 1405</p>	
15. Regular Election	<p>If signed by less than 15 percent [20 percent] but not less than 10 percent, it must be:</p> <ul style="list-style-type: none"> • “Adopted” by city council at meeting at which petition is presented or within 10 days, or • Ordered to next regular municipal [statewide] election not less than 88 days after order, or • Orders “reports” <p>§§ 9215; [9118]; 1045 1405</p>	
16. Council Orders Report	During circulation of initiative petition or before adopting ordinance or calling for an election, city council may order “report” on the initiatives’ fiscal impacts, effect on general plan, or other matters. §§ 9212(a); 9214(c); 9215; [9111(a), 9116, 9118]	Report submitted to city council no later than 30 days after elections official certifies sufficiency of initiative petition to city council. §§ 9212(b); [9111(b)]
17. Special Election (where report is presented)	<p>If signed by 15 percent [20 percent] or more of registered voters and it is requested that it be immediately submitted to voters at a special election, when report is presented, council:</p> <ul style="list-style-type: none"> • Adopts it within 10 days after report is presented, or • Orders election per section 1405(a). <p>§§ 9214; [9116]</p>	
18. Regular Election (where report is presented)	<p>If signed by less than 15 percent [20 percent] but not less than 10 percent, when report is presented, council:</p> <ul style="list-style-type: none"> • Adopts initiative measure at meeting at which report is presented or within 10 days, or • Ordered to next regular municipal election not less than 88 days after order <p>§§ 9215; [9118]</p>	

Table 2-1. Processing an Initiative—Tasks and Timelines (continued)

Task	Description	Timeline
19. Two Special Elections within 180 Days	If special elections can be set such that two elections would occur within 180 days, the second special election can be set after 103 days, but as soon as “practicable” after 180 days after the first special election. § 1405(a)(3). Two special elections cannot be set within a 180-day period. § 1405(a)(4)	
20. Consolidate Ballot Measure Election with Regular Municipal Election	When legally possible to set a special election within 180 days prior to an existing regular or special election, the city council may consolidate the special election with the regular election. § 1405(a)(1)	
21. Opening Arguments for and against Ballot Measure	May be submitted by council, authorized members of the council, individual voters eligible to vote, a bona fide association of citizens, or a combination of voters and associations. Name(s) of persons submitting the argument is (are) required. Only up to five signatures are allowed. §§ 9219, 9282, 9283, 9286; [9120, 9164, 9162]	Due date set by elections official. §§ 9286; [9163]
22. Rebuttal Arguments	If by the date of order of election, city council permits rebuttal arguments, the arguments may be submitted no later than 10 days after the last day to file opening arguments. Elections official is required to immediately deliver opening argument to opponents. §§ 9220, 9285; [9167]	
23. City Attorney Impartial Analysis of Ballot Measure	City Attorney is to submit an impartial analysis if directed to do so by the legislative body. §§ 9280; [9160] [county attorney must prepare analysis]	On date set for opening argument
24. Public Examination of Ordinance, Arguments	Whenever an ordinance is on the ballot, a copy is to be made available to the public upon request. §§ 9223; [9119]. Also, at least 10 days before the materials go to the printer, all arguments, impartial analysis, and the ordinance must be available for public inspection.	Within 10-day period, writ of mandate can be brought challenging the truth or misleading character of the ordinance. §§ 9295; [9190]
25. City May Amend or Withdraw a Special Election Order	After ordering that the measure be placed on the ballot at a special election, the legislative body has until the 83rd day before the election to withdraw or amend the order. § 9605	
26. Election Dates	No elections may be held on a day other than a Tuesday, and not on the day before, of, or after a state holiday. § 1100	
27. Election Results	Generally, the initiative becomes effective if it is approved by a majority of voters. Thereafter, the initiative cannot be amended except by the voters [unless the measure has a provision allowing the legislative body to amend]; initiative takes effect 10 days after the legislative body “declares” vote. §§ 9217; [9122]	

BALLOT TITLE

The Hotel Limitation Measure

BALLOT SUMMARY

If adopted by a majority of the voters voting on it, this initiative measure would amend the Sonoma General Plan and Development Code to require that the establishment of a hotel with more than 25 rooms must receive a use permit approved by the Planning Commission. Similarly, the expansion of an existing hotel, motel, or bed and breakfast inn to more than 25 rooms will have to receive a use permit approved by the Planning Commission.

The Planning Commission would be prohibited from granting such a use permit unless it found, among other things, that (a) the annualized hotel room occupancy rate for the calendar year (January 1 to December 31) preceding the filing of the hotel application exceeds 80%, and (b) the proposed hotel will not adversely affect the historic, small town character of Sonoma. The measure provides that the annualized hotel room occupancy rate would be calculated by comparing the total number of hotel, motel, bed and breakfast inn and vacation rental room nights rented in the City with the total number of room nights available for rent in the City, during the relevant calendar year. In calculating whether the occupancy rate of 80% has been exceeded, the measure requires inclusion of the rooms available for rental and rented at (i) bed and breakfast inns, which are defined to mean rental facilities possessing 5 or less rooms and (ii) vacation rentals, which are defined to mean rental properties containing one or two residential units.

If the Planning Commission's decision concerning a hotel governed by this measure is appealed to the City Council, the hotel could only be approved by a 4/5th's vote of the City Council.

The General Plan and Development Code provisions re-adopted and adopted by the measure could not be changed or repealed except by a subsequent vote of City voters.

The measure would apply to any hotel development proposal subject to its provisions that has not received final approval by the time the measure becomes effective. The measure does not apply to the renovation, maintenance, or repair of an existing hotel unless the renovation, maintenance or repair increases the total number of rooms of the hotel.



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8C

Meeting Date: 04/15/2013

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, consideration and possible action authorizing City Manager to solicit proposals and retain qualified consultant(s) to assist staff in commencing and prosecuting the analysis and investigation concerning the impacts described in Elections Code section 9212 (and any others identified by the Council) of the proposed Hotel Limitation Measure.

Summary

The Initiative process allows for the preparation of a report which analyzes the effects and impacts the ballot measure. As described in Elections Code section 9212 (and any others identified by the Council) the report must be presented to the Council within 30 days after the City Clerk certifies the sufficiency of the petition. It is undetermined at this time whether the report is necessary because (a) the proponent does not get sufficient or valid signatures within the 180 day circulation period, or (b) the Council may decide not to order the report even if the petition qualifies for the ballot.

Due to the restricted timeframes surrounding the report, staff is requesting that the City Manager be authorized to solicit proposals and retain a consultant (s) to assist in preparation of the report. Extending this authorization will give clear direction to staff to fully vet the options available to either prepare the report in-house or secure the services of an outside firm. The issues that could be addressed in the report are listed in the Election Code section 9212 which is included as an attachment. The report would not be initiated until the petition is certified and the Council calls for the report to be prepared.

Recommended Council Action

Authorize the City Manager to evaluate the options for preparing the report, solicit proposals and/or evaluate other such actions as necessary to meet the 30-day timeframe should the Council call for the report.

Alternative Actions

Do not authorize the City Manager to solicit proposals for an outside consultant; direct the report to be prepared by in-house City staff.

Financial Impact

Undetermined.

Environmental Review

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

Status

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

Attachments:

Election Code Section 9212

cc:

West's Annotated California Codes

Elections Code (Refs & Annos)

Division 9. Measures Submitted to the Voters (Refs & Annos)

Chapter 3. Municipal Elections (Refs & Annos)

Article 1. Initiative (Refs & Annos)

West's Ann.Cal.Elec.Code § 9212

§ 9212. Report from city agencies on effect of proposed initiative measure

Effective: January 1, 2001

[Currentness](#)

(a) During the circulation of the petition, or before taking either action described in [subdivisions \(a\) and \(b\) of Section 9214](#), or [Section 9215](#), the legislative body may refer the proposed initiative measure to any city agency or agencies for a report on any or all of the following:

(1) Its fiscal impact.

(2) Its effect on the internal consistency of the city's general and specific plans, including the housing element, the consistency between planning and zoning, and the limitations on city actions under [Section 65008 of the Government Code](#) and Chapters 4.2 (commencing with [Section 65913](#)) and 4.3 (commencing with [Section 65915](#)) of [Division 1 of Title 7 of the Government Code](#).

(3) Its effect on the use of land, the impact on the availability and location of housing, and the ability of the city to meet its regional housing needs.

(4) Its impact on funding for infrastructure of all types, including, but not limited to, transportation, schools, parks, and open space. The report may also discuss whether the measure would be likely to result in increased infrastructure costs or savings, including the costs of infrastructure maintenance, to current residents and businesses.

(5) Its impact on the community's ability to attract and retain business and employment.

(6) Its impact on the uses of vacant parcels of land.

(7) Its impact on agricultural lands, open space, traffic congestion, existing business districts, and developed areas designated for revitalization.

(8) Any other matters the legislative body requests to be in the report.

(b) The report shall be presented to the legislative body within the time prescribed by the legislative body, but no later than 30 days after the elections official certifies to the legislative body the sufficiency of the petition.

Credits

(Stats.1994, c. 920 (S.B.1547), § 2. Amended by Stats.2000, c. 496 (S.B.1966), § 2.)

Notes of Decisions (1)

West's Ann. Cal. Elec. Code § 9212, CA ELEC § 9212

Current with all 2012 Reg.Sess. laws, Gov.Reorg.Plan No. 2 of 2011-2012, and all propositions on 2012 ballots.

End of Document

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CITY OF SONOMA
 City Council
 Agenda Item Summary

Agenda Item: 10A
Meeting Date: 04/15/2013

Department Administration	Staff Contact Gay Johann, City Clerk/Assistant to the City Manager
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Agenda Item Title

Councilmembers' Reports on Committee Activities.

Summary

Council members will report on activities, if any, of the various committees to which they are assigned.

MAYOR BROWN	MPT. ROUSE	CLM. BARBOSE	CLM. COOK	CLM. GALLIAN
AB939 Local Task Force	ABAG Alternate	Cittaslow Sonoma Valley Advisory Council, Alt.	Cemetery Subcommittee	ABAG Delegate
Oversight Board to the Dissolved CDA	City Audit Committee	North Bay Watershed Association	City Facilities Committee	Cemetery Subcommittee
Sonoma Community Center Subcommittee	City Facilities Committee	Sonoma Community Center Subcommittee	LOCC North Bay Division Liaison	Cittaslow Sonoma Valley Advisory Council
Sonoma County Health Action, Alternate	Sonoma County Mayors & Clm. Assoc. BOD	Sonoma County Transportation Authority & Regional Climate Protection Authority, Alternate	Oversight Board to the Dissolved CDA, Alt.	City Audit Committee
Sonoma County Mayors & Clm. Assoc. BOD	Sonoma County M & C Assoc. Legislative Committee, Alt.	Sonoma County Waste Management Agency	Sonoma County M & C Assoc. Legislative Committee	LOCC North Bay Division Liaison, Alternate
Sonoma Disaster Council	Sonoma Disaster Council, Alternate	Sonoma County/City Solid Waste Advisory Group (SWAG)	S. V. Library Advisory Committee	Sonoma County Transportation Authority & Regional Climate Protection Authority
Sonoma Housing Corporation	Sonoma Housing Corporation	VOM Water District Ad Hoc Committee, Alternate		Sonoma County/City Solid Waste Advisory Group (SWAG), Alt.
S. V. Citizens Advisory Commission	Sonoma Valley Citizens Advisory Comm. Alt.	Water Advisory Committee, Alternate		LOCC North Bay Division, LOCC E-Board, Alternate (M & C Appointment)
S.V.C. Sanitation District BOD	S.V.C. Sanitation District BOD, Alt.			Sonoma County Ag Preservation and Open Space Advisory Committee (M & C Appointment)
S.V. Economic Development Steering Committee	S.V. Economic Development Steering Committee, Alt.			VOM Water District Ad Hoc Committee
S.V. Fire & Rescue Authority Oversight Committee	S.V. Fire & Rescue Authority Oversight Committee			Water Advisory Committee
S. V. Library Advisory Committee, Alternate				
Substance Abuse Prevention Coalition				

Recommended Council Action – Receive Reports

Attachments: None