

**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, March 17, 2014**

**5:30 p.m. Closed Session (Special Meeting)**

**6:00 p.m. Regular Meeting**

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**MINUTES**



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

**5:30 P.M. – SPECIAL MEETING - CLOSED SESSION - CANCELLED**

**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.

This Closed Session was cancelled. Notices were posted in advance on the City Hall bulletin board and at the entrance of the Community Meeting Room to inform the public of this cancellation.

**6:00 P.M. – REGULAR MEETING**

Mayor Rouse called the meeting to order and announced that the previously scheduled Closed Session had been cancelled. Police Chief Bret Sackett led the Pledge of Allegiance.

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

ALSO PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, Administrative Assistant Gipson, City Attorney Walter, Planning Director Goodison, Public Works Director Takasugi, and Police Chief Sackett.

**1. COMMENTS FROM THE PUBLIC - None**

**2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS**

**Item 2A: Councilmembers' Comments and Announcements**

Clm. Brown dedicated the meeting in the memory of Mable Ellen "Madge" Ward. He stressed the need to all residents to conserve water and acknowledged the service of Jennifer Yankovich who recently resigned as the Executive Director of the Sonoma Valley Chamber of Commerce. Clm. Brown announced that he had filed his Notice of Intention to run for reelection in November.

Clm. Gallian announced her attendance at the Business Expo and the Ahwahnee Conference for Local Elected Officials in Yosemite National Park.

Clm. Barbose stated that several persons had contacted him about the need to develop design standards relating to the City's Certified Local Government status and he would like to see that issue followed up on. He stated he would not be seeking reelection in November.

Mayor Rouse dedicated the meeting in the memory of Shirley Faye Hudson, mother of Trent Hudson, Public Works Operations Manager.

**3. CITY MANAGER COMMENTS AND ANNOUNCEMENTS INCLUDING ANNOUNCEMENTS FROM SUCCESSOR AGENCY STAFF - None**

#### **4. PRESENTATIONS**

**Item 4A: Presentation by the Family Justice Center of Sonoma County**

Mayor Rouse announced that this presentation would be carried over to the next meeting.

**Item 4B: National Surveyor's Week Proclamation**

Mayor Rouse read aloud the proclamation and presented it to Patricia Wagner, representative of the California Land Surveyors Association.

#### **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 February 19 and March 3, 2014 City Council meetings.**

**Item 5C: Adoption of a resolution approving modifications to and authorizing the Mayor to execute the Joint Powers Agreement between the County of Sonoma and the City of Sonoma continuing the Sonoma Valley Citizens Advisory Commission for a period of five years. (Res. No. 12-2014)**

**Item 5D: Approval and Ratification of the Reappointment of Gary Edwards to the Planning Commission for an Additional Two-Year Term.**

**Item 5E: Adoption of a resolution upholding an appeal of the Planning Commission's decision to exclude a fenced courtyard from its approval of an Exception from the fence height standards to allow a seven-foot tall fence within required front and street-side setback areas at 639 Third Street West. (Res. No. 13-2014)**

**Item 5F: Resolution upholding the appeal of the Design Review and Historic Preservation Commission's decision to approve the application of Troy and Dawn Marmaduke for Design Review for exterior color modifications and an awning sign and upholding staff's decision to approve the application of Troy and Dawn Marmaduke for the re-facing of a wall sign and a projecting sign (408 First Street East). (Res. No. 14-2014)**

**Item 5G: Approval of a Resolution Authorizing the City Manager to Execute a Lease Amendment with the Sonoma Valley Field of Dreams to Upgrade the Existing Well for Municipal Water Supply. (Res. No. 15-2014)**

The public comment period was opened and closed with none received. It was moved by Clm. Brown, seconded by Clm. Barbose, to approve the Consent Calendar. The motion carried unanimously except that Clm. Cook registered a no vote on Item 5E.

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

**Item 6A: Approval of the portions of the Minutes of the February 19 and March 3, 2014 City Council / Successor Agency Meetings pertaining to the Successor Agency.**

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

#### **7. PUBLIC HEARING**

**Item 7A: Discussion, consideration, and possible action on an allowance for a second unit and/or guesthouse to be developed on the property located at 19725 Seventh Street East. This consideration includes the possible amendment or replacement of an existing Deed of Easement that applies to the subject property, while retaining limitations and restrictions associated with said easement.**

Planning Director Goodison reported that the property located at 19725 Seventh Street East, although located outside of City limits, was subject to a scenic easement granted to the City by its former owners in 1985. Last year, the current property owner, Selma Blanusa, requested that the easement be eliminated or clarified. It was her understanding that the easement should be interpreted to allow residential accessory structures such as a guesthouse and/or an

**Item 7A: 19725 7<sup>th</sup> Street East, Blanusa Easement, Continued**

auxiliary dwelling unit and she requested that the City Council verify that interpretation. The matter came before the City Council on October 21, 2013. In her presentation to the Council, Ms. Blanusa made specific reference to her desire to convert an existing barn on the property to a second unit or guesthouse; however, in support of this request, she reiterated her view that residential accessory structures should be considered a permitted use under the existing terms of the easement. Neighboring property owners did not address the interpretation suggested by the property owner, as that was not a focus of discussion, although they did express support for the specific proposal to convert the barn to a second unit. Ultimately, the City Council determined that it wished to retain the easement, but was willing to consider approving a document that allowed for the conversion of the barn into a second unit, subject to conformance with applicable County regulations.

Goodison stated that, in accordance with the Council's direction, the City Attorney prepared the following: 1) A draft replacement easement that would expressly allow for the existing barn to be converted into a second dwelling unit, subject to County zoning regulations and other conditions; and 2) A draft amendment to the easement that would expressly allow for the existing barn to be converted into a second dwelling unit, subject to County zoning regulations and other conditions. In addition, the property owner had proposed a third option for the City Council to consider; namely, a draft resolution that found that residential accessory structures were permitted under the existing terms of the easement. The City Attorney's preference was for Option #1, the replacement easement. He added that staff was also seeking direction from the Council as to whether a guesthouse was permitted under the terms of the existing easement.

CIm. Barbose clarified with the City Attorney that the replacement easement would allow a second dwelling unit; however, the original easement would only allow a guesthouse. CIm. Barbose also clarified that the County would require a parking pad and driveway for a second dwelling unit.

Mayor Rouse invited comments from the public. Selma Blanusa stated that she did not feel that adding a second dwelling unit violated the easement and questioned if a second unit would meet the definition of increased density. Blanusa stated that adding a second unit with a regular or occasional guest would provide additional safety to her and her children. She reported that her property had been intruded upon four times in the last several months.

John Ciatti stated that Ms. Blanusa knew about the easement when she purchased the property. He stated that she had already made many improvements to the property, and noted that she was an experienced developer. Speaking on behalf of other neighboring property owners, he said they did not agree that the easement allowed a second dwelling unit but noted that they had agreed to the renovation of the historic barn as a guesthouse.

Jack Wagner stated he was in favor of safety and supported Ms. Blanusa's request.

CIm. Barbose stated that when he made the October 2013 motion to modify the easement, he was not aware that the neighbors had not made the distinction between the terms "guest house" and "second dwelling unit" in their support for the motion at that time and given that the City Attorney's interpretation of the original easement did not allow for a second dwelling unit; he had a change of mind. He said he would agree to a document that would allow conversion of the existing barn into a guesthouse with no other buildings being allowed.

Mayor Rouse stated he had understood that Ms. Blanusa wanted to move the barn closer to her primary residence and convert it to a guesthouse and that he would agree with that.

CIm. Brown asked Ms. Blanusa if the barn might have to be demolished. She stated that if the barn could be restored she would have to alter the height to meet County zoning regulations. She said she never requested permission to renovate the barn, what she asked for was permission to construct a second dwelling unit and that she had only mentioned renovation of the barn as one available option.

CIm. Barbose stated that he not agree with allowing a second dwelling unit on the property and he would only agree that the barn could be converted to a guesthouse. CIm. Gallian agreed.

It was moved by CIm. Barbose, seconded by CIm. Gallian, to direct staff to prepare a resolution clarifying that two dwelling units were not allowed either in the barn or elsewhere; however a guesthouse would be allowed. The motion carried unanimously.

## 8. REGULAR CALENDAR – CITY COUNCIL

### **Item 8A: Discussion, Consideration and Possible Action to Issue a Letter of Support for the Sonoma Stompers Baseball League.**

City Manager Giovanatto reported the Sonoma Stompers Baseball organization was proceeding with the permitting process through the County Regional Parks for use of Arnold Field for their League games. Following their presentation to the City Council on February 19<sup>th</sup>, indication was that the Council was supportive of bringing semi-pro baseball to Sonoma and staff was directed that the item be placed on a future agenda to consider submitting a letter to the County in support of the use of Arnold Field by the Sonoma Stompers. She stated that the Stomper's organizers had held three public meetings and had received positive support and comments from the community.

Mayor Rouse invited comments from the public. Karen Suglin, representing the "north of the mission" neighborhood association, stated they had concerns regarding lights, the amplification of noise, and additional traffic. She asked the Council to take their neighborhood into consideration. Fredric Schmidt said he shared the same concerns.

Mike Shapiro, Pacific's Baseball President, reported they had eighty-four people show up for tryouts. He said there would be thirty home games during July and August and they would work with the police on a traffic mitigation plan. He said there would be no music after 9 p.m. and the loudspeakers would only be used to announce the players' names. Schapiro said he was only seeking a one year trial period.

The following spoke in favor of the baseball team: Rosemarie Pedranzini, Jack Wagner, Tommy Lyons, and Shaun Boisen.

It was moved by Clm. Cook, seconded by Clm. Gallian, to direct staff to send a letter of support to the County for approval of the use of Arnold Field by the Sonoma Stompers League Baseball for a one-year trial period. The letter to also indicate the City's desire that they work out traffic control issues with the Police Department and that they encourage the use of public transportation. The motion carried unanimously.

### **Item 8C: Discussion, consideration and possible action with regard to options for the disposition of the Marcy House, 205 First Street West. (Taken out of order)**

Planning Director Goodison reported that the Sonoma Sister Cities Association (SSCA) had leased the property located at 205 First Street West, known as Marcy House, for twenty-five years. Although SSCA had previously indicated their intention was to let the lease expire; they recently submitted a new lease proposal. They proposed a \$1.00 per year lease payment with the City to be responsible for the structural integrity and external maintenance of the building including the roof, ADA compliance as well as grounds maintenance. They also want authorization to sub-lease the building. Goodison stated that the building needed \$15,000 in immediate maintenance and that it would cost approximately \$60,000 for upgrades to make it suitable for commercial or public use.

Planning Director Goodison stated that the Facilities Committee considered the proposal by SSCA and other options presented by staff and decided to forward the matter to the full City Council without a recommendation. Options included renewing the lease with SSCA, doing a lot split and selling the property, or consideration of another non-profit tenant. Goodison added that the Sonoma Valley Historical Society (SVHS) had submitted a letter of interest in the property.

Mayor Rouse invited comments from the public. Steve Marshall, SVHS President, stated that they would like to be considered for a lease option. The location of the property would be an ideal for storage and processing their archival collections. He asked Council for sixty days to conduct due diligence and put together a proposal.

Tom Moritz, SVHS, stated they were undergoing a strategic planning process and the sixty days would give them time to come up with a proposal for leasing the property.

Jack Ding, SSCA, stated that the house represented their heritage and tradition and he hoped the City would accept their lease proposal.

Clm. Cook stated the City needed to begin selling assets and get out of the landlord business. Clm. Barbose stated that the Facilities Committee had been dealing with the Marcy House

**Item 8C: Marcy House, Continued**

situation for several years and pointed out that SSCA had not kept up with the required maintenance. He said it was time to take a realistic look at the issue. He said he did not support a \$1 a year lease but was willing to give SVHS sixty days to bring back a proposal that placed the maintenance responsibility on them. Clm. Gallian agreed and stated that any revenue generated by a sublease should go to the City.

Clm. Brown stated he would not support continuation of the previous lease with SSCA and noted that they had not completed required maintenance. It was moved by Clm. Barbose, seconded by Clm. Brown, to grant SVHS sixty days to submit a proposal. The motion carried unanimously.

**Item 8B: Continued discussion of options for establishing additional zoning regulations on wine tasting facilities, including draft amendments to the Development Code developed by the Planning Commission.**

Planning Director Goodison reported that this topic had been under consideration by the City Council and Planning Commission for a year with the latest step being a joint session held on February 24, 2014 at the Community Center. Following public testimony and discussion with the Planning Commission, it had been the consensus of the City Council to proceed with the basic framework of the ordinance suggested by the Planning Commission, but to first review and possibly modify the criteria used to distinguish between a tasting room considered to be a permitted use and tasting rooms that would be subject to Use Permit review.

Clm. Barbose inquired what type of licensing or permit did Enoteca have. Goodison responded that multiple wineries, each with their own Type 2 license, chose to operate out of one facility. Mayor Rouse confirmed that the ordinance allowed twenty-six events per year.

Mayor Rouse invited comments from the public. Fred Allebach said it did not make sense to permit any business that served alcohol without review and he did not feel that the Use Permit review was too onerous for any new business.

Larry Barnett said he was concerned that the ordinance did not include a requirement for mandatory training for all tasting room employees. He also said a Use Permit should be required for all wine tasting facilities.

Richard Idell, Sonoma Valley Vintners and Growers, said there was no reason for any additional regulations; that tasting rooms were already highly regulated by the State.

Regina Baker stated that the number of businesses selling alcohol in the downtown was a problem.

Rosemarie Pedranzini commented that in the old days there had been saloons all over town.

Squire Fridell, Sonoma Valley Vintners and Growers, stated that Sonoma was a destination because of the wine industry. He said the winery owners hire locals, donate locally and contribute to the thriving economy.

Clm. Gallian inquired about the criteria for Use Permit review. Goodison responded there were certain findings that had to be made depending on Council's direction and that the process usually took around two months to complete.

Clm. Barbose stated that everyone wanted what was best for Sonoma even though there were differing views. He said he was well aware of the benefits of tasting rooms and he did not feel that Use Permit review would dent anyone's bottom line. Clm. Barbose said he would support grandfathering in all existing tasting rooms and a Use Permit review for all new ones.

Clm. Cook stated he would vote no, that he opposed putting additional regulations on tasting rooms. He said it was a farm-to-table industry.

Clm. Brown stated his support for requiring Use Permit review for Type 42 licenses and pointed out that it was the City's history, agriculture, organic food, weather and wine that brought people here. He added that there was no debauchery around the Plaza.

Clm. Gallian stated her support for the definitions proposed by staff and the proposed hours of operation.

**Item 8B: Wine Tasting Facilities, Continued**

Mayor Rouse said he would also support Use Permit review for Type 42 licenses. He stated that he believed in the free market and felt that the number of tasting rooms would work itself out. It was moved by Mayor Rouse, seconded by Clm. Brown, to: 1) support Use Permit review for all Type 42 Alcohol Licensed establishments; 2) approve the draft Operating Standards with operating hours 11:00 a.m. to 10:00 p.m. year-round; 3) allow twenty-six events annually limited to two per week. The motion carried four to one, Clm. Barbose dissented.

**RECESS:** The meeting recessed from 8:50 to 9:00 p.m.

**Item 8D: Consideration and possible action on the introduction of an ordinance amending Section 10.74.010 of the Sonoma Municipal Code pertaining to the operation of bicycles and similar conveyances on public sidewalks. Repeal SMC 10.56.070 and adopt 10.74.011.**

Police Chief Sackett reported that, pursuant to Council's February 3, 2014 direction, staff had modified the draft ordinance by adding clarifying language as it pertained to potential bicycle and pedestrian conflicts on City sidewalks.

Mayor Rouse invited comments from the public. Danny Faye inquired in which location bicycles would be banned from sidewalks. Chief Sackett explained that the ban only applied to the sidewalks on both sides of the street around the Plaza. He noted that bicyclists could walk their bicycles on the sidewalk or ride in the street.

It was moved by Clm. Gallian, seconded by Clm. Brown, to introduce the ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING SECTION 10.74.010 OF THE SONOMA MUNICIPAL CODE PERTAINING TO THE OPERATION OF BICYCLES AND OTHER CONVEYANCES ON PUBLIC SIDEWALKS. The motion carried unanimously.

**9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY - None**

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

**Item 10A: Reports Regarding Committee Activities.**

Clm. Brown reported attendance at the Economic Development Steering Committee meeting.

Clm. Gallian reported attendance at the Sonoma County Transportation and Regional Climate Protection Authority meeting.

Clm. Barbose reported attendance at the North Bay Watershed Association meeting.

Clm. Cook reported attendance at the Library Advisory Board meeting.

Mayor Rouse reported attendance at the Sonoma Housing Corporation meeting.

**Item 10B: Final Councilmembers' Remarks.**

Clm. Gallian stated that it had been terrifying to see the extremely dry conditions at Yosemite and urged everyone to conserve the City's water supply.

**11. COMMENTS FROM THE PUBLIC - None**

**12. ADJOURNMENT**

The meeting adjourned at 9:05 p.m. in the memory of Mable Ellen "Madge" Ward and Shirley Faye Hudson.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 7<sup>th</sup> day of April 2014.

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Gay Johann  
Assistant City Manager / City Clerk