

**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 7, 2014

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

6:00 p.m. Regular Meeting

AGENDA



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

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

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

1. CALL TO ORDER

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

2. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION, pursuant to (Paragraph (1) of subdivision (d) of Section 54956.9). Name of case: New Cingular Wireless PCS, LLC, etc. v. City of Sonoma. U.S.D.C. Nor. Cal. Case No. C-14-0692 EDL.

6:00 P.M. – REGULAR MEETING AGENDA

RECONVENE, CALL TO ORDER & PLEDGE OF ALLEGIANCE

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

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: Introduction of New City Personnel

4. PRESENTATIONS, Continued

- Item 4B:** Presentation of the Cultural and Fine Arts Commission's 2014 Student Creative Arts Awards
- Item 4C:** Children's Memorial Day Proclamation
- Item 4D:** National Crime Victims' Rights Week Proclamation
- Item 4E:** Sexual Assault Awareness Month Proclamation
- Item 4F:** Presentation on the Sonoma Valley Springboard 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 17, 2014 City Council meeting.
Staff Recommendation: Approve the minutes.
- Item 5C:** Approve the Notice of Completion for the Zone 1-2 Intertie Project No. 1302 Constructed by Terracon Pipelines Inc. and Direct the City Clerk to File the Document.
Staff Recommendation: Approve the Notice of Completion.
- Item 5D:** Approve the Notice of Completion for the Traffic Signal Modifications for Napa Road-Leveroni Road/Broadway (SR12) Project No. 0922, Federal Project No. HSIPL 5114(015) Constructed by Columbia Electric, Inc. and Direct the City Clerk to File the Document.
Staff Recommendation: Approve the Notice of Completion.
- Item 5E:** Adoption of Plans and Specifications and Award of Contract to Argonaut Constructors, lowest responsible bidder, for the Church Street and Curtin Lane Water Improvements and Street Rehabilitation Project No. 1311 in the amount of \$376,105.
Staff Recommendation: Adopt the plans, accept the bids and award contract.
- Item 5F:** Acceptance of three bids and Award of Bid for the City Hall Bell Tower Repair Project to Belz Construction, Inc. of Orangevale, CA in the amount of \$106,000.
Staff Recommendation: 1. Accept the bids from Belz Construction, Inc., S.W. Allen Construction, Inc. and Thomas Anderson & Co. 2. Reject the bid from Joseph Murphy Construction, Inc. as unresponsive for the following reasons: a. Failure to submit a List of Subcontractors as required by the bid documents; and b. Failure to submit a Non-collusion Affidavit as required by the bid documents; and c. Failure to submit a Statement of Review of Insurance Requirements as required by the bid documents. 3. Award the bid for Sonoma City Hall Bell Tower Repair Project, including Alternate #1, to the low-bidder, Belz Construction, Inc. of Orangevale, CA for the total contract amount of \$106,000.

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

- Item 5G:** **Approve Support For A Grant Proposal by Sonoma Ecology Center for Nathanson Creek Preserve.**
Staff Recommendation: Support the grant proposal with the express limitation to providing in-kind services by the City including plan review and construction permit fee waiver which is anticipated to be of a minimal cost.
- Item 5H:** **Adoption of a Resolution Approving a Budget Amendment to the 2013-14 Operating Budget To Reprogram Expired 2001 Water Bond Funds.**
Staff Recommendation: Adopt the resolution approving a Budget Amendment in the Amount of \$179,239 to the FY 2013-14 Water Capital Budget for the Well 8 project.
- Item 5I:** **Adoption of a Resolution Approving an Application by Destination Races for temporary use of City streets for the Napa to Sonoma Wine Country Half Marathon on Sunday, July 20, 2014.**
Staff Recommendation: Adopt the resolution.
- Item 5J:** **Adoption 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.**
Staff Recommendation: Adopt the ordinance.
- Item 5K:** **Approval of application by On Your Mark Events for temporary use of City streets for the Hit The Road Jack event on Sunday, June 1, 2014.**
Staff Recommendation: Approve subject to conditions recommended by the Special Event Committee.

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 March 17, 2014 City Council / Successor Agency Meeting pertaining to the Successor Agency.**
Staff Recommendation: Approve the minutes.
- Item 6B:** **Adoption of a resolution approving the transfer of Governmental Purpose Property.**
Staff Recommendation: Adopt the resolution.

7. PUBLIC HEARING

- Item 7A:** **Discussion, consideration and possible action on an appeal of the Planning Commission’s determination to uphold staff interpretation associated with provisions of the Development Code pertaining to driveway cuts and non-conforming uses as applied to the property located at 639 Third Street West.**
(Planning Director)
Staff Recommendation: Uphold the decision of the Planning Commission, with direction to staff to prepare an implementing resolution for adoption at a subsequent meeting.

8. REGULAR CALENDAR – CITY COUNCIL

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

Item 8A: Discussion, consideration, and possible action on staff proposal to re-establish a Business Improvement Matching Funds program using one-time funds from the dissolution of the Sonoma Community Development Agency. (City Manager, Economic Development Program Manager)
Staff Recommendation: Approve program with one-time funding of \$50,000.

Item 8B: Discussion, consideration and possible action to adopt a resolution of support for the Sonoma County Healthy and Sustainable Food Action Plan. [Requested by Councilmember Brown] (City Manager)
Staff Recommendation: Council discretion.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

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

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 2, 2014. Gay Johann, Assistant City Manager/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: 04/07/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Introduction of new City personnel.

Summary

City Manager Giovanatto will introduce the City's new Finance Director DeAnna Hilbrants and Police Chief Sackett will introduce Sergeant Adrian Mancilla.

Recommended Council Action

N/A

Alternative Actions

N/A

Financial Impact

N/A

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments: None

Alignment with Council Goals: PUBLIC SERVICE: Maintain strong City employee structure to serve the needs of the community.

cc: D. Hilbrants via email



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4B

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Presentation of the Cultural and Fine Arts Commission's 2014 Student Creative Arts Awards

Summary

The Cultural and Fine Arts Commission sponsors the Student Creative Arts Award program. The program is open to Sonoma Valley residents between the age of sixteen and twenty-one who are studying visual, literary or performing arts and features a \$2,000 award.

The Commission recently selected Maya Harris as the recipient of the 2014 Student Creative Arts Award and also granted a \$500 award of merit to Siena Guerrazzi. Lisa Carlsson, CFAC Chair, will present the awards.

On behalf of First District Supervisor Gorin, Jennifer Gray will also present certificates of recognition to the two students.

Recommended Council Action

Receive the presentation.

Alternative Actions

N/A

Financial Impact

The \$2,000 award is included in the Cultural and Fine Arts Commission 2013/14 budget.

Environmental Review

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

Status

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

Attachments:

Certificates

cc:

Students and CFAC members, via email

**CITY OF SONOMA
CULTURAL AND FINE ARTS COMMISSION
2014 CREATIVE ARTS AWARD**

is hereby granted to:

Maya Harris

For Outstanding Talent

April 7, 2014

Lisa Carlsson, CFAC Chair



CITY OF SONOMA
CULTURAL AND FINE ARTS COMMISSION
STUDENT CREATIVE ARTS AWARD OF MERIT

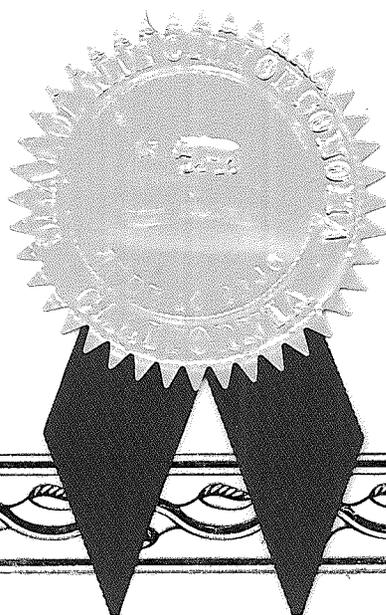
is hereby granted to:

Siena Guerrazzi

For Outstanding Talent

April 7, 2014

Lisa Carlsson, CFAC Chair





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4C

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Children's Memorial Day Proclamation

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 2014 Children's Memorial Day and by flying the Children's Memorial Flag at City Hall on April 25, 2014 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 Rouse 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: Stephen Berry 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 25, 2014 in remembrance of young lives cut short by senseless violence.

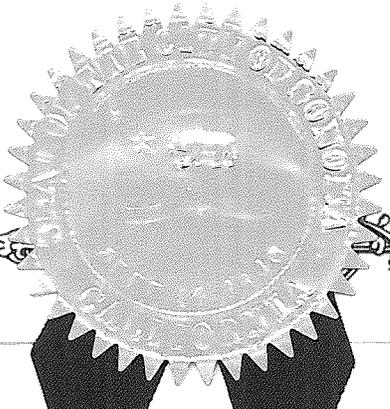
NOW, THEREFORE, I, Tom Rouse, Mayor of the City of Sonoma, do hereby proclaim the fourth Friday of April 2014

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 7th day of April 2014.

TOM ROUSE, MAYOR





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4D

Meeting Date: 04/07/14

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

National Crime Victims' Rights Week Proclamation

Summary

The Sonoma County District Attorney's office requested a proclamation declaring April 6-12, 2014 National Crime Victims' Rights Week. Chief Deputy District Attorney Alexander "Bud" McMahon will be present to accept the proclamation.

In keeping with City practice, the proclamation recipient has 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 Rouse 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: Terry Menshek - via email

City of Sonoma



Proclamation National Crime Victims' Rights Week

Whereas, more than 31 million Americans are directly harmed by crime each year, and each crime affects many more family members, friends, neighbors, and co-workers; and

Whereas, the emotional, physical, psychological, and financial impact of crime falls on people of all ages and abilities, and of all economic, racial and social backgrounds; and

Whereas, the nation has heeded a call to action beginning with the President's Task Force on Victims of Crime in 1982 for a more equitable and supportive response to victims and has promoted victims' rights initiatives, effective and compassionate victim services, and just compensation and financial support; and

Whereas, today, thousands of victim assistance programs provide help and support to child victims of violence and sexual abuse; stalking victims; surviving family members of homicide victims; victims of drunk-driving crashes; and victims of domestic, dating, and sexual violence and other crimes; and

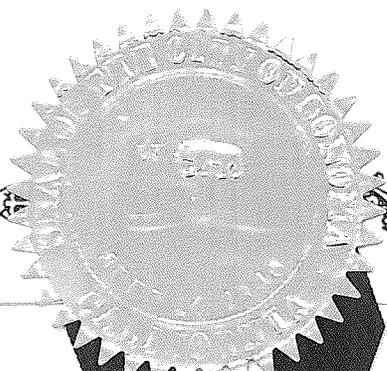
Whereas, now is the time for "New Challenges/New Solutions" through a comprehensive strategy for reaching and serving every victim of crime, especially traditionally underserved victims such as those with disabilities and victims from diverse cultures; and

Whereas, National Crime Victims' Rights Week, April 6-12, 2014, provides an opportunity to explore the challenges and find the necessary solutions to assist every victim of crime in the United States – to help ensure their access to the help they deserve and the rights they are promised.

Now, therefore I, Tom Rouse, Mayor of the City of Sonoma, do hereby proclaim the week of April 6 through the 12, 2014 National Crime Victims' Rights Week in the City of Sonoma and reaffirm the commitment of the City of Sonoma to respect and enforce victims' rights and address their needs during Crime Victims' Rights Week and throughout the year. We extend our sincere appreciation to the victims and crime survivors who have turned personal tragedy into a motivating force towards improving our response to victims of crime and to build a more just community.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Sonoma to be affixed this 7th day of April 2014.

TOM ROUSE, MAYOR





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4E

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Gay Johann/Assistant City Manager/City Clerk

Agenda Item Title

Sexual Assault Awareness Month Proclamation

Summary

Verity - Sonoma County Rape Crisis Center requested a proclamation designating April as Sexual Assault Awareness Month. Verity was founded in 1974 as Women Against Rape, a grassroots organization for women who were traumatized by rape. The agency consisted of a phone number women could call for emotional support. That crisis line is still the only one of its kind in Sonoma County, and operates 24 hours a day, 7 days a week. Today Verity is governed by a board of directors numbering up to 12, with day-to-day operations performed by a paid staff of 14 and more than 40 volunteers.

Verity strives to eliminate all forms of violence, with a special focus on sexual assault and abuse. The facilitate healing and promote the prevention of violence by providing counseling, advocacy, intervention, and education.

Accepting the proclamation on behalf of Verity will be Boardmembers Cecile Focha and Sarai Obermeyer and Counseling Manager Amanda Silva. In keeping with City practice, they have been asked to keep the total length of their follow-up comments and/or announcements to no more than 10 minutes.

Recommended Council Action

Mayor Rouse to present the proclamation.

Alternative Actions

N/A

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

Proclamation

Alignment with Council Goals: N/A

cc: Erica Azimov via email

City of Sonoma



Proclamation

Sexual Assault Awareness Month

Whereas, Sexual Assault Awareness Month is intended to draw attention to the fact that sexual violence is widespread and impacts every community member of Sonoma and beyond; and

Whereas, Rape, sexual assault, and sexual harassment impact our community as seen by statistics indicating that one in five women and one in seventy-one men will be raped at some point in their lives; and

Whereas, Child sexual abuse prevention must be a priority to confront the reality that one in six boys and one in four girls will experience a sexual assault before the age eighteen; and

Whereas, We must work together to educate our community about sexual violence prevention, supporting survivors and speaking out against harmful attitudes and actions; and

Whereas, with leadership, dedication, and encouragement there is evidence that we can be successful in preventing sexual violence in the City of Sonoma through increased education, awareness, and community involvement; and

Whereas, the City of Sonoma supports the dedicated efforts of Verity and encourage every citizen to actively engage in public and private efforts to decide to end sexual violence.

Now, therefore I, Tom Rouse, Mayor of the City of Sonoma, do hereby proclaim the month of April 2014 Sexual Assault Awareness Month in the City of Sonoma.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Sonoma to be affixed this 7th day of April 2014.

TOM ROUSE, MAYOR





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4F

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Laurie A. Decker, Economic Development Program Mgr

Agenda Item Title

Presentation on the Sonoma Valley Springboard program

Summary

Sonoma Valley Springboard is a new program to provide technical assistance to low and moderate income microenterprise owners and prospective entrepreneurs in Sonoma Valley, along with connections to other available resources, in order to provide a springboard to economic advancement. This program is being launched by the City of Sonoma, through its Sonoma Valley Economic Development Partnership, with funding from a federal CDBG grant. Partners include the Napa and Sonoma Small Business Development Center, La Luz Center, the Sonoma Valley Chamber of Commerce, and the Sonoma County Community Development Commission.

Recommended Council Action

Receive the presentation.

Alternative Actions

N/A

Financial Impact

Program is funded through a federal Community Development Block Grant.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Sonoma Valley Springboard program flyer

Alignment with Council Goals:

Aligns with *Economic Development: Explore Economic Development Drivers* through the promotion of Sonoma; continue to facilitate business retention, recruitment and expansion of economic base.

cc:

Sonoma Valley Chamber of Commerce via email
Juan Hernandez, La Luz Center via email



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5B

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the Minutes of the March 17, 2014 City Council meeting.

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

Alignment with Council Goals: N/A

cc: N/A

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

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

Cm. 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. Cm. Brown announced that he had filed his Notice of Intention to run for reelection in November.

Cm. 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 CIm. Gallian, seconded by CIm. 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 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 had not made the distinction between the terms "guest house" and "second dwelling unit" 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 19th, 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, Pacifics 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. Chapiro 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 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.

CIm. 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.

CIm. 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.

CIm. 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. CIm. Barbose said he would support grandfathering in all existing tasting rooms and a Use Permit review for all new ones.

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

CIm. 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.

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

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.

8. REGULAR CALENDAR – CITY COUNCIL, Continued

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

There was nothing on the agenda.

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.

CIm. 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 ____ day of _____ 2014.

Gay Johann
Assistant City Manager / City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5C

Meeting Date: 04/07/2014

Department

Public Works

Staff Contact

Dan Takasugi, Public Works Director/City Engineer

Agenda Item Title

Approve the Notice of Completion for the Zone 1-2 Intertie Project No. 1302 Constructed by Terracon Pipelines Inc. and Direct the City Clerk to File the Document

Summary

The City Council awarded the contract for the Zone 1-2 Intertie Project No. 1302 to Terracon Pipelines, Inc. on September 16, 2014. The work generally consisted of the installation of new water mains in portions of Lovall Valley Road and Thornsberry Road connecting pressure in Zone 1 and Zone 2 to improve fire flows in portions of Zone 1, and to improve water quality from greater turnover Napa Street and Thornsberry storage tanks. Final punch-list items have been completed and signed off by the Public Works Inspector. At this time, all work has been completed in accordance with the contract and it is recommended that the Notice of Completion (NOC) be approved and the City Clerk directed to file the NOC at the County Recorder's Office. There was one contract change order for this project. A summary of the final contract amount, including approved contract change order are shown on the table below.

Contract Summary Table

	General Description	Amount
	Approved Original Contract and Contract Pay Items	\$424,736.00
CCO #1	Additional rock excavation, Thornsberry main tie-in, add CLA-VAL FlowMeter to PRV/PSV, base rock samples for compaction testing, relocated RTU trenching and conduit and PCC drainage retention curb around vault.	\$9,934.90
	Final Contract Amount	\$434,670.90

Recommended Council Action

It is recommended that Council approve the Notice of Completion for the Zone 1-2 Intertie Project No. 1302 Constructed by Terracon Pipelines Inc. and Direct the City Clerk to File the Document.

Alternative Actions

None recommended.

Financial Impact

The Council approved a Water CIP budget of \$716,000 for this project, with \$619,357 of that budgeted in FY13/14.

Environmental Review

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

Status

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

Attachments:

Notice of Completion – Zone 1-2 Intertie Project No. 1302

Alignment with Council Goals:

- Supports the Council Budget and Fiscal Stability Goal to Maintain Capital Infrastructure.
-

When recorded, return to:

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

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

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. On the 7th day of April, 2014, the public project known as: Zone 1-2 Intertie Project No. 1302 was completed.
2. The name and address of the party filing this Notice is:
City of Sonoma, No. 1 The Plaza, Sonoma, CA 95476
3. The name and address of the Contractor responsible for the construction of said public project is: Terracon Pipelines, 150 Alexander Valley Road, Healdsburg, CA 995448
4. The name and address of said Contractor's insurance carrier is:

Woodruff-Sawyer & Co
60 California Street, Floor 12
San Francisco, CA 94111
5. The work generally consisted of the installation of new water mains in portions of Lovall Valley Road and Thornsberry Road connecting pressure in Zone 1 and Zone 2 to improve fire flows in portions of Zone 1, and to improve water quality from greater turnover Napa Street and Thornsberry storage tanks.
6. The original contract amount was: \$ 424,736.00

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

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

Carol Giovanatto, City Manager

Dated: _____, 2014

ATTEST: _____
City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5D

Meeting Date: 04/07/2014

Department

Public Works

Staff Contact

Dan Takasugi, Public Works Director/City Engineer

Agenda Item Title

Approve the Notice of Completion for the Traffic Signal Modifications for Napa Road-Leveroni Road/Broadway (SR12) Project No. 0922, Federal Project No. HSIPL 5114(015) Constructed by Columbia Electric, Inc. and Direct the City Clerk to File the Document.

Summary

The City Council awarded the contract for the Napa Road-Leveroni Road/Broadway (SR12) Project to Columbia Electric, Inc. on July 15, 2013. The work generally consisted of protected left-turn traffic signal phasing installation in both the east and west bound directions of the intersection, and the overlay of the existing intersection. Final punch-list items have been completed and signed off by the Public Works Inspector. At this time, all work has been completed in accordance with the contract and it is recommended that the Notice of Completion (NOC) be approved and the City Clerk directed to file the NOC at the County Recorder's Office. There were two contract change orders for this project as shown on the table below.

Contract Summary Table

	General Description	Amount
	Approved Original Contract and Contract Pay Items	\$125,202.65
CCO #1	Pole foundation relocation and Opticom cable replacement	\$7,419.57
CCO #2	Sign replacement, troubleshooting EVP, and Balancing Quantities	\$6,390.21
	Final Contract Amount	\$139,012.43

Recommended Council Action

It is recommended that Council approve the Notice of Completion for the Napa Road-Leveroni Road/Broadway (SR12) Project No. 0922 Constructed by Columbia Electric Inc. and Direct the City Clerk to File the Document.

Alternative Actions

None recommended.

Financial Impact

The CIP project budget was \$200,000 (Federal Highway Safety Improvement Program Grant \$133,870 and Streets CIP \$66,130), with \$162,000 of that budgeted in FY13/14.

Environmental Review

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

Status

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

Attachments:

Notice of Completion – Napa Road-Leveroni Road/Broadway (SR12) Project No. 0922

Alignment with Council Goals:

- Supports the Council Budget and Fiscal Stability Goal of Seeking Grant Opportunities;
 - Supports the Council Budget and Fiscal Stability Goal to Maintain Capital Infrastructure.
-

When recorded, return to:

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

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

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN THAT:

1. On the 7th day of April, 2014, the public project known as: Traffic Signal Modifications for Napa Road-Leveroni Road/Broadway (SR12) Project No. 0922, Federal Project No. HSIPL 5114(015) was completed.
2. The name and address of the party filing this Notice is:
City of Sonoma, No. 1 The Plaza, Sonoma, CA 95476
3. The name and address of the Contractor responsible for the construction of said public project is: Columbia Electric, Inc, 1980 Davis Street, San Leandro, CA 94577
4. The name and address of said Contractor's insurance carrier is:

R.C. Fischer & Co
P.O. Box 8101
Walnut Creek, CA 94596
5. The general description of the public project was installation of protected left-turn traffic signal phasing in both the east and west bound directions of the intersection, as well as the overlay of the existing intersection to create a uniform surface for the addition of guidance markings and striping.
6. The original contract amount was: \$ 125,202.65

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

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

Carol Giovanatto, City Manager

Dated: _____, 2014

ATTEST: _____
City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5E

Meeting Date: 04/07/2014

Department

Public Works

Staff Contact

Dan Takasugi, Public Works Director/City Engineer

Agenda Item Title

Adoption of Plans and Specifications and Award of Contract to Argonaut Constructors, lowest responsible bidder, for the Church Street and Curtin Lane Water Improvements and Street Rehabilitation Project No. 1311 in the amount of \$376,105.

Summary

Proposed work includes street rehabilitation and other street improvements and removal/ replacement of 1-inch, 1-1/2-inch, 2-inch and ARV water service infrastructure, including demolition of asphalt, asphalt saw cutting, concrete saw cutting, trenching, shoring, construction dewatering, demolition and installation of water service materials, trench surface restoration, edge-grinding existing asphalt pavement, repairing localized pavement failures, frontage improvements, crack sealing, hot mix asphalt base course, hot mix asphalt overlay, hot mix asphalt dike, traffic striping, curb painting and pavement markings, replacing water valve frame and cover, adjusting utility structures to grade, removal and replacement of existing concrete sidewalk, curb and gutter, driveway and pedestrian curb ramps, upgrading existing pedestrian curb ramps for ADA compliance, temporary traffic control, and related work as set forth in the project Plans and Specifications. Plans and Specifications may be viewed on the City's online plan room at: www.blueprintexpress.com/public

Four bids were received and are summarized in Table 1 on the following page. In accordance with the guidelines in City Purchasing Policy No. 2.1, the City Manager is authorized to approve contract change orders of up to 20 percent of the base bid amount.

Recommended Council Action

It is recommended that Council: a) Adopt the Plans and Specifications for the Church Street and Curtin Lane Water Improvements and Street Rehabilitation Project No. 1311, and b) Accept the bids and award the contract to Argonaut Constructors, the lowest responsible bidder, for \$376,105.

Alternative Actions

Council discretion.

Financial Impact

The Council approved \$504,000 for the Project in the FY 2013/14 Streets CIP budget for the project, and \$234,000 (not for this project only) in the FY 2013/14 Water CIP budget for various Citywide water lateral replacements. After analysis of proportional work, this project will be funded at 75% from the Streets CIP budget and 25% from the Water CIP budget.

Environmental Review

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

Status

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

Alignment with Council Goals:

Supports the Council Water & Infrastructure Goal to Initiate Capital Infrastructure Replacements and Upgrades

Attachments: Table 1 Bid Results
Figure 1 Project Location

Table 1

Bid Results

	Bidder Name	Company Location	Bid Amount
	Engineer's Estimate		\$505,000.00
1	Argonaut Constructors	Santa Rosa	\$376,105.00
2	Ghilotti Construction	Santa Rosa	\$424,231.00
3	Maggiore & Ghilotti	San Rafael	\$437,435.00
4	Team Ghilotti	Petaluma	\$456,735.00



Figure 1
Church Street and Curtin Lane Water Improvements and Street Rehabilitation
Project No. 1311



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5F

Meeting Date: 4/7/2014

Department

Building

Staff Contact

Wayne Wirick, Development Services Director/Building Official

Agenda Item Title

Acceptance of three bids and Award of Bid for the City Hall Bell Tower Repair Project to Belz Construction, Inc. of Orangevale, CA in the amount of \$106,000.

Summary

After an extensive review, investigation and evaluation conducted by City staff and the local architectural firm of STRATA alp Architecture a report and bid documents were developed for the City Hall Bell Tower Repair Project. The project includes the repair of structural and water-proofing deficiencies (Base Bid) found at the bell tower on the top of City Hall and also includes the painting of exterior wood window sashes, doors and trim which are in need of maintenance at City Hall (Additive Alternate #1).

On March 27, 2014 the City received four bids for the project, the results of which are shown below.

Contractor	Base Bid	Additive Alternate #1 (Paint Exterior Woodwork)	Total
Belz Construction Orangevale, CA	\$96,000.00	\$10,000.00	\$106,000.00
S.W. Allen Construction, Inc. Sacramento, CA	\$103,889.00	\$12,685.00	\$116,574.00
Joseph Murphy Construction, Inc. Livermore, CA	\$111,996.00	\$10,620.00	\$122,616.00 ¹
Thomas Anderson & Co Sonoma, CA	\$112,314.00	\$22,980.00	\$135,294.00

Bid documents including the plans and project manual may be viewed on the City's web site at <http://www.sonomacity.org/default.aspx?Pageid=513>.

Please see the Supplemental Report for additional information.

¹ Bid by Joseph Murphy Construction, Inc was not responsive – The contractor failed to submit a List of Subcontractors, a Non-collusion Affidavit and a Statement of Review of Insurance Requirements.

Recommended Council Action

Staff recommends the following actions be taken by the City Council:

1. Accept the bids from Belz Construction, Inc., S.W. Allen Construction, Inc. and Thomas Anderson & Co.
2. Reject the bid from Joseph Murphy Construction, Inc. as unresponsive for the following reasons:
 - a. Failure to submit a List of Subcontractors as required by the bid documents; and
 - b. Failure to submit a Non-collusion Affidavit as required by the bid documents; and
 - c. Failure to submit a Statement of Review of Insurance Requirements as required by the bid documents.
3. Award the bid for Sonoma City Hall Bell Tower Repair Project, including Alternate #1, to the low-bidder, Belz Construction, Inc. of Orangevale, CA for the total contract amount of \$106,000.

Alternative Actions

1. Follow the staff recommendations above except for the inclusion of Alternate #1 to repaint the exterior window sashes, doors and trim at City Hall. This would revise the total contract amount to \$96,000.
2. Reject all bids and revise or don't perform the project.

Financial Impact

Project expenses to-date total approximately \$14,000. A total of \$129,000 in Long-Term Building Maintenance funds have been budgeted in the 2013/14 Capital Improvement Program for this project leaving approximately \$115,000 in budgeted funds to complete the project.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Supplemental Report - Acceptance of three bids and Award of Bid for the City Hall Bell Tower Repair Project to Belz Construction, Inc. of Orangevale, CA in the amount of \$106,000.

Alignment with Council Goals:

The proposed Project aligns with the Council goal of *"BUDGET STRATEGY & FISCAL STABILITY: Balance Budget without eroding infrastructure and preserving essential services"* in that it implements a budgeted CIP project.

cc:

SUPPLEMENTAL REPORT

ACCEPTANCE OF THREE BIDS AND AWARD OF BID FOR THE CITY HALL BELL TOWER REPAIR PROJECT TO BELZ CONSTRUCTION, INC. OF ORANGEVILLE, CA IN THE AMOUNT OF \$106,000.

For the City Council Meeting of April 7, 2014

BACKGROUND

Over the last few years roof leaks have been occurring in and around the bell tower on the top of City Hall. A cursory review of the bell tower by City staff showed that a) several wood members are deteriorated and rotted, b) the water-proof membrane at the roof deck and flashings are in need of replacement and c) the bell tower structure could potentially collapse during an earthquake due to the lack of adequate lateral bracing and strapping of the structure. Collapse of the bell tower structure in an earthquake could render the entire building unusable.

Subsequently, City staff hired the local firm of STRATA alp Architecture to conduct a two-step review and analysis process which included an initial investigation and preparation of a preliminary report followed by a final report and design documents that focuses on an appropriate and cost effective solution.

The initial investigation and analysis confirmed all of the issues originally raised by City staff and presented three potential options for retrofitting the structure as follows:

- Option 1: Minimum repairs with no increase in lateral (earthquake) support.
Estimate of Probable Construction Cost: \$56,882.00
- Option 2: Minimum repairs with an increase in lateral (earthquake) support.
Estimate of Probable Construction Cost: \$115,376.00
- Option 3: Complete replacement of the Bell Tower.
Estimate of Probable Construction Cost: \$186,084.00

After reviewing the alternatives and conferring with the City's Facilities Committee, staff directed STRATA alp to further investigate and refine Option 2 and re-examine the structural approach and probable cost analysis with the objective of providing the maximum benefit for the least cost.

In May of 2013, design Option 2 was revised and a new final report was issued. The final report (attached) recommends that structural repairs and improvements be made to the Bell Tower including new waterproofing and improved access to the tower. The report also recommends that the support structure for the historic bronze bell be designed to help to provide lateral (earthquake) strengthening for the bell tower structure. The architect's estimate of probable construction cost for the revised design was \$87,333¹.

¹ This estimate of probable construction costs excluded soft project costs (i.e. design, permits, printing, etc.) and did not include Alternative #1 – Repainting of City Hall Exterior Woodwork (i.e. window sashes, doors and trim).

Based on the recommendations established in the final report and further direction by City staff to include an additive alternate for the painting of exterior woodwork at City Hall, STRATA a|p prepared bid documents² for the project and bids were subsequently requested.

On March 27, 2014 the City received four bids for the project, the results of which are shown below. The bids shown include the work originally contemplated in the May 30, 2013 final report (Base Bid) plus Additive Alternate #1 which includes painting of exterior wood window sashes, doors and trim at City Hall.

Contractor	Base Bid	Additive Alternate #1 (Paint Exterior Woodwork)	Total
Belz Construction Orangevale, CA	\$96,000.00	\$10,000.00	\$106,000.00
S.W. Allen Construction, Inc. Sacramento, CA	\$103,889.00	\$12,685.00	\$116,574.00
Joseph Murphy Construction, Inc. Livermore, CA	\$111,996.00	\$10,620.00	\$122,616.00 ³
Thomas Anderson & Co Sonoma, CA	\$112,314.00	\$22,980.00	\$135,294.00

FINANCIAL IMPACT

Project expenses to-date total approximately \$14,000. A total of \$129,000 in Long-Term Building Maintenance funds have been budgeted in the 2013/14 Capital Improvement Program for this project leaving approximately \$115,000 in budgeted funds to complete the project.

RECOMMENDATION

Staff recommends the following actions be taken by the City Council:

1. Accept the bids from Belz Construction, Inc., S.W. Allen Construction, Inc. and Thomas Anderson & Co.
2. Reject the bid from Joseph Murphy Construction, Inc. as unresponsive for the following reasons:
 - a. Failure to submit a List of Subcontractors as required by the bid documents; and
 - b. Failure to submit a Non-collusion Affidavit as required by the bid documents; and
 - c. Failure to submit a Statement of Review of Insurance Requirements as required by the bid documents.

² Bid documents including the plans and project manual may be viewed on the City's web site at <http://www.sonomacity.org/default.aspx?Pageid=513>

³ Bid by Joseph Murphy Construction, Inc was not responsive – The contractor failed to submit a List of Subcontractors, a Non-collusion Affidavit and a Statement of Review of Insurance Requirements.

3. Award the bid for Sonoma City Hall Bell Tower Repair Project, including Alternate #1, to the low-bidder, Belz Construction, Inc. of Orangevale, CA for the total contract amount of \$106,000.

ALTERNATIVES

1. Follow the staff recommendations above except for the inclusion of Alternate #1 to repaint the exterior window sashes, doors and trim at City Hall. This would revise the total contract amount to \$96,000.
2. Reject all bids and revise or don't perform the project.

ATTACHMENTS

City Hall Bell Tower – Structural and Architectural Investigation Report (May 30,2013)



City Hall Bell Tower

Structural and Architectural Investigation

May 30, 2013



STRATA **AP** ARCHITECTURE

PLANNING MANAGEMENT BRAND DEVELOPMENT

294 West Napa Street

Sonoma, CA 95476

T 707.935.7944

F 707.935.6618

www.strataap.com

SUMMARY



Bell Tower

This report is a product of a two step process including an initial investigation and preparation of a preliminary report followed by this final report that focuses on a specific solution.

The City of Sonoma has recognized that the bell support frame within the bell tower on the top of City Hall has begun to show signs of dry rot and fatigue. STRATAap has been directed by the city to determine the condition of the existing roof structure, bell support frame, and identify potential options for the repairs and upgrades.

The team of STRATAap and SDG (Structural Design Group) has reviewed existing documentation, including drawings of the original facility, additions/renovation of the building and physically reviewed the existing conditions. The structural analysis and recommendations incorporated the 2010 California Historical Building Code (CHBC) in addition to the current addition of the California Building Code (CBC). De-constructive testing was not performed for this report.

After initial investigation, STRATAap and SDG developed three options for the repair and upgrade to the bell support and the bell tower and a probable cost analysis that was issued in a report dated August 28, 2012.

Three options were developed from architectural, engineering, life-cycle and cost perspectives.

- Option 01 (Good) included the replacement of the existing bell support frame, bell reconditioning, new ringing solenoid and controls, new roof hatch, reinforce existing roof framing for support of the bell tower, removal and replacement of a portion of the main City Hall upper roof and repair of the low parapet wall surrounding the bell tower. Cost Analysis \$56,882.00
- Option 02 (Better) included the remodel and structural upgrade of the bell tower including replacement of the bell support frame, bell reconditioning, new ringing solenoid and controls, new roof hatch,

TEAM

City of Sonoma:

Wayne Wirick Jr.
Development Services Director
Building Official

Architect:

STRATAap Architecture
David Rapp, AIA
Brad Johnson, AIA
Ray Willett

Structural Engineer:

SDG (Structural Design Group)
Rich Burris, SE LEED AP BD+C

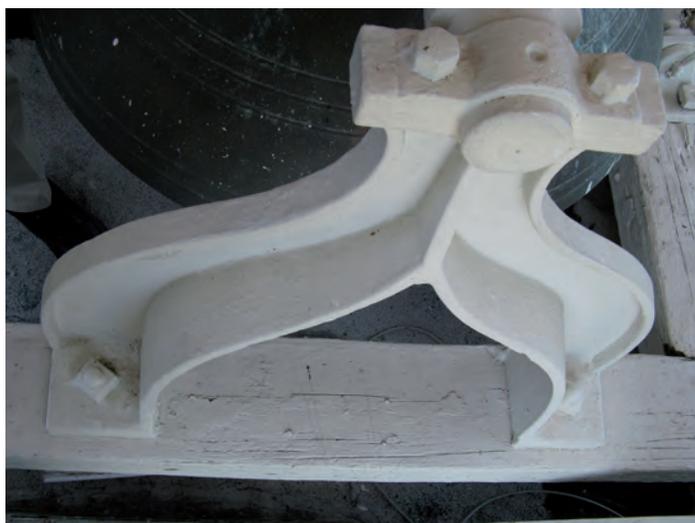
Cost:

Construction and Development Solutions, Inc.
Del Nordby, LEED AP

Summary Continued...

reinforce existing roof framing for support of the bell tower, removal and replacement of a portion of the main City Hall upper roof and repair of the low parapet wall surrounding the bell tower. Cost Analysis \$115,376.00

- Option 03 (Best) included the complete replacement of bell tower including replacement of the bell support frame, bell reconditioning, new ringing solenoid and controls, new roof hatch, reinforce existing roof framing, , removal and replacement of a portion of the main City Hall upper roof and repair of the low parapet wall surrounding the bell tower. Cost Analysis \$186,084.00



Bell Support Frame



Rotted Bell Platform



Bell Platform Roof Penetration

Analysis

The City then undertook a review and cost benefit analysis of the three options, and after consideration asked STRATAap and SDG to further investigate and refine Option 02 and re-examine the probable cost analysis. Based on discussions with the City Development Services Director, Option 02 was simplified and improved.

The two-story Sonoma City Hall building was seismically strengthened in 1986. The seismic rehabilitation was limited in scope to the primary structural elements of the building and did not include the bell tower or bell support frame above the roof. A site visit was performed by SDG on July 18 to observe the structural framing supporting the bell and bell tower. This narrative presents the results of our field observations.

Analysis Continued...

BELL SUPPORT FRAME

The bell is supported by a cast iron stand assembly that bears on a raised wood beam framework located approximately 20" above the roof. The four legs of the cast iron frame are bolted thru the 6x6 wood beams. The beams are attached to 6x6 posts at one end and are let into the bell tower wall at the other end as shown on the attached sketch. The beam support posts bear on the 1/2" plywood and 3/4" roof decking assembly approximately 4" away from the 2x12 rafter below.

The open nature of the bell tower exposes the bell support platform to wind driven rain. One of the beams supporting the bell was observed to be significantly deteriorated. The existing bell support frame appears stable for vertical loads but has no lateral load capacity. The nominal connections between the platform beams and support posts, and the lack of proper anchorage/blocking under the support posts, could lead to potential collapse of the frame when subjected to seismic loads.



Bell Platform Tower Wall Connection

BELL TOWER

The bell tower is approximately 7-6" square and is supported by 18" long wall panels at each corner. Each of the four corners is anchored to the double rafter below via a nailed steel strap connection. The anchorage serves to prevent overturning/uplift of the bell tower above. The

large openings in the bell tower, combined with its heavy tile roofing, reduce the effect of horizontal wind loads on the tower structure and the existing anchors appear to have performed adequately over time.

The heavy tile roofing on the bell tower, although useful for resisting overturning/uplift forces from wind loads, serves to make the structure top heavy when subjected to seismic loads.

Modern day building codes limit the height-to-width ratio of walls resisting seismic loads to 3.5:1. The 7 ft. top plate height at the tower results in a 4.7:1 height-to-width ratio for the corner wall panels. Narrow wall panels such as this result in large overturning forces during an earthquake. It is unlikely that the existing strapped anchorage would be adequate to resist the required overturning forces due to seismic loads. This could lead to potential collapse of the tower during an earthquake.



Bell Tower

Other (Analysis)

PLATFORM

The existing platform is roof decking over 2x joist framed with double joisting at specific locations. It is supported by a roof beam and truss assembly that brings loads down to other bearing elements. Though weathered and stained, it appears to be in generally sound condition. Structural upgrades should be performed in accordance with recommendations.

Other (Analysis) Continued...

PERIMETER PARAPET

The perimeter parapet walls seem relatively sound on the exterior, but show some buckling and de-lamination on the inside. This raises the possibility that there may be dry type damage on the interior of the walls. See recommendations for work that may need to be performed.

ROOF

The existing roof is a cap sheet type built of roof that has penetrations for the bell tower and bell platform structure. There is evidence of leaks and it would be reasonable to replace the roof along with repair of any damage that is exposed during roof tear off.

BIRD SCREEN

There is bird screen at the large openings at four sides of the bell tower. They are in make-shift frames that would probably not survive any work that was performed on the tower and bell support.



Inside of Bell Tower



Tower Access from Attic

Recommendations

STRUCTURAL

- The existing wood framed bell support platform should be replaced with a new tube steel platform to minimize future maintenance. The new platform should be designed to transfer lateral loads into the primary building structure. The existing roof framing should be locally strengthened by a new wood beam designed to resist concentrated loads from the new platform support posts as shown on the attached sketch.
- The capacity of the existing bell tower to resist lateral loads cannot be determined by analysis as there are no published allowable shear values for the existing wood siding. The bell tower should be strengthened to resist lateral force levels specified by the current CBC by adding new plywood to the underside of the ceiling framing and to the exterior face of the corner wall panels; locally strengthening the roof framing below the tower walls; and strengthening rafter-to-beam and beam-to-truss connections resisting loads from the tower.

Recommendations (Structural) Continued...

- Complying with the CBC prescribed 3.5:1 height-to-width ratio for the corner wall panels cannot be achieved without increasing the length of each corner wall segment by 6" or reducing the ceiling/roof height by 24". It is our understanding that these modifications would be detrimental to the historical character of the structure and are not viable options at this time. Recommendations incorporate accommodations of the CHBC for upgrades to historic buildings.

ARCHITECTURAL

Demolition:

- Remove existing cap sheet roof and open up parapet walls.
- Remove any damaged sheathing or framing from parapet walls, tower walls or roof platform framing. Replace any damaged wood pressure treated wood.

New:

- Relocate roof access opening to new location and enlarge to improve access. Provide weather tight roof hatch.
- Provide new bird screen frames. Modify openings on side of tower to ensure proper closing and ease of removal for repair.
- Re-roof inside and outside of bell tower including parapets with single ply membrane roof.
- Repaint bell tower and parapets, inside and out to match existing color.

Cost

Based on a review of the conditions and assumed scope of work, Construction and Development Solutions, Inc. developed a cost analysis. The statement of probable cost was \$87,333.00, see Appendix 4.



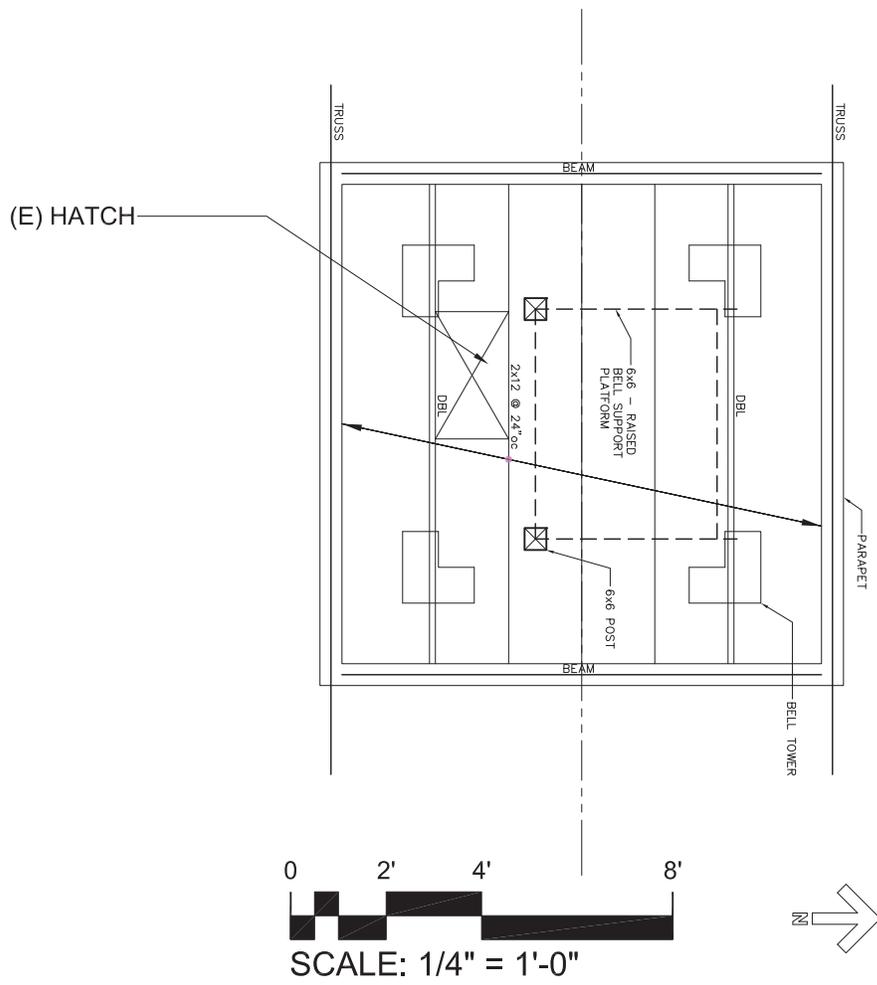
Tower Platform and Support

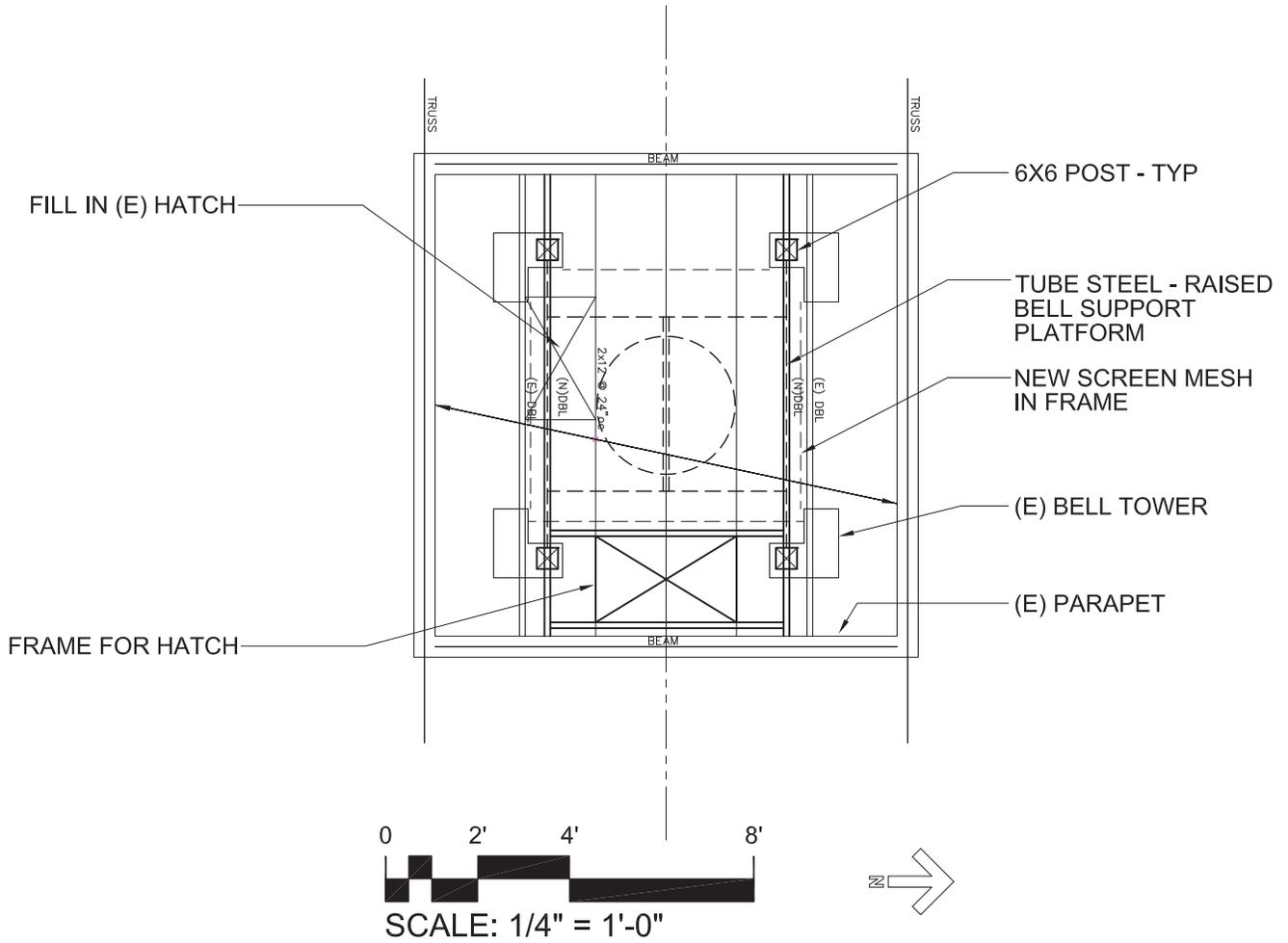


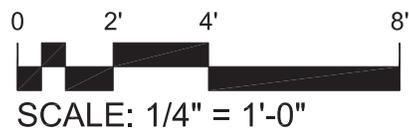
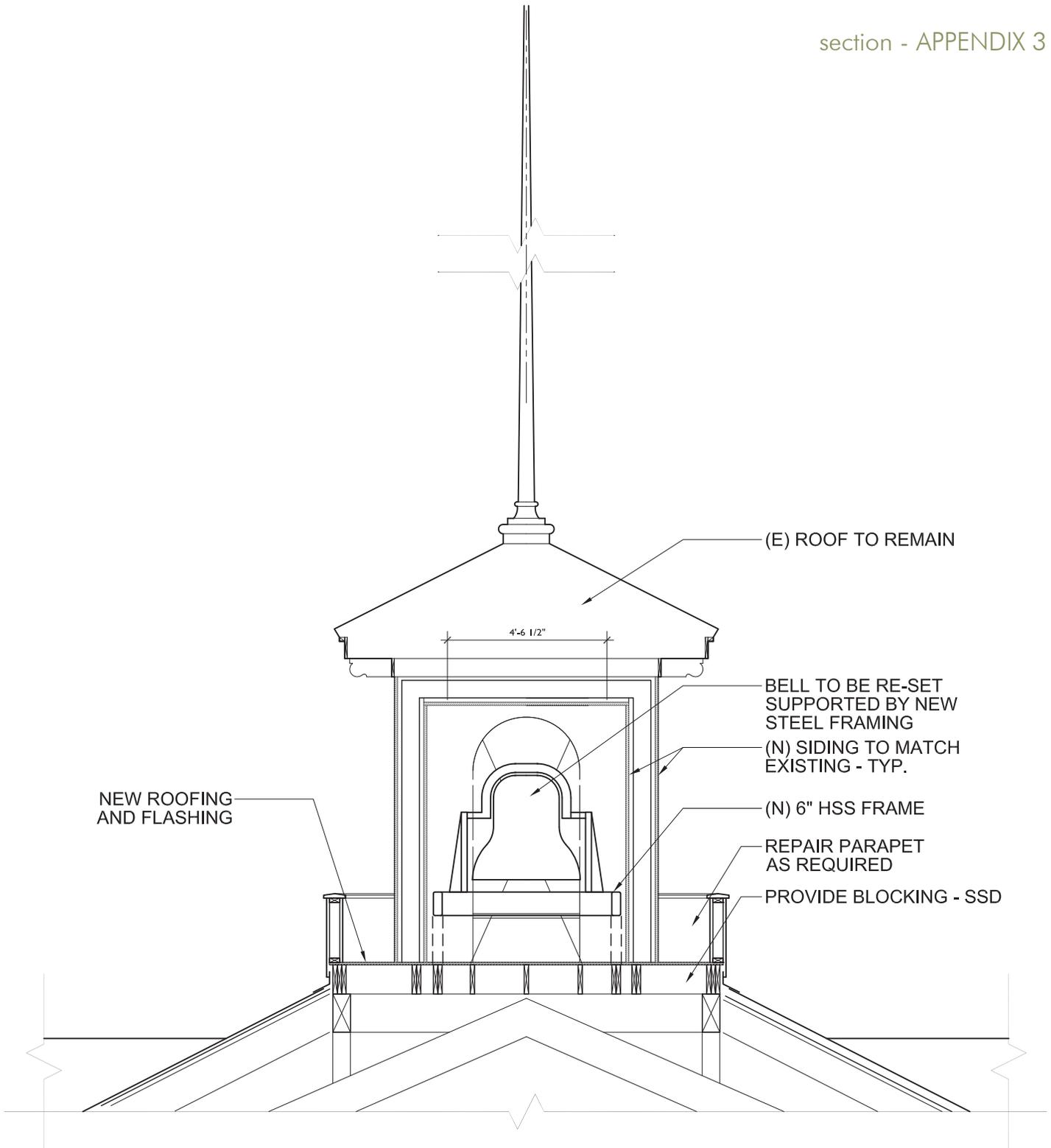
Parapet Wall



Bird Screen and Frame







CONSTRUCTION AND DEVELOPMENT SOLUTIONS, INC.

LICENSE # 936938 A/B

511 Humboldt Street, Santa Rosa, CA 95404

707.526.2211 ph/fax 707.484.5338 cell

del@cds-inc.net

CONSTRUCTION BUDGET SUMMARY		Site Acre	-
		Building Sqft.	-

**City Hall Bell Tower
Sonoma**

Description	Amount	Qty	Unit Cost	Budget	Notes
Labor Rates					
	78	per hr	Carpenter		
	56	per hr	Laborer		
	67	per hr	Blended		
Demolition	152	hrs			
Jack Bell	32	mh	67	2,148	
Bell Structure	16	mh	67	1,074	
Roofing and Flashings	16	mh	67	1,074	
Hatch	8	mh	67	537	
Ladder	4	mh	67	269	
Remove dryrot	4	mh	67	269	
Siding / Trim	32	mh	67	2,148	
Hand Carry	40	mh	67	2,685	
Dumpsters	2	ea	400	800	
Carpentry	244	hrs			
Setup	16	mh	67	1,074	
Material Handling	40	mh	67	2,685	
Sister 2x12's	24	mh	67	1,611	
Blocking	32	mh	67	2,148	
6x6 posts	16	mh	67	1,074	
Replace dryrot	48	mh	67	3,222	
Siding	32	mh	67	2,148	
Misc Trim	32	mh	67	2,148	
Reinstall Ladder / Hatch	4	mh	67	269	
Misc Nails and Hardware	1	ls	500	500	
Material	1	ls	4,000.00	4,000	
New Hatch	1	ls	500	500	
JLG Lift	1	mo	2,500	2,500	
				-	

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CONSTRUCTION BUDGET SUMMARY		Site Acre	-
		Building Sqft.	-

**City Hall Bell Tower
Sonoma**

Description	Amount	Qty	Unit Cost	Budget	Notes
Labor Summary	396	mh			
	12.38	days	4 man crew		
	2.48	wks	4 man crew		
Steel Fabrication and Installation	400	lbs	10	4,000	
New Roofing and Flashings	1	ls	3,500	3,500	
Painting	1	ls	2,500	2,500	
Pigeon Mesh	4	ea	500	2,000	
Contractor Cost					
On-Site General Conditions	2	mo	10,000.00	20,000	
General Liability	66,882		1.2%	803	
Overhead and Profit	67,684		15%	10,153	
Bond	77,837		2%	1,557	
	Subtotal			79,393	
	Contingency		10.00%	7,939	
	TOTAL			\$ 87,333	



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5G

Meeting Date: 04/7/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Approve Support For A Grant Proposal by Sonoma Ecology Center for Nathanson Creek Preserve

Summary

The new Sonoma County Agricultural Preservation and Open Space District (SCAPOSD) Matching Grant Program (MGP) RFP has been released and the Sonoma Ecology Center (SEC) has requested the City partner as a Co-applicant on the project. The matching grant program only comes up every two years and provides a great opportunity to fulfill SEC's stated goal to secure funding that supports operations and maintenance (O&M) for SEC managed sites within the City. This project will also provide several public benefits, including stormwater management, flood control, water quality improvements, habitat enhancement, public education, and recreational access.

The Nathanson Creek Preserve is an established conservation area and parkway for recreational access. The MOU between SEC, the City of Sonoma and the School District supports proposed work to enhance habitat, manage stormwater, provide educational opportunities and community access. The upper reach of the Nathanson Creek Preserve is on City owned property with a conservation easement from the SCAPOSD. Planning and design and construction of a subset of the conceptual plan is currently funded by the Department of Water Resources Urban Streams Restoration Program (DWR USRP). Current stakeholders providing planning and design input to the project include City of Sonoma, Sonoma Valley Unified School District, Sonoma County Agricultural Preservation and Open Space District, Sonoma County Water Agency, SEC and consulting firms conducting research, analysis, planning, and design.

Project funding sources (secured, pending, and requested)

SCAPOSD MGP (\$85K - estimated grant request)

DWR USRP (\$200K - secured for flood control structure construction)

City of Sonoma (In-kind services request) Request for plan review and construction permit fee waiver

Calfire - (\$15K - estimated request) CalReleaf grant program - Applying to fund this year for larger specimen trees for street and perimeter fence line planting. (Calfire has funded tree planting along the parkway twice in the past.)

Recommended Council Action

Staff recommends support of this grant proposal with the express limitation to providing in-kind services by the City including plan review and construction permit fee waiver which is anticipated to be of a minimal cost.

Alternative Actions

Do not support partnering with the SEC on the grant proposal.

Financial Impact

Fee waiver estimated at less than \$500.

Environmental Review

Status

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

- Approved/Certified
- No Action Required
- Action Requested

Attachments: Floodplain Wetland and Infiltration Bio-Basin Design

Alignment with Council Goals:

Policy and Leadership: Provide continuing leadership as policy makers and residents of the community

cc:



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 5H

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Adoption of a Resolution Approving a Budget Amendment to the 2013-14 Operating Budget To Reprogram Expired 2001 Water Bond Funds.

Summary

In 2001, the City and Financing Authority issued Bonds in the amount of \$2.25 million for the purpose of financing needed improvements to the Water System infrastructure including the construction of the Norrbom Road Water Tank. These bonds were refinanced in 2012 at a lower interest rate and the final period of defeasment of the Reserve period has expired. In the closure of the Reserve fund the City was notified by the Fiscal Agent, Bank of New York, that there was a remaining reserve amount of \$179,239 which was refunded to the City. These funds which were originally purposed for Water infrastructure projects are unallocated. Public Works Director/City Engineer Takasugi has requested that this funding be utilized to augment project costs for Well 8.

Background

Contained in the 2013-14 Capital Improvement Plan is funding in the amount of \$120,000 for the Well 8 project, intended mostly for preliminary engineering. However, this project has gained some momentum, and is ready to move into CEQA and Design. Given the progress on this project, the \$120K budget will likely be inadequate to complete CEQA and Design in FY13/14. We have LRT2 Funding for this project in the amount of \$275,117. However, that funding can only be applied toward Construction, which will likely be in FY14/15. Given the progress on this project, the \$120K budget will likely be inadequate to complete CEQA and Design in FY13/14. The addition of the remaining 2001 Bond Reserve Funding will allow the Well 8 project to move forward without interruption.

Recommended Council Action

Adopt the resolution approving a Budget Amendment in the Amount of \$179,239 to the FY 2013-14 Water Capital Budget for the Well 8 project.

Alternative Actions

Do not approve Budget Amendment

Financial Impact

Increase to Water Capital Project Budget due to receipt of unanticipated revenue.

Environmental Review

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

Status

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

Attachments: Resolution

Alignment with Council Goals:

WATER & INFRASTRUCTURE: *Redefine the Capital Infrastructure needs with a focus on enhancing the City's local water supply.*

CITY OF SONOMA

RESOLUTION NO. ____ - 2014

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA
AMENDING THE FY 2013-14 OPERATING BUDGET TO INCORPORATE THE
RESIDUAL 2001A WATER BOND RESERVE FUNDS**

WHEREAS, the 2013/14 Fiscal Year Budget was adopted on July 1, 2014; and

WHEREAS, subsequent to the budget adoption, staff closed out the 2001A Water Capital Bond Reserve issuance due to the refinancing of the Water Capital Bond; and

WHEREAS, the Bank of New York as fiscal agent for the 2001A Water Capital through the closing of the financial transactions advised staff that there was a residual reserve balance of \$179,239.14 remaining to be refunded to the City; and

WHEREAS, the original funding was issued for purposes of water projects and these funds are recommended by the Public Works Director/City Engineer to be included to augment the budget for the Well 8 project.

NOW, THEREFORE, BE IT RESOLVED by this City Council that the Budget for Fiscal Year 2013-2014 is hereby amended as follows:

SUMMARY AMENDED 2013-14 BUDGET	
WATER FUND – CAPITAL PROJECT REVENUE	(\$179,239)
WATER FUND – CAPITAL PROJECT WELL 8	\$179,239

The foregoing Resolution was duly adopted this 7th day of April 2014, by the following roll call vote:

AYES:
NOES:
ABSENT:

Tom Rouse, Mayor

ATTEST:

Gay Johann
Assistant City Manager/City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5I

Meeting Date: April 7, 2014

Department

Public Works

Staff Contact

Associate Planner, Atkins

Agenda Item Title

Adoption of a Resolution Approving an Application by Destination Races for temporary use of City streets for the Napa to Sonoma Wine Country Half Marathon on Sunday, July 20, 2014.

Summary

Destination Races has requested temporary use of city streets for the Napa to Sonoma Wine Country Half Marathon as follows:

1. Closure of East Napa Street between First Street East and the Plaza entrance 7:00 a.m. until 11:30 a.m. on Sunday July 20, 2014.
 2. Closure of the number two lane of Broadway, north-bound, between East MacArthur and the Plaza 7:00 a.m. until 11:30 a.m. on Sunday July 20, 2014.
 3. The parking lane on the east side of Broadway between East MacArthur and East Napa Street 7:00 a.m. until 11:30 a.m. on Sunday July 20, 2014.
 4. Closure of East MacArthur between Second Street East and Broadway 7:00 a.m. until 11:30 a.m. on Sunday July 20, 2014.
-

Recommended Council Action

Adopt the resolution approving the use of city streets and recommending Caltrans approval.

Alternative Actions

- 1) Delay action pending receipt of additional information.
 - 2) Deny the request.
-

Financial Impact

The applicant is required to reimburse the City for additional personnel costs incurred as a result of this event.

Environmental Review

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

Status

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

Attachments:

1. Draft Resolution
2. Permit Application For Use of City Streets

Alignment with Council Goals:

N/A

cc: Matt Dockstader
Destination Races
1905 Sperring Road
Sonoma, CA 95476

CITY OF SONOMA

RESOLUTION NO. XX - 2014

**RESOLUTION APPROVING AND CONSENTING
TO THE USE OF CITY STREETS
2014 Wine Country Half Marathon**

WHEREAS, Destination Races has made an application to conduct the Wine Country Half Marathon, which will involve use of city streets and State Route 12; and

WHEREAS, the Wine Country Half Marathon will temporarily impede and restrict the free passage of traffic over city streets and State Route 12 on July 20, 2014 between the hours of 7:00 a.m. and 11:30 a.m.

NOW THEREFORE be it resolved by the City Council of the City of Sonoma as follows:

1. The City Council approves and consents to the street closure associated with the proposed Wine Country Half Marathon and recommends approval of and consents to the proposed restriction of State Route 12 upon terms and conditions deemed appropriate and necessary by the State of California, Department of Transportation.
2. The approval of the street closure is subject to the following conditions and limitations:
 - A. Applicant shall contact Police Department as soon as possible to finalize traffic control plan and contract with the Sonoma County Sheriff's Department for services as required.
 - B. Applicant shall provide a written request for special barricading to the Public Works Department at least thirty days prior to the event and meet with the Street and Police Departments.
 - C. Applicant shall provide notice of the event and the street closure to all businesses located on Broadway and on all sides of the Plaza no later than thirty days prior to the event.
 - D. Applicant shall comply with City of Sonoma standard insurance requirements.
 - E. The applicant is required to reimburse the City for additional personnel costs incurred as a result of this event.
 - F. Applicant shall obtain event approval from the Community Services and Environment Commission.

PASSED AND ADOPTED this 7th day of April 2014 by the following vote:

AYES:
NOES:
ABSENT:

Tom Rouse, Mayor

ATTEST:

Gay Johann
Assistant City Manager/City Clerk



City of Sonoma
No. 1 The Plaza
Sonoma CA 95476



PERMIT APPLICATION
FOR USE OF CITY STREETS

Application Fee: **\$502.00**

(Encro 100 30203)

Note: Events utilizing any portion of Highway 12 must also obtain permission from Caltrans, District 4, 111 Grand Avenue, Oakland 94612, (510) 286-4404.

Name of Applicant: Wine Country Half Marathon / MATT Dackstedter

Name of Sponsoring Organization: Destination Races / Hanna Boysen

Address: 1224 Speering Rd.

Telephone Numbers: Day: 707-933-1769 Cell: _____ Email: matt@destinationraces.com

Name of Event: Napa to Sonoma wine country Half Marathon

Type of Event – Mark Appropriate Box

- Run or Walk
 Rally or Assembly
 Parade
 Other

Date(s) of Event: Sunday, July 20 2014

Street Closure(s) Requested:

MacArthur between 2nd St. E and Broadway from 8:00 am/pm to 10:45 am/pm
North-bound
Right lane Broadway between MacArthur and PLAZA from 8:00 am/pm to 10:45 am/pm
Denmark between High School and WPA CO. from 7:45 am/pm to 10:45 am/pm

Complete Description of Event. Using additional sheets if necessary, describe the number of participants; duration of the event; the number, type, size and material of all entries including any floats or banners; the number and type of animals and a plan for cleaning up after them; any seating being provided; and Judges Tables. Attach a map of the route to be used and indicating the location of the staging area, announcer's stand, barricade placement, vendors, banners, signs and booths, etc.:

10th annual Half Marathon running from Napa to Sonoma
PLAZA. RACE Finishes at 10:45 AM. Post RACE Festival
Runs from 9:30 AM to 12:00 PM. Announcer begins @ 7:50 AM

Estimated Daily Attendance: 3200 Runners; 8000 total in Plaza

If a Sound Amplification is be used, describe the type, location, purpose and hours of use: Announcer at
race finish from 7:50 AM to 10:30 AM. Band in
amphitheatre from 9:30 AM - 10:30 AM + 11:30 AM -
12:00 PM

JAN 14 2014

General Conditions of Approval:

Applicant is responsible for obtaining permission from Caltrans for use of any portion of Highway 12. All facilities placed upon a City street are subject to continuing safety approval and inspection by the appropriate City departments. A clear path of a minimum width of 20 feet through the length of the portion of roadway being used must be maintained for emergency vehicle access. Obstructions shall not be placed along the curb or the roadway within 10 feet of any fire hydrant. All facilities used for the event shall be removed from City streets immediately after the close of the event. All costs for barricading, traffic control, street sweeping and clean up shall be borne by the applicant. Applicant will be required to submit a deposit equal to the amount estimated by the City for services performed by City personnel in relation to the event. The deposit is due no later than two weeks before the first day of the event. If actual costs exceed the amount of the deposit, applicant will be required to pay the difference. If actual costs are less than the deposit, the excess will be returned to applicant or applied to any other fees or charges owed to the City. Applicant must provide a certificate of insurance and a policy endorsement naming the City of Sonoma as additional insured as described in the City of Sonoma Facility Use Insurance Requirements.

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.

Matt DeLeon

Applicant's Signature

1/1

Date

For City Use Only

POLICE DEPARTMENT RECOMMENDATION:

Approve Deny

Amount of Deposit Required: \$ _____

COMMENTS:

Authorized Signature

Date

PUBLIC WORKS DEPARTMENT RECOMMENDATION:

Approve Deny

Amount of Deposit Required: \$ 502.⁰⁰

COMMENTS:

Authorized Signature

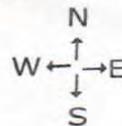
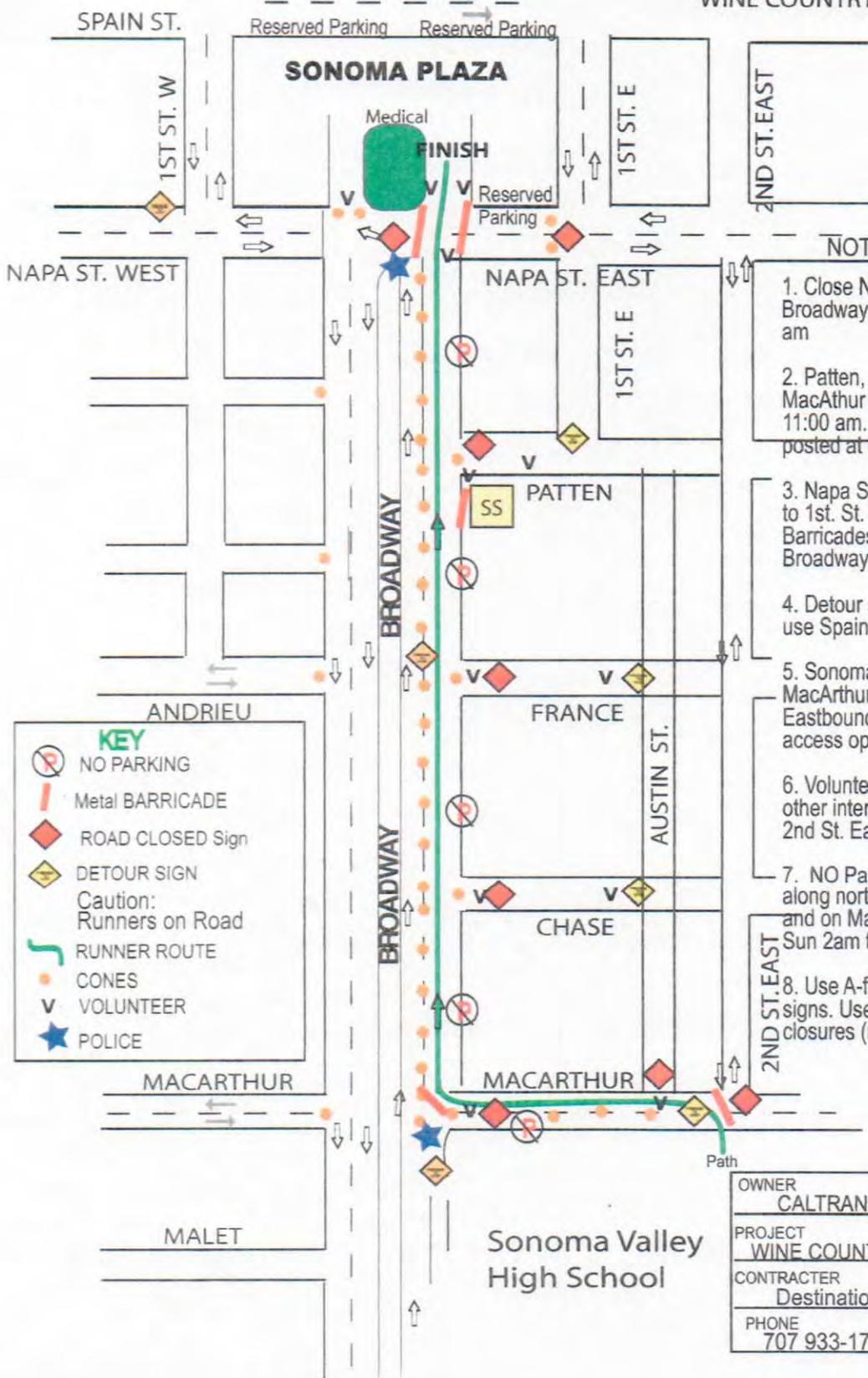
Date

Date Approved by CSEC: _____

Date Approved by City Council: _____

NAPA to SONOMA
WINE COUNTRY HALF MARATHON

Bus loading



NOTES

1. Close Northbound far right lane of Broadway to vehicles - 7:30 - 11:00 am
2. Patten, France, Chase and MacArthur closed at Broadway 7:50 - 11:00 am. Detour signs and volunteer posted at intersections
3. Napa St. E closed from Broadway to 1st. St. E - 7:00 am to 11:30 am Barricades and police officer at Broadway and Napa St.
4. Detour sign at 1st St. E. Vehicles use Spain St. to access Plaza
5. Sonoma Police officer positioned at MacArthur and Broadway. Thru Traffic Eastbound closed. MacArthur Place access open on south lane.
6. Volunteers and signs placed at all other intersections on Broadway and 2nd St. East to detour traffic.
7. NO Parking signs posted by city along northbound side of Broadway and on MacArthur section for closure Sun 2am to Sun 11:30am.
8. Use A-frame barricades for road signs. Use metal barricades for key closures (red).

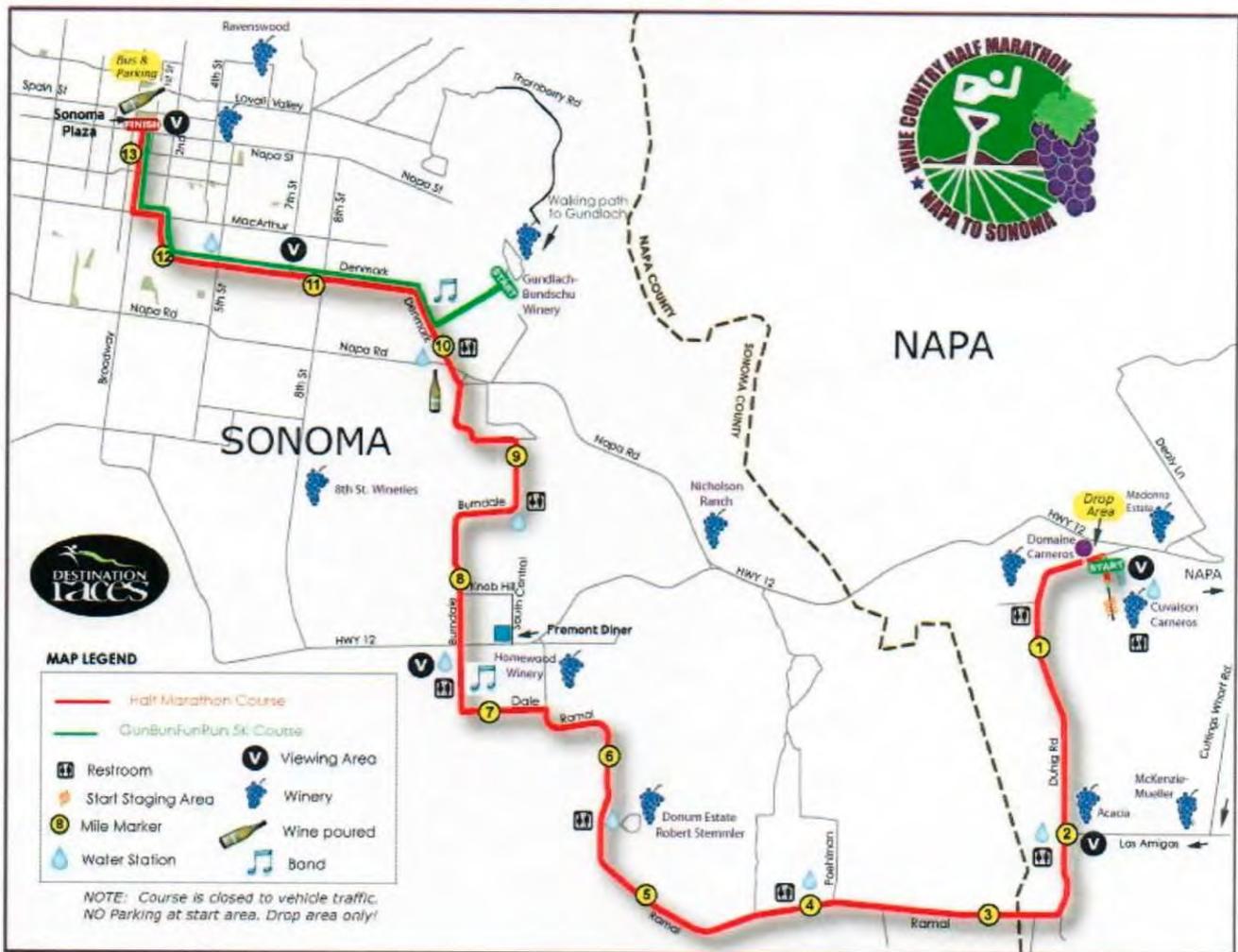
OWNER	CALTRANS / City of Sonoma
PROJECT	WINE COUNTRY HALF MARATHON
CONTRACTOR	Destination Races
PHONE	707 933-1769



Emergency Medical Services Plan Napa to Sonoma Wine Country Half Marathon

INTERNAL EVENT DRAFT

Start time: 7:00 AM
 Start Location: Cuvaison Carneros Estates at 1221 Duhig Road just off of Hwy 121
 End Location: Sonoma Plaza, Broadway & Napa Streets
 Finish Festival: 9:00am-12:00pm Sonoma Plaza





City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5J

Meeting Date: 4/7/14

Department

Police

Staff Contact

Bret Sackett, Chief of Police

Agenda Item Title

Adoption 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.

Summary

On March 17, 2014, the City Council held the first reading of this ordinance amending section 10.74.010 of the Municipal Code pertaining to the operation of bicycles and other similar conveyances on City sidewalks and the pedestrian and bicycle paths.

Recommended Council Action

Adopt 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.

Alternative Actions

Council discretion

Financial Impact

None

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

- Ordinance amending Section 10.74.010 of the Sonoma Municipal Code

Alignment with Council Goals:

This item is not directly related to any stated in Council Goal.

cc:

CITY OF SONOMA
ORDINANCE NO. ____ - 2014

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 City Council of the City of Sonoma does ordain as follows:

SECTION 1.

Section 10.74.010 of the Sonoma Municipal Code is amended to read as follows:

10.74.010 Operation of bicycles and other conveyances on public sidewalks, or bicycle or pedestrian paths

A. Except as is otherwise provided in this code, it shall be lawful for a person to ride, use or operate a bicycle propelled by human power or other means of conveyance propelled by human power, including roller skates, a skateboard, coaster, scooter, or tricycle, any place in the city upon a public sidewalk or public pedestrian or bicycle path.

B. It is unlawful for any person to ride, use, or operate a bicycle or other conveyance propelled by human or motor power, including roller skates, a skateboard, coaster, scooter, tricycle, or other similar device any place in the city upon a sidewalk, or pedestrian or bicycle path, at a speed greater than is reasonable or prudent having due regard for weather, visibility, traffic, width of sidewalk or path, or at a speed or in such a manner which endangers the safety of persons or property. When a person riding, using, or operating a bicycle or similar conveyance identified above encounters a pedestrian upon a sidewalk, they should yield the right of way to the pedestrian when reasonable and prudent given the totality of the circumstances.

C. It is unlawful for any person to ride, use, or operate a bicycle or other conveyance propelled by human or motor power identified in subsection B, upon the sidewalks in the downtown Plaza area, specifically the public sidewalks on both sides of First Street West between Spain Street and Napa Street, First Street East between Spain Street and Napa Street, Napa Street between First Street East and First Street West, and Spain Street between First Street East and First Street West.

D. Except as is otherwise provided in section 10.74.011 SMC, it is unlawful for any person to ride, use, or operate a bicycle propelled by motor power or other conveyance propelled by motor power any place in the city upon a sidewalk, or pedestrian or bicycle path. This subsection does not apply to (i) self-propelled wheelchairs, motorized tricycles or motorized quadricycles operated by persons who, by reason of physical disability, are otherwise unable to move about as a pedestrian and (ii) means of conveyances that are solely powered by battery, are manufactured for use by children and are commonly considered toys.

E. Any person who violates any provision of this section is guilty of an infraction, and the operation of any conveyance in any manner prohibited by this section by any person or by any

group of persons in company with another, is declared a public nuisance which may be summarily abated by any peace officer retained by the city by seizure and impoundment of the conveyance or conveyances used in the offense. Any conveyance seized and impounded under this section shall be held for disposition as may be ordered by the court which hears and disposes of the infraction charge against the offender, or any other court of competent jurisdiction.

F. This section shall not apply to city personnel who are authorized to ride, use or operate a bicycle propelled by human or motor power or other means of conveyance propelled by human or motor power any place in the city upon a sidewalk, or pedestrian or bicycle path.

SECTION 2.

Section 10.56.070 is hereby repealed.

SECTION 3.

Section 10.74.011 is hereby added and reads as follows:

10.74.011 Motor-driven vehicles prohibited on bicycle paths.

Except for authorized city personnel, no person shall operate any motor-driven vehicle, including a motor-driven bicycle, scooter, skateboard or similar device onto or along any city bicycle path, except those defined as follows:

A. A “motorized bicycle”, which is a device that has fully operative pedals for propulsion by human power and has an electric motor that meets all of the following requirements: has a power output of not more than 1,000 watts; is incapable of propelling the device at a speed of more than 20 miles per hour on level ground; is incapable of further increasing the speed of the device when human power is used to propel the motorized bicycle faster than 20 miles per hour.

B. A “motorized scooter”, which is any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator, and is powered by human propulsion and electrical energy with a motor that has a power output of not more than 1,000 watts and is capable of propelling the device at a maximum speed of not more than 15 miles per hour on level ground.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective 30 days after the date of adoption.

SECTION 6. POSTING. This ordinance shall be published in accordance with applicable provisions of law, by either:

publishing the entire ordinance once in the Sonoma Index Tribune, a newspaper of general circulation, published in the City of Sonoma, within fifteen (15) days after its passage and adoption; or

publishing the title or appropriate summary in the Sonoma Index Tribune at least five (5) days prior to adoption, and a second time within fifteen (15) days after its passage and adoption with the names of those City Councilmembers voting for and against the ordinance.

THE FOREGOING ORDINANCE was first read at a regular meeting of the Sonoma City Council on the ____ day of _____, 2014, and was passed and adopted at a regular meeting of the Sonoma City Council on the ____ day of _____, 2014, by the following vote:

AYES: Councilmembers

NOES: Councilmembers

ABSENT: Councilmembers

ABSTAIN: Councilmembers

Mayor of the City of Sonoma

Attest:

City Clerk of the City of Sonoma

Approved as to form:

City Attorney of the City of Sonoma



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 5K

Meeting Date: April 7, 2014

Department

Public Works

Staff Contact

Associate Planner, Atkins

Agenda Item Title

Approval of application by On Your Mark Events for temporary use of City streets for the Hit The Road Jack event on Sunday, June 1, 2014.

Summary

On Your Mark Events has requested temporary use of city streets for the Hit The Road Jack event as follows:

1. Closure of Spain Street between First Street East and First Street West from 4:00 a.m. until 12:00 p.m. on Sunday June 1, 2014.
 2. The Special Events Committee recommends the following conditions of approval:
 - The applicant shall contact the Police Department as soon as possible to finalize the contract for two deputies and arrange for five volunteers to assist with the traffic control plan.
 - The applicant shall provide a written request for special barricading to the Public Works Department at least thirty days prior to the event and meet with the Streets and Police Departments.
 - The applicant shall provide notice of the event and temporary impediment of free passage of traffic along the 10K and 2.2 mile run/walk route to all businesses and residents no later than thirty days prior to the event. Letter also shall be sent to the Episcopal Church at 275 East Spain Street.
 - The applicant shall comply with City of Sonoma standard insurance requirements.
 - The applicant is required to reimburse the City for additional personnel costs incurred as a result of this event.
 - The applicant shall obtain event approval form the Community Services and Environment Commission.
-

Recommended Council Action

Approve the Street Use application contingent upon the conditions recommended by the Special Events Committee.

Alternative Actions

- 1) Delay action pending receipt of additional information.
 - 2) Deny the request.
-

Financial Impact

The applicant is required to reimburse the City for additional personnel costs incurred as a result of this event.

Environmental Review

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

Status

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

Attachments:

1. Permit Application For Use of City Streets

Alignment with Council Goals:

N/A

cc: On Your Mark Events
Attn: Mark Aiton
P.O. Box 1199
Arnold, CA 95223



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



**PERMIT APPLICATION
FOR USE OF CITY STREETS**

Application Fee: \$502.00

(Encro 100 30203)

Note: Events utilizing any portion of Highway 12 must also obtain permission from Caltrans, District 4, 111 Grand Avenue, Oakland 94612, (510) 286-4404.

Name of Applicant: On Your Mark Events / Mark Anton

Name of Sponsoring Organization: Hit the Road Jack Events

Address: POB 1199 Arnold Ca 95223

Telephone Numbers: Day: 209 795 7832 Cell: 209 988 7870 Email: Mark@onyourmarkevents.com

Name of Event: Hit the Road Jack

Type of Event – Mark Appropriate Box

- Run or Walk Rally or Assembly Parade
 Other

Date(s) of Event: Sunday June 1st 2014

Street Closure(s) Requested:
Spain between 1st W and 1st E from 0400 am/pm to 1200 am/pm
_____ between _____ and _____ from _____ am/pm to _____ am/pm
_____ between _____ and _____ from _____ am/pm to _____ am/pm

Complete Description of Event. Using additional sheets if necessary, describe the number of participants; duration of the event; the number, type, size and material of all entries including any floats or banners; the number and type of animals and a plan for cleaning up after them; any seating being provided; and Judges Tables. Attach a map of the route to be used and indicating the location of the staging area, announcer's stand, barricade placement, vendors, banners, signs and booths, etc.:

10K + 2.2mi Run/walk Benefiting local Charities 27th year

Estimated Daily Attendance: 1000 - 1250

If a Sound Amplification is be used, describe the type, location, purpose and hours of use:
Sound system on Spain for announcements and music from 0700 - 1030/1100

General Conditions of Approval:

Applicant is responsible for obtaining permission from Caltrans for use of any portion of Highway 12. All facilities placed upon a City street are subject to continuing safety approval and inspection by the appropriate City departments. A clear path of a minimum width of 20 feet through the length of the portion of roadway being used must be maintained for emergency vehicle access. Obstructions shall not be placed along the curb or the roadway within 10 feet of any fire hydrant. All facilities used for the event shall be removed from City streets immediately after the close of the event. All costs for barricading, traffic control, street sweeping and clean up shall be borne by the applicant. Applicant will be required to submit a deposit equal to the amount estimated by the City for services performed by City personnel in relation to the event. The deposit is due no later than two weeks before the first day of the event. If actual costs exceed the amount of the deposit, applicant will be required to pay the difference. If actual costs are less than the deposit, the excess will be returned to applicant or applied to any other fees or charges owed to the City. Applicant must provide a certificate of insurance and a policy endorsement naming the City of Sonoma as additional insured as described in the City of Sonoma Facility Use Insurance Requirements.

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.

Applicant's Signature

Date

2/16/14

For City Use Only

POLICE DEPARTMENT RECOMMENDATION:

Approve Deny

Amount of Deposit Required: \$ _____

COMMENTS:

Authorized Signature

Date

PUBLIC WORKS DEPARTMENT RECOMMENDATION:

Approve Deny

Amount of Deposit Required: \$ _____

COMMENTS:

Authorized Signature

Date

Date Approved by CSEC: _____

Date Approved by City Council: _____



CITY OF SONOMA
City Council/Successor Agency
Agenda Item Summary

City Council Agenda Item: 6A

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the portions of the Minutes of the March 17, 2014 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

Alignment with Council Goals: N/A

cc: NA



City of Sonoma
City Council
as Successor Agency
Agenda Item Summary

City Council Agenda Item: 6B

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Carol Giovanatto, City Manager

Agenda Item Title

Adoption of a resolution approving the transfer of Governmental Purpose Property

Summary

Under Redevelopment Agency dissolution legislation ABx126 and AB 1484, successor agencies are directed to dispose of former redevelopment agency properties in a matter prescribed by the Department of Finance. Assets owned by the former Sonoma Community Development Agency (CDA) are classified by major categories predicated on their long-term use. Assets within these categories include:

1. **Housing Assets:** Housing Assets were determined, by action of the Council as Successor Agency to be transferred to the Sonoma County Housing Authority
2. **Assets Retained for Public Use:** The former CDA owned one property located at 32 Patten Street (Old Fire Station). In December 2012, the City Council as Successor Agency determined through their review and approval of the Due Diligence Report that the City would not retain/purchase the building for public use and the property is currently being marketed for sale.
3. **Governmental Purpose Property:** All other assets as described under Health and Safety Code Section 34181 (a) which lists governmental purpose assets to include roads, school buildings, parks, police and fire stations, libraries and local agency administrative buildings. These assets are currently in use by the City and therefore are subject to transfer from CDA assets to City assets.

The action before the Council as Successor Agency is to approve the transfer of the remaining Governmental Purpose Property assets. This is the final action necessary to complete the transfer process. The Oversight Board will be presented this action at their meeting on April 9th.

The City has recently undergone an audit by the State Controller's office to review the procedures of the Successor Agency. In an exit interview with the Auditors, I was advised that they found no errors or inconsistencies and the only outstanding item was the final transfer of the Governmental Purpose Property. Once this action is completed, I was advised that we should anticipate a "clean" State Controller's Report of Redevelopment Dissolution Actions. Acknowledgement to City Administrative, Planning and Finance staff for their diligence and stellar work in a difficult process of dealing with the wind-down of the redevelopment agency.

Recommended Successor Agency Action

Adoption of the resolution transferring the Governmental Purpose Property

Alternative Actions

N/A

Financial Impact

City assumes \$4.37 million in former CDA assets

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Resolution

Asset Transfer Schedule

cc:

CITY OF SONOMA

RESOLUTION NO. SA ____ - 2014

A RESOLUTION OF THE CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF SONOMA APPROVING THE TRANSFER OF GOVERNMENTAL PURPOSE PROPERTY

WHEREAS, under ABx126 and AB 1484, successor agencies are directed to dispose of former redevelopment agency properties, and

WHEREAS, Health and Safety Code Section 34181 (a) lists governmental purpose assets to include roads, school buildings, parks, police and fire stations, libraries and local agency administrative buildings, and

WHEREAS, the successor agency actions to transfer ownership of those assets that were constructed and used for a governmental purpose are to be submitted to the Oversight Board for approval and

WHEREAS, the list of governmental purpose property is attached hereto as Exhibit A and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Council as the Successor Agency to the dissolved redevelopment agency of the City of Sonoma hereby requests the Oversight Board approval to transfer the governmental purpose property to the City.

ADOPTED this 7th day of April 2014 by the following vote:

AYES:

NOES:

ABSENT:

Tom Rouse, Mayor

ATTEST:

Gay Johann
Assistant City Manager / City Clerk

CITY OF SONOMA
TRANSFER OF GOVERNMENTAL PURPOSE PROPERTY FROM FORMER REDEVELOPMENT AGENCY

<u>CATEGORY</u>	<u>FUND</u>	<u>DESCRIPTION</u>	<u>DATE</u>	<u>COST</u>
Right of Way	800	Fifth St/Napa Right-of-Way	1990	356,028
				356,028
Land	800	Village Green II	2004	1,300,000
Land	800	SE Property Fifth St/Napa	1991	105,848
Land	800	Sonoma Creek Senior Housing	1986	270,000
Land	800	125 E. McArthur	1998	191,432
Land	800	Parking lot	Jun-00	772,363
Land	800	Fire station	Jun-00	15,000
Land	800	2nd St., West	2000	900,000
Land	800	Nathanson C Land	Oct-00	255,355
Land	800	.42 Acres Fire/EMS [SOLD TO CDA FROM CITY]	Jun-05	1,803,315
Land	800	20269 Broadway	Oct-07	2,451,356
Land	800	19340 Sonoma Hwy	May-08	2,535,846
TOTAL LAND				10,600,515
Infrastructure	800	Storm Drains	2000	82,515
Infrastructure	800	New fire station tank removal	2000	19,456
Infrastructure	800	New fire station tank removal	2001	24,722
Infrastructure	800	Burbank Housing Development	2001	635,568
Infrastructure	800	Parking lot construction	2002	126,591
Infrastructure	800	Parking lot construction Current Year	2002	258,447
Infrastructure	800	Nathanson Creek Bike Path	2002	41,611
Infrastructure	800	Lighted Crossing Studley/W Napa/3rd St	2002	1,523
Infrastructure	800	Lighted Crossing Sassarini School	2002	40,576
Infrastructure	800	Intersection	2002	9,167
Infrastructure	800	Malet Street Improvements	2002	140,119
Infrastructure	800	Tank removal	2002	13,948
Infrastructure	800	5th Street East Storm Drain	2003	49,849
Infrastructure	800	Crosswalk Warning sys: Napa/3rd/5th/Studley	2003	45,968
Infrastructure	800	Parking Lot East Side (53012)	2003	1,578
Infrastructure	800	Fifth street east Resurfacing	2003	381,841
Infrastructure	800	Oak Lane Resurfacing (53027)	2003	4,634
Infrastructure	800	Police Station Design (53028)	2003	4,588
Infrastructure	800	Police Station Design (53028)	2005	73,469
Infrastructure	800	Police Station Design & Remodel (53028)	2009	174,911
Infrastructure	800	Police Station Construction	2009	2,012,387
Infrastructure	800	Broadway/Patten Ltd X-walks (53024)	2003	1,470
Infrastructure	800	Second St W Resurfacing (53035)	2003	1,360
Infrastructure	800	Malet Street Water Lines	2003	56,627
Infrastructure	800	Fifth Street West Resurfacing Project	2002	206,166
Infrastructure	800	Malet Street Improvements	2003	8,800
Infrastructure	800	E/W McArthur Resurfacing (53026)	2005	48,020
Infrastructure	800	E/W McArthur Resurfacing (53026)	2004	38,077
Infrastructure	800	Broadway/Andrieux Resurfacing (53032)	2005	4,615
Infrastructure	800	Broadway/Andrieux Resurfacing (53032)	2003	1,470
Infrastructure	800	Broadway/Andrieux Resurfacing (53032)	2005	211,412
Infrastructure	800	Second St W Resurfacing (53035)	2005	7,889
Infrastructure	800	Second St W Resurfacing (53035)	2005	201,319
Infrastructure	800	Nathason Creek Bike Path/Ped Xing (53014)	2004	213,298
Infrastructure	800	Nathason Creek Bike Path/Ped Xing (53014)	2005	1,316
Infrastructure	800	Nathanson Creek Bridge Repair [53014]	2004	4,850
Infrastructure	800	Ltdg Crox walk W Napa (53017)	2004	6,450
Infrastructure	800	Street Tree Program (53025)	2003	9,016
Infrastructure	800	Street Tree Program (53025)	2005	26,975
Infrastructure	800	Street Tree Program[53025]	2004	9,266
Infrastructure	800	Street Tree Program[53025]	2006	17,119
Infrastructure	800	Plaza Electrical Upgrade	2005	151,739
Infrastructure	800	Plaza Electrical Upgrade [53029]	2004	5,591
Infrastructure	800	Plaza Electrical Upgrade [53029]	2006	22,650
Infrastructure	800	X-Walk Broadway@Patten CIP Prj [53034]	2004	3,338
Infrastructure	800	X-Walk Broadway@Patten CIP Prj [53034]	2005	71,928
Infrastructure	800	1st StW/McArthur CIP Prj[53041]	2004	2,000
Infrastructure	800	1st StW/McArthur CIP Prj[53041]	2005	46,853
Infrastructure	800	1st StW/McArthur CIP Prj[53041]	2006	185,875
Infrastructure	800	3rd StW Napa CIP Prj[53044]	2004	1,680
Infrastructure	800	3rd StW Napa CIP Prj[53044]	2005	47,085
Infrastructure	800	3rd StW Napa CIP Prj[53044]	2006	41,800
Infrastructure	800	1st St/E Napa CIP Prj [53045]	2005	1,000
Infrastructure	800	1st St/E Napa CIP Prj [53045]	2006	46,508
Infrastructure	800	E. Napa/2nd-5th	2009	619,808
Infrastructure	800	E. Napa/2nd-5th	2009	1,790
Infrastructure	800	Virginia Court CIP Prj[53046]	2004	1,000
Infrastructure	800	Virginia Court CIP Prj[53046]	2005	40,401
Infrastructure	800	Virginia Court CIP Prj[53046]	2006	13,400
Infrastructure	800	4th St E/Lucca Court CIP Prj[53047]	2004	2,000
Infrastructure	800	4th St E/Lucca Court CIP Prj[53047]	2005	75,680
Infrastructure	800	4th St E/Lucca Court CIP Prj[53047]	2006	6,700
Infrastructure	800	4th St E/Napa to Nathason CIP Prj [53048]	2004	1,600
Infrastructure	800	4th St E/Napa to Nathason CIP Prj [53048]	2005	133,510

Infrastructure	800	Lovell Valley Road CIP Prj [53049]	2004	1,500
Infrastructure	800	Lovell Valley Road CIP Prj [53049]	2005	95,350
Infrastructure	800	Lovell Valley Road CIP Prj [53049]	2006	20,360
Infrastructure	800	1st Street W/Newcomb to McArthur[53051]	2004	2,060
Infrastructure	800	1st Street W/Newcomb to McArthur [53051]	2005	5,727
Infrastructure	800	1st Street W/Newcomb to McArthur [53051]	2006	393,536
Infrastructure	800	1st W/McArthur-Newcomb	2009	102,970
Infrastructure	800	1st W/Newcomb	2009	4,212
Infrastructure	800	2nd W/Spain/Napa	2009	120,000
Infrastructure	800	Church-3rdW-4th CIP Project [53053]	2004	500
Infrastructure	800	Church-3rdW-4th CIP Project [53053]	2005	1,687
Infrastructure	800	Church-3rdW-4th CIP Project [53053]	2006	56,071
Infrastructure	800	Studley 5th W CIP Prj [53054]	2004	2,000
Infrastructure	800	Studley 5th W CIP Prj [53054]	2005	1,855
Infrastructure	800	Studley 5th W CIP Prj [53054]	2006	119,491
Infrastructure	800	Fryer Creek/Newcomb Traffic Calming	2006	27,285
Infrastructure	800	Oak Lane Resurfacing (53027)	2004	152,390
Infrastructure	800	Fire Station Current year	2002	2,556,396
Infrastructure	800	Fire Station Current year	2003	519,071
Infrastructure	800	Fire Station Current year	2005	151,847
Infrastructure	800	Ltdg Crox walk W Napa	2003	14,264
Infrastructure	800	Eastin/Davilla/Andrieux Sidewalk/Curb & Gutter [530	2004	6,380
Infrastructure	800	Plaza Playground Impvs [Kids park][53022]	2004	32,413
Infrastructure	800	Village Green ADA Upgrades [design]	2006	9,061
Infrastructure	800	Grinstead Amphitheater	2006	3,596
Infrastructure	800	Safe Route to Schools	2009	29,859
Infrastructure	800	Safe Route to Schools	2009	20,969
Infrastructure	800	Safe Route to School Grant Project	2009	453,351
Infrastructure	800	Safe Route Grant Construction	2009	526,392
Infrastructure	800	Safe Route Grant Construction	2009	3,628
Infrastructure	800	Village Green ADA Upgrades [const] [see 53036-des	2007	184,069
Infrastructure	800	Lasuen/Carson	2006	5,116
Infrastructure	800	1st StW/Andrieux (53030)	2003	3,350
Infrastructure	800	1st StW/Andrieux (53030)	2004	65,187
Infrastructure	800	Mission Terrace Resurfacing (53031)	2003	1,982
Infrastructure	800	Mission Terrace Resurfacing (53031)	2004	45,949
Infrastructure	800	Bicycle Path @ Robinson Road	2005	158,734
Infrastructure	800	Bike Path @ Robinson Rd & Olsen Park	2009	8,528
Infrastructure	800	Sidewalk Replacement ADA Ramps [53043]	2004	12,700
Infrastructure	800	Grinstead Amphitheater	2005	2,471
Infrastructure	800	Fryer Creek Traffic Calming	2005	1,920
Infrastructure	800	Studley to Oregon Traffic Calming Prj	2005	189
Infrastructure	800	2nd St W/Church St/3rd St W	2006	621
Infrastructure	800	1ST w @ Napa	2006	12,624
Infrastructure	800	Evan/Berryessa	2006	23,440
Infrastructure	800	Eastin/Ray/Davilla	2006	6,000
Infrastructure	800	Brockman/Denmark	2006	524
Infrastructure	800	Brockman/Denmark Construction	2009	816
Infrastructure	800	E/W McArthur	2006	20,000
Infrastructure	800	E/W McArthur	2009	380,000
Infrastructure	800	W Spain 1st-5th	2006	6,000
Infrastructure	800	W Spain 1st-5th	2009	357,163
Infrastructure	800	W. Spain 5th to Hwy 12	2006	9,428
Infrastructure	800	W Spain 1st-5th to Hwy 12	2009	130,240
Infrastructure	800	Robinson/Palou	2006	6,080
Infrastructure	800	Linda/Mitchell	2006	810
Infrastructure	800	Joaquin/Osenda	2006	1,944
Infrastructure	800	Mariano/Ortega	2006	810
Infrastructure	800	Village Green ADA Upgrades [const] [see 53036-des	2007	-
Infrastructure	800	ADA Improvements/Parks	2007	8,907
Infrastructure	800	ADA Improvements/Parks [DESIGN]	2007	6,796
Infrastructure	800	Linda/Mitchell	2007	376,559
Infrastructure	800	Joaquin/Osenda	2007	244,000
Infrastructure	800	Mariano/Ortega	2007	149,476
Infrastructure	800	Linda/Mitchell	2007	2,160
Infrastructure	800	Joaquin/Osenda	2007	2,551
Infrastructure	800	Mariano/Ortega	2007	246,188
Infrastructure	800	5th W @ Spain	2007	150,000
Infrastructure	800	Haraszthy	2009	1,701
Infrastructure	800	Cordilleras Dr	2009	175,000
Infrastructure	800	Nathansen Wall Const [53036]	2010	41,150
Infrastructure	800	Nathansen Wall Const [53036]	2010	20,069
Infrastructure	800	Nathansen Wall Const [53036]	2010	400
Infrastructure	800	Church-3rd W-4th W	2010	15,445
Infrastructure	800	Bettencourt/2nd W	2010	183,000
Infrastructure	800	Lasuen/Carson	2010	460
Infrastructure	800	Andrieux Street Rehab	2010	10,858
Infrastructure	800	Andrieux Street Rehab	2010	456,139
Infrastructure	800	M/Arthur Awstop Control	2010	4,663
Infrastructure	800	Traffic Signal 7th St West	2011	2,358
Infrastructure	800	Traffic Signal 5th St W-W Spain	2011	4,608
Infrastructure	800	Street Tree Program	2011	18,989
Infrastructure	800	Robinson/Palou	2011	260,358
Infrastructure	800	Historic Preservation Easement	2011	100,000
Infrastructure	800	Street Tree Program	2011	13,880
Infrastructure	800	ADA Pinelli Park	2011	11,365

Infrastructure	800	Street Tree Program	2011	5,652
Infrastructure	800	Flood Gate Vets	2011	22,016
Infrastructure	800	CDA-Bikeway Improvements	2011	48,565
Infrastructure	800	Village Green CDA-Low/Mod	2011	35,955
Infrastructure	800	CDA-CIP CDA-Fire Station	2011	23,511
Infrastructure	800	CDA-CIP Andrieux St.	2011	41,086
Infrastructure	800	Cdbg Parks ADA Project	2011	123,569
Infrastructure	800	Water Utility Fano Ln Wa/Sts	2011	30,405
Infrastructure	800	Water Utility Bettenct Wa/Sts	2011	23,171
Infrastructure	800	CDA-CIP Crebs Corp Yd	2011	149,828
				16,634,671

Building & impr	800	Sonoma Creek Sr. Housing-Car Shelt	1987	6,993
Building & impr	800	Sonoma Creek Sr. Housing-Car Shelt	1987	6,993
Building & impr	800	Sonoma Creek Sr. Housing-Car Shelt	1987	6,993
Building & impr	800	Sonoma Creek Sr. Housing-Car/stor	1987	10,493
Building & impr	800	Sonoma Creek Sr. Housing-Clubhouse	1987	129,032
Building & impr	800	Sonoma Creek Sr.Housing Unit #1	1987	250,305
Building & impr	800	Sonoma Creek Sr.Housing Unit #10	1987	250,305
Building & impr	800	Sonoma Creek Sr. Housing Unit #2	1987	250,305
Building & impr	800	Sonoma Creek Sr. Housing Unit #3	1987	111,678
Building & impr	800	Sonoma Creek Sr. Housing Unit #4	1987	220,395
Building & impr	800	Sonoma Creek Sr. Housing Unit #5	1987	111,678
Building & impr	800	Sonoma Creek Sr. Housing Unit #6	1987	250,305
Building & impr	800	Sonoma Creek Sr. Housing Unit #7	1987	220,395
Building & impr	800	Sonoma Creek Sr. Housing Unit #8	1987	250,305
Building & impr	800	Sonoma Creek Sr. Housing Unit #9	1987	111,678
Building & impr	800	ADA Improvements SCSH	2009	79,774
Building & impr	800	Police Building improvements	2000	39,736
Building & impr	800	Police Building improvements	2004	77,344
Building & impr	800	Police Building/purchase County Court section of bld	2005	518,000
Building & impr	800	Police Station Design & Construction	2009	3,322,936
Building & impr	800	Police Station Design & Construction	2009	154,279
Building & impr	800	Carnegie Library	1997	304,523
Building & impr	800	Building Carnegie Library	2000	826,321
Building & impr	800	Old Fire Station [Patton St] TR from City present valu	2005	953,986
Building & impr	800	Patton St. Fire Station Remodel to Temp PD	2006	180
Building & impr	800	Patton Street Remodel/Temp Police Strn/DESIGN	2007	7,241
Building & impr	800	Patton Street Remodel/Temp Police Strn	2007	154,838
Building & impr	800	Duck/Fish Pond Reconstruction	2006	325,491
Building & impr	800	Duck/Fish Pond Reconstruction	2007	278,617
Building & impr	800	Corporation Yard Remodel Prj	2009	43,176
Building & impr	800	Corporation Yard Construction	2009	789,171
Building & impr	800	Corporation Yard Construction	2009	12,724
Building & impr	800	Emergency Overnight Shelter	2009	1,863
Building & impr	800	Emergency Overnight Shelter/DESIGN	2009	30,720
Building & impr	800	Emergency Shelter Construction	2009	429,789
Building & impr	800	Corporation Yard Construction	2011	15,981
Building & impr	800	Emergency Overnight Shelter	2011	2,110
Building & impr	800	Emergency Overnight Shelter/DESIGN	2011	65,385
Building & impr	800	Emergency Shelter Construction	2011	156,362
Building & impr	800	Fire Station/EMS	1949	42,699
Building & impr	800	Village Green; 34 Units total	2005	2,597,704
TOTAL BUILDING				13,418,803
EQUIPMENT:				
Equipment	800	Solar Panel	2009	72,250
Equipment	800	PD emergency generator	2010	315,199
				387,449
CONSTRUCTION IN PROGRESS [2011 BONDS]				2,332,695
TOTAL ALL GOVERNMENTAL PURPOSE PROPERTY				43,730,161



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 7A

Meeting Date: 04/07/2014

Department

Planning

Staff Contact

David Goodison, Planning Director

Agenda Item Title

Discussion, consideration and possible action on an appeal of the Planning Commission's determination to uphold staff interpretations associated with provisions of the Development Code pertaining to driveway cuts and non-conforming uses as applied to the property located at 639 Third Street West.

Summary

The subject property is a residential parcel located on the southwest corner of Third Street West and Vigna Street. In 1978, the Planning Commission approved a use permit allowing the conversion of the residence to a medical office, a project that included the removal of a carport and the development of a parking lot and a second driveway cut on the Vigna Street frontage. The zoning rules allowing this use permit subsequently changed and the office use became legal-nonconforming. In 2013, the property was converted back to use as a single-family residence. (This conversion involved changes to the interior of the building, but did not entail any expansion of the floor area of the structure.) The policy of the Public Works Department is to require the removal of secondary driveways on residential properties of less than two acres in conjunction with projects having a building permit valuation of \$40,000 or greater. The Third Street West driveway was considered to be the redundant one, because, as set forth in section 19.48.100 of the Development Code, driveway access is generally supposed to be located on the street having the lowest traffic volume. A neighboring property owner residing at 313 Vigna Street, Janet Wedekind, wrote to protest the staff interpretations that: 1) led to the removal of the driveway cut on the Third Street West frontage, and 2) did not require the provision of a covered parking space in conjunction with the property's return to residential use. Staff brought these concerns to the Planning Commission, which reviewed them at its meeting of February 13, 2014. After taking public testimony and discussing the matter, the Commission voted 6-0 (with one abstention) to uphold staff's interpretations. This determination has been appealed to the City Council.

Recommended Council Action

Uphold the decision of the Planning Commission, with direction to staff to prepare an implementing resolution for adoption at a subsequent meeting.

Alternative Actions

1. Uphold the decision of the Planning Commission.
 2. Uphold the appeal.
 3. Refer the matter back to the Planning Commission or direct staff to provide additional information.
-

Financial Impact

This item does not raise any significant issues with respect to financial impacts on the City.

Environmental Review

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

Status

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

Alignment with Council Goals:

N/A

Attachments:

1. Supplemental report
 2. Location map
 3. Appeal
 4. Correspondence
 5. Former office site plan
 6. Planning Commission minutes
-

cc: Dan Takasugi, Public Works Director/City Engineer

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476

Diann Sorenson
639 Third Street West
Sonoma, CA 95476

Shawn Montoya, Montoya and Associates
5 Marlie Lane
Petaluma, CA 94952

George and Patti Bradley
653 Third Street West
Sonoma, CA 95476

SUPPLEMENTAL REPORT

Discussion, consideration and possible action on an appeal of the Planning Commission's determination to uphold staff interpretations associated with provisions of the Development Code pertaining to driveway cuts and non-conforming uses as applied to the property located at 639 Third Street West

For the City Council meeting of April 7, 2014

Background

The property located at 639 Third Street West is a residential parcel having an area of 7,200 square feet. A corner lot, it is located on the southwest corner of Third Street West and Vigna Street. Although the residence on the property is oriented toward Third Street West, the narrow frontage of the parcel is on Vigna Street. In 1978, the Planning Commission approved a use permit allowing the conversion of the residence to a medical office. The approved site plan for this conversion called for the provision of an on-site parking area that included the installation of a driveway cut, used as a one-way entrance, at the west side of the Vigna Street frontage. An existing carport, accessed from a driveway cut on the south side of the Third Street West frontage, was removed in conjunction with the office parking improvements. (See attached site plan.) The zoning rules allowing for this use permit changed over time and the office use became legal-nonconforming.

In 2013, the property was purchased by its current owner, Diann Sorenson, who converted the building back to use as a single-family residence. This conversion involved changes to the interior of the building, but did not entail any expansion of the floor area of the structure. When the building plans for this conversion were submitted for review, planning staff noted that the southeast corner of a proposed porch extended into the driveway apron off Third Street West, which was of concern because a car parked in the shortened driveway would likely interfere with the sidewalk. This problem was brought to the attention of both the contractor and Public Works staff. When implementing the Public Improvement Ordinance (SMC 12.14), it is the policy of the Public Works Department is to require the elimination of redundant driveways on residential properties of less than two acres. (Public improvement requirements are triggered when the building valuation of a project amounts to \$40,000 or greater, a threshold that was met in the building permit for the renovation of the residence.) The Third Street West driveway was considered to be the redundant one, because as set forth in section 19.48.100 of the Development Code, driveway access is generally supposed to be located on the street having the lowest traffic volume.

A neighboring property owner residing at 313 Vigna Street, Janet Wedekind, wrote to protest the staff interpretations that led to the removal of the driveway cut on the Third Street West frontage and the determination that the provisions of a covered parking space was not required in conjunction with the return of the property to residential use. In her view, the appropriate course of action would have been to require the removal of the driveway cut on the Vigna Street frontage and to require a covered parking space accessed from the Third Street West driveway cut. Her letter, which addresses this argument in greater detail, is attached. The Planning Commission re-

viewed these concerns at its meeting of February 13, 2013, at which time it voted 6-0-1 to uphold staff's interpretation of the Development Code provisions. This determination has been appealed, so the matter is not before the City Council.

Discussion

There are two areas of the Development Code that are relevant to this issue. The first is the section dealing with the loss of non-conforming status and the second is the section that regulates driveways and driveway cuts.

1. *Non-conforming Use Regulations.* The loss of the non-conforming status of a property or structure is addressed in section 19.82.030 of the Development Code, which reads as follows:

If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of one year, it shall be concluded that the use has been abandoned. Without further action by the city, further use of the site or structure shall comply with all the regulations of the applicable zoning district and all other applicable provisions of this development code.

The subject property was non-conforming both with respect to land use and the use of the structure, but its status as legal-non-conforming has lapsed. The question that has been raised is what does this section require now that the property is no longer legal-nonconforming? In staff's view, the operative phrase is "... *further use of the site or structure shall comply with all of the regulations...*" (emphasis added). It is only the *use* of the site and the structure as a single-family residence that is required. Under this section of the Development Code, the use of the site and structure as a residence does not mandate or provide the City with the authority to mandate any particular change to the site or structure. As an example, the paved areas formerly used for office parking can no longer be used as such. However, that does not mean that they have to be removed and nor does it mean that the resident may not park there. As long as the use is in compliance with current zoning rules, the property improvements, even those that seem anomalous, may remain. In the same way, this section does not provide the City with the authority to require the development of a covered parking space. The City could only require a covered parking space under Section 19.82.020.A (Non-conforming uses of land), which would apply if the residence was proposed to be enlarged.

2. *Driveway Regulations.* As discussed above, the driveway cut on Vigna Street was not required to be removed under the non-conforming use regulations. Instead, the Public Works Department relied on Section 19.48.100.A (Number of Driveways) of the Development Code, which reads as follows:

Up to two driveways shall be allowed for each parcel two acres or more in size unless the city engineer determines that more than two driveways are required to accommodate traffic volumes on specific projects. Additional driveways shall not be allowed if it is determined to be detrimental to traffic flow on the adjacent street(s). Whenever a property has access to more than one street, access shall be generally limited to the lowest volume

street, where the impact of a new access will be minimized, unless otherwise approved by the city engineer.

It is the policy of the Public Works Department to require conformity with this section in conjunction with the issuance of any Building Permit having a valuation of \$40,000 or more. As suggested in the Code section, the Vigna Street driveway cut was retained because it adjoins the street having the lower traffic volume. In addition, as noted above, the Third Street West Driveway apron would not have been functional due to the proposed porch construction. That said, the Section provides sufficient discretion that the removal of the Third Street West driveway cut rather than the Vigna Street driveway cut represents a choice not a mandate. (And had the Third Street West driveway served a covered parking space, that would have been determinative.) It remains staff's view, however, the choice was the correct one given the circumstances of the site.

The issue of conformance with driveway spacing requirements has also been raised. Section 19.48.100.D of the Development Code provides that the nearest edge of a driveway apron should be placed no closer than five feet from the nearest property line. In responding to this issue, the Public Works Director stated that the driveway cut on Third Street West was an existing non-conforming feature and the changes to the sidewalk that were made to improve ADA compliance would not, in his view, trigger full reconstruction or relocation of the driveway (see attached email).

Lastly, with respect to the provision in the City's standard plans that require the removal of abandoned driveways (an issue raised in the correspondence), the driveway cut on Vigna Street has not been abandoned. While it may no longer be used to serve an office parking lot, it serves a legal and useful function for the conforming use of the property as a single-family residence.

Planning Commission Review

The Planning Commission reviewed this matter at its meeting of February 13, 2014. After taking public testimony and the discussing the matter itself, the Commission voted 6-0 (with one abstention) to uphold staff's interpretations of the Development Code provisions that were in question. (Note: as set forth in the minutes, Comm. Felder abstained because, while he saw no error on staff's part with respect to interpreting the Development Code, he did not like the outcome.)

Recommendation

Staff recommends that the City Council uphold the Planning Commission's determinations with respect to 639 Third Street West.

Vicinity Map



Project Summary

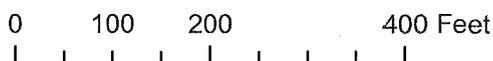
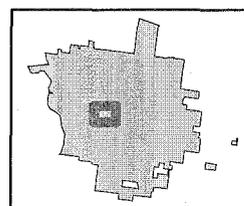
<i>Project Name:</i>	Step One Residential Design and Construction Fence Height Exception
<i>Property Address:</i>	639 Third Street West
<i>Applicant:</i>	Step One Residential Design and Construction
<i>Property Owner:</i>	Diann Sorenson
<i>General Plan Land Use:</i>	Low Density Residential
<i>Zoning - Base:</i>	Low Density Residential
<i>Zoning - Overlay:</i>	None

Summary:

Application for an Exception to the fence height standards to allow over-height fencing within the front and street-site yard setbacks of the property.

Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture



1 inch = 200 feet

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476
707-938-1100
jpwsomoma@aol.com



~~VINONOS JO ALLI~~
~~MAR 28 2014~~
~~RECEIVED~~
~~MAR 28 2014~~
CITY OF SONOMA

March 27, 2014

City Council
City of Sonoma
c/o Sonoma City Hall
No. 1 The Plaza
Sonoma, CA 95476

Re: Newly Created Parking Area/Two-Way Driveway at 639 Third Street West

Mayor Rouse and Members of the City Council,

I have requested an appeal to the Planning Commission decision of February 13, 2014, because since appearing before them I have found additional ordinances that were disregarded during the creation of the parking area/driveway for 639 Third Street West. It is truly disturbing to me how many City of Sonoma Municipal Code ordinances were bypassed/ignored/disregarded during this relatively small and simple remodeling project at 639 Third Street West.

The Plot Plan S1RDC (copy attached as Exhibit A) prepared by One Step Residential Design for Diann Sorenson and submitted to the City of Sonoma shows Existing Off Street Parking. That is not the case. That area was a portion of one-way entrance, complete with a pavement arrow enter only driveway (photo attached as Exhibit B) created for the use of the site as a medical office.

In 1978 the City of Sonoma granted a Conditional Use Permit to Dr. and Mrs. Jerome Solomon to convert the residence at 639 Third Street West into a medical office. As part of that Conditional Use Permit, the City required additional parking for the medical office. Thus, the covered parking at the south end of the residence was removed and an entrance only driveway, one-way only as required by the City (photo attached as Exhibit B) was installed along the rear of the building to facilitate accessing the additional parking spaces. This area was never used for or intended to be used as a parking area. Also the driveway was never used for or intended to be used as an exiting driveway.

The medical office has long been abandoned, thus the Municipal Code regarding Nonconforming Structures, Uses and Parcels should have been fully enforced as written. Section 19.82.030 Loss of nonconforming status states: **"If a nonconforming use of land or a nonconforming use of a conforming structure is discontinued for a continuous period of one year, it shall be concluded that the use has been abandoned. Without further action by the city, further use of the site or structure shall comply with all the regulations**

of the applicable zoning district and all other applicable provisions of this development code.” This ordinance is explicitly clear – “Further use” (any use from the time of abandonment forward) “of the site or structure shall” (per Municipal Code 1.04.010 Definitions, the word ‘shall’ means mandatory) “comply with all the regulations of the applicable zoning district and all other applicable provisions of this developmental code.”

Therefore, the nonconforming use of the land, the entrance only driveway which was installed as part of the Conditional Use Permit, is deemed abandoned. The City of Sonoma Residential Driveway Standard Plan states, “**Abandoned driveways shall be removed and replaced with standard curb, gutter and sidewalk**”. As part of the remodeling project at 639 Third Street West the driveway entrance on Vigna Street should have been removed and the sidewalk on Vigna Street restored.

In addition, as part of the enforcement of “comply with all the regulations”, the City of Sonoma should have enforced compliance of the regulations of an R-L zoning, which includes an off street covered parking area, as required by Municipal Code (Section 19.48.040, Table 4-4, Parking Requirement by Land Use). There was covered parking on the site prior to its conversion to a medical office, so this is not an instance of lack of covered parking at the site being grandfathered in. The covered parking was removed for the legal non-conforming use. Now that that use has been abandoned, further use of the site requires compliance with all regulations. The required covered parking area would have been constructed at the south end of the residence, where the covered parking was originally located, as there is not enough area in the rear setback of the home to accommodate a covered parking area.

In his letter (copy attached at Exhibit C) to me of December 18, 2013, Mr. Goodison states that “although the change to a residential use does make the structure non-conforming with respect to the requirement for covered parking”. That statement takes us directly to Municipal code “**19.82.020 Restrictions on nonconforming uses and structures**. Nonconformities may be continued subject to the following provisions, *except* (the bold, italics and underline added for emphasis) as otherwise provided by SMC 19.82.030, Loss of nonconforming status:” The “except” in that ordinance takes us right back to the Loss of nonconforming status ordinance that states: “Further use of the site and structure shall comply with **all the regulations of the applicable zoning district and all other applicable provisions of this development code.**” Mr. Goodison also states that the City had no basis on which to require covered parking. The Municipal Code clearly provides the City the basis to enforce compliance of “all the regulations ... and applicable provisions.”

Furthermore, if the “except” referred to above is ignored, as was the case in this instance regarding 639 Third Street West, the Municipal code **19.82.020 Restrictions on nonconforming uses and structures** goes on to state:

“A. Nonconforming Uses of Land. A nonconforming use of land, or within a structure, may be continued, transferred, or sold; provided, that:

1. The use shall not be enlarged, increased, or extended to occupy ... or portion of the site than it lawfully occupied before becoming a nonconforming use...”,

Why was the covered porch at the south end of the home and the addition at the rear of the home allowed to be added? Neither of these additions existed prior to the remodel (before photos attached as Exhibit D-1 and D-2) and they clearly occupy a “greater portion of the site” (after photos attached as Exhibit E-1 and E-2).

Mr. Goodison’s letter states that the removal of the Third Street Driveway was based upon the submitted building plans for 639 Third Street West which included a newly created covered porch, one that did not previously exist, that extended into the original driveway for the house. Clearly the City should have instructed the owners of 639 Third Street West that per the Municipal Code the addition of a covered porch was not permissible without obtaining the proper permits.

At the very least, the owners should have been instructed to reduce the size of the newly created porch, so that it would not extend into the driveway.

Even though the Planning Department did not believe that they had the authority to comply with the City ordinances, the Public Works Department believed that they had that authority. Unfortunately, the Public Works Department ignored two ordinances that pertained directly to this driveway and instead chose to comply with an ordinance that did not apply to this circumstance. If someone from the Public Works Department had visited the site they would have seen the one way, enter only arrow on the driveway. They would also have seen that the redwood trees planted on my property to mitigate noise created by the enter-only driveway would be a huge safety concern if the driveway was transformed into an exiting driveway. And they would have seen that they driveway apron was not the required five feet from the nearest property line (photo attached as Exhibit F).

Instead, the Public Works Department required the removal of the Third Street West driveway, which they deemed to be the redundant driveway, when in fact the driveway that should have been removed was the abandoned driveway off Vigna Street. Then the Public Works Department, in keeping with the Municipal Code, had the Vigna Street driveway entrance removed and repoured to be brought up to ADA standards, but they did not comply with the “Municipal Code 19.48.100 D Clearance from Obstruction. The nearest edge of a driveway apron or curb return shall (defined as “mandatory”) be at least five feet from the nearest property line, centerline of a fire hydrant, utility pole, traffic signal, light standards, or other similar facilities”. The apron of this driveway is just three feet from my property line.

Letter to City Council

Page 4 of 4

March 27, 2014

There is limited visibility in both directions when exiting this driveway. When exiting this "created" parking area onto Vigna Street it is impossible to see pedestrians, bicyclists and/or traffic approaching from the easterly direction because of the newly created courtyard which you approved at last month's meeting and from the westerly direction due to the redwoods on my property which were planted to mitigate the noise of the one-way enter only driveway installed for the medical office. Also City staff recognized that the courtyard fence, approved by exception, limited visibility and created a visibility and safety concern. If the City Council allows the driveway to remain, all liability will now rest with the City.

This new parking area presents concerns for me, beyond the noise and the invasion of my privacy by having a driveway within 8 feet of my bedrooms and the devaluation of my property created by this parking area. The driveway that has been installed at 639 Third Street West is concrete and within 3 feet of the five redwoods on my property that have diameters between 20 and 30 inches. My Arborist is monitoring the redwood trees along the driveway to determine if the roots were damaged by the installation of the driveway and if they die as a result of this installation. In addition, several Certified Arborists have indicated potential damage to the driveway by growing tree roots. I am concerned about my liability for the cost to repair/replace that driveway. What about my potential liability for any accident that may occur due to the redwoods on my property interfering with site lines? I may for my own protection be forced to incur a tremendous cost to remove the redwoods. It is absolutely through no fault of mine that these potential liabilities have been created; yet the City of Sonoma has forced me into the position of the one who could be ultimately responsible.

The City of Sonoma and the Public Works Department should not be allowed to pick and choose which ordinances they comply with and which they ignore. Had the City of Sonoma Municipal Codes been followed and enforced, all of my concerns, the devaluation of my property and the potential liabilities would not exist, as well as my time and the time of both the Planning Commission and the City Council would not have been squandered.

I respectfully request that the City Council require removal of the driveway and replacement of the curb, gutter and sidewalk on Vigna Street. If the City does not want the owners of 639 Third Street West to incur the costs of reinstalling the original driveway on Third Street, I suggest that you provide them a variance to park on the street. This should have absolutely no impact on parking in the area since a parking space was gained by the removal of the driveway on Third Street West.

Sincerely,



Janet Wedekind

Enclosures: As listed



No. 1 The Plaza
Sonoma, California 95476-6618
Phone (707) 938-3681 Fax (707) 938-8775
E-Mail: cityhall@sonomacity.org



Aswan, Arab Republic of Egypt
Chambolle-Musigny, France
Greve in Chianti, Italy
Kaniv, Ukraine
Patzcuaro, Mexico

December 18, 2013

Janet Wedekind
313 Vigna Street
Sonoma, CA 95476

Dear Janet,

You have raised several questions regarding the property located at 649 Third Street West and interactions by City staff concerning the reversion of use from office to single-family residence. Since you have received conflicting responses to these questions, at least in some cases, it seemed to me that it would be desirable to take some time to speak with the staff members who have been involved in the review of the property and respond to you in writing.

Covered Parking. A basic question is why covered parking was not required when the structure was converted from an office back to a single-family residence. This question was considered when the City reviewed the building permit submittal for the conversion. As you know, the office use was legal but non-conforming with respect to current zoning rules. In contrast, the use of the structure as a residence is permitted as of right given its R-L zoning, although the change to a residential use does make the structure non-conforming with respect to the requirement for covered parking. However, because the change from office to residence is considered to be a reduction in the intensity of use and because the interior area of the structure was not enlarged, the City had no basis on which to require covered parking.

Removal of Third Street Driveway. When I spoke about this to you before, it was my understanding that the either the property owner or the contractor initiated the suggestion that the driveway on Third Street be removed. I was wrong about that, for which I apologize. The actual sequence of events was as follows. The contractor submitted building plans showing a new covered porch along the south side of the residence. In those plans, both the Third Street driveway and the Vigna Street driveway were shown as being retained. In reviewing the submittal, planning staff noted that the southeast corner of the porch extended into the driveway apron off Third Street West, which was of concern because a car parked in the shortened driveway would likely interfere with the sidewalk. This problem was brought to the attention of both the contractor and Public Works staff. The policy of the Public Works department (which I have to admit I was not aware of) is to require the elimination of redundant or secondary driveways on residential properties of less than two acres in conjunction with projects having a building valuation of \$40,000 or greater. The Third Street West driveway was considered to the redundant one, because as set forth in section 19.48.100 of the Development Code, driveway access is generally supposed to be located on the street having the lowest traffic volume. Had the Third Street driveway actually served a garage, that would have been determinative, but this was not the case. In any event, according the contractor, it was not the intention of the property owner to make use of that driveway and so she agreed to eliminate it.

Fences. The fences that are now the subject of the Exception application were not shown on the building plan submittal. City staff only became aware of them after they were installed, having been informed of that by a resident in the neighborhood who initiated contact with the Building Official. No one on planning staff has ever “approved” the height or placement of those fences. In the course of preparing the initial staff report on the Exception application, I visited the site. The contractor happened to be there that day and I did tell him that based on my initial observations, the fence along on the Third Street West side of the property did not appear to raise any significant issues and that I felt that staff would support a fence height exception for that element of the application. I also told him that, in my view, the fencing installed on the Vigna Street side of the property was of an unusual configuration, even for a corner lot, and that there was no telling whether the Planning Commission would approve it, even if cut back to address the sight distance problem with the driveway. On a related matter, the contractor also mentioned that the property owner might be interested in constructing a carport in conjunction with the Vigna Street driveway. I told him that this would require a setback exception that, in my opinion, was unlikely to be to be approved.

I hope this answers your questions. Please let me know if you need any additional information.

Sincerely,



David Goodison
Planning Director



To see all the details that are visible on the screen, use the "Print" link next to the map.



EXHIBIT D 1



EXHIBIT D 2



EXHIBIT E 1

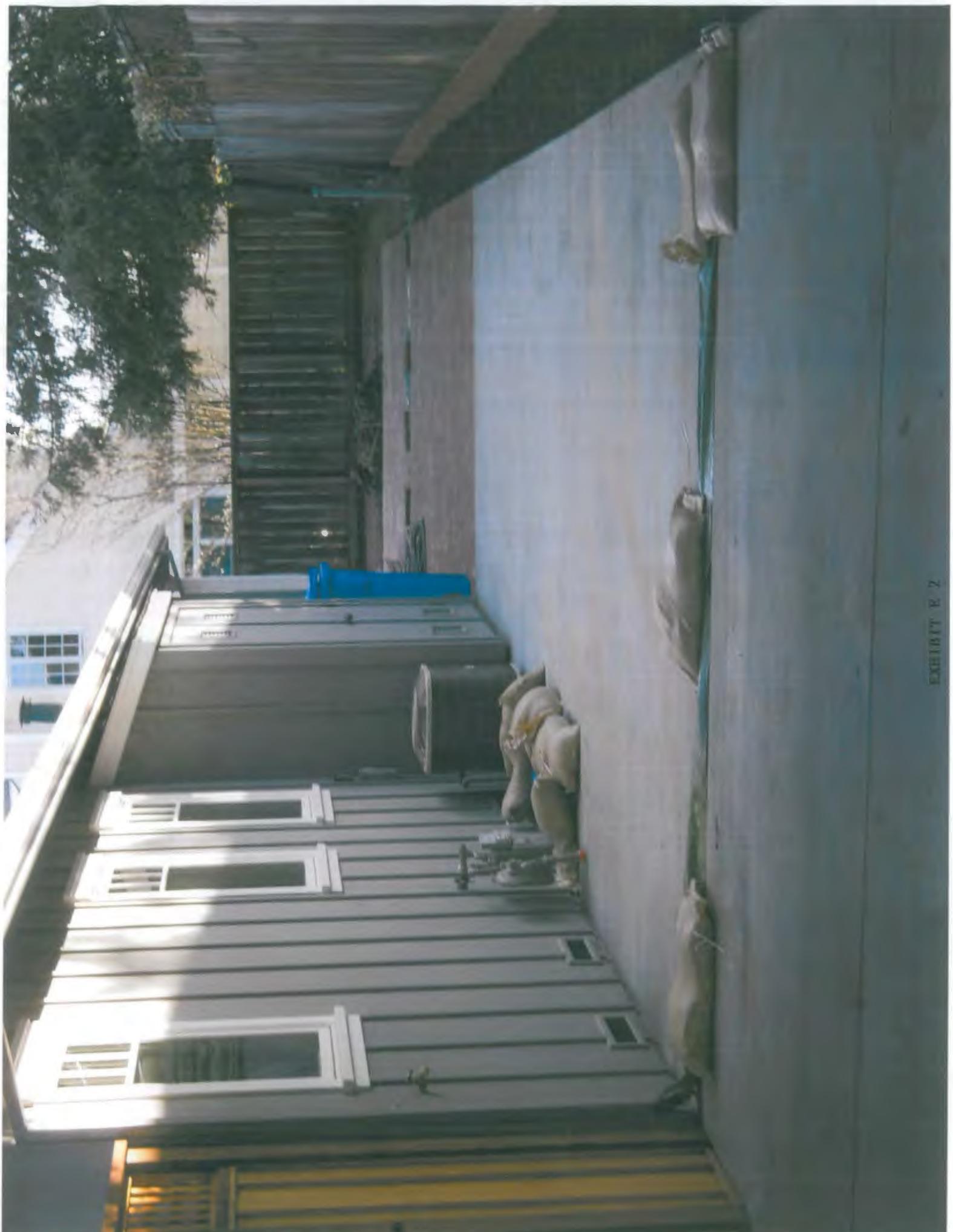


EXHIBIT R. 2



EXHIBIT F



George & Patti Bradley
653 Third St. West
Sonoma, CA 95476

March 19, 2013

Sonoma City Council
c/o Sonoma City Hall
#1 The Plaza
Sonoma, CA 95476

RE – 639 Third St. West

Dear City Council,

We have lived next door to 639 Third St. West for 15 years. We fully support the current development of the property and support the decision to remove the driveway on 3rd St. West. The subject property's former driveway and parking lot were directly below our master bedroom window and an absolute blight on the neighborhood.

The new view from our bedroom window of the property is delightful and we couldn't be happier. Not to mention the addition of one more sorely needed parking space on Third St. West.

We urge you to uphold the Planning Commission's decision to uphold staff's interpretation of Development Code provisions as it relates to the removal of the driveway at 639 3rd St. West.

Sincerely,

George & Patti Bradley

Patti Bradley
George Bradley

Diann Sorenson
639 Third Street West
Sonoma, CA 95476

April 1, 2014

Mayor and City Council,

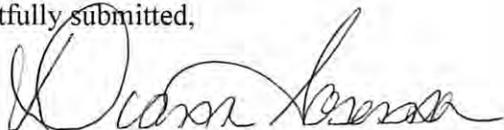
My name is Diann Sorenson and I am the property owner at 639 Third Street West. It has come to my attention that my neighbor, Janet Wedekind, has filed an appeal questioning the removal of the Third Street West driveway and the lack of requirement for covered parking.

The Third Street West driveway was removed as part of a building permit that was issued when I converted the office building to residential use. As you can imagine, eliminating the current approved driveway and adding a driveway off of Third Street West would come at great expense and is not what was approved by the City of Sonoma when I obtained my building permit. Prior to Ms. Wedekind's filing of her appeal, David Goodison provided a letter to Ms. Wedekind (dated December 18, 2013) thoroughly explaining how and why the current driveway is the correct and only vehicular access to the property. I agree with Mr. Goodison's assessment of the situation and feel there is no basis for this appeal. The curb cut at the front of my property was removed at my expense and following City of Sonoma Public Works policy. Though I understand Ms. Wedekind's objection to having a driveway near her property, this area has historically been used for vehicular access. In fact, the previous office use included vehicle circulation and parking.

Another concern of Ms. Wedekind is why covered parking was not required when the building permit was issued. Again, Mr. Goodison's letter explains very clearly why covered parking is not required. In the spirit of cooperation, I would entertain the possibility of constructing covered parking along our shared property line that would help with Ms. Wedekind's concerns about noise and privacy. Ms. Wedekind Covered parking would also protect my vehicle(s) from the redwood trees on her property that drop branchlets on to my property. The possibility of covered parking has been discussed with Ms. Wedekind, but I have not heard back from her. There are examples of similar covered parking solutions in our immediate neighborhood if this is a consideration.

Thank you for your attention in this matter.

Respectfully submitted,



Chair Roberson opened the item to public comment.

John Ryan, applicant, noted that he had scaled back his proposal in order to meet the FAR standard and has written support from the adjacent neighbor affected by the proposal.

Chair Roberson closed the item to public comment.

Comm. Felder made a motion to approve the exception to the side yard setback requirements to construct a residential addition. Comm. Edwards seconded. The motion carried unanimously (Comm. Tippell absent).

Item #4 — Discussion/Business — Review of staff response to concerns raised by Janet Wedekind regarding the elimination of a driveway cut at 639 Third Street West and the lack of covered off-street parking.

Planning Director Goodison presented staff's report.

Chair Roberson opened the item to public comment.

Janet Wedekind, neighbor, appreciated Planning Director Goodison's helpfulness in responding to her questions. However, she disagrees with staff's interpretations of the Development Code provisions concerning the abandonment of a non-conforming use and the removal of redundant driveways. She reviewed the code sections in question and stated her arguments as to why a covered parking space should have been required and why the driveway on the Vigna Street frontage should have been removed, rather than the driveway cut on the Third Street frontage. She does not feel that these provisions were properly interpreted and is concerned that inaccurate information may have been provided to the City. She objected to having a driveway adjacent to the rear setback of her property, as in her view it is a remnant of the former commercial use that should have been removed upon the conversion of the property back to a residential use. She stated her concern for potential liability as a property owner with respect to cars backing from the driveway.

John Peterson, a resident of the neighborhood, expressed agreement with the positions stated by Janet Wedekind.

Chair Roberson closed the item to public comment.

In response to a question from Comm. Howarth, Planning Director Goodison stated that on the issue of covered parking, while this is a non-conformity associated with the conversion of the property back to a residence, a covered parking space would only be required if the property owner proposed to expand the area of the residence, which did not happen with the renovation implemented by the property owner. On the issue of the driveway cut, the guidance in the Development Code suggests that when a driveway cut is to be removed, the cut on the more heavily trafficked street should be chosen for removal. In making this choice, the Public Works Department acted in accordance with the guideline and within its allowed discretion.

Comm. Felder asked whether the bricks at the back of the driveway shown on the landscaping plan were also on the building plan. Planning Director Goodison stated that he was not sure, but that as a landscaping element it would be necessary to show the bricks, nor would it be possible for the City to require their installation of the property owner if he chose not to do that.

Comm. Edwards stated that the changes made to the property are a massive improvement. He noted that there are other residences in Sonoma that lack covered parking. He stated that he supported staff's interpretations.

Comm. Cribb noted that with the shopping center across the street, the decision to keep the driveway on Vigna Street was the prudent choice, because traffic on Third Street West is much heavier.

Comm. Willers stated that in his view, retaining the driveway on Vigna Street and removing the driveway on Third Street West was the better solution, due to the difference in traffic volumes. He stated that current rules do not require consultation with an adjoining property owner, but while that might be considered a gap in the process, it was his view that staff had interpreted the policies as written correctly and the result is a safer solution. Had this come before the Planning Commission, he would not have supported maintaining the driveway on Third Street.

Comm. Felder stated that while he did not like the expanse of paving in the rear yard, especially adjoining another residence, that is not something that the City regulates and he can find no basis on which to say that staff interpreted the Code provisions incorrectly. That said, he can understand the neighboring property owner's unhappiness with the outcome.

Chair Roberson stated that in his view, staff had interpreted the Code provisions correctly and he agreed that, given the difference in traffic volumes, it was safer to have the driveway cut on Vigna Street. While he felt it would be desirable to have a separation between the brick area and the driveway, that was not something that the Commission could dictate.

Comm. Edwards made a motion to uphold staff's determination with respect to the requirement for the removal of a driveway cut at 639 Third Street West and the determination that covered off-street parking was not required in conjunction with the change to a conforming use. Comm. Willers seconded. The motion was approved 6-0-1 (Comm. Tippell absent, Comm. Felder abstained).

Item #5 — Discussion — Discussion of appeals of Planning Commission decisions.

Planning Director Goodison presented staff's report.

Planning Director Goodison stated that the City Council is respectful of the Planning Commission's decisions. While there are contrasting decisions from time-to-time when it acts on appeals, the Council always takes the Planning Commission's recommendations very seriously. On major items, such as the Mission Square project and Nicora Place, there has been a high level of agreement between the two bodies. He also noted that a joint study session with the City Council is scheduled for February 24th to discuss wine tasting facilities, a meeting that the Council set because it wished to hear directly from the Planning Commission on that issue.

Chair Roberson is disappointed with the City Council overruling the unanimous Planning Commission decision on the AT&T cell tower.

Comm. Felder noted that AT&T made a very poor presentation to the City Council and left many questions unanswered.



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 8A

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Carol Giovanatto, City Manager
Laurie Decker, Economic Development Program Manager

Agenda Item Title

Discussion, consideration, and possible action on staff proposal to re-establish a Business Improvement Matching Funds program using one-time funds from the dissolution of the Sonoma Community Development Agency.

Summary

Prior to dissolution of the redevelopment agency, the City provided business loan programs to support business retention and creation, encourage private investment to renovate commercial buildings in the project area, and enhance community economic vitality. Between 2007 and the elimination of the program in 2011, loans were made to dozens of local businesses and/or commercial property owners. The majority of these were matching fund loans in the \$2,500 - \$10,000 range, with payments that were forgivable over time based on maintenance of the improvements. Several larger loans for building rehabilitation were also made, with flexible terms based on the benefits of the project. These loan programs were a key tool in assisting businesses in moving forward with improvement projects, including those where building code requirements increased costs prohibitively, and helped to support business development that generates tax revenues and local jobs as well as improves the appearance of the downtown.

Staff is proposing that one-time funds received from the dissolution of the redevelopment agency be used to re-establish a modified version of the loan program. As outlined in the attached guidelines, the proposed program would provide matching fund loans for businesses to make improvements in five categories: building façades; disabled accessibility; energy and water efficiency; building rehabilitation; and historic building improvements.

The primary differences from the previous programs are:

- Single program, providing up to \$10,000 in matching fund loans.
- Program is targeted at business owners who own or lease the property (commercial property owners not eligible unless they also operate the business at that location).
- Eligibility area is now citywide (vs. redevelopment project area).
- Businesses that meet the City's definition of a "formula business" would not be eligible.
- Priority would be given to businesses who locate in buildings that are long-vacant, historic, or have functional obsolescence in building features, and to businesses that contribute to the diversity of the business mix.

Recommended Council Action

Approve program with one-time funding of \$50,000.

Alternative Actions

Approve program guidelines with modifications; approve program with funding at an amount other than \$50,000; or do not approve program at this time.

Financial Impact

One-time funding in the amount of \$50,000 was included as a midyear budget adjustment.

Environmental Review

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

Status

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

Alignment with Council Goals: Aligns with *Economic Development: Explore Economic Development Drivers* through the promotion of Sonoma; continue to facilitate business retention recruitment and expansion of economic base.

Attachments:

Business Improvement Matching Funds Loan Program guidelines (draft)

cc:

Sonoma Valley Chamber of Commerce via email

City of Sonoma

Economic Development Program

#1 The Plaza
Sonoma, CA 95476
(707) 938-3681



Program Guidelines, DRAFT

Business Improvement Matching Funds Loan Program

- The goal of the program is to support business creation and retention and enhance community vitality by providing matching funds for businesses to rehabilitate, renovate, or improve existing commercial buildings in the City of Sonoma.
- Business owners who own or lease their space are eligible to apply. Applicants who lease their space are responsible for obtaining property owner agreement for project work. Home-based businesses and **businesses that meet the definition of a “formula business” under the City’s municipal code are not eligible** for this program.
- This program provides dollar-for-dollar (i.e., 50%) matching funds for eligible improvements. The matching funds are provided in the form of a no-interest loan and the applicant is required to enter into a loan agreement. Loans are unsecured; the applicant, however, is required to sign a maintenance agreement to maintain the improvements for the three-year term of the loan. Provided the improvements are maintained and the business remains in continuous operation, one-third of the loan is forgiven each year, until the balance of the loan is forgiven after three years.
- Eligible expenditures for the matching funds program are outlined below. Up to \$5,000 in matching funds may be obtained for qualifying expenditures in any single category, and up to \$10,000 in total matching funds may be obtained for a property in a three-year period. Categories of eligible expenditures include:
 - a. **Facade Improvements:** Improvements to the exterior wall or other exterior elements of the building fronting on and visible from the street, including permanent awnings, architectural elements, window and door improvements, masonry, exterior tile work, permanent signage, exterior lighting, built-in planter boxes, and built-in seating. Painting, landscaping, bicycling parking and parking lot improvements may be eligible if part of a larger facade improvement project with multiple elements.
 - b. **Accessibility Improvements:** Structural and other physical improvements to the building to increase access for individuals with disabilities, including (but not limited to) improvements to entry doors, the parking area and the path of travel to and including the building entrance. Costs for a certified access specialist (CAsp) survey are also eligible.
 - c. **Energy and Water Efficiency Improvements:** Lighting retrofits, insulation and weatherization, energy management systems, HVAC system upgrades, water heating systems, irrigation efficiency systems, rainwater harvesting systems, low-flow toilets, and similar types of improvements to the building or property that have been identified through a qualified energy and/or water efficiency survey and/or are required by current building code. Most business equipment (e.g. copiers, refrigerators) is not eligible. Information on no-cost, no-obligation energy and water efficiency surveys and retrofit programs is available at City Hall or online at SonomaValley4Biz.com. Rebates and subsidies provided through Sonoma Clean Power, PG&E, and/or energy efficiency programs funded through the Public Utilities Commission qualify **toward the applicant’s** share of the match.

- d. **Building Rehabilitation Improvements:** Improvements that are triggered by current building code for the proposed business use, including structural improvements, plumbing or electrical improvements, and installation of fire sprinklers.
 - e. **Historic Building Improvements:** Architectural and engineering costs for structural improvements to commercial buildings that have been designated as historic by a recognized local, state, or federal agency. Costs for plans and pre-construction reports and other required documents prepared by a licensed architect and/or engineer, or reports prepared by an approved testing agency, are eligible. The entire building must be brought into conformance with applicable building and fire regulations and the State Historic Building Code.
- Most City fees related to improvements outlined in the above categories are eligible expenditures, including design review fees, regular plan check fees, and building permit fees. Improvements must be completed in order for associated fees to qualify. Fees that are not eligible for this loan program include City penalty or investigation fees, fees and charges for those portions of projects that create additional floor area, construction-related fees such as water connection fees and development impact fees, and non-City fees.
 - Ineligible costs include new construction; costs related to the addition of floor space to an existing building; business equipment; nonpermanent furniture, fixtures, and equipment; roof replacement, and routine maintenance items. Retroactive applications will not be accepted; applicants must obtain a signed loan agreement before work begins on improvements to be assisted under this program.
 - Applicants must complete a pre-application and provide descriptions and initial cost estimates for the proposed improvements. Applications are subject to review and approval by the City Manager and/or a City loan committee. Priority will be given to businesses occupying historic buildings, properties with functional obsolescence in building features, or properties that have been vacant for more than one year; and to businesses that contribute to the diversity of the local business mix.
 - It is strongly recommended that licensed design professionals be used. Applicants may be required to obtain at least two bids from licensed contractors for the planned work. Projects must receive all applicable permits and Design Review approvals in order for the application to be considered complete.
 - Funds are disbursed to the applicant as follows: 50% after all required permits have been obtained and 50% when the work is complete, based on submittal and approval of eligible permits and invoices. **“Before” and “After” photographs of the improvement project should be included with final invoice.**
 - Applicant is responsible for payment of prevailing wages for all of the work completed as part of the improvement project if total project costs exceed \$1,000. For more information, see the CA Department of Industrial Relations web site at <http://www.dir.ca.gov/OPRL/dprevagedetermination.htm>. Applicants are required to indemnify, defend, and hold the City harmless from all wage claims. Applicant may not contract any portion of the project to an unlicensed contractor.
 - Any income tax liability to the applicant resulting from loan forgiveness or any other aspect of the receipt of funds from this program is the responsibility and liability of the applicant and not the City.
 - All programs are subject to funding availability. Program guidelines are subject to change and additional requirements may apply.

Nothing in this document is, or intended to be, a representation, warranty, or guaranty that the City will provide any funding in any form or that the City is prevented or precluded from requiring other or different terms or conditions for any specific program, or as limiting the City's authority to provide assistance on other or different terms.



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 8B

Meeting Date: 04/07/2014

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, consideration and possible action to adopt a resolution of support for the Sonoma County Healthy and Sustainable Food Action Plan. [Requested by Councilmember Brown]

Summary

The Sonoma County Food System Alliance (SCFSA) is a county-based coalition of diverse stakeholders working to address food system needs through collective action. Convened in partnership by Ag Innovations Network and the County of Sonoma in 2009, the SCFSA is working to bring the community together to deal with countywide issues and create quality ideas that lead to effective action. The Alliance is currently working with local governments, business and community organizations and individuals to advance the Food Action Plan to reach their vision.

The project receives funding support from the Sonoma County Department of Health Service's Health Action Initiative, and Ag Innovations Network.

Representing SCFSA at the meeting will be Josephine (Phina) Borgeson.

Recommended Council Action

Council discretion.

Alternative Actions

1. Adopt the resolution entitled A Resolution of the City Council of the City of Sonoma in Support of the Sonoma County Healthy and Sustainable Food Action Plan
 2. Do not adopt the resolution
-

Financial Impact

N/A

Environmental Review

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

Status

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

Attachments:

1. Resolution
 2. SCFSA Vision, Purpose & Goals
-

Alignment with Council Goals:

Policy and Leadership: Provide continuing leadership as elected officials and residents of the community; take steps to assure a safe and vibrant community.

cc: Lisa Badenfort via email

CITY OF SONOMA

RESOLUTION NO. __ - 2014

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA IN SUPPORT OF THE SONOMA COUNTY HEALTHY AND SUSTAINABLE FOOD ACTION PLAN

WHEREAS, the City of Sonoma recognizes that supporting a local sustainable food system makes farming more economically viable keeping farmers in business and ensuring the preservation of farmland; and

WHEREAS, the City of Sonoma recognizes that hunger, food insecurity, and poor nutrition are pressing health issues that require action; and

WHEREAS, the City of Sonoma recognizes that sustainable food systems ensure nutritious food for all people, protect workers health and welfare, minimize environment impacts, and strengthen connections between urban and rural communities; and

WHEREAS, the following principles guide this resolution on Healthy and Sustainable Food:

- All people in our community should have access to enough affordable, healthful, fresh, and culturally appropriate food.
- Residents should not be inundated with unhealthy food choices like sugary drinks and junk food.
- Community members should understand how their food choices impact their own health, and the health of the community and the larger world.
- Healthy food and agriculture sectors are central to the long-term vitality of the local economy.
- Farming and food system work should be economically viable and respected occupations.
- Local agriculture, food production, distribution, consumption, and food waste management should work in a way that regenerates nature.

NOW, THEREFORE, BE IT RESOLVED that the City of Sonoma agrees to support and advance the Sonoma County Healthy and Sustainable Food Action Plan.

ADOPTED this ___ day of _____, 2014 by the following vote:

AYES:

NOES:

ABSENT:

Tom Rouse, Mayor

ATTEST:

Gay Johann
Assistant City Manager/City Clerk

Vision, Purpose & Goals



The Sonoma County Food System Alliance (SCFSA) is a forum for diverse stakeholders, such as food producers and distributors, food security organizations, public health advocates, and other community leaders, to work on increasing access to healthy food in Sonoma County and to envision, advocate for, and create a vibrant local food system. The SCFSA is part of a California network of county Alliances and State Roundtables that allow for consensus actions and policy recommendations from food and agriculture stakeholders.

The Alliance is committed to incorporating recommendations from Sonoma County residents to guide actions toward accomplishing and refining the following vision and goals.

Vision... We envision a county in which everyone has access to affordable, nutritious food. Local farms and operations play a primary role in producing that food. Each part of the food system, from seed to table and back to soil, is environmentally regenerative, economically viable, and supports a healthy life for all members of our community.

Purpose... The Sonoma County Food System Alliance engages diverse stakeholders to address food system needs through collective action and strengthen the partnerships and programs needed to create and maintain the healthy food system that we envision for Sonoma County.

Goals... The Sonoma County Food System Alliance has identified eight initial goals for achieving the vision of a local food system that supports the health of our people, environment, and economy. These goals are:

1. **Assure Access:** Assure that residents are food secure and have access to sufficient affordable, healthful, fresh food
2. **Assure Food Literacy:** Assure that residents of all ages are food literate. They have 1) awareness of local and global implications of their food choices, and 2) skills and knowledge to acquire or grow, prepare, cook and preserve healthy food.
3. **Increase Demand for Local Food:** Increase the demand for healthful, locally produced food
4. **Increase Supply of Local Food:** Expand local markets and food production in order to provide consumers with nutritious foods produced and processed as close to home as possible, and create a resilient food system for all citizens of Sonoma County
5. **Assure Effective Distribution:** Assure Sonoma County has a local distribution and processing system that effectively connects local producers, manufacturers, processors, vendors and consumers
6. **Assure Economic Viability and Opportunities:** Assure that farming and food system work are economically viable and respected occupations
7. **Opportunities and Rights for Food System and Farm Workers:** Assure meaningful livelihoods and opportunities for food system and farm workers
8. **Regenerate Nature:** Assure that local agriculture and food production, distribution, consumption and disposal are part of a food system that regenerates nature



CITY OF SONOMA
 City Council
 Agenda Item Summary

Agenda Item: 10A
Meeting Date: 04/07/2014

Department Administration	Staff Contact Gay Johann, Assistant City Manager/City Clerk
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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 ROUSE	MPT COOK	CLM. BARBOSE	CLM. BROWN	CLM. GALLIAN
ABAG Alternate	AB939 Local Task Force	Cittaslow Sonoma Valley Advisory Council, Alt.	Oversight Board to the Dissolved CDA	ABAG Delegate
City Audit Committee	City Facilities Committee	North Bay Watershed Association	Sonoma County Health Action	Cittaslow Sonoma Valley Advisory Council
City Facilities Committee	LOCC North Bay Division Liaison	Sonoma Clean Power	S. V. Citizens Advisory Commission	City Audit Committee
Sonoma County Mayors & Clm. Assoc. BOD	Oversight Board to the Dissolved CDA, Alt.	Sonoma County Transportation Authority & Regional Climate Protection Authority, Alternate	S.V. Economic Development Steering Committee	LOCC North Bay Division Liaison, Alternate
Sonoma County M & C Assoc. Legislative Committee, Alt.	Sonoma Clean Power Alt.	Sonoma County Waste Management Agency	S. V. Library Advisory Committee, Alternate	Sonoma County Transportation Authority & Regional Climate Protection Authority
Sonoma Disaster Council	Sonoma County Mayors & Clm. Assoc. BOD	VOM Water District Ad Hoc Committee, Alternate	Substance Abuse Prevention Coalition	LOCC North Bay Division, LOCC E-Board, Alternate (M & C Appointment)
Sonoma Housing Corporation	Sonoma County M & C Assoc. Legislative Committee	Water Advisory Committee, Alternate	Mobilehome Park Rent Control Ad Hoc Committee (1/8/14)	Sonoma County Ag Preservation and Open Space Advisory Committee (M & C Appointment)
Sonoma Valley Citizens Advisory Comm. Alt.	Sonoma Disaster Council, Alternate			VOM Water District Ad Hoc Committee
S.V.C. Sanitation District BOD	Sonoma Housing Corporation			Water Advisory Committee
S.V. Fire & Rescue Authority Oversight Committee	S.V.C. Sanitation District BOD, Alt.			Mobilehome Park Rent Control Ad Hoc Committee (1/8/14)
	S.V. Economic Development Steering Committee, Alt.			
	S. V. Library Advisory Committee			
	S.V. Fire & Rescue Authority Oversight Committee			

Recommended Council Action – Receive Reports

Attachments: None