

**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 21, 2014*

**5:30 p.m. Closed Session (Special Meeting)  
6:00 p.m. Regular Meeting**

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**MINUTES**

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



**SPECIAL MEETING - CLOSED SESSION**

**1. CALL TO ORDER**

At 5:30 p.m. Mayor Rouse called the meeting to order and invited comments from the public. No one from the public was present to provide public testimony on the closed session items. The Council recessed into closed session with all members present. City Manager Giovanatto, Planning Director Goodison, and City Attorney Walter were also present.

**2. CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**, pursuant to Paragraph (1) of subdivision (d) of Cal. Gov't. Code 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.

**CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION**, pursuant to Paragraph 2 of subdivision (d) of Cal. Gov't. Code Section 54956.9: One Case.

**REGULAR MEETING**

The City Council reconvened in open session and Mayor Rouse called the meeting to order at 6:00 p.m. Rosemarie Pedranzini 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 Johann, City Attorney Walter, Public Works Director Takasugi, Police Chief Sackett, Planning Associate Atkins and Planning Director Goodison.

**REPORT ON CLOSED SESSION** – Mayor Rouse reported that no action had been taken.

**1. COMMENTS FROM THE PUBLIC**

Rosemarie Pedranzini reported, with sadness, that former Sonoma Police Officer Don Bettencourt had passed away.

Wendy Peterson, Sonoma Valley Visitor Bureau, reported that the final winter advertisement campaign "Girlfriends Getaway Month" had been a huge success.

Jack Wagner stated that a Kenwood resident had survived the recent avalanche in Nepal and that it served as a reminder of how small the world was.

Rachel Hundley announced that she was running for Sonoma City Council in November and that it had been a pleasure meeting with staff and City Councilmembers. She introduced David Wells as her campaign manager.

**2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS**

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

Clm. Brown dedicated the meeting in the memory of Don Bettencourt and Mattie Pius Rudinow.

Clm. Gallian reported the Easter Egg Hunt went really well and announced the upcoming Earth Day and Cinco de Mayo festivities.

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

City Manager Giovanatto announced the June meeting schedule, which included a special budget workshop.

### **4. PRESENTATIONS**

#### **Item 4C: World Autism Awareness Month Proclamation**

Mayor Rouse read aloud the proclamation declaring April 2014 Autism Awareness Month and presented it to Deirdre Sheerin, Executive Director of Sweetwater Spectrum, and a group of Sweetwater residents.

#### **Item 4A: Month of the Young Child Proclamation**

Mayor Rouse read aloud the proclamation declaring April 2014 Month of the Young Child. Cathy Vaughn accepted the proclamation on behalf of Sonoma County Early Childhood Education.

#### **Item 4B: Child Abuse Prevention Month Proclamation**

Mayor Rouse read aloud the proclamation declaring April 2014 Child Abuse Prevention Month. Robin Bowen, Executive Director of California Parenting Institute of Sonoma County and Julie Atwater accepted the proclamation.

#### **Item 4D: Farm and Ranch Readiness Day Proclamation**

Mayor Rouse read aloud the proclamation declaring May 4, 2014 Farm and Ranch Readiness Day. Julie Atwood received the proclamation and described the various activities and educational components of the upcoming May 4 Preparedness Fair.

#### **Item 4E: Presentation of the 2014 Pavement Management System Update**

Public Works Director Takasugi reported that the biennial update of the City's pavement management program had been recently completed and certified under the Pavement Management Technical Assistance Grant Program. He stated that the City had 6,035,427 square feet of street pavement and the City's Pavement Condition Index had remained fairly steady at a value of 72 which is between good and very good. Takasugi explained that to maintain that level of quality the City would need to budget \$4.8 million over a five year period for street maintenance. Takasugi also provided an update on the recently completed and planned future street projects.

### **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 April 7, 2014 City Council meeting.**

**Item 5C: Approve a Resolution accepting public grants of easements associated with the Church Street and Curtin Lane Water Improvements and Street Rehabilitation Project, authorize the City Manager to certify acceptance, and authorize staff to file the easement grant deeds for recordation with the County Recorder's Office. (Res. No. 20-2014)**

**Item 5D: Adoption of a resolution denying 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. (Res. No. 21-2014)**

The public comment period was opened and closed with none received. It was moved by Clm. Barbose, seconded by Clm. Gallian, to approve the consent calendar as presented. The motion carried unanimously.

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

**Item 6A: Approval of the portions of the Minutes of the April 7, 2014 City Council / Successor Agency Meeting pertaining to the Successor Agency.**

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

**7. PUBLIC HEARING**

**Item 7A: Discussion, consideration and possible action on the update of the Sonoma Bicycle and Pedestrian Master Plan.**

Associate Planner Atkins reported that the Sonoma Bicycle & Pedestrian Master Plan, adopted in 2008, had been developed as a component of the Sonoma County Transportation Authority's (SCTA's) 2008 Countywide Bicycle and Pedestrian Master Plan. Its purpose was to guide implementation of local projects and programs and document City policy. As a component of the SCTA Countywide Bicycle & Pedestrian Master Plan, it was also designed to improve coordination in realizing the countywide bicycle and pedestrian system. Atkins stated that project lists, maps, and census data had been updated and proposed bike routes had been added to the existing routes.

Clm. Barbose inquired about the status of the proposed Fryer Creek Bicycle Path crossing. City Manager Giovanatto stated that the project was included in the 2011 Tax Allocation Bond Funds that been frozen by the State and that staff was keeping an eye out for any possible grant funding for the project.

Mayor Rouse inquired if development of the bicycle paths had increased ridership. Atkins responded that the County performed counts and had documented an increase in ridership.

Mayor Rouse invited comments from the public. Rachel Hundley spoke positively about the master plan and the City's bicycle-friendliness.

It was moved by Clm. Gallian, seconded by Clm. Barbose, to adopt Res. No. 22-2014 approving the updated bicycle and pedestrian master plan. The motion carried unanimously.

**8. REGULAR CALENDAR – CITY COUNCIL**

**Item 8A: Presentation by the Sonoma League for Historic Preservation on a program to identify historic structures and resources with QR (Quick Response) Codes as an educational tool and request for City participation in said program.**

Robert Demler, Sonoma League for Historic Preservation, reported that the League was seeking authorization to install small plaques containing Quick Response (QR) codes on historic buildings in Sonoma. He explained that the QR codes could be scanned with smart phones and enable passersby to obtain the history of the structure. Demler stated they hoped that City Hall would be the first to receive its QR plaque.

Mayor Rouse invited comments from the public. Madeline Agrimonti inquired what the cost of each plaque would be. Demler responded that the first batch was costing \$125 each.

Rachel Hundley said she was happy to see the League embracing technology.

It was moved by Clm. Barbose, seconded by Clm. Brown, to authorize placement of the QR plaques on City buildings. The motion carried unanimously. Mayor Rouse offered to personally pay for the first two.

**Item 8B: Discussion, consideration, and possible action adopting a resolution interpreting an easement recorded on the property located at 19725 Seventh Street East and adopting findings that project is exempt from the California Environmental Quality Act (CEQA) under 14 Cal. Code Regs. 15303 because it involves construction, location and/or conversion of small structures.**

City Attorney Walter stated that this matter consisted of the basic question “What does the easement mean?” He said the current owner of the property maintained that it allowed her to have a second dwelling unit and a guesthouse. Walter stated that the Council previously had determined that conversion of the barn into a guesthouse was acceptable and in conformance with the terms of the easement and staff had drafted a resolution accordingly.

Mayor Rouse invited comments from the public and informed Ms. Blanusa she would have ten minutes to present her comments. Ms. Blanusa stated that contrary to what the City Attorney had said she was not seeking both a second dwelling and a guesthouse. She said this situation had been extremely aggravating and conflict-filled and she wanted to set the record straight. Her neighbors referred to her as a developer and she was not. She stated she put up the fence between hers and the neighbors’ properties because there was a disparity of view. Blanusa stated that all she wanted was written confirmation that she could convert the old homestead dwelling back into a home which would provide protection for her family and property. She said the easement was like a noose around her neck and that she would not give up her property rights. If she had to, she would file for declaratory relief.

Robert Baumann, Blanusa’s architect, stated that the property documents indicated that she should have a main house, a second dwelling and a guest unit. He said it was unfortunate that she had to go through this process for approval of what she should have been granted by right.

John Ciatti stated that former City Planner Steinbeck was quoted in Planning Commission minutes as stating the property contained one house and that the remaining lot should remain as open space.

Rachel Hundley stated that term “dwelling” seemed to be at issue. She questioned if the barn or cottage qualified as a dwelling in 1985 when the easement was written. She added that if they did, then the same number of dwellings should be allowed.

Jean Presi stated she moved into their home in 1985 and the barn was not a dwelling.

Clm. Barbose stated that reading the quotes by Planner Steinbeck were helpful in understanding the intention of the easement. He said that it was incumbent upon Ms. Blanusa to establish that there had been a second habitable unit at the time the easement was written and that she had not done so. It was moved by Clm. Barbose, seconded by Clm. Gallian, to adopt Res. No. 23-2014 entitled A Resolution of The Sonoma City Council Interpreting the Terms of a Deed of Easement Recorded on Property Located at 19725 Seventh Street East. The motion carried unanimously.

**Item 8C: Discussion, Consideration and Possible Action on the Approval of the Amended Sonoma County Library Joint Powers Authority Agreement and Initiate Application Process for Library Commissioner.**

City Manager Giovanatto reported that the Sonoma County Library JPA Review Advisory Committee had completed its review and had drafted a JPA. She explained that the amended JPA included the following changes: 1. Expanded membership to include all cities and the County so that all jurisdictions have a role in decision-making, with each member having one vote on a new Library Commission. 2. Providing the Library with full budget and employment authority, removing the Board of Supervisors from the role of providing final budget approval, after adoption of the FY 14-15 budget. 3. Making explicit the Library’s authority to levy taxes with a 2/3 vote of the entire Library Commission; other requirements at the time would also have to be met. 4. Requiring approval from the relevant jurisdiction before exercising powers of eminent domain. 5. Requiring leases for all buildings not owned by the Library. 6. Requiring an equal number of core hours. 7. Requiring an appeals process for the Library Director’s decisions on key issues such as collections and facilities. 8. Requiring a strategic plan at least once every ten years. 9. Increasing the role for the LABs including a designated liaison and annual reports from each LAB to the Commission. 10. Requiring a review of the JPA every ten years.

City Manager Giovanatto added that staff was also seeking authorization to recruit applicants for the City’s representative on the Library Commission.

**Item 8C: Library JPA, continued**

Clm. Barbose inquired if the document included authority for individual libraries to fund additional programs. Giovanatto responded that the libraries could add events or projects but could not add additional hours. Mayor Rouse invited comments from the public. Jack Wagner inquired if the Library Commission could pass a tax. Giovanatto responded that any new tax had to go before the voters. It was moved by Clm. Cook, seconded by Clm. Brown, to approve the amended JPA and to authorize staff to recruit for the Library Commissioner position. The motion carried unanimously.

**9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY**

**Item 9A: Discussion, consideration and possible action on appointment of a Negotiating Committee for the sale of property located at 32 Patten Street.**

City Manager Giovanatto reported that the closing date for offers to purchase the 32 Patten Street property was April 30 and recommended that the Council appoint two Councilmembers to sit as negotiators to represent the City as Successor Agency to review the offers. The Negotiating Committee would be vested with the authority to provide a tentative commitment to the buyer based on “best and final” offer from buyer subject to ratification by the City Council as Successor Agency at a regularly scheduled meeting. The same action would take place at the May Oversight Board meeting at which time the Oversight Board will appoint two Board members to the Negotiating Committee.

Councilmembers discussed among themselves their interest and availability. The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Brown, to appoint Councilmembers Cook and Barbose to the Negotiating Committee. The motion carried unanimously.

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

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

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

Clm. Brown reported on the Oversight Board meeting.

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

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

Clm. Brown reported he had met with interested parties regarding the Montini trail and dogs.

Clm. Barbose stated that he hoped as people were talking to others about the Montini issue that they keep in mind that once the County agreed to amend the Management Plan, the City would be able to then make a decision about if and under what terms dogs would be allowed.

**11. COMMENTS FROM THE PUBLIC**

Ted Sexauer inquired how the new law requiring motorists to maintain a three-foot buffer zone from bicyclists would be enforced.

**12. ADJOURNMENT**

The meeting was adjourned at 8:10 p.m. in the memory of Don Bettencourt and Mattie Pius Rudinow.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 5<sup>th</sup> day of May 2014.

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Gay Johann  
Assistant City Manager / City Clerk