

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

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



**Monday, July 21, 2014
6:00 p.m.

MINUTES**

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

OPENING

Mayor Rouse called the meeting to order at 6:00 p.m. Rebecca Hermosillo led the Pledge of Allegiance.

CITY COUNCILMEMBERS PRESENT: Barbose, Brown, Cook, Gallian and Mayor Rouse.

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, Assistant City Attorney Nebb, Planning Director Goodison, Finance Director Hilbrants, Public Works Director Takasugi and Development Services Director Wirick.

1. COMMENTS FROM THE PUBLIC

David Eicher asked the City Council to address the issues of water conservation and the Police Chief's previously stated concerns related to Type 42 ABC licenses.

Rachel Hundley commented on the recent Malaysia Airline tragedy and the Sonoma team that participated in the Aids Walk.

Rosemarie Pedranzini expressed unhappiness with Councilmember Brown related to a conversation he had with the hospital CEO.

2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS

Item 2A: Councilmembers' Comments and Announcements

Mayor Rouse dedicated the meeting in the memory of his brother-in-law David Motta and stated he had been one of the kindest men in the world. Clm. Brown dedicated the meeting to beloved friend and local musician David Ian Robbins. Clm. Gallian announced she would be on vacation during the Council's summer break but would be accessible by phone. Councilmembers Cook and Brown announced their office hours and Clm. Barbose stated he was always available by phone.

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

City Manager Giovanatto reported that on July 15 the State Water Resources Control Board adopted an emergency regulation to ensure water agencies, their customers and state residents increase water conservation in urban settings or face possible fines or other enforcement. Staff will be bringing a resolution enacting Stage 2 water conservation measures to Council at the August 18 meeting.

4. PRESENTATIONS

Item 4A: Proclamation Honoring the Sonoma Valley Volunteer Firefighters' Association in Recognition of Over Thirty-Five Years of Presenting the Annual 4th of July Fireworks Display

Mayor Rouse read aloud a proclamation recognizing the many years of service by the Sonoma Valley Volunteer Firefighters' Association in putting on the annual 4th of July fireworks display. President Tom Deely thanked the Council and the community for their support. He stated that Sonoma's was probably the only fireworks display in California totally funded by private

contributions. Rebecca Hermosillo, Constituent Services Representative for Congressman Mike Thompson, also presented a certificate of appreciation to the men.

Item 4B: Proclamation Recognizing Lexy Fridell

Mayor Rouse read aloud a proclamation recognizing local talent Lexy Fridell and congratulated her on her success in theater.

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 July 7, 2014 City Council Meeting.

Item 5C: Adoption of a resolution approving the granting of an easement to Pacific Gas and Electric Company (PG&E) for overhead utility line facilities to serve the Maysonave Cottage located at 289 First Street East, Sonoma. (Res. 35-2014)

Item 5D: Adopt resolution approving the Final Parcel Map for the 2-lot Parcel Map at 1151 Broadway known as Parcel Map No. 440. (Res. No. 36-2014)

Item 5E: Authorization to execute and file a Notice of Completion for the Sonoma City Hall Bell Tower Repair Project.

Item 5F: Approval of a Resolution of the City Council of the City of Sonoma Authorizing Investment of Monies in the Local Agency Investment Fund. (Res. No. 39-2014)

Item 5G: Approval of the allocation of free days use at the Sonoma Veteran's Memorial Building as requested by the American Legion Jack London Post #489 (Dance for the Troops), American Legion Jack London Post #489 (Sonoma Bar Battle), Native Sons of the Golden West (Surf & Turf Dinner), Valley of the Moon Amateur Radio Club (Hamfest), and Historic Parks Association (Volunteer Appreciation Dinner).

Item 5H: Approval of a Resolution titled "Credit Card Participant's Non-Profit Organization Resolutions" for Participation in Merchant Banking Services with West America Bank. (Res. No. 37-2014)

Mayor Rouse announced that he would recuse from voting on Item 5D because he owned the subject property. The public comment period was opened and closed with none received. It was moved by Clm. Barbose, seconded by Clm. Cook, to approve the consent calendar as presented. The motion carried unanimously, Rouse absent for item 5D.

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

Item 6A: Approval of the portions of the Minutes of the July 7, 2014 City Council 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. Barbose, to approve the consent calendar as presented. The motion carried unanimously.

7. PUBLIC HEARING

Item 7A: Discussion, consideration, and possible action on a draft amendment to the Management Plan for the Montini Preserve to allow leashed dogs on trails with the Preserve, including consideration of a resolution adopting an initial study/mitigated negative declaration and making findings as required under the California Environmental Quality Act.

Planning Director Goodison reported that on May 19, 2014, the City Council conducted a preliminary review of a draft amendment to the Management Plan for the Montini Preserve that would have the effect of allowing leashed dogs on trails within the Preserve. Accompanying the amendment was a draft initial study, prepared to evaluate the potential environmental effects of the amendment and identify any needed mitigation measures. With a vote of 4-1, Clm. Rouse dissenting, the Council directed staff to circulate the initial study for review and comment. In accordance with the requirements of the California Environmental Quality Act (CEQA), the initial study was circulated for review and the agency comment period closed. The initial study, along with all of the comments received, was now before the City Council for consideration along with the Management Plan amendment itself. As required by CEQA, the City Council must complete

Item 7A: Draft Amendment to the Montini Preserve Management Plan, continued

the environmental review process before it can take action to forward the amendment to the Management Plan to the Open Space District. The initial study concluded that the potentially significant impacts associated with the proposed amendment could be reduced to less than significant levels with the implementation of identified mitigation measures. If the City Council concurred with that finding, the Council could adopt a mitigated negative declaration. It should be noted that a number of commentators took issue with that finding and the Council should weigh these comments in its decision making process. All written comments received on the initial study had been provided in the agenda packet.

Goodison went on to report that the amendment process was separate from the ultimate action that the Council would need to take to authorize dogs on trails within the preserve. The amendment of the Management Plan would give the Council the option, but would not in itself institute any change, which could only occur through an amendment to the Municipal Code. The issue of western access represented a complicating factor, since the portion of the trail that connected to Fourth Street West crossed the Vallejo Home State Park, as allowed by a revocable license. Under State law, dogs were prohibited on trails within State Parks and the District Superintendent had stated that regardless of any mitigation measures that the City may propose, if leashed dogs were allowed on trails within the Montini Preserve, the agreement allowing access through the State Parks property would be terminated. The Recreation Covenant between the Open Space District and the City required that, in the event the connection through the State Parks property was lost, the City would design and implement an alternative western access route within five years. This could be accomplished by developing a trail segment on the pasture property or by working with State Parks to implement a lot line adjustment that would enable the existing western access to be retained. With regard to the lot-line adjustment concept, State Parks had emphasized that even if this option were available, it would take a considerable amount of time to implement, with no guaranteed outcome. All costs associated with this process would be borne by the City.

Planning Director Goodison stated that staff's recommended action was that the City Council adopt the resolution making findings for a mitigated negative declaration and forward the draft amendment along with any revisions deemed necessary by the Council to the Open Space District for review and consideration of adoption.

Mayor Rouse invited comments from the public. The following persons spoke in favor of moving ahead with the process to allow leashed dogs on the Montini Preserve: Rich Lee, Ellen Brandley, Jennifer Hainstock, Rachel Hundley (but only for a trial period), and Bob Edwards. The following persons did not support allowing dogs on the Montini Preserve: Fred Allebach, Lynn Clary, Lisa Summers, Jacqueline Sawyer, Joanna Kemper, and Rosemarie Pedranzini. When there were no other persons wishing to speak Mayor Rouse closed the public comment portion of the hearing.

CIm. Barbose stated that those who were against allowing dogs on Montini were ignoring all the other agencies and parks that allow dogs. He felt the proposed mitigation measures were adequate and the Council would have the opportunity to correct any problems at a later date. It was moved by CIm. Barbose, seconded by CIm. Brown, to adopt the resolution entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA ADOPTING AN INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, PREPARED IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING FOR SUBMISSION TO THE SONOMA COUNTY AGRICULTURAL PRESERVATION AND OPEN SPACE DISTRICT AN AMENDMENT TO THE MONTINI OPEN SPACE PRESERVE MANAGEMENT PLAN. The motion carried four to one, Mayor Rouse dissenting.

RECESS: The meeting recessed from 7:20 to 7:27 p.m.

8. REGULAR CALENDAR – CITY COUNCIL

Item 8A: Discussion, Consideration and Possible Action on the Sonoma Valley Health and Recreation Association Request for Funding for the Community Swimming Pool Property Purchase.

Mayor Rouse announced that he and CIm. Brown were Boardmembers for the Sonoma Valley Health and Recreation Association and would have to recuse themselves. Assistant City Attorney Nebb explained that their conflict was a common law conflict that dealt with participation in contracts and unlike other types of recusals; the Mayor and CIm. Brown were not

Item 8A: Sonoma Valley Health and Recreation Association Request for Funding for the Community Swimming Pool Property Purchase, Continued

required to leave the room during the discussion of the item. Mayor Rouse handed the gavel to Mayor Pro Tem Cook and he and Clm. Brown stepped down from the dais.

City Manager Giovanatto reported that the City Council had supported the concept of a community swimming pool for several years and had made it a stated Goal of the Council since 2009 to "Support a Community Swimming Pool facility". In 2011, Council took a more formalized approach in appointing (current) Mayor Rouse and Councilmember Brown as liaisons to the SVHRA to monitor the progress of discussions on the development of an aquatic center. The most recent progress by the SVHRA was the potential purchase of the property known as "Paul's Resort" located on Verano Avenue which required that fund-raising efforts meet an estimated \$1.7M to close escrow by August 19. SVHRA submitted a request for funding in the amount of \$500,000 to complete the first phase of funding level necessary to close escrow on the property. This amount represented slightly less than 5% of the estimated total project cost of \$10-12 million. Giovanatto then described several funding options Council could utilize if they chose to provide funding to the group.

Mayor Pro Tem Cook invited comments from the public. Paul Favaro, SVHRA President, stated the importance of having a community swimming pool and that they felt this was the perfect location. He stated that they were a 501 (c)(3) non-profit organization. Their approach would be to design a facility that would allow partnerships with commercial user groups such as a co-located health club facility. He stated they were approximately \$500,000 short of reaching the \$1.5 million necessary to close escrow on the property and were asking the City for a loan in that amount secured by a deed of trust and forgivable after five years based on continued progress and operation. He stated they had received favorable responses and pledges of support from Sonoma County and its various departments.

The following persons spoke in favor of approving the request for funding: David Eichar, Jennifer Hainstock, Jack Wagner, Carol Engleward, Madolyn Agrimonti, Cheryl Baldwin, Rosemarie Pedranzini, Sam Curtari, Fred Allebach, Valerie Codin, and Cynthia Leonard. Rachel Hundley supported the idea and stated that the Council needed to ensure it was a sound investment based on a financial plan backed by investors. Bob Edwards spoke in favor of a pool and would like to see their financial plan. He suggested that instead of giving them \$500,000 the Council should consider funding admission fees for City residents, which would provide a steady revenue source to help with ongoing expenses. John Kelly supported the pool but thought it should be under City control.

Clm. Barbose stated that it was easy to get excited about a swimming pool but he wanted to be a good steward of the City's money. He and Clm. Cook met with SVHRA Attorney Michael Woods and reached agreement on terms that would address his concerns as well as address their needs. He suggested that the City provide a fifteen year no interest no payment loan secured by a Second Deed of Trust and backed by personal guarantees. Half of the loan could be forgiven based on them providing scholarships or fee waivers for City residents and a future Council could determine what to do about the other half.

Clm. Gallian stated that without a sustainable business plan she was not willing to "build it just to wait for them to come". Using \$500,000 from reserves brought up lots of questions for her. For instance who would be next in line seeking a contribution, where were the matching partnerships? She expressed concern about not having financial details about the project, redevelopment contracts for which funding would be ending, and the City's overall financial future.

Mayor Pro Tem Cook stated he had mixed feelings on the matter but he wanted to see the City be a part of the project. A lengthy discussion ensued between Councilmembers, Attorney Nebb and Attorney Woods regarding potential elements of the loan agreement.

RECESS: The meeting recessed from 8:51 to 8:56 p.m.

Mayor Pro Tem Cook called the meeting back to order. Attorney Nebb stated that staff suggested bringing this matter back to Council to review the loan documents at a Special Meeting on August 7 at 6:00 p.m. held in the Emergency Operations Center. It was moved by Clm. Barbose, seconded by Clm. Gallian, to direct staff to draw up the documents pursuant to their discussion and bring them back for Council review on August 7. The motion carried unanimously, Rouse and Brown absent.

Item 8B: Discussion, consideration and possible action regarding designation of the voting delegate and alternate for the 2014 League of California Cities Annual Conference.

City Manager Giovanatto reported that the League of California Cities 2014 Annual Conference would be held September 3-5, 2014 at the Los Angeles Convention Center. An important part of the conference is the annual business meeting scheduled for noon on Friday September 5. At that meeting, representatives from each city consider and take action on resolutions that establish League policy. In order for the City of Sonoma to cast a vote at the September 5 annual business meeting, the City Council must designate a Voting Delegate and up to two Alternates. Councilmembers discussed this briefly and determined that none of them would be attending the conference.

Item 8C: Discussion, consideration and possible action regarding a proposed change or changes to the City Council agenda format, requested by Mayor Rouse.

Mayor Rouse stated that he would like to streamline the agenda by moving the first Council Comment section down and incorporate it with the Council Reports and Final Remarks section on the agenda. Discussion ensued and Council reached unanimous consensus to combine the Councilmember comment sections and to move the City Manager Report after Councilmember Comments at the end of the agenda.

9. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

10. COUNCILMEMBERS' REPORTS AND FINAL REMARKS

Item 10A: Reports Regarding Committee Activities.

Clm. Barbose reported attendance at the Sonoma County Waste Management Authority meeting.

Clm. Brown reported he and Mayor Rouse had interviewed excellent candidates for the Community Services and Environment Commission.

Clm. Gallian reported on the Sonoma County Transportation Agency and Regional Climate Protection Authority, the Tourism Improvement District and the Visitor Bureau meetings.

Item 10B: Final Councilmembers' Remarks.

Clm. Barbose stated it was exciting to move forward on the pool project. Clm. Cook stated he would be attending this 30th class reunion and Clm. Gallian announced the City Party on July 29.

11. COMMENTS FROM THE PUBLIC

Rachel Hundley said she would have a Council Candidate table at Farmers Market.

12. ADJOURNMENT

The meeting was adjourned at 9:24 p.m. in the memory of David Motta and David Ian Robbins.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 3rd day of September 2014.

Gay Johann
Assistant City Manager / City Clerk