

**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.**

\*\*\*\*

**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.

**OPENING**

**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: Proclamation Honoring the Sonoma Valley Volunteer Firefighters' Association in Recognition of Over Thirty-Five Years of Presenting the Annual 4<sup>th</sup> of July Fireworks Display**

**Item 4B: Proclamation Recognizing Lexy Fridell**

**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)**

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

**Item 5B:** Approval of the Minutes of the July 7, 2014 City Council Meeting.  
Staff Recommendation: Approve the minutes.

**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 Maysonnave Cottage located at 289 First Street East, Sonoma.  
Staff Recommendation: Adopt the resolution.

**Item 5D:** Adopt resolution approving the Final Parcel Map for the 2-lot Parcel Map at 1151 Broadway known as Parcel Map No. 440.  
Staff Recommendation: Adopt the resolution.

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

**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.  
Staff Recommendation: Adopt the resolution.

**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).  
Staff Recommendation: Approve the requests.

**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.  
Staff Recommendation: Approve the resolution.

**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 July 7, 2014 City Council meeting pertaining to the Successor Agency.  
Staff Recommendation: Approve the minutes.

## 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.

Staff Recommendation: Staff recommends that the City Council: 1) adopt the attached resolution making findings for a mitigated negative declaration; and, 2) forward the draft amendment (along with any revisions deemed necessary by the Council) to the Open Space District for review and consideration of adoption.

## 8. REGULAR CALENDAR – CITY COUNCIL

*(Matters requiring discussion and/or action by the 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.

Staff Recommendation: Council discretion.

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

Staff Recommendation: Designate a Voting Delegate and up to two Alternates.

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

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 July 17, 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: 07/21/2014

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**Department**

Administration

**Staff Contact**

Gay Johann, Assistant City Manager/City Clerk

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**Agenda Item Title**

Proclamation Honoring the Sonoma Valley Volunteer Firefighters' Association in Recognition of Over Thirty-Five Years of Presenting the Annual 4<sup>th</sup> of July Fireworks Display.

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**Summary**

Mayor Rouse will present a proclamation to representatives of the Volunteer Firefighters' Association in recognition of their faithful presentation of the annual 4<sup>th</sup> of July fireworks display.

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**Recommended Council Action**

Mayor Rouse to present the proclamation.

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**Alternative Actions**

N/A

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**Financial Impact**

N/A

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**Environmental Review**

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

**Status**

- Approved/Certified
- No Action Required
- Action Requested

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**Attachments:**

Proclamation

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**cc:**

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# City of Sonoma



## Proclamation

HONORING THE  
SONOMA VALLEY VOLUNTEER FIREFIGHTERS' ASSOCIATION  
IN RECOGNITION OF OVER 35 YEARS OF PRESENTING THE  
ANNUAL 4TH OF JULY FIREWORKS DISPLAY

**WHEREAS**, the Sonoma Valley Volunteer Firefighters' Association has presented an annual fireworks display in honor of the 4th of July for over 35 years; and

**WHEREAS**, the late Fire Chief Albert Mazza and retired Volunteer Firefighters Norman Moll and Wayne Wirick were instrumental in developing, supporting and sustaining this event; and

**WHEREAS**, this tradition continues to be carried out successfully year after year under the leadership of Volunteer Fire Captain Joe Boldt and Volunteer Fire Captain Joe Neely, along with the Volunteer Association and SVFRA personnel; and

**WHEREAS**, this presentation has become an established event that is much anticipated and beloved by the community and visitors alike; and

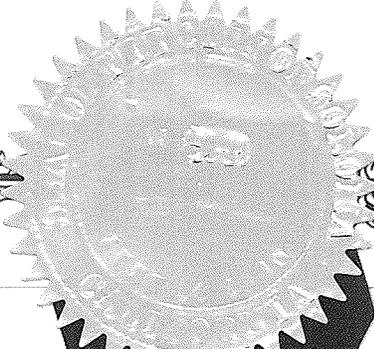
**WHEREAS**, year after year the show gets better through the support of the community and the efforts of Joe Boldt and Joe Neely, who are committed to excellence; and

**WHEREAS**, the Sonoma Valley Volunteer Firefighters' Association is an impressive example of what can be done when a group of people come together to work for the common good.

**NOW, THEREFORE**, I, TOM ROUSE, Mayor of the City of Sonoma, do hereby recognize and commend the hard work and artistry devoted to the presentation of the annual 4th of July fireworks show and urge all people in our community to join together with the City Council, and all here present, in thanking the Sonoma Valley Volunteer Firefighters' Association for its contributions and dedication to the people of Sonoma and the Sonoma Valley.

**IN WITNESS WHEREOF**, I hereby set my hand and cause the seal of the City of Sonoma to be affixed this 21<sup>st</sup> day of July 2014.

\_\_\_\_\_  
TOM ROUSE, MAYOR





**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 4B

Meeting Date: 07/21/2014

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**Department**

Administration

**Staff Contact**

Gay Johann, Assistant City Manager/City Clerk

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**Agenda Item Title**

Proclamation Recognizing Lexy Fridell.

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**Summary**

Councilmember Brown requested a proclamation recognizing Lexy Fridell.

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**Recommended Council Action**

Mayor Rouse to present the proclamation.

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**Alternative Actions**

N/A

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**Financial Impact**

N/A

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**Environmental Review**

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

**Status**

- Approved/Certified
- No Action Required
- Action Requested

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**Attachments:**

Proclamation

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**cc:**

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# City of Sonoma



## Proclamation

### LEXY FRIDELL DAY

**Whereas**, Lexy Fridell grew up in Sonoma and performed on its many stages and in its theater camps; and

**Whereas**, Lexy performed in the first Dunbar school melodrama written and directed by her father Squire Fridell, and performed at the first two inaugural shows of the Sonoma Charter School; and

**Whereas**, Lexy left Sonoma and attended the prestigious Carnegie Mellon University and earned her theater degree in musical theater; and

**Whereas**, Lexy has had a successful career on Broadway, on tour, in voice-overs and beyond; and

**Whereas**, Lexy has returned home to Sonoma Valley and astounded audiences in Transcendence Theatre's "Broadway Under The Stars" concerts in Jack London State Historic Park earning critical acclaim and rave reviews while playing a part in benefiting the park; and

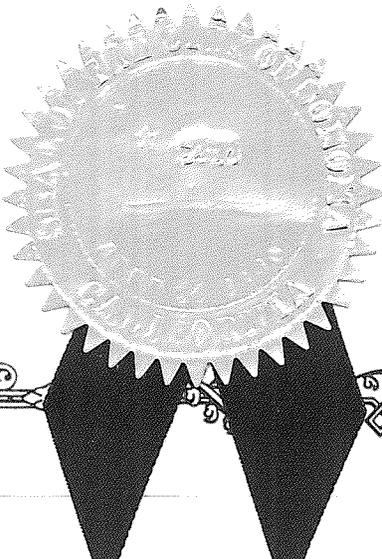
**Whereas**, Lexy has just completed a highly celebrated sold out run of her one-woman show at Chateau St. Jean winery; and

**Whereas**, Lexy embodies the quality, spirit, talent, essence, and heart of what it is to be a treasured Sonoma citizen.

**NOW, THEREFORE**, I, Tom Rouse, Mayor of the City of Sonoma, do hereby proclaim this Lexy Fridell Day, congratulate her on her successes and wish her well in all future endeavors.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of Sonoma to be affixed this 21st day of July 2014.

\_\_\_\_\_  
TOM ROUSE, MAYOR





**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 5B

Meeting Date: 07/21/2014

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**Department**

Administration

**Staff Contact**

Gay Johann, Assistant City Manager/City Clerk

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**Agenda Item Title**

Approval of the Minutes of the July 7, 2014 City Council meeting.

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**Summary**

The minutes have been prepared for Council review and approval.

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**Recommended Council Action**

Approve the minutes.

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**Alternative Actions**

Correct or amend the minutes prior to approval.

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**Financial Impact**

N/A

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**Environmental Review**

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

**Status**

- Approved/Certified
- No Action Required
- Action Requested

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**Attachments:**

Minutes

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**Alignment with Council Goals:** N/A

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**cc:** N/A

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**SPECIAL AND REGULAR MEETINGS OF THE  
SONOMA CITY COUNCIL  
&  
CONCURRENT REGULAR MEETING OF THE 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 7, 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**

Mayor Rouse called the meeting to order at 5:00 p.m. and invited comments from the public. No one from the public was present to provide public testimony on the closed session item. The City Council recessed into closed session at 5:01 with all members present. City Manager Giovanatto and City Attorney Walter were also present.

**2. CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov't Code section 54956.9: One potential case, involving the County of Sonoma's claims that the cities of Sonoma County, including the City of Sonoma, are responsible for closure and post-closure costs applicable to the Central Disposal (Landfill) Site owned by the County of Sonoma.

**REGULAR MEETING**

The City Council reconvened in open session and Mayor Rouse called the meeting to order at 6:00 p.m. Rosemary Petranzini led the Pledge of Allegiance.

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

ABSENT: None

ALSO PRESENT: City Manager Giovanatto, City Attorney, Walter and Administrative Assistant Gipson

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

**1. COMMENTS FROM THE PUBLIC**

Rosemarie Pedranzini, with sadness, dedicated the meeting in memory of Cynthia Solomon. Pedranzini stated that Sonoma Valley Hospital's Senior Wellness will no longer be taking care of senior's. Pedranzini asked if something could be done about the CEO of Sonoma Valley Hospital reportedly firing long-term staff as well as the closing of the hospital's Senior Wellness.

Mary Smith, volunteer at Sonoma Valley Hospital, expressed her concerns about the experienced hospital staff members that were being laid off due to budget cuts.

Ed Kinney asked if the Proclamations on behalf of the Veterans Memorial every year be awarded to someone other than the American Legion and to consider the Veterans of Foreign Wars and the Disabled Veterans for future proclamation presentations.

**2. COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS**

Clm. Brown dedicated the meeting to Sierra Coffey, a good citizen and mother. He reported his attendance at the 4th of July festivities and announced his office hours for Tuesday, July 8th, during the Farmer's Market on the Plaza.

Clm. Cook announced his weekly office hours at City Hall every Wednesday.

Clm. Gallian thanked the Community Center, ambassadors, fire workers and police department for their outstanding work and support during the 4th of July celebration. She reported attending the Sonoma Stompers opening night game resulting in good traffic, attendance and coordination during the open Farmers Market.

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

City Manager Giovanatto presented public service announcements from Public Works Director Takasugi, stating there would be various street closures throughout the City due to Water projects and Street rehabilitation projects.

**4. PRESENTATIONS**

**Item 4A: Recognition of the Ladies Auxiliary to the Veterans of Foreign Wars Bear Flag Post 1943 for providing a bullet-proof vest for Officer Dickie.**

Police Chief Sackett thanked the Ladies Auxiliary for their fund raising and contribution for providing Officer Dickie with a custom fit bullet proof vest made by K-9 Armor.

Mayor Rouse presented a Certificate of Appreciation to the Ladies Auxiliary Veterans of Foreign Wars Bear Flag Post 1943 for providing a bullet-proof vest for Officer Dickie.

President of the Ladies Auxiliary to the Veterans of Foreign Wars, Sarah Parker, thanked Council, Office Sherman and Officer Dickie for all of their hard work maintaining order for the City of Sonoma and for the recognition and continued support for the local Veteran's organizations.

**Item 4B: Recognition of Ryan Wilbanks' service on the Community Services and Environment Commission.**

Mayor Rouse presented Ryan Wilbanks a Certificate of Appreciation for his services on the Community Services and Environment Commission as Youth Representative since July 2012

**5. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL**

- Item 5A:** Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only.
- Item 5B:** Approval of the Minutes of the June 23, 2014 Budget Workshop and the June 23, 2014 Regular City Council meeting.
- Item 5C:** Approval and ratification of the reappointment of Micaelia Randolph to the Design Review & Historic Preservation Commission for a four-year term.
- Item 5D:** Approval and Ratification of the Appointment of Armando Zimmermann as the Alternate for the Traffic Safety Committee for a Two-Year Term.
- Item 5E:** Adoption of a resolution upholding of the Planning Commission’s decision to regarding Development Code consistency with the issuance of a Type 67 ABC License for the Cottage Inn & Spa (302 and 310 First Street East).
- Item 5F:** Approve the Notice of Completion for the Church Street and Curtin Lane Water Improvements and Street Rehabilitation Project No. 1311 Constructed by Argonaut Constructors and Direct the City Clerk to File the Document.
- Item 5G:** Adoption of Resolutions 1) Calling the General Municipal Election to be held November 4, 2014; and 2) Requesting the Sonoma County Board of Supervisors to Consolidate the Municipal Election with the Statewide General Election.
- Item 5H:** Approve City’s Partnership with Sonoma County Permit and Resources Management Department (PRMD) on the grant proposal, “Clean Streams in Sonoma County”, and Issue a Letter of Support.

It was moved by Clm. Gallian, seconded by Clm. Barbose 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 June 23, 2014 Budget Workshop and the June 23, 2014 Regular City Council meeting pertaining to the Successor Agency.

It was moved by Clm. Gallian, seconded by Clm. Brown, to approve the consent calendar as presented. The motion carried unanimously.

**7. PUBLIC HEARING – None Scheduled**

**8. REGULAR CALENDAR – CITY COUNCIL**

- Item 8A:** Discussion, Consideration and Possible Action to Provide Direction to Councilmember Barbose on Potential Voting Action by Sonoma Clean Power Board of Directors [Requested by Barbose]

City Manager Giovanatto turned over discussion on the Sonoma Clean Power agenda to Clm. Barbose seeking feed- back and direction.

Clm. Barbose stated an agenda item had arisen at the last Sonoma Clean Power meeting asking board members to take action in removing Supervisor Carrillo as Director of Sonoma Clean Power who was appointed by David Rabbitt, Chairman of the Board of Supervisor's. The removal is based on prior actions which the SCP Board felt reflected negatively on the credibility of Sonoma Clean Power.

Mayor Rouse invited comments from the public.

Gina Cuclis stated she was in attendance at a recent Board of Supervisors meeting and all four members of the Board of Supervisors called on Supervisor Carrillo's resignation and that she was very disappointed in Supervisor Carrillo's behavior and noted that his presence was a distraction to Sonoma Clean Power.

Pete Saibene remarked that Supervisor Carrillo did not see this as a big distraction and questioned if Carrillo caused problems for Sonoma Clean Power.

Councilmembers unanimously agreed that a message be sent to Supervisor Carrillo and the constituents of Sonoma Clean Power stating he had betrayed the public's trust. Mayor Rouse stated to Clm. Barbose that Council would provide direction from a unanimous basis asking that a vote be pursued.

**Item 8B: Discussion, consideration and possible action to adopt a resolution in opposition to fracking in the State of California, requested by Councilmembers Rouse and Brown.**

City Manager Giovanatto stated this item was requested to bring before Council described as a resolution opposition in the practice of fracking in California which was passed by the City of Sebastopol and distributed by the mayor and councilmembers association for support of the cities of Sonoma County.

Rosemarie Pedranzini, Jack Wagner and Donna Warsaw spoke in support of the resolution.

It was moved by Clm. Barbose, seconded by Clm. Brown to attach a cover letter to the resolution opposing fracking in the state of California. The motion carried unanimously.

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

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

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

Clm. Gallian passed out a Sonoma Housing Survey and noted the 2015-2023 Housing Element Update located on the City website for the public. She stated that housing affordability was becoming a critical issue.

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

Clm. Gallian stated the deadline for vacancies would be July 11 for the Community Services and Environment Commission.

Mayor Rouse asked if he could have Council's support regarding Item 2 on the Agenda, COUNCILMEMBERS' COMMENTS AND ANNOUNCEMENTS and to apply Item 10 to COUNCILMEMBERS' REPORTS, FINAL REMARKS AND COMMENTS at the end of the Agenda and the meeting.

City Attorney Walter stated this request should be put on the next agenda.

**11. COMMENTS FROM THE PUBLIC**

Jack Wagner stated a positive letter should be written in support of the senate committee's changing of SB 2145 bill.

**12. ADJOURNMENT**

The meeting was adjourned at 6:55 p.m. in memory of Sierra Coffey and Cynthia Solomon.

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

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Rita Gipson  
Administrative Assistant



City of Sonoma  
City Council  
Agenda Item Summary

City Council Agenda Item: 5C

Meeting Date: 7/21/2014

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**Department**

Building

**Staff Contact**

Wayne Wirick, Development Services Director / Building Official

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**Agenda Item Title**

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 Maysonnave Cottage located at 289 First Street East, Sonoma.

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**Summary**

The City owned Maysonnave Cottage located on the property located at 289 First Street East (Assessor's Parcel Number 018-131-026) currently has a substandard overhead electrical service and a substandard main service panel. The City Council has expressed an interest in maintaining the structure for use as a bed and breakfast or vacation rental use. To facilitate these uses the electrical service must be upgraded, and to upgrade the service, a utility easement is required by PG&E. The proposed easement allows for overhead electrical service facilities to extend over a sliver of the southeast corner of Depot Park (APN 018-131-027), including the driveway on the south side of the park, as well as the installation of a utility pole on a small sliver of land on the northwest corner of the Maysonnave House property (APN 018-131-006) located at 290 First Street East (See Attachment A).

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**Recommended Council Action**

Adopt the proposed resolution (Attachment B) and authorize the mayor to sign the proposed easement deed (Attachment C) granting an easement to Pacific Gas and Electric Company (PG&E) for overhead utility line facilities to serve the Maysonnave Cottage located at 289 First Street East.

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**Alternative Actions**

None recommended.

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**Financial Impact**

\$35,000 has been budgeted in the FY 2014/15 Capital Improvement Budget for the upgrading of the Maysonnave Cottage electrical service and service panel.

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**Environmental Review**

**Status**

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

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

**Attachments:**

- Attachment A – Site Plan
  - Attachment B – Resolution approving the grant of easement to Pacific Gas and Electric Company (PG&E)
  - Attachment C – Easement Deed
- 

**Alignment with Council Goals:**

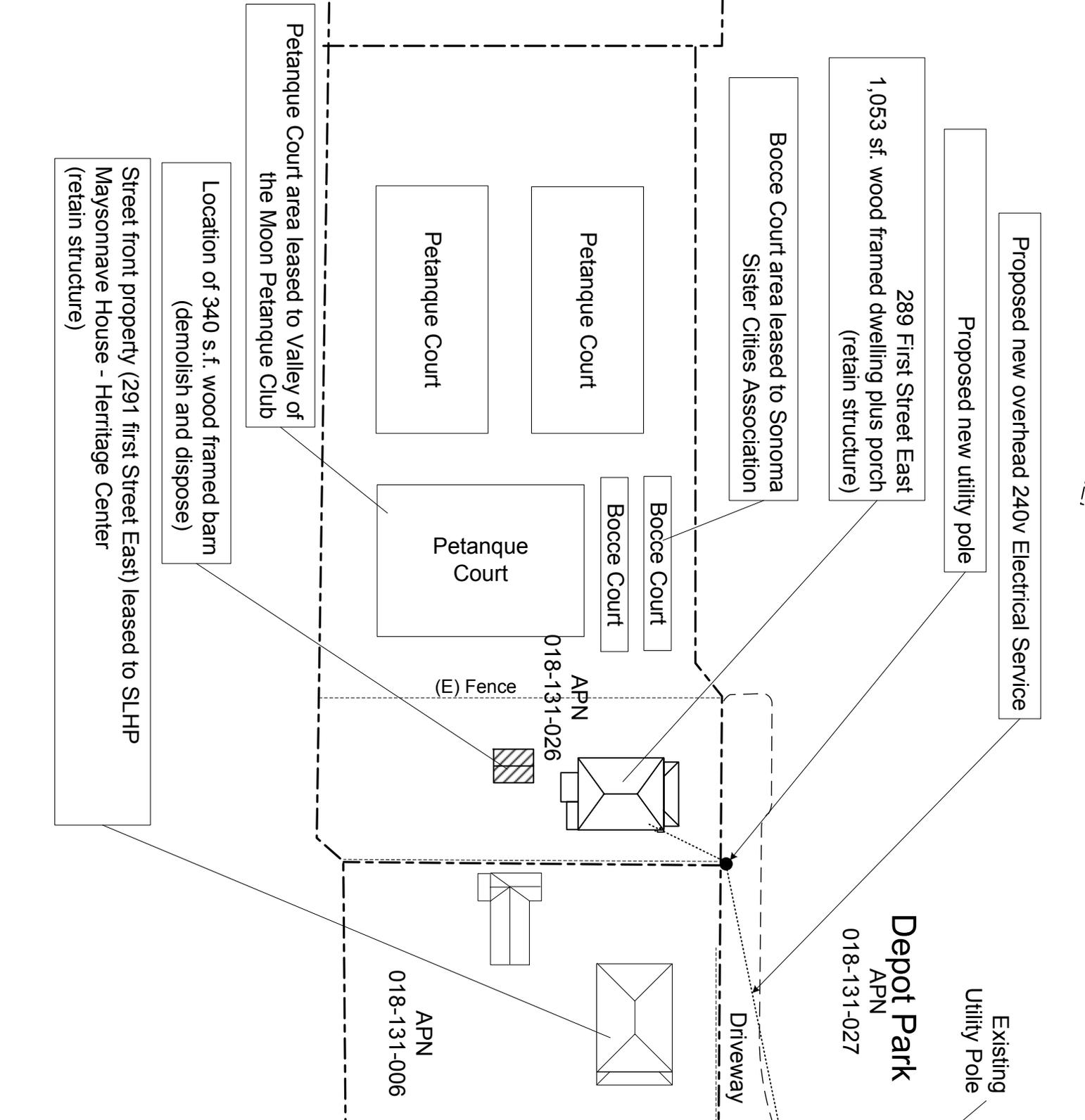
None

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**cc:**

Sonoma League for Historic Preservation

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First Street East

# Site Plan

## 289 and 291 First Street East

**CITY OF SONOMA**

## RESOLUTION NO. XX- 2014

**RESOLUTION OF THE CITY OF SONOMA APPROVING THE GRANT OF EASEMENT TO THE PACIFIC GAS AND ELECTRIC COMPANY (PG&E) FOR OVERHEAD UTILITY LINE FACILITIES TO SERVE THE MAYSONNAVE COTTAGE LOCATED AT 289 FIRST STREET EAST, SONOMA**

WHEREAS, the City owned Maysonnave Cottage located on the property located at 289 First Street East (Assessor's Parcel Number 018-131-026) currently has a substandard overhead electrical service and a substandard main service panel; and

WHEREAS, representatives from the Sonoma League for Historic Preservation have requested that the existing substandard overhead electrical service be properly mitigated and made safe; and

WHEREAS, On January 7, 2013 the City Council directed staff to obtain proposals for a long term lease of the Maysonnave Cottage as a bed and breakfast or vacation rental use with the objective of saving the existing building at minimal cost to the City; and

WHEREAS, in order to provide upgraded and safe electrical power service to the Maysonnave Cottage, a new service utility pole will need to first be erected near the boundary between the Masonnave Cottage and the Masonnave House property located at 291 First Street East (Assessor's Parcel Number 018-131-006), which is currently leased to the Sonoma League for Historic Preservation; and

WHEREAS, a new overhead service line must cross over the southeast corner of the City owned Depot Park (Assessor's Parcel Number 018-131-027) property and the northwest corner of the City owned Maysonnave House property in order to supply the Masonnave Cottage with upgraded and safe electrical service; and

WHEREAS, PG&E has requested an easement for purposes of constructing, owning and maintaining the overhead power service line to the building; and

WHEREAS the easement documents have been reviewed by the City Attorney, the City Engineer and the Development Services Director / Building Official.

NOW, THEREFORE, BE IT RESOLVED that the City of Sonoma approves the grant of easement to Pacific Gas and Electric Company as shown on the Easement Deed attached to this Resolution and authorizes the City Manager to execute the Easement Deed.

PASSED, APPROVED AND ADOPTED on this \_\_\_\_ day of July 2014 by the following vote:

AYES:  
NOES:  
ABSENT:

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Tom Rouse, Mayor

ATTEST:

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Gay Johann  
Assistant City Manager / City Clerk

**RECORDING REQUESTED BY AND RETURN TO:**

**PACIFIC GAS AND ELECTRIC COMPANY**  
**Santa Rosa Land Management Office**  
**111 Stony Circle**  
**Santa Rosa, CA 95401-9507**

Location: City/Uninc \_\_\_\_\_

Recording Fee \$ \_\_\_\_\_

Document Transfer Tax \$ \_\_\_\_\_

This is a conveyance where the consideration and Value is less than \$100.00 (R&T 11911).

Computed on Full Value of Property Conveyed, or

Computed on Full Value Less Liens & Encumbrances Remaining at Time of Sale

\_\_\_\_\_  
Signature of declarant or agent determining tax

(SPACE ABOVE FOR RECORDER'S USE ONLY)

LD# 2405-05-

EASEMENT DEED

PM# 30627861

CITY OF SONOMA, a public body of the State of California,

hereinafter called Grantor, hereby grants to PACIFIC GAS AND ELECTRIC COMPANY, a California corporation, hereinafter called Grantee, the right from time to time to construct, reconstruct, install, inspect, maintain, replace, remove, and use facilities of the type hereinafter specified, together with a right of way therefor, within the easement area as hereinafter set forth, and also ingress thereto and egress therefrom, over and across the lands of Grantor situated in the City of Sonoma, County of Sonoma, State of California, described as follows:

(APN 018-131-006 and 018-131-027)

The two parcels of land one described and designated PARCEL NO. 1 in the deed from Northwestern Pacific Railroad Company to the City of Sonoma dated July 21, 1975 and recorded in Book 2983 of Official Records at page 391, Sonoma County Records, and the other described in EXHIBIT A attached to the deed from Hazel Carter and Patrick Doyle, as Co-Executors of the Estate of Henri Maysonnave, deceased, to the City of Sonoma dated January 10, 1991 and recorded as Official Record Series No. 1991 0007142 Sonoma County Records.

Said facilities and easement area are described as follows:

Such poles, aerial wires, cables, electrical conductors with associated crossarms, braces, transformers, anchors, guy wires and cables, fixtures and appurtenances, as Grantee deems necessary for the distribution of electric energy and communication purposes located within the strip of land described as follows:

A strip of land of the uniform width of 10 feet extending from the westerly boundary line of the city street known as First Street East westerly to the westerly boundary line of the parcel of

P.G.&E. CO.  
COPY

land (APN 018-131-006) described in said deed dated January 10, 1991 and lying 5 feet on each side of the line described as follows:

Commencing at the found ½ inch iron pipe marking the westerly terminus of a course in the northerly boundary line of PARCEL 1, as shown upon City of Sonoma Parcel Map No. 2 filed for record July 28, 1975 in Book 225 of Maps at page 4, Sonoma County Records, (for identification only, said course as shown upon said map has a bearing of S 71° 15' E and a length of 59.27 feet); and running thence

(a) south 08° 01' 48" west 123.0 feet

to a point in said westerly boundary line of First Street East, being the TRUE POINT OF BEGINNING of said line; thence leaving said westerly boundary line

(1) south 82° 27' 08" west 104.1 feet, more or less,

to a point in said westerly boundary of the parcel of land described in said deed dated January 10, 1991.

Grantee's drawing number 30627861 attached hereto as Exhibit "A" is recorded for reference purposes only.

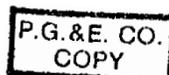
The foregoing description is based on a survey made by Grantee in July 2008. The bearings used are based on a course in the northerly boundary line of said PARCEL 1, which course according to said Parcel Map has a bearing of S 71° 15' E and a length of 59.27 feet.

Grantor further grants to Grantee the right, from time to time, to trim or prune any and all trees and brush now or hereafter within said easement area, and shall have the further right, from time to time, to trim and prune brush along each side of said easement area which now or hereafter in the opinion of Grantee may interfere with or be a hazard to the facilities installed hereunder, or is otherwise required to comply with applicable state or federal regulations.

Grantor shall not erect or construct any building or other structure or drill any well within said easement area. Driveways, curbs, sidewalks, walkways, planters, fencing, bollards, mailboxes, gates or signs located so as not to unduly obstruct Grantee's reasonable access to its facilities installed hereunder, or violate any of the applicable provisions of General Order Nos. 95 (Overhead Electric) of the California Public Utilities Commission or of any other applicable provisions of the laws and regulations of the State of California or other governmental agencies under which the operations of utility facilities are controlled or regulated shall not be considered a building or structure.

Grantor shall not erect, handle, or operate any tools, machinery, apparatus, equipment, or materials closer to any of PG&E's high-voltage electric conductors than the minimum clearances set forth in the High-Voltage Electrical Safety Orders of the California Division of Industrial Safety, which minimum clearances are incorporated herein by reference, but under no circumstances closer than ten (10) feet from any energized electric conductors or appliances.

Grantor further grants to Grantee the right to assign to another public utility as defined in Section 216 of the California Public Utilities Code the right to install, inspect, maintain, replace, remove and use communications facilities within said easement area (including ingress thereto and egress therefrom).



Grantor acknowledges that they have read the "Grant of Easement Disclosure Statement", Exhibit "B", attached hereto and made a part hereof.

The legal description herein, or the map attached hereto, defining the location of this utility distribution easement, was prepared by Grantee pursuant to Section 8730 (c) of the Business and Professions Code.

The provisions hereof shall inure to the benefit of and bind the successors and assigns of the respective parties hereto.

Dated: \_\_\_\_\_, \_\_\_\_\_.

CITY OF SONOMA, a public body of the State of California

By: \_\_\_\_\_ By: \_\_\_\_\_

\_\_\_\_\_  
Print Name & Title

\_\_\_\_\_  
Print Name & Title

<p>I hereby certify that a resolution was adopted  on the ____ day of _____, 20____, by  the _____  authorizing the foregoing grant of easement.  By _____  _____  Name &amp; Title</p>
---

State of California  
County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_ Notary Public,  
Here insert name and title of the officer  
personally appeared \_\_\_\_\_

\_\_\_\_\_ ,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

(Seal)

**CAPACITY CLAIMED BY SIGNER**

- Individual(s) signing for oneself/themselves
- Corporate Officer(s) of the above named corporation(s)
- Trustee(s) of the above named Trust(s)
- Partner(s) of the above named Partnership(s)
- Attorney(s)-in-Fact of the above named Principal(s)
- Other \_\_\_\_\_

State of California  
County of \_\_\_\_\_ )

On \_\_\_\_\_, before me, \_\_\_\_\_ Notary Public,  
Here insert name and title of the officer

personally appeared \_\_\_\_\_  
\_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of Notary Public

(Seal)

**CAPACITY CLAIMED BY SIGNER**

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- Corporate Officer(s) of the above named corporation(s)
- Trustee(s) of the above named Trust(s)
- Partner(s) of the above named Partnership(s)
- Attorney(s)-in-Fact of the above named Principal(s)
- Other \_\_\_\_\_



# EXHIBIT "A"

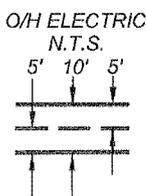
ATTACHMENT - C

FOR REFERENCE PURPOSES ONLY

## LEGEND

- NEW O/H ELECTRIC
- NEW POLE
- EXISTING O/H ELECTRIC
- EXISTING POLE
- (R1) PARCEL MAP NO.2  
225 MAPS 4
- FOUND IRON PIPE AS NOTED (R1)

**OWNER:**  
**CITY OF SONOMA**  
Deed Dated July 21, 1975  
Book 2983 O.R. page 391  
**PARCEL NO. 1**



A.P.N.  
018-131-027

OWNER:  
CITY OF SONOMA  
Deed Dated January 10, 1991  
O.R. Series No. 1991 0007142  
EXHIBIT B

**OWNER:**  
**CITY OF SONOMA**  
Deed Dated January 10, 1991  
O.R. Series No. 1991 0007142  
**EXHIBIT A**

A.P.N.  
018-131-026

A.P.N.  
018-131-006

NOTE:  
BASIS OF BEARING  
S 71° 15' 00" E 59.27'  
PARCEL MAP NO. 2  
Filed July 28, 1975  
Book 225 of Maps Page 4  
Sonoma County Records

UNLESS OTHERWISE SHOWN ALL COURSES  
EXTEND TO OR ALONG BOUNDARIES OR LINES

Applicant:				SCALE	DATE
O/H ELEC RELOCATION - 289 FIRST STREET EAST, SONOMA				1"=40'	6-9-14
SECTION	TOWNSHIP	RANGE	MERIDIAN	COUNTY OF: SONOMA	CITY OF: SONOMA
7	T5N	R5W	MDM	F.B.: REPO/SRSM DR.BY: REPO	CH.BY: CSSB
PLAT MAP LL-3424		NW 1/4 of SE 1/4		PG&E	NORTH COAST DIVISION
REFERENCES: 225 MAPS 4				30627861	30627861
				AUTHORIZ	DRAWING NO.

P.G.&E. CO.  
COPY

Pacific Gas and Electric Company



## EXHIBIT "B"

### GRANT OF EASEMENT DISCLOSURE STATEMENT

This Disclosure Statement will assist you in evaluating the request for granting an easement to Pacific Gas and Electric Company (PG&E) to accommodate a utility service extension to PG&E's applicant. **Please read this disclosure carefully before signing the Grant of Easement.**

- You are under no obligation or threat of condemnation by PG&E to grant this easement.
- The granting of this easement is an accommodation to PG&E's applicant requesting the extension of PG&E utility facilities to the applicant's property or project. Because this easement is an accommodation for a service extension to a single customer or group of customers, PG&E is not authorized to purchase any such easement.
- By granting this easement to PG&E, the easement area may be used to serve additional customers in the area. Installation of any proposed facilities outside of this easement area will require an additional easement.
- Removal and/or pruning of trees or other vegetation on your property may be necessary for the installation of PG&E facilities. You have the option of having PG&E's contractors perform this work on your property, if available, or granting permission to PG&E's applicant or the applicant's contractor to perform this work. Additionally, in order to comply with California fire laws and safety orders, PG&E or its contractors will periodically perform vegetation maintenance activities on your property as provided for in this grant of easement in order to maintain proper clearances from energized electric lines or other facilities.
- The description of the easement location where PG&E utility facilities are to be installed across your property must be satisfactory to you.
- The California Public Utilities Commission has authorized PG&E's applicant to perform the installation of certain utility facilities for utility service. In addition to granting this easement to PG&E, your consent may be requested by the applicant, or applicant's contractor, to work on your property. Upon completion of the applicant's installation, the utility facilities will be inspected by PG&E. When the facility installation is determined to be acceptable the facilities will be conveyed to PG&E by its applicant.

By signing the Grant of Easement, you are acknowledging that you have read this disclosure and understand that you are voluntarily granting the easement to PG&E. Please return the signed and notarized Grant of Easement with this Disclosure Statement attached to PG&E. The duplicate copy of the Grant of Easement and this Disclosure Statement is for your records.

P.G.&E. CO.  
COPY

PG&amp;E CO. APPROVED

SR. LAND AGENT  
(BSK3)

Building Restriction Clause

M&C ELEC SUP. - N. COAST  
(MCS9) email approval

Tree Trimming Clause

Area 7 – North Coast

Santa Rosa Land Management Office

Operating Department: Distribution Electric

USGS location: MDM, T5N, R5W, SEC 7, NW ¼ of SE ¼

FERC License Number(s): N/A

PG&amp;E Drawing Number(s): 30627861

PLAT NO. LL-3424

LD of any affected documents:

LD of any Cross-referenced documents:

TYPE OF INTEREST: 03, 06, 43

SBE Parcel Number: N/A

(For Quitclaims, % being quitclaimed)

PM #: 30627861

JCN: N/A

County: SONOMA

Utility Notice Numbers:

851 Approval Application No. \_\_\_\_\_ Decision \_\_\_\_\_

Prepared By: REPQ

Checked By: CSSB *ml*

Revision Number:

S:\GenlSvcs\Land\R\_W 2014\SONOMA\30627861 289 First St East Sonoma\Office\30627861.doc

P.G.&E. CO.  
COPY



**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 5D

Meeting Date: 07/07/2014

---

**Department**

Public Works

**Staff Contact**

Dan Takasugi, Public Works Director/City Engineer

---

**Agenda Item Title**

Adopt resolution approving the Final Parcel Map for the 2-lot Parcel Map at 1151 Broadway known as Parcel Map No. 440

---

**Summary**

The Tentative Map application for this proposed Final Parcel Map was filed by Tom Rouse and approved by the Planning Commission on November 13, 2008. The property is a 32,625 square foot (0.75 acre) parcel located on the west side of Broadway, opposite Adele Harrison Middle School. The site is fully developed with two duplexes and a commercial office building with associated parking lot. The property is to be subdivided into two lots, which would allow for the existing office building and rental units (two duplexes) to be owned separately. The site is fully developed with an office building and four rental housing units. Existing improvements and uses on the property are consistent with the Mixed Use designation and no additional development is proposed. The City Engineer has reviewed the Final Map and verified that all public improvements are complete.

Due to the length of time since approval of the Tentative Map, the City Engineer asked the applicant for validation that legislative extensions were effected to maintain the validity of the Tentative Map. A letter from Hogan Land Services provides such clarification and is attached.

---

**Recommended Council Action**

Adopt resolution approving the Final Parcel Map for the 2-lot Parcel Map No. 440

---

**Alternative Actions**

Council discretion.

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**Financial Impact**

The City has assumed responsibility for the public improvements installed by the developer.

---

**Environmental Review**

**Status**

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

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

**Attachments:**

Resolution  
Final Map (full size copy available at the City Clerk's office)  
Letter from Hogan Land Services of 5/8/14 showing legislation extending tentative map approvals

---

**Alignment with Council Goals:**

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

---

**cc:**

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**CITY OF SONOMA**

RESOLUTION NO. \_\_\_ -2014

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA  
APPROVING THE FINAL MAP FOR THE  
PARCEL MAP NUMBER 440 2-LOT SUBDIVISION  
AT 1151 BROADWAY**

WHEREAS, the City Council is requested to approve the Final Map for the Parcel Map Number 440 2-lot Subdivision at 1151 Broadway; and,

WHEREAS, the City Engineer has reviewed the Final Map and has determined that it complies with all applicable provisions of the development code and the Map Act; and,

WHEREAS, the Public Works Director has determined that all public improvements are complete; and,

WHEREAS, the City Engineer has determined that said Final Map conforms to the Tentative Map and Conditions of Approval previously approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sonoma hereby approves the Final Map.

ADOPTED the 21st day of July, 2014, by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
David Cook, Mayor Pro-Tem

ATTEST:

\_\_\_\_\_  
Gay Johann  
City Clerk

**OWNER'S CERTIFICATE**

WE HEREBY CERTIFY THAT THOMAS R. ROUSE, MICHELE E. ROUSE, AND JOSEPH MOTTA, TRUSTEE OF THE MOTTA FAMILY IRREVOCABLE TRUST DATED DECEMBER 19, 2012, AS OWNERS OF AND HAVE THE RIGHT, TITLE, AND INTEREST IN AND TO THE REAL PROPERTY INCLUDED WITHIN THE SUBDIVISION SHOWN UPON THIS MAP, AND ARE THE ONLY PERSONS WHOSE CONSENT IS NECESSARY TO PASS CLEAR TITLE TO SAID PROPERTY, AND SAID OWNERS, CONSENT TO THE MAKING AND FILING OF SAID MAP OF THE SUBDIVISION SHOWN WITHIN THE BORDER LINES.

THOMAS R. ROUSE

MICHELE E. ROUSE

JOSEPH MOTTA (TRUSTEE)

**NOTARY PUBLIC CERTIFICATE**

STATE OF CALIFORNIA  
COUNTY OF SONOMA

ON \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, \_\_\_\_\_ PERSONALLY APPEARED, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.  
WITNESS MY HAND. MY COMMISSION EXPIRES / / # \_\_\_\_\_  
DATE \_\_\_\_\_

**NOTARY PUBLIC CERTIFICATE**

STATE OF CALIFORNIA  
COUNTY OF SONOMA

ON \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, \_\_\_\_\_ PERSONALLY APPEARED, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.  
WITNESS MY HAND. MY COMMISSION EXPIRES / / # \_\_\_\_\_  
DATE \_\_\_\_\_

**NOTARY PUBLIC CERTIFICATE**

STATE OF CALIFORNIA  
COUNTY OF SONOMA

ON \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, \_\_\_\_\_ PERSONALLY APPEARED, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.  
WITNESS MY HAND. MY COMMISSION EXPIRES / / # \_\_\_\_\_  
DATE \_\_\_\_\_

**COUNTY CLERK'S CERTIFICATE**

I CERTIFY THAT ALL BONDS, MONEY OR NEGOTIABLE BONDS REQUIRED UNDER THE PROVISIONS OF THE SUBDIVISION MAP ACT TO SECURE PAYMENT OF TAXES AND ASSESSMENTS HAVE BEEN FILED WITH AND APPROVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, NAMELY: BOND(S) UNDER GOVERNMENT CODE SECTIONS 66493 (g) AND 66493 (c) IN SUMS OF \$ \_\_\_\_\_ AND \$ \_\_\_\_\_ RESPECTIVELY.

IN WITNESS THEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS DAY OF \_\_\_\_\_, 20\_\_\_\_.

CLERK OF THE BOARD OF SUPERVISORS  
COUNTY OF SONOMA  
STATE OF CALIFORNIA

**COUNTY TAX COLLECTOR'S CERTIFICATE**

ACCORDING TO THE RECORDS IN THE OFFICE OF THE UNDERSIGNED, THERE ARE NO LIENS AGAINST THIS SUBDIVISION, OR ANY PARTS THEREOF, FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE. MY ESTIMATE OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES NOT YET PAYABLE IS \$ \_\_\_\_\_. THE LAND IN SAID SUBDIVISION IS NOT SUBJECT TO A SPECIAL ASSESSMENT OR BOND WHICH MAY BE PAID IN FULL.

DATED: \_\_\_\_\_, 20\_\_\_\_

TAX COLLECTOR  
COUNTY OF SONOMA  
STATE OF CALIFORNIA

**COUNTY RECORDER'S CERTIFICATE**

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF MAPS, AT PAGE \_\_\_\_\_, IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AT THE REQUEST OF DAN TAKASUGI, CITY ENGINEER, CITY OF SONOMA.

SIGNED \_\_\_\_\_  
COUNTY RECORDER  
COUNTY OF SONOMA  
STATE OF CALIFORNIA

DOCUMENT NO. \_\_\_\_\_

**SURVEYOR'S STATEMENT**

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF TOM ROUSE IN JANUARY, 2014. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

STEVEN J. KLEIN, P.L.S. 8155  
LICENSE EXPIRES 12-31-14



DATED \_\_\_\_\_

**CITY CLERK'S CERTIFICATE**

I HEREBY CERTIFY THAT THE CITY COUNCIL OF THE CITY OF SONOMA, STATE OF CALIFORNIA, ON THIS DAY OF \_\_\_\_\_, 201\_\_\_\_, DID APPROVE THIS MAP.

GAY JOHANN, CITY CLERK, CITY OF SONOMA  
STATE OF CALIFORNIA

**TRUSTEE'S CERTIFICATE**

FIRST AMERICAN TITLE COMPANY, THE TRUSTEE UNDER THE DEED OF TRUST RECORDED IN THE OFFICE OF THE COUNTY RECORDER AS DOCUMENT NO. 2011-050695, OF OFFICIAL RECORDS OF SONOMA COUNTY AGAINST THE TRACT OF LAND HERON SHOWN, HEREBY CONSENT TO THE MAKING AND FILING OF THIS MAP.

BY: \_\_\_\_\_ TITLE \_\_\_\_\_

**NOTARY PUBLIC CERTIFICATE**

STATE OF CALIFORNIA  
COUNTY OF SONOMA

ON \_\_\_\_\_, 20\_\_\_\_, BEFORE ME, \_\_\_\_\_ PERSONALLY APPEARED, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND. MY COMMISSION EXPIRES / / # \_\_\_\_\_  
DATE \_\_\_\_\_

**CITY ENGINEER'S CERTIFICATE**

I HEREBY STATE THAT THE MAP OF THIS SUBDIVISION WAS EXAMINED BY ME OR UNDER MY DIRECTION THAT IT IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF. THAT ALL PROVISIONS OF THE SUBDIVISION MAP ACT AS AMENDED AND ANY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH.

DAN TAKASUGI, CITY ENGINEER, RCE 72776 DATED \_\_\_\_\_  
LICENSE EXPIRES 6/30/2016

I HEREBY STATE THAT THE MAP OF THIS SUBDIVISION WAS EXAMINED BY ME OR UNDER MY DIRECTION ON BEHALF OF THE CITY ENGINEER AND I AM SATISFIED THAT SAID MAP IS TECHNICALLY CORRECT.

RICHARD A. MADDOCK, PLS 8131 DATED \_\_\_\_\_  
LICENSE EXPIRES 12/31/2014

SHEET INDEX:  
1. CERTIFICATE SHEET  
2. MAP SHEET

CITY OF SONOMA  
PARCEL MAP NO. A-440

OF THE LANDS OF  
ANDERSON-PATRI-ROUSE, LLC/JOSEPH MOTTA

AS DESCRIBED IN DOCUMENT NUMBERS 2012-131357 & 2005-087873 BEING OFFICIAL RECORDS OF SONOMA COUNTY AND LYING WITHIN THE CITY OF SONOMA

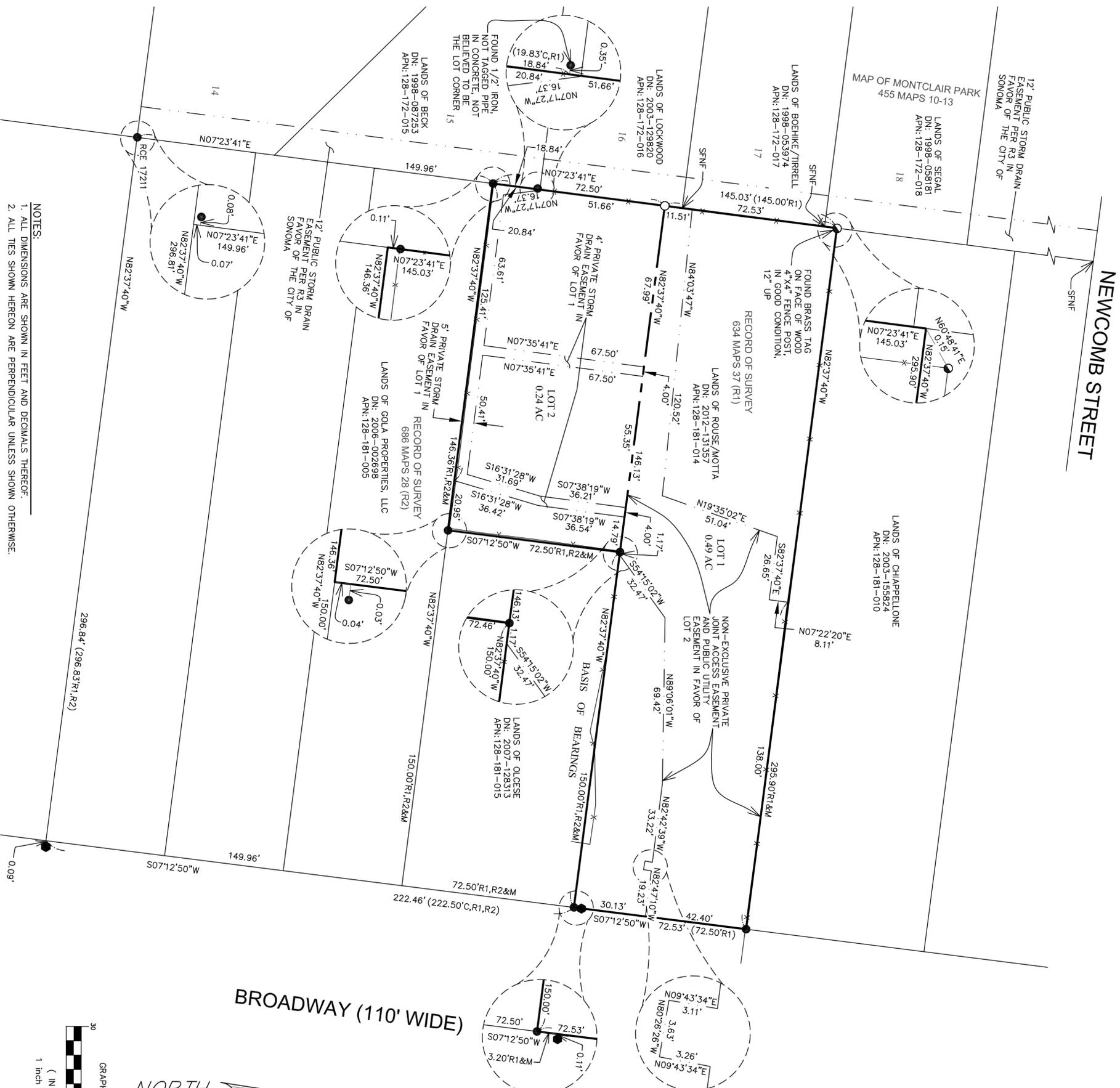
CITY OF SONOMA COUNTY OF SONOMA  
SCALE: 1" = 30' APN: 128-181-014 DATE: APRIL, 2014



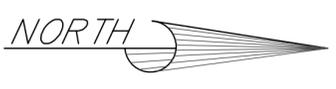
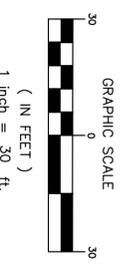
1702 4TH STREET Tel (707) 544-2104  
SANTA ROSA, CA 95405 www.hoganls.com Fax (707) 522-2105

JOB # 776 SHEET 1 OF 2

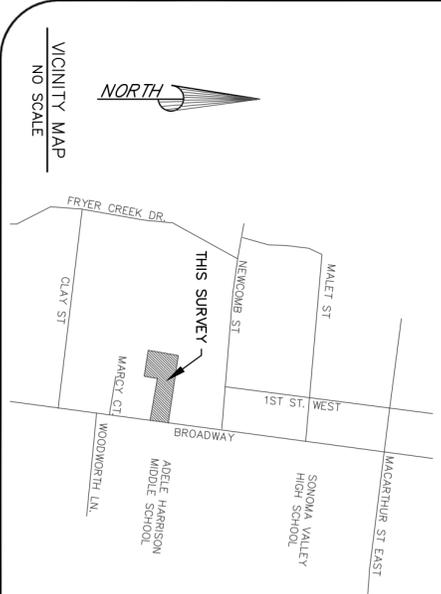
FIRST AMERICAN TITLE COMPANY, ORDER No.: 4906-4612193 DATED: MARCH 21, 2014



NOTES:  
 1. ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMALS THEREOF.  
 2. ALL TIES SHOWN HEREON ARE PERPENDICULAR UNLESS SHOWN OTHERWISE.



BROADWAY (110' WIDE)



- REFERENCES
- (R1) RECORD OF SURVEY 634 MAPS 37
  - (R2) RECORD OF SURVEY 686 MAPS 28
  - (R3) MAP OF MONTCLAIR PARK 455 MAPS 10-13
  - (R4) GRAND DEED DN: 2012-131357
  - (R5) GRANT DEED DN: 2005-084873

BASIS OF BEARINGS: N82°37'40"E  
 BETWEEN FOUND 1/2" IRON PIPE MONUMENTS TAGGED "BU1-LS 5092"  
 AS SHOWN ON RECORD OF SURVEY RECORDED IN BOOK 634 OF MAPS  
 AT PAGE 37.

LEGEND

	SUBDIVISION BOUNDARY LINE
	LOT BOUNDARY LINE
	ADJOINER BOUNDARY LINE
	EASEMENT LINE
	FENCE

- SET 3/4" IRON PIPE, TAGGED LS 8155
- FOUND 1/2" IRON PIPE TAGGED, "BU1-LS 5092"
- FOUND BRASS TAG, "BU1-LS 5092"
- FOUND 3/4" REBAR NO TAG
- CALCULATED
- SEARCHED FOR NOT FOUND
- (R1) RECORDED DATA

CITY OF SONOMA  
 PARCEL MAP NO. A-440

OF THE LANDS OF  
 ANDERSON-PATRI-ROUSE, LLC/JOSEPH MOTTA  
 AS DESCRIBED IN DOCUMENT NUMBERS 2012-131357 &  
 2005-087873 BEING OFFICIAL RECORDS OF SONOMA COUNTY  
 AND LYING WITHIN THE CITY OF SONOMA

CITY OF SONOMA  
 SCALE: 1" = 30'  
 APN: 128-181-014  
 COUNTY OF SONOMA  
 DATE: APRIL, 2014

HOGAN LAND SERVICES  
 A CALIFORNIA CORPORATION

1702 4TH STREET  
 SANTA ROSA, CA 95405  
 Tel (707) 544-2104  
 Fax (707) 522-2105  
 www.hoganls.com  
 JOB # 776  
 SHEET 2 OF 2

# HOGAN LAND SERVICES

A CALIFORNIA CORPORATION

Thursday, May 08, 2014

City of Sonoma  
Planning, Building & Public Works  
Dan Takasugi, City Surveyor  
No. 1 The Plaza  
Sonoma, CA 95476

Site: 1151 Broadway, Sonoma  
APN: 128-181-014  
Subject: Parcel Map Approval

Dan;

Please find attached background information used to determine that this Approved Tentative Map has not expired (is still valid) to wit;

Approved November 13, 2008 would have expired in 2 years,	2010
Extended by Senate Bill 1185 for 12 months	2011
Extended by Assembly bill 333 for 24 months	2013
Extended by Assembly bill 208 for 24 months	2015

Now extended by Assembly bill 116 for an additional 12 months	2017
---	------

Please move forward with processing and filing the Parcel Map.

Sincerely;

  
Michael R. Hogan, PLS 7362

Cc: Rob Gjestland, Senior Planner



***"We'll Get The Permit"***

1702 4<sup>th</sup> Street • Santa Rosa, CA 95404 • 707.544.2104 • F 707.522.2105 • hoganls.com  
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City of Sonoma  
**City Council**  
**Agenda Item Summary**

**City Council Agenda Item: 5E**

**Meeting Date: July 21, 2014**

---

**Department**

Building

**Staff Contact**

Wayne Wirick, Development Services Director / Building Official

---

**Agenda Item Title**

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

---

**Summary**

Belz Construction, Inc. of Orangevale, CA has satisfactorily completed the work of the Sonoma City Hall Bell Tower Repair Project. The City should now record a Notice of Completion for the project so the 35-day time frame by which stop-notices can be filed on the project can begin. Following the 35-day stop-notice period, the City may release the retention and make final payment to the contractor.

As a matter of information, the mechanism to ring the bell located in the bell tower was found to be defective and in need of replacement and will likely be replaced by a different contractor under a separate contract.

---

**Recommended Council Action**

Authorize the City's Development Services Director to execute and file a Notice of Completion (attached) for the project.

---

**Alternative Actions**

None proposed

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**Financial Impact**

The Council approved project budget was \$129,000. The final project costs have not been fully determined, however the anticipated total costs for the project is expected to be approximately \$165,000. The extra costs are a result of unforeseen project expenses including the need for immediate treatment and repair of active termite infestation and wood fungal damage on the structure, reroofing the bell tower tile roof, re-flashing the flag pole, replacing the bell ringing mechanism and all associated architectural services for these unanticipated repairs. The funding source for the project is the Long-Term Building Maintenance Fund.

---

**Environmental Review**

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

**Status**

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

**Attachments:**

- Draft Notice of Completion
- 

**cc:**

---

Recorded at Request of and  
When Recorded Return to:

CITY OF SONOMA  
No. 1 – The Plaza  
Sonoma, CA 95476  
ATTN: Wayne Wirick, Jr.

---

This document is exempt from Recording Fees pursuant to Government Code Section 6103 and 27383

---

NOTICE OF COMPLETION  
(Civil Code Section 3093)

NOTICE IS HEREBY GIVEN THAT:

1. On July 14, 2014, the work of improvement described as the **Sonoma City Hall Bell Tower Repair Project** was completed.
2. The full name and address of the undersigned owner is the City of Sonoma, No. 1 The Plaza, Sonoma, CA 95476.
3. The City of Sonoma is the sole owner in fee simple absolute of the real property described below.
4. The real property herein referred to is situated in the City of Sonoma, County of Sonoma, State of California, and located at **#1 The Plaza**.
5. The name of the original contractor for the work of improvement was **Belz Construction, Inc.**
6. The work performed under the **Sonoma City Hall Bell Tower Repair Project** included, but was not limited to, the following work in accordance with the contract documents:

Temporary support structures to bell tower and bell, providing hoists necessary to perform work, structural reinforcement of tower platform, removal of wood beam support structure for bell and replace with tube steel support, structural reinforcement of bell tower walls and ceiling, repair of parapet walls, removal of existing roof access hatch and providing new roof hatch and ladder, removal and replacement of existing tower platform membrane roof and existing bell tower tile roofing, re-flashing and waterproofing, patching and repair of specified grout portions of existing clay tile roof, repainting of the bell tower, parapet walls, exterior sides of wood windows, wood doors  
and window and door trim, fabrication and installation of new bird screens.

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

City of Sonoma

By: \_\_\_\_\_  
Wayne Wirick, Jr.  
Development Services Director / Building Official

Dated: \_\_\_\_\_

\_\_\_\_\_  
Attest City Clerk



***CITY OF SONOMA***  
***City Council***  
**Agenda Item Summary**

City Council Agenda Item: 5F

Meeting Date: July 21, 2014

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**Department**

Finance

**Staff Contact**

DeAnna Hilbrants, Finance Director

---

**Agenda Item Title**

Approval of a Resolution of the City Council of the City of Sonoma Authorizing Investment of Monies in the Local Agency Investment Fund.

---

**Summary**

The City deposits funds into the Local Investment Agency Fund (LAIF) for investment by the State Treasurer. This action is to update the city staff authorized to order deposit or withdrawal of money from the LAIF funds invested by the City. This is needed due to staff changes and the creation of a stand-alone finance department.

---

**Recommended Council Action**

Approve the Resolution

---

**Alternative Actions**

Council discretion

---

**Financial Impact**

This change only impacts the individuals authorized to make deposits and withdrawals from the City of Sonoma funds invested in LAIF. There is no financial impact of this proposal.

---

**Environmental Review**

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

**Status**

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

**Attachments:**

Resolution

---

**Alignment with Council Goals:**

Supports the goal of Fiscal Management.

---

cc:

---

**CITY OF SONOMA**

RESOLUTION NO. **XX - 2014**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA  
AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL  
AGENCY INVESTMENT FUND**

WHEREAS, pursuant to Chapter 730 of the statutes of 1976, Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the City Council does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government code for the purpose of investment as stated therein as in the best interests of the City of Sonoma.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Sonoma does hereby authorize the deposit and withdrawal of City of Sonoma monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purposes of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that the following Sonoma officers and employees or their successors in office shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

City Manager  
Assistant City Manager  
Finance Director  
Accountant  
Accounting Technician

**PASSED AND ADOPTED**, by the City Council of the City of Sonoma, County of Sonoma, State of California on July 21, 2014 by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Tom Rouse, Mayor

ATTEST

\_\_\_\_\_  
Gay Johann, Asst. City Manager/City Clerk



**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 5G

Meeting Date: 07/21/2014

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**Department**

Administration

**Staff Contact**

Gay Johann, Assistant City Manager/City Clerk

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**Agenda Item Title**

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).

---

**Summary**

As a benefit to the many non-profit, school, veterans and other local volunteer organizations the City allocates "free days" of use at the Sonoma Veteran's Memorial Building. These "free days" are made possible through an agreement the City has with the County of Sonoma. Pursuant to the agreement dated June 16, 2014, the City will receive fifteen "free days" of use at the Sonoma Veteran's Memorial Building in exchange for \$15,000 for fiscal year 2014/15.

A free day allocation allows a group use of the facility for up to twelve hours on the date of their event free of charge as long as the building is left clean and is secured upon departure. All use of the facility is subject to the terms and conditions of the County's standard use agreement for the building. Groups are required to provide a refundable security and cleaning deposit at the time of booking.

Ten of the City's free days will be allocated for weekend days (Friday 5 p.m. thru Sunday midnight), the remaining five must be used mid-week. Free day events may not be held on a County-observed holiday or any day that the use would conflict with use of the building by a Veterans organization.

Staff is presenting five free day requests and has reserved one weekend day and one weekday for future City use. If all requests listed on this agenda item are approved, the City will have five weekend free days and three weekday free days left for the remainder of the fiscal year.

---

**Recommended Council Action**

Approve the requests for free days.

---

**Alternative Actions**

Council discretion.

---

**Financial Impact**

\$15,000 has been included in the 2014/15 budget. \$1,000 is remitted to the County for each free day approved.

---

**Environmental Review**

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

**Status**

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

**Attachments:**

Agreement with the County & Requests for free days (5)

---

**Alignment with Council Goals:**

*Provide continuing leadership as elected officials and residents of the community by taking steps to assure a safe and vibrant community.*

---

cc: Via email: Wilda Vaughn, Terry Leen, Michael Balich, David Dammuller, Philip Herrschaft

Letter Agreement Between  
The County of Sonoma and the City of Sonoma  
For  
"Free Event Days" at the Sonoma Veterans Building

The purpose of this Letter Agreement is to memorialize the understanding reached between the City of Sonoma (the "City") and the County of Sonoma General Services Department (the "County"), on June 16, 2014, regarding City-sponsored "Free Event Days" for use of the Sonoma Memorial Veterans' Building and associated parking areas and grounds by non-profits and other community organizations that will be designated by the City.

As background, the Sonoma Veterans Memorial Building ("Building") is managed by the County for the benefit of Veterans and the general community. County responsibilities include entering into agreements with individuals, groups, non-profits and others for the use of all or a portion of the Building and surrounding grounds in exchange for certain fees based on time of use, facilities used and activities.

As a benefit to the community in Fiscal Year 2014-2015 the County will provide the City up to fifteen "Free Event Days". These "Free Event Days" will in turn be provided by the City to organizations designated by the City. The City will inform the County of the days the City designates as "Free Event Days" and the organization that will be the recipient of each "Free Event Day." Recipients will be allowed to use the Building or portions of the Building up to twelve hours on their designated "Free Event Day" subject to the terms and conditions of the standard use agreement for the Building. Prior to each designated "Free Event Day" the City will provide the County \$1,000 to offset the County's cost for providing the Building or a portion of the Building at no charge to the organization identified by the City. The organization will not be charged by the County for the use of the Building as long as the organization agrees to the terms of the County's use agreement, agrees to clean up the area they use and secures the Building after using the Building.

"Free Event Days" will be limited to fifteen days per year. Weekend "Free Event Days" will be limited to 10 days per year. Weekends will be defined as Friday 5 pm through Sunday midnight. County Holidays will not be eligible for "Free Event Days", except July 4, 2014, which will be treated as a "Free Event Day" for use by the City to occupy certain designated areas for parade staging. The July 4, 2014, "Free Event Day" will expire before 2 pm to accommodate a private event scheduled for the Building. The City will work with the Building Manager to assure that its use of the Building does not interfere with the July 4 private event.

The Sonoma Veterans of Foreign Wars and other Veteran's organizations routinely use facilities at the Building for meetings, parties, social events, etc. As Veteran's activities take priority over all other uses of the Building and surrounding areas "Free Event Days" cannot be used if the Free Event conflicts with the Veteran's use of the Building.

The City's declaration of an organization's use of the Building or any portion of the Building as a "Free Event Day" shall in no way change the obligation of the organization to enter into the County's required agreements for the use of the Building, for securing all necessary permits,

licenses, insurance and the like. The organization will also be required to follow all rules for the use of the Building, including those regarding, alcohol, noise, hours of use and smoking.

Any penalties, fees, assessments, charges, excessive cleaning costs or other costs incurred to pay for damages or penalties caused by the "Free Event Day" recipient or its guests, vendors, licensees, etc. will be the responsibility of the organization that is the recipient of the "Free Event Day". All events authorized under this agreement will be subject to County approval of reservation applications and issuance of a standard License Agreement for Use of the Sonoma County Veterans Memorial Buildings.

This Letter Agreement may be terminated by either party for any reason upon sixty (60) days prior written notice to the other party. In the event of such termination both the County and the City will honor the terms of this agreement with respect to all "Free Event Days" remaining under this Letter Agreement regardless of whether such "Free Event Days" were reserved or not reserved prior to the date of notice.

The signatures below indicate agreement to the terms of this Letter Agreement:

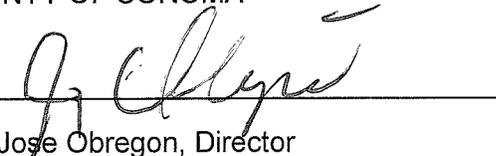
CITY OF SONOMA

By: 

Carol Giovanatto, City Manager

City of Sonoma

COUNTY OF SONOMA

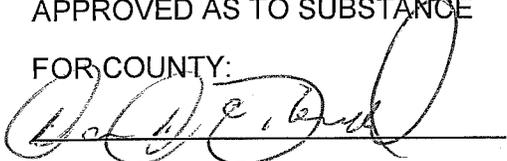
By: 

Jose Obregon, Director

Department of General Services

APPROVED AS TO SUBSTANCE

FOR COUNTY:



Marc McDonald, Real Estate Manager

*Saturday*



AMERICAN LEGION JACK LONDON POST 489  
PO BOX 578  
SONOMA, CA 95476

Gay Johann, MMC  
Assistant City Manager/City Clerk  
City of Sonoma  
No. 1 The Plaza  
Sonoma, CA 95476

Re: Request for Free Day - Vets Building

American Legion Post 489 respectfully requests a free day for the Dance for the Troops on Saturday, November 8, 2014. I understand you recently had a conversation with our Post Commander, Terry Leen, as well as myself. I'm sorry I've not made a formal request sooner but I've been felled by the flu bug!

Thank you for your consideration.

Respectfully,

Wilda S. (Willi) Vaughn  
2<sup>nd</sup> Vice Commander  
Jack London Post 489

## Gay Johann

---

**From:** Terry Leen <bnz2fr@yahoo.com>  
**Sent:** Wednesday, February 05, 2014 12:31 PM  
**To:** Gay Johann  
**Subject:** Sonoma "Free" day

*Saturday*

Gay,  
*American Legion*  
Could you please put ~~Native Sons of the Golden West~~ down for a free from City of Sonoma Oct.11, 2014. The event is for the "Sonoma Bar Battle".

Thank You  
***Terrence P. Leen***  
Commander  
American Legion Post #489  
(707)337-1397

## Gay Johann

---

**From:** Michael Balich <Michael.Balich@sonoma-county.org>  
**Sent:** Thursday, February 13, 2014 7:10 AM  
**To:** Gay Johann  
**Subject:** Surf and Turf fund raiser

*Saturday*

Good morning Gay, I am with the Native Sons of the Golden West, and every January we hold a Surf and Turf dinner as a fund raiser for the Sonoma valley high school scholarship program. I would like to apply for the free day at the veterans memorial building. The date is Saturday January 31<sup>st</sup> 2015 your consideration would be most gracious. My contact information is,  
473 anza court  
Sonoma CA. 95476  
Home phone 935-3362  
Cell # 775-9141

Thank you,

Michael Balich

Valley of the Moon Amateur Radio Club  
1496 Nut Tree Lane, Sonoma CA 95476

*Saturday*

June 8, 2014

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

RE: Request for use of "Free Day" at the Sonoma Veterans' Memorial Building

Dear City Clerk Johann

As you know, the Valley of the Moon Amateur Radio Club assists the City of Sonoma and Sonoma Valley with communications for civic events and major emergencies. Each year, the City has been kind enough to assist us with our fundraising efforts by generously allowing the use of a "free day" at the Veterans Memorial Building for our annual fundraiser event.

Next year, the event – know as a "hamfest" to amateur radio operators is planned for Saturday, April 25, 2015. The amateur radio operators of Sonoma Valley respectfully request the allocation of a free day for this planned event.

Please let me know if you have any questions or need any additional information.

Thank you for your continued cooperation with our efforts to serve the community.

Sincerely,



David Dammuller, KD6FIL  
Secretary for the Valley of the Moon Amateur Radio Club.

Email: [davidda@sonic.net](mailto:davidda@sonic.net)

Phone: 707-545-5822

To whom it may concern,

6/26/2014

*Thursday*



My name is Philip Herrschaft and I am the Volunteer Coordinator for the Sonoma/Petaluma State Historic Parks Association which is a non-profit organization. It is my interest to inquire about using the banquet facilities at the Sonoma Veteran's Memorial Building to have our annual Volunteers Appreciation Dinner. We can only estimate that there will be close to 100 people joining us for the event.

I would like to apply for the free day use of the Banquet Room at the Sonoma Veteran's Memorial Building on Thursday, October 23rd. I hope you will give my inquiry consideration as their facilities have proven to be ideal in fitting our needs in the past.

Sincerely,

Philip Herrschaft

Volunteer Coordinator

[Philip.herrschaft@parks.ca.gov](mailto:Philip.herrschaft@parks.ca.gov)

(707) 938-1519



**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 5H

Meeting Date: July 21, 2014

---

**Department**

Finance

**Staff Contact**

DeAnna Hilbrants, Finance Director

---

**Agenda Item Title**

Approval of a Resolution titled "Credit Card Participant's Non-Profit Organization Resolutions" for Participation in Merchant Banking Services with West America Bank.

---

**Summary**

In an effort to improve collections of Emergency Medical Services (EMS) Accounts Receivables and improve services to residents and visitors to the Sonoma Valley, the Sonoma Valley Fire and Rescue Authority (SVFRA) would like to implement credit card processing for EMS Services. In order to implement this service, West America bank requires that the City authorize signature on the attached resolution. The City provides financial services to SVFRA and Valley of the Moon Fire District (VOM). Funds belonging to SVFRA and VOM are held in the City's general checking account with West America Bank. The attached should be signed by the authorized signers on the City bank account including: City Manager, Assistant City Manager, and Mayor.

If this activity is successful, the City may consider expanding its acceptance of credit cards for other services. (Currently, the City accepts credit cards for on-line water payments but does not accept payments in person.)

---

**Recommended Council Action**

Approve the Resolution and authorize signature by those individuals authorized as signers on the City checking account.

---

**Alternative Actions**

Council discretion

---

**Financial Impact**

Financial services fees associated with accepting credit card transactions are charged against each transaction. It is anticipated that the costs of these services will be offset by improved collections.

---

**Environmental Review**

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

**Status**

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

**Attachments:**

Resolution

---

**Alignment with Council Goals:**

Supports the goal of Fiscal Management.

---

**cc:**

Chief Mark Freeman, Interim Fire Chief, Valley of the Moon Fire District

---

RESOLVED, that the President or any Vice President or the Secretary or the Treasurer or \_\_\_\_\_ of this organization be and he/she hereby is authorized for and on behalf of this organization to enter into such agreement or agreements with WESTAMERICA BANK, and to take such other action relating to said agreement or agreements, as any such officer may from time to time deem appropriate in connection with the participation by this organization in the VISA and MasterCard program(s) described in the Merchant Agreement.

FURTHER RESOLVED, that this organization is hereby authorized to deliver sales drafts, credit memoranda and other instruments to WESTAMERICA BANK pursuant to said agreement or agreements.

I, \_\_\_\_\_, (Title) \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ organization, do hereby certify and declare that the foregoing is a full, true and correct copy of resolutions duly passed and adopted by the Members/Board of Directors of said organization and that said resolutions are now in full force and effect.

I do hereby further certify that the following are the present incumbents of the offices in this organization indicated below their names and that the signatures set opposite their names are the true and genuine signatures of such officers/members:

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Title: \_\_\_\_\_



**CITY OF SONOMA**  
**City Council/Successor Agency**  
Agenda Item Summary

City Council Agenda Item: 6A

Meeting Date: 07/21/2014

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**Department**

Administration

**Staff Contact**

Gay Johann, Assistant City Manager/City Clerk

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**Agenda Item Title**

Approval of the portions of the Minutes of the July 7, 2014 City Council 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

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

**City Council Agenda Item: 7A**

**Meeting Date: 07/21/14**

---

**Department**

Planning

**Staff Contact**

David Goodison, Planning Director

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**Agenda Item Title**

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.

---

**Summary**

At its meeting of May 19, 2014, the City Council held 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, which was prepared in order to evaluate the potential environmental effects of the amendment and identify any needed mitigation measures. On a vote of 4-1 (Councilmember 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 having now closed, the initial study, along with all of the comments received, is before the City Council for consideration in a public hearing, along with consideration of the Management Plan amendment itself. As required by CEQA, the City Council needs to complete 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 concludes that the potentially significant impacts associated with the proposed amendment can be reduced to less-than-significant levels with the implementation of identified mitigation measures. If the City Council concurs with this finding, the Council may adopt a mitigated negative declaration. It should be noted that a number of commentators take issue with this finding and the Council needs to weigh these comments in its decision-making. All written comments received on the initial study are attached.

As previously noted, the amendment process is 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. It is also important to note that the issue of western access represents a complicating factor, since the portion of the trail that connects to Fourth Street West crosses the Vallejo Home State Park, as allowed by a revocable license. Under State law, dogs are prohibited on trails within State Parks and the District Superintendent has stated that regardless of any mitigation measures that the City may propose, if leashed dogs are allowed on trails within the Montini Preserve, the agreement allowing access though the State Parks property will be terminated. The Recreation Covenant between the Open Space District and the City requires that, in the event the connection through the State Parks property is lost, the City shall design and implement an alternative western access route within 5 years. This could be accomplished by developing a trail segment on the pasture property (as originally proposed by the District but rejected by the City Council) or, more speculatively, 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 has emphasized that even if this option is available, it would take a considerable amount of time to implement, with no guaranteed outcome. All costs associates with this process would be born by the City.

---

**Recommended Council Action**

Staff recommends that the City Council: 1) adopt the attached resolution making findings for a mitigated negative declaration; and, 2) forward the draft amendment (along with any revisions deemed necessary by the Council) to the Open Space District for review and consideration of adoption.

---

**Alternative Actions**

1. Direct staff to prepare additional environmental studies.
2. Decline to pursue an amendment to the Management Plan at this time.

---

**Financial Impact**

As previously reported to the Council, staff estimates that the preparation and processing of an amendment to the Management Plan to allow leashed dogs on trails within the Montini Preserve will cost approximately \$7,000. If the amendment is approved by the Open Space District, there will be costs associated with implementing various mitigation measures (see Initial Study, attached). Staff does not yet have estimates of those costs, but will develop them and report them to the Council as the amendment process moves forward.

---

**Environmental Review**

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

**Status**

- Approved/Certified
- No Action Required
- Action Requested: Adopt resolution

---

**Alignment with Council Goals:**

While amending the Montini Preserve Management Plan is not directly related to any of the Council's adopted goals, this task has been accommodated as part of the normal workload of planning staff.

---

**Attachments:**

1. Supplemental Report
  2. Resolution **(To be delivered)**
  3. Initial Study/Negative Declaration/ Amendment to the Management Plan
  4. Correspondence
- 

cc: Bill Keene, General Manager, SCAPOSD

Jacob Newell, Stewardship Planner, SCAPOSD

Danita Rodriguez, District Superintendent, State Parks

Richard Dale, Sonoma Ecology Center

Joanna Kemper, Sonoma Overlook Trail Taskforce

Bob Edwards, SVDOG

Jennifer Hainstock

Fred Allebach

James Nelson

Jacqueline Steuer, 361 Nicoli Lane, Sonoma, CA

Mary Nesbitt

Lisa Summers

## SUPPLEMENTAL REPORT

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

*For the City Council meeting of July 21, 2014*

---

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### **Background**

The Montini Preserve encompasses approximately 98 acres of open space, including a significant portion of Sonoma's hillside backdrop. It is located immediately north of the Vallejo Home State Park and extends from Fifth Street West to First Street West. The Preserve features rolling grasslands, oak woodlands, and a 9-acre pasture, with elevations ranging from 120 feet to 500 feet above sea level. The Sonoma County Agricultural Preservation and Open Space District ("District") acquired the Montini Preserve and an adjacent conservation easement from the Montini family for \$13.9 million in 2005. Of this amount, the California State Coastal Conservancy and the City of Sonoma contributed \$1.15 million and \$1.25 million, respectively, while District's contribution was \$11.5 million. The Open Space District is currently in the process of completing a trail, along with related improvements, at a cost of approximately \$350,000.

In 2010, the District approached the City regarding the possibility of its taking ownership of the Montini Preserve, as the District is not set up for the long-term management of property and typically seeks agencies and organizations to which it can transfer property the District acquires. Following a number of hearings and discussions on the matter, the City Council at its meeting of March 4, 2013, voted 3-2 to approve a Transfer Agreement that will result in the City taking ownership of the Preserve in September, 2014. The Transfer Agreement implements a number of restrictions that the City will be required to abide by, as set forth in a Conservation Easement and a Recreation Covenant. Among these restrictions is that the City will be required to administer the Preserve in conformance with a Management Plan previously adopted by the District. The Management Plan prohibits dogs on the Montini Preserve. However, as discussed below, the Conservation Easement also sets forth a process by which the City may amend the Management Plan. Councilmembers have been interested in processing an amendment to the Management Plan that would allow leashed dogs on trails within Preserve and in November of 2013 the Council voted 4-1 (Councilmember Rouse dissenting) to direct staff to draft such an amendment and prepare the related environmental review.

At its meeting of May 19, 2014, the City Council held 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, which was prepared in order to evaluate the potential environmental effects of the amendment and identify any needed mitigation measures. On a vote of 4-1 (Councilmember 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 having now closed, the initial study, along with all of the comments received, is before the City Council for consideration in a public hearing. As required by CEQA, the City Council needs to complete 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 concludes that the potentially significant impacts associated with the proposed amendment can be reduced to less-than-significant levels with the implementation of identified mitigation measures. If the City Council concurs with this finding, the Council may adopt a

mitigated negative declaration. It should be noted that a number of commentators take issue with this finding, as discussed below.

### **Management Plan Amendment Process**

As noted above, the adopted Management Plan for the Montini Preserve currently prohibits pets, including dogs. This direction was based on two factors: 1) dogs are prohibited on the City-owned Overlook Trail, to which the Montini trail would connect; and, 2) the District originally intended to transfer the Preserve to State Parks, where dogs are prohibited by State law. While under the terms of the Conservation Easement, the City would be obligated to abide by the provisions of the Management Plan following the transfer of ownership, there is a process set forth in the Conservation Easement through which the City may seek to amend the Management Plan. However, under that process, which is set forth in Section 6.1 of the Conservation Easement, the District retains the authority to review and approve any proposed amendment to the Management Plan (section 6.1). As stated in the Conservation Easement, the District's decision as to whether to approve or deny a proposed amendment to the Management Plan "... shall be based solely upon the Revised Plan's consistency with the terms, conditions and Conservation Purpose of this Easement." Among the key provisions in that regard is found in section 5.15, "Criteria for Use": *Public low-intensity outdoor recreational and educational uses and activities on the Property shall be designed and undertaken in a manner compatible with natural resource protection.* The draft amendment explicitly addresses these provisions. If the Council chooses to forward the amendment to the District, the District would review it along with the environmental documentation that has been prepared, and render a decision. It is staff's understanding that this decision is at the discretion of District staff and does not require action by the Board of Directors.

### **Summary of Proposed Amendment**

The purpose of the proposed amendment to the Management is to provide the City Council with the option of allowing visitors to the Preserve to bring leashed dogs on the trails within the Preserve. However, the amendment encompasses a number of measures and restrictions intended to ensure that this allowance is managed in such a way as to protect sensitive environmental features and maintain the essential qualities of the Preserve. In that regard, the main elements of the amendment are as follows:

- Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance within the Sonoma Municipal Code.
- Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance within the Sonoma Municipal Code. (A bag dispenser would be placed at the main trailhead, but not elsewhere in the Preserve.)
- Dogs will continue to be prohibited on the Sonoma Overlook Trail, including the connecting trail segment recently constructed by the District.
- If State Parks maintains the license for the trail segment that crosses its property to connect with the Fourth Street West, then in order to comply with State law, dogs will be prohibited on the trail segment between the vista point overlooking the Fifth Street West pasture and the trailhead at Fourth Street West. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.
- If State Parks revokes the license for the trail segment that crosses its property to connect with the Fourth Street West, then the City will design and implement alternative western access as required by

the Conservation Easement. Such access could take the form of a connection across the pasture property, as originally proposed by the Open Space District (and rejected by the City Council), or, potentially, a lot-line adjustment with State Parks that would enable the existing connection to Fourth Street West to be retained. With regard to the lot-line adjustment concept, State Parks has emphasized that even if this option is available, it would take a considerable amount of time to implement, with no guaranteed outcome. All costs associated with this process would be born by the City. (Note: under the terms of the Recreation Covenant, the City would have five years following the date of closure to implement alternative western access.)

- To protect sensitive areas, small segments of fencing would be installed at key locations, in consultation with the District, as identified on the Resources Map. Any such barrier would take the form of low rock walls, low split-rail fences, or posts with cables to ensure visual compatibility with the Preserve.
- Signage will be placed at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.
- Volunteer patrols organized by the Sonoma Ecology Center under contract with the City through the approved maintenance plan will be used to monitor compliance and assist in education and enforcement.
- The approved maintenance plan also includes regular trail maintenance, erosion control, the removal of invasive plant species, and periodic trail clean-up days, which will address potential secondary issues that could occur as a result of an allowance for leashed dogs.

The amendment specifically incorporates all of the mitigation measures identified in the initial study.

## **Environmental Review**

The amendment of the Management Plan is considered to be a “project” as defined under the California Environmental Quality Act (CEQA) and is therefore subject to environmental review. Accordingly, an initial study was prepared in order to evaluate the potential environmental effects of the amendment and identify any needed mitigation measures (see attached). The initial study identified potentially-significant impacts in several areas. These are summarized below, along with the mitigation measures identified in the initial study.

1. *Biological Resources/Hydrology and Water Quality.* Within these categories, five areas of concern were identified: 1) Three sensitive plant species have been identified in proximity to the existing trail system: the Narrow-anthered brodiaea, the Franciscan onion, and the bristly leptosiphon. While these colonies are not located in areas that have been subject to off-trail use, it remains possible that they could be adversely affected by an allowance for leashed dogs. 2) The Oak titmouse is a special-status animal species that could be adversely affected by an allowance for leashed dogs as its nests are often low to the ground. 3) At points where the trail system crosses ephemeral drainages and ditches within the Preserve, there is a seasonal potential for water quality impacts if dog droppings are allowed to collect. 4) If alternative western access is required, a trail connection to Fifth Street would cross an identified wetland. 5) An allowance for leashed dogs would require an amendment to the Management Plan. To address these issues, the following mitigation measures were identified:

Mitigation Measure 4.a.1: Low fencing or rock walls will be installed in consultation with the District to prevent incursions into sensitive areas, including the identified locations of the Narrow-anthered brodiaea, the Franciscan onion, and the bristly leptosiphon, as well as any identified wetland areas in proximity to the trail.

Mitigation Measure 4.a.2: Implement the Montini Preserve Management Work Plan (Sonoma Ecology Center, 2013), addressing trail maintenance and clean-up, erosion control, removal of non-native vegetation, the coordination of volunteer patrols, and the preparation and submittal of regular monitoring reports to the City of Sonoma and the District. Volunteer patrols will be used to monitor compliance with Preserve rules and assist in education and enforcement.

Mitigation Measure 4.a.3: Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.a.4: Signage will be used at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.

Mitigation Measure 4.b.1: Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.c.1. To compensate for the minimal wetland losses associated with the construction of an alternative western trail access (if implemented), the City proposes to implement a wetland enhancement project in lieu of wetland creation. The enhancement project will include the planting of native trees along a drainage identified on the eastern boundary of the 9-acre pasture. The enhanced area would cover approximately 0.25 acres, which represents a 2.5:1 replacement ratio of lost habitat. Tree plantings would include coast live oak (*Quercus agrifolia*) along the top of bank. Emergent wetland plant species, including varieties of sedge and rushes (*Juncus* spp. and *Eleocharis* spp.) would be planted at the toe of slope of the channel banks to encourage establishment of these species. The creek corridor in this area would be fenced to preclude cattle use, thereby significantly contributing to improved functions and values of this system. The purpose of the proposed enhancement would be to improve wildlife habitat (in the form of nesting and cover) for species associated with wetland habitats. This mitigation measure would be conducted consistent with meeting the terms of a 404 permit. [Note: this mitigation measure is already included in the adopted Management Plan.]

Mitigation Measure 4.f.1: The City of Sonoma shall work with the District to process an amendment to the Management Plan allowing for leashed dogs on trails within the Preserve in a manner consistent with maintaining the conservation values of the Preserve.

2. *Cultural Resources.* If alternative western access is required, the development of a trail connection to Fifth Street would entail limited excavation associated with trail construction. Although the route associated with this access has been surveyed and no sensitive cultural or paleontological resources have been identified, it remains possible that subsurface features could be encountered. To address this potential, the following mitigation measures have been identified:

Mitigation Measure 5.c.1: If paleontological resources and/or unique geologic features are discovered during construction of alternative western trail access (if implemented), construction will cease in the immediate vicinity of the find until a qualified geologist is consulted to determine the significance of the feature and has recommended appropriate measures.

Mitigation Measure 5.d.1: In the event of an accidental discovery or recognition of any human remains during construction of an alternative western trail access (if implemented), activity at the site or any nearby area reasonably suspected to overlie adjacent human remains will cease until the coroner of the county is contacted to determine that no investigation of the cause of death is required, and the coroner determines whether the remains are Native American. If the remains are Native American the coroner shall contact the NAHC within 24 hours. The NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation

work, for means of treating or disposing of (with appropriate dignity) the human remains and any associated grave. The City of Sonoma will complete necessary documentation associated with the discovery, compliance with this protocol, and any required follow-up. [Note: these mitigation measures are already included in the adopted Management Plan.]

3. *Land Use and Planning.* The initial study notes that under State law dogs are not allowed on trails within State Parks and that this could be considered a significant impact unless mitigated. A mitigation measures specific to this issue is as follows:

*Mitigation Measure 9.b.1: Dogs will be prohibited on the trail segment west of the vista point overlooking the pasture that adjoins Fifth Street West (unless a specific authorization for dogs on the trail segment through the Sonoma State Historic Park is granted by State Parks). This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.*

In addition, mitigation measures 4.a.3 (signage, to include the vista point and the trail entrance on Fourth Street West) and 4.a.2 (compliance monitoring through the Work Plan, which includes regular volunteer patrols) are also applicable to this issue. The initial study concluded that these measures would reduce the potential impact in this area to a less-than-significant level. State Parks, in a letter commenting on the initial study disputes this conclusion and suggests that the City should conduct additional studies to evaluate potential impacts on State Parks with respect to costs associated with enforcement. In its letter to the City, State Parks does not itself discuss what they believe that the impact on staffing or other State Parks resources would be. In the view of City staff, the level of enforcement/use of resources on the part of State Parks associated with efforts on their part to enforce compliance would be entirely at the discretion of State Parks. The mitigation measures proposed by the City would be implemented by the City and there is no expectation of additional enforcement on the part of State Parks.

Staff would also point out that this issue is hardly unprecedented. In Sonoma County, Annadel State Park, in which dogs are prohibited on trails, shares trail connections with Spring Lake Park, in which leashed dogs are allowed on trails. The same situation applies at Hood Mountain Regional Park/Sugarloaf State Park and at many other locations throughout the State. If State Parks implements different staffing levels at these parks as a result of potential conflicts with State law on the dog prohibition, they do not mention that in their correspondence. In addition, the District Superintendent has stated that if an allowance for leashed dogs on trails within the Montini Preserve is implemented—regardless of *any* mitigation proposed by the City—the license allowing access across the Sonoma State Historic Park would be revoked, resulting in the closure of that trail segment. This action would also reduce impacts in this area to a less-than-significant level. The initial study has been updated to elaborate on this issue, but the conclusion of planning staff remains unchanged. Impacts in this area would be reduced to a less-than significant level, either through the implementation of the mitigation measures proposed by the City or through the closure of the trail segment by State Parks.

4. *Public Services (Parks).* In the discussion of this topic it is noted that if alternative western access is required, then the City might choose to provide that access through a trail segment that would cross the pasture property to connect with Fifth Street West. The development of this access, which has been previously identified and evaluated by the Open Space District, would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation (see Mitigations Measures 4.a.1 and 4.c.1), and protections for potential cultural and paleontological resources (Mitigation Measured 5.c.1 and 5.d.1). With the mitigation measures identified above, the initial study concludes that potential impacts associated with developing this access (if required) would be reduced to a less-than-significant level. This section was updated to note the concern of State Parks that an allowance for leashed dogs on trails within the Montini Preserve would require an enforcement effort on their part with regard to the prohibition on dogs that would apply to the 325-foot trail segment that passes through the Sonoma State Historic Park. As discussed above, the mitigation measures pro-

posed by the City would be implemented by the City and do not rely on any expenditure of staffing or other resources on the part of State Parks. In addition, State Parks has stated that if an allowance for leashed dogs on trails within the Montini Preserve is implemented, then they would revoke the license allowing access across the Sonoma State Historic Park resulting in the closure of that trail segment. This action, which is purely at the discretion of State Parks, would also reduce impacts in this area to a less-than-significant level.

5. *Recreation.* The discussion in this area is related to the potential requirement for western access and mirrors that of “Public Services (Parks)”.
6. *Mandatory Findings of Significance.* The potentially-significant impact in this area relates to biological resources and the mitigation measures are those as described above in the discussion of that section of the initial study. This section has been revised slightly to note that an allowance for leashed dogs would increase potential exposure for dog bites, but concludes that this is a less-than-significant impact.

In accordance with the requirements of the California Environmental Quality Act (CEQA), the initial study was circulated for review and comment. The initial study concludes that the potentially significant impacts associated with the proposed amendment can be reduced to less-than-significant levels with the implementation of identified mitigation measures. If the City Council concurs with this finding, the Council may adopt a mitigated negative declaration. It should be noted that a number of commentators take issue with this finding. (Note: all written comments received on the initial study are attached.) Staff would also note that it is within the Council’s discretion to require additional studies or analysis, if deemed necessary. The Council may also, if it chooses, add restrictions to the proposed amendment to the Management Plan in order to address concerns that do not rise to the level of significant environmental impacts or to reinforce already identified mitigation measures.

### **Financial Impacts**

As previously reported to the Council, staff estimates that the preparation and processing of an amendment to the Management Plan to allow leashed dogs on trails within the Montini Preserve will cost approximately \$7,000. If the amendment is approved by the Open Space District, there will be costs associated with implementing various mitigation measures. In particular, if an alternative western access is required, the cost of design and constructing a trail connection across the pasture property would be a significant expense. Staff does not yet have estimates of those costs, but will develop them and report them to the Council as the amendment process moves forward.

### **Recommendation**

Based on the previous Council direction to prepare and process an amendment to the Management Plan that would allow leashed dogs on trails within the Montini Preserve, staff recommends that the City Council take following actions:

1. Adopt a resolution) making findings for a mitigated declaration with respect top the proposed amendment to the Management Plan.
2. Direct staff to forward the proposed amendment to the Open Space District for review and decision. (Note: District staff has previously stated that the processing of the amendment will not be completed until after the completion of the property transfer.)



## 1.1 Project Background

The Sonoma County Agricultural Preservation and Open Space District (“District”) acquired the Montini Preserve and an adjacent conservation easement from the Montini family for \$13.9 million in 2005. Of this amount, the California State Coastal Conservancy and the City of Sonoma contributed \$1.15 million and \$1.25 million, respectively, while District’s contribution was \$11.5 million. Following the acquisition, the District prepared a Management Plan addressing the protection and maintenance of the Preserve, as well as the development of a trail system within it. The Management Plan was adopted by District’s Board of Directors in 2009. (An amendment to the Management Plan altering the western alignment of the trail was subsequently approved by the District in 2010.)

In 2010, at the invitation of the District, the City Council began discussing the possibility of taking ownership of the Montini Preserve, as the District is not set up for the long-term management of property and typically seeks agencies and organizations to which it can transfer the property the District acquires. In 2013, the City and the District agreed on a process for transferring the ownership of the Preserve to the City. This process, which is currently underway, is implemented through a number of enabling documents including: 1) a transfer agreement, 2) a conservation easement, and 3) a recreation covenant. These documents require the Preserve to be maintained and managed in accordance with the adopted Management Plan following the transfer of ownership. However, in section 6.1.1, of the Conservation Easement, a mechanism is provided for amending the Management Plan, subject to the review and approval of the District. As set forth in this section, it must be demonstrated that any amendment is consistent with maintaining the identified conservation values associated with the Preserve, as set forth in Section 2 of the Conservation Easement.

The adopted Management Plan for the Montini Preserve currently prohibits pets, including dogs (see Chapter 5, under Objective 1 of Goal 4). This direction was based on several factors, including the following: 1) dogs are prohibited on the City-owned Overlook Trail to the east, to which the Montini trail system will connect; and, 2) the District originally intended to transfer the Preserve to State Parks, where dogs on trails are prohibited by State law. The City of Sonoma proposes to amend the Management Plan by making an allowance for leashed dogs on trails. In accordance with the amendment process set forth in the Conservation Easement, the City has prepared an evaluation of the potential environmental effects of such an allowance, as documented in this Initial Study.

## 1.2 Summary Project Description

The project consists of an amendment to the adopted Management Plan for the Montini Preserve that would allow leashed dogs on portions of the trail system within the Preserve. The project incorporates measures to ensure that the conservation values of the Preserve are maintained (including the protection of sensitive biological resources), as required by the Management Plan and the Conservation Easement. These measures include the following:

- Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance as an amendment to the Sonoma Municipal Code.
- Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code. (A bag dispenser would be placed at the main trailhead, but not elsewhere in the Preserve.)
- Dogs will continue to be prohibited on the Sonoma Overlook Trail, including the connecting trail segment recently constructed by the District on the east side of Norrbom Road.

- To comply with State law, dogs will be prohibited on the trail segment between vista point overlooking the Fifth Street West pasture and the trailhead at Fourth Street West. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.
- To protect sensitive areas, small segments of fencing would be installed at key locations. Any such barrier would take the form of low rock walls, low split-rail fences, or posts with cables to ensure visual compatibility with the Preserve.
- Signage will be placed at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.
- Volunteer patrols organized by the Sonoma Ecology Center under contract with the City through the approved Work Plan will be used to monitor compliance and assist in education and enforcement.
- The approved Work Plan also includes regular trail maintenance, erosion control, the removal of invasive species, and periodic trail clean-up days, which will address potential secondary issues that could occur as a result of an allowance for leashed dogs.

Although these measures are integral to the amendment application, they are also highlighted as mitigation measures in the environmental evaluation (section 3 of this document).

### **1.3 Project Location and Existing Uses**

The site consists of the Montini Preserve, a 98-acre protected open space area acquired by the Sonoma County Agricultural Preservation and Open Space District (SCAPOD) in 2005, located at the northern boundary of the City of Sonoma (see Figure 1). The Preserve consists of (six) parcels. Four parcels, with an area of 38.5 acres, are located within the city limits of Sonoma, while the other two parcels, which have a combined area of 59.5 acres and are located outside of city limits but are in the process of being annexed to the city. The Montini Preserve includes a significant portion of Sonoma's hillside backdrop and is located immediately north of the Vallejo Home State Park, extending from Fifth Street West to First Street West/Norrbom Road. Development within the Preserve is limited to a system of hiking trails constructed over the course of 2013/14. (Note: although the construction of the trail system is nearly complete, it will not be finished and open to the general public until August/September 2014.)

### **1.4 Environmental Setting**

The Montini Open Space Preserve is located in the rolling hills to the north of downtown Sonoma. Elevations range from approximately 120 feet to 500 feet. The Preserve supports two ephemeral drainages that flow in a southerly direction between ridges, and a large seasonal swale at the western edge, in an area of pastureland adjoining Fifth Street West. Native habitats on the Preserve are contiguous with lands to the north and northwest. The Preserve supports blue oak woodland, mixed oak woodland, annual grassland, and small seasonal wetland habitats. Although portions of the Preserve have been used for various purposes over the years (woodcutting, grazing, and quarrying), in many areas native vegetation is relatively intact. Currently, the Preserve is closed to the public except for guided outings; however, it is being used informally. The District is in the process completing the construction of approximately 1.8 miles of trails and access points. Once the trail system is completed and the transfer of ownership is implemented (expected by August/September 2014), the trails will be opened for access to the general public. The site is seasonally grazed under a grazing lease, an activity that is intended to continue and that is allowed for in the Management Plan.

## **1.5 Other Public Agencies Whose Approval is Required**

Pursuant to the Conservation Easement that encompasses the Montini Preserve, any amendment of the Management Plan is subject to the review and approval of the Sonoma County Agricultural Preservation and Open Space District, in accordance with Section 6.1.1 of the Conservation Easement.

## **1.6 Application of CEQA Requirements**

This Project is subject to the requirements of the California Environmental Quality Act (CEQA). The City of Sonoma is the CEQA lead agency. Prior to making a decision to approve the Project, the City must identify and document the potential significant environmental effects of the Project in accordance with CEQA. This Initial Study/Proposed Mitigated Negative Declaration (MND) has been prepared under the direction of the City to fulfill the CEQA requirements.

This Initial Study/Proposed MND will be circulated for public and agency comment for 30 days from May 30, 2014 to June 30, 2014. Written comments may be e-mailed, delivered, or mailed to the following address until close of business on June 30, 2014:

David Goodison, Planning Director  
#1 The Plaza  
Sonoma, CA 95476

Email: [dgoodison@sonomacity.org](mailto:dgoodison@sonomacity.org)

This Initial Study/Proposed MND is intended to satisfy the requirements of CEQA (Public Resources Code, Div 13, Sec 21000-21177), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387). CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts.

## 2. Determination and Mitigation Measures

### 2.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. Topics indicated with an asterisk (\*) would result in at least one "Potentially Significant Impact" which would be "Less-Than-Significant" with incorporation of mitigation that the project applicant has agreed to implement.

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Aesthetics             | <input type="checkbox"/> Greenhouse Gas Emissions      | <input type="checkbox"/> Population and Housing              |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services*                    |
| <input type="checkbox"/> Air Quality            | <input type="checkbox"/> Hydrology/Water Quality       | <input type="checkbox"/> Recreation*                         |
| <input type="checkbox"/> Biological Resources*  | <input type="checkbox"/> Land Use and Planning*        | <input type="checkbox"/> Transportation/Traffic              |
| <input type="checkbox"/> Cultural Resources*    | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities/Service Systems           |
| <input type="checkbox"/> Geology/Soils          | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Mandatory Findings of Significance* |

### 2.2 Determination (Draft)

We find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

We find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

We find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

We find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

We find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

**City Council Meeting Date:** \_\_\_\_\_, 2014    **Vote – Yes:** \_\_\_\_    **No:** \_\_\_\_    **Absent/Abstain:** \_\_\_\_

**Signature:** \_\_\_\_\_    **Date:** \_\_\_\_\_

David Goodison, Planning Director, City of Sonoma

## 2.3 Project Sponsor's Incorporation of Mitigation Measures

Acting on behalf of the project sponsor or the authorized agent of the project sponsor, I (undersigned) have reviewed the Initial Study for the Project and have particularly reviewed the mitigation measures identified herein. I accept the findings of the Initial Study, including the recommended mitigation measures, and hereby agree to modify the proposed project to include and incorporate all mitigation measures set out in this Initial Study.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
David Goodison, Planning Director, City of Sonoma

## 2.4 Summary of Mitigation Measures

Mitigation Measure 4.a.1: Low fencing or rock walls will be installed in consultation with the District to prevent incursions into sensitive areas, including the identified locations of the Narrow-anthered brodiaea, the Franciscan onion, and the bristly leptosiphon, as well as any identified wetland areas in proximity to the trail.

Mitigation Measure 4.a.2: Implement the Montini Preserve Management Work Plan (Sonoma Ecology Center, 2013), addressing trail maintenance and clean-up, erosion control, removal of non-native vegetation, the coordination of volunteer patrols, and the preparation and submittal of regular monitoring reports to the City of Sonoma and the District. Volunteer patrols will be used to monitor compliance with Preserve rules and assist in education and enforcement.

Mitigation Measure 4.a.3: Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.a.4: Signage will be used at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.

Mitigation Measure 4.b.1: Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.c.1: To compensate for the minimal wetland losses associated with the construction of an alternative western trail access (if implemented), the City proposes to implement a wetland enhancement project in lieu of wetland creation. The enhancement project will include the planting of native trees along a drainage identified on the eastern boundary of the 9-acre pasture. The enhanced area would cover approximately 0.25 acres, which represents a 2.5:1 replacement ratio of lost habitat. Tree plantings would include coast live oak (*Quercus agrifolia*) along the top of bank. Emergent wetland plant species, including varieties of sedge and rushes (*Juncus* spp. and *Eleocharis* spp.) would be planted at the toe of slope of the channel banks to encourage establishment of these species. The creek corridor in this area would be fenced to preclude cattle use, thereby significantly contributing to improved functions and values of this system. The purpose of the proposed enhancement would be to improve wildlife habitat (in the form of nesting and cover) for species associated with wetland habitats. This mitigation measure would be conducted consistent with meeting the terms of a 404 permit.

Mitigation Measure 4.f.1: The City of Sonoma shall work with the District to process an amendment to the Management Plan allowing for leashed dogs on trails within the Preserve in a manner consistent with maintaining the conservation values of the Preserve.

Mitigation Measure 5.c: If paleontological resources and/or unique geologic features are discovered during construction of alternative western trail access (if implemented), construction will cease in the

immediate vicinity of the find until a qualified geologist is consulted to determine the significance of the feature and has recommended appropriate measures.

Mitigation Measure 5.d: In the event of an accidental discovery or recognition of any human remains during construction of an alternative western trail access (if implemented), activity at the site or any nearby area reasonably suspected to overlie adjacent human remains will cease until the coroner of the county is contacted to determine that no investigation of the cause of death is required, and the coroner determines whether the remains are Native American. If the remains are Native American the coroner shall contact the NAHC within 24 hours. The NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of (with appropriate dignity) the human remains and any associated grave. The City of Sonoma will complete necessary documentation associated with the discovery, compliance with this protocol, and any required follow-up.

Mitigation Measure 9.b.1: If State Parks maintains the license for the trail segment that crosses its property to connect with the Fourth Street West, then in order to comply with State law, dogs will be prohibited on the trail segment between the vista point overlooking the Fifth Street West pasture and the trailhead at Fourth Street West. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code. If State Parks revokes the license for the trail segment that crosses its property to connect with the Fourth Street West, then the City will design and implement alternative western access as required by the Conservation Easement. Such access could take the form of a connection across the pasture property, as originally proposed by the Open Space District, or, potentially, a lot line adjustment with State Parks that would enable the existing connection to Fourth Street West to be retained.

### 3. Environmental Evaluation

1. <b>AESTHETICS</b> <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
<p><b>Significance Criteria:</b> A significant impact would occur if a project results in a substantial reduction of visual quality or the creation of substantial light or glare adversely affecting views in the area.</p> <p><b>Discussion:</b> (1.a, c) The Development Code defines “scenic vistas” as a public view, benefiting the community at large, of significant features, including hillside terrain, ridgelines, canyons, geologic features, and community amenities (e.g., parks, landmarks, permanent open space). This would include public views from road corridors of the hillsides areas that adjoin Sonoma Valley as are found in the Montini Preserve. An allowance for leashed dogs would not alter the visual characteristics of the approved trail system, except for the addition of minor signage and some low fences at a limited number of locations (see Figure 2, Resource and Mitigation Map). Fencing/barriers would take the form of low rock walls, split-rail fences, or posts with cables to ensure visual compatibility with the Preserve. A less-than-significant impact would be caused by implementation of the amendment to the Montini Preserve Management Plan with regard to scenic vistas and the visual character of the site and its surroundings.</p> <p>(1.b, d) The site is not located within a state scenic highway and the proposal would not introduce light or glare. No impact would occur.</p>				
2. <b>AGRICULTURAL RESOURCES<sup>1</sup></b> <i>Would the project:</i>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
(2.a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
(2.b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
(2.c) Involve other changes in the existing				X

<sup>1</sup> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

environment, which, due to their location or nature, could result in conversion of farmland to non-agricultural use?				
<p><b>Significance Criteria:</b> A significant impact would occur if a project results in the conversion of existing agriculture on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural land, or conflict with existing zoning for agricultural use, or a Williamson Act contract.</p> <p><b>Discussion:</b> (2.a, b, c) The State Farmland map shows the property as “other lands,” “farmland of local importance,” and “urban or built up land.” The soils mapping units on the preserve, Goulding-Toomes complex, 9 – 50 percent slopes, Red Hill clay loam, 2 – 15 percent slopes, and Clough gravelly loam 2 to 9 percent slopes. These soils do not meet the criteria for prime farmland as outlined in the U.S. Department of Agriculture's land inventory and monitoring project for the Sonoma county soil survey. The Preserve is not under a Williamson Act contract. Grazing has traditionally occurred on the Montini Preserve and would continue to do so. (However, this activity does not fall under the “unique” category as defined by the United States Council on Environmental Quality in cooperation with the US Department of Agriculture.) As called for by the Management Plan, a grazing management plan has been developed and will continue to be implemented by the City upon the transfer of ownership. The grazing licensee has stated that leashed dogs would not conflict with the grazing of beef cattle. An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, will not interfere with continued grazing. No impact would occur.</p>				
<b>3. AIR QUALITY<sup>2</sup></b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
<p><b>Significance Criteria:</b> A significant impact would occur if the project would cause or contribute to the violation of any ambient air quality standard, contribute substantially to an existing or projected air quality standard violation, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors affecting a substantial number of people.</p> <p><b>Discussion:</b> (3.a, b, c, d) An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, would not result in any impacts whatsoever to air quality. No impact would occur.</p>				
<b>4. BIOLOGICAL RESOURCES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Have a substantial adverse effect, either directly		X		

<sup>2</sup> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?		X		

**Significance Criteria:** A significant impact would occur if the project substantially affects a rare or endangered plant or animal species or its habitat, causes a substantial loss of riparian vegetation or habitat, impacts an area of wetlands determined significant by the Army Corps of Engineers, or causes a loss of acreage of other types of habitat identified as unique or of limited distribution, such as serpentine chaparral, serpentine grassland, or native grasslands.

**Discussion:** (4.a) *Special Status Plants.* Two botanical surveys of the trail alignment were performed in conjunction with the preparation of the Montini Preserve Management Plan and its associated environmental review (Ruygt 2006, 2008). A third survey was performed in 2013 (*Biological Resources Evaluation of the Effects of Dogs Montini Open Space Preserve, PCI, 2013*). Through these surveys, two instances of special status plant species have been identified near the trail as follows:

1. Narrow-anthered brodiaea (Brodiaea leptandra, List 1B.2). About 50 plants were found along the trail, approximately 300 feet from the upper vista point. They were found growing with a related but common species, harvest brodiaea (Brodiaea elegans ssp. elegans). As noted in the Biological Resources Evaluation, this plant is vulnerable to soil disturbance as this species stores perennial plant material in an underground stem, similar to a bulb. This species occurs in open mixed evergreen forest or chaparral on gravelly soil and is considered threatened by development, foot traffic, and collecting, and may also be threatened by road maintenance and non-native plants (CNPS 2014). It occurs primarily in Sonoma and Napa counties, with a few additional locations in Lake and Yolo counties.
2. Franciscan onion (Allium peninsulare var. franciscum; List 1B.2). Eight plants were found near the trail crossing of Norrbom Road, under buckeye and bay trees. It is a perennial bulb, which may make it vulnerable to soil disturbance. It typically occurs in clay, volcanic, or serpentinite soils on dry hillsides in grassland and woodland. It is considered to be threatened by development, foot traffic, non-native plants, and trail maintenance (CNPS 2014); trampling by park users was cited as a threat for the Preserve population (Ruygt 2006). In total, fifteen known occurrences of this taxa are documented, in Mendocino, Sonoma, Santa Clara, and Sonoma counties.

In addition, another plant species—the bristly leptosiphon (Leptosiphon acicularis)--occurs on the Preserve that is listed by the California Native Plant Society with a ranking of 4.2, which is defined as follows: *The plants in this category are of limited distribution or infrequent throughout a broader area in California. While we cannot call these plants "rare" from a statewide perspective, they are uncommon enough that their status should be monitored regularly.* Leptosiphon is a small, flowering, annual herb found in grasslands, chaparral, and woodland areas.

The approximate locations of these plants are shown on Figure 2, Resource and Mitigation Map. While other special

status plants have the potential to occur within the Preserve, the species identified above are the only ones documented in proximity to the trail system. With regard to the brodiaea, these plants are located upslope of the trail. The area in which the plants are found is partially buffered from the trail by rock outcroppings, trees, and shrubs, although some adjoining areas of the trail are more open. This area has not been subjected to any informal trails, nor does it provide a short-cut to any feature of interest or other trail segment. For these reasons, the prospect of hikers or hikers with dogs venturing into the area containing the brodiaea is limited. With regard to the Franciscan onion, these plants are not actually located within the Montini Preserve. The plants are found along a segment of trail constructed by the District that connects the Preserve trail system to the Sonoma Overlook Trail, which is located on the City-owned Mountain Cemetery property. The area in which the plants are located is steep, rocky, and brushy (including abundant poison oak). This area has not been subjected to any informal trails, nor does it provide a short-cut to any feature of interest or other trail segment. As with the brodiaea, the likelihood of hikers or hikers with dogs venturing into the area containing the Franciscan onion is quite limited. Furthermore, the Overlook Trail, including the connecting segment constructed by the District, is closed to dogs. Signage informing visitors of this existing limitation will be placed at the trailheads of the Montini Preserve trail system and at the crossing location at Norrbom Road. The two instances of the leptosiphon are located in the vicinity of the trail segment in the hill above the Fifth Street West pasture. The trail was aligned to provide a minimum distance of 15 feet from the plant clusters in order to avoid any disturbance to them. As is the case with the brodiaea and the Franciscan onion, the leptosiphon are located in areas that have not been disturbed by informal trails and that do not lend themselves to short-cutting. However, in light of status of the three plants, the following mitigation measure would also be implemented:

*Mitigation Measure 4.a.1: Low fencing or rock walls will be installed in consultation with the District to prevent incursions into sensitive areas, including the identified locations of the Narrow-anthered brodiaea, the Franciscan onion, and the bristly leptosiphon, as well as any identified wetland areas in proximity to the trail.*

More generally, it is possible that an allowance for leashed dogs on trails within the Preserve could lead to a greater incidence of the spread of non-native plant species, which compete with and have the potential to crowd out native plant varieties, including special status species. The control and reduction of invasive non-native plants is already an objective of the Management Plan, which will be implemented through the approved "Montini Preserve Management Work Plan" ("Work Plan"), (Sonoma Ecology Center, 2013), as reiterated for in the following mitigation measure:

*Mitigation Measure 4.a.2: Implement the Montini Preserve Management Work Plan (Sonoma Ecology Center, 2013), addressing trail maintenance and clean-up, erosion control, removal of non-native vegetation, the coordination of volunteer, and the preparation and submittal of regular monitoring reports to the City of Sonoma and the District. Volunteer patrols will be used to monitor compliance with Preserve rules and assist in education and enforcement.*

**Special Status Animals.** Based on the habitat types within the Preserve and recorded sightings elsewhere in Sonoma Valley, the Preserve has the potential to host a number of special status animal species including the pallid bat, the northern spotted owl, and the white-tailed kite. Two special status species, both birds, have actually been observed within the Preserve: the Cooper's Hawk and the oak titmouse, both of which are likely to reside within the Preserve year-around. Cooper's Hawks build nests in pines, oaks, firs, beeches, spruces, and other tree species, often on flat ground rather than hillsides, and in dense woods. Nests are typically 25-50 feet high, often about two-thirds of the way up the tree in a crotch or on a horizontal branch. Oak Titmice are strongly associated with oaks and typically build their nests in the cavities of oak trees, sometimes as much as 30-40 feet off the ground, but usually lower.

Because of their nesting location and the large areas of the Preserve that are not in proximity to the trail system, the Cooper's Hawk is unlikely to be affected by an allowance for leashed dogs. With regard to the Oak Titmouse, the introduction of trails and hikers, as allowed for already under the approved Management Plan, will result in a level of activity along trail routes that might be disruptive to nests that are low to the ground and close to the trail. An allowance for leashed dogs would increase this potential for disturbance. However, these specific circumstances—of low nests, close to the trail—involve only a limited area of the Preserve, so long as there is substantial compliance with the requirement that dogs be kept leashed. To ensure that potential impacts are minimized, as called for in the proposed amendment to the Management Plan, the following mitigation measures are proposed:

*Mitigation Measure 4.a.3: Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance as an amendment to the Sonoma Municipal Code.*

*Mitigation Measure 4.a.4: Signage will be used at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.*

The implementation of the mitigation measures identified above would reduce impacts in this area to a less-than-significant level. See Figure 2, Resource and Mitigation Map and Mitigation, for sign locations and sections of trail that would remain closed to dogs.

(4.b) There are no year-round streams on the site. There are two ephemeral drainages and two ephemeral ditches on the site. There is no presence of typical riparian plants such as willow, cottonwood, wild rose, or box elder. Due to the seasonal nature of the wetlands and drainages present on the site, it is unlikely to support special-status species dependent on fresh or saltwater aquatic habitats (e.g., California freshwater shrimp, foothill yellow-legged frog, California

red-legged frog). If not removed, dog droppings in the vicinity of ephemeral streams could degrade the immediate area where this occurs. However, the points where the trail crosses these features are extremely limited in area and visitors with dogs will be required to clean up after their pets. This requirement will be implemented through the following mitigation measure:

*Mitigation Measure 4.b.1: Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.*

Although some instances of noncompliance are inevitable, this would be addressed by the regular maintenance that will occur through the implementation of the maintenance plan.

(4.c) The Preserve was evaluated for the presence of wetlands as part of the environmental review prepared for the existing Management Plan. This review found that there are scattered small areas within the Preserve that could be classified as federally protected wetlands. In addition, two delineated wetlands are located on the Preserve. The largest of which occurs in a grassland/pasture area near Fifth Street West, while the smaller of the two is located on the southeastern area of the Preserve, northeast of the main trailhead. The existing trail does not cross any wetland areas. However, if, as a result of an allowance for leashed dogs on trails within the Preserve, California State Parks were to revoke the license allowing access through the Sonoma State Historic Park, then, under the terms of the Recreation Covenant, the City would be required to design and install an alternative route providing for western access. (See discussion under 9.b, c.) An alternative route has already been identified by the District in the adopted Management Plan and the construction and use of this route was addressed in the environmental review of the Management Plan. This route, if implemented, would cross the wetland located in the Fifth Street West pasture (see Resource and Mitigation Map). This feature traverses the pasture in a generally north/south orientation. The area of wetland affected by this crossing was estimated by the District to be approximately 100 square feet. The crossing (if needed) would be designed as a raised boardwalk so as not to create a barrier to the wetland. The mitigation measure adopted by the District to address the crossing of this wetland and re-adopted as part of this environmental review is as follows:

*Mitigation Measure 4.c.1. To compensate for the minimal wetland losses associated with the construction of an alternative western trail access (if implemented), the City proposes to implement a wetland enhancement project in lieu of wetland creation. The enhancement project will include the planting of native trees along a drainage identified on the eastern boundary of the 9-acre pasture. The enhanced area would cover approximately 0.25 acres, which represents a 2.5:1 replacement ratio of lost habitat. Tree plantings would include coast live oak (Quercus agrifolia) along the top of bank. Emergent wetland plant species, including varieties of sedge and rushes (Juncus spp. and Eleocharis spp.) would be planted at the toe of slope of the channel banks to encourage establishment of these species. The creek corridor in this area would be fenced to preclude cattle use, thereby significantly contributing to improved functions and values of this system. The purpose of the proposed enhancement would be to improve wildlife habitat (in the form of nesting and cover) for species associated with wetland habitats. This mitigation measure would be conducted consistent with meeting the terms of a 404 permit.*

With regard to the smaller wetland located northeast of the main trailhead, it is close enough to the existing trail to warrant consideration of fencing as called for in mitigation measure 4.a.1, as it is possible that if dogs were to go off-leash, they could enter that area. The determination of whether not to implement low fencing would be made in consultation with the District. The implementation of the mitigations measures identified above would reduce impacts in this area to a less-than-significant level.

(4.d) Due to the range of habitats within it, the Montini Preserves hosts a variety of animal species. Woodland mammals observed within the Preserve include black-tailed deer, raccoon, coyotes, gray foxes, bobcats, and squirrels (ground squirrel burrows are noted on Figure 2, Resource and Mitigation Map). Mountain lions have been spotted on the adjoining Mountain Cemetery property and evidence of mountain lion kills has been seen within the Montini Preserve. (Note: the home range of a Mountain Lion is typically between 3-15 miles, meaning that Montini Preserve would make up only a small fraction of that territory.) Birds within the preserve that make particular use of oak trees include the acorn woodpecker and the western-scrub jay. Grassland areas within the preserve support squirrels, voles, gophers, and various smaller species. Bird species observed within the Preserve that utilize the grasslands also include those occupying adjacent woodlands patches, such as western bluebird, dark-eyed junco, California towhee, and American goldfinch. In turn, predatory hawks and owls are likely to forage over the grassland patches in search of small mammals and other wildlife species. Observed species include the Cooper's Hawk (discussed above) and the red-tailed hawk. A variety of snakes and lizards make use of both woodland and grassland areas. The ephemeral streams within the Montini Preserve do not support fish, although they and the seasonal wetlands do support certain amphibians, such as the Seirran tree frog. It should also be noted that the Montini Preserve connects with woodland areas to the north and to the west (across Norrbom Road). South of the Preserve, the Sonoma State Historic Park includes a small woodland area and extensive grasslands and wetlands. While the Montini Preserve is not a wildlife corridor, per se, it is part of a larger unit of primarily natural open space within which wildlife is able to move with few impediments. That said, the Preserve lies at the fringe of urban Sonoma, adjoining single-family homes, ball fields, and a State Park that includes not only grasslands and wetlands, but also well-visited historic structures and associated parking.

As discussed above, the introduction of trails and hikers, as already allowed for under the approved Management Plan, will result in a level of activity along trail routes that could disturb animals encountering a hiker. Assuming a three-foot

trail width and a potential zone of disturbance of ten feet on either side of the trail (based on an allowance for a six-foot leash, plus and additional four feet), the area of potential disturbance along the trail system amounts to approximately 5 acres, which represents no more than 5% of the total area of the Preserve. At least 95% percent of the Preserve lies outside of this potential zone of disturbance. It should also be noted that such encounters are limited to daylight hours, as the trail would be closed at dusk. This is an important consideration as many animals are active at night. In addition, the trail system itself is not a barrier to the movement of wildlife and as stated in the environmental evaluation that was prepared for the Management Plan: *“The proposed trail would be routed through oak woodland areas that wildlife use to breed, nest and move. However, interference with wildlife movement or nesting is expected to be minimal because the trail would receive intermittent use; wildlife is expected to habituate to the trail and focus their activities elsewhere.”* An allowance for leashed dogs on trails would not change this conclusion significantly, as long as there is substantial compliance with the requirement that dogs be kept leashed. However, compliance is a key consideration, as unleashed dogs could chase, harass, and even kill wildlife before being brought under control and would extend the area of potential disturbance outside of the immediate vicinity of the trails. Compliance with the requirement to keep dogs leashed and under control at all times is addressed in Mitigation Measure 4.a.2 and 4.a.3. The implementation of those measures, along with Mitigation Measures 4.a.1 and 4.b.1, would limit potential impacts in this area to a less-than significant level.

(4.e) An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, will not conflict with any locally-adopted policy or ordinance protecting biological resources. No impact would occur.

(4.f) The Management Plan for the Montini Preserve includes goals, objectives and implementation measures aimed at protecting the natural character of the Preserve, including the preservation of habitat values and species diversity. Currently, the Management Plan prohibits pets within the Preserve, including dogs. The prohibition on pets was not based on an environmental analysis, as the evaluation that was performed simply assumes their exclusion. It appears that this prohibition was based largely on two factors: 1) dogs are prohibited on the City-owned Overlook Trail, to which the Montini trail will connect; and, 2) the District originally intended to transfer the Preserve to State Parks, where dogs are prohibited by State law. That said, an allowance for leashed dogs within the Montini Preserve will only be consistent with the Management Plan if the Management Plan is amended. The District has established a process for amending the Management Plan, set forth in a conservation easement that encumbers the property. The City is following that process, which includes the preparation of an environmental evaluation. The approval of any amendment to the Management Plan is at the discretion of the District, based on a finding that the amendment is consistent with maintaining the conservation values identified for the Preserve.

*Mitigation Measure 4.f.1: The City of Sonoma shall work with the District to process an amendment to the Management Plan allowing for leashed dogs on trails within the Preserve in a manner consistent with maintaining the conservation values of the Preserve.*

The adoption of this mitigation measure would reduce potential impacts in this area to a less-than-significant level.

<b>5. CULTURAL RESOURCES</b>  <i>Would the project:</i>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
d) Disturb any human remains, including those interred outside of formal cemeteries?		X		

**Significance Criteria:** *A significant impact would occur if a project would adversely affect the significance of a historical or archaeological resource, destroy a unique paleontological resource, or disturb any human remains.*

**Discussion:** (5.a, b) A cultural resources survey of the Preserve was performed as part of the environment review of the Management Plan (which included an evaluation of the potential impacts of the construction of the trail system, which at the time included the alternative western access discussed in 5.c and 5.d, below). Two resources were found: a dry-laid stone wall and the remains of a former quarry. The trail was routed so as to avoid the wall and to incorporate views of the quarry. An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to

the Management Plan, would not have any effect on either resource. No impact would occur.

(5.c, d) No paleontological features or human remains were encountered in the construction of the trail and the proposed amendment to the Management Plan does not in itself call for any additional construction. However, the western access to the trail system (from Fourth Street West) relies on a trail segment of approximately 325 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. If, as a result of the allowance for leashed dogs on trails within the Preserve, California State Parks were to revoke this license, then under the terms of the Recreation Covenant, the City would be required to design and install an alternative route providing for western access within five years of that action. Such a route has already been identified by the District as part of the adopted Management Plan and the construction and use of this route was addressed in the environmental review of the Management Plan. If it were to become necessary to do so, the development of alternative western access would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation (see response 4.c and Mitigation Measures 4.a.1 and 4.c.1). To address the potential encounter of paleontological resources or human remains during trail construction, the following mitigation measures were adopted by the District through the environmental review of the Management Plan and are hereby re-adopted:

*Mitigation Measure 5.c.1: If paleontological resources and/or unique geologic features are discovered during construction of alternative western trail access (if implemented), construction will cease in the immediate vicinity of the find until a qualified geologist is consulted to determine the significance of the feature and has recommended appropriate measures.*

*Mitigation Measure 5.d.1: In the event of an accidental discovery or recognition of any human remains during construction of an alternative western trail access (if implemented), activity at the site or any nearby area reasonably suspected to overlie adjacent human remains will cease until the coroner of the county is contacted to determine that no investigation of the cause of death is required, and the coroner determines whether the remains are Native American. If the remains are Native American the coroner shall contact the NAHC within 24 hours. The NAHC shall identify the person or persons it believes to be the most likely descended from the deceased Native American. The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of (with appropriate dignity) the human remains and any associated grave. The City of Sonoma will complete necessary documentation associated with the discovery, compliance with this protocol, and any required follow-up.*

With the adoption of the preceding mitigation measures, potential impacts in these areas would be less-than-significant.

<b>6. GEOLOGY AND SOILS</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
<p><b>Significance Criteria:</b> A significant impact would occur if a project exposes people or structures to major geologic hazards such as seismic damage, slope and/or foundation instability, erosion or sedimentation, land subsidence, or if a project results in substantial increases in erosion and sedimentation rates.</p> <p><b>Discussion:</b> 6. ai, aii, aiii, aiv) Apart from limited signage and some small lengths of low fence, no structures would result from the Management Plan amendment and the use of the existing trail (which would not be altered by the project) by visitors to the site is not expected to expose people to adverse effects from earthquakes. No impact would occur.</p> <p>(6.b) The Management Plan contains recommendations to repair and prevent soil erosion on the site and the trail system was carefully designed and constructed to avoid erosion problems. The City has solicited a property maintenance proposal that from the Sonoma Ecology Center that addresses trail maintenance, including the correction of erosion issues that may emerge in conjunction with the trail as well as known erosion problems elsewhere on the site. While it is possible that the allowance of leashed dogs on trails within the Preserve could result in minor increases in erosion issues beyond those associated with the use of the trail by hikers, any such issues will be addressed through the regular implementation of the Montini Preserve Management Work Plan as called for in Mitigation 4.a.2.</p> <p>(6.c, d, e) The project includes no features that would affect soils or create soil-related risks or impacts.</p>				
<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk				X

of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				
<p><b>Significance Criteria:</b> A significant impact would occur if the project creates a potential health or safety hazard, or involves the use, production or disposal of materials that pose a hazard to people, or animal or plant populations in the project area, or interferes with emergency response plans or emergency evacuation plans.</p> <p><b>Discussion:</b> (7.a, b, c, d) The project will not create hazards, emit or release hazardous materials, and is not on a list of haz-mat sites. The District ensures that hazardous materials do not exist onsite.</p> <p>(7.e, f) The project is not within an airport land use plan, nor within the vicinity of a private airstrip.</p> <p>(7.g) The project will not affect emergency response or emergency evacuation plans.</p> <p>(7.h) The project will not result in any increased exposure of people or structures to wildland fires.</p>				
<b>8. HYDROLOGY AND WATER QUALITY</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

j) Inundation by seiche, tsunami, or mudflow?				X
<p><b>Significance Criteria:</b> A significant impact would occur if a project violates water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes with groundwater recharge, causes substantial erosion or siltation or otherwise degrades water quality, substantially increases surface runoff and/or results in an increased exposure of persons or property to flooding or mudflows.</p> <p><b>Discussion:</b> (8.a, b, c, d, e) The project would not result in increased water use. It would not affect water quality standards, waste discharge requirements, groundwater supplies or recharge. The existing trail system has been routed, designed and constructed to prevent erosion and existing gulying and eroding areas are recommended for repair and restoration in the adopted Management Plan (one major restoration project has already been implemented). The City of Sonoma has approved a property maintenance and management Work Plan prepared by the Sonoma Ecology Center that addresses trail maintenance, including the correction of erosion issues that may emerge in conjunction with the trail as well as known erosion problems elsewhere on the site. While it is possible that the allowance for leashed dogs on trails within the Preserve could result in minor increases in erosion beyond that associated with the use of the trail by hikers, any such issues will be addressed through the regular implementation of the Work Plan (Mitigation Measure 4.a.2). No impact would occur.</p> <p>(8.f) There are no year-round streams on the site. There are two ephemeral drainages and two ephemeral ditches on the site. If not removed, dog droppings at these locations could degrade the immediate area; however, the points where the trail crosses these features are extremely limited in area and visitors with dogs will be required to clean up after their pets. Although it is inevitable that there will be instances of noncompliance, this would be addressed by the regular maintenance that will occur through the implementation of the Work Plan (Mitigation Measure 4.a.2).</p> <p>(8.g, h, i, j) The project will not cause or affect flooding hazards in the area. The preserve is not subject to seiche, tsunamis or mudflows. No impact would occur.</p>				
<b>9. LAND USE AND PLANNING</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		X		
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?		X		
<p><b>Significance Criteria:</b> A significant impact would occur if a project substantially disrupts or divides an established community, or conflicts with applicable adopted land use plans or policies, or habitat conservation or natural community conservation plans.</p> <p><b>Discussion:</b> (9.a) The project will not physically divide a community. No impact would occur.</p> <p>(9.b, c) <i>Management Plan.</i> See response 4.f, which includes Mitigation Measure 4.f.1 (amendment of Management Plan).</p> <p><i>Prohibition on Dogs in State Parks.</i> The western access for the trail system within the Montini Preserve, which begins at Fourth Street West, relies on a trail segment of approximately 325 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. Under State law (CGC Title 14, section 4312), leashed dogs cannot be allowed on this trail segment. To address this prohibition, the following mitigation measure will be implemented:</p> <p><u>Mitigation Measure 9.b.1: If State Parks maintains the license for the trail segment that crosses its property to connect with the Fourth Street West, then in order to comply with State law, dogs will be prohibited on the trail segment between the vista point overlooking the Fifth Street West pasture and the trailhead at Fourth Street West. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code. If State Parks revokes the license for the trail segment that crosses its property to connect with the Fourth Street West, then the City will design and implement alternative western access as required by the Conservation Easement. Such access could take the form of a connection across the pasture property, as originally proposed by the Open Space District, or, potentially, a lot line adjustment with State Parks that would enable the existing connection to Fourth Street West to be retained.</u></p> <p>The vista point, where the prohibition on leashed dogs would begin, is located approximately 350 feet north of the trail</p>				

crossing into State parkland (see Figure 2, Resource and Mitigation Map.) Along with Mitigation Measures 4.a.3 (signage, to include the vista point and the trail entrance on Fourth Street West) and 4.a.2 (compliance monitoring through the Work Plan), the adoption of this measure would reduce potential impacts in this area to a less-than-significant level.

**Note:** State Parks staff has stated that if an allowance for leashed dogs on trails within the Montini Preserve is implemented, then they would revoke the license allowing access across the Sonoma State Historic Park resulting in the closure of that trail segment. This action, which is purely at the discretion of State Parks, would also reduce impacts in this area to a less-than-significant level.

(9.b, c) Coastal Conservancy Grant Agreement. Funding for the acquisition of the Montini Preserve included a \$1,250,000 grant from the Coast Conservancy. A Coastal Conservancy grant agreement dated June 10<sup>th</sup>, 2005, applies to a 63-acre portion of the Preserve. The grant agreement includes ongoing restrictions on the use of the property, listed under “Essential Provisions of Irrevocable Offer to Dedicate Title in Fee.” These restrictions require the property encumbered by the agreement to be used for open space preservation and public access. Because the grant agreement requires public access the Preserve and because it does not contain any provisions, stated or implied, that would preclude an allowance for leashed dogs on trails, the proposed amendment to the Management Plan is consistent with the grant agreement.

<b>10. MINERAL RESOURCES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**Significance Criteria:** A significant impact would occur if a project results in the substantial loss of availability of a known mineral resource important to the state or region, or delineated in a land use plan.

**Discussion:** (10.a, b) The project would result in no losses of known mineral resources. No impact would occur.

<b>11. NOISE</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project result in:</i>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing				X

or working in the project area to excessive noise levels?				
<p><b>Significance Criteria:</b> A significant impact would occur if a project exposes people to noise levels exceeding standards set forth in the City of Sonoma's Municipal Code (SMC 19.56), or noise from the project substantially contributes to a condition where a normally acceptable noise level is exceeded.</p> <p><b>Discussion:</b> (11.a, b, c, d, e, f) No noise impacts will be caused by this project, nor will implementation cause people to be exposed to excess noise.</p>				
<b>12. POPULATION AND HOUSING</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<p><b>Significance Criteria:</b> A significant impact would occur if a project induces substantial population growth or if substantial numbers of existing housing or people are displaced.</p> <p><b>Discussion:</b> (12.a, b, c) The project will not create any housing or population impacts.</p>				
<b>13. PUBLIC SERVICES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:</i>				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Parks?		X		
e) Other public facilities?				X
<p><b>Significance Criteria:</b> A significant impact would occur if a project results in substantial adverse impacts associated with new or altered governmental facilities provided to maintain acceptable performance due to the project.</p> <p><b>Discussion:</b> (13.a, b, c, e) No new or altered facilities will be required as a result of this project with respect to fire protection, police protection, or schools. No impact would occur.</p> <p>(13.d) <i>Alternative Western Access.</i> The allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, would be limited to the existing trails within the Preserve. No additional trail construction is proposed in conjunction with the project, with one possible exception, as follows. Western access to the trail system (from Fourth Street West) relies on a trail segment of approximately 325 feet in length that passes</p>				

through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. If, as a result of the allowance for leashed dogs on trails within the Preserve (or for any other reason), California State Parks were to revoke this license, then under the terms of the Recreation Covenant, the City would be required to design and install an alternative route providing for western access within five years of that action. Such a route has already been identified by the District as part of the adopted Management Plan and the construction and use of this route was addressed in the environmental review of the Management Plan. If it were to become necessary to do so, the development of alternative western access would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation (see Mitigations Measures 4.a.1 and 4.c.1), and protections for potential cultural and paleontological resources (Mitigation Measures 5.c.1 and 5.d.1). With the implementation of the mitigation measures identified above, this impact would be less-than-significant.

(13.d) Impacts on State Parks. As discussed in section 9 of the Initial Study, the western access for the trail system within the Montini Preserve, which begins at Fourth Street West, relies on a trail segment of approximately 325 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. Under State law (CGC Title 14, section 4312), leashed dogs are prohibited on this trail segment. A mitigation measures specific to this issue is as follows:

Mitigation Measure 9.b.1: If State Parks maintains the license for the trail segment that crosses its property to connect with the Fourth Street West, then in order to comply with State law, dogs will be prohibited on the trail segment between the vista point overlooking the Fifth Street West pasture and the trailhead at Fourth Street West. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code. If State Parks revokes the license for the trail segment that crosses its property to connect with the Fourth Street West, then the City will design and implement alternative western access as required by the Conservation Easement. Such access could take the form of a connection across the pasture property, as originally proposed by the Open Space District, or, potentially, a lot line adjustment with State Parks that would enable the existing connection to Fourth Street West to be retained.

Mitigation measures 4.a.3 (signage, to include the vista point and the trail entrance on Fourth Street West) and 4.a.2 (compliance monitoring through the Work Plan, which includes regular volunteer patrols) are also applicable to this issue. These measures would be implemented by the City of Sonoma and do not rely on any expenditure of staffing or other resources on the part of State Parks. In addition, State Parks has stated that if an allowance for leashed dogs on trails within the Montini Preserve is implemented, then they would revoke the license allowing access across the Sonoma State Historic Park resulting in the closure of that trail segment. This action, which is purely at the discretion of State Parks, would also reduce impacts in this area to a less-than-significant level.

14. RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?		X		

**Significance Criteria:** A significant impact would occur if a project increases the use of park and recreational facilities such that substantial deterioration would occur, or requires the construction or expansion of recreational facilities resulting in adverse effects on the environment.

**Discussion:** (14.a) While it is not anticipated that an allowance for leashed dogs will result in a substantial increase in the number of visitors making use of trails within the Preserve, it is possible that the presence of dogs could result in somewhat increased wear and tear on the trails, with a commensurate increase in maintenance requirements. The City has approved a property management and maintenance plan prepared by the Sonoma Ecology Center that includes regular monitoring of the condition of the trails and trail maintenance. While it is possible that the allowance of leashed dogs on trails within the Preserve could result in minor increases maintenance needs beyond those associated with the use of the trail by hikers, any such issues will be addressed through the implementation of the Work Plan (see Mitigation Measure 4.a.2).

(14.b) The allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, would be limited to the existing trails within the Preserve. No additional trail construction is proposed

in conjunction with the project, with one possible exception. Western access to the trail system (from Fourth Street West) relies on a trail segment of approximately 325 feet in length that passes through a portion of the Sonoma State Historic Park. This access is allowed for through a revocable license. If, as a result of the allowance for leashed dogs on trails within the Preserve, California State Parks were to revoke this license, then under the terms of the Recreation Covenant, the City would be required to design and install an alternative route providing for western access within five years of that action. Such a route has already been identified by the District as part of the adopted Management Plan and the construction and use of this route was addressed in the environmental review of the Management Plan. If it were to become necessary to do so, the development of alternative western access would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation (see response 4.c). With the implementation of Mitigation Measures 4.a.1 and 4.c.1, this impact would be less-than-significant.

<b>15. TRANSPORTATION/TRAFFIC</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

**Significance Criteria:** A significant impact would occur if a project causes any traffic flow or intersection to drop below Level of Service (LOS) D, or if inadequate emergency access results.

**Discussion:** (15.a, b, c, d, e, f) The project will cause no traffic impacts.

<b>16. UTILITIES AND SERVICE SYSTEMS</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<i>Would the project:</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of				X

existing facilities, the construction of which could cause significant environmental effects?				
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

**Significance Criteria:** A significant impact would occur if utilities are inadequate or unavailable to serve the project, would cause the construction of new facilities, or the project does not comply with federal, state, or local regulations on solid waste or wastewater.

**Discussion:** (16.a,b,c,d,e,f,g) The project will cause no utilities impacts.

<b>17. MANDATORY FINDINGS OF SIGNIFICANCE</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

**Discussion:** (17.a) Potential effects on biological resources are fully addressed by Mitigation Measures 4.a.1, 4.a.2, 4.a.3, 4.a.4, 4.b.1, and 4.c.1. The implementation of these measures would reduce impacts to a less-than-significant level. No additional mitigation measures are required in this regard.

(17.b) The proposed project would not result in cumulative impacts deemed considerable. Impacts on biological resources and hydrology and water quality would incrementally increase from what would be expected if the current prohibition on dogs on trails within the Preserve were to be maintained. However, the combined effect would not be significant. As described in this Initial Study Environmental Checklist, implementation of Mitigation Measures 4.a.1, 4.a.2, 4.a.3, 4.a.4, 4.b.1, and 4.c.1 would reduce the magnitude of these cumulative impacts to a less-than-significant level.

(17.c) An allowance for leashed dogs on trails within the Montini Preserve has no potential to result in substantial adverse impacts on human beings, either directly or indirectly. While an allowance for leashed dogs on trails would increase exposure for potential incidents of dog bites, the risk in this area appears comparable to that of other potential hiking hazards, such as trip-and-fall incidents and snake-bites and this increased exposure is considered to constitute a less-than-significant impact.



## 4. Sources and Reference Documents

1. *Biological Resources Evaluation of the Effects of Dogs Montini Open Space Preserve*. Pruneske-Chatham, 2014.
2. *California Native Plant Society (CNPS), The California Rare Plant Ranking System*. <http://www.cnps.org/cnps/rareplants/ranking.php>
3. *California Natural Diversity Database & California Wildlife Habitat Relationships System*. <https://www.dfg.ca.gov/biogeodata/cnddb/>
4. *Deed and Agreement by and Between City of Sonoma and the Sonoma Agricultural Preservation and Open Space District Conveying a Conservation Easement and Assigning Development Rights*. Sonoma County Agricultural and Open Space District. 2013.
5. *Development Code*. City of Sonoma. 2003.
6. *Montini Open Space Preserve, Management Plan and Initial Study*. Sonoma County Agricultural and Open Space District. 2008.
7. *Montini Open Space Preserve Recreation Covenant*. Sonoma County Agricultural and Open Space District. 2013.
8. *Montini Preserve Management Work Plan*. Sonoma Ecology Center. 2013.
9. *Montini Property Grazing Evaluation*. Prepared for the Sonoma County Agricultural Preservation and Open Space District. Bush, L. 2005.
10. *Preliminary Wetlands Assessment Montini Open Space Preserve Trail Project, Sonoma, Sonoma County, California*. Prepared for the Sonoma County Agricultural Preservation and Open Space District, April 2010. Macmillian, L. 2010.
11. *Rare Plant Survey of Montini Open Space Preserve and Ernest Holman Park, Sonoma, CA*. Prepared for the Sonoma County Agricultural Preservation and Open Space District, September 2006. Napa Botanical Services (Ruygt, J). 2006.
12. *Rare Plant Survey of Montini Open Space Preserve, Sonoma, CA*. Prepared for the Sonoma County Agricultural Preservation and Open Space District, October 2008. Napa Botanical Services (Ruygt, J). 2008.

# City Council

July 15, 2014



The decision regarding whether or not to allow leashed dogs on the Montini Ranch Open Space Preserve should not be based upon a popularity contest of who gets the most Letters to the Editor published or who has the most names on a petition. The decision should be based upon careful consideration of the potential impacts of allowing dogs on the property. The City of Sonoma's environmental review process brought many of the following concerns to light.

As a former member of the Environmental Advisory Commission and the Community Services and Environment Commission, I recommend against allowing dogs on the Montini Preserve, even on a leash, for a variety of reasons. The Preserve is protected by its status as a part of the Sonoma County Agricultural Preservation and Open Space District. In 1990, the voters of Sonoma County funded the Open Space District to protect the county's farms and open spaces. The District set up restrictions for the Montini property, prohibiting dogs from the preserve. The property is protected for its historical significance, for wildlife habitat and for the recreational use by hikers. Besides this legal restriction against dogs on the Montini Preserve, there are other, practical reasons to keep dogs off the trail.

Hiker safety is an essential part of the Open Space hiking experience. While everyone knows that a walk into a natural area comes with some risks i.e. snake bite, bee sting, tripping on a stone or root in the trail, hikers also expect to be kept free of the possibility of interacting with aggressive or uncontrolled dogs. A dog bite can become a life threatening emergency. A dog can easily trip a hiker, or knock a person over. A dog's leash is a trip hazard, especially on narrow sections of a trail. As recently as 2009, a woman was killed in San Jose when her legs became entangled in a dog's leash and she fell, hitting her head (as reported by Fernandez, 2009, The Mercury News). The Montini experience should provide a pleasant, safe time for every visitor to the trail.

Many hikers will return again and again to the Preserve in order to enjoy the scenic beauty of our native flowers, shrubs and trees. There are also glorious vistas along the trail. On a clear day, one can see as far away as San Francisco. Dog waste, always a problem when dogs are allowed on a trail, would diminish the aesthetic beauty of the trail. Piles of dog waste create an offensive odor, attract flies, and are visually repulsive. Dog waste also contains a highly contagious disease, parvovirus. Transmission occurs through contact with

contaminated feces. All canines are susceptible, with puppies and young dogs most affected. Another illness carried by dogs and caused by a protozoa, giardia, creates intestinal disorders in humans as well as in other animals. Dogs carry external and internal parasites that can affect humans as well. These include ticks, tapeworms and fleas.

In Sonoma, we are unlikely to see native wildlife that lives a short distance away in a natural area like the Montini Open Space. In scientific studies, researchers found that the presence of dogs on a trail decreased the chances of seeing small mammals including squirrels, rabbits, chipmunks, mice, coyotes, bobcats and mule deer in Colorado (Lenth et al. 2005), (Lenth et al. 2006), (Jones et al. 2004), (Knight et al. 1996) and in Montana (Sime, 1999). Other studies, such as one in Colorado (Knight et al. 1996), show that grassland birds such as vesper sparrows and western meadowlarks, and forest birds such as American robins flew from their perch when approached by pedestrians and pedestrians with a dog. Once flushed, robins tended to fly further away when a dog was present. Since many visitors to the Montini property will hope to view wildlife, we need to keep the trails dog free to allow native animals better use of the entire hillside.

A dog on a trail can harm wildlife even if the dog is kept on a leash. A dog's urine markings along the trail cause other canines to believe there is an intruder in their territory. Foxes or coyotes would spend valuable time patrolling the trail to try to locate the intruder, instead of searching for food or finding a mate. And, even a dog on a leash can reach out to bite a person or another person's dog.

A dog on the trail could easily be harmed, too. A dog can be bitten by a snake. We have both nonpoisonous and poisonous snakes in the area. A rattlesnake bite can be deadly for some dogs. If a male deer feels threatened by a dog, the deer can lash out with its antlers. Deer have killed people in this way. Or a dog can pick up an illness such as parvovirus from exposure to another animal's waste.

In order to preserve the Montini property for native wildlife, and to maintain safe and pleasurable trails, dogs should not be allowed on the property. To sustain this beautiful area, we need to treat it with care, and with respect for the native wildlife who make it their home.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline A. Steuer".

Jacqueline A. Steuer, 361 Nicoli Lane, Sonoma, CA 95476



DEPARTMENT OF PARKS AND RECREATION

Diablo Vista District  
845 Casa Grande Road  
Petaluma, California 94954-5804

Major General Anthony L. Jackson, USMC (Ret), Director

June 30, 2014

Mr. David Goodison  
Planning Director  
City of Sonoma  
No. 1 The Plaza  
Sonoma, CA 95476

Subject: IS/MND for Amendment of the Montini Preserve Management Plan to Allow Leashed Dogs on Trails

Dear Mr. Goodison,

Thank you for the opportunity to comment on the IS/MND for the Amendment of the Montini Preserve Management Plan to Allow Leashed Dogs on Trails (Amendment) for the City of Sonoma. The California Department of Parks and Recreation (State Parks) shares an abiding interest with the City of Sonoma in ensuring the protection and management of the Montini Preserve, not only because of our shared boundary, but because of a unique opportunity to preserve the abundance of wildlife and natural resources, and scenic backdrop to the City and the Sonoma State Historic Park (SSHP), within the close proximity to an urban environment. We have the following comments for your consideration.

State Parks is responsible for the protection and management of resources throughout the State Park System. As correctly noted in the IS/MND, State Parks does not allow dogs on trails in accordance with state law, CCR T-14 § 4312. Dogs are only permitted in developed areas (parking lots, picnic areas, campgrounds) if kept on a leash (maximum six feet) or contained in a car, tent, or enclosure. State Parks prefers that dogs not be allowed on trails that continue onto State Parks' property, especially if new areas are opened to leashed or unleashed dog use.

After review of the Initial Study, State Parks believes the City of Sonoma's IS/MND and Amendment has not adequately identified, studied and addressed the potential significant impacts, nor adequately mitigated the identified potential impacts to less than significant levels. As such, we are concerned about potential offsite impacts to Sonoma State Historic Park (SSHP) from implementation of the Amendment. We are particularly concerned about the direct influence that changes to the Amendment may have on the visitor use of State Park lands, and indirect influence that allowing dogs on the Montini Preserve may have on resources and management of SSHP. Our comments address specific impacts and mitigation measures in the IS/MND, especially as they relate to the trail segment west of the Vista Point overlooking the pasture that adjoins Fifth Street West, to the trailhead at Fourth Street West. This trail segment is currently one of the primary trail access points proposed for the Preserve, and includes approximately 350 feet of newly constructed, unopened trail on State Parks land that would be maintained by State Parks.

The IS/MND correctly identifies the potentially significant impact of permitting dogs on this trail, in conflict with state law and State Park policy, in *Section 9b - Land Use and Planning*. Further, it states that in order to reduce this impact to a less than significant level, *Mitigation Measure*

*9.b.1* will prohibit dogs on the trail segment west of the Vista Point overlooking the pasture that adjoins Fifth Street West. This section continues to say "Along with *Mitigation Measure 4.a.3* (signage, to include the vista point and the trail entrance on Fourth Street West) and *Mitigation Measure 4.a.2* (compliance monitoring through the Work Plan), the adoption of this measure would reduce potential impacts in this area to a less-than-significant level. It is the opinion of State Parks that although dogs will be prohibited on this trail segment within SSHP, it is not clear that adequate enforcement exists to ensure substantial compliance, nor does the City site specific studies on percentage of compliance that it expects. Additionally, some questions that come to mind that need to be addressed: Who will pay for increased enforcement on SSHP? Does it place an additional management and enforcement burden on our already strained resources and staff? What ancillary issues would we have if dogs were to increase in our park?

The City has premised its environmental analysis on commitments to mitigate the environmental impacts of its proposed actions, and it should adhere to the commitments, monitor the effectiveness of the mitigations, publicly report the findings and remedy ineffective mitigations. The IS/MND should address the estimated amount of proposed costs for mitigations and dedicate funds to achieve a high level of mitigation success.

### **Specific IS Impact Analysis Discussion**

**Sections 9b and 9c - Land Use and Planning.** These sections do not identify or discuss the potentially significant impact of off-site impacts associated with potential non-compliant dog users entering the trailhead on Fourth Street West on SSHP, thereby causing conflicts in trail management and increased staffing costs by State Parks to enforce state laws on SSHP.

The analysis of impacts were all predicated on the assumption of visitor compliance. From prior experience with dog management, this assumption is unrealistic. As such, it calls into question the stated potential level of impacts and potential cumulative effects of the Amendment. Because full visitor compliance will be difficult, if not impossible, to achieve, the City should undertake adequate studies and conduct observations of dog owners and their compliance with existing City ordinances for dog use and non-compliant dog owner's behaviors. There is research that exists that notes that a percentage of dog owners believe their dog is well trained or well behaved and as such can go off-leash when no one is present, and wander into areas of where dogs are prohibited from going. Also, while a percentage of dog owners clean-up waste from their dog, the other percentage does not clean up after their dog, and for all dogs, there is no cleaning up from dog feces, urination or their "marking" instincts.

Additionally, the Montini Preserve was funded, in part, through a grant from the State Coastal Conservancy for open space preservation, wildlife habitat protections, and public access. The IS/MND did not identify or address the potentially significant impacts associated with funding related restrictions for the land use in *Section 9b*.

**Section 13d – Public Services.** This section does not identify or discuss the potentially significant impacts to State Parks as a result of the potential conflict in dog management laws and costs associated with the enforcement of non-compliant dog owners, the off-site park visitor, and the intended trail experience for all users.

**Section 17b - Mandatory Findings of Significance.** This section does not identify or discuss the potentially significant impacts of cumulative effects that would result of non-compliance of dog owners, lack of enforcement impacts, and the associated off-site impacts on park property, added enforcement costs to State Parks for managing the trailhead segment for state laws of "no dogs on trails", visitor impacts, change-in-use of trail for different user, and unknown percentage of repeat users that will always be non-compliant.

**Section 17c - Mandatory Findings of Significance.** This Section does not identify or discuss the potential significant impacts to human beings, either directly or indirectly as result of potential unruly dogs. Furthermore, there is no discussion or research regarding hikers' perception or attitudes on whether they feel that dogs should be a part of their nature hike and whether they would be significantly impacted by the Amendment.

In summary, dogs and their management is critical when looking at adjoining state park land and how management directives differ and how to best manage given the two opposing management directives. Dogs may be well-mannered and socially adjusted, but can bark, bite, fight, urinate in public, and can chase wildlife all of which are less than desirable characteristics that may adversely affect a portion of the users of the trail, and current inhabitants of the Preserve. Therefore, State Parks encourages the City to preserve the Montini Preserve for the nature preserve it is and allow hikers the quietness and serenity of the resource without the affects and potential impacts from dogs.

#### **Specific MND Mitigation Measure Discussion**

**Mitigation Measure 4.a.2** states that volunteer patrols will be used to monitor compliance with preserve rules and assist in education and enforcement. Although the IS/MND identifies signage and some physical barriers to keep dogs from sensitive areas (Mitigation Measures 4.a.1 and 4.a.4), the primary compliance strategy for dog management, effective enforcement, appears to hinge on the volunteer patrol identified in Mitigation Measure 4.a.2. This mitigation measure is insufficient to ensure potential impacts are reduced to a less-than-significant level for a number of reasons:

- 1) There is no adaptive management plan presented that outlines steps that would be taken if volunteer patrols document a high level of non-compliance with leash rules and/or the prohibition of dogs on the trail segment west of the Vista Point overlooking the pasture that adjoins Fifth Street West, to the trailhead at Fourth Street West. In order to ensure that Mitigation Measure 4.a.2 mitigates all impacts that the IS/MND identifies it as a mitigation measure for, then there needs to be a detailed plan with automatic triggers and set management responses for what steps will be taken should the volunteer patrol prove inadequate to ensure substantial compliance.
- 2) Volunteers have no real enforcement authority, so it is unclear if volunteer patrols will be successful in enforcing compliance when they encounter individuals with dogs off-leash, or with dogs on the trail segment west of the Vista Point overlooking the pasture that adjoins Fifth Street West, to the trailhead at Fourth Street West. An enforcement program based on volunteers is unlikely to be effective. Monitoring, which the IS/MND states that volunteer

patrols will do, is essential and should be a primary component of dog management; however without enforcement the Plan cannot deliver on its objectives. Many dog owners may feel that it is a joy for most people to see dogs play and run free. Many local dog owners may feel that their dogs have a right to the Preserve and SSHP land. Given these and other considerations, even the most law-abiding citizens may be tempted to turn scofflaw if “no one is looking.” The Golden Gate National Recreation Area Draft Dog Management Plan currently in process, a regional example, states that “park staff members routinely observe dog owners leashing their pets when law enforcement personnel are noticed”, and that some dog owners “refuse to leash their dogs when informed of the leash requirement by non-law enforcement staff”.

- 3) No detail is provided on the frequency of volunteer patrols and/or monitoring, or duration of the volunteer patrol effort and/or monitoring.
- 4) The IS/MND and the Amendment do not reflect a commitment of City resources for the implementation of mitigation measures and monitoring, therefore the proposed mitigation measures and monitoring are unlikely to be conducted on a daily basis in perpetuity and potential impacts could result as a consequence.

Due to the inadequacy of *Mitigation Measure 4.a.2*, and the apparent lack of effective enforcement to ensure substantial compliance with dog regulations, State Parks feels that identified impacts related to biological resources and land-use/planning need to be re-evaluated assuming a high likelihood of low compliance with the dog regulations. This evaluation should include potential effects to Sonoma State Historic Park since the trail segment west of the Vista Point overlooking the pasture that adjoins Fifth Street West, to the trailhead at Fourth Street West, crosses through the state park.

**Mitigation Measure 9.b.1** states that dogs would be prohibited on the trail segment west of the Vista Point overlooking the pasture that adjoins Fifth Street West, however this is not an adequate mitigation measure because it does not address the impacts for potential non-compliant dog owners and the costs associated with enforcement or the inadequacy of no dedicated City resources for enforcement. Nor does the mitigation measure adequately address or mitigate the confusion that will likely result from the visitors use of the trail, i.e., “how do they get their dog back to the car (or starting point) without going back up over the hill to the only trail head” within the Montini Preserve.

The City has premised its environmental analysis on a commitment to mitigate the environmental impacts of the proposed action, therefore it should adhere to the commitment by monitoring its effectiveness and allocating sufficient funds based upon a study of achieving success for each mitigation.

#### **Visitor Compliance and Law Enforcement**

While monitoring is essential and should be a component of dog management, proper allocation of resources and implementation of enforcement would be crucial for the City to deliver on its objectives as mitigations. Additionally, it appears the City is relying on the notion that non-compliant dog owners are in all cases simply uninformed people who would

be willing to change their behaviors if only they knew the rules and reasons for them through proper signage, however, it should be noted that many park visitor dog owners know the regulations and choose to disregard them unless law enforcement is present.

#### **Education and Outreach with Signage**

With the proposed change to allow leashed dogs on trails within the Montini Preserve, potentially there would be areas on the trail subject to different dog regulations, coupled with adjacent land managers that may have different dog use regulations, visitor education and outreach. This may ultimately result in confusion for the visitor and added impacts from non-compliant dog owners. While the City attempts to address this change in regulation with signage, State Parks feels this would does not sufficiently address the practical problem brought by allowing dogs on some trails but not onto the trailhead or the trail segment on State Park property.

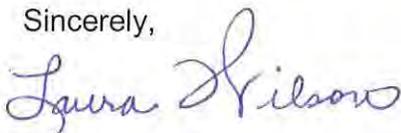
#### **Alternative Trailhead (not on State Park property)**

State Parks has stated that it will remove the unopened trail segment on park property if the City decides to allow dogs on trails within the Montini Preserve due to dog management conflicts and expected increased need for enforcement staffing and associated costs with dog use on trails continuing to adjacent property. The City did not adequately address this in *Section 13d*.

Based upon the foregoing concerns and comments, State Parks requests that the City not pursue allowing leashed dogs on trails within the Montini Preserve. Or at a minimum, re-evaluate its IS/MND and Amendment to adequately address the potentially significant impacts as follows: 1) conduct additional studies that focus on the impacts of dogs to other trail users which includes compliance percentages of owners for leash laws in other Cities or States cited, 2) note and analyze off-site resource and management impacts to SSHP, 3) review and consult with the State Conservancy for land use restrictions/impacts for use of state grant funds, 4) identify and address cumulative impacts, 5) identify and analyze impacts to human beings, 6) re-evaluate identified impacts related to biological resources and land-use/planning assuming a high likelihood of low compliance with the dog regulations, 7) if mitigations measures are used, then the City should determine adequate funding costs based upon study and identify funds in City's budget, which would be used toward the successful implementation of the measures and monitoring, and 8) include in City's impact analysis alternative trailhead location if State Parks removes trail segment on its SSHP (due to City's proposal to allow dogs within the Montini Preserve).

Thank you again for the opportunity to comment on the IS/MND and Amendment. If you have any questions or our comments need clarification, please contact me at (707) 769-5652, extension 224 or [Danita.Rodriguez@parks.ca.gov](mailto:Danita.Rodriguez@parks.ca.gov).

Sincerely,



 Danita Rodriguez  
District Superintendent

**Subject:** Re: Dog on Montini - A Few More Points

**Date:** Monday, June 30, 2014 at 7:23:15 AM Pacific Daylight Time

**From:** Rich Lee

**To:** Ellen Brantley

**CC:** David Bolling, Val Robichaud, David Goodison, Carol Giovanatto, Barbose Steve, Ken Brown, Gallian Laurie, Cook David, Rouse Tom, Donohue Sandy, Julie Maneker, Bob Edwards, Judi Friedman, Joan Tillman, Stallings Rhonda, Dyann Espinosa

All good stuff. Thanks Ellen.

On Jun 29, 2014, at 10:50 AM, Ellen Brantley <[ellen\\_b@msn.com](mailto:ellen_b@msn.com)> wrote:

I support leashed dogs on Montini and have a few more points to add to the discussion.

Point 1

One of the most objective studies on the impact of dogs on wildlife I found was done in Boulder, Colorado. One of the most interesting results to me was that, for some birds, a human with a dog had the same effect as a human walking alone. The researchers speculated that, for certain species, the birds were not threatened by dogs since they weren't hunted by coyotes or foxes. The researchers defined disruption by whether the birds (or other animals) would move away, and how far they would move. As expected, the most significant disruption is off-trail activity. The link to the research paper, "Wildlife Responses to Pedestrians and Dogs", is here:

<ftp://www.bio.sdsu.edu/pub/IEMM/Recreation/3rdTierLiterature/Milleretal2011dogs.pdf>

Point 2

My husband and I lived in the foothills of Sonoma Mountain for 19 years on 10 fenced acres. During that time, we had nesting swallows, finches, orioles, starlings, bluebirds, and barn owls. I suspect that we had many more nests, based on the huge amount of birdlife we observed, but those were the ones I saw directly. In addition, we observed foxes, coyotes, rabbits, skunks, opossums, and an occasional deer either on the property or directly outside the fence. We also owned up to three 60 lb. dogs at any one time and occasionally dog-sat for friends. We kept the dogs in night and they usually spent their days in a smaller fenced area unless we were on the property with them. Every year, the birds and mammals and countless amphibians and reptiles appeared. They co-existed and successfully raised young even with unleashed dogs running around.

Point 3

We are not alone in our discussion on how to enforce compliance to leash laws in wildlife areas. I was very happy to read of the success that one community had in using positive reinforcement in Jacksonville, Florida at the Fort Caroline National Memorial Area. By erecting a trailhead bulletin board featuring the photos of leashed dogs and their owners, they encouraged and obtained leash compliance more than they ever expected. The link to the research paper "Promoting Companion

Animal Leash Compliance on an Urban Park Trail System" is here:

<http://www.bioone.org/doi/abs/10.3375/043.032.0210>

Perhaps we could consider such an approach for Montini.

Point 4

As a dog owner, I am very aware that, as passionate as I am about this particular species, not everyone is. But, as a professional dog trainer living in Sonoma, I and my colleagues are in a position to help make a shared trail experience more enjoyable for those with and without dogs. In that light, I have obtained agreement from an initial set of Sonoma dog trainers to offer a free "Leashed Dog Trail Manners" workshop on a periodic basis, assuming dogs are allowed on Montini. We will emphasize the importance of maintaining control of leashed dogs in confined spaces and teach the skills necessary to achieve it.

Regards,

Ellen Brantley CTC, CPDT-KA

[winwindogtraining.com](http://winwindogtraining.com)

Board member SVDOG

405 2<sup>nd</sup> St. East

707-889-0744

**Subject:** Dogs on Montini

**Date:** Wednesday, June 25, 2014 at 4:36:18 PM Pacific Daylight Time

**From:** James Nelson

**To:** David Goodison

Dear David,

We write to register our opposition to allowing dogs on the Montini Preserve. We fully agree with the reasoning of the op-eds written by Fred Allebach and Joanna Kemper, which were published in the June 20, 2014 edition of the Index-Tribune. We further support the letter written by Lisa Summers published in the June 13, 2014 Index-Tribune. We also support Mary Nesbitt's letter addressed to you and dated June 20, 2014. We also support David Bolling's article in the June 17, 2014 Index-Tribune in which he suggests the city establish an off leash dog park just north of the Field of Dreams.

As neighbors, over the past eight years, of the Montini Preserve it has been our understanding that the Sonoma County Agriculture Preservation and Open Space District's Management Plan for the Montini Preserve did not allow dogs on the property. Specifically the SCAPOSD's November 2008 published Management Plan pertaining to the future trail states; "The main kiosk will make clear that no domesticated animals are allowed on the Preserve". This statement is found under Compatibility Determination/Preserve Purpose/Description of Use/Anticipated Impacts of the Use/Determination/Stipulations Necessary to Ensure Compatibility. If you do not have a copy or cannot find it online we have a hard copy we will loan you.

As a lover of dogs and owners of them for many years I still feel uncomfortable meeting up with a strange dog on, or off leash, when hiking on a hilly narrow trail. The Montini Trail is narrow and at some locations steep. Almost surely accidents will happen between dogs on leash and hikers on that trail.

Many thanks for passing on our statement to Sonoma City Council.

Kind regards,

Jim and Barbara Nelson  
436 Montini Way  
Sonoma

June 20, 2014

Dear Mr. Goodison,

I am writing in reference to the City's Initial Plan and proposed Mitigated Negative Declaration on the issue of amending the Montini Preserve management plan to permit leashed dogs on the trail. I write as a neighbor of the Preserve, a lover of dogs and a supporter of nature conservation. My points are as follow.

1. The incredible volume and diversity of public open spaces – from wildernesses, to preserves, to parks, purchased with public funds for different kinds of use – are among the things that make Sonoma County special. Montini was acquired as a Preserve with specific conservation values related to its rich biodiversity and specifying low-intensity use. It is not a public-use park in the sense of nearby Maxwell Farms, or the Regional Park on Highway 12, or Healdsburg Ridge, or Taylor Mountain, which are commonly mentioned as comparators in terms of dog-friendliness. Montini and all of the preceding are excellent public spaces, for a variety of reasons, but they are all qualitatively different from each other and purposely so, as reflected in their respective documentations and degree of allowed development.
2. In accepting fee title to the Preserve, the City also agreed to uphold the conservation values and restrictive terms of the conservation easement held by Sonoma County Agricultural Preservation and Open Space District that runs with the property in perpetuity, regardless of ownership. Presumably, council appreciated Montini's incredible natural wealth and the weighty obligation to protect it, since staff briefed council comprehensively at the time of the transfer resolution. The City and SCAPOSD are mutually responsible for protecting the natural resource values of Montini Preserve. They have agreed they will "confine the use of the Property to activities that are consistent with the Conservation Purpose of this Easement and will prohibit and prevent any use of the Property that will materially impair or interfere with the Conservation Values of the Property." They have also agreed "that all Conservation Values of the Property will be fully preserved and protected in perpetuity." These commitments should be honored. Reneging on the letter and spirit of the Montini conservation easement undermines the integrity of all existing conservation easements and sends a strong signal that future agreements will not be honored.
3. The conservation easement's characterization of the natural resources to be preserved and protected includes the following: "The Property provides habitat for important plant and animal species integral to preserving the natural character of Sonoma County." The native plant communities "provide largely undisturbed habitat for a number of native birds, reptiles, amphibians, insects and mammal species. In addition, the Property provides notable fawning habitat for deer and provides important nesting habitat for ground-nesting birds." A recent biological evaluation by Prunuske Chatham Inc, commissioned by the City, notes that the Preserve "supports a wide variety and abundance of wildlife species due in part to the variety of vegetation communities present, from grasslands and wetlands to oak woodlands. This mixture of habitats provides nesting habitat, food, shelter, and movement corridors for a number of native wildlife species." Just a single observational trip by PCI turned up 26 bird, five mammal, two reptile and one amphibian species. Sonoma Ecology Center's wildlife cam has captured deer, coyote, bobcat and other mammals.  
The PCI evaluation is a thorough, dispassionate review and analysis of the potential effects of introducing dogs into natural and protected areas. PCI surveyed the literature (much of it peer-reviewed scientific studies) and interviewed local people who know the property and its natural

history and resources well. The literature survey (pp. 15-19 of the evaluation) reveals significant potential impact on wildlife and habitat. An excerpt:

“While dogs and their owners go hand in hand and it’s difficult to separate out the human element, it is well documented that dogs can have a negative effect on wildlife (Banks and Bryant 2006, Knight and Miller 1996, Length et al. 2008, Sime 1999). Studies have shown that hikers with on and off-leash dogs result in greater levels of disturbance to wildlife than hikers alone (Sime 1999). The impact of dogs on wildlife can range from harassment, injury or death, displacement, to competition for resources. While these impacts can be minimized when dogs are leashed, the laws are difficult to enforce, especially in rural settings with little oversight.

“Dogs are instinctual hunters and capable of chasing and killing wildlife. Although many dogs may be inefficient at it, dogs frequently chase wildlife (e.g., deer) and capture some species (e.g., birds, squirrels, rabbits), resulting in direct predation, serious injury, or significant energy expenditure on the part of wildlife (Length et al. 2008). Particularly susceptible are pregnant females and young with limited energy reserves. Dogs may also dig up ground-dwelling mammal burrows in pursuit of squirrels, gophers, and other fossorial species. Even if a dog does not chase, wildlife can perceive dog presence in and of itself as a threat and expend energy seeking shelter to protect themselves. This is especially true for wildlife species that are prey for wild canids such as coyote (Sime 1999).

“The presence of dogs in natural settings has been correlated with altered patterns of habitat utilization by a number of wildlife species (Banks and Bryant 2007, Knight and Miller 1996). Dog walking in natural areas has been shown to decrease both bird species diversity and abundance (Banks and Bryant 2007), which has implications for long-term population-level changes. Activity patterns of deer, small mammals, and bobcats have been shown to be lower along trails with dogs than those without it (Length et al. 2008).”

4. Addressing Montini specifically, the evaluation identifies the following potential impacts to wildlife and plants (pp 19-22), ranging “from temporary to long-term”:

- Dogs chasing, barking at, injuring and/or killing wildlife
- Dog disturbance to breeding birds
- Changes in habitat utilization and [wildlife] community composition
- Wildlife harm to dogs
- Aquatic resource competition and disturbance
- Disease transmission
- Dogs affecting rare plant populations on the Preserve
- Dogs facilitating the spread and establishment of invasive plant species
- Dogs digging up or trampling vegetation
- Dogs compacting soils and creating new trails through native vegetation
- Dogs transmitting plant pathogens

Though beyond its biological remit, the evaluation also notes that the introduction of dogs can negatively affect the “visitor experience.”

The City should consider that not everyone enjoys being around dogs, some people are fearful, and safety and health issues can ensue. The Montini trail is narrow, and two people can scarcely walk abreast, let alone comfortably encounter walkers/hikers with dogs.

The evaluation concludes that (emphasis added) “introduction of dogs to the Preserve **would be likely to have widespread and long-lasting effects** on natural resources, although it is

**possible** that such effects **could be reduced if effective controls** are implemented that minimize off-leash/off trail use, the incidence of dog waste, and other undesirable behaviors.” Given the results of the evaluation it commissioned, it is astonishing that the City wants to amend the management plan to introduce dogs into the Preserve, and that an MND is considered appropriate when the situation calls for a more extensive Environmental Impact Report.

5. The adverse effects on biological resources are of the greatest concern and are not sufficiently addressed in Section 4 of the MND.

The three-foot -wide dirt hiking trail was carefully designed to accommodate human access to the Preserve and leave the least intrusive footprint. A dog on a six-foot leash can easily be on the leash but well off the trail. With an acknowledged “potential zone of disturbance” of 10 feet on either side of the trail, the result will be a 23-foot wide trail of condoned intrusion and level of activity. That alone is a significant change and impact.

Clearly, it is fully expected there will be an off-leash problem; otherwise it would not be necessary to protect certain species and areas with low fences and rock walls.

6. Mitigation measures 4.a.3, 4.a.4, 4.b.1, 4.d: It is unrealistic to suggest that signage and leash and waste pickup ordinances will be effective mitigation against the many impacts identified in the PCI evaluation. If it were that easy, we wouldn’t be having this discussion.

Simple everyday observation on this and other local trails now, and on the nearby bike path and playing fields, shows there are many responsible dog owners, but too many breaches, with impunity, by the irresponsible. The Sonoma Ecology Center, which monitors the Preserve, reports that their volunteers see “an on-going increase in the amount of dog feces along trails, dog tracks, dogs on leash, and encounters with off-leash dogs.”

Per the PCI report, “in general, there is a relatively low level of leash law compliance in natural park settings (GGRNA 2013). Noncompliance with pet waste removal policies is also an issue at many parks (GGNRA 2013).”

By contrast, the Initial Study/Proposed MND asserts, without offering scientific or any other credible substantiation, that four West Coast jurisdictions have been able to allow dogs on leashes and protect sensitive features. The issue is not what these jurisdictions do and say, but whether there is scientific evidence over time that their approaches work as claimed. What is the evidence for the assertion?

There is no plan to continuously monitor, ticket and fine, and to do so early in the morning and in the evening when dogs are often walked, as well as throughout the day. Others have noted that breaches are only reduced through consistent enforcement with teeth, as happens at State Parks. SEC volunteers perform a valuable public service by monitoring the Preserve, but it is just not realistic to expect volunteers to be on poop patrol and accost scofflaws.

Since there are many breaches of prohibitions in other public spaces, why would we imagine that this kind of “mitigation” on the Montini Preserve would be effective? Proper enforcement would entail full-time, paid personnel.

7. Mitigation measure 4.c.1 is irrelevant to the matter at hand and should not be included. This proposed mitigation should be given full and careful consideration if and when circumstances dictate. Given that the trailhead was established in its present location after a very long process, and the City has committed in good faith to making the access arrangement with State Parks work, it is speculative and premature to try to account now for a “what if” in the future.

8. Mitigation measure 4.e. The proposed amendment to the management plan has potentially significant impact on a local habitat conservation plan and thus needs to be fully addressed. The City agreed to uphold a set of conservation values and provisions of the conservation easement. Permitting dogs on the trail thus conflicts with a policy locally embraced.
9. Mitigation measure 4. f. 1 lacks substance and is based on an incomplete premise. It is true that the originally intended public owner, State Parks, generally excludes pets from natural and culturally significant areas. Presumably it does so with good reason and from a very long history of managing natural resources. But regardless of who the public owner was intended to be, or is now, the whole tenor of the existing management plan is about how best to conserve and preserve the Montini natural resources, including the free movement of wildlife in their native habitat. In terms of the proposed mitigation, a promise to work on an acceptable amendment with the District isn't a mitigation measure at all; it's a vague concept to which the public cannot sensibly react. And without substance to the mitigation measure, it cannot credibly be claimed that potential impacts would be reduced to a less-than-significant level.
10. The Initial Study /MND does not quantify the likely dog traffic on the Preserve or the cumulative effect over time on biological resources. The management plan estimated 4,400 visitors by car annually. Presumably this does not include local residents and tourists staying locally who walk in. It can be expected that the trail will be used regularly for dog-walking. For the sake of argument and easy arithmetic, very conservatively estimate an additional 3,650 walk-in visits annually, for a total of more than 8,000 visits each year to the Preserve. Estimate 10-20% will bring a single dog. (And that there is no commercial dog walking.) What is the cumulative effect of 800-1,600 dog visits on natural resources over time and how will those effects be mitigated?

To summarize, the proposed mitigations do little to alleviate the likely damage to the Preserve's natural resources. The MND under-estimates the impact of dogs on biological resources; over-estimates the efficacy of leash and waste cleanup ordinances; and offers no plan for mitigation of sustained, long-term effects on natural resources. In light of the PCI evaluation, and given that dogs were not contemplated on the Preserve during the previous environmental review, it is more appropriate to make a determination that the proposed project may have a significant effect on the environment and a more extensive environmental impact report is required.

One can be ardently pro-dog yet acknowledge that dogs and protected habitat do not mesh. It was aptly noted during public input at the May 19 council meeting that the conservation values and the easement that protect the Montini Preserve favor coyotes and foxes living unimpeded in their natural habitat over their domesticated cousin. There is no denying the heartfelt desire of dog owners to have more outdoor spaces that welcome their pets. The desire of conservationists to preserve Montini's irreplaceable natural resources is just as visceral. Rather than breach the Preserve's conservation values and protections to allow dogs, the City and County could make a concerted effort to find a good alternative, such as a spacious place for dogs to be dogs off the leash and away from wildlife and protected habitat.

Thank you for the opportunity to offer written comments on this important and difficult issue.

Sincerely,  
Mary Nesbitt  
428 Montini Way

**Subject:** Re: Public comment on Initial Study

**Date:** Thursday, June 19, 2014 at 8:52:38 PM Pacific Daylight Time

**From:** Jennifer Hainstock

**To:** David Goodison

Hi David,

Here's my comment:

Dogs co-exist with wildlife, nature and cows in many surrounding Sonoma County Regional Parks, in Sonoma and Marin open space and all over the world. I have seen coyote, fox, rodents, birds, and snakes on walks with my dogs. Although the study failed to interview any agency that allows leashed dogs on their public land, the study concluded any impacts of dogs could be mitigated. If wildlife chooses to move from Montini they have lots of places to go including above Montini on the piece with a conservation easement, and beyond, as well as the Overlook Trail. The Overlook Trail will remain for humans who do not want to hike with dogs. Dogs and their humans need a cardio workout which they would get going up Montini. Responsible dog owners will help patrol Montini and will be a large part of the volunteer effort to ensure Montini remains beautiful for generations.

Thank you,

Jennifer Hainstock

On Jun 6, 2014, at 9:31 AM, David Goodison <[davidg@sonomacity.org](mailto:davidg@sonomacity.org)> wrote:

Hi Jennifer,

The Agency comment period officially ends on June 30th.

However, as a practical matter, we will be taking comments from the general public up until the time it goes to the City Council, which will most likely be their meeting of July 21st.

David

On 6/5/14, 9:06 PM, "Jennifer Hainstock" <[jenniferhainstock@me.com](mailto:jenniferhainstock@me.com)> wrote:

Hi David,

Are you taking comments? If so when does the time period end?

Thank you,

Jennifer Hainstock

Fred Allebach  
PO Box 351  
Vineburg, CA 95487  
707-935-3514  
6/7/2014

### **Comments and Questions on:**

Proposed Amendment of the “*Montini Open Space Preserve, Management Plan and Initial Study*” to Allow Leashed Dogs on Trails with the Montini Preserve  
**DRAFT** City of Sonoma May 2014

In addressing my comments and questions I will follow the structure of the Draft study. The same basic issues come up repetitively with slight variations and thus as I went through the Draft, my response ends up being repetitive as well.

What I have done is copied sections of the Draft, in sequence through the Draft, and then commented on and questioned those points. Copied text from the Draft will be in quotes.

My main arguments have to do with preservation land use ethics, failure of control of pets, demonstrable precedent for failure of similar mitigation measures on other local public lands, an apparent bias of choosing of a weaker argument over a stronger one; as well as cost and safety.

I see the Draft amendment to the Montini management plan is openly biased. This is understandable given that the City Council directed a particular outcome to be pursued. I had hoped for a more neutral exploration of the issues. Whether dogs would be an *inappropriate* land use on the Montini Preserve does not seem to be a line of reasoning that was pursued. A strong argument in the Draft would address head on the points in contention and not omit or ignore them. Given the one-sided nature of the Draft arguments, I see the Draft is weak in its breadth of considering the full slate of issues. In my opinion this document does not meet the criteria of being a strongly argued and persuasive thesis, especially in considering the partial manner in which the PCI study and the Conservation Easement are cited. In a highly disputed public matter, I would think that the most neutral course of analysis would be most appropriate as to ensure the highest degree of fairness for all relevant stakeholders.

What I see are two tracks unfolding, one is a political process, the other science-based. The end result here is similar to what we see with global warming, the conclusion of the Draft precedes the evidence.

The PCI study is presumably science-based; it cites scientific articles and this is all presumably conducted according to the scientific method where proof and conclusions cannot simply be proclaimed, they have to be justified by the evidence. The reason I make the global warming comparison for the PCI study is that the study is being interpreted in opposite ways, one for obviously political/ preferential reasons. Local environmental and land management professionals read the study as strongly against

dogs; that dogs' effects on the ecology of the Preserve will not be able to be adequately mitigated, period. These opinions conclude that there is little chance the APOSD, with its Preservation-based Conservation Easement, will approve the amended management plan. The consistency does not add up. Given this line of reasoning, I conclude there is a political track, driven by City Council direction and the consequent Draft, and a science track, which is the PCI study.

The main reason the Draft is biased, as I mentioned, is not necessarily because of poor argument making skills by staff but because the council has directed a certain outcome beforehand, which is antithetical to an objective, facts-based process that would give proper weight to findings and consider all outcomes. Therefore, I see the CEQA process in this case as not science-based, not objective but more politically based. For an environmental quality assurance process, this is not confidence inspiring. I conclude that CEQA in the case of Montini has more to do with what certain special interests want rather than a process based on objective evidence.

An assumption is made that mitigation is a natural part of the process. That some things may not be able to be mitigated does not seem to even be a consideration. What mitigation does is lower the common denominator, not forestalling environmental problems but diluting them. For public land that has a controlling document based on Preservation and preserving natural features as the #1 priority, diluting values and lowering the common denominator does not fix anything, it just lowers the bar and runs counter to the stated Conservation Purpose. In effect mitigation of the impacts of dogs means just introducing them to the Preserve, putting up signs, requiring a 6' leash, one waste bag dispenser, having low rock walls, making the SEC have volunteer patrols in lieu of and in addition to their maintenance agreement and closing access to the State Parks and SOT trailheads to dogs. That's it. The primary thesis of the Draft is that the above mitigations address all dog impacts and bring them to a less than significant level. I believe a stronger contrary conclusion resides in very same source material (PCI study, with science-based article citations) used for the Draft. The only reason this stronger argument has not been made is because the City Council decreed otherwise.

If the SEC is to enforce the above provisions for mitigation and it has been observed that when the funding source dries up, the SEC itself will not work to provide oversight voluntarily (they will manage volunteers but they do not volunteer themselves); how will it be guaranteed that enforcement will continue at an adequate level to deter off-leash violations that result in significant impacts and that are well known and ubiquitous? I think additional City back up funding plan needs to be in place. If the SEC runs out of money for maintenance and/or the funding proves to be inadequate to meet maintenance, conservation and dog-related enforcement issues and provisions, an alternate funding source can be guaranteed so as to ensure that the Conservation Values will not simply be left to wither away for lack of money. The City, through the Transfer Agreement, I would assume, has to agree to manage the land in accordance with the Conservation Easement, and as such, not earmarking sufficient financial resources would not be a viable excuse to not manage the land in accordance with the relevant stipulations from the APOSD.

Working my way through the Draft: for the PCI study "...the City commissioned a thorough and critical analysis with the objective of identifying potential problem areas **so that they could be effectively addressed.**" All along it was said that the PCI study might conclude that dogs would be an inappropriate use, but here it seems that there was no intention of anything other than trying to justify dogs. Apparently the PCI study was not seen as an objective analysis all along but as a vehicle for justifying a predetermined conclusion; that dogs would be allowed. Why? Because the city council voted for it. Thus the political track intrudes on the science track and the consequent and typical public posturing on what qualifies for facts. Facts, even scientific studies like PCI, with citations of other studies that presumably stand for proof, end up being Humpty Dumptyed in the Draft: "facts are just what I want them to be...". Thus I see the PCI study is reduced to ambiguous meaninglessness, a show effort; if anyone can read it any which way, why even have it? Why not just have a referendum if it all it boils down to is how people feel anyway? Having a study seems like a waste of time and money if everyone has made up their minds already anyway and no common facts can be agreed upon.

An objective study is supposed to produce a baseline of factual material that serves to guide public policy. Perhaps it would be valuable to have PCI and neutral scientists testify as to the conclusions of the Draft and whether or not an opposite-conclusion-stronger argument can be constructed from the same evidence? I have heard that PCI was reluctant to participate because of the potential politicization of the issue. Well, here we are.

I am laboring under the assumption that there are some objective criteria and merits to this issue and I intend, to the best of my ability, demonstrate at least some merit for my arguments. I may be naïve but I have felt this issue would be decided on objective merits all along. Since all parties are driven a priori about feelings as to whether any particular public policy is justified, establishing some baseline of fact is critical; yet we know that even with sewage coming in the front door some will say it is not. I would just like to know how is it I can rest assured the CEQA process has a neutral judge and jury? Who provides the oversight for that?, if it is the City Council and 3 votes, that makes it a political judgment. That does not seem right for an environmental quality determination when it is the City Council in the first place who is guiding the process to be biased in a particular way.

In the Draft the PCI study is conflated with the initial study as if there were a congruence and proof. Interpretation in the Draft initial study goes along in the same way. The PCI study is full of conditional language, might, could, potentially etc and yet magically in the Draft, because of signs, low fences, a poop bag dispenser, leashes and closures, all of a sudden *might* and *potentially* turns into '*will*'. I think this is just words to justify the hoped-for outcome, especially in the absence of taking on strong counterpoints head on in the Draft or considering alternate interpretations of the PCI study that many see as most valid and strong.

I would have to say that by reading the PCI study and then the following initial study, that the only way a person can interpret the disparity is that the conclusion preceded the

evidence. The conclusion that dog impacts can be mitigated below a significant level, was an a priori assumption and any evidence to the contrary in the PCI study is simply not cited or wished away. No persuasive level of proof is offered and the obvious bias reduces confidence that the conclusions and thereby, mitigations are strong. This leaves open an appeal or legal process to determine that justifications for dogs have factual basis beyond simply asserting it will all be OK.

Compounding the lack of confidence is that the CEQA process appears to put the same entity as judge and juror in determining if the Draft is valid and adequate to address CEQA concerns and consistency with the PCI study.

“As demonstrated in the Initial Study accompanying this application, the mitigations measures incorporated into the proposed amendment **will** protect sensitive biological resources and maintain the natural qualities of the Preserve.” Gone is all the conditional language so prevalent in the PCI study, which now we see was a set-up for a predetermined goal. PCI states one goal of its mission is to get the client an outcome the client wants. How can the scientific study be filled with conditional phrases and the all of a sudden the mitigation **will** work; not might work, or possibly work; will work. This is just words. That off-leash enforcement is difficult, prevalent and common, and that off-leash dogs by all measure ARE a significant impact on the Conservation Values does not add up to simply asserting that signs and volunteer patrols **will** work. These same mitigations have not worked in Marin Open Space, Bartholomew Park, Sugarloaf and Jack London where off-leash dogs are quoted in the Press Democrat as being the biggest problem. Why would the same situation be different on Montini? What about the amended management plan and proposed mitigations is substantially different on Montini that would make the impact of dogs less than these other places? How is a determined stance by the City to not spend *any* extra money going to inspire confidence by the APOSD that the City is serious?

Example of ‘Best Practices’ were cited in the Draft, why were not examples of the federal Park Service and CA State Parks not cited? Is it not a ‘best practice’ with strong precedent to not allow dogs at all? In fact the only way to keep dogs on leash in open space and fields is to have near constant supervision as people want their dogs to feel good and run, be alive. Owners treat their dogs as if they were people; restraint is difficult to guarantee. When the lack of restraint will impact rare plants, wildlife and habitat and the integral ecology of the Preserve, and the mitigation measures are not reasonably close to 90%, then I don’t believe it can be confidently asserted that the impacts of off-leash dogs on the Preserve are or will be mitigated. It is likely that significant negative impacts from dogs will occur.

To what level will the Agricultural Preservation and Open Space District (APOSD) permit impacts to proceed before revoking the allowance for dogs on the Preserve? If the City is given charge and the Council deems dog impacts OK even in the face of contrary evidence, who will have oversight that the rules of the Transfer Agreement and Conservation Easement are being upheld?

You can't just say the many-fold impacts will be mitigated because of a 6' leash, 1 dog waste dispenser, low fences, some signs and volunteer patrols; this is an argument based on selective reading of the primary evidence in the PCI study, which when read by biological and land management professionals and County Park's personnel, is seen to be strongly against dogs; a 'heavy lift' to quote one substantial local figure.

I see the Draft as a science-denying, anti-global warming type argument where facts are willfully made to mean other than what the majority of the science says. Of course any study and anything can and will be interpreted in different ways, but the clear procedural fact of the *a priori* direction of the Sonoma City Council and staff attempting to satisfy this direction, as said before, does not lend confidence that the city Draft is actually a strong interpretation of a scientific study, as the chain of scientific method and proof is simply not followed. You don't pre-choose the outcome, and the weaker explanation if you want the strongest argument. This leaves open a questioning of the Montini CEQA process as valid. The proof is not convincing; the proof can be falsified. While the overall volume of paper, procedure and bureaucratic language is intimidating, in the end this does not mask the weakness of the City's position.

How can the PCI study be of any value as a definitive text if it is basically a double bind, and it says yes and no at the same time? I believe the conditional language in the PCI study does not make sense. The juxtaposition of clear conclusions with conditional modifiers seeks to make this an issue of words rather than conclusions. This may be the result of *ex post facto* editorial changes and/or a fear by PCI of being dragged into a political dispute or PCI trying to satisfy its client, as stated in its mission. An objective reading shows dogs having a significant impact along many avenues, yet this overt conclusion is sought to be masked with conditional language and an interpretation that can be easily read the opposite way as concluded in the Draft. Something is just not right here. My analysis: the political track has bled into the science track.

"It is estimated the allowance for leashed dogs on trail will extend to no less than 5% of the total area of the Preserve, avoiding impacts on wildlife and other biological resources." This statement ignores the fact that in the PCI study it is clearly stated that habitats are integral, linked and species are not confined to one area. Oak woodlands are the most diverse habitat, i.e. have the most species, and a large part of the trail goes right through these woods, e.g. dogs will actually impact areas of the highest diversity. This one example shows how the City document draws weak, partial conclusions from the PCI study. I believe third party oversight is needed to determine if the City's CEQA process position in the Draft is justified. It can't be right if the City itself is the judge and jury in this matter.

"An allowance for leashed dogs on trails within the Montini Preserve will enhance its value as an urban open space area, as City residents and residents of urbanized unincorporated areas within Sonoma Valley have few venues to enjoy natural open space with their dogs. The amendment will enable a wider spectrum of visitors to the Preserve, while protecting its open space qualities for the enjoyment of all." First if all the PCI study was not done to determine if there were enough places in the county where people could walk their dogs. The study was done to determine what effects dogs would have on

the Montini Preserve. Second of all: enhance value to who? Not to people who don't want dogs; if you don't want dogs it is hardly for the "enjoyment of all". Everybody is a stakeholder and a taxpayer here. The fact is, dogs are not citizens; only citizens are citizens and have rights on public land. "Few venues"? what about Bartholomew, Maxwell Park etc? There are plenty of venues. The SVDog group just doesn't want it to be them who has to drive anywhere; everyone else in the Valley would have to drive to Montini; existing trails open to dogs are ignored in the above paragraph, just like SVDog ignores them in all it's arguing. But since there are nice trails and rural roads to be able to walk dogs nearby AND hillsides for increased exercise, one can only conclude that the main point of SVDog is that they just don't want to be the ones to drive to any leash dog areas.

Why would the City use a line of reasoning from one party in this issue but use none from the opposing party? I had thought the Planning Dept. was studiously neutral on all issues and presented the council with the range of options and perspectives? In the case of the Draft, this does not appear to be true. Like I said however, I don't believe the weakness I perceive in the Draft is because of any deficit in argument-making skills by staff (obviously not) but rather because of prior limitations place by the council. In this case the procedure seems to be following council's direction. This is where the bias originates.

"The amendment includes restrictions and protective measures to ensure that the other activities allowed for in the Preserve are not diminished in terms of quality and enjoyment." The PCI study specifically did not address user quality of experience and the draft here does not mention that the main point of not wanting dogs on the Preserve is not that dogs make people 'nervous or uncomfortable' but that the quality of experiencing nature is diminished by the introduction of domestic animals that drive away and disturb the wildlife and the potential peace, quiet and solitude people want to experience. This paragraph is a willful misconstruing of the main point of why people prefer the Preserve to be dog free. If the Draft wants to introduce psychological aspects, why not address the philosophical reasons that members of the public prefer the Preserve to remain dog-free? I would think it would be known that the public has cited E.O. Wilson and John Muir. These land use philosophical bases are not chopped liver. A main point of wanting the Preserve dog free is not so a coyote won't be disturbed but so that people can experience and interact with nature, maybe see a mountain lion, bobcat or coyote. If the Preserve was all about wildlife, no people would be let in period. People are not going to see much wildlife period if the trail is open to the sheer number of dogs in downtown Sonoma, at three dogs per person. Wildlife and nature will be pushed back and Montini turned into a multi-million dollar dog park.

"The proposed amendment has no potential to interfere with educational opportunities within the Preserve." Wrong: large dogs and school groups do not mix, how about 30 little kids and a person with two pit pulls off leash? Dogs go after nervous people. What about if dogs scare off all the birds for a birding group? I'd have to say that this draft is obviously stacked to one interpretation. When conclusions are so obviously biased it is hard to know where to trust if any objective conclusion have even been reached. Why are

not strong examples of dog impacts addressed head on? This would make the Draft more persuasive. Could it be that this would be counter to council's direction?

Closing the State Park's access trail to dogs, with a sign: well, there are signs all over the SOT, the cemetery and Bartholomew Park and people walk right by them; signs plainly do not work in and of themselves and when you get people with dogs already on the trail at Montini, people will not turn back at the dead ends of Vista Point and the Rattlesnake Cut-off because of a sign. On the trail to nowhere, i.e. Vista Point, people will not go back, they will cut off down slope (across wetland) and head to trailheads one of which is the Vallejo Home trailhead. This will happen as sure as the sun comes up. People cut switchbacks and go off trail. Vista Point dead ends with views down the field to State Park land and across a nice big field ideal to let a dog run free. Dogs will be going across the Vallejo Home... "oh, I didn't see the sign". The only real, meaningful and effective mitigation is going to be increased enforcement at a level the City is not willing to pay.

People are so tired of signs and flashing ads on the internet that in some respects the only sane path for a person is to ignore as many ads and signs as possible and just do what you believe to be common sense. Trouble here is that many feel their dogs are no problem, they are pseudo humans, members of the family, they have rights like citizens, they don't bite, they cost \$1000 and have a special store on the Plaza plus mobile grooming and day care; common sense gets warped in different ways. The point: people are going to ignore signs, go off trail to cut dead ends and switchbacks. With an allowance for dogs, people will be accompanied by their pets when they ignore signs and break rules. Signs don't work when there is no one around, in an isolated rural setting, and the user has other ideas of what is right and proper.

That signs with posted fines are ineffective is well demonstrated. That off-leash dogs are the biggest problem at Jack London, Sugarloaf and Bartholomew, is known. That up to 50% of dogs get let off-leash in Marin Open Space is quoted by former ranger Rich Gibson. Yet the city feels in the case of Montini that it will be mitigated with the same level of "best practice"? Without any stronger dedication of monies for enforcement I can only conclude that the City is not really serious about mitigation of off-leash dogs that we would all agree represent a significant impact to the conservation values of the Preserve. I just don't see the Draft arguments adding up. How is it that a known and demonstrable body of contrary evidence is not addressed?

"The City is confident that the prohibition will be respected and it is our hope that State Parks will allow us the opportunity to demonstrate this." Yet, the City does virtually nothing to keep dogs off the SOT or out of the cemetery and these prohibitions are widely ignored, even with fines posted. I'll bet there has not been one citation for a dog in the cemetery or on the SOT. (A police call for an off-leash dog is by all measure, at the bottom of the barrel of urgent issues. Unless video or photo evidence can suffice for prosecuting off-leash or poop violations, the chances for any timely enforcement are low. Volunteers will not issue citations nor get into heated disputes.) The City is not serious about existing prohibitions and this is a demonstrable track record of how this very same issue has been handled in the past. All is different now? How could State Parks trust that

all of a sudden the city is serious? Why the change of heart now? Will the City start to enforce its own rules on the SOT and the cemetery now? Is this a matter of principle or expediency? Until we see money and dedicated enforcement staff, for Montini and the SOT and cemetery, I can only conclude that the Draft mitigations are simply just talk, words only. Words do not protect Conservation Values on the ground especially given similar circumstances where the same provisions result in substantial off-leash activity and rule breaking.

The proposed intermittent volunteer patrols are presumably the same as at these other public lands, what about the amended plan's version will really be different from other land agencies where similar measures are not working? It only takes one time to trample rare plants, destroy aquatic habitat, run birds out of an area, dig up a den, is this proposed risk acceptable to CEQA and the APOSD? Is the strategy to have a significant impact to see if we need to not have significant impacts? If the SEC runs out of funds for the year, they won't volunteer to provide oversight. That's how they have approached other projects with a finite budget. I see plenty of windows for significant impacts to happen.

“If it were to become necessary to do so, the development of alternative western access would include the following: 1) trail segments totaling approximately 1,400 feet in length, 2) the provision of at least one accessible parking space, 3) trailhead signage, and 4) wetland protection and mitigation, as set forth in the Initial Study.”

The Preserve Our Pasture group is not going to like this. They already objected to that access location and that's why the trail got moved across State Parks land. This will be like throwing a rock in a hornet's nest. The City is in for trouble with the likelihood of Vallejo Home State Park revoking the access trail permission. I estimate the 5<sup>th</sup> Street West trail across the pasture not only will cost well over \$50,000 but will incur the determined opposition of the Preserve Our Pasture group. Perhaps the struggle to allow dogs will at some point here be seen as just not worth the trouble and the money.

For any changes to the trail or pasture it seems likely that the Conservation Easement will have to be changed as well. The strong preservation language in the Easement simply does not mesh with allowing dogs and their PCI cited many impacts. If the 'permanent' Easement can be changed, this is not very confidence inspiring for the very purpose and initial intent of Conservation Easements, nor to people who wish to donate land.

“Review of Best Practices”. There are no citations to prove what sources these assertions came from, that the mitigation was and is successful. To the contrary, Jack London and Sugarloaf State Parks here locally say the unleashed dogs are their biggest problem, Bartholomew has signs everywhere and there are many, many unleashed dogs. Rich Gibson, a former Marin County Open Space ranger estimates up to 50% of dogs were off leash in leash-restricted areas. Sure there are 'best practices' but in reality you are going to need stepped up enforcement to ensure compliance and the City and *electeds* are determined to spend no extra money on enforcement of leash restrictions. Additionally the US Park Service and CA State Parks are perfect examples of 'best practice' where dogs are not allowed on trails at all. The notion of best practice is contingent on what your land management philosophy is in the first place. A fair breakdown of 'best

practice' would include a discussion of management philosophy differences. The APOSD Conservation Easement weighs heavily to Preservation as a 'best practice', the Draft does not convincingly demonstrate a congruence and consistency with these principles and in fact, avoids the issue by not discussing it.

Management philosophy and 'user experience' was specifically not addressed in the PCI study. Therefore Draft discussion of management philosophy should legitimately include a discussion of the pros and cons of preservation vs. multiple use; and reflect the range of stakeholder opinion in the Valley and City, not simply find a best practice example that only supports one view.

"Dogs shall be prohibited on the Sonoma Overlook Trail, including the connecting trail segment recently constructed by the District." This is another dead end trail situation; people who get to a place where a sign tells them to turn back, yet the trail goes forward, typically will go ahead anyway. See my previous discussion of signs and rule breaking behavior. People ignore existing SOT signs prohibiting dogs. Signs have been empirically shown to not work on City owned property now. These trailheads are remote, and isolated, there is no oversight but a user's common sense, within which if they think their dog has 'rights' or that the rule is stupid etc., the sign is ignored. If the only back up is intermittent volunteer patrols, a certain attrition rate can be expected that will result in significant impacts to natural resources on the Preserve from unleashed dogs. How does the CEQA process address this known eventuality? I can just as well say "will result in" because the same level of proof is used in the Draft to say "will"; conditional goes to declarative because I feel it is right, and there is a more than a certain amount of evidence to prove it.

Please be alert for a letter from Jackie Steuer, former Yosemite staff and former co-chair of the SOT Task Force, wherein she reviews and cites scientific studies as to the negative impacts of dogs on public land.

"Volunteer patrols organized under the approved Montini Preserve Management Work Plan (Work Plan) shall be used to monitor compliance and assist in education and enforcement." Off leash dogs by all measure are a significant impact on natural resources, an intermittent volunteer enforcement, based on a budget with other purposes too, of approximately \$17,000 a year, is not a significant mitigation; a significant mitigation is a paid staff who's has law enforcement capability. To try and shoehorn enforcement into the SEC's existing maintenance budget, which includes invasive plant removal, re-planting native species, trail tread maintenance, brushing and conservation work, will detract from the good work the SEC could do by making them expend their oversight dollars on dog waste removal and leash violation enforcement; this will turn the SEC into cops vs. conservationists. This eventuality erodes the SEC mission and intent of wanting to steward this land and also erodes the ability of the SEC to comply with keeping up with Conservation Values. Enforcement, at \$17,000 a year alone is not enough. Couple this budget with all the rest the SEC is hoping to accomplish and it is easy to see that there are simply not enough financial resources here to do everything. No mention is made of frequency of volunteer patrols. Without a substantial presence, a

known significant impact cannot be mitigated with partial volunteer enforcement. Conservation practices by the SEC will be diluted by turning them into a pseudo law enforcement entity. What may happen if the SEC runs out of money or if the money is only enough to oversee a limited amount of volunteer enforcement?

“Best practice?” Marin Parks allows 3 dogs per person? How is anyone going to get by on the trail? Who is going to step aside into the brush, trample vegetation, spread sudden oak death, get bit by a rattlesnake, have ticks attach etc? Is the City prepared for a lawsuit for a rattlesnake bite caused by allowing dogs in the trail? The City is scared of someone slipping on one wet leaf. I had a dog snarl at me today on a 6’ sidewalk in the City, a 3’ trail is trouble; failure to control coupled with owner naïveté about dog behavior are going to result in liability issues for the City. This is not that “dogs make some people uncomfortable”; nobody wants to be bitten by an unpredictable domestic predator who has instincts to guard their master. Enough dog behavior incidents have happened to every person in the world, for people, and the City to know to be cautious of dogs in a confined, narrow space of a 3’ trail; that this is a real risk and potential liability. Dog owners will insist on having 3 dogs per person. How do you spell trouble?

“...in section 6.1.1, of the Conservation Easement, a mechanism is provided for amending the Management Plan, subject to the review and approval of the District. As set forth in this section, it must be demonstrated that any amendment is consistent with maintaining the identified conservation values associated with the Preserve, as set forth in Section 2 of the Conservation Easement.” My reading of the Conservation Easement is that it is a document strong on preserving natural resources; preservation is a word contingent on a whole philosophical background antithetical to multiple use allowances such as domestic dogs; the Easement says over and over again in multiple way ‘Preserve and protect’, the same motto as the Park Service. The City is proposing an allowance based on multiple use philosophy, yet this has to be consistent with the Easement, which is a Preservation philosophy oriented document. The two do not add up. I don’t see how the amended management plan addresses negative impact inconsistencies with the Easement. CEQA is one thing and I believe I have at least opened to question the impartiality of this process; the Conservation Easement is another and I don’t believe the Draft to be sufficiently consistent for the APOSD to be able to say that the Conservation Purpose and the Conservation Values will remain intact and to also allow dogs.

If the City is serious about consistency, more money simply has to be spent on enforcement, and closing off sensitive areas. Since a hard closure will not be esthetic and conform to scenic priorities, it is unlikely the APOSD will approve the type of fence closures that would actually prevent impact to rare plants and sensitive species. Point: it is simply better, less costly and more efficient to not allow dogs; less *PA* factor overall.

*If* such dog allowance can be permitted within the Conservation Easement, there seems to be no logical reason that the APOSD could not allow a dog park north of Field of Dreams east of the wetland area as well. This would be a win-win for the dog owners and dog free- trails and preservation-based land management. Why didn’t the City go for this option if, all things be equal, anything can be mitigated? If the APOSD could allow dogs

or allow a multi-million dollar recharge project, APOSD can allow a large dog park; no reason adds up to why not.

“Prior to making a decision to approve the Project, the City must identify and document the potential significant environmental effects of the Project in accordance with CEQA. This Initial Study/Proposed Mitigated Negative Declaration (MND) has been prepared under the direction of the City to fulfill the CEQA requirements.... This Initial Study/Proposed MND is intended to satisfy the requirements of CEQA (Public Resources Code, Div 13, Sec 21000-21177), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387). CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts.”

-I've made my arguments here: the appropriate mitigation in the case of allowing dogs on Montini, based on the PCI study findings, the overt bias of the CEQA process, and inconsistency with the Conservation Easement, is to not allow dogs period.

“We find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.”

-If the project 'could' have significant impacts on the environment, how can the City say that mitigation measures 'will' reduce them to less than significant? The use of language here is manipulative and not on the up and up. A more accurate language for the MND would be: “use of 6' leashes could potentially reduce the spread of pathogens and exotic species in the Preserve”. Given this more consistent use of language, the MND and any future management plan allowing dogs would have to remain a flexible document providing for conditional future outcomes that may result in significant impacts from allowing dogs. There can be no limit on review to this process as part of political posturing by SVDog et al to forestall future termination of dog allowances based on anticipated potential significant impacts. When there is a whole study by PCI outlining many impacts to the Preserve and yet great pains are taken to use conditional language, and yet the MND all of a sudden introduces declarative language, something is not right here. A chain of proof has not been established other than simply desiring a certain outcome based on methods that have been shown to not work elsewhere. I believe for the CEQA process to be valid, stronger proofs need to be made public and contrary evidence needs to be addressed head on. If a scientific study cannot survive efforts to falsify it, then it does not stand. From all I see, the Montini CEQA process is not scientific; it is a political process with a low threshold of proof.

“Geology and soils and Hydrology” Water quality should have been checked as a potential significant impact of allowing dogs. The cumulative effect of dog waste will add up over the years even if mitigation measures are in place to pick up waste. Based on simple math, if 5% of waste is never picked up and the intensified use results in 100 dog visits per day, that would be 5 deposits per day x 365 = 1825 uncollected deposits per year. We are talking a lot of uncollected waste over time. The point is, even a small number of deposits will add up and affect the soil and water quality downstream, and more immediately, downslope wetlands within the Preserve. The cumulative effect

chemically of waste leaching into soil and into the watershed, containing residual medicines, additives, nutrients, pathogens etc will be an unseen impact. Why was this not considered? What study shows that cumulative generation of small percentages of dog waste has no impact? Studies have shown that uncollected dog waste adds up to be a substantial water pollutant. This is why the whole poop bag thing started, why all drains have a fish emblem and say “this leads to the Bay”...

If Montini is seen primarily by the City as a piece of land to use for recreational purposes, i.e. dog walking, this does not account for the APOSD’s own prioritization of use where recreation is #3 in line for management purposes. That soil chemistry and the introduction of cumulative dog waste’s effect on the watershed can’t be seen with the naked eye, does not mean that this aspect of impact is not squarely germane to the #1 priority of the Preserve. This consideration seems like an oversight in the Draft.

“We find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.” Given that a goodly percentage of the public, including biological and land management professionals and County Park’s personnel read the PCI study as being a ‘heavy lift’ to prove dogs will not have a significant impact, on what basis was the course of an EIR not taken? I think the course of action taken is more of a political track based on direction from the city council, so that the conclusion dogs’ impacts can be mitigated is an a priori conclusion and not one based on the evidence. Three other votes and there would have been an EIR. If I take my simple paper writing skills from SRJC and apply them to a strength of argument test, an argument stating dog impacts as significant is stronger. What I see is the City simply saying the impacts won’t be significant because the council directed it to be so, and maybe because an EIR would complicate things, cost more and the issue have less chance of being voted on by the current council. This parsing of Significant, May and Could is like Bill Clinton and what the meaning of Is is. It is not clear on what basis the MND path was taken vs. the EIR path? How can the public know that the MND path is justified scientifically rather than politically? I would say an EIR is justified. The study was supposed to be a baseline of fact yet it seems it is being interpreted politically. Evidence to the contrary has been minimized. I see the process could be much more neutral and thereby different conclusions reached. The current conclusion of the Draft based on the MND does not seem to emerge from a neutral findings process.

For the Determination, why is there no option for turning down the project based on the evidence? The whole system seems set up with the idea that mitigation is part of the process when it would be logical to assume that some things can’t be mitigated. (Some feel nuclear waste can be mitigated; this shows that mitigation is less about what effects can actually be forestalled and more about what people want as a policy outcome; mitigation is about what people want versus what is a scientific fact or what is environmental protection) I see the process as flawed here, there are no clear boundaries; everything can potentially be fudged in. If all public process is designed to split the difference, why is it that powerful local business entities prevail in all or nothing outcomes? Why is the difference not split on everything? That the difference is looking to be split, i.e. mitigated, must indicate that there is strength in the dog-free Montini position

and with the PCI study. The dog-free position is based on arguments that add up to a stronger, more internally consistent position than the MND, but for reasons of politics this position was not chosen. On one hand here public process is about assuming a priori that everything can be mitigated yet in other public process like use permits for wine tasting, the winner takes all. This is not consistent policy making and process baseline; it shows that policy is not made on the merits of an issue but rather by what political pressure can be brought to bear.

In the case of Montini, if dogs on the trail can be mitigated in against the weight of apparent evidence, why can't a dog park be mitigated north of Field of Dreams and west of the wetland, and keep dogs off the trail? If dogs can be mitigated in, what is to stop mountain bikes later? If mitigation is about what people want rather than about any real facts, the APOSD could easily sign the papers for a dog park and say it is mitigated in the same way the City signed the papers to say that dogs on trails are mitigated. Is this about what people want or is this about the merits of the issue? How can merits be ascertained if there is not a neutral baseline judgmental process? Why commission a scientific study and then not heed the results?

## **2.4 Summary of Mitigation Measures**

Mitigation Measure 4.a.1: Low fencing or rock walls will be installed in consultation with the District to prevent incursions into sensitive areas, including the identified locations of the Narrow-anthered brodiaea, the Franciscan onion, and the bristly leptosiphon, as well as any identified wetland areas in proximity to the trail.

Mitigation Measure 4.a.2: Implement the Montini Preserve Management Work Plan (Sonoma Ecology Center, 2013), addressing trail maintenance and clean-up, erosion control, removal of non-native vegetation, the coordination of volunteer patrols, and the preparation and submittal of regular monitoring reports to the City of Sonoma and the District. Volunteer patrols will be used to monitor compliance with Preserve rules and assist in education and enforcement.

Mitigation Measure 4.a.3: Dogs will be required to be kept on leash (not to exceed a length of six feet) and under the control of their owners at all times. Persons with dogs are restricted to trails. These requirements will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.a.4: Signage will be used at trailheads and other key locations to inform visitors to the Preserve of limitations on dogs.

Mitigation Measure 4.b.1: Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.

Mitigation Measure 4.c.1. To compensate for the minimal wetland losses associated with the construction of an alternative western trail access (if implemented), the City proposes to implement a wetland enhancement project in lieu of wetland creation. The enhancement project will include the planting of native trees along a drainage identified on the eastern boundary of the 9-acre pasture. The enhanced area would cover approximately 0.25 acres, which represents a 2.5:1 replacement ratio of lost habitat. Tree plantings would include coast live oak (*Quercus agrifolia*) along the top of bank. Emergent wetland plant species, including varieties of sedge and rushes (*Juncus* spp. and

Eleocharis spp.) would be planted at the toe of slope of the channel banks to encourage establishment of these species. The creek corridor in this area would be fenced to preclude cattle use, thereby significantly contributing to improved functions and values of this system. The purpose of the proposed enhancement would be to improve wildlife habitat (in the form of nesting and cover) for species associated with wetland habitats. This mitigation measure would be conducted consistent with meeting the terms of a 404 permit.

Mitigation Measure 4.f.1: The City of Sonoma shall work with the District to process an amendment to the Management Plan allowing for leashed dogs on trails within the Preserve in a manner consistent with maintaining the conservation values of the Preserve.

Mitigation Measure 9.b.1: Dogs will be prohibited on the trail segment south of the vista point overlooking the pasture adjoining Fifth Street West (unless a specific authorization for dogs on the trail segment through the Sonoma State Historic Park is granted by State Parks). This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.

I think I would be correct in reducing the above to signs, 6' leash, low rock wall, poop bag dispenser, SEC volunteer patrols out of same budget as all maintenance and conservation work, closure by signage of Vallejo Home access trail and Rattlesnake Cut-off. This is all that makes it consistent with the Conservation Easement. Yet, the PCI study concludes:

3.2 Wildlife Resources: The Preserve has a wide variety of wildlife habitats and corridors, a mix. The trails cross these areas. "Relatively few animals are restricted to a specific habitat" And owing to the small nature of the trail system and the fact that it links a wide variety of habitats, dogs will have an outsize impact on the limited area where trails are, thereby diminishing the public's ability to appreciate the #1 priority of the Preserve

3.2.1 Oak Woodlands: Oak woodlands provide the greatest habitat diversity in the Preserve; and most of upper trails are in oak woodlands. How do you bring a domestic predator into this area emblematic of the #1 value of the Preserve and say there will be no significant effect? Dogs will be seen, heard and smelled by wildlife, all disruptions along sensory avenues that will have the effect of pushing species back and diminishing diversity available for the public to experience.

4.1 Plants: There are four special status species.

- narrow-anthered brodiae, 50 plants along Vista Point Trail, very close proximity to trail, southern-most population

- Franciscan onion, trampling by users a threat on Preserve

- A small stonewall is not an adequate mitigation for a one time trampling by an off-leash large dog. Off leash is so common, and a known issue, that fully fencing off the plants is the only way to securely mitigate the potential significant impact of off leash dogs.

4.2 Animals

- special status birds, disturbance during nesting could result in abandonment of nests
- Just by seeing a predator-type species is going to disturb birds. If there are special status birds and they are continuously disturbed, this will alter the species composition of the Preserve, i.e. have an impact that won't be reversed until dogs are not permitted.

## 5 Dogs and Wildlife

"..it is well documented that dogs can have a negative effect on wildlife (Banks and Bryant 2006, Knight and Miller 1996, Length et al. 2008, Sime 1999).

### 5.1 General Impact of Dogs

- dogs have a negative impact just by their presence, esp if loose
- a greater level of disturbance than by hikers alone
- leash difficult to enforce, a known, demonstrated problem
- instinctual hunters; dogs disturb and harass wildlife
- wildlife perceives dog presence in an of itself as a threat; waste odor
- decreases bird species diversity and abundance; long-term population change
- stress, reduced reproductive success, habitat avoidance
- the above PCI points support a main preservation argument from E.O. Wilson in *The Diversity of Life*, that in the man-made 6<sup>th</sup> Great Extinction it is vital to protect every last little bit of biodiversity
- scent, territory, dog odors messes up natural order, cause carnivores to be more vigilant, expend unnecessary energy
- allowing dogs = increased human use = less carnivores = trophic cascade = significant impact on ecology of Preserve, Aldo Leopold; what people will see will be a domesticated nature

### 5.3 Disease Transmission

- Lyme disease
- various canine diseases plus listing of diseases cited in scientific studies in the PCI report and Jackie Steuer research

### 5.4 Vegetation and Soil

- impacts go up with off-leash dogs and off-leash dogs are a known problem on public land; this has not been effectively mitigated generally on other public lands because of remote locations, lack of funds, and no teeth to off-leash ordinances
- digging/ rare plants/ off leash common= plants at risk
- trample vegetation on side of trail= trail widening= \$, scenic/ aesthetic degradation
- dry areas more vulnerable to trampling/ wet vulnerable to habitat loss
- dogs spread invasives
- sudden oak death, who us going to hose off the dog? With what water source?
- dog waste = pollution

## 6.1 Potential Impacts on Wildlife

- chasing, barking, injuring, killing
- impact on special status birds/ off leash
- ground nesting birds/ Vallejo Fields, seasonal precautions/closure
- woods are most diverse habitat with highest potential for impact, flats are sensitive seasonally, wetlands sensitive at all times; partial access seems justified for dogs but this will be trouble as it won't be respected, too many rules
- enforcement too much for volunteer level, need full time enforcement with law capability
- changes in habitat utilization and community composition; this is directly against the #1 priority of the Preserve
- aquatic resource competition/ habitat destruction
- dogs = more people = more dogs= "dramatic change"

## 6.2 Impacts on Plants

- narrow-anthered brodiaea, Franciscan onion, small pop. = very vulnerable to even small disturbance
- spread of invasive plants on dog fur
- spread of sudden oak death

## 6.3 Other Considerations

- low level of leash compliance and waste removal
- visitor experience: public preference for no dogs = less quality experience of nature, for #1 priority of Preserve, this needs to be honored in the Draft as a substantial representation of stakeholder preference
- alternate western trail access = expensive, has to go through all permitting, regs, etc, decommission old trail

## Conclusion

- study is not about rec impacts in general, it is to see if dogs are an appropriate use
- dog walking will increase neg impacts, likely to be wide-ranging and long-lasting
- widespread impact on wildlife
- "overall, introduction of dogs to the Preserve would be likely to have widespread and long-lasting effects on natural resources"
- 'possible' and 'could' language inserted to give option of dogs against all evidence

Add this into the Conservation Easement's prioritization of preserving nature as the first priority, scenic values is #2 and recreation is #3. This hierarchy is how it is supposed to pan out if there is a conflict of values. The Draft does not seem to take this into account when stating "The City of Sonoma shall work with the District to process an amendment to the Management Plan allowing for leashed dogs on trails within the Preserve in a manner consistent with maintaining the conservation values of the Preserve." What about many clear arguments based on the Easement and PCI study that can be constructed that run contrary to this conclusion, that the conservation values cannot be made to conform with dog use? The bar gets set too low; the values diminished too much to still call them the # 1 priority.

I had expected a neutral exposition by the City staff, as independent of the Council. What I see has happened is that the process in place is inherently biased.

At least one current council member ran for office in the basis of allowing dogs on Montini; another is an open advocate, another has open sympathies with the open advocate, another is non-committal based on allowing the process to maybe arrive at City control. Get the go ahead from APOSD and fast track the vote by 11/11/14 and dogs are in. What I see is that all the discussion of merits, facts, studies, none of it matters because the issue is basically decided ahead of time and all the process in place does is provide an illusion that the public will have any influence. The only possible stop now is at APOSD. It's hard to not see it this way even though two of the same above council members have said they are undecided... it is hard to have confidence that there are ever any merits and all issues are not basically decided on feelings and pressure exerted by the public. Well pop my bubble! I knew this already. 3 votes by the County in AZ and one more development goes in the desert. Three votes is all we need to know about policy making.

One council member might think of excusing themselves from future votes on this matter because of their obvious conflict of interest.

“Environmental Evaluation” I soldier on....

Substantially damage scenic resources? no impact?: wrong, the trail is not 6' wide, a 6' leash is going to allow dogs to range on the side of the trail up to 10' per side and progressively begin to widen the trail, damaging the aesthetic quality of the trail, as the trail is widened, plants are trampled. The trail is incorporated into the hillside terrain and as it gets widened and impacted, this results in a negative visual effect. A walk in the woods on a pleasant, appealing trail that blends into the surroundings is different than a walk on a multiple use trail that appears thrashed and chewed up. All dogs want to do is investigate smells. The reason dog owners want their dogs out there is so the dogs can experience nature themselves and enrich their dog consciousness, maybe work off some dog fat to avoid the dog obesity epidemic. If I had a dog I'd want the best for it as well. Owners will not restrain dogs from the allotted 6' leash; this virtually guarantees trail widening and therefore impact on the scenic value of the trail as it will soon begin to appear highly used and impacted. Keeping people on the trail is a big part of the maintenance work on the SOT; on Montini there will dogs *and* people. That the 'no impact' box is checked here is not right. The only way to mitigate this outcome is to not allow dogs at all or to have a 3' leash and one dog per person. Ultimately the SEC's job is going to end up being controlling the effects of dogs rather than the conservation work they hoped to do. I wouldn't be surprised if the SEC bails out of the project based on how much of their work will be dog-related. Who wants to be the dog police for only \$17,000 a year? And where that \$17,000 has to be spread among other legitimate land management priorities?

“Impact on biological resources:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or

regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?” The PCI study states clearly that there will be long-term habitat modifications for species even from leashed dogs, how is this mitigated by a fence or a 6’ leash or a sign? This here is a pretty damning finding for mitigation.

“b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?”

-For there to be a ‘less than significant impact’ is contingent on dogs being kept leashed, which is a known problem. The proposed mitigations of periodic volunteer enforcement of leash rules leaves wide open opportunities for off-leash dogs to seriously disturb critical habitat; it only takes one time to destroy a lot of vegetation, cover, ground-nesting bird or amphibian eggs etc. How is the periodic and volunteer nature of the leash enforcement adequate to assert that this problem is mitigated? At what point will the allowance be rescinded? After how many significant impacts? Will the APOSD retain the right to rescind the amended management plan based on too many significant impacts?

“c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?”

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?”

-ditto my comments for b above

“e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?”

What about the no dogs on the SOT, cemetery of Field of Dreams? Is not a major concern that dogs will spill over onto these lands where they are currently prohibited? If people do not respect signage and posted fines now and there is no enforcement, why would anyone expect that this would be any different in the future with new signs and fines? To assert that the Montini dog allowance will have no impact on adjacent public lands is wishful thinking at best. Does the City intend to now enforce leash rules on the SOT and the cemetery? If not, then it can be seen that the effort to mitigate dog impact on Montini is not based on any over-arching land use ethic or consistency of principle but rather the efforts are only in service of the special interest group wanting dogs on Montini. If the City was serious about mitigation and actual land use values, the City would enforce its own rules already on the books. Why add more rules and laws of the same type that are already not being enforced? Why add rules and then dedicate no extra money? Surely there will be no money to spread enforcement to the SOT and cemetery. The new mitigations then amount to what is known as an unfunded mandate to accompany previous unfunded mandates. Unfunded mandates are not fair and do not work.

“f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural

Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?”

-I assume this refers to the State Parks access trail and conflict with State Parks land. Ditto my above comments about ignoring signage. It does not seem right that the City has a demonstrated track record of non-enforcement of no dog regulations and now all of a sudden when the City wants something from Open Space, i.e. permission to allow dogs, then the City will all of a sudden become a model citizen. This is clearly just saying what wants to be heard; the actual track record says otherwise. Will the City now enforce its own rules on the SOT and cemetery and Field of Dreams? Or will that continue to be left to slide by with no dedicated enforcement? If the city is to be taken seriously about enforcement, they need to show it for rules already in the books that have remained unenforced. Lack of consistency here and demonstrated poor enforcement track record should lead the APOSD to conclude that the City is not really serious and that mitigation is mostly just talk to achieve one narrow purpose for one special interest group.

Regarding the Narrow-anthered brodiaea not being on the way to anywhere that people would cut off to go to, the possibility of party spots, homeless camps, homeless able to blend in with dogs, and people trying to access the top of the hill or get out into an open field for a picnic have not been considered. Once a social trail is established it tends to become further used. People who would like to have their dogs run leash free could easily see this area near the rare plants as an opportunity to go off trail and not be seen while they let their dogs run. Therefore the discussion and scenarios presented by the City are partial and not a full-fledged accounting of what might happen. The plants remain vulnerable, particularly to off-leash dogs.

“Mitigation Measure 4.a.1: Low fencing or rock walls will be installed in consultation with the District to prevent incursions into sensitive areas, including the identified locations of the Narrow-anthered brodiaea, the Franciscan onion, and the bristly leptosiphon, as well as any identified wetland areas in proximity to the trail.”

- The wetland in between Vista Point and the State Park’s access trail represents a vulnerable area to dog traffic, off and on-leash, for one primary reason, the trail dead ends at Vista Point. This is a design flaw of the trail system as people will be sorely tempted to cut off here and head to the State Parks trailhead and/or downhill out into the field below. A wetland is right in between Vista Point and the State Parks trailhead. Given that it will not be seen as necessary to have signs at Vista Point, it is highly likely that social trails will be quickly established and dog traffic will go right across the wetlands. Again, people who go off trail are likely to not care about leash restrictions or signs either. At Bartholomew Park were prominent signage says dogs must be kept on leash, signs are ignored and people let their dogs swim and thrash the pond up by the redwoods. It only takes one or two times to destroy amphibian habitat, eggs, larvae etc. A low rock wall is no impediment to an unleashed dog; water is an attractant. In order to truly protect the wetlands and rare plants of the Preserve, securely fencing them off is the only sure protection against the certainty of unleashed dogs. Secure fencing though, is unsightly, unnatural and violates the #2 priority of the Preserve, scenic values.

“Mitigation Measure 4.a.2: Implement the Montini Preserve Management Work Plan

(Sonoma Ecology Center, 2013), addressing trail maintenance and clean-up, erosion control, removal of non-native vegetation, the coordination of volunteer, and the preparation and submittal of regular monitoring reports to the City of Sonoma and the District. Volunteer patrols will be used to monitor compliance with Preserve rules and assist in education and enforcement.”

-This mitigation measure will be reduced by the fact that the SEC will have to devote dog mitigation resources from the same funding pie as conservation and maintenance measures. If the SEC’s work is to be effective and they not be turned into free dog police for the city, more money needs to be allocated to the SEC in addition to their maintenance contract, money that is earmarked for dog enforcement and mitigation and not try to shoe-horn them into enforcement out of the same money intended for trail maintenance and conservation. The city seems determined to spend no extra money on dog enforcement, yet the potential significant impacts of off-leash dogs demand a more significant mitigation than simply stating that the SEC will take care of it out of their same budget supplied by the County for 3 years. What will the City do after the three years when there are maintenance needs and dog enforcement issues? I don’t see the City as being willing to dedicate the required resources. Every City employee or elected I’ve spoken to dismisses offhand that there would be any dedicated staff or extra money spent. This demonstrates that the proposed enforcement mitigations are likely to fail.

If indeed enforcement mitigation is likely to fail, given the cited examples and lack of will to fund, why even open up this can of worms? If this issue can be ended once and for all by the APOSD, that would be good for the community; otherwise I think we’re looking at this issue coming back and back and back and back, no end to it; who will be the next to get three votes to enforce their will?

After 3 years is up and the City has to pay for all maintenance and enforcement itself, given the City’s reluctance to pay for existing leash enforcement on the SOT and cemetery, and resistance to paying for dedicated off-leash mitigation now on Montini, the City Council at that point could vote for less money to Montini. The regime of mitigations now proposed could be undermined by future council votes to result in even less protection for natural resources on the Preserve. What steps will be taken by the City and the APOSD to ensure that protections are not taken away in the future because of budget or other considerations? If the City is to become steward of the land consistent with the Conservation Easement, wouldn’t it just be easier to not allow dogs period and not have to incur all the potential costs and troubles? Just give the dog folks a large dog park, either from the City or APOSD, and all agencies and citizens can move on.

Regarding the impact on Copper’s hawk and Oak titmouse, the document says: “The implementation of the mitigation measures identified above would reduce impacts in this area to a less-than-significant level.”

-again, compliance with rules is assumed and declarative language is used, unlike the PCI study; the mitigation measures WOULD reduce impacts to a less than significant level. This seems like a big reach, this is clearly a value judgment based on hoped for outcome and not a statement based on how things might be or: in accordance with a legitimate alternate strong explanation and how things already are on other public lands (Jack

London, Sugarloaf, Bartholomew, Marin Open Space) that allow leashed dogs. For the Draft: Just that it's said doesn't mean that it's so. Yet this type of reasoning seems to be the basis for much of logic on how the mitigation measure would work, just because the City said so. The City seems to be basing its rationale that a certain regime of signs, leash rules, poop bags, low walls, volunteer patrols and trailhead closures will work to deter off-leash dogs, when as noted, this same regime is not effective with the above-cited public lands, and promise to be ineffective as applied to Montini and without any special extra funding, perhaps guaranteed to fail.

“Mitigation Measure 4.b.1: Dog owners and individuals accompanying dogs will be required to clean up and remove dog waste. This requirement will be codified by ordinance as an amendment to the Sonoma Municipal Code.”

-Again, impact to wetlands is fixed in words only; the conspicuous lack of active enforcement leaves open the likely potential for off-leash abuses that will certainly result in high and significant impacts on Conservation Values (natural attributes of the Preserve) from dogs.

“(Note: the home range of a Mountain Lion is typically between 3-15 miles, meaning that Montini Preserve would make up only a small fraction of that territory.)”

-Well, maybe some people would like the chance to see one, by lowering the common denominator along the trail by allowing dogs, this would about guarantee that no one would ever see a lion; this can be looked at as reducing the natural values below an acceptable threshold rather than that the trail (with dogs) is only on a small fraction of the property. This brings up a critical misconception by the City and SVDog as to the purpose of the Preserve, the natural values are for people to appreciate, not so a coyote or mountain lion won't be disturbed; if the purpose of the Preserve was for nature only, then no one would be allowed in period. Reasoning in the Draft is that only a small percentage of habitat will be effected, yet the PCI study clearly notes that wildlife habitat is inter-linked. The ecology of the Preserve is made up of multiple patches of habitat that species cross back and forth to and from. The over-all ecology of the Preserve represents a whole. That dogs will only have effects on the immediate trail area is a misreading of ecology in general and of the PCI study and, this perspective of impact only limited to the trail area minimizes the natural values that preservation stakeholders want and that the Conservation Easement emphasizes.

That there would be no mountain lions nearby to see, or to be living there, would result in a trophic cascade and a higher impact of deer in areas closer to the trail; what people would see then would not be a natural preserve but a subtle domestic environment, an environment tamed by allowing dogs.

“As discussed above, the introduction of trails and hikers, as already allowed for under the approved Management Plan, will result in a level of activity along trail routes that could disturb animals encountering a hiker.”

-But the PCI study is not about the impact of hikers, it is about impact of dogs, to conflate this just recapitulates an SVDopg group argument and shows the bias of the reporting here. If we are going to analyze the impacts of hikers on the Preserve, we need another

study for that and not be able to make unfounded assertions based on opinion only. This is a further misconstruing of the values sought to be preserved: it's not about whether someone disturbs a coyote; it's about giving people the chance to interact with and relate to nature and experience those values as a respite from dense urban living; not about bringing as many domestic qualities as possible into this natural area that holds the potential to transform people's awareness and open up the natural world to them. Because people have an impact does not then justify a race to the bottom.

If the City uses SVDog arguments in its rationale for the Draft, other stakeholders would have liked to see their wishes incorporated into an analysis of the issues as well.

“At least 95% percent of the Preserve lies outside of this potential zone of disturbance.”

-Yes, if you view disturbance only as trampling of plants next to the trail, which as mentioned earlier, constitute a scenic/ aesthetic degradation. This premise ignores the PCI study conclusion: the effects of dogs are likely to have widespread and permanent impacts, how can this be ignored for a facile argument such as only 5% will be impacted? If this report was a bit more fair it could be OK to make a few cherry pick arguments, but since all is so weighted against preservation arguments, it is hard to not see the whole effort as one big set-up to simply justify what the city council ordered staff to do. The Draft is not an objective study by any means. If this is supposed to suffice for a CEQA process, then CEQA would have to be seen as only a temporary impediment to any municipal entity doing whatever they want as long as they say it is mitigated.

“An allowance for leashed dogs on trails would not change this conclusion significantly (that people have a similar level of disturbance as to dogs), as long as there is substantial compliance with the requirement that dogs be kept leashed. However, compliance is a key consideration, as unleashed dogs could chase, harass, and even kill wildlife before being brought under control and would extend the area of potential disturbance outside of the immediate vicinity of the trails. Compliance with the requirement to keep dogs leashed and under control at all times is addressed in Mitigation Measure 4.a.2 and 4.a.3. The implementation of those measures, along with Mitigation Measures 4.a.1 and 4.b.1, would limit potential impacts in this area to a less-than significant level.”

- See my previous comments; without the dedication of resources specifically to enforcement of leash regulations and trying to shoehorn costs into the SEC maintenance budget of @ \$17,000 a year, the likelihood of violations having significant impacts is great, given the prevalent number of off-leash troubles at Jack London, Sugarloaf, the SOT, Bartholomew Park and Marin Open Space; that there are signs and rules at these places and that there are continuing problems with off leash dogs speaks to that these problems cannot be mitigated with mere signage and on a volunteer enforcement basis. I submit that the mitigation is not adequate to prevent significant impact and it is very likely that disturbance to values critical in the Conservation Easement will be violated.

At what point then would a dog allowance be retracted and on what basis? What can constitute proof if a current scientific study is partially read in ways counter to its main conclusion? How much proof will be needed before the allowance for leashed dogs is discontinued? If the current regime of mitigations is allowed by the APSOD in an

amended management plan, does this then become locked in so that no more mitigations can be enacted as part of the management plan? If this is the case, then many more mitigations need to be added: 1 dog per person, 3' leash, \$200 dollar first fine and progressive from there, or 1 violation and you are permanently out of the preserve, video and photo evidence valid for a ticket, hard fencing of wetlands and rare plants, dedicated enforcement money and personnel that extend to the SOT, cemetery, Field of Dreams and State Park, permanent trail closure in the oak woodlands, no commercial dog walkers and I'm sure a few more. Like all good deterrents, mitigations need to have teeth.

“(4.e) An allowance for leashed dogs on trails within the Preserve, as provided for in the proposed amendment to the Management Plan, will not conflict with any locally-adopted policy or ordinance protecting biological resources. No impact would occur.”

-But impact would occur as people are going to get to Norrbom Rd. and go on to the SOT, they will get to Vista Point and go cross country to the State Park's trailhead, impact would occur as demonstrated by the prevalent ignoring of signage existing in Bartholomew, Sugarloaf, Jack London, the SOT and Marin Open Space, what about that? How can a volunteer patrol be there to stop the cumulative significant effect of off-trail, off-leash dogs? The incremental nature of violations will add up and degrade the natural values of the Preserve; how will this be reported and quantified?

“The prohibition on pets was not based on an environmental analysis, as the evaluation that was performed simply assumes their exclusion. It appears that this prohibition was based largely on two factors: 1) dogs are prohibited on the City-owned Overlook Trail, to which the Montini trail will connect; and, 2) the District originally intended to transfer the Preserve to State Parks, where dogs are prohibited by State law.”

-Dogs are not consistent with Conservation Easement values in a small preserve where their impacts will be outsized; you can't have all that preservation language in the Easement and have it mean nothing, it would be a travesty if the APOSD just said those things to mollify State Parks and did not believe a word of it or if Conservation Easements had no underlying principles and were merely relative to whoever the municipal entity ended up being. Conservation Easements are meant to be strong, permanent and meaningful, not just a variable function of which municipal entity will manage the land. The postulation of, and inclusion of Conservation Values is deeper than who will eventually control the land. The APOSD has criteria that transcend local land use desires regardless of it being State Parks or not. In the case of Montini, with the land bordering no dog rules land on all sides, it is more consistent and makes more sense to not allow dogs in any case.

“Mitigation Measure 4.f.1: The City of Sonoma shall work with the District to process an amendment to the Management Plan allowing for leashed dogs on trails within the Preserve in a manner consistent with maintaining the conservation values of the Preserve. “The adoption of this mitigation measure would reduce potential impacts in this area to a less-than-significant level.”

-Again, this is just a verbal assertion that does nothing more than rest on the original mitigation points of signs, two access closures, leashes, a poop bag dispenser, volunteer patrols and low walls and fences; that's all the mitigation is, everything in the PCI study

to the contrary is ignored. As mentioned, a citizen might assume that the CEQA process would be more than words; that it would have to have some demonstrable basis and impartial oversight and be able to withstand efforts at falsification.

“GEOLOGY AND SOILS”

-the impact on soils from dog waste is not even mentioned, this seems like an oversight as a progressive accumulation of dog waste will certainly accrue and have an effect, particularly with odor signal value that will effect species composition and habitat distribution.

“(8.f) There are no year-round streams on the site. There are two ephemeral drainages and two ephemeral ditches on the site. If not removed, dog droppings at these locations could degrade the immediate area; however, the points where the trail crosses these features are extremely limited in area and visitors with dogs will be required to clean up after their pets. Although it is inevitable that there will be instances of noncompliance, this would be addressed by the regular maintenance that will occur through the implementation of the Work Plan (Mitigation Measure 4.a.2)”

-I already made my argument about water quality and progressive accumulation of dog waste.

“(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?”

I would like to see how the Coastal Conservancy feels about allowing dogs on the Preserve and if that will effect the status of their large contribution to purchasing the land for certain intended uses? This is a possible deal breaker for the APOSD, if they have to remit more than a million dollars so some people can walk their dogs in nature. Any changes to the Preserve’s land use have to be OK’d by the Coastal Conservancy. By what means will the Coastal Conservancy’s determination be made public?

“(c) Conflict with any applicable habitat conservation plan or natural community conservation plan?”

-made arguments about this before

“(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?”

- The potential impact on State Parks will be such that they will likely revoke permission for the access trail across the Vallejo Home property. That is substantial. That dogs will bleed over onto the SOT, where there is no proposed enforcement provision as a result of the Draft or CEQA, will result in a similar level of cumulative impact on species distribution and habitat occupation.

“(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the

environment?”

- If the APOSD sees clear to allowing a dog park, no one will object; this would be a shoe in. SVDog and the SOT can unite in this one. This is an option with wide, real public support. So what if there is fence contiguous with an existing fence by Field of Dreams? If land use values can be fudged however municipal entities want them and APOSD can approve that, there is no logical reason to not allow a dog park. If everything is really just words on paper, change the words, get it done. It can't work that way in one case, of allowing dogs where the preponderance of evidential weight is against that, but then assert that somehow a dog park is impossible; does not add up.... Give SVDog a large dog park and we will all live happily ever after.

“MANDATORY FINDINGS OF SIGNIFICANCE”

“a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?”

“b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?”

“Discussion: (17.a) Potential effects on biological resources are fully addressed by Mitigation Measures 4.a.1, 4.a.2, 4.a.3, 4.a.4, 4.b.1, and 4.c.1. The implementation of these measures would reduce impacts to a less-than-significant level. No additional mitigation measures are required in this regard.

(17.b) The proposed project would not result in cumulative impacts deemed considerable. Impacts on biological resources and hydrology and water quality would incrementally increase from what would be expected if the current prohibition on dogs on trails within the Preserve were to be maintained. However, the combined effect would not be significant. As described in this Initial Study Environmental Checklist, implementation of Mitigation Measures 4.a.1, 4.a.2, 4.a.3, 4.a.4, 4.b.1, and 4.c.1 would reduce the magnitude of these cumulative impacts to a less-than-significant level.”

This is simply another recap of the basic assertions that a standard set of mitigations will fix everything. “Potential effects on biological resources are fully addressed by Mitigation Measures..” They are ‘fully addressed’? I don’t buy it that they are. The PCI study reaches conclusions not mentioned here, that there will be widespread impact just by the very presence of dogs, leash or not. That other interpretations of equal or more strength have not been considered leaves me to believe that this Draft and interpretation of the PCI is primarily unfolding along a political track, which is not intuitively what one would think the CEQA process would be.

The Conservation Easement is not cited as a reference in the Draft. How can the Draft

study say that all is consistent if this critical reference is not even cited? The Draft seems to assume that the Management Plan will exist independently of the Conservation Easement and/or that the Easement will be able to be changed because it was only made to have such and such Conservation Values because Montini is adjacent to the SOT and that State Parks prohibits dogs and Montini was going to be a State Park.

The amended Management Plan by the city to allow dogs has to be consistent with the Conservation Easement. The PCI study is easily read to mean that dogs are substantially inconsistent with the wording of the Easement. With all the noted preservation emphasis it seems the Easement itself will have to be changed to allow dogs. Amending a permanent conservation easement threatens and undermines the integrity of all conservation easements, especially so for any future APOSD land acquisitions that would promise supporters and donors the acquisition would carry a "permanent" conservation status.

In the balance I see that it is a "heavy lift" to make an allowance for dogs on Montini and I just don't see how it can be done given the Easement language and the PCI study.

For the above arguments I have made, I encourage all parties with a decision, to decide in favor of no dogs on the Montini Preserve trails



June 10<sup>th</sup>, 2014

To: Mayor Rouse, Council Members Gallian, Barbose, Brown and Cook.  
David Goodison, City Planning Director  
and Sonoma County Agricultural and Open Space District: Bill Keene,  
Jacob Newell, and Leslie Lew

cc: Richard Dale Sonoma Ecology Center  
Danita Rodriguez, State Parks Diablo Vista District Ranger

Re: Comments on the Draft Initial Study/Mitigated Negative Declaration and  
an Amendment to allow leashed Dogs on the Montini Preserve

The City of Sonoma is proposing to amend the Montini Preserve Management Plan to allow leashed dogs. The Sonoma Overlook Trail Stewards believe the potential impacts of dogs on the Preserve to be wide-ranging and significant. We oppose this amendment for reasons of land use ethics, cost, safety and predictable failure of control issues.

We support preservation-based land use values and policy for Montini. The opportunity to enjoy nature in and of itself, on a beautiful walk close by the center of town, linked to the Overlook Trail and Mountain Cemetery, is an invaluable resource for an increasingly dense urban area. A unified, dog free trail system provides a special opportunity for people to engage and appreciate the natural environment.

Along with renowned naturalists Edward O. Wilson, Aldo Leopold, John Muir and Henry David Thoreau, we align ourselves with values and philosophical precedents supporting a preservation-based land ethic for the Montini Preserve. We see restoration and preservation as an ethical choice incumbent upon those who are stewards of the land.

In this regard the principled language of the Preserve's ultimate controlling document, the Conservation Easement, is strong and meaningful and weighs in favor of preservation. We support full inclusion of these principles in any final draft of the Management Plan. Domestic animals disturb nature and the well-stated point of the Preserve is to emphasize nature.

As such, the Agricultural Preservation and Open Space District (APOSD) defines a hierarchy of uses where protection of natural resources is the first priority, scenic values are second and recreation and education come in third place. Any conflict of uses is to default to this prioritization. Wildlife and habitat, being essential parts of the natural resources of the property, deserve priority over increased and intensified use by domestic animals.

## Stewards 2014

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www.sonomaoverlooktrail.com

The trail is funded by individuals, civic groups, and local businesses.

The trail was built largely by volunteers and continues to be maintained by a group of volunteer stewards specializing in natural plants, and habitat restoration.

Today, a hike on the trail offers an opportunity for all Sonomans, their guests, and visitors to our city to experience the area and enjoy views comparable to those of the original inhabitants and early settlers of the incredible Sonoma Valley and beyond.



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The amended management plan by the city to allow dogs has to be consistent with the Conservation Easement. With all the above noted preservation emphasis it seems the Easement itself will have to be changed to allow dogs. Amending a permanent conservation easement threatens and undermines the integrity of all conservation easements, especially so for any future APOSD land acquisitions that would promise supporters and donors that the acquisition would carry a "permanent" conservation easement.

From a wildlife preservation standpoint, the Sonoma Ecology Center also supports a dog free trails policy. For best practice examples: State Parks and the National Park Service stand as substantial precedent for the value of dog free trails.

The Overlook Trail has had a dog-free policy since its inception, as does the adjacent Mountain Cemetery and Field of Dreams. We are concerned that by allowing dogs on the Montini Preserve, different sets of rules on contiguous trails will cause confusion and provide opportunity for rule breaking and to diminish the land use values we support on our trail.

There are many local alternatives close by for dog owners: Bartholomew Park, Sonoma Valley Regional Park, Nathanson Creek trail, Fryer Creek trail, the Bike Path linking to Maxwell Regional Park and two dog parks: Ernie Smith Park and Sonoma Dog Park. Sonoma Valley dog owners deserve a large dog park; we don't believe it should be the Montini Preserve.

Off-leash dogs represent a substantially increased negative impact to wildlife, habitat and hiker safety. There is demonstrated widespread non-compliance with leash rules on other public lands (Bartholomew Park, Sugarloaf Ridge, Jack London and the Marin Open Space District). We're concerned that the intermittent nature of enforcement of off-leash dogs, limited by City budget constraints will leave open a window for substantial environmental impacts.

Public areas open to leashed dogs are rarely without dog waste. Lack of proper disposal is a known, predictable problem. Inevitable uncollected waste will add up; the cumulative effect will degrade natural habitat, reduce species diversity and negatively affect the downstream watershed.

Dogs are prohibited from most public venues because of predictable failure of control issues coupled with safety issues to the public. Keeping the Montini Preserve dog free causes the least potential harm to the public at large and to the natural values expressly emphasized by the APOSD.

The trail is designed and built for hikers, not for multiple use purposes. Safe passage will be compromised for hikers needing to make way for dogs; increased exposure to ticks, poison oak, rattlesnakes and dog behavior incidents are potential risks to the public.



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CO SEC 4 DE 2014 13:01  
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The Vallejo Home/ 4th Street West access to the Montini trail will likely be revoked because State Parks has a firm opposition to dogs on its trails. This will require the City to construct an expensive alternate access trail across wetlands on the Montini pasture from 5th Street West. The cost of this provision will be substantial, adding to the multi-thousand dollar costs of the biological study, the amended plan, staff time, and the \$1.15 million the City has already spent to acquire the Preserve.

The May 2014 Biological Resources Evaluation of the Effects of Dogs on the Montini Preserve by the PCI environmental consulting firm reaches clear conclusions highlighting many wide ranging negative impacts of dogs on the primary Conservation Values of the Preserve. "The primary effects of dogs on wildlife are likely to include...": dogs create a greater level of disturbance than hikers alone; dog disturbance decreases bird species diversity and abundance; the presence of dogs results in habitat avoidance and changed wildlife community composition; dogs facilitate the spread and establishment of invasive plant species; dogs transmit plant pathogens, e.g. sudden oak death; dogs will spread Lyme disease and Parvo virus; off-leash dogs will compete for aquatic resources and disturb vulnerable amphibians; rare plant populations will be vulnerable and put at risk by digging and trampling by off-leash dogs; off-leash dogs chase, bark at, injure and/or kill wildlife.

We don't believe the mitigations recommended by the City: signs, leashes, waste bag dispenser, volunteer patrols and low fences, will reduce negative impacts sufficiently to forestall significant effects. Mitigation lowers the common denominator of the primary land use values and dilutes the very meaning of a Preserve and compromises the integrity of the Easement.

Allowing dogs on the Preserve will intensify use in general and detract from the primary natural values. We agree with the PCI study's conclusion: "Overall, introduction of dogs to the Preserve would be likely to have widespread and long lasting effects on natural resources...".

For all the above reasons, the Sonoma Overlook Trail Stewards support preservation based land use policy on the Montini Preserve and oppose allowing dogs on the Preserve.

Yours Sincerely,

*Joanna Kemper*      *Fredrick C. Allebach*

The Sonoma Overlook Stewards  
Joanna Kemper, Chair and Fred Allebach, Steward

**Subject:** Re: Draft Mitigated Negative Declaration

**Date:** Friday, May 30, 2014 at 1:04:50 PM Pacific Daylight Time

**From:** Lisa Summers

**To:** David Goodison

Hi David,

Thanks for forwarding this. I wanted to follow up with a few comments. First, I don't think public safety has been adequately addressed anywhere in the planning process. For example, as I told you yesterday, I was up on the Overlook Trail with a group of 5th graders from Dunbar several weeks ago and we nearly missed a rattlesnake that was hiding in a fallen log just inches from the trail. If we had to make way for a dog (and large dogs will barrel through kids, even knocking them over), we would have been forced to sidestep off the trail into the very place where the rattlesnake was. Even this morning I warned a group of hikers from the Fairmont Hotel about a coiled baby rattlesnake that was hidden in the shadows at the junction of the trail and the paved Cemetery road. Adding dogs to these narrow trails puts hikers at a very increased risk of encountering rattlesnakes – an especially dangerous prospect in the spring when the babies are out. They are always present during warm weather. I'm up there 3-5 days a week - I know!

The only way to mitigate this risk at Montini is to widen the trails significantly. Will the City take responsibility for public safety issues if the Amendment passes? When the biologist at Bouverie was bitten by a rattlesnake last year, Sonoma Valley Hospital did not have anti-venom, and her transport time was considerably longer because she had to go to Santa Rosa. Fortunately she was strong and healthy. If she had been very young or very old or weak, the outcome might have been much different. Something to think about.

Also, many of the Sonoma Overlook Trail stewards and docents have expressed concern about the increased presence of dogs on the SOT should they be allowed on Montini. Signage doesn't work that well. In fact, with all the public attention on the lack of an enforcement presence for dogs on the SOT, we have seen a recent increase in dogs on the trail. Contact with dog owners can be, at best, uncomfortable and even dangerous if the dog (or the owner) is aggressive. Mitigating off leash violations with volunteer patrols puts the volunteers at risk.

I will include these comments in my formal comments to the Mitigated Neg Dec.

Thanks again!  
Lisa

On Thursday, May 29, 2014 2:23 PM, David Goodison <davidg@sonomacity.org> wrote:

Hi Lisa—Here you go... The draft amendment is included with the initial study as an attachment.

The Management Plan is available here:

<http://www.sonomaopenspace.org/docManager/1000001232/Report.pdf>

David



**CITY OF SONOMA**  
**City Council**  
**Agenda Item Summary**

City Council Agenda Item: 8A

Meeting Date: 07/21/2014

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**Department**

Administration

**Staff Contact**

Carol E. Giovanatto, City Manager

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**Agenda Item Title**

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

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**Summary**

The vision of a community swimming pool has been in the minds of Sonoma residents for many years and over the past decade several attempts have been made to formulate a plan and secure a site upon which to develop an aquatic center for the benefit of both the City and the Valley. The Sonoma Valley Health and Recreation Association [SVHRA], also known as Sonoma Splash, has made significant progress toward turning the Sonoma community swimming pool "vision" into a "reality" by securing a site for development. To support this purchase, the SVHRA has submitted a request for funding in the amount of \$500,000 to complete the amount necessary [\$1.7M] close escrow on the property. As stated in the letter, this amount represents slightly less than 5% of the estimated total project cost of \$10-12 million. The determination as whether to grant the request for full funding or to provide an amount less than the full amount lies solely within the discretion of the Council.

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**Recommended Council Action**

Council discretion.

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**Alternative Actions**

N/A

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**Financial Impact**

Should the Council approve the full amount of the request, General Fund Special Project Reserve would be reduced by \$500,000 or 27%.

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**Environmental Review**

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

**Status**

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

**Attachments:**

Letter from Sonoma Valley Health and Recreation Association  
"Sonoma Splash" Project Overview  
Supplemental Report

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**Alignment with Council Goals:**

The City Council has supported the concept of a community swimming pool for several years and has made it a stated Goal of the Council since 2009 to "Support a Community Swimming Pool facility".

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**cc:**

Sonoma Valley Health and Recreation Association

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## SUPPLEMENTAL REPORT

### ***Discussion, Consideration and Possible Action on the Sonoma Valley Health and Recreation Association Request for Funding for the Community Swimming Pool Property Purchase***

*For the Council Meeting of July 21, 2014*

#### BACKGROUND

The vision of a community swimming pool has been in the minds of Sonoma residents for many years and over the past decade several attempts have been made to formulate a plan and secure a site upon which to develop an aquatic center for the benefit of both the City and the Valley. The Sonoma Valley Health and Recreation Association [SVHRA], also known as Sonoma Splash, has made significant progress toward turning the Sonoma community swimming pool “vision” into a “reality” by securing a site for development.

#### CITY OF SONOMA SUPPORT

The City Council has supported the concept of a community swimming pool for several years and has 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 is the potential purchase of the property known as “Paul’s Resort” located on Verano Avenue which requires that fund-raising efforts must meet an estimated \$1.7M to close escrow by August 19. Representatives of the SVHRA along with Council liaison members Mayor Rouse and Councilmember Brown requested to meet with City Manager Giovanatto to discuss the potential for the City to contribute funding for the property purchase. Topics discussed during two meetings included fundraising efforts to date, long-term business model, County infrastructure/in-kind contributions and proposed sustainability portfolio. The SVHRA believes that the City’s financial support is imperative to leveraging future benefactors and endowments. As such, the SVHRA has 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. As stated in the letter, this amount represents slightly less than 5% of the estimated total project cost of \$10-12 million. The determination as whether to grant the request for full funding or to provide an amount less than the full amount lies solely within the discretion of the Council.

#### FUNDING OPTIONS

Staff is offering four options for consideration to assist the Council in their deliberations on the funding request made by the SVHRA as follows:

**OPTION 1. Forgivable Loan.** Approve funding contribution for the purchase of property as site for community swimming pool through the creation of a forgivable loan agreement secured by a Second Deed of Trust on the property.

Terms: 5-years with annual payments; annualized interest rate equal to the City’s investment rate over the prior 12-month period. 30 days prior to annual payment due date, Council will review the status of the project. Should the Council deem that sufficient progress has been made toward project completion [based on agreed to timeline or established benchmarks], Council will direct that the annual payment be waived and the loan obligation reduced.

OPTION 2. **Bridge Financing.** Approve funding contribution for the purchase of property as site for community swimming pool through the creation of a loan agreement for bridge financing secured by a Second Deed of Trust on the property.

Terms: 10-years. Year 1 through Year 5 no annual payment and no interest accrual; beginning year 6 the SVHRA will begin repayment of the original loan at an interest rate equal to the City's investment rate. This would give future Council's the opportunity to renegotiate the loan or forgive the loan depending upon the economic state of the City. This option would [1] allow the pool complex to get financially established and [2] allow for the proceeds of loan repayments be used to establish a future Recreation Program for the City or other purposes as determined by the City Council.

OPTION 3. **Capital Grant.** Approve funding contribution for the purchase of property in the form of a capital grant with no expectation of repayment. This would be a direct grant and payment to the SVHRA could be made within 10 days.

OPTION 4. **Delay Funding.** Delay funding approval at this time. Consider funding during a future budget cycle.

#### STATUS OF GENERAL FUND RESERVES

Consideration for funding would be outside the adopted FY 2014-15 Budget and therefore requires that the source be drawn from existing General Fund Reserves. The City maintains three separate accounts for reserves in accordance with the City Reserve Policy as summarized below:

- EMERGENCY RESERVE – The purpose of the emergency reserve is to provide operating and/or repair funds in the event of a local disaster or catastrophic event [\$2,200,106]
- OPERATING RESERVE –This reserve is not intended to provide funding for new programs or for “buys of opportunity” or similar circumstances, usually involving the purchase of property. [\$1,500,000]
- SPECIAL PROJECTS RESERVE – The purposes of the Special Projects Fund are to segregate the surplus fund balance from recurring revenue sources so that such surpluses will be appropriated only for non-recurring expenditures and to create a funding source for one-time projects. [\$1,841,071]

While each Reserve Account maintains designated balances, only one account can be utilized to provide funding for the community pool project. The Special Projects Reserve Account reflects a current balance of \$1,841,071 and by definition could be drawn down to fund a contribution to this project. Should the Council chose to fund Option 1, 2 or 3 (above) the funding would be deducted from the balance in the Special Projects Reserve. To fully fund the request of \$500,000 would reduce the Special Projects Reserve by approximately 27%.

#### NEXT STEPS

Time is of the essence in addressing the request from the SVHRA. Should the Council choose to fund the community pool project, direction should be given to staff as follows:

1. Agreed upon funding amount
2. Funding Option [1,2,3 above] or other option per Council direction
3. Direct staff and the City Attorney to prepare the necessary documents for approval at the August 18 Council meeting [Options 1 or 2]

15 July 2014

Sonoma City Council  
1 The Plaza  
Sonoma CA 95476

SVHRA  
BOARD OF  
DIRECTORS

Dear Mayor and City Council Members

Paul Favaro,  
Board President

The Sonoma Valley Health and Recreation Association, a 501(c)(3) non-profit organization, was formed fifteen years ago with the mission of bringing a community pool to the City of Sonoma and the greater Sonoma Valley. That mission became more urgent with the 2005 closing of the swimming pool at the high school that at least partially served the community's aquatic needs, mostly in the summer months. For the most of the past decade, the majority of our community has had no access to a swimming pool without having to join a private club.

Arden Kremer,  
Board Secretary

Samuel Coturri,  
Board Treasurer

Most of the attempts that have been made by various groups, including ours, to bring a community pool to Sonoma have focused on seeking public funds to build and support such a facility. Our approach this time is different. We believe the community strongly supports our mission, and that we can raise the funds to build a community pool largely through private channels.

Madolyn Agrimonti

Ken Brown

Another difference in our approach is that we will be designing the facility in a way that allows us to work with commercial user groups, such as a co-located health club facility, that will bring a sizable and guaranteed source of revenue to the facility. According to our partners at the United States Swimming Foundation Build-A-Pool Division, this is a popular model emerging in these times of limited public funding, and it is a model they strongly support.

Thomas Coughlan

Kathleen Hill

Sidney Hoover

On May 16 we entered into a contract to purchase the six-acre property known as Paul's Resort, across Verano Avenue from Maxwell Farms Regional Park. While we cannot publicly discuss the terms of the contract, we need to raise \$1.7M by our closing date of August 19 to be able to complete the purchase and pay for other acquisition costs. We have been engaged in a very active fund-raising program since we went into contract, and we have thus far successfully raised two-thirds of the required funds. But we remain approximately \$500,000 short of the goal for this initial phase of fund-raising. While we will continue to actively seek funding support from the community over the next four weeks, we are seeking support from the City of Sonoma to ensure that we can close on this property and move onto the next phase – design, construction, and fund-raising to pay for the facility.

Tom Rouse

Cynthia Wood

We believe this is exactly the type of project that the City of Sonoma should support because it has been such a long-sought after objective for the community, it has strong community support, and we have secured what we believe to be the single best location for a community pool. It is at the demographic center of the valley, adjacent to an already very popular park, and very close to the people in our community that we feel will most benefit – those without other access or means to a swimming pool. It is also accessible to every citizen of the City of Sonoma, as it is a mere two blocks from the City's northwest boundary, but has the space and site features that no site within the city limits offers, and which are necessary to have an economically sustainable business model.

We also believe that this facility will bring visitors to the town of Sonoma for swimming competitions and special events, visitors who will be staying in local hotels and patronizing shops and restaurants in our town. It will not only provide a boost to the quality of life of our fellow citizens, but it will be an economic boost to their city as well.

As such, we are asking the City of Sonoma to provide us with funding, in the form of a loan in the amount of \$500,000, secured by a deed of trust on the property. The loan would be forgiven over a five-year period based on continued progress and operation. This will ensure that we are able to close on this uniquely-located property, and move forward with the second phase of designing, constructing and funding the aquatics facility that this community deserves. That level of funding will represent slightly less than 5% of the total project cost (estimated at \$10-12M), but will make the difference in our ability to confidently move forward.

Best Regards,



Paul F. Favaro  
President, Sonoma Valley Health & Recreation Association



sonoma  
splash

SVHRA

sonoma valley health and recreation association

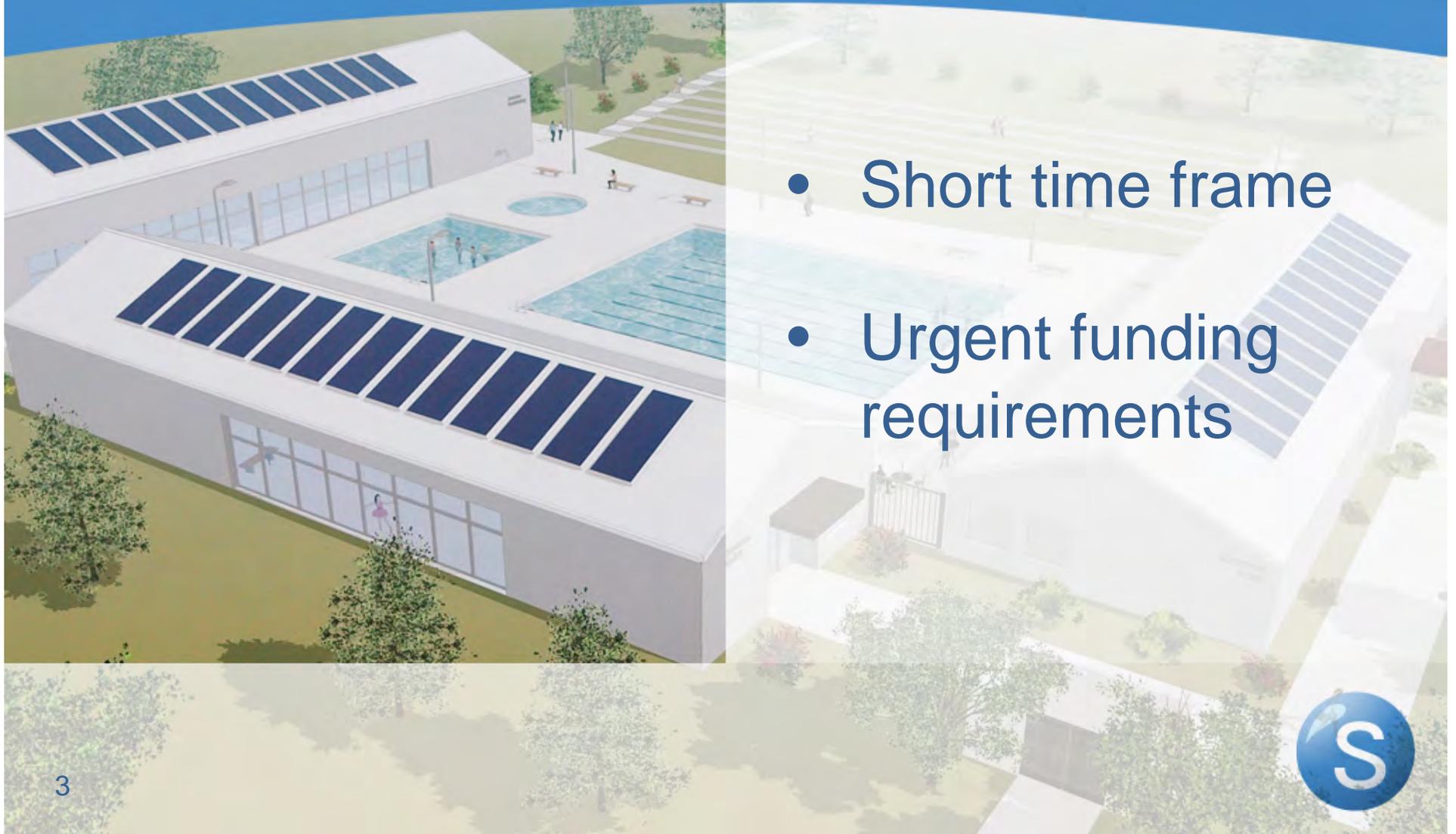
# Our Vision

The Sonoma Valley Health and Recreation Association and Sonoma Splash are committed to building a sustainable, state of the art, multi-use aquatic facility accessible to all of Sonoma Valley's residents for aquatics education and safety, recreation, fitness, physical therapy, and family fun.

The goal of Sonoma Splash is to create a community space that inspires residents from across the Valley to come together for health, fitness, recreation and education.



# Phase 1: Securing the Property



- Short time frame
- Urgent funding requirements



# Phase 1: Securing the Property

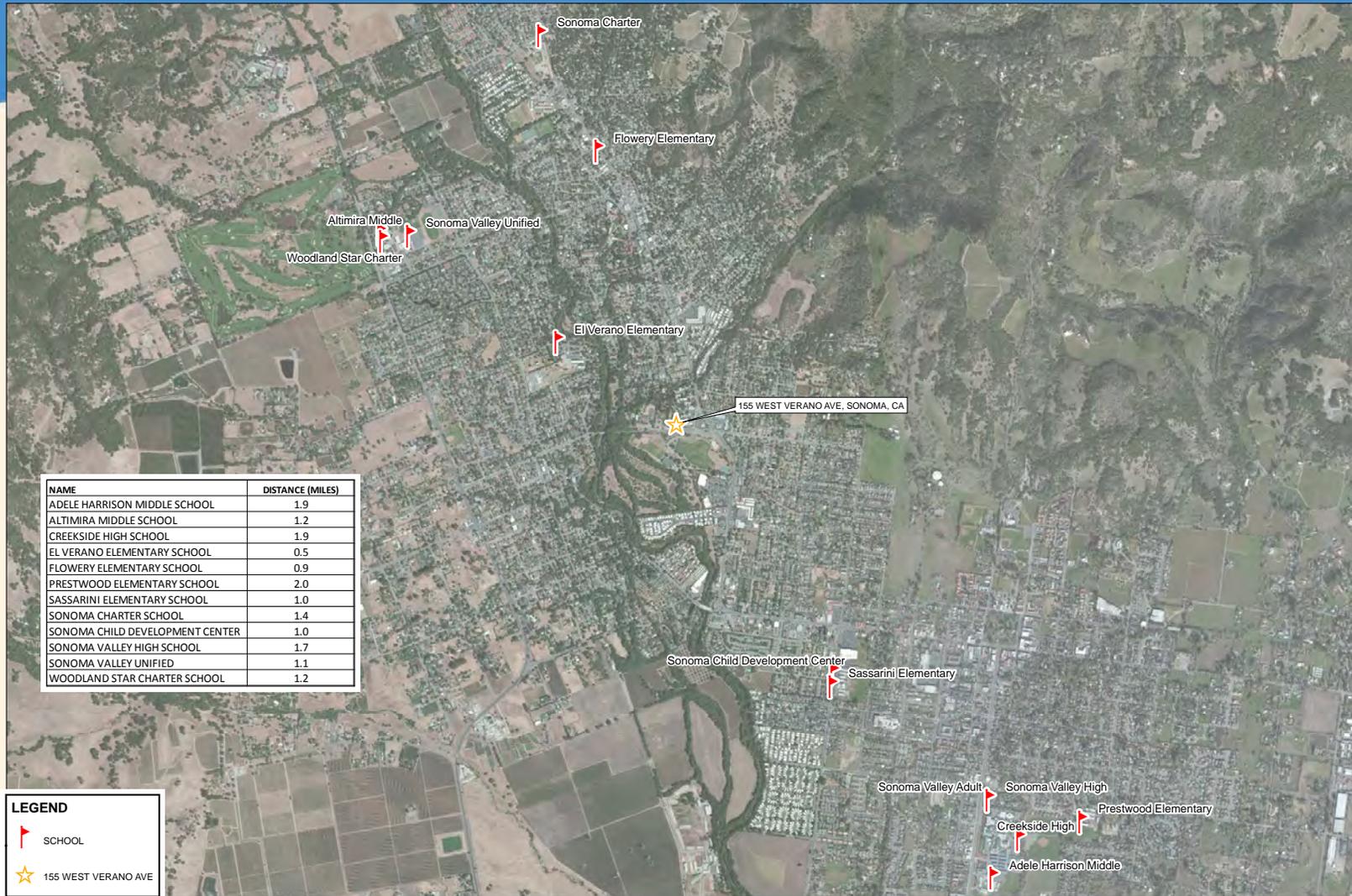


Site at “the Old Paul’s Resort” on Verano Avenue

# Rendition of Proposed Facilities



# Proximity to Sonoma Schools



# Major Milestones

- May 2014 - August 2014:
  - Develop initial site plan
  - Due diligence (environmental, engineering, zoning, etc.)
  - Phase I capital campaign – raise \$1.7M to close escrow
  - Close Escrow – August 19, 2014
- June 2014 – October 2014:
  - Develop initial operating budget and sustainability plan (in progress)
- August 2014 – June 2015:
  - Develop and submit site and facilities design for permits
  - Phase II capital campaign – raise funds to retire any project debt
  - Acquire construction financing to initiate construction
- June 2015 – May 2016:
  - Facilities construction
  - Open aquatics complex late May 2016
  - Begin Phase III capital campaign to retire construction
- May 2016: Open the Facility!



# Swimming Saves Lives

- Drowning is second leading cause of death in children aged 4-18 in the United States. According to data compiled from USA Swimming, since Memorial Day this year, 72 children younger than 15 have tragically drowned in a swimming pool or spa.
- SwimAmerica Swim School scholarship program affords the opportunity for all children in Sonoma Valley to learn the life saving skill of swimming
- A focal point of Sonoma Splash will be to offer opportunities for full participation, especially among the underserved — providing scholarships for those in need



# Dynamic Programming Model

- Learn to Swim
- Swimming for Fitness
- Aqua Therapy
- Water Aerobics
- Competitive Swimming
- Water Polo
- Family Programs
- Teen Programs
- Special Events
- Recreation
- Dry-Land Activities

Sonoma Splash will be a multi-use facility, incorporating a competition-sized pool and two smaller, warmer pools into a dynamic programming package offering a wide variety of aquatic education, safety and fitness programs. Maximizing uses is the key to success for any community pool - this facility will be designed to accommodate competitive swim programs and events, learn-to-swim programs, lap swimming, aquatic recreation, water safety, physical therapy and much more. Sonoma Splash will allow meaningful access to the water for Valley residents for all ages while creating a diverse revenue stream to ensure long-term success.

# Benefits to Sonoma Valley Residents

- Public Safety – Drowning is the second leading cause of accidental death for children under 15. Access to pools and swimming lessons helps prevent this
- Tax Revenue – Competitions and special events will bring visitors to Sonoma who will stay in local hotels, eat in local restaurants and shop on the Plaza
- Community Engagement – Sonoma Splash will be a community center where all residents are welcome, and will enhance the quality of life for city residents of all ages through programs designed to keep people active and healthy
- Partnerships – Sonoma Splash has a growing list of endorsers and partners among respected Sonoma organizations and individuals. With the City Council's vote to partner with SVHRA by funding a small portion of the project, they will be fulfilling a long-stated goal of bringing a community swimming pool to Sonoma



# Sources of Revenue

- Lease rent from on-site commercial partner(s) (e.g., health club)
- Valley-based user groups (e.g., learn-to-swim programs)
- Aquatic and other recreational events (e.g., invitational swim meets)
- Community memberships (e.g., lap swimmer groups, masters swimming, etc.)
- Recreational walk-ups
- Other TBD



# Endorsements

- Bill Buchanan, Parkpoint Club
- Neil Colwell, Sonoma Valley Chamber of Commerce
- Richard Dale, Sonoma Ecology Center
- George & Pamela Hamel, Hamel Family Wines
- Juan Hernandez, La Luz
- Cheryl Johnson, Sonoma Valley Community Health Center
- Robert Kamen, Kamen Estate Wines
- Kelly Mather, Sonoma Valley Hospital
- Mac & Leslie McQuown, Stone Edge Farm
- James Momtazee, Repris Winery
- Mick & Sue Nelson, United States Swimming Foundation
- Dave Pier, Boys and Girls Clubs of Sonoma Valley



# SVHRA Board of Directors

Madolyn Agrimonti  
Ken Brown  
Sam Coturri  
Paul Favaro  
Thomas Coughlan  
Kathleen Hill  
Sid Hoover  
Arden Kremer  
Tom Rouse  
Cynthia Wood



# Acquisition and Development Team

Christine Dohrmann, Principal, Dohrmann & Associates

Richard Idell, Attorney, Idell & Seitel, LLP

Chuck Lamp, Realtor, Sotheby's International Realty

Nikki Naylor, Realtor, Alain Pinel Realtors

Michael Woods, Attorney, MRW Law Corp



sonoma  splash.org



**CITY OF SONOMA**  
**City Council**  
Agenda Item Summary

City Council Agenda Item: 8B

Meeting Date: 07/21/2014

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**Department**

Administration

**Staff Contact**

Carol E. Giovanatto, City Manager

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**Agenda Item Title**

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

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**Summary**

The League of California Cities 2014 Annual Conference will 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 (delegates) 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.

The deadline to provide these designations to the League is August 15. To date, no member of the City Council has registered for the conference.

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**Recommended Council Action**

Designate a Voting Delegate and up to two Alternates.

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**Alternative Actions**

Council discretion.

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**Financial Impact**

n/a

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**Environmental Review**

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

**Status**

- Approved/Certified
- No Action Required
- Action Requested

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Attachment: Notice from the League.

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cc:

**Council Action Advised by July 31, 2014**



May 1, 2014

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES  
League of California Cities Annual Conference – September 3 - 5, Los Angeles**

The League's 2014 Annual Conference is scheduled for September 3 - 5 in Los Angeles. An important part of the Annual Conference is the Annual Business Meeting (*at the General Assembly*), scheduled for noon on Friday, September 5, at the Los Angeles Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

**Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 15, 2014. This will allow us time to establish voting delegate/alternate records prior to the conference.**

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates must be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: [www.cacities.org](http://www.cacities.org). In order to cast a vote, at least one voter must be present at the

-over-

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Los Angeles Convention Center, will be open at the following times: Wednesday, September 3, 9:00 a.m. – 5:30 p.m.; Thursday, September 4, 7:00 a.m. – 4:00 p.m.; and Friday, September 5, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 15. If you have questions, please call Karen Durham at (916) 658-8262.

Attachments:

- 2014 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

## Annual Conference Voting Procedures 2014 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



**CITY OF SONOMA**  
**City Council**  
Agenda Item Summary

City Council Agenda Item: 8C

Meeting Date: 07/21/2014

---

**Department**

Administration

**Staff Contact**

Carol E. Giovanatto, City Manager

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**Agenda Item Title**

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

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**Summary**

At the July 7 City Council meeting, Mayor Rouse requested that the City Council give consideration to changing the format of the City Council meeting agendas.

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**Recommended Council Action**

Council discretion.

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**Alternative Actions**

n/a

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**Financial Impact**

n/a

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**Environmental Review**

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

**Status**

- Approved/Certified
- No Action Required
- Action Requested

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Attachment: None

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cc:



**CITY OF SONOMA**  
 City Council  
 Agenda Item Summary

**Agenda Item: 10A**  
**Meeting Date: 07/21/2014**

<b>Department</b> Administration	<b>Staff Contact</b> 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