

**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



Monday, December 1, 2014

6:00 p.m.

MINUTES

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

OPENING

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

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

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, City Attorney Walter, Finance Director Hilbrants

1. COMMENTS FROM THE PUBLIC

Scott Braun reported alleged abuses at The Haven and encouraged the Council to investigate and take some correction actions.

Rosemarie Pedranzini referenced a newspaper article regarding a proposed roundabout in the City and stated that she would be at the meeting when that issue came up.

Jeanette Fung asked the Council to ease up on the regulations for freestanding signs and to make them more business friendly.

Joanne Sanders stated her support for roundabouts and for the proposed Golden Gate Bridge toll for pedestrians and bicyclists.

Andrew Sawicki, candidate for City Council, stated his appreciation to the Council, congratulated the winners, and stated he would be back.

Jack Wagner, candidate for City Council, also thanked the Council for their assistance and support.

Jeanne Markson Artson thanked Councilmembers Barbose, Brown and Rouse for their service.

2. MEETING DEDICATIONS

Clm. Brown dedicated the meeting in the memory of Yves Gregoire Casabonne.

3. PRESENTATIONS – None Scheduled

4. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

- Item 4A:** Waive further reading and authorize Introduction and/or adoption of ordinances by title only.
- Item 4B:** Approval of the minutes of the November 17, 2014 City Council meeting.
- Item 4C:** Adoption of a resolution declaring the results of the November 4, 2014 General Municipal Election. (Res. No. 57-2014)
- Item 4D:** Approval and ratification of the appointment of James Bohar to the Countywide Bicycle & Pedestrian Advisory Committee for a two-year term.
- Item 4E:** Adopt a resolution approving a Memorandum of Understanding with Sonoma Employees' Association (SEIU Local 1021) for the period January 1, 2015 through June 30, 2017. (Res. No. 58-2014)

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

Item 4F: Adopt resolutions approving changes to terms and conditions of employment for the Executive, Management, Administrative and Non-Represented Confidential personnel for the period January 1, 2015 through June 30, 2017 and fixing the salaries and wages of officers and employees of the City. (Res. No. 59-2014 and 60-2014)

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

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

Item 5A: Approval of the portions of the minutes of the November 17, 2014 City Council meeting pertaining to the Successor Agency.

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

WORDS OF APPRECIATION & GOODBYES

Mayor Pro Tem Cook presented the honorary Mayor's Gavel to Mayor Rouse, and then he and Clm. Gallian expressed appreciation for their service and presented plaques to Mayor Rouse and Councilmembers Barbose and Brown.

Mayor Rouse thanked everyone, especially his wife, for their support during his term on the City Council. He said it had been a great time and he especially enjoyed the year as Mayor.

Clm. Barbose stated it had been an honor and a privilege to serve on the Council and represent the citizens. He thanked fellow Councilmembers and staff and said he would miss serving with them.

Clm. Brown stated he had enjoyed working for the public for sixteen years. He also thanked staff and his fellow Councilmembers for their assistance through the years.

The following expressed their appreciation to outgoing Councilmembers Barbose, Brown and Rouse: Deirdre Sheerin, Cynthia Scarborough, Lin Marie DeVincent, Gary Hermes, Rosemarie Pedranzini, Palar Dalton, Steve Kyle, Michele Rouse, Paul Watts, and Scott Brown.

SWEARING IN CEREMONY

Assistant City Manager / City Clerk Johann administered the oath of office to Gary Edwards, Madolyn Agrimonti, and Rachel Hundley.

RECESS

The meeting recessed from 6:55 – 7:00 p.m. and reconvened with the newly elected at the dais.

SELECTION OF THE MAYOR AND MAYOR PRO TEM

Mayor Pro Tem Cook opened nominations for Mayor. Clm. Gallian nominated Mayor Pro Tem Cook. There were no additional nominations and Mayor Pro Tem Cook invited comments from the public. Rosemarie Pedranzini stated that Cook should be good to her. Jack Wagner and Jenny Irving supported the nomination. The nomination was ratified by a unanimous vote of the Council.

Mayor Cook opened nominations for Mayor Pro Tem and nominated Clm. Gallian. Clm. Hundley seconded the nomination. There were no comments from the public. The nomination was ratified by a unanimous vote of the Council.

6. PUBLIC HEARINGS

Item 6A: Discussion, consideration, and possible action on the extension of an Urgency Ordinance placing a moratorium on Automated Purchasing Machines in the City of Sonoma.

Planning Director Goodison reported that automated purchasing machines (ATPs) were freestanding kiosk-type machines that enable the sale of cell phones, mp3 players, and similar devices for immediate cash. ATPs use specialized technology to assess the value of the device based on model, condition, and value on secondary markets. Newer devices in good working condition could generate as much as \$300 from the transaction. Although ATPs feature some security features, they were not sufficient to deter criminal exploitation and some cities reported an increase in theft of personal electronic devices in cities that allow ATPs. On October 20, 2014, the City Council adopted an Urgency Ordinance placing a temporary moratorium on ATPs in order to allow for the development, review and possible adoption of draft amendments to the Development Code that would regulate or prohibit their establishment and use. Pursuant to the State law, the Urgency Ordinance would expire on December 4, 2014 unless it was extended by the City Council.

Mayor Cook opened the public hearing. There were no comments from the public and the hearing was closed. It was moved by Clm. Gallian, seconded by Clm. Agrimonti, to adopt the urgency ordinance entitled AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA MAKING EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF AUTOMATED PURCHASING MACHINES, TO BECOME EFFECTIVE IMMEDIATELY. The motion carried unanimously.

Item 6B: Discussion, consideration, and possible action on an ordinance amending the Development Code to establish a process for addressing requests for reasonable accommodation.

Planning Director reported that Implementation Program #25 of the Housing Element called upon the City to establish procedures for acting on requests for "reasonable accommodation" in compliance with State and Federal Housing laws pertaining to persons with disabilities. The federal Fair Housing Amendments Act of 1988 made it illegal to discriminate in housing against individuals based on their race, color, religion, gender, national origin, familial status, or disability. The Act prohibits local governments from making housing opportunities unavailable to people with disabilities through discriminatory land use and zoning rules, policies, practices and procedures. Similarly, California's own fair housing statute, the Fair Employment and Housing Act (FEHA), prohibits discrimination on the same bases as federal law and four additional bases: marital status, ancestry, sexual orientation and source of income. The FEHA explicitly prohibits discriminatory "public or private land use practices, decisions and authorizations" including, but not limited to, "zoning laws, denials of permits, and other [land use] actions that make housing opportunities unavailable" to people with disabilities." In addition to not discriminating against people with disabilities, under both federal and state fair housing laws, cities and counties have an affirmative duty to provide reasonable accommodation in land use and zoning rules, policies, practices and procedures where it may be necessary to provide individuals with disabilities equal opportunity in housing. The proposed amendment to the Development Code was intended to meet these requirements and had been approved by the Planning Commission.

Mayor Cook opened the public hearing. There were no comments from the public and the hearing was closed. It was moved by Clm. Gallian, seconded by Clm. Edwards, to introduce the ordinance entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING TITLE 19 OF THE SONOMA MUNICIPAL CODE BY ESTABLISHING PROCEDURES FOR REVIEWING AND ACTING UPON REQUESTS FOR REASONABLE ACCOMMODATION. The motion carried unanimously.

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, Consideration and Possible Action to change Council meeting days to the second and fourth Wednesdays of the Month. [Requested by Mayor Pro Tem Cook]

City Manager Giovanatto reported that Mayor Cook placed this item on the agenda to see if there was support for moving Council meetings to Wednesdays. She stated that the change would eliminate the need to change meeting dates when holidays fell on Mondays and reported

Item 7A: Council meeting days, continued

there would be one conflict with SVCAC meetings, which would have to be relocated to another facility.

Mayor Cook stated that prior to Mayor Rouse coming on the Council, the meetings were held on Wednesdays and he felt the change back to Wednesdays would allow more time for Councilmembers to study the agenda packet material prior to the City Council meeting. Clm. Edwards stated that he had other meetings on Wednesdays and he did not favor the proposed change. Clm. Gallian stated her preference for keeping the meetings on Monday.

The public comment period was opened and closed with none received. It was moved by Clm. Edwards, seconded by Clm. Gallian, to keep Council meetings on the first and third Mondays. The motion carried unanimously.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS’ REPORTS AND COMMENTS

Clm. Hundley stated she was humbled by the responsibility and honored to have been elected. She told the public to contact her because she cared about what they had to say.

Clm. Agrimonti state she felt very comfortable being back in a Council seat and she looked forward to working with the City Council.

Clm. Edwards thanked the public for their support and votes and stated he looked forward to serving the City in this capacity.

Clm. Gallian and Mayor Cook welcomed the new members.

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

City Manager Giovanatto reported that the Public Works department was monitoring the predicted wet weather and had placed sand at Depot Park.

11. COMMENTS FROM THE PUBLIC

Ted Sexaeur stated he did not support roundabouts in front of the Plaza.

12. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.

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 January 2015.

Gay Johann
Assistant City Manager / City Clerk