

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

Community Meeting Room, 177 First Street West, Sonoma CA



**Monday, April 6, 2015
5:30 p.m. Study Session (Special Meeting)
6:00 p.m. Regular Meeting**

MINUTES

City Council
David Cook, Mayor
Laurie Gallian, Mayor Pro Tem
Madolyn Agrimonti
Gary Edwards
Rachel Hundley

STUDY SESSION

Presentation by Community and Local Law Enforcement Task Force

With all Councilmembers present except Councilmember Agrimonti Mayor Cook called the Study Session to order.

Brian Bona explained that the Community and Local Law Enforcement Task Force was established by the Sonoma County Board of Supervisors to meet and prepare recommendations on methods to enhance relationships with local law enforcement agencies, provide better accountability and seek changes to protocol in critical incidents. The Task Force was charged with the following: 1) Reviewing options for a model for an independent citizen review body; 2) Reviewing and recommending options for community policing to be considered with the Fiscal Year 2014-2015 budget process; 3) Reviewing and recommending whether the Office of Coroner should be separately elected from the Office of Sheriff; and 4) Bringing to the Board of Supervisors any additional feedback from the community on these issues that merits County attention. Mr. Bona described the makeup of the task force and its subcommittees and the public outreach program and presented the draft recommendations that had been formulated.

Clm. Gallian stated the importance of including youth and faith based organizations in the process. Mayor Cook inquired about the requirement for officers to wear cameras. Mr. Bonna stated they had already been put into use by the Sheriff's Department on a trial basis.

Public Comments:

Frank Saiz stated that the Task Force had shortcomings. They used San Jose's model which had been in place for nineteen years during which time there had been many questionable instances with law enforcement. The call for oversight came from the community not from government. He provided handouts to the Council, one of which was a response to a Public Records Act request documenting the amount of settlements in law enforcement cases paid by the County.

Marni Wroth stated the proposed commission would not have subpoena power and there was nothing to make the Sheriff's Department accountable to the public. In prior years a Civil Rights Commission made recommendations but the County did not follow them.

OPENING - REGULAR MEETING

Mayor Cook called the meeting to order at 6:05 p.m. Alcaldesa Marci Waldron led the Pledge of Allegiance.

CITY COUNCILMEMBERS PRESENT: Edwards, Gallian, Hundley, and Mayor Cook
ABSENT: Agrimonti

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, City Attorney Walter, Planning Director Goodison, Public Works Director Takasugi, Police Chief Sackett

1. COMMENTS FROM THE PUBLIC

Lynda Corrado reported receiving information regarding a new vacation rental firm being established in the area.

Deirdre Sheerin, Sweetwater Spectrum, announced that April was National Autism Awareness Month. She stated that many local restaurants were advertising the event on their napkins.

Bob Edwards stated that on September 3, 2014 the City Council directed staff to prepare a request for proposals (RFP) for preparation of a study of a potential increase to the minimum wage. He questioned when the RFP would be released.

2. MEETING DEDICATIONS

Clm. Gallian dedicated the meeting in the memory of Nick Nast and in honor of her husband's sixtieth birthday.

Mayor Cook dedicated the meeting in the memory of former Mayor Henri Riboni.

3. PRESENTATIONS

Item 3A: Recognition of Matt Howarth's service on the Planning Commission

Mayor Cook presented Matt Howarth a certificate and thanked him for his eight years of service on the Planning Commission. Mr. Howarth thanked the Council and stated that it had been a privilege to serve. He said it was not always an easy job but the dedicated City staff were the best and made the Commission's job easier.

Item 3B: Donate Life Month and Alcaldesa Waldron's Pink Dot Campaign Proclamation

Mayor Cook read aloud the Donate Life Month proclamation and presented it to Alcaldesa Marcie Waldron. Ms. Waldron thanked the Council and provided information about her Pink Dot Campaign, the goal of which was to get as many local people as possible to proudly wear the pink donor dot on their California Driver's License or Identification Card.

Item 3C: National Crime Victims' Rights Week Proclamation

Mayor Cook read aloud the proclamation and presented it to Assistant District Attorney Bud McMahon who thanked the Council for their continued support and spoke about the importance of educating the public about crime victims' rights and needs.

Item 3D: Week of the Young Child Proclamation

Mayor Cook read aloud the proclamation and presented it to Cathy Vaughn who thanked the Council for their support and spoke about the importance of providing education for young children.

Item 3E: Presentation by the Sonoma County Water Agency (SCWA) regarding the Sustainable Groundwater Management Act (SGMA)

Jay Jasperse, Sonoma County Water Agency, reported that in September 2014, Governor Brown signed historic legislation requiring that California's critical groundwater resources be sustainably managed by local agencies. The Sustainable Groundwater Management Act (Act) gave local agencies additional powers and authorities to sustainably manage groundwater over the long-term. The Act required the formation, by June 30, 2017, of new Groundwater Sustainability Agencies tasked with assessing the conditions in their local basins and adopting locally-based Groundwater Sustainability Plans for medium and high-priority groundwater basins as designated by the California Department of Water Resources. In Sonoma County, three of the county's fourteen basins and sub-basins were currently designated as medium-priority: Santa Rosa Plain, Sonoma Valley and Petaluma. Mr. Jasperse described the public outreach program, timing and recommended strategy for groundwater sustainability formation.

Item 3F: Presentation by the Sonoma Ecology Center on Nathanson Creek Restoration Phase 2

Mark Newhouser, Sonoma Ecology Center, explained that in 1994 local citizens joined together to clean up Nathanson Creek and established the concept of a preserve to help restore the creek along the high school and City owned properties. In 2005, the Sonoma Ecology Center (SEC), the Sonoma Valley Unified School District, and the City of Sonoma cosigned a Memorandum of Understanding to formally establish the preserve and guidelines for the restoration and management of the preserve. In the following years, it became clear that the past degradation of the creek channel and on-going flooding posed significant challenges to achieving restoration success. In 2004, SEC partnered with the City to secure funding from the DWR River Parkways Grant Program. That project installed the Nathanson Creek Demonstration Garden and Park, including ADA access, educational signs, park benches, picnic tables, and trees installed along the parkway.

Newhouser stated that after flooding and extensive damage to the school district in the 2005/06 flood, SEC, and the City as co-applicant, pursued funding to complete flood analysis and develop designs that would help alleviate flooding and facilitate fish and wildlife habitat restoration. In 2011, the Department of Water Resources Urban Streams Restoration Program funded the current project to survey the creek; develop hydrologic and hydraulic models; develop designs for flood reduction and habitat enhancement projects; and construct a portion of the design.

Newhouser reported that the current project included the flood modeling and feasibility analysis of conceptual designs for channel modification throughout the preserve. The analysis would include the hydrologic and hydraulic modeling of existing flood flows and with conceptual improvements; the development of site-specific construction designs and permits for two sites and the construction of one of the two designed projects, located on the City parcel, which was planned to be constructed in 2015. Upon completion of the flood-plain basin, the property would be revegetated with native plants. Funding through the SCAPOSD MGP program has been secured to provide additional planting, an ADA accessible walkway and interpretive sign, fencing, and maintenance over the following three years.

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 March 16 and March 25, 2015 City Council meetings.**
- Item 4C: Approval and ratification of the reappointment of Kari Ontko to the Cultural and Fine Arts Commission.**
- Item 4D: Approval and ratification of the appointment of Mike Coleman to the Planning Commission. (removed from Consent, see below)**
- Item 4E: Approval and ratification of the appointment of Oscar Mooneyhan to the Community Services and Environment Commission for a two-year term.**
- Item 4F: Approval and ratification of the appointment of Inge Hutzel to the Community Services and Environment Commission for a two-year term. (removed from Consent, see below)**
- Item 4G: Adoption of a resolution approving an amendment to the Special Events Policy relating to exceptions to the limit on successive weekends in the Plaza. (Res. No. 12-2015)**
- Item 4H: Approval of a lease for the upgrade and re-use of the Maysonnave Cottage (289 First Street East).**

Clm. Edwards removed Consent Items 4D and 4F. The public comment period was opened and closed with none received. It was moved by Clm. Gallian, seconded by Clm. Edwards, to approve the items remaining on the consent calendar as presented. The motion carried unanimously, Agrimonti absent.

NOTE: Due to the difficulty of interpreting and summarizing sensitive discussions, the Clerk has chosen to use a verbatim format for the next two items of discussion.

- Item 4D: Approval and ratification of the appointment of Mike Coleman to the Planning Commission.**

Clm. Edwards: I asked for this item to be pulled, back many years ago a good friend of mine Zolita Vella was the first woman to be appointed to the Planning Commission. I think it had to be back in the thirties. I sat and interviewed we had fifteen I think candidates maybe seventeen

Item 4D: Approval and ratification of the appointment of Mike Coleman to the Planning Commission, Continued

total I'm not sure of the exact number but quite a few candidates and I participated in the first round of the interviews that we had a lot of very good candidates. After that in the second set of interviews I was a little put back by, it actually turned out that the decision appeared to have been made before the end of the interviews. While all the candidates I think in some fashion or form were good candidates I appreciate them all coming forward I feel that there with all the issues and things that we have going on in this community, the projects coming forward and so on, that we needed more experience and a higher degree of experience with actually attending Planning Commission meetings and/or City Council meetings and so I am asking that I would like to and not to get into any kind of argument up here, I would like to ask the Council to consider taking these obviously there is a disagreement between Cook and myself on the appointment and I want the public to recognize that but also I would like to ask the Council where it is such a critical point where we are basically flipping the Planning Commission in my fifteen years with planning, the SVCAC and then City Planning Commission I feel that we really need to have more experience in our appointment and with all due respect to Mr. Coleman I think that we need somebody with more experience and more time in Sonoma and I am going to ask the Council to consider that we reopen the interview process and move this to another meeting to allow that to happen.

Mayor Cook: At this moment we are on Council questions so if you don't have any other questions. Clm. Hundley.

Clm. Hundley: I will frame mine in the form of a question, I was going to for an explanation behind the recommendation particularly when you have perceived differences in the experience. I wasn't there for the interviews but I looked at the applications so I was gonna ask that anyway.

Mayor Cook: And I will be answering that under public or Council discussion and actions. Is there any other questions? If not I'm gonna go out to the public on right now we are on item 4D it the approval and ratification of the appointment of Michael Coleman to the Planning Commission.

Kelso Barnett: Hi Mayor Cook hello Councilmembers. Kelso Barnett, First Street East. I actually came here tonight to talk about trees tonight but since I was part of the Planning Commission appointment application process I thought I actually had some questions about it as well I thought Clm. Edwards articulated some of my concerns. He didn't mention one of my primary concerns and that is sorta why I got up and hopefully you Mr. Mayor can sort of answer why in this particular instance you decided to discard the sort of commonly accepted practice not by code but of practice for decades now that qualified alternate is in place why is he not elevated to a regular commissioner. The current alternate is Bob McDonald he studied planning he worked in various planning departments, for the last eight years he was on the Design Review Commission. I served four years with him and quite frankly I can't think of a more qualified potential member of the Planning Commission than Bob McDonald. Additionally the next opening on the Planning Commission a year from now is the out of City seat and so that means he's gonna be bypassed twice this time and a year from now because that next seat will probably go to someone who lives outside the City limits. And considering how qualified he is in terms of experience and some other things I am just curious why you decided to bypass him and may end up bypassing him twice so that is my first question. My second question I think Clm. Edwards sort of articulated some of my concerns in terms of experience. I know that this was probably the most experienced group of people to ever apply for the Planning Commission. You had a former Councilmember, former Planning Commissioners. In other areas you had a local builder, an architect, a developer; you had affordable housing advocates which is also important as we go forward. As you know the Planning Commission is the most important unelected body in the City of Sonoma and the next five to ten years is going to be critical. You've got the update of the General Plan coming up; you've got the renewal of the Urban Growth Boundary coming up in 2020. You've got major development projects coming down the pipe. So in this particular instance I don't think it's appropriate to sort of put somebody on the Planning Commission who may not have the proper experience so I would encourage you to as Clm. Edwards suggested reopen the application process I would also encourage you to elevate such a qualified alternate such as Commissioner McDonald and when you do sort of open up that process if that is what you decide to do tonight I would encourage you to consider diversity. There were so many qualified applicants this time and I was one but I am going to remove myself I don't want to be part of this process anymore. But in terms of age, I think age diversity is important it would be nice to get someone under fifty on the Planning Commission and gender I don't think we've had a female on the Planning Commission for over ten years and I think this is an appropriate time to include that voice. So thank you very much.

Item 4D: Approval and ratification of the appointment of Mike Coleman to the Planning Commission, Continued

Mayor Cook: Thank you Kelso. Is there any other public comment before I bring this back?

Mayor Cook: Wow, that's all I'll say is wow. I sit up here all the time and I talk to people and say get involved in the community. Qualified. What is qualified? Living in the City of Sonoma is the qualification to be on a commission and when I hear what I just heard it kinda gets me a little concerned and I will answer the question. I became Mayor on December first. Since becoming the Mayor of Sonoma I have moved Cribb from alternate to Planning Commission. I have recommended Felder to do another term. I appointed Ron Wellander and Robert McDonald as the alternate knowing that there was one more Matt Howarth who just got a presentation that was gonna be the fifth choice. So I went ahead and I picked the Planning Commissioner then the alternate knowing that in a month I would pick another one. In the interview process I'm sorry Gary but I told you that it's about diversity. We just don't need developers, planners, architects. We need people to step up and be on these commissions and I am shocked and I think that I, because the press is here I want to make sure that people understand that it is not how I feel and I hope a few other colleagues one maybe that's not here and one that is sitting on that side will listen. I'm asking people to get involved in this community and it is not a good old boy or good old girls network, it is about people standing up. I picked Mike Coleman because I believe being a firefighter being home construction doing stuff that he wants to do in the building and he's a resident he has two kids he's married. I don't know if he pays his taxes I'm not gonna ask him that is not part of the application process but I will tell you being Mayor has very little perks and one perk is this one. In the history of Sonoma it's only happened one other time and I think it ended up being a big fight up on the dais. I think I am the better person to sit here and listen to my colleague's comment before the vote but I would like to hear any other comments from my colleagues at this time.

CIm. Edwards: I would just like to add to that David is that it is, in the application it says right here have you ever attended a meeting of this commission and the answer is no. If you are not selected for the commission listed above would you be interested in serving on any other commission, and it says no again. So to me it's, I just feel that we need more eyes on the situation, we're at such a critical point with planning right now.

Mayor Cook: Gary I interviewed twenty-two people and I could tell you that box was marked no by many of them.

CIm. Edwards: But not all and then the other issue is that when we finished our - it really didn't turn into a deliberation because it was pretty apparent to me. My goal in my business is to has always been to hire people who are smarter than me that's the way I look at everything that I do I like to be around people who are much smarter and I am going to a conference in Chicago at midnight tonight so I can be with a bunch of really smart CEOs. My issue is that I'm sure Michael is a great guy and I'm sure that if he really wants to be involved that he will start coming to meetings, start getting involved and I think this is a great first step but I served on the SVCAC, I worked on a major campaign with Mr. Barnett there years ago and actually I believe Mr. Barnett appointed me to the SVCAC originally. But it was always, it was never a good old boy thing and I am not insinuating that it is a good old boy thing I just think it's a choice that needs to made by more Councilmembers and maybe, if this is not like getting passes to the film festival as a perk I believe this perk should be, there should be a bigger group of people making this decision. With my experience in planning I've seen them all and we've probably had planning commissioners that maybe shouldn't be planning commissioners but I don't know. I would like to hear from the rest of the Council and go from there.

Mayor Cook: CIm. Hundley.

CIm. Hundley: I do think that the Planning Commission is one where it's a, there's different commissions where different kinds of skills lend themselves. I know the Planning Commission, although I haven't sat on it requires a lot of specific knowledge about procedures, a lot of things on code and I have a lot of deference for CIm. Edwards for having sat on it. From even my seat and looking at the applications it struck me as there seemed to be a disparity between some of the applications and the person that was picked. So I was hoping to get an explanation behind the decision, maybe there was something that wasn't apparent in the application that justified the decision but I don't think I have heard that now and the fact that there seems to be a conflict in our process of having two interviewers. I know that before I confirm or ratify a decision I would like to know more information about this candidate and other candidates and maybe if you know even if you, if CIm. Edwards has other nominations that he would want to....

Mayor Cook: Well hold on, let's hold on.

Item 4D: Approval and ratification of the appointment of Mike Coleman to the Planning Commission, Continued

CIm. Hundley: Can I finish my point before you interrupt me?

Mayor Cook: But let's talk to the City Attorney a little bit about that because I'm just correcting you because I don't want you to make a mistake when you say that. The appointment was you know from the Mayor...and

CIm. Hundley: Right here it says that we are going to approve and ratify so we are going to vote on this. Before I vote on it I am just saying I would like more information. So if I need, so if we want to vote this and then move forward with more interviews we can do that but I am asking for the process to be instead of just ...

Mayor Cook: Well yes if we want to change the process and that is what I am saying then we can talk to the attorney and have the attorney explain the process but there's not a nomination from the other interviewer.

CIm. Hundley: I think in the past though I know the one time where the nomination fell through and there was a nomination made from the dais so I know it has happened in the past.

Mayor Cook: Um City Attorney you want to explain the process.

Attorney Walter: Yes, the Council has followed the practice for quite some number of years of delegating to the Mayor the power to nominate for appointment to various committees including Council subcommittees. That practice I think was borrowed from a mandate set forth in State law that in general law cities such as Sonoma where the Mayor is directly elected, it is a separate office that is contested, and campaigned for. In that case the directly elected mayor absolutely has the power to nominate to those kinds of bodies such as the Planning Commission, Design Review etcetera. But those appointments are subject to ratification by a majority of the Council. Sonoma does not have a directly elected Mayor but it has adopted that practice as a practice adopted that rule as practice in the City of Sonoma so the only person who can nominate a candidate for various positions as commission members or committee members and the like is the mayor. Now the Council could change that practice but it would need to be agendized it cannot be changed tonight. Likewise an individual Councilmember tonight could not, according to the practice, nominate his or her own choice. The only item that is before the Council tonight is this particular nomination. It is up or down or it doesn't need to be acted upon at all and Council can then, by a majority vote, set a discussion on the practice and this particular vacancy for a future Council agenda and discuss it and take action at that time.

Mayor Cook: Thank you do we have any other comments. Vice Mayor Gallian.

CIm. Gallian: I remember the controversy over the Planning Commissioner issue and that was a very contentious meeting that is not the process we are looking to go ahead and have in association with an individual being appointed to a particular commission. If there is not agreement on this position this evening and you would like to go ahead and discuss it further I can tell you I have gone through three discussions concerning appointment of the Planning Commissioner in my years of service and it always returns to exactly this process and it is the Mayor who makes the decision and the recommendation. It is certainly up to any Councilmember or Vice Mayor to go ahead and decide that is not the way they would like to see things happen and then at that point given certain information it would not happen. So to me the fact is is that one of the last bastions of being mayor is that you go ahead and you select because you have information between the two parties that interviewed all of your candidates. We're not part of that process and were not involved in that. We don't know what went on between each conversation among every person and not always do you agree but you have to go ahead and say what are we satisfying, what are the qualifications that we are looking for. And I think the Mayor was very clear what his qualifications were. Now the question is what are the other interviewees' qualifications. This is not something I think we are going to settle here tonight.

CIm. Edwards: I would like to add to the, after the discussions and interviews the Mayor asked me what or who my choices were and there were two actually there were probably in my mind four or five outstanding people and two of them happen to be women and he said well no, I've already selected Mr. Coleman and he says it's based on diversity issues and I basically said to him well when I served on the Planning Commission...

Mayor Cook: Edwards that is a lie that's not what I said. What I said..

Item 4D: Approval and ratification of the appointment of Mike Coleman to the Planning Commission, Continued

CIm. Edwards: You can call me a liar all you want. Let me finish what I am saying okay? You said you wanted diversity (remainder inaudible, two people speaking at once)

Mayor Cook: I asked you to pick who you want and then I will pick who I want.

CIm. Edwards: You said you wanted the Mayor's opinion on the Planning Commission that is what you told me. And the other thing you talked about diversity and I said well when I was on the Planning Commission there were seven older white guys and now we have six older white guys and one younger white guy and I said to him my picks were the two women that had applied and I think it is important and that is why I brought it up, Zolita Vella. You know, go back eighty years. So I am going to leave it at that.

Mayor Cook: Well we will go ahead and Vice Mayor Gallian did you have any other comments before I call for a vote?

CIm. Gallian: I just really feel in the importance of this particular issue I would recommend that this be tabled for tonight.

Mayor Cook: I think I would rather wait until we have all five Councilmembers here.

CIm. Gallian: And we could actually make a decision at that particular time. By table I mean that this is just in status at this point and perhaps maybe there could be some information that might be forthcoming okay that will come forward in the interim. In the meantime do you have, if I am correct in this, we do have someone who is an alternate that can step in if necessary at this particular point for the Planning Commission is that correct?

Mayor Cook: Gary, uh Gary I'm the Mayor. Does CIm. Hundley have a question?

CIm. Hundley: I just have two last comments. One I wanted to point out that this is absolutely no disrespect to Mr. Coleman but is purely a procedural issue and second I find the issue of the recent Planning Commission appointments to be unusual because I don't know if there has ever been a Mayor that has had an opportunity to appoint so many that's why this one, this time it's not just like a one-time thing and there has been a lot so the fact that you have appointed so many already this one I think is worth discussion.

Mayor Cook: And yes, I will agree with that and that is why when I sat through the Cribb going up, the Felder continued on, and I had Gary Edwards and myself interview everyone and we picked Ron Wellander and Robert McDonald and surprising enough we both picked those two people and I guess that is why it got ratified. And the last process that we went through I said I want diversity I don't, I'm tired of a bunch of architects, lawyers. I want mainstream people also on the Planning Commission and I feel that I picked the most qualified person. My colleagues on the Council so if you do not want to ratify this appointment then I will just ugh, we'll call for a vote and then I will bring it up again. So City Clerk can we call for a vote? Oh wait we need a motion.

CIm. Gallian: Wait a second; did I actually put a motion on the floor for tabling? No. Thank you, then we are clear.

Attorney Walter: There needs to be some motion to take some action here tonight. A motion to ratify the nomination or a motion to continue the item to a date certain, a motion to continue the item to a date certain and at the same time talk about the process.

CIm. Edwards: I will make a motion; I'll move to have the full Council have a discussion about reviewing and revising the process of appointing Planning Commissioners at some future meeting.

CIm. Hundley: And does that also involve tabling this item?

CIm. Edwards: If that needs to be in the motion I am happy to table this as well.

Attorney Walter: That would make it clear if you add that.

CIm. Edwards: Then I am including it.

CIm. Hundley: I will second it.

Item 4D: Approval and ratification of the appointment of Mike Coleman to the Planning Commission, Continued

Mayor Cook: We will go ahead and call for a roll call vote.

The motion failed with the following vote:

AYES: Edwards, Hundley

NOES: Gallian, Cook

ABSENT: Agrimonti

Mayor Cook: I would like to go ahead and make a motion for the ratification of Michael Coleman to the Planning Commission. Do I have a second? Seeing none.

Clm. Gallian: I would like to make a motion that we go ahead and table this item for this evening and that we go ahead and bring it back as a future agenda item.

Mayor Cook: Is there a second? Is there any other motion from the floor? Ugh, Clm. Hundley.

Clm. Hundley: I would like to make a motion to table this discussion and continue for the whole Council to discuss the process of selecting a commissioner.

Mayor Cook: Is there a second?

Clm. Edwards: I will second that, it sounded exactly like my motion.

Mayor Cook: City Clerk, roll call vote.

The motion failed with the following vote:

AYES: Edwards, Hundley

NOES: Gallian, Cook

ABSENT: Agrimonti

Mayor Cook: So I will go ahead and make a motion to table this for ratification at our next meeting when we have our full Council. Do I have a second?

Clm. Gallian: I will second.

Mayor Cook: City Clerk can we do a roll call vote so these people can get to talking about vacation rentals?

The motion failed with the following vote:

AYES: Gallian, Cook

NOES: Edwards, Hundley

ABSENT: Agrimonti

Mayor Cook: City Attorney what do you advise the Council to do?

Attorney Walter: Well it sounds like there is a deadlock tonight and no action is likely to be taken so I think you move on to your next agenda item.

Item 4F: Approval and ratification of the appointment of Inge Hutzel to the Community Services and Environment Commission for a two-year term.

Mayor Cook: We're gonna move ahead to item 4F which is approval and ratification of the appointment of Inga Hutzel for a two year term and I think Clm. Hundley took this off.

Clm. Edwards: No I took it off.

Mayor Cook: Clm. Edwards.

Clm. Edwards: So to tie in with the appointment we had quite a few different swings on two commissions and based on the conversation of the Planning Commission decision and issue; I believe that the Mayor has the potential; I'm not saying a conflict of interest, but he lives twenty-two feet away from the applicant and I feel that, I've been around the community for a long time we have a lot of heavy issues in the Community Services and Environment Commission and I just, I don't know with proximity I would like to see that there is no smell of conflict in this issue.

Item 4F: Approval and ratification of the appointment of Inge Hutzal to the Community Services and Environment Commission for a two-year term, Continued

Mayor Cook: Is there any other questions before I take it to public? I will go ahead and take it to public, is there any public comment on this? I will bring it back and I guess I will do the Council discussion. I picked Inge because she is a realtor and I feel that we need fresh thinking in the commissions. I sit up here all the time, we beg people. You two have only been on the Council for about three months and you don't understand that we sit here and we beg and we tell people to get involved. I'm embarrassed because I have two people who have sat here for almost an hour and forty-five minutes and you know, I'm sorry but that is just not right because people get involved and you're saying that there is some system of people coming through that just to me just doesn't make sense. So, it's my pick. I'm not gonna change it and we'll go ahead and I'm looking for a motion.

Clm. Gallian: Is there any issue with what umm, to the City Attorney, is there a question of proximity?

Attorney Walter: I don't believe that there is an issue. I haven't been provided the facts to prove that there is an issue.

Clm. Gallian: Thank you for that clarification. Are there any other questions Clm. Edwards that you have concerns about?

Clm. Edwards: Well the fact that I believe that Ms. Agrimonti was the other interviewer, that she's not here. You know I would like I said before where I would like to see, under these circumstances, whether it was Ms. Gallian or Ms. Hundley I would be having exactly these same questions. And if I lived across the street, from someone I would defer to my other Councilmembers that is just how I am. I am bringing this up because I think it is the right thing to do.

Mayor Cook: For the record it has no, no part because she is my neighbor and Agrimonti is not here to speak for herself. Actually she was in agreeance (sic) I wish she was here because I've wasted somebodies time for an hour and a half that probably should have been at work. Uh Clm. Hundley.

Clm. Hundley: I would, in light of the previous discussion. I didn't initially have concerns about this one but I would prefer to wait until Clm. Agrimonti is back to ratify this position.

Mayor Cook: Could you put that in the form of a motion?

Clm. Hundley: I would like to make a motion to table this vote until Clm. Agrimonti is back with us.

Mayor Cook: Is there any other comments or a second?

Clm. Edwards: Second.

Mayor Cook: City Clerk can we go ahead and make a roll call vote?

The motion failed with the following vote:

AYES: Edwards, Hundley

NOES: Gallian, Cook

ABSENT: Agrimonti

Mayor Cook: So, Vice Mayor Gallian.

Clm. Gallian: I just have to say that in this particular instance if there was any question or flagging on this I do believe that Clm. Agrimonti would have had issues with it. I can understand what we went through with the Planning Commission, the qualification, but I cannot see a reason because someone is living especially after we have had attorney clarification that we are holding off on appointing this person for the Community Services and Environment Commission. I am not sure but there is a Lynn Clary who at one time was on the Community Services and Environment Commission that lives only five houses away from me that I knew on a very brief basis who met all the qualifications for that job and he successfully completed it without any conflict of the fact that I knew him and I just want to state that's not necessarily the case in every instance but I understand Mayor Cook's position because as Mayor if you are questioned when you make a nomination it is certainly not looking as a vote of confidence. And I feel that when

Item 4F: Approval and ratification of the appointment of Inge Hutzel to the Community Services and Environment Commission for a two-year term, Continued

your times come when you are Mayors and you have gone through the same process it would be best okay to be looking at that as part of what you wish to see as your particular process if this does come back for conversation.

Clm. Edwards: So you are saying there is payback?

Clm. Gallian: No, those are your words not mine.

Mayor Cook: Gary I don't think that's, we're professional people up here who care for a community and the last comment I will say is that since this is going to be table until the next meeting is we have Design Review coming up which is gonna be I'm gonna ask the City Clerk later to cancel all interviews until we can figure this out cause it's embarrassing for the City of Sonoma to sit here Councilmembers questioning a Mayor's ratification. It happened once before with Sanders and Brown and it was, it was disgusting and I don't want to be part of that. I want when I walk out into the City they know they have proper leadership, they have people who work together and there's a process and its worked great for many years and I don't know with that City Attorney I will take your advice and we will go ahead and table this and we are going to go to the Consent Calendar for the Successor Agency.

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

Item 5A: Approval of the Portions of the Minutes of March 16 and March 25, 2015 City Council Meetings 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. Hundley, to approve the consent calendar as presented. The motion carried unanimously, Agrimonti absent.

RECESS: The meeting recessed from 7:45 to 7:50 p.m.

6. PUBLIC HEARING

Item 6A: Discussion, consideration and possible action on an amendment to the Municipal Code establishing a review and licensing process for limited short-term rentals within owner-occupied single-family residences.

Mayor Cook opened the public hearing. Planning Director Goodison reported that pursuant to prior Council direction staff developed a draft ordinance relating to limited short term rentals within owner-occupied single-family residences. The draft ordinance was reviewed and modified by the Planning Commission in November 2014 and again in March 2015 at which time they made additional modifications to the ordinance. However, with a vote of four to two they recommended that it not be adopted. Concerns expressed by members of the Planning Commission included: Increased traffic and parking demand in residential areas; incompatibilities and conflicts with neighbors and overall residential character; and the potential to create a disincentive to offer long-term room rentals, which was an already-allowed activity that addresses housing needs.

Goodison stated that the Commissioners who opposed the allowance suggested that residential areas should be protected from tourism-related activities and expressed concern that a boarding room allowance would not solve any pressing issue facing the City, but would instead introduce new problems and enforcement issues. In contrast, the two Commissioners who supported the concept, felt that the license process included safeguards to protect neighborhood character and avoid incompatibilities and that the allowance would help low-income home-owners who might benefit from an additional income opportunity.

Mayor Cook invited comments from the public. Larry Barnett stated his agreement with the recommendation of the Planning Commission. He said that enforcement would be a nightmare and it would be a waste of time and City resources. Barnett added that the language about "undue concentration" was not clear because there was no definition or criteria to determine what that meant.

Item 6A: Short-term rentals within owner-occupied single-family residences, continued

Bob Edwards stated his agreement with the recommendation of the Planning Commission. He said he lived next door to a B&B and even though they had a full time manager on site there had been problems. He said the ordinance would turn every neighborhood into a commercial enterprise. Edwards added that if the City could not enforce its dog license program it would not come close to enforcing the proposed ordinance.

Greg Brennan, Napa realtor, stated that he was showing people homes every day whose intent it was to buy a home to rent it out. He stated that was not what he wanted in his neighborhood and he asked the Council to consider the character of the community.

David Eichar stated that some of the biggest issues were water and additional traffic, with minor impact on affordable housing. He said people's homeowner insurance would not cover the activity and he felt the ordinance would be unenforceable.

Pat Collins spoke in favor of B&Bs. She said she rented out a single room, her neighbors were aware of it and she had no complaints. She stated renting out a room allowed people who otherwise could not afford one, to be able to purchase a home.

Jeanie Allen spoke of her experience with a B&B and vacation rental. She said offering her home as a vacation rental did not work out well but renting out a room had worked out real well. She said it was no more intrusive on the neighborhood than if you were having family or company come to visit. She said the B&Bs were needed because the hotels were frequently sold out and added that the City would be able to collect extra taxes.

Kelso Barnett stated his agreement with the Planning Commission recommendation. He referenced the Council goals that included City character and affordable housing and stated that allowing the B&Bs would not enhance either of those goals. Barnett stated that it was important to preserve the residential character of neighborhoods.

Mayor Cook closed the public hearing.

Clm. Hundley stated the need for workforce housing and that she had heard concerns from the public about increased water consumption, lack of parking, and harm to neighborhood character. She stated she could not see a way of enforcing the ordinance plus the Planning Commission and City staff had more pressing matters to deal with. Hundley said that the City should keep an eye on Senator McGuire's proposed legislation dealing with vacation rentals.

Clm. Gallian stated that having a short term rental was the same as conducting a business in a residential neighborhood. She agreed that there was a need for workforce housing and she would not support anything other than support of the Planning Commission recommendation.

Clm. Edwards agreed with Hundley and Gallian. He stated that on the internet that morning he found listings for eighty-eight such rentals in Sonoma and he did not want to further change or erode the character of the community.

Mayor Cook stated that back when former Clm. Barbose suggested this idea he was supportive and still was. He said he had never gone against a recommendation of the Planning Commission. His biggest concern was enforcement and he hoped the Council would look at it further. He did not want to make criminals out of residents. It was moved by Clm. Gallian, seconded by Clm. Edwards, to accept the Planning Commission recommendation and to not adopt the proposed ordinance. The motion carried with the following roll call vote: AYES: Edwards, Gallian, Hundley. NOES: Cook. ABSENT: Agrimonti.

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, Consideration and Possible Action to Support Applications by Sonoma Valley Historical Society for 2015 Impact 100 Grants for the Depot Park Museum and Cemetery Projects.

City Manager Giovanatto reported that the Sonoma Valley Historical Society applied for two Impact 100 grants for projects on properties owned by the City of Sonoma. Because of the ownership relationship, they were seeking approval and support from the Council. The grant applications were for \$100,000 for the rehabilitation, preservation and interpretation of Sonoma's Historic Mountain and Valley Cemeteries and \$15,000 for Depot Park Museum Train Platform Construction and Interpretation Project.

Item 7A: Sonoma Valley Historical Society - 2015 Impact 100 Grants for the Depot Park Museum and Cemetery Projects, Continued

Mayor Cook invited comments from the public. Pat Pulverenti and George McKale stated their appreciation of Council's ongoing support and asked them to support the applications.

It was moved by Clm. Edwards, seconded by Clm. Hundley, to approve and support the grant applications. The motion carried unanimously, Clm. Agrimonti absent.

Item 7B: Discussion, consideration and possible action to approve an agreement with the Sonoma Valley Chamber of Commerce for Business and Economic Vitality Partnership Services.

City Manager Giovanatto reported that the City had maintained a joint partnership agreement with the Sonoma Valley Chamber of Commerce for economic and business development services since 2005. The former agreement was managed and funded through the City's Redevelopment Agency. The most recent agreement expired in June 2012 and was not renewed due to the dissolution of all redevelopment activities by the State of California. The City, as Successor Agency, continued funding the Economic Development Manager position as well as re-initiating to a lesser extent the business improvement loan program through the General Fund. Giovanatto stated that recently, the Sonoma Valley Chamber of Commerce had gone through an exciting metamorphosis including the renaming of the steering committee to the Economic Vitality Steering Committee (EVSC), the employment of a new full-time Executive Director and creating a new rebranding. She and the Economic Vitality Program Manager worked closely with the new Chamber Executive Director and the EVSC to strategize ways that the two agencies could work more cooperatively and collaboratively together for the benefit of the business community.

City Manager Giovanatto reported that the agreement, as proposed, would run through June 30, 2017. An initial payment for services of \$25,000 was approved in the midyear budget amendments for FY 2014-15. For the remaining period of the contract July 2015-June 2017, the City would pay the Chamber monthly installments of \$10,417, approximately \$125,000 annually. The funding portion of the agreement is delineated in two project areas: 1) \$50,000 for business services as detailed in the agreement funded from the General Fund; and 2) \$75,000 for Economic Vitality Program Manager services.

Chamber Executive Director Patricia Shultz and Board President Neil Colwell addressed the Council. Mr. Colwell stated their mission was to keep business healthy and alive. Ms. Shultz explained the rebranding program and the core member services being provided. She stated that membership was going up.

Mayor Cook invited comments from the public. Larry Barnett stated he had concerns and hoped the Council would slow down a bit. As a business owner for forty-three years and a member of the Chamber he was well aware that the Chamber was a networking and advocacy group. He often found himself on the other side of their positions on issues. He did not feel City money should be supporting advocacy and should not be used to outsource a process of City government.

David Eichar stated that the Chamber represented business and the Council represented the residents of the City. He questioned why taxpayer's money should go to help businesses. He felt the money could be better spent on other matters.

Fred Allebach stated that on a national level, Chamber of Commerce organizations supported voter suppression, if the Chamber got City money it meant that the City was taking a biased stance to issues that he was against. Allebach stated that if Council approved this agreement they should require that the Chamber disavow all the national positions.

Bob Edwards stated his agreement with the two prior speakers. He said the contract would alleviate the City of the business of running the city. He questioned what the Chamber had done for the City in past years and added that the services they offer could easily be found on the internet. He said the salary of the business manager should be paid by the Chamber out of their membership dues. He asked if the Chamber received City funding if they would be subject to the Brown Act and the Public Records Act. Attorney Walter stated he was pretty sure they would not be subject to either. Bob Edwards questioned if because the City had an appointee on the Economic Development Partnership if that would not make them subject to the two acts. Attorney Walter stated it would not because the Partnership was an ad hoc committee made up of staff and Chamber representatives. It was not the Board of Directors of the Chamber.

Item 7B: Agreement with the Sonoma Valley Chamber of Commerce for Business and Economic Vitality Partnership Services, Continued

Clm. Edwards stated he would like to see reports of past accomplishments and he agreed the Chamber should not be taking political positions. He said he supported public private partnerships and was happy with the changes and progress being made under its new leadership. Clm. Edwards pointed out that he was a member of the Chamber.

Clm. Hundley confirmed with Mr. Colwell that the Chamber had dissolved its PAC (Political Action Committee) and would no longer endorse candidates. She said she saw benefits of having partnerships and was supportive of giving this a shot. Clm. Gallian stated that the community needed vital businesses and the services provided by the Chamber were vital to business success. Mayor Cook stated that the Chamber would help identify the Sonoma character and help businesses succeed. It was moved by Clm. Hundley, seconded by Clm. Gallian, to approve the agreement and authorize the City Manager to execute same. The motion carried unanimously, Clm. Agrimonti absent.

Item 7C: Discussion, consideration, and possible action on the Removal and Replanting of Broadway Street Trees.

Clm. Edwards Recusal

Clm. Edwards announced that he had a conflict of interest due to proximity and would have to recuse on this agenda item. He added that he did not have any committee reports and asked to be excused. Mr. Edwards was excused and left the room.

RECESS: The meeting recessed from 9:30 – 9:35 p.m.

Mayor Cook called the meeting back to order and announced that Item 7C would be carried over to the next meeting.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS' REPORTS AND COMMENTS

Clm. Hundley reported attendance at the Legislative Committee and the SVCAC meetings.

Mayor Cook reported attendance at the Sonoma Clean Power meeting.

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

City Manager Giovanatto reported that she and the Public Works Director would participate in the online briefing on the Governor's Executive Order regarding the drought and that staff would place Stage 2 Water Conservation updates on the next agenda.

11. COMMENTS FROM THE PUBLIC

Bob Edwards stated he was happy to hear that the Chamber would no longer be taking an advocacy stance but he was not happy that they were not subject to the Brown Act and Public Records Act and that the burden was on them for transparency. He suggested that they come out and openly support a study on the minimum wage. He pointed out the Chamber provided services valley-wide and asked how much money Glen Ellen and Kenwood pitched in.

12. ADJOURNMENT

The meeting was adjourned at 9:47 p.m. in memory of Nick Nast and former Mayor Henri Riboni and in honor of Clm. Gallian's husband's sixtieth birthday.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 20th day of April 2015.

Gay Johann
Assistant City Manager / City Clerk