

**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

**Wednesday February 18, 2015
5:30 p.m. Closed 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

SPECIAL MEETING - CLOSED SESSION

The closed session agenda for this meeting was canceled.

REGULAR MEETING

Mayor Cook called the meeting to order at 6:00 p.m. Miss Sonoma County Skyler Palacios led the Pledge of Allegiance.

CITY COUNCILMEMBERS PRESENT: Edwards, Gallian, Hundley, Agrimonti and Mayor Cook
ABSENT: None

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

CONTINUANCE OF AGENDA ITEM 7B

City Manager Giovanatto requested that Agenda Item 7B "**Discussion, consideration, and possible action to approve a proposed amendment to the City Watersheds Proposition 1E Grant for Drainage Improvements along First St. West between West Spain St. and Depot Park**" be continued to a future meeting. She stated that earlier in the day, staff had been advised by the Sonoma County Water Agency that they had received results of new modeling tests for the proposed project that needed further study and they had requested that the item be tabled and brought back at a later date. Giovanatto stated that staff was supportive of the request to continue the matter.

Clm. Hundley noted a number of interested residents were present and asked if they would have a chance to speak on the issue. Mayor Cook stated they could speak to the issue of whether the item should be continued and he invited comments from the public.

Jim Bohar stated that he was concerned because the agency was already under pressure to meet the grant application deadline. He questioned if those who came up with the plan had explored new approaches being used by other communities to deal with similar issues.

Bill Spencer stated that the people who live on the street should be able to decide how their neighborhood looked.

Public Works Director Takasugi stated that the water agency would request another extension of the grant application deadline to allow additional time to analyze the new data.

Clm. Agrimonti pointed out that part of the delay (and creation of the time crunch) in bringing this project forward was due to the previous lengthy consideration of a project on the Montini property.

It was moved by Clm. Gallian, seconded by Clm. Edwards, to continue the matter to a future date. The motion carried unanimously.

1. COMMENTS FROM THE PUBLIC

Tony Gerald, Executive Director of the Miss Sonoma County program, invited everyone to attend the 69th annual pageant on March 7 at the Spreckles Performing Arts Center in Rohnert Park.

James Bennett stated that the tone set by the City Council was an interactive one and that was a good barometer to use in any relationship. He stated that the City Council should make its constituents aware of the Climate Action Plan and the Plan Bay Area movements.

Gwen _____ spoke against fracking and encouraged people to text Governor Brown about it.

Skylaer Palacios, Miss Sonoma County, spoke about her life and stated that she enjoyed the public service aspect of holding the title of Miss Sonoma County.

Jack Wagner encouraged the City Council to explore creation of a public transit system for Sonoma.

Peter Alexander Chernoff read a poem.

Rosemary Pedranzini thanked the couple who came to her rescue when she fell in her yard and thanked the City for repairing the potholes in her street.

2. MEETING DEDICATIONS

Clm. Edwards dedicated the meeting to his son Sullivan and wished him a Happy 4th Birthday.

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 February 2, 2015 City Council meeting.
- Item 4C:** Consideration and Possible Action to Direct Mayor to Open Negotiations with City Manager for a Successor Employment Agreement.
- Item 4D:** Approval and ratification of the appointment of Ron Wellander to the Planning Commission.
- Item 4E:** Approval and ratification of the appointment of Robert McDonald to the Planning Commission as the Alternate Commissioner.

The public comment period was opened and closed with none received. It was moved by Clm. Agrimonti, seconded by Clm. Gallian, 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 February 2, 2015 City Council meeting pertaining to the Successor Agency.
- Item 5B:** Adoption of the FY 15-16A Recognized Obligation Payment Schedule [ROPS] for the period July 1, 2015 through December 31, 2015.

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

6. PUBLIC HEARINGS

- Item 6A:** Discussion, consideration and possible action to update City Fee Schedule based on FY 2014-15 Operating Budget.

City Manager Giovanatto reported that the City established the Fee Schedule for those services that benefit only the specific users of that service and do not benefit the general public as a whole. She said that fees were generated from a variety of services including building and planning permits, special event fees, appeal fees, public safety fees and water service fees.

Item 6A: Fee Schedule Update, Continued

Annually, the Council reviews staff's recommended user fee schedule to determine if fees are calculated in line with the cost of providing the service. With exception to fees established or limited by State law, all other fees were determined through a cost accounting analysis of actual costs incurred by the City. She explained that Department Managers review staff hours necessary to provide the service factored by the allowable overhead costs. The direct-charge of fees in this manner, frees up general purpose tax funds to be used for services, maintenance and facility costs which benefit the entire community.

Giovanatto stated that during this year's evaluation, staff reviewed and implemented a change in allocation of overhead costs (benefits, operating expenses, overhead, and fixed assets) to standardize across general fund departments. The primary visible impact of this change was a decrease in a number of building fees and a corresponding increase in some Planning Department fees. City staff also identified services that were being provided that were not incorporated into the Fee Schedule and were being recommended as new fees this year. Giovanatto stated that the overall impact of the annual recalculation was that some fees increased while other fees decreased. This was a direct reflection of tighter budgeting controls, efficiencies by City employees processing service requests, new software technology and the re-evaluation of overhead and benefit rates. City Manager Giovanatto stated that fees and charges represented approximately 2.9%% (\$570,630) of the projected General Fund Revenue. City Manager Giovanatto highlighted the major changes included in the recommended fee schedule and stated that if adopted the fees would go into effect immediately except for the Planning fees which would not go into effect for thirty days. She recognized and commended Finance Director Hilbrants for spearheading the fee schedule update.

The public comment period was opened and closed with none received. Clm. Hundley stated her appreciation of the format used to present the fee schedule and was pleased to see a reduction to some of the water service fees. It was moved by Clm. Gallian, seconded by Clm. Edwards, to adopt the resolution entitled Resolution of the City Council of the City of Sonoma Amending the Previously Adopted Schedule of User Fees, Licenses and Permit Charges for Fiscal Year 2014-15. The motion carried unanimously.

Item 6B: Discussion, consideration and possible action on an ordinance amending the Development Code by prohibiting Automated Purchasing Machines in the City of Sonoma.

Planning Director Goodison reported that automated purchasing machines (APMs) were freestanding kiosk-type machines that enabled the sale of cell phones, mp3 players, and similar devices for immediate cash. They utilize specialized technology to assess the value of the device based on model, condition, and value on secondary markets and newer devices in good working condition could generate as much as \$300 from the transaction. He said that although APMs feature some security features, they were generally not sufficient to deter criminal exploitation and some cities reported an increase in theft of personal electronic devices where APMs were permitted. Goodison stated that the Police Department was concerned that the presence of APMs could bring thieves from other communities to Sonoma for quick cash and, once here, subject citizens to additional criminal acts and they recommended that the City Council prohibit the machines.

The public comment period was opened and closed with none received. It was moved by Clm. Agrimonti, seconded by Clm. Hundley, to introduce the ordinance entitled An Ordinance of the City Council of the City of Sonoma Amending the Development Code by Prohibiting the Establishment and Operation of Automated Purchasing Machines. The motion carried unanimously.

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, consideration and possible action on the renewal of the lease of the Youth Center Building located at 136 Mission Terrace to the Valley of the Moon Nursery School.

Development Services Director/Building Official Wirick reported the Youth Center Building, located at 136 Mission Terrace was built by the Sonoma Kiwanis Club in 1945 and subsequently donated to the City. The property had been leased or licensed for use to the Valley of the Moon Nursery School (VOMNS) since 1954. He said the existing lease would expire in June and the school would like to continue to lease the building with the flexibility to opt-out of the lease on an annual basis if the ever-changing economics of operating a pre-school become unsustainable. Wirick stated that the Building Department conducted an

Item 7A: Youth Center Building Lease, Continued

inspection of the premises and identified a number of items that need to be repaired or corrected for the continued long-term use of the building. Features of the proposed lease include: One year term July 1, 2015 – June 30, 2016 with an option to renew for four additional one-year terms through to June 30, 2020. An increase to lease from \$822 per month to \$832 per month with lease rate being adjusted annually by the average annual change in the Consumer Price Index (CPI-U) for All Urban Consumers for the San Francisco Bay Area. Maintenance and repair responsibilities for the premises will remain the same as the current lease, with the City responsible for the maintenance and repairs of the Well Pump Room, the roof, exterior side walls, exterior painting, foundation and for the maintenance of plumbing and electrical lines within the walls and underneath the building; and the School responsible for maintaining the interior of the main building, the play yard, accessory structures, parking area and landscaping. By March 31, 2017, the school will need to complete code required improvements designated as “Tenant Responsibility” in the 2012 Building Survey report. By June 30, 2020, the City would plan and implement “City Responsibility” code improvements, including certain Americans with Disabilities Act (ADA) improvements, that are designated in the 2012 Building Survey report.

Wirick added that the City did not lease the building for profit but expected to recover sufficient funds from the lease to pay for ongoing maintenance. An analysis of the actual and projected income and expenses for the building from 1986 through 2020, including necessary ADA and other improvements indicated that the City would realize an estimated net gain of approximately \$27,400 if the lease was renewed through June 30, 2020. One-time City capital costs to mitigate current ADA and other code related deficiencies is estimated at approximately \$86,900 over the next 5 years. Wirick reported that sufficient funds had been set aside in the City’s Long-Term Building Maintenance Fund to make the necessary improvements and repairs.

Mayor Cook invited comments from the public. Peter Alexander Chernoff stated the middle class had been gutted and that the Federal Government and the IRS were criminal and illegal.

Speaking in support of the lease agreement were Erin McTaggart, Chris Petlock, Rosemarie Pedranzini, Robert Picket, Rebecca Wallace, and Zac Weinberg.

It was moved by Clm. Agrimonti, seconded by Clm. Gallian, to authorize the City Manager to execute the lease with Valley of the Moon Nursery School. The motion carried unanimously.

Item 7B: Discussion, consideration, and possible action to approve a proposed amendment to the City Watersheds Proposition 1E Grant for Drainage Improvements along First St. West between West Spain St. and Depot Park.

This item was continued to a future meeting.

RECESS: The meeting recessed from 7:20 to 7:30 p.m.

Item 7C: Discussion, consideration and possible action to authorize correspondence to the Sonoma County Board of Supervisors indicating the City’s opposition to the proposed fluoridation program, requested by Mayor Cook.

City Manager Giovanatto reported that the Sonoma County Department of Health Services, under the direction of the Board of Supervisors, had been researching and moving forward with plans for a fluoridation program for Sonoma County’s water distribution systems. Presentations were made to the Sonoma City Council on both sides of the issue in 2013 culminating in a request by former Councilmember Barbose to place consideration of sending a letter of opposition to the Board of Supervisors; however, no formal action was ever taken by the City Council in that regard largely due to the fact that the County had not completed their plan. She said that Mayor Cook requested this item be on the Council agenda upon being contacted by Dawna Gallagher-Stroeh, Director of Clean Water Sonoma-Marin, a non-profit organization.

Mayor Cook invited comments from the public. Rosemarie Pedranzini stated her disapproval of adding fluoride to the water and then introduced her husband Benny.

Summary of comments against fluoridation and in support of sending the letter: Bonnie Faulkner, the fluoride was not pharmaceutical grade and was a toxic byproduct of industry and adding it to the water supply would eliminate free choice. Gwen _____ fluoride was fertilizer waste, went down the drain and into the streams. Peter Alexander Chernoff alters the soil structures. Judith _____ 97% of Europe and many other countries do not do it. 40% of

Item 7C: Fluoridation, Continued

American teens subject to fluoridated water show signs of overexposure. It causes many ailments. Gale Hartman, Latinos and the NAACP were against it, minority communities were the most impacted by kidney disease. Laura Gator Benson, DDS, no safety studies had been conducted and fluoridation did not produce a significant reduction in cavities, those who cannot tolerate fluoride would have to invest in expensive water filtration systems. Robert Adams, most of the water goes down the drain into streams and rivers. Council needs to be informed and respect personal choice. James Bennett, we've all been deceived beyond our current understanding because our whole information construct is owned by a handful of people that are largely behind everything that is wrong. Will Pier, with education and good information people can make a choice if they want fluoride or not. Dawna Gallagher, it was a bad time to put chemicals into the groundwater, North Marin Water Agency, Sonoma County Water Agency, and other Sonoma County cities do not want to fluoridate, she supports the other County Health Department pillars of health.

Summary of comments in favor of fluoridation: Dan Kittleson, DDS, convinced that it was safe and reduced cavities, suggested the Council wait until the study was concluded. Martin Van Tassel, Fluoride Advisory Committee, any action by Council would be premature. Tom Hauser, dental health of the low income was a major issue, would be a disservice to those without access to dental care. Anthony Fernandez, DDS, Council needed to research all sides of the issue, let the County go through its process. Dave Chambers, former Dean of UOP Dental School, it would save the school districts money. Karen Milman, Sonoma County Health Officer, dental decay was at epidemic proportions and fluoridation was the most effective treatment. Council should work with the County and have a discussion about their concerns before making a decision.

Fred Allebach stated that he had listened to both sides and it was a tough decision for Council.

Mayor Cook stated that this subject came before Council previously and had been well vetted. He did not support fluoridation and did not want fluoridated water in City wells or aquifers. He stated the money could be better spent on education and he had heard that less than 1% of the fluoride was actually ingested and the rest went into lawns and down the drains.

Clm. Hundley stated that she had heard from a lot of people on this issue and that about ninety percent of them opposed adding fluoride to the water supply. Their main reasons seemed to be that there were better methods of acquiring fluoride through free choice. She said she was not convinced this was the best time to send a letter to the County. Clm. Hundley asked what the process would be.

Public Works Director Takasugi stated that when the studies were completed they would be reviewed by the Fluoride Advisory Committee and the Water Technical Advisory Committee upon which Clm. Gallian sat as a representative of the City. The City would be asked to weigh in when a recommendation came forward.

Clm. Agrimonti stated that she did not have enough information to support sending a letter at this time.

Clm. Edwards pointed out that no one was talking about sugary drinks and questioned why the focus was on fluoridation and was not addressing the real problem. He said he had spoken with doctors and a number of other people and was supportive of sending the letter. Clm. Edwards stated he did not want fluoride in the food he ate and Sonoma should take a leadership role within the County on this matter.

Clm. Gallian stated she had attended numerous meetings over the past three and a half years and this was not a matter about which you could educate yourself in a short amount of time. She said it was important to listen to both sides of the matter and pointed out that the County was weighing all the available information and welcomed everyone to weigh in; however she did not feel the three new Councilmembers had been presented with all the information and she wanted to see the results of the latest study conducted by the County before weighing in.

Mayor Cook expressed concern about the future drawing of water from the Russian River for groundwater banking and fluoride getting into the aquifers. Public Works Director Takasugi stated it had not yet been studied but that it would not be that unusual to find fluoride in the aquifers.

Clm. Hundley asked if anyone had fact-checked the draft letter that had been provided by Ms. Gallagher. She said it would be more meaningful if it mentioned concerns about the wine

Item 7C: Fluoridation, Continued

industry to make it more about Sonoma. Mayor Cook added that he wanted concerns about the drought conditions included.

It was moved by Clm. Hundley, seconded by Clm. Edwards, to direct staff to write a letter that reflected the discussion and comments by Council and to bring it back for final approval. Mayor Cook added the letter should state the City was considering putting water into our wells and would not support putting fluoride into our aquifers. Clm. Gallian stated she still did not feel Council had enough information. Clm. Edwards stated one thing he knew for sure was that it a fluoridation program would not be free. The motion carried with the following roll call vote: AYES: Edwards, Hundley, Cook. NOES: Gallian, Agrimonti. ABSENT: None. Clm. Agrimonti stated that she was never comfortable making a decision without having all the information.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS’ REPORTS AND COMMENTS

Clm. Agrimonti commented that her office hour was going well and she was learning a lot.
Clm. Hundley stated she had not established office hours but people could contact her anytime.
Clm. Gallian reported on the Sonoma County Transportation Authority meeting.
Mayor Cook reported on the Sonoma Clean Power and the Library Advisory Board meetings.

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

City Manager Giovanatto stated she had nothing to report.

11. COMMENTS FROM THE PUBLIC

Joanne Sanders congratulated City Manager Giovanatto for receiving the 2015 Spencer Flournoy Good Government Award from the Sonoma County Taxpayers Association. She stated that the level of traffic congestion on Highways 37 and 121 was ever increasing and affecting the local economy and that the City should demand that more County Tax dollars be spend on a solution.

12. ADJOURNMENT

The meeting was adjourned at 8:48 p.m. in recognition of Sullivan Edwards’ fourth birthday.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 2nd day of March 2015.

Gay Johann
Assistant City Manager / City Clerk