

**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 March 7, 2016

6:00 p.m.

AGENDA

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

Be Courteous - **TURN OFF** your cell phones and pagers while the meeting is in session.

OPENING

CALL TO ORDER & PLEDGE OF ALLEGIANCE
ROLL CALL (Hundley, Cook, Agrimonti, Edwards, Gallian)

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. MEETING DEDICATIONS

3. PRESENTATIONS – None Scheduled

4. 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 4A: **Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only.** (Standard procedural action - no backup information provided)

Item 4B: **Approval of the allocation of a City funded rental at the Sonoma Veteran's Memorial Building as requested by the Sonoma Community Center.**
Staff Recommendation: Approve the request for a City funded rental day.

Item 4C: **Approval and ratification of the reappointment of Christopher Woodcock to the Traffic Safety Committee for a term ending March 4, 2020.**
Staff Recommendation: Approve and ratify the reappointment.

Item 4D: **Approval of the minutes of the January 20, February 1, and February 17, 2016 City Council meetings.**
Staff Recommendation: Approve the minutes.

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

Item 4E: Amendment to the conditions of approval for the Tillem Vacation Rentals, located at 162-166 West Spain Street, removing the requirement to construct a decorative finial.

Staff Recommendation: Adopt resolution approving the amendment.

5. 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 5A: Approval of the portions of the minutes of the January 20, 2016, February 1 and February 17, 2016 City Council meetings pertaining to the Successor Agency.

Staff Recommendation: Approve the minutes.

6. PUBLIC HEARING – None Scheduled

7. REGULAR CALENDAR – CITY COUNCIL

(Matters requiring discussion and/or action by the City Council)

Item 7A: Discussion, Consideration, and Possible Action to Grant Conceptual Approval to Create a Monument in Honor of the Chinese Contribution to the Wine Industry.

(Public Works Director)

Staff Recommendation: Conceptual Approval of the Monument and Refer Review to the Community Services and Environment Commission and the Facilities Committee.

Item 7B: Discussion, consideration, and possible direction concerning the demolition of the Maysonnave Cottage (289 First Street West). (Planning Director)

Staff Recommendation: Direct staff to bring forward an application for demolition to the Design Review and Historic Preservation Commission.

Item 7C: Discussion, Consideration and Possible Action on a First Reading of an Ordinance to Regulate and Prohibit the Use of Leaf Blowers Within the City Limits. (City Manager)

Staff Recommendation: Conduct first reading of the ordinance, direct return for second reading/adoption.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

(Matters requiring discussion and/or action by the Council as the Successor Agency)

9. COUNCILMEMBERS' REPORTS AND COMMENTS

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

11. COMMENTS FROM THE PUBLIC

At this time, members of the public may comment on any item not appearing on the agenda

12. ADJOURNMENT

I do hereby certify that a copy of the foregoing agenda was posted on the City Hall bulletin board on March 3, 2016. 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: 4B

Meeting Date: 03/07/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the allocation of a City funded rental at the Sonoma Veteran's Memorial Building as requested by the Sonoma Community Center.

Summary

Per the City's agreement with the County for fiscal year 2015/16 the City is granted fifteen facility rentals for a fee of \$1,000 per rental. The City frequently allocates City funded rentals to local nonprofit, school, and charitable organizations. A City funded rental allows a group use of the facility for up to twelve hours on the date of their event at no cost to them 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.

Per the agreement, ten of the City funded rentals are allocated for weekend days (Friday 5 p.m. thru Sunday midnight), the remaining five must be used mid-week. City funded rental 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.

The Sonoma Community Center requested a City funded rental for the March 19, 2016 Trashion Fashion Show. If this request is approved the City will have no weekend and three weekday City funded rentals available for the remainder of the fiscal year.

Recommended Council Action

Approve the request for a City funded rental day.

Alternative Actions

Council discretion.

Financial Impact

\$15,000 has been included in the 2015/16 budget to cover the cost of fifteen rentals.

\$1,000 is remitted to the County for each City funded rental approved by Council.

Environmental Review

Status

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

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

Attachments:

Letter from Sonoma Community Center

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: Toni Castrone



Sonoma Community Center



February 18, 2016

Sonoma City Council
#1 the Plaza
Sonoma, CA 95476

Re: Request for Free Day at the Veteran's Building

Dear Mayor Gallian and members of the City Council:

The Sonoma Community Center hereby requests the use of a City-subsidized day at the Veterans Building on March 19, 2016.

The use of the Veterans' Building is necessary for the Trashion Fashion Show produced by Sonoma Community Center. Because the Sonoma Community Center uses this event as a fundraiser, the free use of the building helps maximize the revenue earned to ensure the largest amount possible goes toward our programs.

Thank you for your attention to this request and for your continued support of the Trashion Fashion Show.

Sincerely,

Toni Castrone
Executive Director



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4C

Meeting Date: 03/07/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval and ratification of the reappointment of Christopher Woodcock to the Traffic Safety Committee for a term ending March 4, 2020.

Summary

The Traffic Safety Committee consists of 5 members and one alternate who serve at the pleasure of the City Council. Appointments are made when a nomination by the Mayor is ratified by the City Council. Mr. Woodcock has served on the Committee since March 4, 2014 and Mayor Gallian has nominated him for reappointment to additional four-year term ending March 4, 2020.

Recommended Council Action

Approve and ratify the reappointment.

Alternative Actions

Council discretion.

Financial Impact

n/a

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Alignment with Council Goals: N/A

Attachments: None

cc: Christopher Woodcock via email



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4D

Meeting Date: 03/07/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the minutes of the January 20, February 1, and February 17, 2016 City Council Meetings.

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:

Minutes

Alignment with Council Goals: N/A

cc: N/A

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

Community Meeting Room, 177 First Street West, Sonoma CA



Wednesday January 20, 2016

6:00 p.m.

MINUTES

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

OPENING

Mayor Gallian called the meeting to order at 6:00 p.m. Lee Brown led the Pledge of Allegiance.

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

OTHERS PRESENT: City Manager Giovanatto, Assistant City Manager/City Clerk Johann, Associate City Attorney Nebb, Public Works Director/City Engineer Takasugi, Finance Director Hilbrants

1. COMMENTS FROM THE PUBLIC

Michelle Richey spoke about homelessness and the need for an emergency shelter especially during the rainy months. She requested the Council to declare a housing emergency in the City.

Josette Eichar suggested the Council raise the minimum wage and address land use issues related to affordable housing.

2. MEETING DEDICATIONS

Mayor Gallian dedicated the meeting in the memory of Sheila Cole.

3. PRESENTATIONS

Item 3A: Recognition of Tom Anderson's service on the Design Review and Historic Preservation Commission

Mayor Gallian presented a certificate of recognition to Tom Anderson and thanked him for six years of service on the Design Review and Historic Preservation Commission in addition to nine years he served on the Planning Commission. Mr. Anderson stated it had been an honor and pleasure to serve.

Item 3B: Human Trafficking Awareness and Prevention Month Proclamation

Mayor Gallian read aloud the proclamation recognizing the month of January as Human Trafficking Awareness and Prevention Month. Katherine Hargitt, representing the Sonoma County Human Trafficking Task Force, accepted the proclamation and reported on their ongoing efforts designed to educate the community about the presence of human trafficking.

Item 3C: National Mentoring Month Proclamation

Mayor Gallian read aloud the proclamation recognizing January as National Mentoring Month and celebrating the twentieth anniversary of the Sonoma Valley Mentoring Alliance. Lee Morgan Brown accepted the proclamation on behalf of the Alliance and spoke about the importance and need for the program.

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 December 21, 2015 City Council Meeting.**
- Item 4C: Approval and ratification of the appointment of Amy Sandoval as the alternate commissioner for the Community Services and Environment Commission for a two-year term.**
- Item 4D: Approval and ratification of the appointment of Richard Pollack to the Community Services and Environment Commission for a two-year term.**
- Item 4E: Authorize the City Manager to Execute a Recycled Water Agreement with the Sonoma Valley County Sanitation District to provide Recycled Water to a City Park at Engler Street. [Removed from Consent, see below]**
- Item 4F: Authorize the City Manager to Execute a 10-Year Lease Agreement between the City of Sonoma and the Sonoma Home Winemakers for Tex Juen Park. [Removed from Consent, and carried over]**
- Item 4G: Approve the Notice of Completion for the Napa Road Rehabilitation Project No. 1310; Federal Project No. STPL – 5114(017) constructed by Argonaut Constructors and Direct the City Clerk to File the Document.**

City Manager Giovanatto removed Item 4F to be carried over to a future agenda. Mayor Gallian removed Item 4E for separate discussion. The public comment period was opened and closed with none received. It was moved by Clm. Hundley, seconded by Clm. Edwards, to approve the items remaining on the Consent Calendar. The motion carried unanimously.

Item 4E: Authorize the City Manager to Execute a Recycled Water Agreement with the Sonoma Valley County Sanitation District to provide Recycled Water to a City Park at Engler Street.

Mayor Gallian stated this item represented one of the greatest achievements of the City dealing with recycled water during her time on the Council. Public Works Director Takasugi explained that the project would allow irrigation of the Engler Street Park with recycled water. The public comment period was opened and closed with none received. It was moved by Clm. Agrimonti, seconded by Clm. Cook, to approve the item. 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 December 21, 2015 City Council Meeting Pertaining to the Successor Agency.**
- Item 5B: Adoption of the FY 16-17 Recognized Obligation Payment Schedule [ROPS] for the period July 1, 2016 through June 30, 2017.**

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

6. PUBLIC HEARING – None Scheduled

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, Consideration and Possible Action to Approve the Sub-Lease of the Field of Dreams for the Sonoma Music Festival/BR Cohn Fall Music Charity Fundraiser.

City Manager Giovanatto reported that In October 2015 the BR Cohn Fall Music Charity held the first Sonoma Music Festival at the Field of Dreams in Sonoma. The purpose of relocating the event from the prior County location to the City was to bring specific benefit to the local economy and local charities, in particular, the Veteran’s organizations. The event was extremely well attended and resulted in \$200,000 being donated to local/regional charities. Pursuant to the Field of Dreams lease, any subleases of the property have to be approved by the City Council. BR Cohn has reached an agreement with Field of Dreams and were requesting Council approval of a sublease for an October 2016 music festival. Giovanatto stated that staff recommend approval subject to the following conditions: provide evidence of insurance with coverages and limits as required by the City’s risk manager; negotiate use of the Police parking lot with staff; reimburse the City for staff time necessary for management and or production of the event; contract with Sonoma County Sheriff’s Department for law enforcement services.

The public comment period was opened and closed with none received. It was moved by Clm. Hundley, seconded by Clm. Cook, to approve the sublease subject to the conditions recommended by staff. The motion carried unanimously.

Item 7B: Discussion, Consideration and Possible Action to Prepare Ballot Language on the Use and/or Prohibition of Leaf Blowers for the November 2016 Municipal Election.

City Manager Giovanatto reported that at the October 5, 2015 meeting, Council directed staff to bring back the issue of putting a ban on leafblowers on the ballot. She presented ballot measure options to the City Council which included the following questions:

- 1) Should the City of Sonoma adopt an ordinance to prohibit the use of all forms of leaf blower equipment in all areas of the City limits?

SUMMARY: This ordinance would completely eliminate the use of all leaf blower equipment within the City limits of Sonoma. Under enforcement, both the property owner or tenant and the landscaper each will be subject to the violation under the ordinance. The fine that is imposed for violation of the ordinance will depend upon whether the violation is prosecuted as an infraction, misdemeanor or administratively.

- 2) Should the City of Sonoma City of Sonoma adopt an ordinance to prohibit the use of gas-powered leaf blower equipment and allow only electric/battery operated equipment with operating hours to be limited to Monday through Friday 8:00 a.m. to 3:00 p.m. in all areas of the City limits?

SUMMARY: This ordinance would completely eliminate the use of all gas-powered leaf blower equipment within the City limits of Sonoma. All other areas of the City would be open for use of electric or battery operated equipment during specified hours. The operation of leaf blowers shall comply with the noise ordinance. Under enforcement, both the property owner or tenant and the landscaper each will be subject to the violation under the ordinance. The fine that is imposed for violation of the ordinance will depend upon whether the violation is prosecuted as an infraction, misdemeanor or administratively.

3) Should the City of Sonoma adopt an ordinance to prohibit the use of gas-powered leaf blower equipment and allow only electric/battery operated equipment only in commercial, mixed-use and public areas with operating hours to be limited to Monday through Friday 8:00 a.m. to 3:00 p.m. in all areas of the City limits?

SUMMARY: This ordinance would completely eliminate the use of all gas-powered leaf blower equipment within the City limits of Sonoma. The use of all other powered leaf blowers (battery/ electric powered) to be banned in all areas of the City of Sonoma with the exception to commercial and mixed -use zones and public areas owned by the City of Sonoma and under the maintenance responsibilities of the City Public Works Department. The operation of leaf blowers shall comply with the noise ordinance. Under enforcement, both the property owner or tenant and the landscaper each will be subject to the violation under the ordinance. The fine that is imposed for violation of the ordinance will depend upon whether the violation is prosecuted as an infraction, misdemeanor or administratively.

Mayor Gallian invited comments from the public. The following spoke in favor of a compromise ordinance instead of placing the matter on the ballot: Georgia Kelly, Sarah Ford, David Eichar, Patty Dufern, Mari Lee Ebert, Bob Edwards, Daryl Ponicsan, Lisa Summers and Pat Coleman.

Phil Busalacchi stated his support for a complete ban. Lynn Clary pointed out that the Council had voted in 2011 to pass a law prohibiting the blowing of debris into the streets.

CIm. Cook stated that he did not support placing the matter on the ballot.

CIm. Hundley pointed out that there had not been any willingness for a compromise until the last attempt at adopting an ordinance failed. She stated that countless hours had already been spent on this issue by staff and Council and there were other things that Council needed to work on. She stated her continued opinion that the matter should be on the ballot to let the community decide what it wanted. She favored option 1 or just a ban on gas powered leafblowers.

CIm. Edwards stated that the number of complaints about leafblowers was very small in comparison to the City's population. He said he wanted to get back to the issues of affordable housing, homelessness and food for the poor. Edwards supported placing the matter on the ballot.

CIm. Agrimonti stated her irritation that it took Council making the decision to place the matter on the ballot before people were willing to compromise. She said she would support a compromise ordinance.

Mayor Gallian stated that the message from the public tonight was clear and she would not support a ballot measure.

It was moved by CIm. Edwards, seconded by CIm. Hundley, to place Option 1 on the ballot. Edwards added that this matter would end up on the ballot one way or another and it would be far better if the Council made the decision to place it on the ballot. The motion failed with the following roll call vote: AYES: Edwards, Hundley. NOES: Cook, Agrimonti, Gallian. ABSENT: None.

It was moved by CIm. Cook, seconded by CIm. Agrimonti, to revisit the leafblower issue with further discussion of the possibility of banning gas and allowing electric in all areas. The motion carried three to two. Councilmembers Edwards and Hundley cast the dissenting votes.

7:30 p.m. CIm. Edwards was excused from the meeting.

RECESS: The meeting recessed from 7:30 to 7:35 p.m.

Item 7C: Discussion of the Progress Report on the 2015-16 City Council Goals.

City Manager Giovanatto provided an in-depth status report on the 2015-16 Council goals. Councilmembers commented on a few of the accomplishments and expressed their appreciation to City Manager Giovanatto for the report and to Public Works Director Takasugi for moving along all the capital improvement projects.

Mayor Gallian invited comments from the public. Mr. Ransom asked the Council to keep rent control and tenants' rights on the forefront.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS' REPORTS AND COMMENTS

Clm. Cook reported on the Library Advisory Committee and Sonoma Clean Power meetings.

Clm. Hundley reported on the Legislation Committee meeting.

Mayor Gallian reported on the SCTA/RCPC and Marin/Sonoma Mosquito District meetings.

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

None.

11. COMMENTS FROM THE PUBLIC

Ann Wrays asked the Council to devote a portion of the Transient Occupancy Tax towards the housing crisis.

Patty Dufern suggested the City have an architect or representative of the Historic Preservation Commission at Design Review & Historic Preservation Commission meetings to provide direction and information to Commissioners and staff.

12. ADJOURNMENT

The meeting was adjourned at 9:35 p.m. in the memory of Sheila Cole.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the day of 2016.

Gay Johann
Assistant City Manager / City Clerk

**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, February 1, 2016
5:30 p.m. Closed Session (Special Meeting)
6:00 p.m. Regular Meeting**

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

MINUTES

SPECIAL MEETING - CLOSED SESSION

Mayor Gallian called the meeting to order at 5:30 p.m. No one from the public was present to provide public testimony on the closed session items. The Council recessed into closed session with all members present. City Manager Giovanatto, City Attorney Walter and Planning Director Goodison were also present.

CLOSED SESSION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9 of the Cal. Gov't Code. Number of potential cases: One.

REGULAR MEETING

Mayor Gallian called the meeting to order at 6:00 p.m. Zanne Clark led the Pledge of Allegiance.

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

OTHERS PRESENT: City Manager Giovanatto, City Attorney Walter, Planning Director Goodison, Administrative Assistant, Rita Gipson

REPORT ON CLOSED SESSION

Mayor Gallian reported that Council gave direction to staff.

1. COMMENTS FROM THE PUBLIC

Jack Wagner announced he would be running for City Council this year and would be filing this summer.

Lisa Marie expressed her passion for Sonoma and announced that she had planned to run for President of the United States in 2016 but will postpone that run until 2020.

Shizandra Fox stated her plans to run for Congress or the House of Representatives with a platform based upon the unmet needs of children.

Bruce Gordon expressed his support for Lisa Marie and her cause. He said she had enlightened him to the idea of our children and he would be running for Congress.

2. MEETING DEDICATIONS – None

3. PRESENTATIONS

Item 3A: Rise Up To End Violence Against Women Day Proclamation

Mayor Gallian read aloud the a proclamation recognizing February 14, 2016 as Rise Up To End Violence Against Women Day and presented it to Joanne Brown of the Sonoma County Commission on the Status of Women

4. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

Item 4A: Waive Further reading and Authorize Introduction and/or Adoption of Ordinances by Title Only.

The public comment was opened and closed with none received.

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

6. PUBLIC HEARING – None Scheduled

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, Consideration and Possible Action to Provide Direction on the Authority and Administration of the Sonoma County Waste Management Agency JPA and the Potential Extension of the Agency.

Patrick Carter, Interim Executive Director for Sonoma County Waste Management Agency JPA discussed options for extending the agency. Mayor Gallian suggested a one year extension allowing time for further research of the options. Clm. Edwards indicated he would support SCWMA for an additional year with mixed reservations. Clm. Cook agreed no more than a year's extension. Clm. Hundley agreed for a one year extension asking for further input from local agencies. It was moved by Mayor Gallian, seconded by Clm. Agrimonti, to extend the agency for an additional one year to allow sufficient time to discuss all necessary issues and resolve outstanding questions. The motion carried unanimously.

City Manager Giovanatto suggested exploring a small local compost program and would report back to the City in September if this would go forward.

Item 7B: Discussion, consideration, and possible action on a request by the League for Historic Preservation to confirm that the Maysonnave House Lease allows for ancillary events as a means of fundraising for the upkeep of the Maysonnave House.

Planning Director Goodison stated the Sonoma League for Historic Preservation requested from council a confirmation that the occasional use of the Maysonnave property for events, including weddings, would be allowed for under its lease with the City as an ancillary activity consistent with the primary use of the property as a museum. Goodison noted that while these activities include a limited

number of celebrations, small family gatherings, reunions and weddings intended to support the upkeep of the Maysonnave Home, the League does not intend to rely solely on event income, which is projected to account for about 50% of building maintenance costs. Goodison expressed it was estimated that approximately 50% of Maysonnave income could come from events with another 50% from a combination of fundraising activities, major gifts, donations and grants however, without the events income the Maysonnave House would not be able to function as an asset to the City, residents and visitors.

Ethel Daly responded for the League for Historic Preservation stating the league raised over \$100,000 in funds and awareness for the historic preservation over the years adding that weddings and community events should be part of the mix as a major source of income after determining the lease ancillary agreement allows for ancillary events as a means of fundraising sources. Daly urged a yes vote on motion for uses customarily associated with other museums to include twelve weddings a year and not more than two weddings per month and other events.

Zanne Clark stated her involvement in the League since 1985 asking for support to cover operations for the property.

Robert Demler agreed the Maysonnave House is a civic treasure asking for an agreement from the city to have a broader scope of usage for league members as well as the greater community resulting in a revenue stream as in the past.

Clm. Hundley asked about details regarding parking capacity. Goodison stated the Planning Commission reviewed the terms of the lease years ago as a museum noting it is city owned stating it would not go back to the Planning Commission.

Clm. Cook stated he had no concerns and supported two weddings a month. Clm. Edwards agreed stating he did not feel the league was charging enough for weddings and was in full support. Clm. Agrimonti agreed with Clm. Edwards. Mayor Gallian agreed with not more than two weddings a month and not more than twelve a year and commended all league members for their support and the neighbors being in full accord having this continue.

City Attorney Walter stated he would like to see a side letter agreement for both parties to sign off on (incorporating page 43, Financial Appendix, Proposed Events 2016 Maysonnave House) for no more than two weddings a month and a quarterly reporting from the league regarding the events and a statement of reevaluation by council. It was moved by Clm. Cook, seconded by Clm. Edwards for a side letter. The motion carried unanimously.

Item 7C: Discussion, Consideration and Possible Action to Review the Sonoma Community Fund Grant Program as Presented by the City Manager.

City Manager Giovanatto presented the Sonoma Community Fund program guidelines for 2016-2017 funded through a s budget allocation equal to 1.5% of specified General Fund Revenues. Giovanatto stated beginning 2016-2017 new Community Funding competitive grant guidelines would be in effect open to all non-profit agencies serving Sonoma. It centered around Council's intention to distribute the Community Grant funds to a wide span of agencies benefiting the greater good with a priority given to programs that focus on Youth, Adult or Senior Activities, Community Engagement and Civic Activities, Cultural and Arts and Environment and Green Initiatives.

Council discussed the overall guidelines then Mayor Gallian opened to the public for comment.

Lisa Marie spoke in favor of giving younger people ages 18-35 a chance to be part of the city and the Community Grant Fund Program. Cynthia Scarborough, Executive Director of the Vintage House

Senior Center, expressed concern as to the limit of only two years of funding and stated she would like to see the year to year funding removed and have the Vintage House put back into the city budget. Fred Allebach stated he was in support of the Vintage House and how much they rely on city funding. Public comment period was closed.

City Manager Giovanatto directed council to areas of the guidelines which she requested additional direction and during which straw votes were taken to determine majority preference of Council. Council gave direction on the following areas:

- 1) Four topic program focus areas: Council consensus on all four core areas were very diverse groupings that covered all programs and would change annually for evaluation.
- 2) Funding options: Council discussion of options regarding funding levels and matching grant requirements; Council discussion of setting minimum grant of \$5,000. Council majority concurrence for Option 1 & 1a with an addition of a \$5,000 minimum grant.
- 3) 2-year operational requirement: Council concurrence to set 2-year requirement.
- 4) 60% residency requirement for services: Council removed language on requiring documentation of services benefiting at least a 60% Sonoma residency factor. Requested language be changed to encourage evidence how program will demonstrate the benefits to City residents.
- 5) Grant Award Subcommittee: Council concurrence to have City Manager appoint staff subcommittee to review applications and make recommendation to Council in ranking order. City Manager verified that all grant applications would be included with Council staff report for transparency.

With all direction given on specific areas of the Community Fund guidelines, staff will proceed to finalize program and call for grant applications in mid-to-late March.

RECESS: The meeting recessed from 8:50 p.m. to 8:55 p.m.

Item 7D: Discussion, Consideration and Possible Action to Approve Addendum No. 1 to the City Prosecutors Agreement to Initiate a New Code Enforcement Program.

City Manager Giovanatto discussed the Program Administration Appointment of Code Enforcement Personnel, Compensation, Reporting and Termination of Service in order to initiate and undertake the responsibility for the prosecution of all misdemeanors and infractions occurring within the city limits of the City of Sonoma and establish terms and conditions for provision of additional professional services which Robert A. Smith would perform under Addendum No 1.

It was moved by Clm. Agrimonti, seconded by Clm. Hundley to approve Addendum No. 1 to the City Prosecutors Agreement to Initiate a New Code Enforcement Program authorizing the City Manager to execute same. The motion carried unanimously.

Item 7E: Discussion, Consideration and Possible Action to Update the Alcalde Selection Process

City Manager Giovanatto discussed minor modifications be updated to the Alcalde Policy by proposing the timing of the Alcalde appointment after the new Mayor is elected. Mayor Gallian stated moving the date to January would benefit more discussion and committee time for the incoming Mayor.

It was moved by Clm. Agrimonti, seconded by Clm. Cook to update the Alcalde Policy. The motion carried unanimously.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS’ REPORTS AND COMMENTS

CIm. Edwards reported attendance at the Sonoma County Health Action meeting.

Mayor Gallian reported attendance at the Water Advisory Committee as the new Vice Chairman and reminded everyone that water conservation is still under mandatory water restrictions.

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

City Manager Giovanatto reported the Board of Supervisors voted unanimously on January 26, 2016, to recommend CDC staff to select Satellite Affordable Housing Associates as the development partner for the project on Broadway. Giovanatto thanked the Rotary Club for paying the fees for the Castillo residence repairs on Broadway. Giovanatto reported the conversion project for the LED street lighting saved the City \$75,000 and would be completed during the week. She stated Phase 2 of the historic street signs and commissioned Sister City replacements were making great progress. She said the City would be getting bids for replacement AV equipment that had been malfunctioning at the Community Meeting room.

The meeting was adjourned at 9:38 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 day of 2016.

Rita Gipson
Administrative Assistant

**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



Wednesday February 17, 2016

6:00 p.m.

MINUTES

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

OPENING

Mayor Gallian called the meeting to order at 6:00 p.m. Liam O’Driscoll led the Pledge of Allegiance.

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

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

1. COMMENTS FROM THE PUBLIC

Ann Wray and Michele Richey read aloud a letter recently published as an “Open Letter to the City Council” in the Index Tribune which stressed the need for the City to address issues related to affordable housing and homelessness.

David Eichar suggested the City revise its housing goals and increase the number of affordable units required within new development.

Jack Wagner reported homeless camps in Maxwell Park and stated the need for regulations for tenant evictions.

2. MEETING DEDICATIONS

Clm. Agrimonti dedicated the meeting in the memory of Laurie Webber Hutchinson.

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 and ratification of the appointment of Robert Cory as the alternate commissioner on the Design Review & Historic Preservation Commission for an initial two-year term.

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

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

6. PUBLIC HEARING – None Scheduled

7. REGULAR CALENDAR – CITY COUNCIL

Item 7A: Discussion, Consideration and Possible Action on Options for a Compromise Ordinance to Limit the Use of Leaf Blowers Within the City Limits.

City Manager Giovanatto reported that pursuant to the January 20, 2016 direction of City Council, staff had prepared a draft compromise ordinance which incorporated the following basic tenants of a compromise. 1. TYPE OF EQUIPMENT ALLOWED: Completely eliminate the use of all gas-powered leaf blower equipment within the city limits of Sonoma. All areas of the City would be open for use of electric or battery operated equipment. 2. HOURS OF OPERATION: Monday-Saturday 8:00 a.m. - 3:00 p.m. except on City holidays. 3. NOISE LEVEL: The operation of leaf blowers shall comply with the noise ordinance, including the decibel limits applicable to residential power equipment. 4. ENFORCEMENT: Under enforcement, both the property owner or tenant and the landscaper each will be subject to the penalty provisions under the ordinance. The fine that is imposed for violation of the ordinance will depend upon whether the violation is prosecuted as an infraction, misdemeanor or administratively. 5. ENFORCEMENT DATE: Ordinance shall be enforced commencing July 4, 2016.

Clm. Edwards confirmed that the police department had received between thirty and forty complaints during the past year, the prosecutor had conducted ten to twelve site hearings, and there had been no arrests related to the use of leafblowers.

Clm. Hundley confirmed that violations of the proposed ordinance would be enforced either as an infraction or a misdemeanor, or by any other remedy available to the City under state law.

Clm. Agrimonti confirmed that, although not included in the current code, the provision that debris was not to be directed into the street or neighboring properties, had been included in the best practices flyer distributed by the City.

Clm. Edwards stated that he conducted a test using a steel rake which resulted in a noise level across the street of ninety decibels.

Mayor Gallian confirmed that the new Code Enforcement Officer would be in place within sixty days.

Mayor Gallian invited comments from the public. The following persons spoke in favor of the ordinance: Jack Wagner, Sarah Ford who requested a start time of nine or ten a.m., Lyn Clary who requested the addition of a restriction that debris could not be directed into the street or neighboring properties, Georgia Kelly who suggested a nine to four time frame, Josette Eichar who requested a later start time and requested a ban on backpack style blowers, Phil Busalacchi who requested removal of the exemption for capital improvement projects, David Eichar and Lisa Summers who echoed previous suggested changes, Mark Janofski who suggested banning gas powered generators, and Caroline Wompole.

City Manager Giovanatto stated that the exemption for capital improvement projects would be removed from the ordinance.

CIm. Hundley stated that she did not feel the proposed ordinance addressed the issues that had been originally brought up. She cited studies which indicated there was no difference between the noise level of gas and electric blowers.

CIm. Cook stated he had always desired uniform regulations across the board.

CIm. Edwards stated his desire to get back to the issues that matter. He pointed out the various other activities that generate noise, emissions and pollutants and stated his disagreement with any ban of leafblowers.

Mayor Gallian stated it was time to put this quality of life issue to bed. She then took straw votes from Councilmembers on the main components of the ordinance as outlined by the City Manager. They reached majority consensus to approve them with the exception of changing the hours of operation to nine to four and to add a provision prohibiting blowing debris into the street or onto neighboring properties.

RECESS: The meeting recessed from 7:32 to 7:40.

Item 7B: Presentation of FY 2015 - 2016 Midyear Budget; discussion, consideration and possible action on Amendments to the FY 2016 Operating Budget.

Finance Director Hilbrants presented the midyear budget report and proposed budget amendments. The public comment period opened and closed with none received. It was moved by CIm. Hundley, seconded by CIm. Edwards, to adopt Resolution Number 03-2016 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING THE FY 2015 - 2016 BUDGET. The motion carried unanimously.

Item 7C: Discussion, Consideration and Possible Action to Establish a Process for Determining Community Focus Per FY 2015-16 Council Goals.

City Manager Giovanatto reported that the 2015-16 Council Goals included a Key Element, suggested by CIm. Agrimonti, under City Character which stated: "Make a commitment to the community for special focus or dedication (i.e. the year of the children, the year of the neighborhoods)". She stated that in order to successfully accomplish this Key Element, staff suggested Council have a more detailed discussion on what process may be undertaken to determine how the dedication would be determined. Giovanatto posed the following two options for consideration: 1) Council could determine the designation during Goal-Setting discussions. Outreach would be solicited from the public as a part of Council Goals priority for the upcoming year. This would then also become an input tool for budget priorities or a focus area for the Community Fund grant applications. 2) The Mayor, upon appointment, could make a proposal as to their designation for Council ratification (in January). This then would become the theme for what they wish to represent for their year in office.

Mayor Gallian invited comments from the public. Fred Allebach stated that he had just realized that the Council goals served as the blueprint for the City Manager for the year. Councilmembers weighed in and reached a unanimous consensus to go with option one as presented by the City Manager.

8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY

9. COUNCILMEMBERS' REPORTS AND COMMENTS

CIm. Cook reported on the Sonoma Clean Power and Library Advisory Board meetings.

CIm. Edwards wished his son Sullivan a Happy Birthday.

CIm. Hundley reported attendance at the Chamber Breakfast.

CIm. Agrimonti reported on Waste Management meeting.

Mayor Gallian reported on the Mayors and Councilmembers and SCTA/RCPA meetings and the Chamber Breakfast.

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

City Manager Giovanatto reported that recruitment was underway for three members of the Traffic Safety Committee with applications due March 16. She stated that the April 4 Council meeting, focused on the Mobilehome Rent Control Ordinance, would begin at four and would be held at the Veterans Building. She also reported the Council Goal Setting meeting would be held May 23 and the Budget Workshop on June 9.

11. COMMENTS FROM THE PUBLIC

12. ADJOURNMENT

The meeting was adjourned at 8:46 p.m. in the memory of Laurie Webber Hutchinson

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the day of 2016.

Gay Johann
Assistant City Manager / City Clerk



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 4E

Meeting Date: 03/07/16

Department

Planning

Staff Contact

Planning Director Goodison

Agenda Item Title

Amendment to the conditions of approval for the Tillem Vacation Rentals, located at 162-166 West Spain Street, removing the requirement to construct a decorative finial.

Summary

At its meeting of November 3, 2014, the City Council upheld the appeal of Leonard Tillem for a Use Permit to allow the conversion of the mixed-use building at 162-166 West Spain Street into two vacation rental units as an adaptive reuse of an historic structure (the "Weyl House", constructed around 1880), based on findings that the building is historically significant and is in a state of great disrepair. The conditions of approval include condition 1.e, which requires the installation of a finial, a decorative element that would be placed above the door, replicating a feature shown in the photograph of the building associated with its entry in the League for Historic Preservation's survey of historically-significant properties. This condition was based on the assumption that the finial was an original element of the building. However, subsequent research by George McKale, a qualified expert in cultural resource evaluations, suggests that the finial was added much later in the building's life and that it was not a historic feature. When it reviewed the building renovation plans at its meeting of January 19, 2016, the Design Review and Historic Preservation concurred with this finding and requested the applicant to seek an amendment to the conditions of approval removing the requirement for the finial because it would introduce a non-historic building element. On behalf of the property owner, Mr. McKale is therefore requesting that the condition requiring the finial be removed.

Recommended Council Action

Adopt the attached Resolution amending the conditions of approval by deleting condition 1.e.

Alternative Actions

N.A.

Financial Impact

N.A.

Environmental Review

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

Status

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

Attachments:

1. Resolution
 2. Letter From the Design Review and Historic Preservation Commission
 3. Letter from George McKale
 4. Approved Elevations
 5. Photograph From League for Historic Preservation Building Survey
-

Alignment with Council Goals:

This item relates to the City Council goal pertaining to City Character, which includes maintaining and strengthening historic values.

cc: Leonard Tillem (via email)
846 Broadway
Sonoma, CA 95476

George McKale (via email)
McKale Consulting
717 Lasuen Street
Sonoma, CA 95476

Patricia Cullinan (via email)
475 Denmark Street
Sonoma, CA 95476

CITY OF SONOMA

RESOLUTION NO. XX

A RESOLUTION OF THE SONOMA CITY COUNCIL AMENDING THE CONDITIONS OF APPROVAL ASSOCIATED WITH A USE PERMIT ALLOWING AN ADAPTIVE RE-USE OF A HISTORIC BUILDING (162-166 WEST SPAIN STREET)

WHEREAS, on May 16, 2014, Leonard Tillem filed a Use Permit application to convert the mixed-use building at 162-166 West Spain Street into two vacation rental units as an adaptive reuse of an historic structure; and,

WHEREAS, this application was initially considered by the Planning Commission in a public hearing held on June 12, 2014, at which time the Planning Commission continued the item with direction to the applicants to provide additional information in support of the application; and,

WHEREAS, the applicants presented supplemental information, including proposed building improvement plans and detailed cost estimates, that was considered by the Planning Commission at its meeting of August 14, 2014, at which time the Commission voted 6-1 to deny the use permit application; and,

WHEREAS, this decision was appealed to the City Council by Leonard Tillem and Laura Olsen, at which time the appellants submitted additional information substantiating the improvements and investment required to adequately restore the building; and,

WHEREAS, when the City Council considered the appeal in a duly noticed public hearing held on October 20, 2014, on a vote of 3-2 it upheld the appeal, thereby approving the use permit for adaptive reuse; and,

WHEREAS, at its meeting of November 3, 2014, the City adopted a resolution confirming its action on the appeal and setting forth the conditions of Use Permit approval; City Council considered the appeal in a duly noticed public hearing held on October 20, 2014, and,

WHEREAS, condition 1.e requires the installation of a finial, replicating a feature on the building that had been removed, on the south elevation of the building; and,

WHEREAS, the inclusion of condition 1.e was based on the premise that a finial had been a feature of the original historic structure; and,

WHEREAS, a subsequent evaluation performed by a qualified consultant in the field of cultural resource evaluation found that a finial was most likely not a feature of the original historic structure; and,

WHEREAS, because a finial was most likely not a feature of the original historic building, the Design Review and Historic Preservation Commission, in the course of its review of the project, has recommended that the requirement for a replacement finial be eliminated so as not to introduce a falsely historic building element in the renovation of the structure.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sonoma finds and declares as follows:

Section 1.

- A. The conditions of approval dated November 3, 2014 are hereby amended with the deletion of condition 1.e, as shown on exhibit "A".

Section 2

Pursuant to Section of 15303 of the State CEQA Guidelines, the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure is Categorical Exempt from the provisions of CEQA (Class 3 – Conversion of Small Structures). In addition, there is no substantial evidence that there would be a significant adverse environmental impact associated with the determination to not require the construction of a small, decorative building element whose inclusion could diminish the historic significance of the property.

The foregoing Resolution was duly adopted this 3th day of November 2014, by the following roll call vote:

City of Sonoma City Council
CONDITIONS OF APPROVAL
Tillem Vacation Rentals Use Permit
162-166 West Spain Street
November 3, 2014

1. The two vacation rental units shall be constructed and operated in conformance with the project narrative, and the approved site and floor plans except as modified by these conditions and the following:
 - a. This permit does not constitute an approval for a Special Event Venue as defined under Section 19.92.020 of the Development Code
 - b. Outside activities/noise on the property shall cease by 10 p.m. nightly.
 - c. The applicant shall provide a 24-hour contact number for the vacation rental owner/manager to residents and owners of other properties within 100 feet of the project site
 - d. The rehabilitation and improvements called for in the project narrative shall be implemented.
 - e. ~~The final referred to in the League for Historic Preservation description of the building shall be installed.~~

Enforcement Responsibility: Planning, Building and Public Works
Timing: Ongoing

2. Consistent with the purpose of Section 19.42.030 of the City of Sonoma Development Code (Adaptive Reuse), the applicant/owner shall implement regular maintenance and enhancement of the historic building in a manner that conforms to the Secretary of the Interior's Standards for the Treatment of Historic Properties.

Enforcement Responsibility: Planning Department
Timing: Ongoing

3. A minimum of four on-site parking spaces shall be provided and maintained for the two vacation rental units on the property.

Enforcement Responsibility: Planning, Building, and Public Works
Timing: Ongoing

4. The applicant/property owner shall obtain and maintain a business license from the City for the vacation rental use, and shall register with the City to pay associated Transient Occupancy Taxes (TOT) for the two vacation rental units.

Enforcement Responsibility: Planning Department; Finance Department
Timing: Prior to operating the vacation rentals and ongoing

5. Fire and life safety requirements administered by the Fire Department and the Building Division shall be implemented. Minimum requirements shall include approved smoke detectors in each lodging room, installation of an approved fire extinguisher in the structure, and the inclusion of an evacuation plan posted in each lodging room.

Enforcement Responsibility: Building Department; Fire Department
Timing: Prior to operating the vacation rentals and ongoing

6. The vacation rental units shall comply with the annual fire and life safety certification procedures of the Fire Department.

Enforcement Responsibility: Fire Department
Timing: Ongoing

7. Any signage proposed in association with the vacation rentals shall be subject to review and approval by Planning Department staff or the Design Review & Historic Preservation Commission as applicable.

Enforcement Responsibility: Planning Department; DRHPC

Timing: Prior to installation of any signage for the vacation rentals

8. All Building Department requirements shall be met, including applicable Building Code requirements related to the change in use of the structure, and compliance with ADA requirements (i.e. disabled access, disable parking, accessible path of travel, bathrooms, etc.). A building permit shall be required.

Enforcement Responsibility: Building Department

Timing: Prior to construction; Prior to operating the vacation rentals

9. All Fire Department requirements shall be met including the provision of fire sprinklers within the structure if deemed necessary.

Enforcement Responsibility: Fire Department; Building Department

Timing: Prior to issuance of any building permit; Prior to operating the vacation rentals

10. The Applicant shall pay any required increased water fees applicable to the changes in use in accordance with the latest adopted rate schedule.

Enforcement Responsibility: Public Works Department; Water Operations Supervisor; City Engineer

Timing: Prior to finaling any building permit; Prior to operating the vacation rentals

11. The applicant shall comply with the following requirements of the Sanitation Division of Sonoma County Permit & Resource Management Department (PRMD) and the Sonoma County Water Agency (SCWA) as applicable:

- a. In accordance with Section 5.05, "Alteration of Use", of the Sonoma Valley County Sanitation District Ordinances, the Applicant shall pay any applicable increased sewer use fees for converting use of the structure to two vacation rental units. Any required increased sewer use fees shall be paid the Engineering Division of PRMD prior to the commencement of the use(s).
- b. A sewer clearance shall be provided to the City of Sonoma Building Department verifying that all applicable sewer fees have been paid prior to the issuance of any building permit. **Note: Substantial fees may apply for new sewer connections and/or the use of additional ESDs from an existing sewer connection. The applicant is encouraged to check with the Sonoma County Sanitation Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Sanitation Division of Sonoma County Planning & Management Resource Department; Sonoma County Water Agency: City of Sonoma Building Department

Timing: Prior to issuance of a building permit; Prior to operating the vacation rentals

12. In addition to those already identified, the following agencies must be contacted by the applicant to determine permit or other regulatory requirements of the agency prior to issuance of a building permit, including the payment of applicable fees.

- a. *Sonoma Valley Unified School District [For school impact fees]*

Enforcement Responsibility: Building Department

Timing: Prior to issuance of a building permit

City of Sonoma

Sonoma Sister Cities:

No. 1 The Plaza
Sonoma, California 95476-6618
Phone (707) 938-3681 Fax (707) 938-8775
E-Mail: cityhall@sonomacity.org



Aswan, Arab Republic of Egypt
Chambolle-Musigny, France
Greve In Chianti, Italy
Kaniv, Ukraine
Patzcuaro, Mexico
Penglai, China
Tokaj, Hungary

January 21, 2016

Laura Olson
18173 Barrett Avenue
Sonoma, CA 95476

Subject: Consideration of design review of exterior modifications for two vacation rental units located at 162-166 West Spain Street (APN 018-780-006).

Dear Ms. Olson:

On Tuesday, January 19, 2016, the Design Review and Historic Preservation Commission (DRHPC) considered the design review of exterior modifications for two vacation rental units located at 162-166 West Spain Street. After discussion and public testimony, the DRHPC voted 5-0 to approve the proposal as submitted with the application including the recommendation for the City Council to not install the finial as required by the conditions of approval for the conversion of the building to two vacation rental units as an adaptive re-use of a historic structure.

In order for the City Council to consider a modification to the conditions of approval a written request shall be made to the Planning Department and the request will be placed on an upcoming City Council meeting agenda.

If you have any questions about this matter, please do not hesitate to call.

Sincerely,

Wendy Atkins
Associate Planner

cc: Laura Olson
846 Broadway
Sonoma, CA 95476

Patricia Cullinan, via email

Alice Duffee, via email

SLHP Historic Survey, via email

Mary Martinez, via email

MCKALE CONSULTING
717 Lasuen St
Sonoma, CA 95476

February 18, 2016

Sonoma Planning Department
No.1 The Plaza
Sonoma, CA 95476

Subject: Tillem Building-Proposed Vacation Rental Project-Bell-Shaped Hood with Finial

Sonoma Planning Department,

This letter provides clarification regarding the historic significance of an architectural feature identified by the Sonoma League for Historic Preservation as a part of their 1978-79 historical survey. In the survey, it states "the door is covered by a bell-shaped hood with finial."

The building was formally evaluated (McKale 2014) to determine if it was eligible for listing on the National Register of Historic Places and California Register of Historical Resources. At the time of the evaluation, the hood and finial had been removed.

The house was constructed by Henry Weyl, a significant figure in the history of Sonoma, and has retained enough integrity to convey its significance. The period of significance is from 1880-1902. The building was constructed around 1880 as Henry Weyl began to aggressively develop Lot 27. The period of significance ends upon Henry Weyl's death.

It is highly unlikely that the "bell-shaped hood with finial" was an architectural feature constructed during the period of significance. From the League's photo, the hood appears to be constructed of brass. There are no examples of brass hoods on residential buildings dating to the 19th-century within the City of Sonoma. Brass hoods became more common in the middle of the 20th-century and was likely placed on the Weyl Building in the late 1950's or early 1960's.

Given that the "bell-shaped hood with finial" was not an element of the original construction, replacing it may in fact compromise the historic integrity of the building.

Please let me know if you have questions regarding this issue.

Sincerely,



George McKale

McKale, George
2014 Historic Resources Evaluation Report, 162, 164 and 166 West Spain Street (APN 018-780-006-000),
The Weyl House, Sonoma, Sonoma County, California. McKale Consulting.



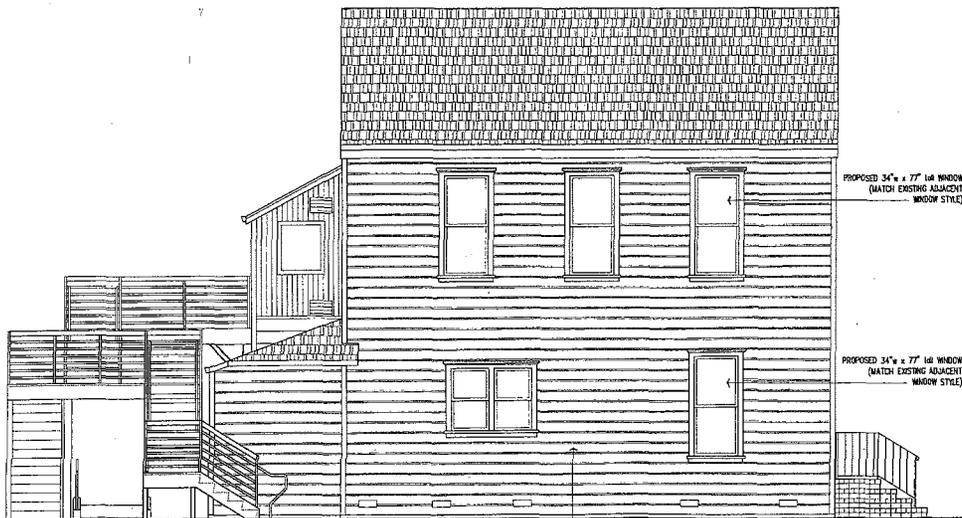
APPROVED EAST ELEVATION

SCALE: 1/4" = 1'-0"



2 APPROVED NORTH ELEVATION

SCALE: 1/4" = 1'-0"



PROPOSED WEST ELEVATION

SCALE: 1/4" = 1'-0"



1 APPROVED SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

APPROVED

By: DRAPC
1/19/16
Comments:

WEYL HOUSE REMODEL - 162, 164, 166 WEST SPAIN STREET, SONOMA CA.
APPENDIX 1 - PROPOSED NEW WEST ELEVATION ONLY
APN: 018-780-006
CITY OF SONOMA - DESIGN REVIEW JANUARY 2016

RECEIVED

JAN 07

CITY OF SONOMA

OWNERS:
LAURA OLSON
LEONARD TILLEM
JOINT VENTURE
846 BROADWAY
SONOMA, CA. 95476





CITY OF SONOMA
City Council/Successor Agency
Agenda Item Summary

City Council Agenda Item: 5A

Meeting Date: 03/07/2016

Department

Administration

Staff Contact

Gay Johann, Assistant City Manager/City Clerk

Agenda Item Title

Approval of the portions of the minutes of the January 20, February 1, and February 17, 2016 City Council meetings 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 4D for the minutes

Alignment with Council Goals: N/A

cc: NA



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 7A

Meeting Date: 03/07/2016

Department

Public Works

Staff Contact

Dan Takasugi, Public Works Director / City Engineer

Agenda Item Title

Discussion, Consideration, and Possible Action to Grant Conceptual Approval to Create a Monument in Honor of the Chinese Contribution to the Wine Industry

Summary

The Sonoma-Penglai Sister City Committee would like to create a monument to honor the Chinese contribution to the wine industry. The Committee has requested approval to place the monument in Depot Park (at the location where the gazebo structure previously existed) and is seeking conceptual approval for the project. Committee members have been meeting with various City staff members regarding the monument placement, maintenance concerns, and long-term maintenance responsibilities. The Committee has been advised, the first step in the process is to seek Council conceptual approval for placement of the monument in Depot Park. If Council grants this conceptual approval, the project could move forward for review with the Community Services and Environment Commission and the City Facilities Committee. Once reviewed, the project would come back to the City Council for final approval. In addition, the Committee would be required to enter into a long-term maintenance agreement and meet all permitting and insurance requirements of the City.

Recommended Council Action

Conceptual Approval of the Monument and Refer Review to the Community Services and Environment Commission and the Facilities Committee.

Alternative Actions

Council discretion.

Financial Impact

The maintenance agreement will ensure that the City not incur any financial impacts as a result of the installation of the monument.

Environmental Review

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

Status

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

Attachments:

Letter from the Sonoma-Penglai Sister City Committee including example images and conceptual drawings of the proposed monument.

Alignment with Council Goals:

Supports the City Character Goal to preserve, promote and celebrate the unique characteristics of Sonoma; encourage the incorporation of our history into City, community and business identities.

cc:

Sonoma-Penglai Sister City Committee

January 14, 2016

TO: Sonoma City Council

FROM: Sonoma Sister City Committee – Penglai, China
Peggy Phelan, Chair

AGENDA ITEM: Use vacant space across from Restroom Building to create a Ting memorializing the Chinese contribution to the wine industry.

In late 2014 the Sonoma City Council approved a site next to the Depot Museum for a monument to honor the Chinese Contribution to the wine industry. At that time, the Department of Public Works asked us to consider the vacant circle across from the Bathroom Building in Depot Park. Upon further review, that is the preferred site and we seek City Council approval for this location.

The Sonoma-Penglai Committee would like to create a Ting (resting place) in this location. In the spirit of friendship, the people of Penglai, China have generously offered to donate all materials for the creation of this space.

We seek your approval to proceed with our plan.

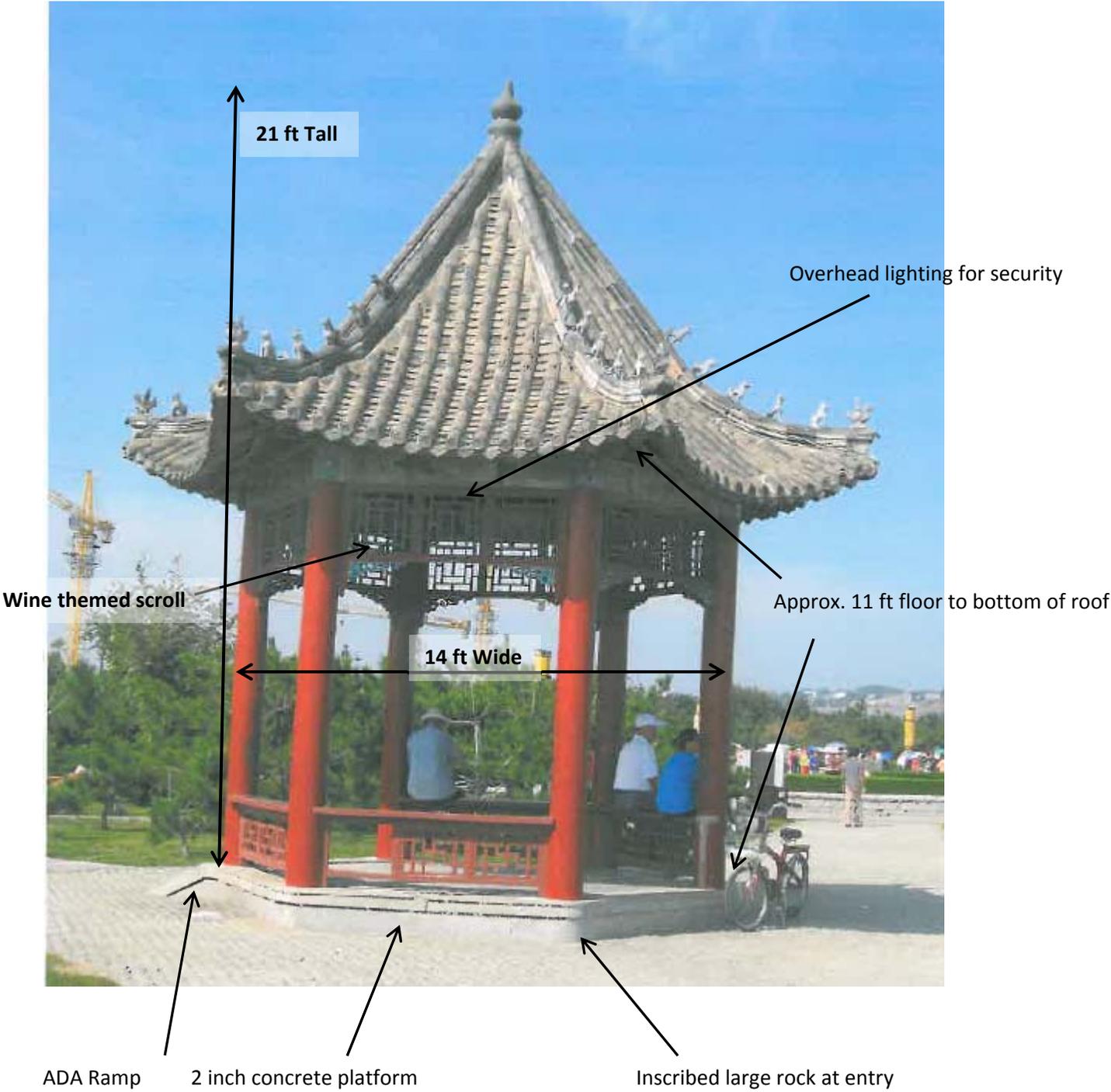
Design Notes

- To be a replica of Ting in our sister city Penglai, at a smaller scale (see attached photo).
- Materials: To be provided by the City of Penglai. Focus will be on low maintenance and durability.
- Will feature rocks with inscription (in both English and Chinese), telling the historical story of Chinese contribution to the wine industry (see attached photo).
- Designed by licensed structural engineer.
- Ramp from one side for ADA access.
- Engineering and Construction costs through fundraising, no cost to City.

Preferred Site



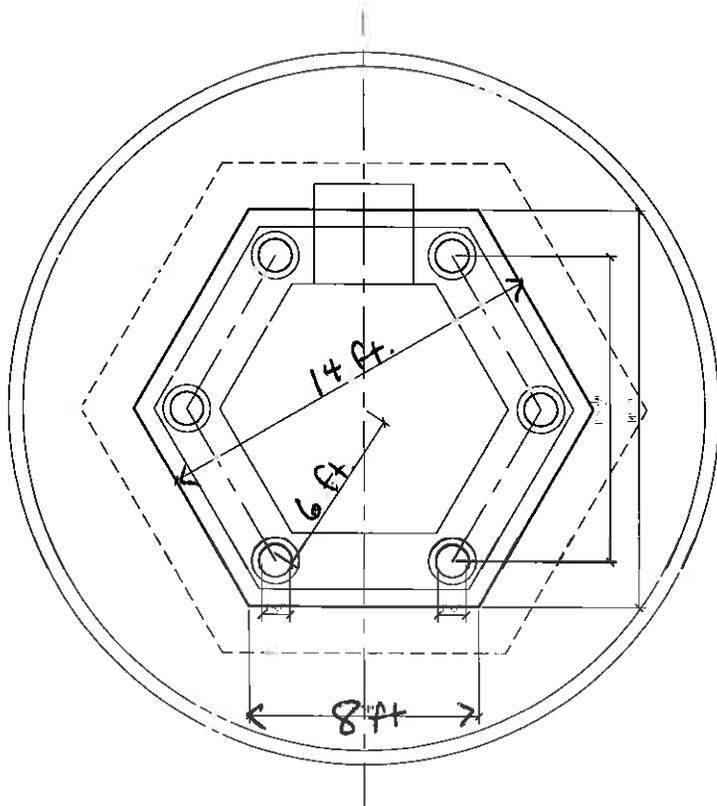
Image of Ting in Penglai, China



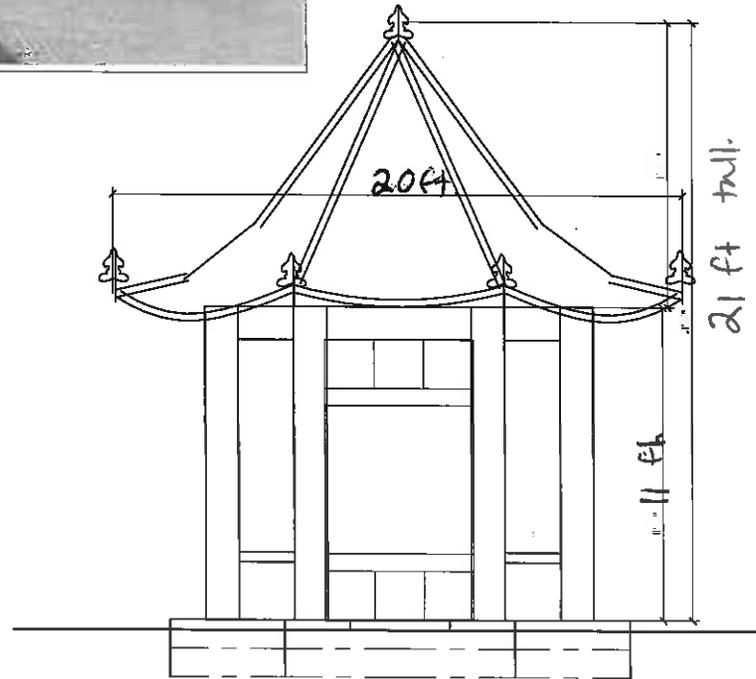
The goal is to create a small scale Sister replica of this Ting.

Sample of inscribed rock





PLAN
1/2" = 1'-0"



ELEVATION
1/2" = 1'-0"



DESIGNED BY
THOMAS J. HEINENWAY, P.E., S.E.
2073 WILDCORSE DRIVE
SAN RAMON, CA 94583
(925) 897-8973
THEHEINENWAYGROUP.COM/CAST.NET

DESIGNED FOR

REVISION

DATE

PROJ. NUMBER
SHEET NUMBER

XXX

12/1/10



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 7B

Meeting Date: 03/07/2016

Department

Planning

Staff Contact

David Goodison, Planning Director

Agenda Item Title

Discussion, consideration, and possible direction to staff concerning the demolition of the Maysonnave Cottage.

Summary

Since February of 2012, when the City Council declined to proceed with its demolition, the Council has been exploring various options for upgrading and re-using the Maysonnave Cottage. Under the terms of the bequest that led to the City taking ownership of the Maysonnave property, its use is limited to a "memorial park or museum." These terms have been fulfilled as the main residence has been renovated by the League for Historic Preservation as a historical museum and a large portion of the site west of the residence is in use as petanque and bocce courts. However, the cottage located between these two areas is vacant and cannot be occupied for any purpose until extensive renovation measures are implemented. In 2013, the City issued a request for proposals inviting ideas for the renovation and re-use of the cottage. Although the response deadline was extended twice, only one proposal received, from a local group known as Benchmark-Hoover, in which they proposed to renovate the cottage as a vacation rental under a 20-year lease with the City. Benchmark-Hoover anticipated that they would incur upfront expenses of approximately \$150,000. However, after the lease was executed and they began detailed design development, they concluded that improvement costs would be significantly greater than anticipated and withdrew from the agreement. When the Facilities Committee received this update in October 2015, staff was directed to present the City Council with an updated list of options, which were reviewed by the Council at its meeting of December 21, 2015. At that meeting, the Council voted 3-2 (Councilmembers Gallian and Hundley dissenting) in support of the concept of demolishing the cottage and directed staff to return with information on how that process could be implemented. In discussing this matter with the City Attorney, staff has confirmed that an application for demolition approval would need to be made to the Design Review and Historic Preservation Commission (DRHPC). Although the DRHPC previously reviewed a demolition proposal for the cottage in 2011, it did not take final action on that request, instead recommending a 6-month delay to allow potential alternatives to be explored. In the meantime, another proposal for renovating the cottage has been received, from the owners of the adjoining Bungalows 13 vacation rentals at 313 First Street West. Correspondence has also been received from the League for Historic Preservation requesting that consideration of demolition be postponed to allow the exploration of other alternatives.

Recommended Council Action

Refer the proposed demolition of the Maysonnave Cottage to the DRHPC.

Alternative Actions

Council discretion.

Financial Impact

The preparation of an updated Cultural Resources Evaluation would cost approximately \$5,000, while the cost of demolishing the cottage is estimated at \$65,000. Preliminary cost estimates for other options are attached to the Supplemental Report.

Environmental Review

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

Status

- Approved/Certified
- No Action Required At This Time
- Action Requested

Alignment with Council Goals

The review of this issue relates to City Council goals regarding city character, fiscal management, and infrastructure.

Attachments:

1. Supplemental Report
2. Review of Options
3. Property Map
4. City Council Minutes of December 21, 2015
5. Bungalow 313 Proposal
6. Correspondence

cc: Maysonave Cottage Mailing List (via email)

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SUPPLEMENTAL REPORT

Discussion, consideration, and possible direction to staff concerning the demolition of the
Maysonnave Cottage

For the City Council meeting of March 7, 2016

Background

In 2013, the City issued a request for proposals inviting ideas for the renovation and re-use of the Maysonnave Cottage. Ultimately, only one proposal received, from a local group known as Benchmark-Hoover, which proposed to renovate the cottage at an anticipated cost of approximately \$150,000 and use it as a vacation rental under a 20-year lease with the City. The Council supported the this concept and a number of steps were taken to implement it, including the preparation and execution of a lease, approved by the City Council in April 2015. As noted above, Benchmark-Hoover estimated that upfront expenses in renovating the building would amount to approximately \$150,000. However, after the lease was executed and they began detailed design development, they concluded that the improvement expense would be significantly greater than anticipated and they withdrew from the agreement. When the Facilities Committee received this update in October 2015, the Committee directed staff to return to the City Council with an updated list of options.

When the Facilities Committee received this update in October 2015, staff was directed to present the City Council with an updated list of options, which were reviewed by the Council at its meeting of December 21, 2015. At that meeting, the Council voted 3-2 (Councilmembers Gallian and Hundley dissenting) in support of the concept of demolishing the cottage and directed staff to return with information on how that process could be implemented. In discussing this matter with the City Attorney, staff has confirmed that an application for demolition approval would need to be made to the Design Review and Historic Preservation Commission (DRHPC). Although the DRHPC previously reviewed a demolition proposal for the cottage in 2011, it did not take final action on that request, instead recommending a 6-month delay to allow potential alternatives to be explored. This recommendation led to the RFP process discussed above.

Property Description/Bequest Limitations

In 1991, Henri Maysonnave bequeathed to the City the properties located at 289 and 291 First Street East. The City leases the Maysonnave Home (291 First Street East), a separate parcel, to the Sonoma League for Historic Preservation for use as a museum/heritage center. The western portion of the subject site is leased to the Sonoma Pétanque Association who, in association with the Sonoma Sister Cities Association, had developed pétanque and bocce courts. The remaining portion of the parcel, which is the subject of this discussion, encompasses approximately 11,000 square feet. It contains a secondary residential dwelling, known as the Maysonnave Cottage. The Cottage was built in 1910 and has an area of 1,090 square feet. A detached garage or barn had been located on the property, but this was removed by the City in 2015. Under the terms of the bequest, the use of the property is limited to a “memorial park or museum.” In this regard the

bequest has been fulfilled as the main residence on the property has been renovated for use by the League for Historic Preservation as a historical museum and a large portion of the site west of the residence is in use as petanque and bocce courts. However, the cottage that lies between these two areas is vacant and cannot be occupied for any purpose until extensive renovation measures are implemented.

Demolition Process

The City's demolition regulations are set forth in section 19.54.090 of the Development Code. Under these regulations, the demolition of any primary structure 50 years old or older is subject to the review and approval of the DRHPC and in order to approve a demolition permit, the DRHPC must make the following findings:

1. The structure is not historically significant, based upon the criteria established by the State Office of Historic Preservation.

Or:

2. The structure does not represent a unique and irreplaceable historic or architectural resource;
3. The community benefit of preserving the structure is outweighed by the cost of preservation and rehabilitation;
4. The adaptive re-use of the structure is infeasible or inappropriate, due to economic considerations, structural conditions or land use incompatibility; and
5. The relocation of the structure is infeasible due to cost, structural conditions or lack of an interested taker.

The City's regulations for demolition permits rely heavily on the criteria for listing on the California Register of Historical Resources in determining whether a property is historically significant and can be demolished. In order to assist in making this determination, a Cultural Resources Evaluation, prepared by a qualified professional, is normally required as part of an application for demolition. Such an evaluation has already been prepared for the Maysonnave Cottage, conducted by Tom Origer & Associates in 2008 (attached). This analysis concludes that the cottage is not historically significant based on the criteria for inclusion on the California Register of Historic Places.

In conformance with the Development Code, the demolition of the Maysonnave Cottage would be subject to the review of the DRHPC. Therefore, to proceed with preference expressed by a Council majority, staff should be directed to make that application. In light of the fact that findings of the 2008 Cultural Resources Evaluation have been disputed (see correspondence), staff further recommends that the Council authorize the preparation of an updated evaluation.

Other Options

Following the City Council meeting of December 21st, staff received four inquiries involving proposals to renovate the cottage, using the vacation rental lease agreement as a starting point.

Ultimately, only one conceptual proposal was made, by the owners of the Bungalows 313 vacation rentals, which adjoins the Maysonnave property on the south. The Bungalows 313 property is in use with five vacation rentals and one long-term residence. This use came into being at a time when the City did not regulate vacation rentals and it is considered to be legal non-conforming. The Bungalow 313 proposal, which is included in the attached correspondence, contains the following elements:

1. The City would provide schematic and drawings and a preliminary engineering report defining the scope of the upgrade to the Maysonnave Cottage building and property, including and not limited to improvements to the foundation, structural, electric, mechanical, ADA compliance, fire department requirements, and any other conditions relevant to making the required property improvements and compliance with the building codes. This is required to accurately determine and/or verify the financial commitment required to renovate the Cottage.
2. Based on initial financial determinations, B313 is prepared to commit up to \$200,000 to upgrade the Maysonnave Cottage subject to verification through condition #1.
3. The conditions of the original lease agreement are subject to modifications to be mutually agreed to by The City of Sonoma and B313.
4. The final lease agreement shall become effective 30 days after the City issues a Certificate of Occupancy for the Cottage.
5. The Maysonnave Cottage to be permitted to operate as a vacation rental operated by B313 or its approved management company.
6. All furnishings, decoration, and interior design to be the sole discretion of B313 in consultation with the SLFHP. Every design effort will be made to preserve the historical integrity of the original building with modern design components.
7. Planning Commission to approve Bungalows 313 to operate with six vacation rentals (in addition to the Maysonnave Cottage). Currently B313 is permitted to operate as five short-term vacation rentals and one long-term rental.
8. Planning Commission to approve Bungalows 313 to have 12 major events per year on its property, including weddings, anniversaries, birthday events, family reunions, and other events. B313 has the facility to accommodate events of 50 to 100 people, and would appreciate the opportunity to offer this venue to interested parties. B313 is interested in discussing this option with its neighbors to find a mutually acceptable agreement.

Staff has not evaluated this proposal in depth, but we do have the following preliminary observations:

- Staff agrees that if the City Council is interested in a lease arrangement with Bungalows 313 or any other party, the City should first commission an engineering and code analysis

to determine the scope of required improvements so that costs may be accurately estimated. The lack of this information contributed to the termination of the Benchmark-Hoover lease and staff wished to avoid that problem in any future agreement that may be contemplated. However, it should also be noted that the City would incur costs in preparing this information, estimated at \$8,000 to \$20,000 depending on the scope of the analysis and plan development.

- Bungalows 313 is asking for allowances in terms of events and in authorizing the conversion of a long-term rental on the property to a sixth vacation rental. These allowances would require significant amendments to the Development Code and, most likely, a subsequent use permit review process. Under the current zoning of the property, Bungalows 313 is limited to no more than two events per year. In addition, the Development Code currently limits vacation rentals to a maximum of two units per parcel. Bungalows 313 is already non-conforming in this regard as it is with respect to off-street parking. Neither the adoption of Development Code amendments nor the outcome of a use permit process can be guaranteed. It should also be noted that any such amendments cannot be specific to the Bungalows 313 site and could have implications for other properties.
- The allowance for events may not be welcomed in the neighborhood. While there is great interest on the part of many neighbors in preserving the Maysonnave Cottage, there is also considerable sensitivity to issues of noise and parking that may be associated with events. With respect to parking, the Bungalows 313 property has no off-street parking whatsoever. The Maysonnave property has one handicapped parking space and it is likely that no more than two or three additional parking spaces could be accommodated on the Cottage parcel.
- If the Council is open to accepting a new proposal for the re-use and renovation of the Cottage, it may wish to formally invite suggestions and provide a time period for doing so, similar to the earlier RFP process.

Staff would also note that a summary of additional alternatives to demolition, as previously discussed by the City Council, are attached.

Recommendation

Directed staff to make an application to the DRHPC for the demolition of the Maysonnave Cottage. Staff further recommends that the Council authorize the preparation of an updated Cultural Resources Evaluation.

Updated Review of Options

The options summarized in the following table are discussed in greater detail, below.

Options Summary				
Concept	Preserves Cottage?	Maintains Public Use	Consistent with Bequest?	Estimated Upfront Cost to City
Convert Cottage to Storage Use	Yes	Yes	Yes	\$414,000
Demolition/Use for Park Activities	No	Yes	Yes	\$65,000
Long-term Lease as Vacation Rental with New Partner	Yes	Yes (1)	Yes	\$20,000 (2)
Subdivision	Yes	No	No	\$85,000 (3)
Secure as-is	<i>At least temporarily</i>	<i>Allows Possibility</i>	Yes	N.A.

(1) Cottage would be returned to public use after 20 years.

(2) Construction of ADA path of travel connection to sidewalk.

(3) Possibly recouped through sale of property.

1. Conversion to Storage Use

The building could be renovated for storage use and turned over to the League for Historic Preservation, as they have a need for archival storage space. Under this option, updated kitchen and bathroom facilities would not be needed, nor would additional off-street parking, would somewhat reducing cost of renovation. However, due to the dilapidated condition of the building and the need to replace its foundation, these costs are still high, estimated by the Building Official at approximately \$414,000 if implemented by the City. The League for Historic Preservation has stated that it welcomes any proposal that would preserve the structure and that they are willing to take on the long-term maintenance of the building if it were converted to storage use. However, they have also stated that they cannot contribute to the up-front cost of renovation, which would make it solely the City's responsibility. This option is consistent with the terms of the bequest.

2. Demolition/Use for Park Activities

The City Council may choose to demolish the substandard cottage. Doing so would not violate the terms of the bequest and, as previously reported to the City Council, the structure has been evaluated by a qualified specialist in historic resources who found that it is not historically significant. While the City would incur a one-time cost of approximately \$65,000, which is not insignificant, this option avoids future building maintenance and upgrade costs. If this option were implemented, the land area would remain in public ownership and could be devoted to an expansion of park activities of some kind, which would be fully consistent with the terms of the bequest. If the cottage were removed, a number of options are available for park activities.

- The local petanque organization has for many years expressed interest in making use of the property for additional courts. The local bocce group has also expressed interest.
- Several Council members, in discussions concerning an allowance for leashed dogs on the Montini property, expressed interest in finding a site for an additional dog park. The area of the property is somewhat larger than the existing dog park, which is divided into an all-dog area and a small-dog area. Dog advocates would prefer that these two areas take the form of separate parks since both are rather small in the current configuration.
- Other specific park uses that have been raised from time-to-time, including a pickle-ball court and space for community garden plots.

Any new use would involve costs for construction new facilities, installation of landscaping, and other implementation expenses, as well as long-term maintenance. However, depending on the use, there might be support from community members and/or local non-profits for some of those expenses.

3. *Long-term Lease as Vacation Rental with New Partner*

Under this option, the City would continue to pursue the concept of finding a partner to upgrade the cottage as a vacation rental and operate it as such under a long-term lease. At the request of the Facilities Committee, staff made some preliminary inquiries to the owners of the vacation rentals adjoining the subject property on the south and to another local owner/operator of vacation rentals who has experience renovating older buildings. Both declined due to the substantial up-front cost of renovation. That said, if there is Council interest, staff could make wider inquiries in this regard.

4. *Subdivision*

In previous discussions by the City Council, the concept was raised of subdividing the property to create an 11,000 square foot parcel encompassing the cottage that could be sold for occupancy as a single-family residence, with a conservation easement to ensure that renovations or additions would be made in conformance with the Secretary of Interior standards for historic preservation. Under this approach, the cottage and a significant portion of the Maysonnave parcel would be removed from public ownership; however, the cottage itself would be preserved and the financial responsibility of its restoration would be removed from the City. As discussed below, in order to implement this concept the bequest would need to be altered at an estimated cost of \$15,000-\$25,000. In addition, the cost of implementing the subdivision itself (which would require engineering, the installation of separate utilities, and the preparation and implementation of a grading plan) is estimated at approximately \$60,000. It is possible these costs could be fully recovered through proceeds from the sale of the parcel. However, it should be recognized that requirements limiting the size of the cottage would reduce its value. Staff would also note that it would be necessary amend the General Plan and the Development Code, because the land use designation of the parcel encompassing the cottage would need to be changed.

Because the subdivision of the property is not consistent with the terms of the bequest under which the City obtained the property, it would be necessary to amend the terms of the bequest through a legal process known as “equitable deviation” in order to process a subdivision. Valerie Pistole, of the City Attorney’s office, conducted preliminary research on the feasibility of pursuing that process, with following results:

- When an equitable deviation is undertaken, the court typically requires the petitioner to inform persons or organizations that might have some claim or interest in the estate in order to determine whether there is any opposition on the part of one or more of those parties to the deviation from the terms of the bequest. The residuary beneficiaries might argue that because the City is unable to fulfill the terms of the bequest, the gift would ‘lapse’ and go the residuary beneficiaries. The Maysonnave Will lists ten residuary beneficiaries, including the Boys and Girls Club, the Sonoma Valley Hospital, St. Francis de Solano, the Sonoma Valley High School, the French Hospital in San Francisco, St. Anthony’s Church in San Francisco, and at least one organization based in France. If it were necessary to consult with each of these residuary groups and obtain their clearance, the process would be lengthy. (Note: the City Attorney’s office has been in communication with State Parks, another named beneficiary, and they have confirmed informally that they are not interested in taking possession of the property and would likely not oppose a request for an equitable deviation.)
- In terms of other information that would be required to pursue the process, a conservation easement would need to be drafted, the price and terms of the sales listing would need to be outlined, and a declaration from the City as to its inability to fund the preservation of the property would need to be provided.
- The cost of implementing the equitable deviation process is estimated at \$15,000-\$25,000.

The time required to complete these tasks could be as long as eighteen months, although due to the necessity of coordinating with ten separate organizations and their boards of directors, it could take longer.

5. *Secure As-Is.*

Under this option, the building would remain secured and left as-is, pending some future change in direction. There would be some on-going maintenance costs under this alternative.

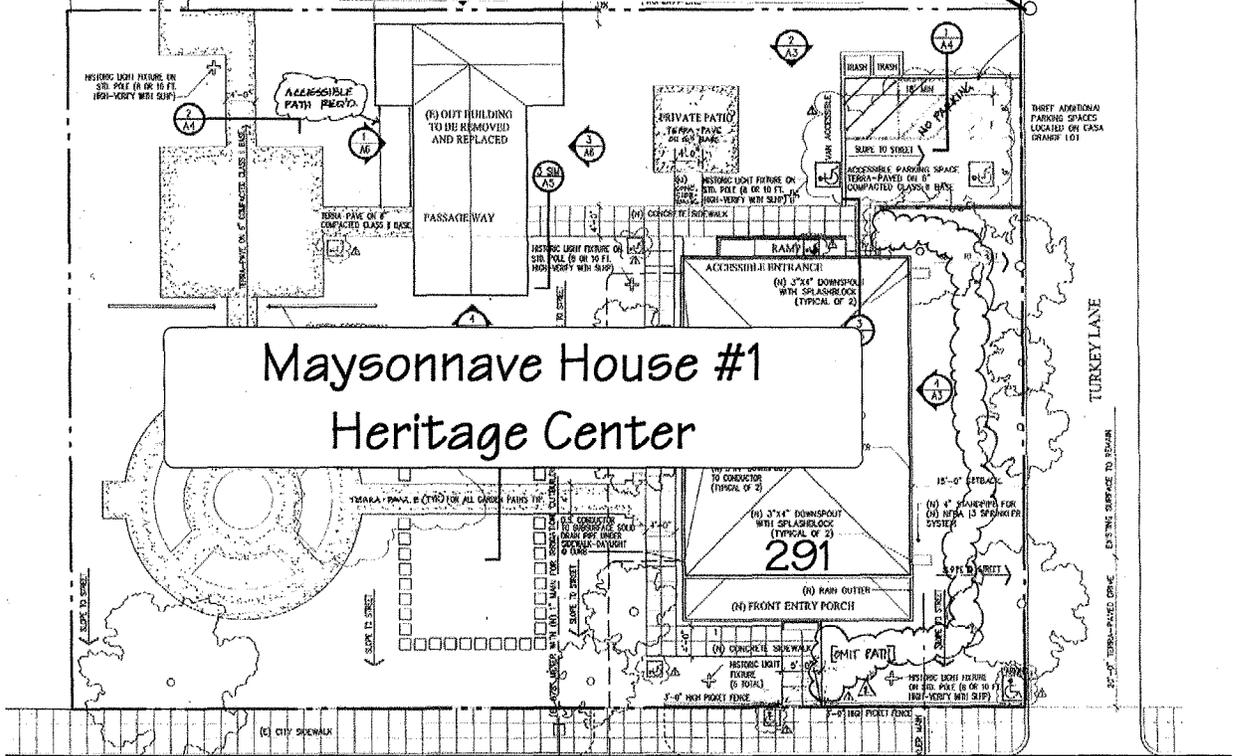
Habitable Residence: 1,059 s.f.
Front Porch: 130 s.f.

Approximate Location of Fence

Maysonnave Cottage

Additions

Driveway



First Street East

Scale: 1in = 20ft. 0in.



Lin Marie deVincent and Gary Hermes thanked the City Council and staff for the progress that had been made this last year on the Mobilehome Park Rent Control ordinance.

2. MEETING DEDICATIONS - None

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 December 7, 2015 City Council Meeting.
Item 4C: Adoption of ordinance amending Title 18 of the Sonoma Municipal Code (Sign Regulations).

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

The public comment period was opened and closed with none received. It was moved by Clm. Hundley, seconded by Clm. Agrimonti, 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 December 7, 2015 City Council Meeting Pertaining to the Successor Agency.

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

6. PUBLIC HEARING – None Scheduled

7. REGULAR CALENDAR – CITY COUNCIL

- Item 7A:** Discussion, consideration and possible action selecting the 2016 City of Sonoma Alcalde.

City Manager Giovanatto provided background information on the Alcalde selection process. Mayor Gallian announced that her nominee was Patrick Garcia and stated that he met and exceeded all the stated criteria for the position. Mr. Garcia thanked her for the nomination and stated that he would represent the City with his whole heart. It was moved by Clm. Cook, seconded by Clm. Hundley, to ratify the nomination. The motion carried unanimously.

- Item 7B:** Discussion, consideration and possible direction to staff concerning options for the use of the Maysonave Cottage.

Planning Director Goodison provided the history of the cottage and reported on the prior actions the City had taken towards its preservation. He provided information on the following options: 1) Conversion to Storage Use, \$414,000; 2) Demolition/Use for Park Activities, \$65,000; 3) Long-Term Lease as Vacation Rental with new partner, \$20,000; and 4) Subdivision of the site, \$85,000. He stated that the League for Historic Preservation and the Sonoma Historical Society had expressed interest in use of the cottage for storage purposes but neither group had the funds to bring it up to a useable condition.

Mayor Gallian invited comments from the public. Joe Costello, speaking on behalf of North of the Mission Neighborhood Association, stated that they supported preservation of the cottage and option four.

Pat Pulvirenti expressed disappointment in the City's mismanagement of the Bond and Maysonnave properties, stating that they had been neglected. She suggested the cottage be converted to an affordable housing unit.

Robert Demler, League for Historic Preservation, stated their desire that the cottage be preserved as it was an important piece of the original homestead. Because no one had the money to develop it, he suggested the Council put it in a holding pattern for now. Speaking personally, Mr. Demler added he did not want to see the property developed as a dog park because of the events held next door at the League facility.

Will Honeybourne, Historical Society, stated that forty-two homes had been demolished in the last ten years and asked what the City was doing to preserve its heritage. He stated the Society could use the cottage for additional archival storage.

Jack Wagner stated his support for conversion to a housing unit.

Kelso Barnett stated that the Design Review Commission had denied the previous application for demolition of the cottage.

Clm. Cook stated his respect for the public comments; however, because of the dilapidated condition of the cottage he supported its demolition and conversion of the site to a park setting.

Clm. Hundley stated her desire to explore any and all alternatives prior to discussion of demolition. Mayor Gallian agreed.

Clm. Edwards and Clm. Agrimonti agreed with Clm. Cook. It was moved by Clm. Cook, seconded by Clm. Agrimonti, to go with option two (Demolition and use for park activities). The motion carried three to two with Clm. Hundley and Mayor Gallian dissenting.

RECESS: The meeting recessed from 7:30 to 7:35 p.m.

Item 7C: Discussion, consideration, and possible action on a draft resolution that: 1) makes findings of exemption from CEQA pursuant to CEQA Guidelines Sec. 15061(b)(3); and 2) confirms the existing Development Code prohibition on medical marijuana dispensaries and related activities.

Planning Director Goodison reported that in October 2015 Governor Brown signed into law the Medical Marijuana Regulation and Safety Act ("MMRSA") establishing comprehensive State-level regulations on medical marijuana. Currently, the City Development Code prohibited

Isac & Minette Gutfreund
Sonoma 313 First Street East LLC
dba Bungalows 313
313 First Street East
Sonoma, CA 95476

March 2, 2016

David Goodison
Planning Director Sonoma Building Dept
The City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476-6618

Letter of Interest for the Maysonnave Cottage upgrade and re-use

Sonoma 313 First Street East LLC (Bungalows 313) would like to formally submit our interest to collaborate with the City of Sonoma and the Sonoma League for Historic Preservation (SLFHP) to preserve the Maysonnave Cottage based in principle on the terms of the previously approved lease between the City of Sonoma and Benchmark-Hoover LLC.

Due to the extensive complexity of the nature of this proposed project, we respectfully request an extension by the Planning Department and the City Council before a final determination is voted on.

Highlights of our proposal will include and not limited to the following terms and conditions.

1. The City of Sonoma Building Department (SBD) shall provide a preliminary engineering report defining the scope of the upgrade to the Maysonnave Cottage building and property - including and not limited to improvements to the foundation, structural, electric, mechanical, ADA compliance, fire department requirements, and any other conditions relevant to making the required property improvements and compliance with the building codes. This is required to accurately determine and/or verify the financial commitment required to comply with the Building Department code.
2. Based on initial financial determinations as provided by general contractors and others, B313 is prepared to commit up to \$200,000 to upgrade the Maysonnave Cottage subject to initial verification of condition #1.
3. The conditions of the original lease agreement are subject to modifications to be mutually agreed to by The City of Sonoma and B313 including, but not limited to, Section 4. Rental Terms to be negotiated, and all other lease terms to be reviewed and mutually agreed to.

4. The final lease agreement shall become effective 30 days after the SBD issues an approved Certificate of Occupancy for the Maysonnave Cottage.
5. The Maysonnave Cottage to be permitted to operate as a vacation rental operated by B313 or it's approved management company.
6. All furnishings, decoration, and interior design to be the sole discretion of B313 in consultation with the SLFHP. Every design effort will be made to preserve the historical integrity of the original building with modern design components.
7. Planning Commission to approve Bungalows 313 to operate as a 6 short term vacation rentals. B313 is working on engineering plans to seismically reinforce the URM original Brickhouse building to comply with State of California and City of Sonoma requirements for URM buildings. B313 is permitted to operate as 5 short term vacation rentals.
8. Planning Commission to approve Bungalows 313 to have 12 major events per year on its property. Sonoma is a destination for many celebrations including weddings, anniversaries, birthday events, family reunions, and other events. B313 has the facility to accommodate events of 50 to 100 people, and would appreciate the opportunity to offer this venue to interested parties. We are interested to discuss this option with our neighbors to find a mutually acceptable agreement.

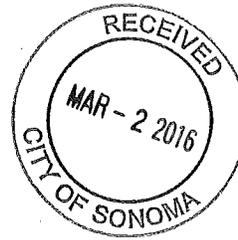
We submit this letter of interest in good faith to be considered by the Planning Director and the City Council.

Respectfully,

Handwritten signatures of Isac Gutfreund and Minette Gutfreund in black ink. The signatures are cursive and overlapping.

Isac Gutfreund
Minette Gutfreund
415-971-5177
igutfreund@yahoo.com
minetteg123@gmail.com

Ethel E. Daly



Gramercy on the Park
555 Laurel Ave., PH 608
San Mateo, CA 94401
650 342 0811
650 342 4404 Fax

March 1, 2016

753 Third St. East
Sonoma, CA 95476
707 996 8666
707 996 0726 Fax
Email: ethel@dalyge.com

Dear City Council Members,

The core of Sonoma Central is its history. Sonoma Square and the immediate surrounding area has been designated as a historic district. Therefore, it would be a violation of the foundation of the purpose of this area to destroy any historical structure that cannot be restored.

The Maysonnave Cottage is in dire need of restoration, and supports the overall importance of the history of the area. As small as it may be, these structures all add up to a major presentation for the city that is very unique. If anything, a focus on utilization rather than destruction should be paramount. Once destroyed it can never be recovered.

The cottage adjoins not only the Maysonnave House but complements the area where the history museum, Depot Park and the bocce courts reside. As the history museum just received a major grant for historic renovation, this demonstrates the commitment to history.

Henry Maysonnave's will gifted the cottage to the City as he believed it would be cared for by the stewards of the community. More time is needed to find a person or group to restore the cottage and provide an important access to the community. The City has always been a good partner and leader in support of its historic structures. Do not let Henri and the community down by destroying this piece of Sonoma history. Together with the demolition funds, I am sure a person or group will step forward to help fund the project. I know the League for Historic Preservation has been working on finding that source of funds. Give it more time and the City will in turn benefit.

Thanks for your consideration,

A handwritten signature in cursive that reads "Ethel Daly".

Ethel & Gene Daly
753 Third Street East, Sonoma

A handwritten signature in cursive that reads "Gene Daly".



Preserving Sonoma since 1969

Robert Demler
President
robertcdemler@gmail.com

February 29, 2016

David Goodison, Planning Director
City of Sonoma
One, The Plaza
Sonoma, CA 95476

Re: Maysonnave Cottage

Dear Planning Director Goodison: *David*

Once again, the Maysonnave Cottage is the topic of urgent discussion as one of the principals who was proposing the restoration of the structure has now withdrawn. I am not aware of the status of any other proposers for restoration and thus the situation is once again tenuous.

As this issue is to come before the City Council again next Monday, March 7th, The Sonoma League would like to state that we are strongly in favor of preserving this historic structure and some reasons *inter alia* to express our support of the preservation of the Maysonnave Cottage are:

1. The Maysonnave Cottage contributes to Sonoma's Historic District.
2. The Maysonnave Cottage is a historic structure by association with the Maysonnave family.
3. The Maysonnave Cottage is a historic structure by definition of age according to City Code.
4. The Maysonnave Cottage is an integral part of the Maysonnave property which also includes the Maysonnave House and Garden and the Maysonnave Carriage House.
5. The demolition of the Maysonnave Cottage would violate the provisions of the bequest to the City under the terms of Henri Maysonnave's will.

If there is no acceptable proposal for preservation received by the City Council on March 7th, the League requests that any decision for demolition be postponed for a minimum of six months or until the Regular City Council Meeting on September 19, 2016.

Yours sincerely,

P.O. BOX 766 | 291 FIRST STREET EAST | SONOMA, CA 95476 | 707-938-0169

WWW.SONOMALEAGUE.ORG

CC: Goodison
Jelle

660 VISCHER COURT
SONOMA CA 95476



January 17, 2016

**Ms. Laurie Gallian
Mayor
City Hall, 1 The Plaza, Sonoma, Ca 95476**

Dear Madam Mayor:

As a long time member of the Sonoma League for Historic Preservation I was most distressed to learn that the City Council has voted to demolish the cottage behind Maysonnave.

By the terms of Henri Maysonnave' Will this should not be done. The City was given this piece of property. Despite several surveys over the years the City has ignored the deterioration of the Cottage and has now decided it should be demolished.

The City Council should not be indifferent to the fact that it is one little cottage like this that gives Sonoma its distinct character.

I hope my letter will help to reverse your decision.

Sincerely,

Ernestine H. Evans.

**Ernestine H. Evans
(Mrs. John H. Evans)**

PATRICIA CULLINAN
425 DENMARK ST
SONOMA CALIFORNIA 95476
707-938-5721

March 2, 2016

Dear Sonoma City Council,

Although there have been numerous meetings about the Maysonnave Cottage (289 First Street East) over the past eight years, recent information has come forward indicating that the cottage potentially meets CEQA's definition of an historical resource. Its demolition, therefore, could potentially constitute a significant impact under CEQA.

The property is included in the 1978 "Valley of the Moon Historic Resource Survey", currently maintained by the Sonoma League for Historic Preservation. That report states:

Same history as 291 1st Street East front. Also Mr. Maysonnave's property important because of a group of same proportionate houses in the block in the front. There is almost no alternate. Is support to the building in the front. The cluster is surrounded by open field and in the near distance by the "Depot Museum and Park". There is a line of tall eucalyptus that mark street that was never opened, Turkey. (General Vallejo called the streets by name of country.)

In 2008, however, Vicki Beard of Tom Origer and Associates evaluated the property and determined that the property was not eligible for inclusion in the California Register of Historical Places.

Since that time, new information has come to light confirming the property's association with the Aguillon family and suggesting that the property may be older than originally suspected. Specifically, we have uncovered old photographs of the property from ca. 1906. Other information has been found that refutes Beard's conclusion that Camille Aguillon did not occupy the property. Not only did he occupy the house, but the cottage was his place of residence at the time of his death in 1906.

I am including a family photo of the house Camille Aguillon lived in when he died with a photo of the current Maysonnave House for comparison.

Besides occupying the Maysonnave House, Aguillon also owned the property at 298 First Street West and that house was used as a combination saloon/dwelling adjacent to a bowling alley for railway passengers.

The Maysonnave Cottage is orientated to the railway, as was 298 First Street West before it was moved to its present location, and is within easy walking distance to the railway depot.

It is my argument that the orientation of both the Maysonnave Cottage and the original location of 298 First Street West building indicate that there was a similar use by a local businessman noted for the use of the railroad for their businesses.

As a winemaker, Aguillon also depended on the adjacent railway and depot for the distribution of his product.

I assert that the cottage's association with Camille Aguillon, a noted winemaker in both Sonoma and Livermore with extensive agricultural holdings in the Sonoma area, renders the property potentially eligible for listing the California Register because of its "association with a significant person." Aguillon's use and promotion of the adjacent railway may also render the property eligible because of its "association with broad patterns of local history."

The elements of integrity of the property, as defined in the "Secretary of Interior's Standards for Rehabilitation, appear intact:

Design: The Maysonnave Cottage retains the architectural integrity of a late 19th or early 20th century cottage. That integrity is especially notable given the removal of later additions from the rear of the cottage.

Setting: The 1978 "Valley of the Moon Historic Survey" reinforces "setting" as the Maysonnave Cottage is part of a "group of same proportionate houses and is supportive of the building in front." In short, the cottage contributes to the overall residential setting of the immediate area.

Materials and Workmanship: The workmanship is typical of the era and remains significantly intact.

Location, Setting and Feeling: The Maysonnave Cottage supports the historical nature of the residential neighborhood between First Street East and West and the south side of the railway alignment. The character of this area is defined by areas of open space (now Bocce and Petanque courts), modestly scaled houses, low-density development, and the presence of the railway Depot.

Association: Not only was the Maysonnave Cottage associated with a person of local significance (Aguillon) but it was associated with the railroad, as well.

In summary, I believe that the house is potentially eligible for listing in the California Register because of its association with a broad pattern of local history (development around the railway line and depot) as well as for its association with a locally significant person (Camille Aguillon). The property appears to retain enough integrity to convey its historic significance.

In light of the new information that has been uncovered, I request that a new Historic Resource Evaluation be prepared to assess the potential historic significance of the Maysonnave Cottage.

This potentially historic resource is too valuable to lose!

Thank you,

Patricia Cullinan



CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 7C

Meeting Date: 03/07/2016

Department

Administration

Staff Contact

Carol E. Giovanatto, City Manager

Agenda Item Title

Discussion, Consideration and Possible Action on a First Reading of an Ordinance to Regulate and Prohibit the Use of Leaf Blowers Within the City Limits

Summary

At the February 17 City Council meeting, discussion was undertaken regarding the potential for a compromise ordinance which would effectuate a change to existing regulations with the major emphasis on eliminating the use of gas-powered leaf blowers in all areas of the Sonoma City limits. This compromise ordinance was envisioned to end the months of public discussion and potential for a City initiated ballot measure.

To aid Council in their deliberations, staff prepared a draft ordinance that incorporated the basic tenants of a compromise. Following discussion and public testimony, the Council made modifications to the draft ordinance and gave direction to staff to finalize and return for a first reading.

Recommended Council Action

Conduct first reading of the ordinance, direct return for second reading/adoption.

Alternative Actions

Council discretion.

Financial Impact

Conversion of City Public Works equipment from gas-powered to battery-power leaf blowers. Estimated cost \$10,000.

Environmental Review

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

Status

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

Attachments:

Supplemental Report
Redlined Draft Ordinance
Clean Copy Draft Ordinance

Alignment with Council Goals:

POLICY & LEADERSHIP: Provide continuing leadership as elected officials and residents of the community.

cc:

SUPPLEMENTAL REPORT

Discussion, Consideration and Possible Action on a First Reading of an Ordinance to Regulate and Prohibit the Use of Leaf Blowers Within the City Limits

For the Council meeting of March 7, 2016

At the February 17 City Council meeting, discussion was undertaken regarding the potential for a compromise ordinance which would effectuate a change to existing regulations with the major emphasis on eliminating the use of gas-powered leaf blowers in all areas of the Sonoma City limits. This compromise ordinance was envisioned to end the months of public discussion and potential for a City initiated ballot measure.

To aid Council in their deliberations, staff prepared a draft ordinance that incorporated the basic tenants of a compromise. Following discussion and public testimony, the Council made modifications to the draft ordinance and gave direction to staff to finalize and return for a first reading. The major components of the proposed ordinance are summarized as follows:

- **TYPE OF EQUIPMENT ALLOWED:** Completely eliminate the use of all gas-powered leaf blower equipment within the city limits of Sonoma. All areas of the City would be open for use of electric or battery operated equipment.
- **HOURS OF OPERATION:** Monday-Saturday 9:00 a.m. - 4:00 p.m. except on City holidays.
- **NOISE LEVEL:** The operation of leaf blowers shall comply with the noise ordinance, including the decibel limits applicable to residential power equipment.
- **LIMITATION ON USE:** Limits use of operation in a manner that directs dust and debris onto any neighboring parcel or a public street.
- **ENFORCEMENT:** Under enforcement, both the property owner or tenant and the landscaper each will be subject to the penalty provisions under the ordinance. The fine that is imposed for violation of the ordinance will depend upon whether the violation is prosecuted as an infraction, misdemeanor or administratively.
- **ENFORCEMENT DATE:** Ordinance shall be enforced commencing July 1, 2016.

AMENDMENT TO NOISE ORDINANCE/Sonoma Municipal Code 9.56.020: During the drafting of the final ordinance, the City Attorney's office added a new Section 9.60.050(2) which permanently amends the noise ordinance SMC 9.56.020(H) which contains provisions that are at odds with the proposed leaf blower ordinance. Adding this new section to the proposed leaf blower ordinance will conform the noise ordinance with the leaf blower ordinance in terms of which blowers are permitted and when, and modifies Table 2 in the noise ordinance to make it consistent with the new leaf blower ordinance.

This ordinance will be efficient in enforcement and will supersede all prior regulations. Enforcement will be under the authority of the City Prosecutors Office/Code Enforcement division.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA
ADDING CHAPTER 9.60 TO THE SONOMA MUNICIPAL CODE TO
REGULATE AND PROHIBIT THE USE OF LEAF BLOWERS WITHIN THE
CITY'S LIMITS**

A. WHEREAS, the purpose of this ordinance is to regulate the use of leaf blowers within the city, so as to prevent the unreasonable and continuous disruption of the community due to associated mechanical noise and the propensity of the devices to broadcast dust and other airborne pollutants into the air and onto nearby properties.

B. WHEREAS, the city has previously adopted restrictions on the operation of leaf blowers and now finds that strengthening those restrictions is appropriate.

C. WHEREAS, the City Council of the City of Sonoma finds that this ordinance is necessary for the protection of the public health, safety, and welfare.

E. WHEREAS, the City Council of the City of Sonoma finds that the amendments made by this ordinance are consistent with the goals and policies of the Sonoma General Plan and other adopted ordinances and regulations of the City of Sonoma.

F. WHEREAS, the City Council of the City of Sonoma finds that the adoption of this ordinance is categorically exempt from the requirements of the California Environmental Quality Act under the "general rule", pursuant to Section 15061(b)(3) of the CEQA Guidelines and is also exempt pursuant to Section 15305 (Minor Alterations to Land Use Limitations) of the CEQA Guidelines.

NOW THEREFORE, the City Council of the City of Sonoma does ordain as follows:

Section 1.

Chapter 9.60 is hereby added to the City of Sonoma Municipal Code to read as follows:

CHAPTER 9.60

Sections:

9.60.010	Title.
9.60.015	Declaration of Nuisance
9.60.020	Definitions
9.60.030	Use Restricted
9.60.040	Exemptions
9.60.050	Violations, Penalties

9.60.010 Title.

This chapter shall be known as the "City of Sonoma Leaf Blower Ordinance" and may be so cited.

9.60.015 Declaration of Nuisance.

A violation of this chapter shall constitute a public nuisance and, among other remedies available to the city, may be abated as provided in this code.

9.60.020 Definitions.

For purposes of this chapter, the terms in this section shall have the following meaning:

- A. "Holidays, city-designated"** mean those holidays designated as such by the city of Sonoma, including: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Eve, and Christmas Day.

B. “Leaf blower” means a [portable](#) machine, powered by a gasoline engine or electric motor, used to blow, displace, or vacuum leaves, dirt, and/or debris.

1. **“Electrically-powered leaf blower”** means any leaf blower, leaf vacuum or other leaf gathering device powered by electric means, including but not limited to battery-powered leaf blowers and cordless rechargeable leaf blowers.

2. **“Gas-powered leaf blower”** means any leaf blower, leaf vacuum or other leaf-gathering device directly powered by an internal combustion or rotary engine using gasoline, alcohol or other liquid or gaseous fluid. Lawn mowers, lawn edgers and electrically-powered leaf blowers are not included in this definition.

9.60.030 Use Restricted.

A. [Notwithstanding any other provision in the Sonoma Municipal Code to the contrary, i](#)n, on or upon any and all properties and areas within the city’s corporate boundaries:

1. It is unlawful for any property owner (including the city) or tenant or any employee, agent or contractor working for a property owner or tenant to operate or authorize the operation of a gas-powered leaf blower at any time for any purpose.

B. [Notwithstanding any other provision in the Sonoma Municipal Code to the contrary, i](#)n, on or upon any and all properties and areas within the city’s corporate boundaries:

~~1.~~ 1. It is unlawful for any property owner [\(including the city\)](#) or tenant or any employee, agent or contractor working for a property owner or tenant to operate or authorize the operation of any

electrically-powered leaf blowers at any time for any purpose except as follows:

~~a.~~a. It shall be lawful to operate and/or authorize the operation of electrically-powered leaf blowers during the following days and hours: Monday through Saturday, ~~8~~9:00 a.m. to ~~3~~4:00 p.m., except on city-designated holidays.

~~2.3.~~ The operation of leaf blowers shall comply with noise limits set by SMC 9.56.050.

C. No leaf blower shall be operated in a manner that directs dust and debris onto any neighboring parcel or public street.

9.60.040 Exemptions.

The following shall be exempt from the provisions of this chapter:

A. Emergency vehicles and all necessary equipment, including leaf blowers, utilized by emergency responders for the purpose of responding to an emergency, or necessary to restore, preserve, protect or save lives or property from imminent danger of loss or harm; ~~and.~~

~~B. Work on capital improvements or repairs and maintenance on public property by employees or contractors of the city; provided, however, that in performing such improvement, repairs or maintenance, SMC 9.60.030 (A)(1) shall be complied with; and~~

9.60.050 Violations, penalties.

A. Any violation of this chapter may be enforced either as an infraction or as a misdemeanor, or by any remedy available to the city under this code, or under state law.

B. Notwithstanding the foregoing to the contrary, for a first violation of SMC 9.60.030, the violator shall be provided a written cease and desist warning along with a copy of this chapter.

1. Upon a second violation of SMC 9.60.030 at the same location or by the same person, should the city determine to enforce said section pursuant to SMC Chapter 1.30, a fine or penalty shall be imposed equal to the amount set forth in the Council Resolution adopted pursuant to SMC 1.12.010.D for a first violation. Upon a third violation of SMC 9.60.030 at the same location or by the same person, should the city determine to enforce said section pursuant to SMC Chapter 1.30, a fine or penalty shall be imposed equal to the amount set forth in the Council Resolution adopted pursuant to SMC 1.12.010.D for a second violation, and so on for each succeeding violation of SMC 9.60.030.

2. Upon a second violation of SMC 9.60.030 at the same location or by the same person, should the city determine to enforce said section pursuant to SMC 1.12.010.A, a fine shall be imposed equal to the amount set forth at SMC 1.12.010.A.1. Upon a third violation of SMC 9.60.030 at the same location or by the same person within one year, should the city determine to enforce said section pursuant to SMC 1.12.010.A, a fine shall be imposed equal to the amount set forth in SMC 1.12.010.A.2, and so on for each succeeding violation of SMC 9.60.030 within one year.

C. This chapter may be enforced by any city of Sonoma employee or agent of the city with the authority to enforce any provision of the Sonoma Municipal Code or city ordinance.

[Section 2. Section 9.56.050\(C\) of the City of Sonoma Municipal Code is amended to read as follows:](#)

[C. Leaf Blowers. The operation of leaf blowers shall be governed by SMC Chapter 9.60.as follows:](#)

[Commercial, Mixed Use, and Winery Zoning Districts: Monday through Friday, 7:00 a.m. to 11:00 p.m. Prohibited on Saturdays, Sundays, and city-designated holidays.](#)

~~Public and Park Zoning Districts: Monday through Friday, 7:00 a.m. to 4:00 p.m. Prohibited on Saturdays, Sundays, and city-designated holidays.~~

~~All other zoning districts, including Residential: Monday through Saturday, 9:00 a.m. to 4:00 p.m. Prohibited on Sundays, and city-designated holidays.~~

Section 3. Section 9.56.020(H) of the City of Sonoma Municipal Code is amended to read as follows:

H. "Leaf blower" means a portable machine, powered by a gasoline engine or electric motor, used to blow, displace, or vacuum leaves, dirt, and debris.

Section 4. Table 2 in section 9.56.050 of the City of Sonoma Municipal Code is amended to read as follows:

Table 2

- Standard Exceptions to General Noise Limits

Type of Activity

Maximum Noise Level

Days/Hours Permitted

Construction and operation of residential power equipment (except for leaf blowers)

70 dBA, as measured from 50 feet of the noise source

Monday – Friday: 8:00 a.m. – 6:00 p.m.

Saturday: 9:00 a.m. – 6:00 p.m.

Sunday, city-designated holidays: 10:00 a.m. – 6:00 p.m.

Leaf blowers

70 dBA, as measured from 50 feet of the noise source

In all areas of the City, gas-powered leaf blowers are prohibited. Commercial, Mixed Use, and Winery Zoning Districts:

In all areas of the City, electrically-powered leaf blowers are prohibited except Monday from Monday through Saturday Friday, 9:00 a.m. to 4:00 p.m., except on Prohibited on Saturdays, Sundays, and city-designated holidays.

Public and Park Zoning Districts: Monday through Friday, 7:00 a.m. to 4:00 p.m. Prohibited on Saturdays, Sundays, and city-designated holidays.

All other zoning districts, including Residential: Monday through Saturday, 9:00 a.m. to 4:00 p.m. Prohibited on Sundays, and city-designated holidays.

Outdoor events (with permit or license)

As restricted by permit

As restricted by permit

Crush activities

N.A.

Monday – Sunday: 7:00 a.m. – 11:00 p.m.

Maintenance and cleaning within Commercial and Mixed Use zones

N.A.

Monday – Friday: 7:00 a.m. – 11:00 p.m.

Training activities conducted by emergency services personnel

N.A.

Monday – Friday: 7:00 a.m. – 11:00 p.m.

Section 52. Posting. This ordinance shall be published in accordance with applicable provisions of law, by either:

publishing the entire ordinance once in the Sonoma Index Tribute, a newspaper of general circulation, published in the City of Sonoma, within fifteen (15) days after its passage and adoption, or publishing the title or appropriate summary in the Sonoma Index Tribune at least five (5) days prior to adoption, and a second time within fifteen (15) days after its passage and adoption with the names of those City Councilmembers voting for and against the ordinance.

Section 63. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

Section 7-4. Effective Date.

This ordinance shall become effective thirty (30) days from and after the date of its passage. This ordinance shall be enforced commencing July 14, 2016.

THE FOREGOING ORDINANCE was first read and introduced at a regular meeting of the Sonoma City Council on the _____ day of _____, 2016, and was passed and adopted at a regular meeting of the Sonoma City Council on the _____ day of _____, 2016.

Laurie Gallian
Mayor of the City of Sonoma

Attest:

Gay Johann
Assistant City Manager/City Clerk of the City of Sonoma

Approved as to form:

City Attorney of the City of Sonoma

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SONOMA
ADDING CHAPTER 9.60 TO THE SONOMA MUNICIPAL CODE TO
REGULATE AND PROHIBIT THE USE OF LEAF BLOWERS WITHIN THE
CITY'S LIMITS**

A. WHEREAS, the purpose of this ordinance is to regulate the use of leaf blowers within the city, so as to prevent the unreasonable and continuous disruption of the community due to associated mechanical noise and the propensity of the devices to broadcast dust and other airborne pollutants into the air and onto nearby properties.

B. WHEREAS, the city has previously adopted restrictions on the operation of leaf blowers and now finds that strengthening those restrictions is appropriate.

C. WHEREAS, the City Council of the City of Sonoma finds that this ordinance is necessary for the protection of the public health, safety, and welfare.

E. WHEREAS, the City Council of the City of Sonoma finds that the amendments made by this ordinance are consistent with the goals and policies of the Sonoma General Plan and other adopted ordinances and regulations of the City of Sonoma.

F. WHEREAS, the City Council of the City of Sonoma finds that the adoption of this ordinance is categorically exempt from the requirements of the California Environmental Quality Act under the "general rule", pursuant to Section 15061(b)(3) of the CEQA Guidelines and is also exempt pursuant to Section 15305 (Minor Alterations to Land Use Limitations) of the CEQA Guidelines.

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9.60.020	Definitions
9.60.030	Use Restricted
9.60.040	Exemptions
9.60.050	Violations, Penalties

9.60.010 Title.

This chapter shall be known as the "City of Sonoma Leaf Blower Ordinance" and may be so cited.

9.60.015 Declaration of Nuisance.

A violation of this chapter shall constitute a public nuisance and, among other remedies available to the city, may be abated as provided in this code.

9.60.020 Definitions.

For purposes of this chapter, the terms in this section shall have the following meaning:

- A. "Holidays, city-designated"** mean those holidays designated as such by the city of Sonoma, including: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, the day following Thanksgiving Day, Christmas Eve, and Christmas Day.

B. "Leaf blower" means a machine, powered by a gasoline engine or electric motor, used to blow, displace, or vacuum leaves, dirt, and/or debris.

1. **"Electrically-powered leaf blower"** means any leaf blower, leaf vacuum or other leaf gathering device powered by electric means, including but not limited to battery-powered leaf blowers and cordless rechargeable leaf blowers.

2. **"Gas-powered leaf blower"** means any leaf blower, leaf vacuum or other leaf-gathering device directly powered by an internal combustion or rotary engine using gasoline, alcohol or other liquid or gaseous fluid. Lawn mowers, lawn edgers and electrically-powered leaf blowers are not included in this definition.

9.60.030 Use Restricted.

A. Notwithstanding any other provision in the Sonoma Municipal Code to the contrary, in, on or upon any and all properties and areas within the city's corporate boundaries:

1. It is unlawful for any property owner (including the city) or tenant or any employee, agent or contractor working for a property owner or tenant to operate or authorize the operation of a gas-powered leaf blower at any time for any purpose.

B. Notwithstanding any other provision in the Sonoma Municipal Code to the contrary, in, on or upon any and all properties and areas within the city's corporate boundaries: 1.

It is unlawful for any property owner (including the city) or tenant or any employee, agent or contractor working for a property owner or tenant to operate or authorize the operation of any electrically-powered leaf blowers at any time for any purpose except as follows:

a. It shall be lawful to operate and/or authorize the operation of electrically-powered leaf blowers during the following days

and hours: Monday through Saturday, 9:00 a.m. to 4:00 p.m., except on city-designated holidays.

2. The operation of leaf blowers shall comply with noise limits set by SMC 9.56.050.

C. No leaf blower shall be operated in a manner that directs dust and debris onto any neighboring parcel or public street.

9.60.040 Exemptions.

The following shall be exempt from the provisions of this chapter:

A. Emergency vehicles and all necessary equipment, including leaf blowers, utilized by emergency responders for the purpose of responding to an emergency, or necessary to restore, preserve, protect or save lives or property from imminent danger of loss or harm.

9.60.050 Violations, penalties.

A. Any violation of this chapter may be enforced either as an infraction or as a misdemeanor, or by any remedy available to the city under this code, or under state law.

B. Notwithstanding the foregoing to the contrary, for a first violation of SMC 9.60.030, the violator shall be provided a written cease and desist warning along with a copy of this chapter.

1. Upon a second violation of SMC 9.60.030 at the same location or by the same person, should the city determine to enforce said section pursuant to SMC Chapter 1.30, a fine or penalty shall be imposed equal to the amount set forth in the Council Resolution adopted pursuant to SMC 1.12.010.D for a first violation. Upon a third violation of SMC 9.60.030 at the same location or by the same person, should the city determine to enforce said section pursuant to SMC Chapter 1.30, a fine or penalty shall be imposed equal to the amount set forth in the Council Resolution adopted pursuant to SMC 1.12.010.D for a

second violation, and so on for each succeeding violation of SMC 9.60.030.

2. Upon a second violation of SMC 9.60.030 at the same location or by the same person, should the city determine to enforce said section pursuant to SMC 1.12.010.A, a fine shall be imposed equal to the amount set forth at SMC 1.12.010.A.1. Upon a third violation of SMC 9.60.030 at the same location or by the same person within one year, should the city determine to enforce said section pursuant to SMC 1.12.010.A, a fine shall be imposed equal to the amount set forth in SMC 1.12.010.A.2, and so on for each succeeding violation of SMC 9.60.030 within one year.

C. This chapter may be enforced by any city of Sonoma employee or agent of the city with the authority to enforce any provision of the Sonoma Municipal Code or city ordinance.

Section 2. Section 9.56.050(C) of the City of Sonoma Municipal Code is amended to read as follows:

C. Leaf Blowers. The operation of leaf blowers shall be governed by SMC Chapter 9.60.

Section 3. Section 9.56.020(H) of the City of Sonoma Municipal Code is amended to read as follows:

H. "Leaf blower" means a machine, powered by a gasoline engine or electric motor, used to blow, displace, or vacuum leaves, dirt, and debris.

Section 4. Table 2 in section 9.56.050 of the City of Sonoma Municipal Code is amended to read as follows:

Table 2
– Standard Exceptions to General Noise Limits

Type of Activity
Maximum Noise Level
Days/Hours Permitted

Construction and operation of residential power equipment (except for leaf blowers)
 70 dBA, as measured from 50 feet of the noise source
 Monday – Friday: 8:00 a.m. – 6:00 p.m.
 Saturday: 9:00 a.m. – 6:00 p.m.
 Sunday, city-designated holidays: 10:00 a.m. – 6:00 p.m.

Leaf blowers

70 dBA, as measured from 50 feet of the noise source

In all areas of the City, gas-powered leaf blowers are prohibited.

In all areas of the City, electrically-powered leaf blowers are prohibited except from Monday through Saturday, , 9:00 a.m. to 4:00 p.m., except on city-designated holidays.

Outdoor events (with permit or license)

As restricted by permit

As restricted by permit

Crush activities

N.A.

Monday – Sunday: 7:00 a.m. – 11:00 p.m.

Maintenance and cleaning within Commercial and Mixed Use zones

N.A.

Monday – Friday: 7:00 a.m. – 11:00 p.m.

Training activities conducted by emergency services personnel

N.A.

Monday – Friday: 7:00 a.m. – 11:00 p.m.

Section 5. Posting. This ordinance shall be published in accordance with applicable provisions of law, by either:

publishing the entire ordinance once in the Sonoma Index Tribute, a newspaper of general circulation, published in the City of Sonoma, within fifteen (15) days after its passage and adoption, or publishing the title or appropriate summary in the Sonoma Index Tribune at least five (5) days prior to adoption, and a second time within fifteen (15) days after its passage and adoption with the names of those City Councilmembers voting for and against the ordinance.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

The City Council hereby declares that it would have passed this and each section, subsection, phrase or clause thereof irrespective of the fact that any one or more sections, subsections, phrase or clauses be declared unconstitutional on their face or as applied.

Section 7. Effective Date.

This ordinance shall become effective thirty (30) days from and after the date of its passage. This ordinance shall be enforced commencing July 1, 2016.

THE FOREGOING ORDINANCE was first read and introduced at a regular meeting of the Sonoma City Council on the _____ day of _____, 2016, and was passed and adopted at a regular meeting of the Sonoma City Council on the _____ day of _____, 2016.

Laurie Gallian
Mayor of the City of Sonoma

Attest:

Gay Johann
Assistant City Manager/City Clerk of the City of Sonoma

Approved as to form:

City Attorney of the City of Sonoma



CITY OF SONOMA
 City Council
 Agenda Item Summary

Agenda Item:	9
Meeting Date:	03/07/2016

Department Administration	Staff Contact 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 GALLIAN	MPT AGRIMONTI	CLM. COOK	CLM. EDWARDS	CLM. HUNDLEY
City Audit Committee	LOCC North Bay Division Liaison	ABAG Alternate	ABAG Delegate	Cittaslow Sonoma Valley Advisory Council, Alt.
Marin/Sonoma Mosquito & Vector Control District	North Bay Watershed Association	City Audit Committee	Cittaslow Sonoma Valley Advisory Council	LOCC North Bay Division Liaison, Alternate
Sonoma County Mayors & Clm. Assoc. BOD	Sonoma County Mayors & Clm. Assoc. BOD, Alt.	City Facilities Committee	City Facilities Committee	Sonoma Clean Power Alt.
Sonoma County Trans. Authority & Regional Climate Protection Authority	Sonoma County Trans. & Regional Climate Protection Authority, Alternate	Oversight Board to the Dissolved CDA	Oversight Board to the Dissolved CDA, Alt.	Sonoma County M & C Assoc. Legislative Committee
Sonoma Disaster Council	Sonoma County Waste Management Agency	Sonoma Clean Power	Sonoma County Health Action & SV Health Roundtable	S. V. Citizens Advisory Commission
Sonoma Housing Corporation	Sonoma Disaster Council, Alternate	S.V. Economic Vitality Partnership, Alt.	Sonoma County M & C Assoc. Legislative Committee, Alt.	S.V. Economic Vitality Partnership
S.V.C. Sanitation District BOD	Sonoma Housing Corporation	S. V. Library Advisory Committee	Sonoma Valley Citizens Advisory Comm. Alt.	S. V. Library Advisory Committee, Alternate
S.V. Fire & Rescue Authority Oversight Committee	S.V.C. Sanitation District BOD, Alt.			
VOM Water District Ad Hoc Committee	S.V. Fire & Rescue Authority Oversight Committee			
Water Advisory Committee	VOM Water District Ad Hoc Committee, Alternate			
	Water Advisory Committee, Alternate			

Recommended Council Action – Receive Reports

Attachments: None