

**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 21, 2016**

**6:00 p.m.**

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**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. Lynn Watts 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, Assistant City Attorney Pistole, and Planning Director Goodison

City Manager Giovanatto requested that Council add an item to the agenda as an urgency item stating that the need to take action arose after the publication of the agenda. The public comment period was opened and closed with none received. It was moved by Clm. Agrimonti, seconded by Clm. Edwards, to add as Item 7E "Authorize the City Manager to send letter of support for the application of Sonoma County Regional Parks to the Sonoma County Agricultural Preservation and Open Space District for funding of improvements at Maxwell Farms Regional Park". The motion carried unanimously.

**1. COMMENTS FROM THE PUBLIC**

Jeff Stuhr stated that it was duck mating season again and he had already intervened to stop a person from chasing and hitting a duck. He encouraged the City to post signs aimed at protecting the ducks in the Plaza.

Anna Gomez commented about the sanitation district status and the potential impact of any additional development in the City.

Community Services and Environment Commission (CSEC) members Denise Wilbanks, Ken Brown, and Fred Allebach commented about the condition of the Plaza restrooms and stated that CSEC would be submitting some recommendations to the City Council in that regard.

Ken Brown invited all to attend the April 29 Arbor Day Celebration and asked the Council to dedicate the meeting in the memory of local beloved teacher David Neubacher.

**2. MEETING DEDICATIONS**

Mayor Gallian dedicated the meeting in the memory of David Neubacher.

**3. PRESENTATIONS**

**Item 3A: Sexual Assault Awareness Month Proclamation**

There was no one was present from Verity to receive the proclamation so it was not read.

**Item 3B: National Crime Victims' Rights Week Proclamation**

Mayor Gallian read aloud the proclamation and presented it to Victim Advocate Alex Perry.

### 3. PRESENTATIONS, Continued

**Item 3C: Vintage House 2015-16 Status Update**

Executive Director Cynthia Scarborough and Board President Bill O'Neil reported on the activities and accomplishments of Vintage House Senior Center. They spoke of the expanding population of seniors and the need for increased services. Although they rely mostly on volunteers it was a challenge to meet their budget needs. Ms. Scarborough asked the Council to recognize Vintage House as a direct provider of core city services and continue to provide funding for operations not linked to a specific program.

**Item 3D: Discussion, consideration and introduction of the draft Climate Action 2020 Plan**

Planning Associate Atkins introduced Lauren Casey, Caroline Glaton, and Suzanne Smith of the Regional Climate Protection Authority who described their efforts and the process utilized in the development of the draft "Climate Action 2020 Plan: A Regional Program for Sonoma County Communities". Ms. Smith explained that the plan was a regional greenhouse gas emissions reduction program and each participating community would contribute towards the target of 25% below 1990 levels by the year 2020 on a path towards a long term goal of 80% below 1990 levels by 2050.

Mayor Gallian invited comments from the public. Jerry Bernhaut stated his belief that the County's assessment of the GHG inventory was flawed and that he had serious concerns about that and their on-road transportation assessments and calculations.

Fred Allebach agreed with Mr. Bernhaut.

Tom Conlon, an energy efficiency consultant, stated he was on board to assist staff and the public to ensure that the concerns of the public were understood.

Each of the Councilmembers thanked staff for their continued efforts in this matter. It was moved by Clm. Hundley, seconded by Clm. Cook, to direct the CSEC to review the draft plan and provide recommendations to the City Council when it comes to them for final approval. The motion carried unanimously.

### 4. CONSENT CALENDAR/AGENDA ORDER – CITY COUNCIL

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

**Item 4B: Approval of the minutes of the March 7, 2016 City Council Meeting.**

**Item 4C: Second Reading and Adoption of an Ordinance Adding Chapter 9.60 to the Sonoma Municipal Code regulating and prohibiting the use of leaf blowers within the City's limits and finding the adoption thereof is categorically exempt under the Cal. Environmental Quality Act (CEQA) pursuant to, inter alia, sections 15061(b)(3) and 15305 of the CEQA Guidelines. Removed from consent, see below.**

**Item 4D: Approval to Reject All Bids for the West Napa Street Water System Replacement Project No. 1303.**

Clm. Edwards removed Item 4C. The public comment period was opened and closed with none received. It was moved by Clm. Cook, seconded by Clm. Agrimonti, to approve the items remaining on the Consent Calendar. The motion carried unanimously.

**Item 4C: Second Reading and Adoption of an Ordinance Adding Chapter 9.60 to the Sonoma Municipal Code regulating and prohibiting the use of leaf blowers within the City's limits and finding the adoption thereof is categorically exempt under the Cal. Environmental Quality Act (CEQA) pursuant to, inter alia, sections 15061(b)(3) and 15305 of the CEQA Guidelines.**

Clm. Edwards commented that the agenda item and the ordinance title did not specify the type of leaf blowers being prohibited. Attorney Walter stated that the ordinance regulated electric leaf blowers and banned gas powered leaf blowers.

Mayor Gallian invited comments from the public. Georgia Kelly stated she noticed the same thing about the title.

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

Virginia Hogan stated the ban was very discriminatory against landscapers and that it would take money out of people's pockets.

Ken Brown stated it was the public's right to have a vote on this issue.

Miguel Rivera, Rafael Corial, Eric Pooler, James Cannard, Patty Defern, and a number of unnamed landscaping professionals went to the podium and expressed their disagreement with the ban on gas powered leaf blowers.

James Whaley reported that a ban in Burbank left the City looking dirty and unkempt. He said the ban would place an extra financial burden on landscaping businesses and would affect a lot of people.

The following spoke in support of the ordinance: Anna Gomez, David Eichar, Tiare Welch, Jack Wagner, Sarah Ford, and Bob Edwards.

Rich Androtti stated that City staff used leaf blowers to clean Fryer Creek Park and questioned who would have to pay for the extra time it would take them without leaf blowers.

Jerry Marino stated that the Councilmembers were elected to represent the residents. He questioned why Councilmembers changed their mind after voting unanimously to put the matter on the ballot. He also stated that City workers would not be able to keep up with the leaves using rakes. Mr. Marino stated that he would be collecting signatures to put the matter on the ballot. John Fanucchi said the matter should go to the voters.

Councilmembers Cook, Agrimonti and Mayor Gallian stated their continued support of the compromise ordinance. Councilmembers Hundley and Edwards stated their reasons for opposing the ordinance. It was moved by Clm. Cook, seconded by Clm. Agrimonti, to adopt Ordinance Number 01-2016 entitled 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. The motion carried with the following roll call vote: AYES: Cook, Gallian, Agrimonti. NOES: Hundley, Edwards. ABSENT: None.

**RECESS:** The meeting recessed 8:13 to 8:18 p.m.

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

**Item 5A: Approval of the portions of the minutes of the March 7, 2016 City Council meeting pertaining to the Successor Agency.**

The public comment period opened and closed with none received. It was moved by Clm. Cook, seconded by Clm. Agrimonti, 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 on the provision of funding for an affordable housing development proposed for 20269 Broadway.**

Planning Director Goodison reported that in October 2007, the City of Sonoma Community Development Agency (CDA), using funds for its Low-Moderate Income Housing Fund, purchased the property located at 20269 Broadway with the intent of developing it with affordable housing. In 2012 ownership of the site was transferred to the Sonoma County Community Development Commission (CDC) as parent agency of the Sonoma County Housing Authority and in its capacity as Successor Housing Agency, as a result of the termination of redevelopment agencies throughout California. In collaboration with Satellite Affordable Housing Associates (SAHA), a non-profit development partner, the CDC has proposed to develop the Broadway site with an affordable rental project. The site has a General Plan land use designation of Mixed Use and zoning designation of Mixed Use, which allows a residential density of up to 20 units per acre, with greater densities allowed for affordable housing. The site was identified in the City's Housing Element as a "Housing Opportunity Site," meaning that it was considered to be a suitable candidate for development with affordable housing.

**Item 7A: Discussion, consideration, and possible action on the provision of funding for an affordable housing development proposed for 20269 Broadway, Continued**

Goodison added that the proposed project was directly responsive to the City of Sonoma's 2015-2023 Regional Housing Needs Allocation with respect to the need for housing at the low and very-low income levels. He pointed out that the City Council's adopted goals for 2015-2016 included the following goal with respect to housing: *"To analyze policy and programmatic tools suggested by the 2015 Housing Element update; implement strategies to facilitate creation of affordable rental and workforce housing; sustain or increase opportunities to continue the programs currently in place to maintain current affordable housing stock."* Goodison stated that the project pro forma identified a local funding gap of approximately \$645,000 with respect to the cost of developing the proposed project and the provision of local funding assistance would significantly improve competitiveness for the award of Federal tax credits necessary to fund the proposed Project and would facilitate predevelopment activities including environmental review, site design, and neighbor outreach.

Goodison stated that staff recommended that the City Council allocate \$100,000 from the Special Projects fund, limited to predevelopment costs associated with the proposed Project, and authorize the City Manager to negotiate and execute an agreement with the CDC and SAHA for the disbursement of these funds and find the proposed project the City Council's top priority with respect to applications for CDBG funds and other applicable funding and grants for affordable housing that may be available and find that the action was exempt from environmental review.

John Haig, Deputy Director of Sonoma County CDC stated that the County, as owner of property, must follow redevelopment law, which required that the site only be used for affordable housing purposes. He explained the request for proposal process utilized by the County and described the criteria used in the selection of SAHA, noting that one of their strongest attributes was their commitment to community engagement.

Mayor Gallian invited comments from the public. Lynda Corrado stated there was a huge need for this type of development. She suggested the City impose a fee on developers to help subsidize affordable housing.

Lynn Watts stated that using the \$100,000 for a traffic study was a waste of money and it should go for an environmental impact report instead. She said sewer capacity, air pollution and other issues needed to be addressed and that she also disagreed with using public funds to advance a private project.

Bob Moser, Anna Gomez, Mary Huber, Ellen Fetty, Debra Dado, Virginia Hogan, and Eric Pouler agreed with the comments made by Ms. Watts. Some added their concerns related to traffic and parking.

Fred Allebach, Rosemarie Pedranzini, Bob Edwards, Christine Mismar, Jeannette Fung and Jack Wagner spoke in support of the project and the City's backing of it.

Mayor Gallian confirmed that the affordable units would apply towards the City's required number of affordable units.

Clm. Agrimonti confirmed that the Planning Commission would make the decision about requiring an environmental impact report and that decision was appealable to the City Council.

Clm. Edwards expressed his support for the project and stated that the \$100,000 would demonstrate that the Council was serious about affordable housing.

Clm. Hundley confirmed that a collaborative process would be utilized in review of the project.

Clm. Cook agreed with Clm. Edwards that the money would show the City had skin in the game.

It was moved by Clm. Agrimonti, seconded by Clm. Hundley to adopt Resolution Number 05-2016 entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA IDENTIFYING THE PROPOSED AFFORDABLE HOUSING PROJECT AT 20269 BROADWAY AS THE COUNCIL'S TOP HOUSING GRANT PRIORITY AND ALLOCATING \$100,000 FROM THE SPECIAL PROJECTS FUND FOR PREDEVELOPMENT COSTS and make a finding that the action was categorically exempt from environmental review because predevelopment activities do not constitute a "project" as defined in Section 15378 of the California Environmental Quality Act. The motion carried unanimously.

**RECESS:** The meeting recessed 10:03 to 10:11 p.m.

**Item 7B: Discussion, Consideration and Possible Action to Provide Direction on Options for an Ordinance Regulating Second-Hand Smoke by Prohibiting Smoking in and Around Workplaces, Public Places and Multi-Unit Housing.**

City Manager Giovanatto and Assistant City Attorney Pistole provided background on this issue. Attorney Pistole explained that there was a very narrow scope under which the Council Could make changes to the current ordinance because it had been adopted by a vote of the people. To affect any change a ballot measure must appear on the November ballot to either (1) implement new/updated regulations by voter approval, or (2) repeal the existing ordinance. She said staff was recommending that Council focus on preparing a new comprehensive ordinance to be adopted with an effective date on the day following the ratification of the results of the November election. Staff further recommended that Council prepare a ballot measure that repealed the existing ordinance. This would allow voters to repeal the existing ordinance/ballot measure with full knowledge and assurance that a new smoking ordinance was adopted and would be effective upon the repeal of the existing ordinance.

Mayor Gallian invited comments from the public. Misty Brown, Pam Granger, Lynda Corrado, Jill Whitman and Elizabeth Emerson spoke in favor of stronger regulations pertaining to smoking.

The City Council, by unanimous consensus, confirmed their desire to adopt the more restrictive ordinance and place the repeal of the existing ordinance on the November ballot. Attorney Pistole led Council through a matrix of options asking for straw polls on each topic. When completed she stated that the direction provided by Council would be incorporated into a comprehensive ordinance and brought back for Council's further consideration.

**Item 7C: Discussion, Consideration and Possible Action to Establish a Joint Study Session with the Planning Commission to Discuss Affordable Housing (Requested by Councilmember Hundley).**

Cm. Hundley explained that her intent was to conduct a study session regarding the larger picture of housing issues, not strictly affordable housing.

Mayor Gallian invited comments from the public. Robert Felder stated on behalf of the Planning Commission that they would welcome the opportunity. Jack Wagner stated it was a great idea.

Council reached a unanimous consensus to schedule the joint session.

**Item 7D: Discussion, Consideration and Possible Action to Establish a Decorum Policy for Public Meetings (Requested by Mayor Gallian).**

This item was continued to a future meeting.

**Item 7E: Discussion, Consideration and Possible Action to authorize the City Manager to send letter of support for the application of Sonoma County Regional Parks to the Sonoma County Agricultural Preservation and Open Space District for funding of improvements at Maxwell Farms Regional Park.**

City Manager Giovanatto provided the background on this request. The public comment period was opened and closed with none received. It was moved by Cm. Edwards, seconded by Cm. Agrimonti, to approve the item. The motion carried unanimously.

**8. REGULAR CALENDAR – CITY 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**

**12. ADJOURNMENT**

The meeting was adjourned at 11:23 p.m. in the memory of David Neubacher.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the Sonoma City Council on the 18<sup>th</sup> day of April 2016.

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Gay Johann  
Assistant City Manager / City Clerk