

# CITY OF SONOMA

## CITY COUNCIL SPECIAL MEETING

Monday April 4, 2016, 4:00 p.m.

**Sonoma Veterans Memorial Building  
126 First Street West, Sonoma CA 95476**

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



### MINUTES

#### 1. CALL TO ORDER

Mayor Gallian called the meeting to order at 4:00 p.m. Robert Parmelee 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

#### 2. COMMENTS FROM THE PUBLIC

Ken Brown announced upcoming events.

#### 3. MEETING DEDICATIONS

Clm. Edwards dedicated the meeting in the memory of Tom Bova and Carole Downing.

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

**Item 4A: Approval of application for Temporary Use of City Streets by the Sonoma Community Center for the July 4 Parade on Monday, July 4, 2016.**

**Item 4B: Consideration and Possible Action to Approve an Agreement with Maven Events & Marketing Solutions, LLC to provide Special Event Management Services for the City of Sonoma. Approved and City Manager was authorized to sign.**

The public comment period 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.

#### 5. REGULAR CALENDAR – CITY COUNCIL

**Item 5A: Discussion, consideration and possible introduction of ordinance amending Chapter 9.80 of the Sonoma Municipal Code Regarding the Rent Control of Mobilehome Park Spaces.**

City Attorney Walter provided the history and background on the process that led to the introduction of the ordinance relating to Mobilehome Park Rent Control. He stated that the decisions made and direction provided by the Council at the October 7, 2015 meeting had been incorporated into the draft ordinance being introduced. Attorney Walter then explained the major components as follows. The ordinance:

Disbands the Mobilehome Park Rental Review Board as the decision maker on rent increase applications and assigns that responsibility to the City Manager, whose decision is based on experts' evaluations and other written submissions without hearing, and is appealable to an independent hearing officer selected through the State's Office of Administrative Hearings or other agency providing such services.

Authorizes the City Manager to retain experts to assist the City Manager in making decisions on individual rent increase applications and requiring the applicant to advance funds to pay for such experts. It allows the applicant to recoup those costs in the form of rent increases if the applicant is successful in achieving the results sought in its application.

**Item 5A:      Discussion, consideration and possible introduction of ordinance amending Chapter 9.80 of the Sonoma Municipal Code Regarding the Rent Control of Mobilehome Park Spaces, Continued**

Establishes a process whereby the residents, in response to the filing of a rent increase application, can make a settlement offer to the applicant-park owner agreeing to accept a certain rent increase. If that offer is not accepted by the park owner and the application is prosecuted to a final decision that is less favorable than the settlement, then the park owner is not entitled to recover its expenses incurred in prosecuting its rent increase application after the offer was made by the residents and the residents' costs in defending the application incurred after the offer was made are recoverable against the park owner.

Requires that each park's residents annually elect a resident as the residents' representative. This representative is vested with the authority to speak on behalf of and bind the residents to certain decisions made by the representative.

Reduces the amount by which the park owners may increase the rent of a mobilehome space when ownership of the mobilehome is transferred from 10% of the previous rent to 5% of the previous rent charged to the previous tenant.

Expands the definitions and provisions governing what constitutes income and expenses in the context of a petition seeking rental increases in order to maintain net operating income. Except where settlement offers have been made by the homeowners or park owner, requires that the legal and expert fees and other costs incurred by a park owner in processing a successful rent increase application be passed through to the residents, provided that they are amortized over 5 years with interest.

Authorizes residents to petition for rent reductions in those situations where the park has reduced services or amenities as defined in the proposed revisions.

Subject to City Council approval the City Manager is authorized to adopt rules and regulations implementing the ordinance.

Mayor Gallian invited comments from the public. Attorney for the park residents Will Constantine stated that staff had done a good job incorporating the decisions made at the last study session. He expressed support for the ordinance and that he felt the settlement procedures were reasonable.

Dean Moser, owner of Pueblo Serena, stated his objection to the ordinance claiming that park owners had not been fairly included in the process and that rent control was socialism.

Phil Taylor, HCA Management Company (Pueblo Serena), stated that the time Council spent with the two sides was significantly imbalanced and the ordinance was forcing the private sector to underwrite rents.

David Brigode supported the ordinance and recommended that it be followed up with supportive and explanatory rules and regulations.

Bonnie Joy Kaslan, Dianne Ramos, and Ann Cochilias spoke in favor of the ordinance and thanked the City Council for their support of the mobilehome park residents.

Clm. Hundley stated she would like to see language included to address the issue in the case a Designated Tenant Representative (DTR) failed to adequately fulfill their responsibilities.

Mayor Gallian confirmed that the ordinance authorized the City Manager to formulate rules and regulations.

Clm. Cook stated his preference that the City Council formulate the rules and regulations.

Attorney Walter reported one correction to the draft ordinance on page 34, replacing the words "community development" with "City Manager" department.

It was moved by Clm. Hundley, seconded by Clm. Edwards, to introduce the ordinance adding verbiage about the DTR and making the correction pointed out by Attorney Walter. The motion carried unanimously.

**6. ADJOURNMENT**

The meeting was adjourned at 5:35 p.m. in the memory of Tom Bova and Carole Downing.

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