

# CITY OF SONOMA

SPECIAL MEETINGS OF THE CITY COUNCIL  
MONDAY AUGUST 15, 2016



JOINT STUDY SESSION WITH THE  
PLANNING COMMISSION  
EMERGENCY OPERATIONS CENTER (EOC)  
175 First Street West, Sonoma CA

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

&

CONCURRENT MEETINGS OF THE SONOMA CITY COUNCIL &  
CITY COUNCIL AS THE SUCCESSOR AGENCY TO THE DISSOLVED  
SONOMA COMMUNITY DEVELOPMENT AGENCY  
Community Meeting Room, 177 First Street West, Sonoma CA

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## MINUTES

### JOINT STUDY SESSION

Mayor Gallian called the meeting to order at 5:00 p.m.

**CITY COUNCIL MEMBERS PRESENT:** Hundley, Cook, Agrimonti, Edwards, and Gallian.

**PLANNING COMMISSION MEMBERS PRESENT:** Cribb, McDonald, Sek, Willers, and Felder.  
**ABSENT:** Coleman, Roberson, Wellander

**OTHERS PRESENT:** City Manager Giovanatto, Assistant City Manager/City Clerk Johann,  
Planning Director Goodison

**SS.1:** Discussion, consideration and possible direction to staff on housing-related topics presented during the May 16, 2016 joint City Council-Planning Commission Study Session

Planning Director Goodison and consultants from Keyser Marston Associates provided background and statistical information relating to the City's housing needs. They led the Councilmembers and Planning Commissioners through a series of discussions on topics which included: Options on modifying inclusionary housing requirements; Housing Impact Fee status report; Considerations on prohibiting or further restricting vacation rentals; and Junior Second Units and Shared Housing. Councilmembers and commissioners provided general direction to staff and the consultants for use in formulating a work plan.

### CONCURRENT CITY COUNCIL AND COUNCIL AS SUCCESSOR AGENCY MEETING

Mayor Gallian called the meeting to order at 7:00 p.m. Kimberly Hubenette 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, Planning Director Goodison, Planning Associate Atkins, Finance Director Hilbrants

### **REMOVAL OF AGENDA ITEM 6A**

City Attorney Walter reported that a lawsuit challenging the Environmental Impact Report prepared by the Regional Climate Protection Agency related to the Climate Action 2020 and Beyond had been filed. He recommended that agenda item 6A be pulled and tabled until the lawsuit had been determined.

Mayor Gallian invited comments from the public regarding the question of removing the item from the agenda. Tom Conlon, Transition Sonoma Valley, supported allowing time for those who had concerns regarding the report to consider the issues.

Jerry Bernhaut identified himself as the attorney who filed the complaint on behalf of California River Watch. He suggested that everyone read his petition to learn what their concerns were.

Fred Allebach questioned if the lawsuit would place the Climate Action program on hold.

Caitlin Cornwall stated that climate warming was a matter of extreme emergency and that the Council should move ahead with approving the plan.

It was moved by Cim. Cook, seconded by Cim. Edwards, to remove Agenda Item 6A from the agenda. The motion carried unanimously. Mayor Gallian stated that this action did not represent a weakening of her position and work on the project.

### **1. COMMENTS FROM THE PUBLIC**

Michelle Richey spoke about the lack of low income rentals and the homeless. She stated that the Dog Park people supported allocating five parking spots for Safe Parking but they did not want it to be the five spots adjacent to the dog park.

Dave Ransom stated that the Bay Area Council recently reported that 30% of Bay Area residents were leaving because of high housing costs.

Tim Boeve spoke about climate warming and urged the City Council to take the lead in addressing climate change.

Jack Wagner announced that he was running for City Council again and that housing would be his top priority.

David Duplantier, California State Parks, reported on the programs being offered by State Parks and invited everyone to their August 20 event recognizing the National Parks Centennial.

Jerry Bernhaut stated that there was nothing stopping the City from moving ahead with plans to reduce greenhouse gas emissions.

Chris Petlock urged the City Council to make it easier and safer for children to ride their bikes to and from school.

## **2. MEETING DEDICATIONS - None**

## **3. PRESENTATIONS**

### **Item 3A: School Attendance Awareness Month Proclamation**

Mayor Gallian read aloud the proclamation and presented it to Paul Tuohy, Coordinator of Student Services. He thanked the City for recognizing the need for emphasis on regular school attendance and stated that the school's theme this year was "It Takes A Valley".

### **Item 3B: Freedom Week Sonoma Proclamation**

Mayor Gallian read aloud the Freedom Week proclamation and presented it to Dr. Kimberly Hubenette and representatives of the sponsoring organizations which included Rotary Club of Sonoma Valley, AMVETS Hap Arnold Post #55, American Legion Jack London Post 489, Sonoma Valley Chamber of Commerce and the Sonoma Valley Visitors Bureau. Ms. Hubenette reported that the Visitor Bureau served as the official headquarters.

### **Item 3C: Update by Sonoma Clean Power on Program Status and Future Activities**

Geof Syphers presented information on the programs, current and future activities of Sonoma Clean Power. Clm. Cook stated Syphers had done a great job. Clm. Agrimonti confirmed that if Mendocino County was added they would have two additional board seats, one for Ukiah and one for a city. Clm. Hundley confirmed that it was not feasible to store energy. Mayor Gallian suggested that an electric car be offered to purchasers of affordable housing units.

## **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 July 6 and July 18, 2016 City Council Meetings.**

**Item 4C: Discussion, Consideration and Possible Action to Award Contract to Peckham & McKenney for Executive Search Services (City Manager) and Authorize the City Manager to Sign.**

**Item 4D: Acceptance of the City of Sonoma Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2015 as prepared in accordance with Governmental Accounting Standards Board statements.**

**Item 4E: Approval and ratification of the appointment of Thomas Haeuser to the Sonoma County Library Commission for a four-year term.**

**Item 4F: Approval of a waiver of commission attendance rules for Planning Commissioner Chip Roberson.**

**Item 4G: Approval of a waiver of the limitation on successive terms and ratification of the reappointment of Pam Personette to the Cultural and Fine Arts Commission.**

**Item 4H: Approval and ratification of the reappointment of Kate Schertz to the Cultural and Fine Arts Commission.**

**Item 4I:** Approval and ratification of the reappointment of Fred Allebach to the Community Services and Environment Commission for an additional four-year term.

The public comment period was opened and closed with none received. Mayor Gallian stated, in relation to Item 4C, that had contacted references of the consultant and got nothing but rave reviews. 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 July 6 and July 18, 2016 City Council meetings pertaining to the Successor Agency.

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

**6. PUBLIC HEARINGS**

**Item 6A:** Discussion, consideration, and possible adoption of a resolution approving Climate Action 2020 and Beyond and making responsible agency findings pursuant to the California Environmental Quality Act (CEQA), including a statement of overriding considerations.

This item was removed from the agenda.

**Item 6B:** Discussion, consideration and possible action on an appeal of the Design Review and Historic Preservation Commission's decision to approve the application of Glenn Ikemoto for site design and architectural review of a new single-family residence, additional residence, and accessory structures at 314-324 Second Street East.

Associate Planner Atkins provided a detailed description of the proposed project which was the subject of the appeal. She reported that the Design Review and Historic Preservation Commission (DRHPC) voted unanimously to approve the site design and architectural review application. On June 16, 2016, Ron Albert, the neighboring property owner on the north, filed an appeal of the decision stating that he felt the approval was inconsistent with a number of regulations applicable to the project, especially with respect to compatibility and adverse impacts on surrounding properties. In addition, the appellant was concerned that the project would threaten the health of a Colorado blue spruce tree located on his property.

Clm. Hundley confirmed that the applicable Municipal Code Sections had not been provided to the Commissioners in their packet and that they typically adopt the findings recommended by staff but had the ability to make changes to them.

Mayor Gallian invited comments from the public. Appellant Ron Albert stated that staff had made a mistake when it opined that the project complied with SMC §19.42. He asserted that the proposed garage did not meet the guideline for compatibility of front yard setbacks. He cited

additional concerns about the project including severe shading of his property, impact on privacy and ambience and potential harm to a 40' Colorado blue spruce tree.

Robert Baumann, architect representing Mr. Albert, stated that the proposed residence should be relocated to a minimum fifteen foot distance from the property line to avoid significant impacts to the Colorado blue spruce tree.

Glenn Ikemoto stated that the basis of the appeal was defective in that it relied on an overly broad definition of potential impacts. He stated that it was important to locate the detached garage near the house and not at the minimum setback. Ikemoto stated that SMC 19.42 applied to smaller single family homes and not to his project. He stated that he had consulted with an arborist and would do everything necessary to protect the tree. He asked the Council to uphold the decision of DRHPC.

Kelso Barnett, DRHPC member, stated that there were many issues the Commissioners had to deal with including landscaping and architecture plans. He stated that at the beginning of their hearing he had asked staff how they came to the conclusion that the required findings could be made. He said he felt it was difficult to make the findings; however he voted with the majority to approve the project because it was overall a good project and the rest of the Commissioners were comfortable with the findings.

CIm. Hundley inquired why there was an inconsistency in the code sections. Planning Director Goodison stated it was a mistake that had not been caught when the code was adopted and that staff intended to correct it now that it had surfaced. He said he chose the interpretation of the section based on how it had been treated in other planning areas.

CIm. Edwards stated that the project should have gone to the Planning Commission. Upon reviewing the project plans and visiting the site, he felt the garage should be moved closer to the setback and in line with the rest of the homes. CIm. Edwards stated he would support the appeal.

In response to a question from CIm. Agrimonti, Mr. Ikemoto explained that the garage faced north because of the width of the driveway and the olive trees. He added that his lot was unique in that it was 135 feet deep and that if the garage was moved forward it would be a very long walk to his kitchen.

Mayor Gallian stated she discussed this matter with Mr. Albert and staff and visited the property. She stated that she felt the garage should be moved to the setback line. In response to a question by Mayor Gallian, Planning Director Goodison explained that the project did not go to the Planning Commission because it did not need to. Mayor Gallian added that she hoped that mitigation of the potential impacts to the tree would be included in the conditions of approval.

Planning Director Goodison and Associate Planner Atkins provided in depth explanation of the applicable code sections and architectural design and elevations of the project.

CIm. Hundley stated her disappointment that the code sections had not been provided to the Commissioners and that it was obvious the project did not comply with the guidelines. She said the garage should be moved forward.

CIm. Cook agreed and said he would vote to uphold the appeal.

Clm. Agrimonti commented that it was a strange piece of property.

It was moved by Clm. Cook, seconded by Clm. Edwards, to uphold the appeal. Mayor Gallian stated she hoped there would be mitigation for the tree. The motion carried unanimously. Attorney Walter stated that staff would bring forward a resolution setting forth the decision and applicable findings.

**7. REGULAR CALENDAR – CITY COUNCIL**

**Item 7A: Discussion, Consideration and Possible Action to Accept the 2015-16 Annual Report of the Sonoma Tourism Improvement District.**

Bill Blum reported that the Sonoma Tourism Improvement District (TID) continued to be successful. The City had experienced a 26.9% increase in occupancy rates in the off season representing a 62.3% increase in Transient Occupancy Taxes. Jonny Westom described the marketing efforts that had been used as well as the ones planned for the upcoming year. The Visitor Bureau mission was "To serve visitors, member and our community by promoting Sonoma Valley as a premier travel destination with the purpose of enhancing its economic vitality".

In response to a question by Clm. Agrimonti, Mr. Blum explained that the TID grants went to events held in the off season and those with the potential to generate overnight stays. Clm. Agrimonti stated that the new event calendar on the Visitor Bureau website was great.

Clm. Cook stated that he appreciated that they were focusing on a balance between tourism and the locals that live here.

Mayor Gallian suggested that the TID Board consider establishment of a reserve account as fallback should they experience a lean year.

The public comment period opened and closed with none received. It was moved by Clm. Hundley, seconded by Clm. Edwards, to accept the annual report. The motion carried unanimously.

**8. REGULAR CALENDAR – CITY COUNCIL AS THE SUCCESSOR AGENCY**

**9. COUNCILMEMBERS' REPORTS AND COMMENTS**

Clm. Cook requested Council direction regarding Sonoma Clean Power be on a future agenda.

Mayor Gallian reported on the Water Advisory Committee, Marin Sonoma Mosquito and Vector Control District, Community Services and Environment Commission, Farmer's Market, Zucchini Races, Community Health Fair, North Bay Ag Alliance, and Transition Town. Noting that kids were back in school she urged all to be cautious.

**10. CITY MANAGER COMMENTS AND ANNOUNCEMENTS INCLUDING ANNOUNCEMENTS FROM SUCCESSOR AGENCY STAFF - None**

**11. COMMENTS FROM THE PUBLIC - None**

**12. PUBLIC COMMENTS REGARDING CLOSED SESSION - None**

**13. CLOSED SESSION**

At 10:10 p.m. Council entered into Closed Session with all members present. Also present were City Manager Giovanatto and Planning Director Goodison.

**CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION** pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code. Name of case: Selma Blanus v. City of Sonoma, a municipal corporation.

**14. RECONVENE IN OPEN SESSION & REPORT ON CLOSED SESSION**

Council reconvened in open session at 10:30 p.m. and Mayor Gallian that Council had provided direction to staff.

**15. ADJOURNMENT**

The meeting was adjourned at 10:35 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 7<sup>th</sup> day of September 2016.



Rebekah Barr, MMC  
City Clerk/Executive Assistant to the City Manager