

**SPECIAL AND CONTINUED REGULAR MEETING 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, December 12, 2016
5:30 p.m. Special Closed Session Meeting
6:00 p.m. Continued Regular Meeting**

AMENDED 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.

5:30 P.M. – SPECIAL MEETING - CLOSED SESSION

1. CALL TO ORDER

The Mayor will open the meeting and take public testimony on closed session items only. The Council will then recess into closed session.

2. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION - Pursuant to Cal. Gov't Code sec. 54956.9(d)(1)

Name of Cases: Piazza Construction v. City of Sonoma; Successor Agency to the former Sonoma Community Development Agency v. Ana J. Matosantos, et al.

6:00 P.M. – REGULAR MEETING

**RECONVENE, CALL TO ORDER & PLEDGE OF ALLEGIANCE
ROLL CALL (Edwards, Hundley, Cook, Agrimonti, Gallian)
REPORT ON CLOSED SESSION**

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

Item 3A: Proclamation Declaring December 12, 2016 as Diversity Awareness Day in the City of Sonoma

Item 3B: Proclamation Honoring David Saulius Dikinis for His Caring, Kindness, and Community Leadership in Helping Someone in Need

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: Adopt a Resolution Reciting the Facts of the General Municipal Election held on November 8, 2016, declaring the Result and such Other Matters as Required by Law (City Clerk)
Staff Recommendation: Adopt the Resolution

Item 4C: Approve the Resolution Endorsing the City of Sonoma ADA Self-Evaluation, Transition Plan, and Implementation Project for the FY 2017-2018 Community Development Block Grant Funding Application (Public Works Director/City Engineer)
Staff Recommendation: Consider the adoption of a resolution endorsing the funding application for the City of Sonoma ADA Self-Evaluation, Transition Plan, and Implementation Project for the FY 2017-2018 Community Development Block Grant Funding Program.

Item 4D: Adopt a Resolution of the City Council and the City Council as Successor Agency Establishing the Regular Meeting Dates for the 2017 Calendar Year (City Clerk)
Staff Recommendation: Adopt the Resolution

Item 4E: Receive and File Report on the 2017 Local Commission and Committee Appointment List (City Clerk)
Staff Recommendation: Receive and file report.

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.

INTRODUCTION OF NEW CITY MANAGER

- Introduction of Cathy Capriola, New City Manager

WORDS OF APPRECIATION & GOODBYES

- Presentation to Mayor Laurie Gallian
- Comments by Councilmembers
- Comments by the Public

SWEARING IN CEREMONY

The City Clerk will administer the Oath of Office to:

- David Cook
- Amy Harrington

RECESS – 10 Minutes

The meeting will reconvene with the new Councilmembers seated at the dais.

SELECTION OF THE MAYOR AND MAYOR PRO TEM

6. PUBLIC HEARING

Item 6A: **Discussion, Consideration and Possible Action on an Appeal of the Planning Commission’s Decision to not allow a Vehicle Entry Gate and Turnaround in Conjunction with Approval of a Use Permit to Remodel and Upgrade an Existing Eight-unit Condominium Complex at 375 West Napa Street (Planning Director)**

Staff Recommendation: In accordance with staff’s standard practice of supporting Commission decisions, the staff recommendation is to deny the appeal, thereby upholding the decision of the Planning Commission. Whatever the Council’s decision, staff will return at the following City Council meeting with a Resolution formalizing the Council’s decision.

Item 6B: **(1) Consider and Possibly Adopt an Extension of an Interim Urgency Ordinance Imposing a Moratorium on the Outdoor Cultivation of Nonmedical Marijuana, Approving the Issuance of a Gov’t Code Sec. 65858(d) Report and Making Findings that said Adoption is Exempt under CEQA Pursuant to CEQA Guidelines Section 15061, Among Other Provisions;**

(2) Consider and Possibly Adopt an Extension of an Interim Urgency Ordinance Imposing a Moratorium on the Indoor Cultivation of Nonmedical Marijuana, Except Under Certain Circumstances, Approving the Issuance of a Gov’t Code Sec. 65858(d) Report and Making Findings that the Adoption of Said Ordinance is Exempt under CEQA Pursuant to CEQA Guidelines Section 15061, Among Other Provisions;

(3) Provide Feedback and Direction to Staff Regarding the Proposed Process for Developing Permanent Regulations on the Cultivation of Nonmedical Marijuana and Related Issues (Planning Director)

Staff Recommendation: (1) Adopt the attached ordinance extending the interim moratorium on the outdoor cultivation of nonmedical marijuana; (2) Adopt the attached ordinance extending the interim moratorium on the indoor cultivation of nonmedical marijuana, except under certain circumstances. (3) Provide feedback and direction to staff regarding the proposed process for developing permanent regulations on the cultivation of nonmedical marijuana and related issues.

Item 6C: **Discussion, Consideration and Possible Action to Update City Fee Schedule Based on FY 2016-2017 Operating Budget (Finance Director)**

Staff Recommendation: Conduct Public Hearing; adopt resolution approving the updated Fee Schedule for 2016 - 2017.

7. REGULAR CALENDAR – CITY COUNCIL

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

Item 7A: Consideration, Discussion, and Possible Action Regarding an Appeal of Police Chief’s Denial of a *Letter of Public Convenience or Necessity* for a new Type 21 Off-Sale Retail liquor license at Easy Stop Market (Police Chief)

Staff Recommendation: Deny the appeal and uphold the Police Chief’s finding that Public Convenience or Necessity would not be served by the issuance of another Type 21 Off-Sale Retail liquor license.

Item 7B: Discussion, Consideration and Possible Adoption of Resolution Approving and Establishing Rules and Regulations for the Administration of the City’s Mobilehome Space Rent Protection Ordinance and Repealing Resolution No. 57-1998 (City Manager and City Attorney)

Staff Recommendation: Adopt the Resolution.

Item 7C: Discussion, consideration and possible action for extension of the Valley of the Moon Certified Farmers’ Market agreement for management of the Tuesday Night Farmers’ Market in the Plaza (City Manager)

Staff Recommendation: Council discretion.

Item 7D: Discussion, Consideration and Possible Action Approving and Consenting to the use of City Streets for the Napa to Sonoma Wine Country Half Marathon on Sunday JULY 16, 2017 (City Manager)

Staff Recommendation: Adopt the resolution approving the use of city streets, which includes the conditions recommended by the Special Events Committee members, including Police, Fire, Public Works and Planning Departments.

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 December 8, 2016. Rebekah Barr, MMC, City Clerk/Executive Assistant.

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: 3A
Meeting Date: 12/12/16

Department

Administration

Staff Contact

Rebekah Barr, MMC, City Clerk/Executive Assistant

Agenda Item Title

Proclamation Declaring December 12, 2016 as Diversity Awareness Day in the City of Sonoma

Summary

On November 10, 2016, approximately 500 Sonoma Valley High School students took part in a peaceful march up Broadway to the Sonoma Plaza, chanting and carrying flags and signs to show support for people of all ethnicities, genders, religions, and orientations in the wake of the November 8 Presidential election. The leader of the march and the rally that followed, Lauren Smith, and the President of the Gender Sexuality Awareness, Ernest Moore, drafted the Proclamation on behalf of those who took part in or supported the march and its message of tolerance

Mayor Gallian requested the proclamation be presented by the Council at the December 12th meeting. In keeping with City practice, the proclamation recipient has been asked to keep the total length of their follow-up comments and/or announcements to not more than 10 minutes.

Recommended Council Action

Mayor Gallian to present the proclamation.

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

Attachments:

1. Proclamation

Alignment with Council Goals:

Not applicable.

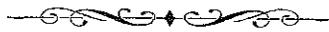
cc:

City of Sonoma



Proclamation

On November 10, 2016, approximately 500 Sonoma Valley High School students took part in a peaceful march up Broadway to the Sonoma Plaza, chanting and carrying flags and signs to show support for people of all ethnicities, genders, religions, and orientations in the wake of the November 8 Presidential election. The leader of the march and the rally that followed, Lauren Smith, and the President of the Gender Sexuality Awareness, Ernest Moore, drafted the following Proclamation on behalf of those who took part in or supported the march and its message of tolerance



DISCRIMINATION AWARENESS DAY December 12, 2016

WHEREAS, there has been desensitization in our society relating to issues such as sexism, racism, xenophobia, homophobia, transphobia, and other discriminatory beliefs, and the acts that grow out of those beliefs; and

WHEREAS, these beliefs and acts have become normalized in today's political landscape and in the media, and are too often disregarded by society; and

WHEREAS, this takes a mental, physical, and emotional toll on both those who instigate and those who experience the brutality of discrimination; and

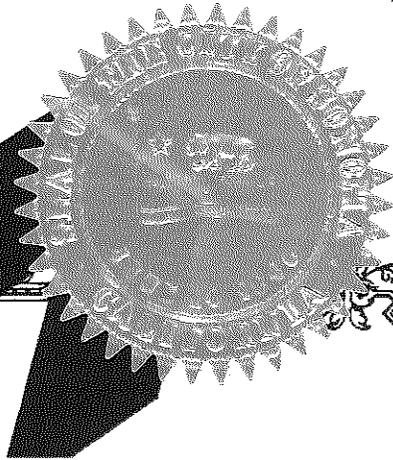
WHEREAS, this impacts the entirety of the U.S. population through negatively perpetuated stereotypes and societal expectations; and

WHEREAS, societal norms of ignorance and passive discrimination have increased, although they are learned behaviors continued from previous generations.

NOW, THEREFORE, I, Laurie Gallian, Mayor of the City of Sonoma, do hereby declare December 12, 2016, as **Discrimination Awareness Day**, to raise awareness of and increase tolerance for our diverse community members and to recognize and counteract discriminatory beliefs and practices when they occur.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sonoma to be affixed this 12th day of December 2016.

LAURIE GALLIAN, MAYOR





**City of Sonoma
City Council
Agenda Item Summary**

City Council Agenda Item: 3B
Meeting Date: 12/12/16

Department

Administration

Staff Contact

Rebekah Barr, MMC, City Clerk/Executive Assistant

Agenda Item Title

Proclamation Honoring David Saulius Dikinis for His Caring, Kindness, and Community Leadership in Helping Someone in Need

Summary

On October 19, 2015 the Building Board of Appeals of the City of Sonoma adopted Resolution #01-2015 confirming that the residence located at 20141 Broadway which is owned and occupied by Mrs. Irma Castillo constituted a threat to the health and safety of the occupants of the property and the neighboring community. Mrs. Castillo was not able to afford to make there needed repairs, Mr. Dikinis, after hearing of Mrs. Castillo’s dilemma, took the lead and helped organize, coordinate and perform the necessary repairs as the “contractor of record”. The City wishes to honor Mr. Dikinis for his contribution; he will be present at the meeting.

In keeping with City practice, the proclamation recipient has been asked to keep the total length of their follow-up comments and/or announcements to not more than 10 minutes.

Recommended Council Action

Mayor Gallian to present the proclamation.

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

Attachments:

1. Proclamation

Alignment with Council Goals:

Not applicable.

cc:

City of Sonoma



Proclamation

IN HONOR OF
DAVID SAULIUS DIKINIS

WHEREAS, David Saulius Dikinis, is a resident of Sonoma Valley; and

WHEREAS, Mr. Dikinis has owned and operated BDS, a local contracting business since 2005; and

WHEREAS, on October 19, 2015 the Building Board of Appeals of the City of Sonoma adopted Resolution #01-2015 confirming that the residence located at 20141 Broadway which is owned and occupied by Mrs. Irma Castillo was substandard, that the substandard conditions constituted a threat to the health and safety of the occupants of the property and the neighboring community and that the substandard conditions required expeditious repairs or removal; and

WHEREAS, during the course of the hearing of the Building Board of Appeals it was stated as a matter of record that Mrs. Castillo could not afford to make the requisite repairs to the substandard residence; and

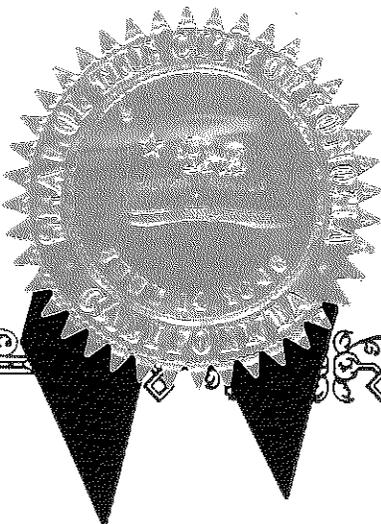
WHEREAS, Mr. Dikinis, after hearing of Mrs. Castillo's dilemma, showed immeasurable compassion, good will and hard work by taking the lead and helping to organize, coordinate and perform the necessary repairs as the "contractor of record"; and

WHEREAS, significant support from community organizations, businesses and individuals were needed to complete the necessary repairs and Mr. Dikinis played a major role in acquiring that support.

NOW, THEREFORE, I, Laurie Gallian, Mayor of the City of Sonoma, do hereby recognize, commend and extend heartfelt thanks and deepest appreciation to those community organizations, businesses and individuals for their volunteerism and generosity and more particularly to *David Saulius Dikinis* for his caring, kindness and community leadership in helping someone in need.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Sonoma to be affixed this 12th day of December 2016.

LAURIE GALLIAN, MAYOR





CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4B

Meeting Date: 12/12/16

Department

Administration

Staff Contact

Rebekah Barr, MMC, City Clerk

Agenda Item Title

Adopt a Resolution Reciting the Facts of the General Municipal Election held on November 8, 2016, Declaring the Result and such Other Matters as Required by Law

Summary

A General Municipal election was conducted in the City of Sonoma on November 8, 2016 for the purpose of electing two members of the City Council and to vote on three measures. The County of Sonoma Elections Department has completed its canvass of the returns of the election and has certified the results. David Cook and Amy Harrington were the successful candidates and have been elected to the City Council for full terms of four years. All three of the measures were voted in favor of and thereby deemed adopted.

Per Election Code 10263 (b), the City Council must declare the results of the election and install the newly elected council members.

Recommended Council Action

Adopt the resolution.

Alternative Actions

n/a

Financial Impact

n/a

Environmental Review

Status

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

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Resolution with Exhibit A - Statement of Votes

CITY OF SONOMA

RESOLUTION # ____ - 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 8, 2016, DECLARING THE RESULT AND SUCH OTHER MATTERS AS REQUIRED BY LAW

WHEREAS, a General Municipal Election was held and conducted in the City of Sonoma, California, on Tuesday, November 8, 2016, as required by law; and

WHEREAS, notice of the election was given in time, form and manner as provided by law; that voting precincts were properly established; that election officers were appointed and that in all respects the election was held and conducted and the votes were cast, received and canvassed and the returns made and declared in time, form and manner as required by the provisions of the Elections Code of the State of California for the holding of elections in general law cities; and

WHEREAS, the Sonoma County Election Department canvassed the returns of the election and has certified the results to this City Council, the results are received, attached and made a part hereof as "Exhibit A".

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SONOMA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. That the whole number of ballots cast in the precincts except vote by mail ballots and provisional ballots was 1,438.

That the whole number of vote by mail ballots cast in the City was 4,905, the whole number of provisional ballots cast in the City was 0, making a total of 6,343 ballots cast in the City.

Section 2. That the names of persons voted for at the election for Member of the City Council are as follows:

- David Cook
- Laurie Gallian
- Amy Harrington
- Jack Wagner

That the measures voted upon at the election are as follows:

- Measure U – Sales Tax Extension
- Measure V – Leaf Blower Regulations
- Measure W – Smoking and Tobacco Regulations

Section 3. That the number of votes given at each precinct and the number of votes given in the City to each of the persons above named for the respective office for which the persons were candidates and for and against the measures were as listed in "Exhibit A" attached.

Section 4. The City Council does declare and determine that:

1. David Cook and Amy Harrington were elected as Members of the City Council for the full term of four years.

2. As a result of the election, a majority of the voters voting on the measures relating to Sales Tax Extension, Leaf Blower Regulations, and Smoking and Tobacco Regulations, did vote in favor of it, and that the measures were carried, and shall be deemed adopted and ratified.

Section 5. That the City Clerk shall enter on the records of the City Council of the City, a statement of the result of the election, showing: (1) The whole number of ballots cast in the City; (2) the names of the persons voted for; (3) the measures voted upon; (4) for what office each person was voted for; (5) the number of votes given at each precinct to each person, and for and against each measure; and (6) the total number of votes given to each person, and for and against each measure.

Section 6. That the City Clerk shall immediately make and deliver to each of the persons so elected a Certificate of Election signed by the City Clerk and authenticated; that the City Clerk shall also administer to each person elected the Oath of Office prescribed in the Constitution of the State of California and shall have them subscribe to it and file it in the office of the City Clerk. Each and all of the persons so elected shall then be inducted into the respective office to which they have been elected.

Section 7. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED 12th day of December 2016, by the following vote:

AYES:
NOES:
ABSENT:

Laurie Gallian, Mayor

ATTEST:

Rebekah Barr, MMC, City Clerk



SONOMA COUNTY

Clerk-Recorder-Assessor

www.sonoma-county.org/cra

REGISTRAR OF
VOTERS DIVISION

P.O. Box 11485
435 Fiscal Dr.
Santa Rosa, CA 95406
Tel: (707) 565-6800
Toll Free (CA only):
(800) 750-VOTE
Fax: (707) 565-6843

MEMORANDUM

DATE: NOVEMBER 30, 2016

TO: JURISDICTIONS PARTICIPATING IN THE CONSOLIDATED GENERAL ELECTION

FROM: WILLIAM F. ROUSSEAU, SONOMA COUNTY CLERK & REGISTRAR OF VOTERS

RE: OFFICIAL STATEMENT OF VOTES CAST

Enclosed please find the Official Statement of Votes Cast for your jurisdiction's contest(s) voted upon at the November 8, 2016, Consolidated General Election. This transmittal constitutes certification of the Official Canvass for adoption by your jurisdiction's governing body.

Copies of the Statement of Votes Cast will be available for sale in our office. Copies include all contests which were on the ballot. As we are not able to break out individual jurisdictions, you may wish to consider making copies of the enclosed certification available to your candidates and/or interested citizens.

Also enclosed, for School and Special Districts are the Certificates of Election and Oaths of Office for newly elected board members. Elective officers, elected or appointed pursuant to E. C. §10554 and Ed. C. §5017, and elective Members of the County Board of Education elected or appointed pursuant to Ed. C. §1007, shall take the official oath and execute any bond required by the principal act prior to taking office. Please send a signed copy of the Certificates of Election and Oaths of Office to the Registrar of Voters Office, P. O. Box 11485, Santa Rosa, CA 95406.

Should you have any questions in this regard, please do not hesitate to contact Elizabeth Acosta, Chief Registrar of Voters, at 565-6800 or Deena Thompson-Stalder, Elections Manager, at 565-6810.

STATEMENT OF THE VOTES

CAST AT THE

CITY OF SONOMA ELECTION

**CONSOLIDATED WITH THE PRESIDENTIAL GENERAL
ELECTION**

HELD ON

NOVEMBER 8, 2016

COUNTY OF SONOMA

STATE OF CALIFORNIA

STATE OF CALIFORNIA)

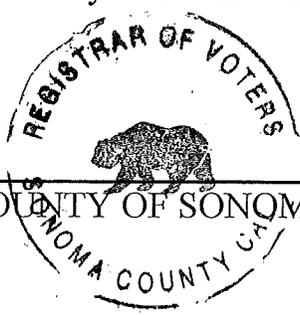
)ss.

COUNTY OF SONOMA)

I, **WILLIAM F. ROUSSEAU, COUNTY CLERK** of said county, do hereby certify the following to be a true and correct copy of the Statement of the Votes Cast at the **CITY OF SONOMA ELECTION** held on **NOVEMBER 8, 2016**, for the candidates and measures herein set forth. Witness my hand and official seal this 30th day of November, 2016.

William F. Rousseau

WILLIAM F. ROUSSEAU, COUNTY CLERK – COUNTY OF SONOMA



Sonoma County Statement of Votes
2016 General Election - November 8, 2016

	City of Sonoma Member, City Council														
	Registration	Ballots Cast	Turnout (%)	Member, City Council Sonoma Vote for 2 Jack Wagner	Amy Harrington	David Cook	Laurie Gallian								
1802 PCT 1802	1669	350	21.0	91	209	128	105								
1802 - Vote by Mail	1669	1204	72.1	303	741	515	370								
1811 MB PCT 1811	124	0	0.0	0	0	0	0								
1811 - Vote by Mail	124	110	88.7	27	59	28	53								
1812 MB PCT 1812	0	0	n/a	0	0	0	0								
1812 - Vote by Mail	0	0	n/a	0	0	0	0								
1814 MB PCT 1814	2	0	0.0	0	0	0	0								
1814 - Vote by Mail	2	0	0.0	0	0	0	0								
7145 PCT 7145	1526	348	22.8	118	175	137	113								
7145 - Vote by Mail	1526	1030	67.5	308	538	399	378								
7146 PCT 7146	1669	347	20.8	90	168	113	103								
7146 - Vote by Mail	1669	1121	67.2	252	607	494	377								
7147 PCT 7147	2089	393	18.8	109	178	135	135								
7147 - Vote by Mail	2089	1440	68.9	386	665	497	579								
Precinct Totals	7079	1438	20.3	408	730	513	456								
Vote by Mail Totals	7079	4905	69.3	1276	2610	1933	1757								
Grand Totals	7079	6343	89.6	1684	3340	2446	2213								

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

***Grand Totals	City of Sonoma Member, City Council														
	Registration	Ballots Cast	Turnout (%)	Member, City Council Sonoma Vote for 2 Jack Wagner	Amy Harrington	David Cook	Laurie Gallian								
County Of Sonoma	7079	6343	89.6	1684	3340	2446	2213								
5th Congressional District	7079	6343	89.6	1684	3340	2446	2213								
3rd Senatorial District	7079	6343	89.6	1684	3340	2446	2213								
10th Assembly District	7079	6343	89.6	1684	3340	2446	2213								
1st Supervisorial District	7079	6343	89.6	1684	3340	2446	2213								
City Of Sonoma	7079	6343	89.6	1684	3340	2446	2213								

**Sonoma County Statement of Votes
2016 General Election - November 8, 2016**

***Vote by Mail Totals	City of Sonoma Member, City Council															
	Registration	Ballots Cast	Turnout (%)	Member, City Council Sonoma Vote for 2 Jack Wagner	Amy Harrington	David Cook	Laurie Gallian									
County Of Sonoma	7079	4905	69.3	1276	2610	1933	1757									
5th Congressional District	7079	4905	69.3	1276	2610	1933	1757									
3rd Senatorial District	7079	4905	69.3	1276	2610	1933	1757									
10th Assembly District	7079	4905	69.3	1276	2610	1933	1757									
1st Supervisorial District	7079	4905	69.3	1276	2610	1933	1757									
City Of Sonoma	7079	4905	69.3	1276	2610	1933	1757									

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

		Measure U - City of Sonoma Sales Tax Extension													
		Registration	Ballots Cast	Turnout (%)	Measure U-City of Sonoma Sales Tax Extension Yes	No									
1802	PCT 1802	1669	350	21.0	214	103									
1802	- Vote by Mail	1669	1203	72.1	835	306									
1811	MB PCT 1811	124	0	0.0	0	0									
1811	- Vote by Mail	124	110	88.7	73	27									
1812	MB PCT 1812	0	0	n/a	0	0									
1812	- Vote by Mail	0	0	n/a	0	0									
1814	MB PCT 1814	2	0	0.0	0	0									
1814	- Vote by Mail	2	0	0.0	0	0									
7145	PCT 7145	1526	348	22.8	237	82									
7145	- Vote by Mail	1526	1028	67.4	702	274									
7146	PCT 7146	1669	347	20.8	207	98									
7146	- Vote by Mail	1669	1119	67.0	716	333									
7147	PCT 7147	2089	393	18.8	271	78									
7147	- Vote by Mail	2089	1439	68.9	1051	267									
Precinct Totals		7079	1438	20.3	929	361									
Vote by Mail Totals		7079	4899	69.2	3377	1207									
Grand Totals		7079	6337	89.5	4306	1568									

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

***Grand Totals	Measure U - City of Sonoma Sales Tax Extension														
	Registration	Ballots Cast	Turnout (%)	Measure U-City of Sonoma Sales Tax Extension Yes	No										
County Of Sonoma	7079	6337	89.5	4306	1568										
5th Congressional District	7079	6337	89.5	4306	1568										
3rd Senatorial District	7079	6337	89.5	4306	1568										
10th Assembly District	7079	6337	89.5	4306	1568										
1st Supervisorial District	7079	6337	89.5	4306	1568										
City Of Sonoma	7079	6337	89.5	4306	1568										

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

***Vote by Mail Totals	Measure U - City of Sonoma Sales Tax Extension														
	Registration	Ballots Cast	Turnout (%)	Measure U-City of Sonoma Sales Tax Extension Yes	No										
County Of Sonoma	7079	4899	69.2	3377	1207										
5th Congressional District	7079	4899	69.2	3377	1207										
3rd Senatorial District	7079	4899	69.2	3377	1207										
10th Assembly District	7079	4899	69.2	3377	1207										
1st Supervisorial District	7079	4899	69.2	3377	1207										
City Of Sonoma	7079	4899	69.2	3377	1207										

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

	Measure V - City of Sonoma Leaf Blower Regulations													
	Registration	Ballots Cast	Turnout (%)	Measure V-City of Sonoma Leaf Blower Regulations Yes	No									
1802 PCT 1802	1669	350	21.0	162	163									
1802 - Vote by Mail	1669	1203	72.1	565	581									
1811 MB PCT 1811	124	0	0.0	0	0									
1811 - Vote by Mail	124	110	88.7	60	42									
1812 MB PCT 1812	0	0	n/a	0	0									
1812 - Vote by Mail	0	0	n/a	0	0									
1814 MB PCT 1814	2	0	0.0	0	0									
1814 - Vote by Mail	2	0	0.0	0	0									
7145 PCT 7145	1526	348	22.8	157	167									
7145 - Vote by Mail	1526	1028	67.4	473	507									
7146 PCT 7146	1669	347	20.8	144	167									
7146 - Vote by Mail	1669	1119	67.0	471	590									
7147 PCT 7147	2089	393	18.8	196	160									
7147 - Vote by Mail	2089	1439	68.9	747	579									
Precinct Totals	7079	1438	20.3	659	657									
Vote by Mail Totals	7079	4899	69.2	2316	2299									
Grand Totals	7079	6337	89.5	2975	2956									

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

***Grand Totals	Measure V - City of Sonoma Leaf Blower Regulations														
	Registration	Ballots Cast	Turnout (%)	Measure V-City of Sonoma Leaf Blower Regulations Yes	No										
County Of Sonoma	7079	6337	89.5	2975	2956										
5th Congressional District	7079	6337	89.5	2975	2956										
3rd Senatorial District	7079	6337	89.5	2975	2956										
10th Assembly District	7079	6337	89.5	2975	2956										
1st Supervisorial District	7079	6337	89.5	2975	2956										
City Of Sonoma	7079	6337	89.5	2975	2956										

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

***Vote by Mail Totals	Measure V - City of Sonoma Leaf Blower Regulations														
	Registration	Ballots Cast	Turnout (%)	Measure V-City of Sonoma Leaf Blower Regulations Yes	No										
County Of Sonoma	7079	4899	69.2	2316	2299										
5th Congressional District	7079	4899	69.2	2316	2299										
3rd Senatorial District	7079	4899	69.2	2316	2299										
10th Assembly District	7079	4899	69.2	2316	2299										
1st Supervisorial District	7079	4899	69.2	2316	2299										
City Of Sonoma	7079	4899	69.2	2316	2299										

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

		Measure W - City of Sonoma Smoking and Tobacco Regulations													
	Registration	Ballots Cast	Turnout (%)	Measure W-City of Sonoma Smoking and Tobacco Regs Yes	No										
1802 PCT 1802	1669	350	21.0	219	97										
1802 - Vote by Mail	1669	1203	72.1	839	309										
1811 MB PCT 1811	124	0	0.0	0	0										
1811 - Vote by Mail	124	110	88.7	61	39										
1812 MB PCT 1812	0	0	n/a	0	0										
1812 - Vote by Mail	0	0	n/a	0	0										
1814 MB PCT 1814	2	0	0.0	0	0										
1814 - Vote by Mail	2	0	0.0	0	0										
7145 PCT 7145	1526	348	22.8	222	97										
7145 - Vote by Mail	1526	1028	67.4	690	284										
7146 PCT 7146	1669	347	20.8	212	96										
7146 - Vote by Mail	1669	1119	67.0	775	280										
7147 PCT 7147	2089	393	18.8	218	117										
7147 - Vote by Mail	2089	1439	68.9	920	406										
Precinct Totals	7079	1438	20.3	871	407										
Vote by Mail Totals	7079	4899	69.2	3285	1318										
Grand Totals	7079	6337	89.5	4156	1725										

Sonoma County Statement of Votes
2016 General Election - November 8, 2016

***Grand Totals	Measure W - City of Sonoma Smoking and Tobacco Regulations															
	Registration	Ballots Cast	Turnout (%)	Measure W-City of Sonoma Smoking and Tobacco Regs Yes	No											
County Of Sonoma	7079	6337	89.5	4156	1725											
5th Congressional District	7079	6337	89.5	4156	1725											
3rd Senatorial District	7079	6337	89.5	4156	1725											
10th Assembly District	7079	6337	89.5	4156	1725											
1st Supervisorial District	7079	6337	89.5	4156	1725											
City Of Sonoma	7079	6337	89.5	4156	1725											

**Sonoma County Statement of Votes
2016 General Election - November 8, 2016**

***Vote by Mail Totals	Measure W - City of Sonoma Smoking and Tobacco Regulations														
	Registration	Ballots Cast	Turnout (%)	Measure W-City of Sonoma Smoking and Tobacco Regs Yes	No										
County Of Sonoma	7079	4899	69.2	3285	1318										
5th Congressional District	7079	4899	69.2	3285	1318										
3rd Senatorial District	7079	4899	69.2	3285	1318										
10th Assembly District	7079	4899	69.2	3285	1318										
1st Supervisorial District	7079	4899	69.2	3285	1318										
City Of Sonoma	7079	4899	69.2	3285	1318										

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CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 4C
 Meeting Date: 12/12/2016

Department Public Works	Staff Contact Dan Takasugi, Public Works Director / City Engineer
-----------------------------------	---

Agenda Item Title

Approve the Resolution Endorsing the City of Sonoma ADA Self-Evaluation, Transition Plan, and Implementation Project for the FY 2017-2018 Community Development Block Grant Funding Application

Summary

The Community Development Block Grant (CDBG) Program was created by the federal Housing and Community Development Acts of 1974 and 1987, with its primary objective being the development of viable communities through the provision of decent housing, a suitable living environment, and the expansion of economic opportunities, primarily for lower income persons. The Sonoma County Community Development Commission (SCCDC) is the designated local administrative body for the CDBG Program.

All funding proposals from municipalities must be submitted to the SCCDC with city/town council resolutions endorsing the proposed projects. Staff seeks City Council endorsement of one project, the ADA Self-Evaluation, Transition Plan, and Implementation Project (Project), which is estimated at a total cost of \$90,000.

The City needs to update its ADA Self-Evaluation and Transition Plan to guide the City in providing adequate, barrier-free access to public services, programs, and facilities. The “Self-Evaluation” portion of the ADA Self-Evaluation and Transition Plan addresses policies and programs, while the “Transition Plan” deals with identification, assessment, project development, and implementation of removal of barriers to persons with disabilities.

Staff has prepared a CDBG funding application to request \$70,000 in CDBG funds for the Project and other pre-construction activities to prepare projects for design and construction as future funding is available.

Recommended Council Action

Consider the adoption of a resolution endorsing the funding application for the City of Sonoma ADA Self-Evaluation, Transition Plan, and Implementation Project for the FY 2017-2018 Community Development Block Grant Funding Program.

Alternative Actions

Council discretion.

Financial Impact

The Sonoma County Community Development Commission 2017-2018 Funding Policies do not require a funding match for the capital project applications for CDBG funds. However, the SCCDC staff has emphasized that the CDBG funding is not meant to be the only funding source for projects, and the amount of match offered by funding applicants has been a consideration in the funding allocation process in the past.

Therefore, approximately \$20,000 is suggested as the match for the Project, which would come out of the General Fund, and would be budgeted for during the FY 2017-2018 budget review.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

1. Resolution
 2. SCCDC Funding Application for City of Sonoma ADA Self-Evaluation, Transition Plan, and Implementation Project
-

Alignment with Council Goals:

Supports the City Council Infrastructure Goal to maintain the high level of service and reliability of City facilities.

Compliance with Climate 2020 Action Plan Target Goals:

Supports pedestrian accessibility by walking or other means, which could reduce vehicle (car) miles travelled.

cc:

CITY OF SONOMA

RESOLUTION # _____ - 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA ENDORSING AND PRIORITIZING THE CITY OF SONOMA ADA TRANSITION PLAN, SELF-EVALUATION, AND IMPLEMENTATION PROGRAM FOR FY 2017-2018 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING APPLICATION

WHEREAS, the Community Development Block Grant (CDBG) program was created to develop viable communities through the provision of decent housing, a suitable living environment, and the expansion of economic opportunities, primarily for lower income persons; and

WHEREAS, City of Sonoma staff have identified the City of Sonoma ADA Transition Plan, Self-Evaluation, and Implementation Program (ADA Transition Plan) to meet the goals of the CDBG program, including “eliminating blighting influences and the deterioration of property and facilities; increasing access to quality public and private facilities and services...” as stated in the *Sonoma County Community Development Commission 2017-2018 Funding Policies*, Sec. II: Funding Goals and Objectives; and

WHEREAS, City staff have prepared an application requesting grant funding from FY 2017-2018 Sonoma County Community Development Commission (SCCDC) CDBG Program for the ADA Transition Plan; and

WHEREAS, the SCCDC as the designated local administrative body for the CDBG Program requires that a municipality submitting CDBG funding applications must include a City Council Resolution endorsing projects for which CDBG funding is being pursued;

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the attached application (Exhibit A) for CDBG funds and authorizes the City Manager or her designee to submit the application in substantially similar form and adjust the funding request based on any new information that may be submitted prior to the decision of the Sonoma County Board of Supervisors.

ADOPTED this 12th day of December 2016 by the following vote:

**AYES:
NOES:
ABSENT:**

, Mayor

City of Sonoma Mayor (Print Name)

ATTEST:

Rebekah Barr, MMC, City Clerk

**FUNDING APPLICATION:
Capital Projects (Non-Housing)
Application Summary Sheet**

City of Sonoma _____
Legal Name of Organization

ADA Transition Plan _____
Program Name

Agency DUNS Number: 004952891

Various locations within the City of Sonoma (see Attachment 1, Table 1 and Attachment 2, Proposed Project Location Maps)

Physical Location of Activities (if more than one location, please provide primary location)

Amount
Requested: \$ 70,000

Projected Budget
for this Program: \$ 90,000

CONTACT INFORMATION

Carol Giovanatto, City Manager, carolg@sonomacity.org
City Manager/Executive Director: Name, Title & Email address

Katherine Wall, Public Works Administrative Manager, kwall@sonomacity.org
Contact Person: Name, Title & Email address

No. 1 The Plaza, Sonoma, CA 95476
Mailing Address of Organization

707-933-2229
Telephone

707-938-3240
Fax

http://www.sonomacity.org/
Organization website address

CDC Date and Time Stamp

PART I

Summary Project or Program Description:

This section will be incorporated into the staff reports provided to the Community Development Committee, the Technical Advisory Committee and the Board of Supervisors.

Descriptions MUST BE 125 words or less. The description will not be edited and will be truncated at 125 words.

The ADA Self-Evaluation, Transition Plan, and Implementation Project (Project) is a multi-year phased project to assess City facilities and identify architectural barriers limiting accessibility as defined in the 2016 California Building Code Chapter 11B; the 2010 Federal ADA Standards for Accessible Design; and the Accessibility Guidelines for Outdoor Developed Areas in the Architectural Barriers Act (as applicable). The Project will also describe concept solutions and planning level cost estimates for each barrier removal project, create a prioritized project list, and address barriers in public right-of-way adjacent to City facilities and schools within City limits. Specifically, the Project will result in pre-construction development for the facilities listed in Attachment 1, Table 1, and the City will implement the projects as funding is available.

PART II PROJECT TYPE

Answer only ONE of the following four questions below based on the project type:

1. Facilities (ADA Restroom retrofit, New facilities, Improvements, Capital renovation)

Project Street Address: See Table 1 in Attachment 1 for locations to be assessed in ADA Transition Plan

Assessors Parcel Number: See Table 1 Census Tract: See Table 1

Is project in the 100 year flood plain? See Table 1

Please list the FEMA FIRM panel number: See Table 1

Is the project, or any part of it, located within the limits of any city? All locations are within City limits.

If yes, which city? Sonoma, CA

Status of Site Control: Identify the form of site control (whether ownership, lease, or option agreement) Can site acquisition be obtained within 12 months?

All locations in Attachment 1, Table 1 are owned by the City of Sonoma.

Attach a copy of Site Control:

If applying for funds to acquire the site, attach a copy of a current appraisal, if available*

* The appraised value must fully secure the Commission's loan(s). In addition, the total purchase price may not exceed the "reasonable cost" for the property.

2. For ADA Sidewalk/ curb cut projects

Address location of Sidewalk _____

Census Tract: _____

Number of curb cuts anticipated _____

If project will involve more than the installation of curb cuts, please describe. _____

3. Housing Rehabilitation projects: Indicate the number of units to be assisted: _____

4. Infrastructure:

Provide all Census block groups for service area:

Answer ALL of the following questions regardless of project type

5. Status of any environmental review.

Environmental review has neither been performed for the ADA Transition Plan, nor for the projects that will result from the Plan assessments.

6. What is the status of land use, building permits or other approvals? Not Applicable.

a. Attach a certification of the project's consistency with the applicable General Plan, signed by an authorized representative of the jurisdiction in which the project is located. (Housing Rehabilitation projects excluded)

See Attachment 4.

b. Explain any land use (zoning, lot split, set back, or environmental) constraints that must be resolved prior to proceeding with the project.

None anticipated at this time.

7. Provide detail if the project will involve the demolition of any structure or the relocation of any persons or businesses.

The facility and public right-of-way assessments, project concepts, planning level estimates, and other portions of the ADA Transition Plan as well as the environmental documentation and clearance of the ADA Transition Plan will not involve demolitions or relocations. Barrier removal projects constructed as part of the multi-year phased ADA Transition Plan and Implementation Program may involve demolition, and the specific construction work has not yet been identified.

8. Describe your "green" building practices and anticipated certifications (e.g. LEED Certifications). Not Applicable.

a. Please attach the green score assessment provided by the jurisdiction where the project is located. If jurisdiction has no adopted green policies please refer the CDC funding policies, Section IV. I. *Green Building Guidelines*, for further direction.

9. List anticipated target date for each of the major milestones below.

Major Milestones

Target Completion Date

ADA Transition Plan Consultant Selection

June 2017

NEPA Clearance

July 2017

<u>Begin ADA Self-Evaluation</u>	<u>August 2017</u>
<u>Begin ADA Transition Project Assessments</u>	<u>August 2017</u>
<u>Complete ADA Self-Evaluation</u>	<u>November 2017</u>
<u>Complete ADA Transition Project Assessments</u>	<u>November 2017</u>
<u>Develop Project Concepts and Estimates</u>	<u>April 2018</u>
<u>Adopt ADA Self-Evaluation and Transition Plan</u>	<u>July 2018</u>
<u>Commence Project Implementation</u>	<u>July 2018</u>

Attach an 8 1/2"x 11" project location map, clearly showing the project area in relation to surrounding communities. (See Attachment 2)

Attachment 1

**Table 1 - Locations for ADA Transition Plan
Assessment and Potential Project Sites**

Table 1: Locations for ADA Transition Plan Assessment and Potential Project Sites							
Facility Name	Site Classification	Site Address (All within City limits)	APN	Census Tract	100 Year Flood Zone?	FEMA FIRM Panel	
Senior Housing Facility	City Building	703, 751, 841 Oregon St	018-550-015	1502.03	No	06097C0936E	
Sonoma Valley Regional Library	City Building	755 W Napa St	018-443-019	1502.03	No	06097C0936E	
Field of Dreams/Police Station/Overnight Shelter	City Building	151, 175, 177 First St W	018-071-008	1502.02	No	06097C0937E	
Field of Dreams/Marcy House	City Building	205 First St W	018-121-015	1502.02	No	06097C0937E	
City Hall/The Plaza	City Building	1 The Plaza	018-214-001	1502.02	Yes	06097C0937E	
Community Facility	City Building	136 Mission Ter	018-171-026	1502.02	No	06097C0937E	
Maysonnave House	City Building	291 First St E	018-131-006	1502.02	No	06097C0937E	
Public Works Offices/Corporation Yard	City Building	19728 Eighth St E	128-051-026	1501.00	No	06097C0941E	
Sebastiani Theatre/Public Parking	City Building	476 First St E	018-221-042 018-221-036 018-221-038	1502.02	Yes	06097C0937E	
Brockman Lane Park	Public Park	375 Brockman Ln	128-630-070	1502.03	No	06097C0939E	
Sonoma Valley Oaks Park	Public Park	443 Saunders Dr 440 Engler St	128-620-057 128-630-048	1502.03	No	06097C0939E	
Madera Park/Tex Juen Park	Public Park	1395 Fryer Creek Dr	128-560-048 128-550-060 128-580-031	1502.03	Yes	06097C0939E	
Nathanson Creek Preserve	Public Park	3 E MacArthur St	128-091-006	1502.03	Yes	06097C0937E	
Hertenstein Park	Public Park	1055 La Quinta Ln	128-061-023	1502.03	No	06097C0937E	
Valley Cemetery	Public Park	425 E MacArthur St	018-451-001	1502.03	No	06097C0937E	
K.T. Carter Park	Public Park	1135 Cox St	128-172-048 128-580-030	1502.03	Yes	06097C0937E 06097C0939E	
MacArthur Park	Public Park	758 Knight St	128-570-049	1502.04	No	06097C0937E	
Armstrong Park	Public Park	550 Charles Van Damme Way	127-700-054	1502.04	No	06097C0937E	
Mountain Cemetery	Public Park	90 First St W	092-010-021 018-032-009 018-032-008 018-041-001 018-032-007	1502.02	No	06097C0937E	

Table 1: Locations for ADA Transition Plan Assessment and Potential Project Sites							
Facility Name	Site Classification	Site Address (All within City limits)	APN	Census Tract	100 Year Flood Zone?	FEMA FIRM Panel	
Depot Park Parking Areas	Public Park	248 First St W	018-131-024	1502.02	No	06097C0937E	
Pinelli Park	Public Park	433 France St	018-590-038	1502.04	Yes	06097C0937E	
El Prado Common	Public Park	Entrance along France St between Donner Ave & Oak Ln	018-375-027	1502.04	Yes	06097C0937E	
Depot Park	Public Park	248 First St W	018-131-027	1502.02	No	06097C0937E	
Olsen Park	Public Park	569 Linda Dr	127-670-057	1502.02	No	06097C0936E	
Nathanson Creek Park	Public Park	1221 Dewell Dr	023-040-066	1502.03	Yes	06097C0939E	
Garden Park	Public Park	19990, 19996 Seventh St E	128-041-002	1502.04	No	06097C0937E 06097C0939E	
Adele Harrison School	Public ROW near City Schools	1150 Broadway	023-050-004 023-030-001	1502.03	Yes	06097C0939E	
Prestwood School	Public ROW near City Schools	343 E MacArthur St	018-421-001	1502.03	No	06097C0937E	
Sonoma Valley High School	Public ROW near City Schools	950 Broadway	018-421-002	1502.03	Yes	06097C0937E 06097C0939E	
Sassarini School	Public ROW near City Schools	652 Fifth St W	018-281-021	1502.04	Yes	06097C0937E	

Attachment 2
City of Sonoma ADA Transition Plan Proposed
Project Location Maps



City of Sonoma ADA Transition Plan Proposed Project Locations

Overview Map

Legend



Locations not proposed for ADA Assessment

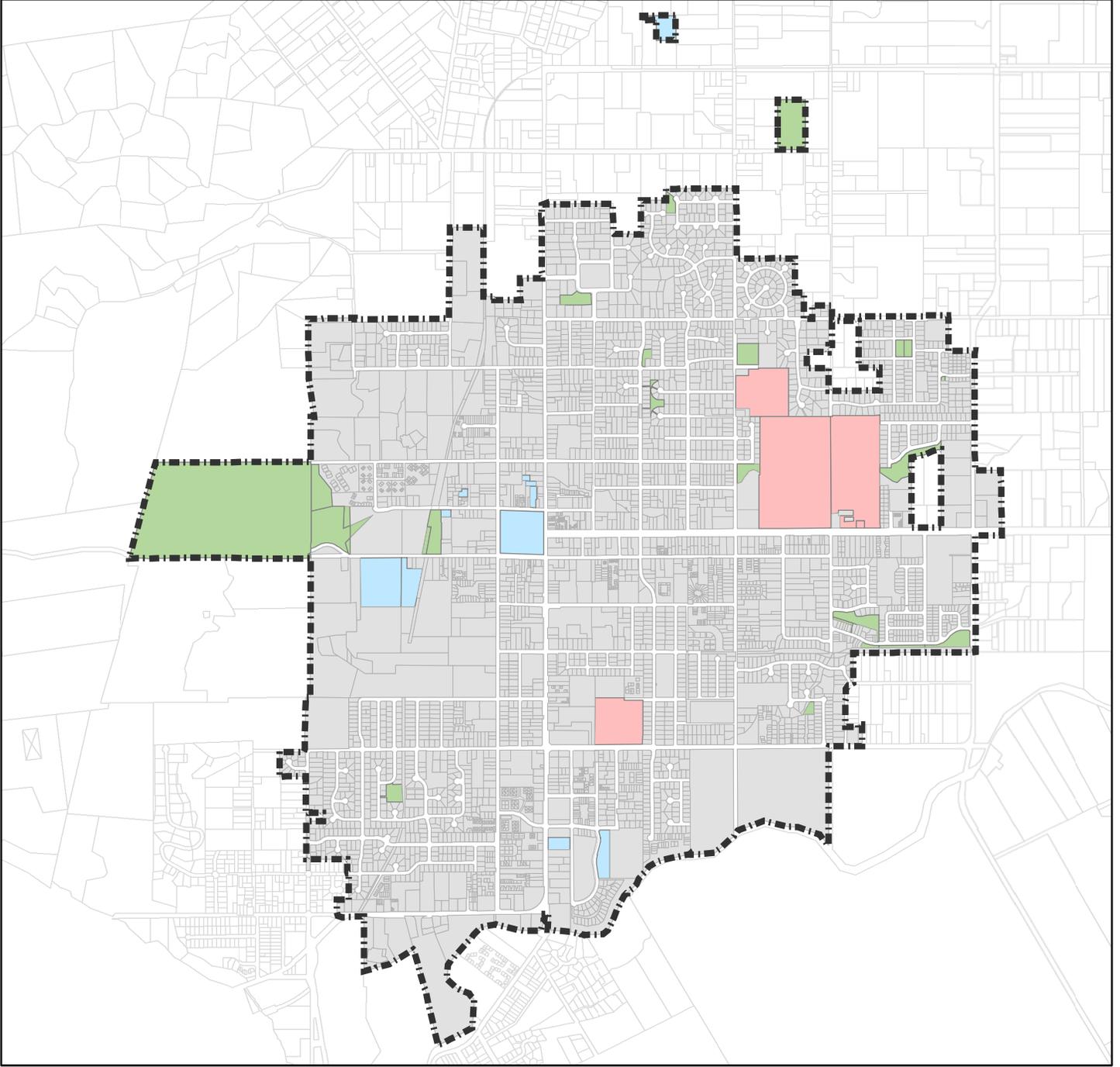
City building locations for ADA Assessment

Park locations for ADA Assessment

Public ROW near schools for ADA Assessment



Date: 11/29/2016





City of Sonoma ADA Transition Plan Proposed Project Locations

Central Area

Legend



City Limits



100 Year Flood Plain



Locations not proposed for ADA Assessment



City building locations for ADA Assessment



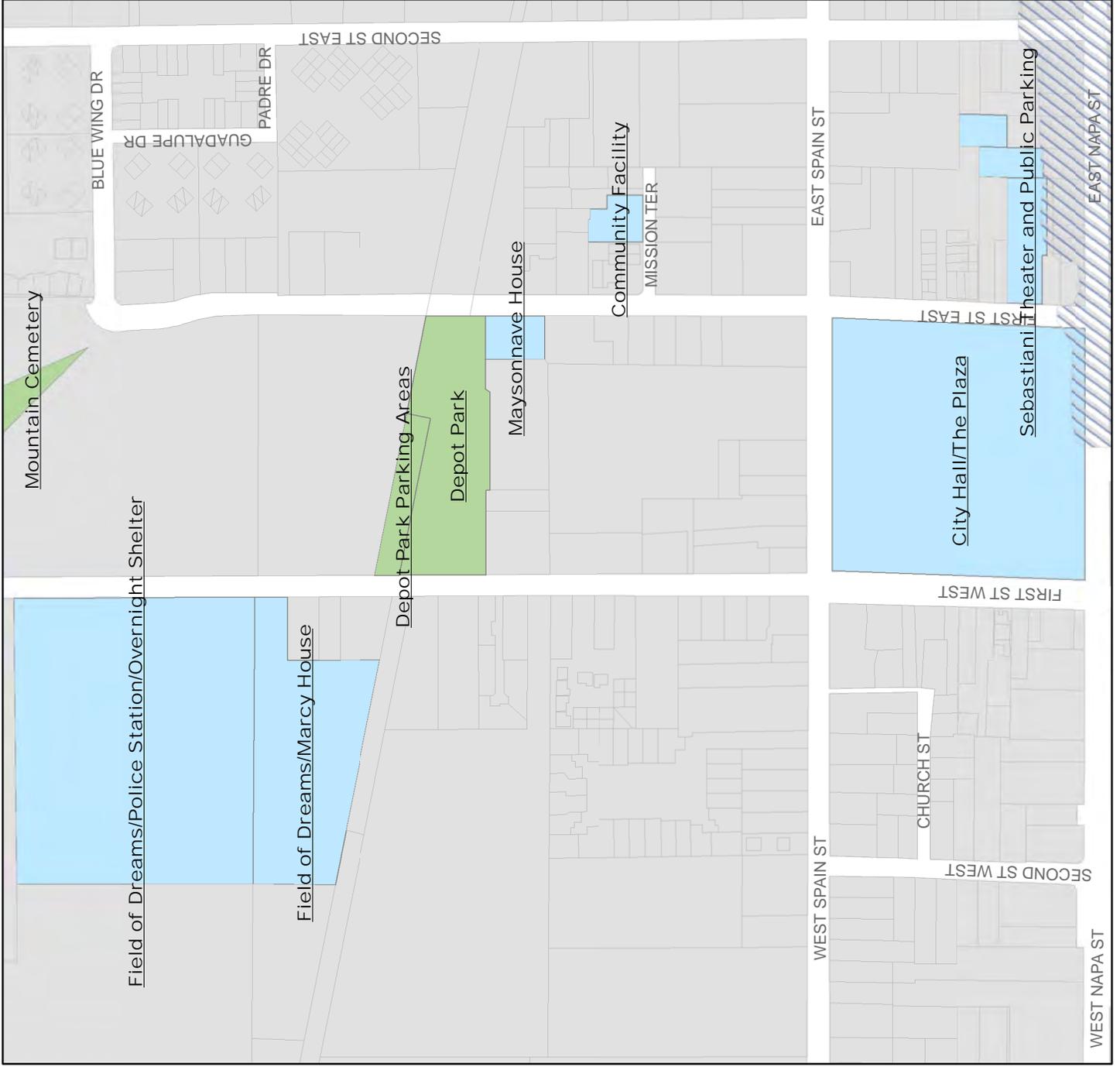
Park locations for ADA Assessment



Public ROW near schools for ADA Assessment



Date: 11/29/2016





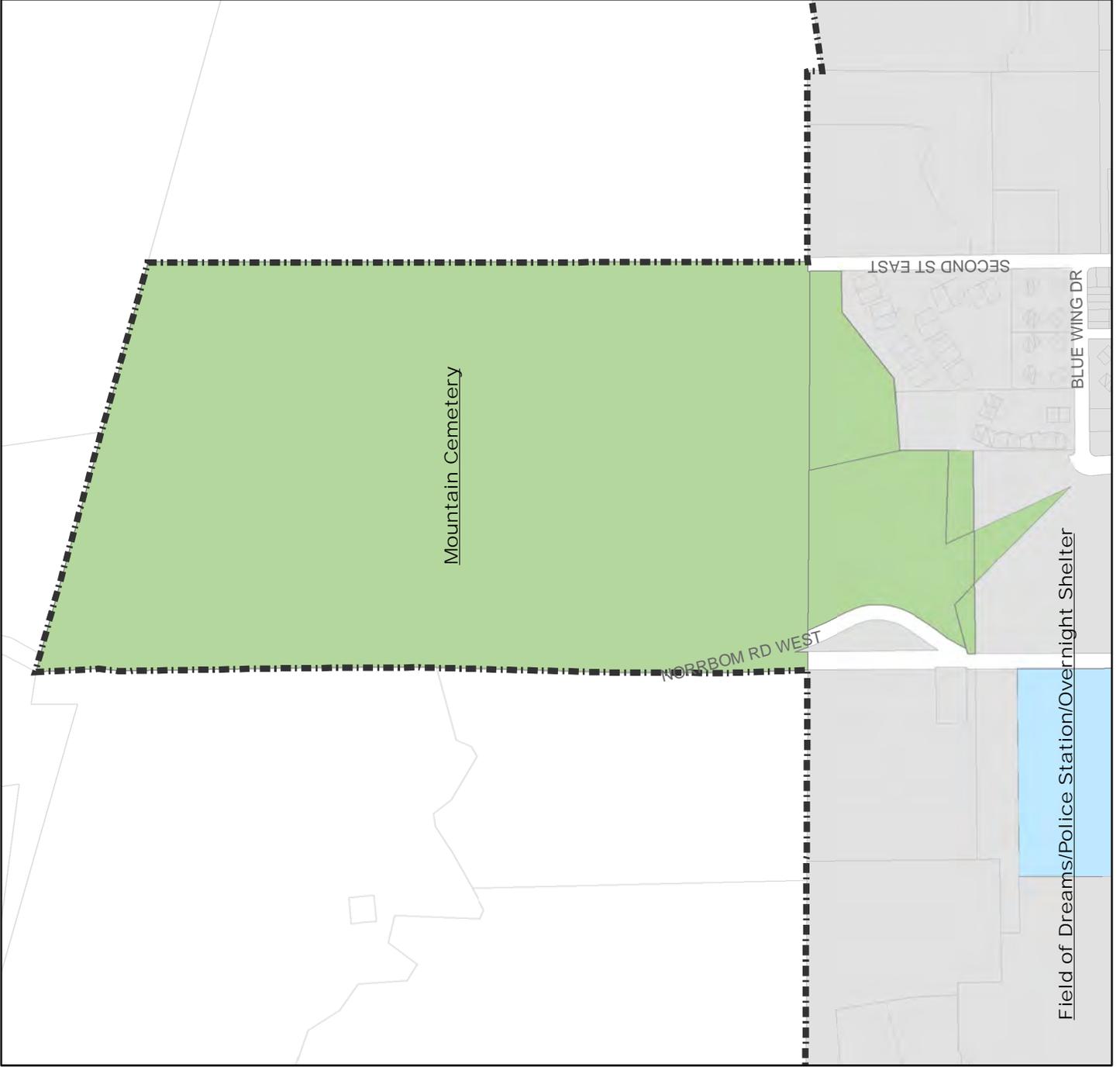
City of Sonoma ADA Transition Plan Proposed Project Locations

North Area

- Legend**
- City Limits
 - 100 Year Flood Plain
 - Locations not proposed for ADA Assessment
 - City building locations for ADA Assessment
 - Park locations for ADA Assessment
 - Public ROW near schools for ADA Assessment



Date: 11/29/2016





City of Sonoma ADA Transition Plan Proposed Project Locations

East Area

Legend

City Limits

100 Year Flood Plain

Locations not proposed for ADA Assessment

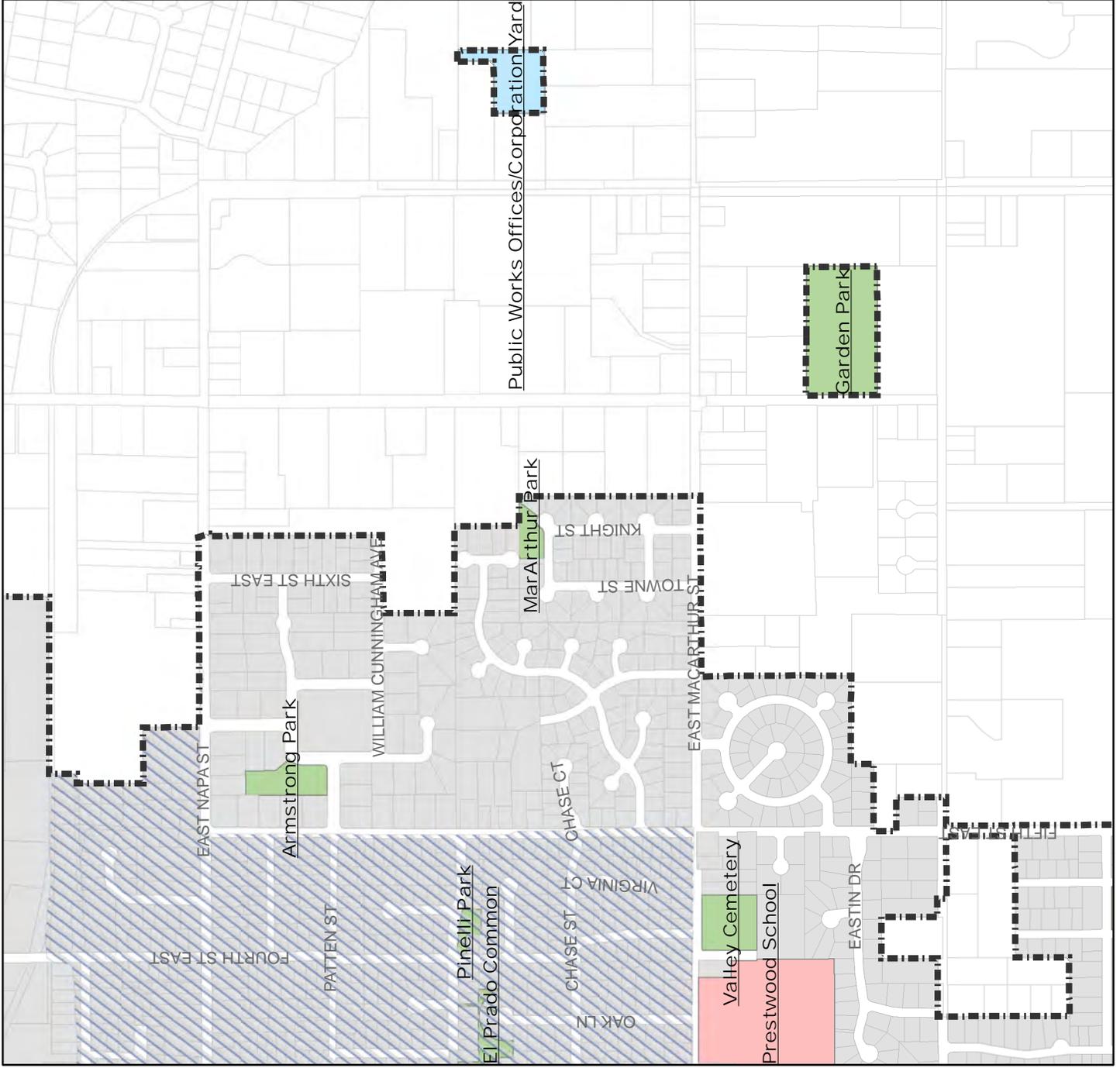
City building locations for ADA Assessment

Park locations for ADA Assessment

Public ROW near schools for ADA Assessment



Date: 11/29/2016





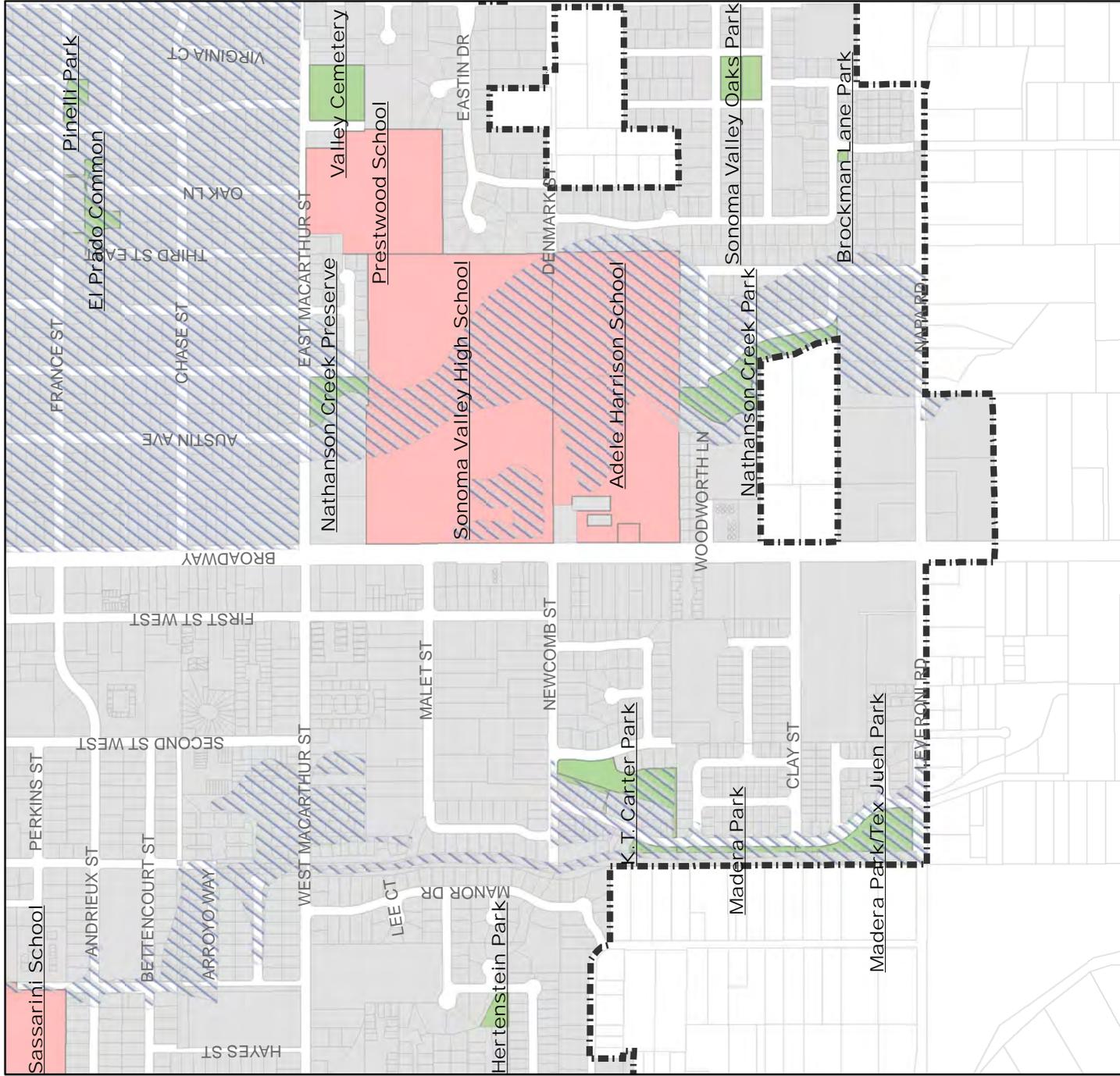
City of Sonoma ADA Transition Plan Proposed Project Locations

South Area

- Legend**
- City Limits
 - 100 Year Flood Plain
 - Locations not proposed for ADA Assessment
 - City building locations for ADA Assessment
 - Park locations for ADA Assessment
 - Public ROW near schools for ADA Assessment



Date: 11/29/2016





City of Sonoma ADA Transition Plan Proposed Project Locations

West Area

- Legend**
- City Limits
 - 100 Year Flood Plain
 - Locations not proposed for ADA Assessment
 - City building locations for ADA Assessment
 - Park locations for ADA Assessment
 - Public ROW near schools for ADA Assessment



Date: 11/29/2016



[TO BE INCLUDED IN FINAL
SUBMITTAL]

Attachment 3
City Council Resolution

[TO BE INCLUDED IN FINAL
SUBMITTAL]

Attachment 4
General Plan Consistency Determination



CITY OF SONOMA
*City Council &
 City Council as Successor Agency*
Agenda Item Summary

City Council Agenda Item: 4D

Meeting Date: 12/12/16

Department

Administration

Staff Contact

Rebekah Barr, MMC, City Clerk

Agenda Item Title

Adopt a Resolution of the City Council and the City Council as Successor Agency Establishing the Regular Meeting Dates for the 2017 Calendar Year

Summary

Per the City's Municipal Code, the city council shall establish, by resolution, the date and time of regular council meetings. Adoption of an annual meeting calendar by resolution not only satisfies this requirement, but also acts as an aid in planning and avoiding conflicts with various city events and holidays. The calendar lists all regularly scheduled meetings of the City Council and of all City Boards and Commissions; all official City Holidays; dates of major Jewish holidays; and meetings of the Mayors and Councilmembers Association of Sonoma County.

In an effort to be more efficient and to reduce costs, the Council previously conferred the authority to the Mayor and City Manager to cancel Council meetings when there were no pressing issues to be considered. This will be done throughout the year at such time as deemed necessary.

Scheduling Study Sessions:

If the City Council would like to hold special study sessions or joint study sessions with outside agencies, beyond the customary budget and water study sessions, it is suggested that special meetings/study session dates be penciled in on the calendar early in order to allow for meeting planning time.

Summer Break:

It has been past practice to cancel the first meeting in August to facilitate summer vacations and because there is not typically any pressing items for consideration during this time of year. Staff has not included it on the meeting calendar.

Recommended Council Action

Adopt the resolution establishing the regular Council meeting dates for 2017.

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

Attachments:

Resolution
 Monthly Calendars provided under separate cover.

CITY OF SONOMA

RESOLUTION # ____-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA AND THE CITY COUNCIL AS SUCCESSOR AGENCY ESTABLISHING THE REGULAR MEETING DATES OF THE CITY COUNCIL FOR THE 2017 CALENDAR YEAR

WHEREAS, Section 2.01.010 of the Sonoma Municipal Code requires the City Council to establish, by resolution, the date and time of regular Council meetings; and

WHEREAS, pursuant to AB1x26, the City Council elected to have the City act as the Successor Agency to the former Community Development Agency, as “successor agency” is defined in AB1x26; and

WHEREAS, the City Council and City Council as Successor Agency desire to establish the date and time of their regular meetings; and

WHEREAS, City Council Resolution No. 03-2011 sets forth the days and times of regular meetings of the City Council pursuant to Section 2.01.010 of the Sonoma Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sonoma and the City Council as Successor Agency that:

1. Regular meetings of the City Council and the City Council as Successor Agency will be held on the first and third Mondays beginning at 6:00 p.m. and will be held at 177 First Street West, Sonoma California; and
2. For the calendar year 2017, the regular meetings of the City Council and the City Council as Successor Agency shall be held on the dates set forth on Exhibit A to this resolution.
3. This resolution shall supersede and render null and void the provisions of any prior resolution establishing dates and times of regular City Council meetings.

PASSED, APPROVED AND ADOPTED 12th day of December 2016, by the following vote:

AYES:
NOES:
ABSENT:

Laurie Gallian, Mayor

ATTEST:

Rebekah Barr, MMC, City Clerk

REGULAR CITY COUNCIL AND CITY COUNCIL AS SUCCESSOR AGENCY MEETING SCHEDULE - 2017		
Wednesday	January 7, 2017	Cancelled
Wednesday	January 18, 2017	Cancelled
Monday	January 23, 2017	Meeting moved to accommodate LOCC Mayors & Council Members Academy
Monday	February 6, 2017	
Wednesday	February 22, 2017	Monday February 20, 2017 is an official City Holiday
Monday	March 6, 2017	
Monday	March 20, 2017	
Monday	April 3, 2017	
Monday	April 17, 2017	
Monday	May 1, 2017	
Monday	May 15, 2017	
Monday	June 5, 2017	
Monday	June 19, 2017	
Monday	July 3, 2017	
Monday	July 17, 2017	
Monday	August 7, 2017	Cancelled – Summer Recess
Monday	August 21, 2017	
Wednesday	September 6, 2017	Monday September 4, 2017 is an official City Holiday
Monday	September 18, 2017	
Monday	October 2, 2017	
Monday	October 16, 2017	
Monday	November 6, 2017	
Monday	November 20, 2017	
Monday	December 4, 2017	
Monday	December 18, 2017	

JANUARY 2017

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15	16 ML King Day HOLIDAY	17	18 LOCC MAYORS & CM ACADEMY - SACRAMENTO City Council CANCELLED CSEC	19 Planning	20	21																																																																																				
22	23 Council Meeting	24 DRHP	25	26	27	28 Chinese New Year																																																																																				
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FEBRUARY 2017

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CITY OF SONOMA
*City Council &
City Council as Successor Agency*
Agenda Item Summary

City Council Agenda Item: 4E

Meeting Date: 12/12/16

Department

Administration

Staff Contact

Rebekah Barr, MMC, City Clerk

Agenda Item Title

Receive and file the Report on the 2017 Local Commission and Committee Appointment List

Summary

Pursuant to Government Code Section 54970, commonly referred to as the "Maddy Act", on or before December 31 of each year, the City Clerk shall post an appointment list of all regular and ongoing boards, commissions and committees, which are appointed by the legislative body of the local agency. The list shall contain a list of all boards, commissions and committees whose members serve at the pleasure of the legislative body and a list of all appointive terms which will expire during the next calendar year.

The attached Appointment List has been posted at City Hall and has also been posted on the City's website.

Recommended Council Action

Receive and file the Report

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

Attachments:

2017 Appointments List

CITY OF SONOMA
LOCAL APPOINTMENTS LIST
Posted Pursuant to G.C. 54972

PLANNING COMMISSION		
Qualifications: Six members must be electors of the City		
Name	Date of Appointment	Date Term Expires
Michael Coleman	4/20/2015	4/20/2017
Robert Felder	1/21/2009	1/21/2017
Robert McDonald	2/15/2015	2/18/2017
Chip Roberson	8/19/2009	8/19/2017
Ron Wellander	2/18/2015	2/18/2017
COMMUNITY SERVICES & ENVIRONMENT COMMISSION		
Qualifications: Resident of Sonoma Valley, Five members must be electors of the City		
Name	Date of Appointment	Date Term Expires
Ken Brown	7/20/2015	7/20/2017
Christina Cook	7/20/2015	7/20/2017
Christopher Petlock	11/18/2009	11/18/2017
Denise Wilbanks	7/20/2015	7/20/2017
DESIGN REVIEW COMMISSION		
Qualifications: Four members must be electors of the City		
Name	Date of Appointment	Date Term Expires
Kelso Barnett	2/7/2011	2/7/2017
Bill Essert	12/16/2015	12/16/2017
Christopher Johnson	3/2/2015	3/2/2017
CULTURAL & FINE ARTS COMMISSION		
Qualifications: Five members must be electors of the City		
Name	Date of Appointment	Date Term Expires
Lisa Carlsson	11/4/2009	11/4/2017
Kari Ontko	4/1/2009	4/1/2017
Linda Ransom	11/3/2007	11/3/2017
TRAFFIC SAFETY COMMITTEE		
Qualifications: Four members must be electors of the City		
Name	Date of Appointment	Date Term Expires
Rosemary Sutcliffe	1/19/2011	1/19/2017
Armondo Zimmerman	10/21/2015	10/21/2017

SONOMA VALLEY CITIZENS ADVISORY COMMISSION		
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Qualifications: The City appoints 3 Commissioners and 1 Alternate and Non-Voting Members; Must be an elector of the City		
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Name	Date of Appointment	Date Term Expires
Jack Ding	2/11/2013	2/11/2017
Pat Pulvirenti	2/11/2013	2/11/2017
Ditty Velly	1/07/2013	1/11/2017
Angela White	2/11/2013	2/11/2017

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CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 6A

Meeting Date: 12/12/16

Department

Planning

Staff Contact

David Goodison, Planning Director

Agenda Item Title

Discussion, consideration and possible action on an appeal of the Planning Commission’s decision to not allow a vehicle entry gate and turnaround in conjunction with approval of a Use Permit to remodel and upgrade an existing eight-unit condominium complex at 375 West Napa Street.

Summary

On November 10, 2016, the Planning Commission considered the application of Robert Baumann & Associates for a Use Permit and Fence Height Exception to expand, remodel, and upgrade an existing eight-unit condominium complex at 375 West Napa Street. In general, the Planning Commission was very supportive of the proposed modifications and improvements, especially given the somewhat dilapidated condition of the structures. However, the majority of the commission expressed concern about how improvements near the frontage would relate to West Napa Street, including a proposed vehicle entry gate and associated turnaround. While understanding that the owner desired the vehicle entry gate primarily for the safety of residents, the majority of the commission felt the gate and turnaround were inappropriate at this West Napa Street location and inconsistent with the Development Code, resulting in additional paved area adjacent to the frontage and visually separating the development from the street and community. The staff report for the item notes that Development Code Section 19.14.020.F generally discourages gated residential developments and, in commenting on the application, the City Engineer also did not support these features due to concern about the potential for awkward turning movements if a vehicle was parked in the turnaround.

Ultimately, the Planning Commission approved the Use Permit and Fence Height Exception on a vote of 5-2 (commissioners Sek and Coleman dissenting) preserving the draft condition calling for elimination of the gate and turnaround (Condition 1.a) and adding a condition related to fencing in the front yard setback and the north elevation of Unit 1 (Condition 1.c). With respect to the two dissenting votes, staff would note that Comm. Sek also felt the gate and turnaround should be eliminated, but did not agree with imposing the additional requirements under 1.c, whereas Comm. Coleman supported the project as submitted and did not feel that either condition 1.a or 1.c were warranted (the draft meeting minutes are attached for review). On November 16, 2016, the project applicant and property owner filed an appeal of the Planning Commission’s requirement that the vehicle entry gate and turnaround be eliminated per condition of approval 1.a. As noted in the appeal letter, the appellants feel that these features are warranted for the safety of drivers and residents and would not have an adverse aesthetic impact. Further details are provided in the attachments.

Recommended Council Action

In accordance with staff’s standard practice of supporting Commission decisions, the staff recommendation is to deny the appeal, thereby upholding the decision of the Planning Commission. Whatever the Council’s decision, staff will return at the following City Council meeting with a Resolution formalizing the Council’s decision.

Alternative Actions

Uphold the appeal, allowing the proposed vehicle entry gate and associated turnaround.

Financial Impact

None.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

1. Appeal
2. Final Conditions of Project Approval
3. Draft minutes of the November 10, 2016, Planning Commission meeting
4. Planning Commission staff report for the item, with attachments

Alignment with Council Goals:

N.A.

Compliance with Climate Action 2020 Target Goals:

N.A.

cc:

Teresa Piper (via email)
Robert Baumann, Robert Baumann & Associates (via email)
Robert Felder, Planning Commission Chair (via email)

City of Sonoma Appeal Application Form

For City Use

Date Received 11/16/16

By David Goodison

- A copy of the rights of appeal and the City's appeal procedures may be found on the reverse of this form
- The fee to file an appeal must accompany this form
- Appeals must be filed with the City Clerk within fifteen (15) calendar days of the action
- Appeals must address issues raised or decisions made at previous hearings. Appeal hearings cannot be used as a forum to introduce new issues
- In order for your appeal to be valid this form must be filled out completely

Feel free to attach additional sheets or supporting documentation as may be necessary.

APPELLANT INFORMATION: (Please Print)

Name: Robert Baumann + Assoc Name: 2880 Stevens Creek LLC
Address: 545 Third St, Sonoma Address: PO Box 907, Menlo Park CA 94026
Phone: 707 996 7404 Phone: 650 327 1106
510 364 1967

I/We the undersigned do hereby appeal the decision of the:

- Planning Commission Design Review Commission
 City Planner or Department Staff Other: _____

Regarding: Conditions of Approval for project
(Title of project or application)

Located at: 375 W Napa St
(Address)

Made on: Nov 10 2016
(Date decision was made)

I/We hereby declare that I/We are eligible to file an appeal because:
(Refer to Section 19 B4.30-A, Eligibility, on the reverse)

19, 84, 30 A 2

The facts of the case and basis for the appeal are:

We disagree w the necessity of conditions of approval

I/We request that the Appeal Body take the following specific action(s):

Ammend certain conditions of approval.

Signed: [Signature] 11/16/16
Signature Date

Sonoma Municipal Code Chapter 19.84

APPEALS

19.84.010 Purpose of chapter. Determinations or actions of the city planner and city commissions may be appealed as provided by this chapter (Ord 2003-02 § 3, 2003).

19.84.020 Appeal subjects and jurisdiction. Determinations and actions that may be appealed, and the authority to act upon an appeal shall be as follows:

A. Code Administration and Interpretation. The following determinations and actions of the city planner and department staff may be appealed to the planning commission or the design review commission, as applicable, and then to the council:

1. Determinations on the meaning or applicability of the provisions of this development code that are believed to be in error, and cannot be resolved with staff.

2. Any determination that a permit application or information submitted with the application is incomplete, in compliance with state law (Government Code Section 65943); and

3. Any enforcement action in compliance with Chapter 19.90 SMC, Enforcement of Development Code Provisions

B. Land Use Permit and Hearing Decisions. Decisions of the city planner on zoning clearances may be appealed to the planning commission or the design review commission, as applicable. Decisions by a commission may be appealed to the council. (Ord 2003-02 § 3, 2003).

19.84.30 Filing of appeals.

A. Eligibility. An appeal may be filed by:

1. Any person affected by an administrative determination or action by the city planner, as described in SMC 19.84.020(A);

2. In the case of a land use permit or hearing decision described in SMC 19.84.020(B), by anyone who, in person or through a representative, appeared at a public hearing in connection with the decision being appealed, or who otherwise informed the city in writing of the nature of their concerns before the hearing.

3. Except as otherwise provided by law or ordinance of this city, any member of the city council may, at his/her discretion, appeal any final decision of any city commission board or official, to the city council. If an appeal is made by a council member, there shall be a presumption applied that the reason for the appeal is because the appealed decision or interpretation has significant and material effects on the quality of life within the city of Sonoma. No inference of bias shall be made because of the appeal and no other reason need be stated by the council person in his/her notice of appeal. Appeals made according to this subsection shall not be subject to any fees.

B. Timing and Form of Appeal. All appeals shall be submitted in writing on a city application form, and shall specifically state the pertinent facts of the case and the basis for the appeal. Appeals shall be filed in the office of the city clerk within 15 days following the final date of the determination or action being appealed.

C. Fee. Appeals shall be accompanied by the filing fee set by the city council's fee resolution, except as provided for in subsection (A)(3) of this section.

D. Scope of Land Use Permit Appeals. An appeal of a decision by the city planner or commission on a land use permit shall be limited to issues raised at the public hearing, or in writing before the hearing, or information that was not known at the time of the decision that is being appealed.

E. Effect of Filing an Appeal. The filing of a valid appeal shall have the effect of staying the issuance of any permit until such time as the matter on appeal is resolved (Ord 2003-02 § 3, 2003).

19.84.040 Processing of appeals.

A. Scheduling of Hearing. After an appeal has been received in compliance with the procedures listed in SMC 19.84.030(B), Timing and Form of Appeal, the appeal shall be transmitted to the city planner who shall place the item on the next available commission agenda, or the city clerk shall schedule the matter for the next available council agenda, as applicable to the appeal.

B. Report. After the appeal hearing has been scheduled, the city planner shall prepare a report on the matter, and forward the report to the appropriate appeal body.

C. Joining an Appeal. Only those persons who file an appeal within the 15-day appeal period in compliance with SMC 19.84.030(A), Eligibility, shall be considered the appellants of the subject permit. Any person who wishes to join an appeal shall follow the same procedures for an appellant in compliance with subsection (A) of this section. No person shall be allowed to join an appeal after the end of the 15-day appeal period.

D. Action and Findings

1. **General Procedure.** The appeal body shall conduct a public hearing in compliance with Chapter 19.88 SMC, Public Hearings. At the hearing, the appeal body may consider any issue involving the matter that is the subject of the appeal, in addition to the specific grounds for the appeal.

a. The appeal body may affirm, affirm in part, or reverse the action, decision, or determination that is the subject of the appeal, based upon findings of fact about the particular case. The findings shall identify the reasons for the action on the appeal and verify the compliance or noncompliance of the subject of the appeal with the provisions of this development code.

b. When reviewing a decision on a land use permit, the appeal body may adopt additional conditions of approval that may address other issues or concerns than the subject of the appeal.

2. **Appeals to the City Council**

a. **By an Appellant.** A decision by a commission may be appealed to the city council as provided by SMC 19.84.030, Filing of appeals.

b. **Council's Decision is Final.** The decision of the council on an appeal shall be final.

c. **Tie Vote.** A tie vote by the city council with regard to an appeal shall result in the affirmation of the decision of the body whose decision was appealed.

E. Effective Date of Appeal Decision. A decision by the commission is effective on the sixteenth day after the decision, when no appeal to the decision has been filed with the council. A decision by the council is effective as of the date of the decision. A final decision by the city council with regard to an appeal shall take the form of a resolution. (Ord. 2003-02 § 3, 2003).

**City of Sonoma
Appeal Application Form
Planning Commission
Addendum
Appellant: Robert Baumann
Owner: 2880 Stevens Creek, LLC**

Our project is located at 375 W Napa Street, the property is composed of four duplexes (eight units) and is part of a condominium plan. Although the project is a condominium planned development the previous owners chose to run the project as a rental property. Over the last 30+ years the project has suffered deferred maintenance and as such is currently vacant and in need of major repairs and remodeling. Most the units do not have heat, the exterior siding is rotting, windows are not functioning, leaking roofs, etc. The project has been a target for homeless persons and drug users. Most recently we were contacted by the City of Sonoma regarding the trespassers and are working with them to avoid any dangerous situations.

Our intent for this project is to revitalize, renew, improve the energy efficiency and create a thoughtful living environment for families and individuals that enjoy the “joie de vivre” life style of Sonoma while enhancing the original architectural style of an urban farmhouse. We intend to use the best bones of this project and make it a better place to live.

A few of the excellent features of this project are the efficient layout of the floor plans, cohesive architectural design both inside and out providing private yard spaces for each unit. In our design we thoughtfully considered these elements and as such worked on increasing the size of the units without much impact to the footprint of the unit. Our goal was to preserve as much outdoor space for each home as possible while still creating a comfortable modern energy efficient living space.

We are pleased that the planning commission shares our excitement for this project and thank them for the unanimous praise, complimentary comments and encouragement in all aspects of the project with the exception of two subjective items as noted in the Conditions of Approval dated November 10, 2016, Section 1 item a. It is for that reason that we are filing our appeal and seeking your review and guidance on these two subjective items. Please note the commission voted 5/2 for these conditions. Two of the commissioners agreed with our submittal including the fence heights that we are not addressing here.

Section 1. a.

The entry gate and the turnaround proposed toward the front of the site off the driveway shall be eliminated.

Reasons for request for appeal:

Entry Gate: The proposed entry gate is 42” tall it will be constructed of steel painted pickets spaced to provide a clear visual through the gate. The gate is set back 30’ from the road and the main purpose is to protect children, family members and pets from the fast moving traffic on W Napa Street (Highway 12). The gate is intended and is designed to create a safe yet inviting area. It is important to note that there is only one home on W Napa that appears to be inhabited as a home between the 1st Street West and 5th Street West. Any other inhabited homes, condos or rental properties are behind another house or building effectively creating a barrier for the protection of the inhabitants. There seems to be an immediate negative reaction to the request for a gate. We ask that you please consider our concerns for safety while absorbing the renderings that depict our gated entry with the understanding that the proposed gate will sit 30’ from the back of the sidewalk, this gate will barely be noticed, just as most did not even know our project existed in this area.

Request for specific Action:

We respectfully request the gate remain and the condition to deny the entry gate is eliminated from the Planning Commission Conditions of Approval.

Turnaround:

The proposed turnaround is intended to be installed as noted on the site plan with a permeable surface, it will have landscaping around it and will be marked as a No Parking, tow away zone.

This project has a narrow driveway as built and as such creates a difficult situation in turning around a vehicle, in most instances when all carports and parking spots are full a driver would need to back out onto W Napa Street (Highway 12). At most times of the day it is difficult to pull out onto W Napa, backing out is even more dangerous. The proposed turnaround is intended for safety with or without a gate. It can be used as a safe landing pad for drivers dropping off children or picking them up. The turnaround can be used when the gate is not open for an overflow when 2 cars are trying to enter the complex rather than creating a traffic situation on W Napa Street. In addition the permeable surface, possibly decomposed granite or some sort of pavers is a water safe responsible addition to our landscaping.

Request for specific Action:

We respectfully request the turnaround remain and the condition to deny the turnaround is eliminated from the Planning Commission Conditions of Approval.

Thank you for your thoughtful consideration, we look forward to creating a beautiful, safe, efficient housing option in the downtown Commercial mixed used zone.

City of Sonoma Planning Commission
CONDITIONS OF APPROVAL
Use Permit & Fence/Wall Height Exception for
Modifications to Napa Street West Condominiums
375 West Napa Street

November 10, 2016

1. The condominium development shall be modified in conformance with the revised project narrative dated 11/10/16, approved site plan and building elevations, except as modified by these conditions and the following:
 - a. The entry gate and the turnaround proposed toward the front of the site off the driveway shall be eliminated.
 - b. The applicant shall provide the City with written verification that other utilities have no issues with siting the new carport structure at the proposed location in the existing Public Utility Easement (PUE).
 - c. Through the design review of the project by the DRHPC, the north elevation of northeast building shall be designed to address the street. A private outdoor open space area with a fence of up to six feet in height shall be allowed behind the 28” diameter redwood and 36” diameter live oak trees within the required 15-foot front yard setback area on the east side of the driveway.

Enforcement Responsibility: Planning Department, Building Department; Public Works Department
Timing: Prior to the issuance of any occupancy permit

2. An amended condominium plan shall be prepared in accordance with the Subdivision Map Act and filed at the office of the Sonoma County Recorder.

Enforcement Responsibility: Planning Department
Timing: Prior to issuance of building permits

3. The following public improvements shall be required as deemed necessary by the Public Works Division, City Engineer, Caltrans or other applicable department or agency.
 - a. Repair or reconstruction of any damaged or non-conforming portion of curb, gutter, sidewalk, along the West Napa Street/State Hwy 12 frontage of the property as required by the City Engineer and Caltrans.
 - b. Widening/modification of the existing driveway on West Napa Street to conform to City Standard Plan No. 111 (for Residential Driveway Approaches) to provide a driveway width (excluding flares) of 30-feet. If there are physical site limitations, the City Engineer has the discretion to allow a reduction in the standard driveway width to a minimum of 24 feet.
 - c. Address numbers shall be posted on each structure within the development. Individual address numbers, or an address range, shall be clearly posted on West Napa Street.

Enforcement Responsibility: City Engineer; Public Works Department; Fire Department; Caltrans
Timing: Prior to approval of the grading plan, building permit, or issuance of any occupancy permit, as applicable

4. The following plans and agreements for controlling stormwater runoff from the site shall be required:
 - a. An Erosion and Sediment Control Plan shall be submitted to the City Engineer for review and approval. The required plan shall be approved prior to the issuance of a building or grading permit. The Best Management Practices specified in the approved plan shall be implemented before and during any rainfall event. Grading shall not commence or recommence during the rainy season or the period of time beginning when rains begin or October 15, whichever comes first, and ending on the following April 15 or when rains cease, whichever occurs last, unless erosion and sediment control measures have been installed, implemented, and maintained on the site to the satisfaction of the public works director or his/her representative.

- b. A Stormwater Control Plan (SCP) in conformance with the standards in Provision E.12 of the City of Sonoma's NPDES Permit for stormwater discharges shall be submitted to the City Engineer for review and approval. The plan shall be prepared in accordance with the guidance provided in the BASMAA Post-Construction Manual. The required plan shall be approved prior to the issuance of a building or grading permit.

Enforcement Responsibility: City Engineer; Stormwater Coordinator

Timing: Prior to issuance of a building or grading permit

5. All Building Department requirements shall be met, including compliance with CALGreen standards and the installation of automatic fire sprinkler systems within all of the residential buildings/units. Building permits shall be required.

Enforcement Responsibility: Building Department

Timing: Prior to construction

6. All Fire Department shall be satisfied, including any code modifications effective prior to the date of issuance of any building permit. In addition, the following shall be required:
 - a. All residential structures/units shall be protected by approved automatic fire sprinkler systems.
 - b. On-site parking shall be allowed only in designated parking places as shown on approved on the site plan. All other areas, including the driveway and drive aisle shall be posted clearly as a fire apparatus access road with approved signs or other approved notices or markings that include the words "NO PARKING-FIRE LANE".

Enforcement Responsibility: Fire Department; Building Department

Timing: Prior to the issuance of any building permit

7. An encroachment permit shall be required from the City of Sonoma for any work within the West Napa Street right of way. In addition, an encroachment permit from the Department of Transportation (Caltrans) shall be required for work within the Highway 12 (West Napa Street) right-of-way.

Enforcement Responsibility: Caltrans; City Engineer; Public Works Department

Timing: Prior to any work within the West Napa Street/Hwy 12 public right of way

8. The project shall be subject to architectural review by the Design Review & Historic Preservation Commission (DRHPC), encompassing elevation details, exterior colors and materials, and site details, including the carports, fences/walls, and bicycle racks/storage area.

Enforcement Responsibility: Planning Department; DRHPC

Timing: Prior to the issuance of any building permit

9. If significant alterations to site landscaping are proposed, a landscape plan prepared by a licensed landscape architect shall be required, subject to the review and approval of the Design Review & Historic Preservation Commission (DRHPC). The landscape plan shall comply with the City of Sonoma's Water Efficient Landscaping Ordinance, and Development Code Sections 19.40.100 (Screening and Buffering), 19.48.090 (Landscaping of Parking Facilities), and 19.40.060 (Landscape Standards). Street trees proposed along the West Napa Street frontage shall be consistent with the City's Tree Planting Program, including the District Tree List

Enforcement Responsibility: Planning Department; DRHPC

Timing: Prior to issuance of any occupancy permit

10. If new exterior lighting is proposed, a lighting plan shall be required, subject to the review and approval of the Design Review & Historic Preservation Commission (DRHPC). All proposed exterior lighting for the buildings and/or site shall be indicated on the lighting plan and specifications for light fixtures shall be included. The lighting shall conform to the standards and guidelines set forth in Section 19.40.030 of the Development Code (Exterior Lighting). No light or glare shall be directed toward, or allowed to spill onto any offsite areas. All exterior light fixtures shall be shielded to avoid glare onto neighboring properties, and shall be the minimum necessary for site safety and security. Light standards shall not exceed a maximum height of 15 feet.

Enforcement Responsibility: Planning Department; DRHPC

Timing: Prior to issuance of an occupancy permit

11. 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. Caltrans [For encroachment permits and frontage improvements on State Highway 12/West Napa Street]
 - b. Sonoma County PRMD Sanitation Division [For sewer connections and modifications and interceptor requirements]
 - c. Sonoma Valley Unified School District [For school impact fees]

Enforcement Responsibility: Building Department; Public Works Department City Engineer; Caltrans
Timing: Prior to the issuance of any grading/building permit

12. The applicant shall comply with all requirements of Sonoma County PRMD Engineering Division with respect to sanitary sewer requirements and facilities. A sewer clearance shall be provided to the City of Sonoma Building Division 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 PRMD Sanitation Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Building Department;
Timing: Prior to the issuance of any building permit

13. Dust control measures, subject to approval by the Building Official and the City Engineer, shall be implemented during the construction of the project. All exposed soil areas shall be watered twice daily or as required by the City's construction inspector.

Enforcement Responsibility: Public Works; Building Department
Timing: Throughout construction

14. The applicant shall be required to pay for all inspections prior to the acceptance of public improvements, or within 30 days of receipt of invoice; all plan checking fees at the time of the plan checks; and any other fees charged by the City of Sonoma, Caltrans, the Sonoma County Water Agency or other affected agencies with reviewing authority over this project, except those fees from which any designated affordable units are specifically exempt from.

Enforcement Responsibility: Public Works Department; Building Department; Affected Agencies
Timing: Prior to the acceptance of public improvements, or plan check, or within 30 days of receipt of invoice, as specified above

**CITY OF SONOMA
PLANNING COMMISSION
REGULAR MEETING
November 10, 2016**

Community Meeting Room, 177 First Street West, Sonoma, CA

DRAFT MINUTES

Chair Felder called the meeting to order at 6:30 p.m.

Roll Call:

Present: Chair Felder, Comms. Wellander, Willers, Sek, Roberson, Coleman, Cribb McDonald (Alternative)

Absent:

Others Present: Planning Director Goodison, Senior Planner Gjestland, Associate Planner Atkins, Administrative Assistant Morris

Chair Felder stated that no new items would be heard after 10:30 p.m. unless the Planning Commission so decides. Any decisions made by the Planning Commission can be appealed within 15 days to the City Council. He reminded everyone to turn off cell phones and pagers. Comm. Wellander led the Pledge of Allegiance.

COMMENTS FROM THE PUBLIC: None

APPROVAL OF MINUTES: None

CHANGES TO AGENDA ORDER: None

CORRESPONDENCE: Planning Director Goodison stated that Item #8- Study Session 899 Broadway was withdrawn by the applicant and would not be heard tonight. He reviewed the late mail correspondence received #1, #3, and #5

Item #6 - Public Hearing - Consideration of a Use Permit and Fence Height Exception to modify an existing eight-unit condominium development at 375 West Napa Street.

Applicant/Property Owner: Robert Baumann & Associates/2880 Stevens Creek LLC

Comm. Cribb recused due to a potential conflict of interest and left the room. Comm. McDonald went to the dais.

Senior Planner Gjestland presented staff's report.

Chair Felder opened the item to public comment.

Robert Baumann, architect/applicant, introduced the property owner, Teresa Piper, and development team. He presented photos of existing conditions demonstrating the buildings are in much need of repair and then presented proposed elevation drawings showing how the

buildings would be improved. He emphasized they desired the vehicle gate and turnaround for noise mitigation and the safety of residents (including children and pets) given traffic on West Napa Street/Highway 12, and felt the gate does not violate the intent of Development Code Section 19.14.020.F. He stated the gate would not be imposing and noted the turnaround could also accommodate drop-offs and ease congestion for residents passing in and out of the development.

Comm. Wellander confirmed that each of the units has an individual backyard.

Chair Felder closed the public comment.

Comm. Roberson commented the development is not noticeable from the street. Comparing the current condition to what is proposed, he fully supports the project, except for the gate element. He noted the Planning Commission has reviewed other proposals involving gates and consistently have not allowed gates on West Napa Street. Accordingly, he supported approval of the project with the conditions as written.

Comm. McDonald was excited to see the site renovated and thanked the owner for putting such a significant investment into the project. However, he does not support gates on Highway 12 and suggested the building at the northeast corner should better address West Napa Street. He felt having a paved turnout versus landscaping was inconsistent with Development Code design guidelines that discourage such features within frontyard setbacks. He discouraged tall fences, gates, and paving in front of residential uses. He felt the north elevation of unit 1 should be better exposed with lower fencing in order to engage the street. However, he does not have any objection to the fence proposed in front of the northwest carport.

Comm. Roberson concurred with Comm. McDonald about the need for Unit 1 to engage the street. He noted a similar example within a project on West Spain Street.

Comm. Willers agreed with his fellow commissioners. He opposed the gate, he felt Unit 1 should engage the street in some manner, and that 8-foot tall fencing proposed in front of Unit 1 should be reduced so as not to wall off the property from West Napa Street. He indicated that all other elements of the proposal are fine and agreed the project is vast improvement over the current state. In his view, approving gates and tall fences along West Napa Street would disrupt its visual character.

Comm. Sek felt that the 8-foot tall fencing proposed east of the driveway was acceptable because of the additional 15 feet of setback provided by the previous right of way dedication. However, she felt the gate should be eliminated for consistency with the Development Code design guidelines.

Comm. Coleman disagreed with other commissioner's perspective about the gate. He felt it would not have a significant impact and should be allowed to address the safety concerns noted by the project architect. He felt that if the Planning Commission wanted to establish an absolute prohibition on gates, that direction should be codified in the Development Code.

Comm. Wellander complimented the applicant for the proposal, which he viewed as a major improvement. However, he agreed with other commissioners that the project should be respectful of West Napa Street and he did not support a gate for this project on the West Napa Street corridor. He supported the preservation of the trees along the frontage. He noted that residents of the project would have private yards, so he did not think it likely that the interior

drive would normally be used as a play area. He was not opposed to gates in all circumstances, but he did not feel that approach was warranted for this project.

Comm. Roberson expressed the view that gates change the nature of how the properties engage the community. In addition, the gate necessitates a paved turn-around within the front yard setback, an area where the Development Code emphasizes should be landscaping not pavement. In his view, Sonoma's streets make a good contrast to the walled canyons that he sees along streets in other communities. In his view it is a fantastic project, but he cannot support that particular feature.

Chair Felder supported the project but also opposed the gate. He felt that opening up views of the northeast building was a good idea.

Comm. Willers made a motion to approve the Use Permit with conditions of approval, including the direction that through the design review process, the DRHPC address modifications to the north elevation of Unit 1 to engage the street, with no gate or turnaround, and that an 8-foot tall fence in front of the northeast building not be allowed.

Chair Felder reopened public comment in order to address questions from the applicant regarding the motion.

The applicant and property owner requested clarification on the motion and voiced opposition to the additional requirements.

In response to a question from the architect, staff clarified that a 3.5-foot fence would be allowed in front of the northeast unit.

Teresa Piper stated that the area screened by the proposed fence which is under discussion is essentially a back yard and she wanted to maximize private open space for the residents.

In response to a question from Chair Felder, Senior Planner Gjestland reviewed the front yard setbacks.

Comm. Sek reiterated that she supported the project as submitted, minus the vehicle gate and turnaround. She did not object to the taller fence on the northeast.

Comm. Coleman expressed support for the project as submitted, including the fence, the vehicle gate and the turnaround.

Comm. Willers felt the northeast building should address the street and did not support an 8-foot tall fence east of the driveway. He objected to allowing a wall along the street, but was willing to consider a compromise to allow for additional private yard area in conjunction with the northeast unit, that allows a corner of the unit to be visible from the street. While he respects and appreciates the proposed application, the job of the Commission is to ensure that community needs are met as well.

Planning Director suggested an amended motion based the commission's discussion. He noted that the Commission was not seeking any changes to the internal layout of the northeast unit and this was not a requirement of project approval.

Commissioner Willers accepted the amended language.

Chair Felder closed public comment.

Comm. McDonald seconded the amended motion.

There was further discussion by the commission and additional questions and comments by the applicant and property owner.

At the request of the applicant, the Planning Director reread the motion to approve the Use Permit and Fence Height Exception with the following additional condition (1.c): through the design review of the project by the DRHPC, the north elevation of northeast building shall be designed to address the street. A private outdoor open space area with a fence of up to six feet in height shall be allowed behind the 28" diameter redwood and 36" diameter live oak trees within the required 15-foot front yard setback area on the east side of the driveway.

The motion was approved 5-2 (Comms. Coleman & Sek opposed).

Agenda Item Title: Application for modifications to an existing 8-unit condominium development, including consideration of a fence height Exception.

Applicant/Owner: Robert Baumann & Associates/2880 Stevens Creek LLC

Site Address/Location: 375 West Napa Street

Staff Contact: Rob Gjestland, Associate Planner
Staff Report Prepared: 11/04/16

PROJECT SUMMARY

Description: Application of Robert Baumann & Associates for modifications to an existing 8-unit condominium development at 375 West Napa Street.

General Plan Designation: Mixed Use

Zoning: **Base:** Mixed Use (MX) **Overlay:** Historic

Site Characteristics: The condominium development consists of four buildings (each containing two units) on an underlying ±28,400-square foot common area parcel located on the south side of West Napa Street (Highway 12) near its intersection with Fourth Street West.

Surrounding Land Use/Zoning: **North:** Offices/Mixed Use
South: Senior apartments (Village Green I)/Medium Density Residential
East: Office building/Mixed Use
West: Office and apartments /Mixed Use

Environmental Review:

<input checked="" type="checkbox"/> Categorical Exemption	<input type="checkbox"/> Approved/Certified
<input type="checkbox"/> Negative Declaration	<input checked="" type="checkbox"/> No Action Required
<input type="checkbox"/> Environmental Impact Report	<input type="checkbox"/> Action Required
<input type="checkbox"/> Not Applicable	

Staff Recommendation: Approve subject to conditions.

PROJECT ANALYSIS

DETAILED PROJECT DESCRIPTION

The project involves modifying and renovating an existing eight-unit condominium development constructed in the 1980's (no additional units are proposed). The proposed improvements would increase the size of the buildings/units through areas of addition, especially on the second floors. The exterior form and appearance of the buildings would change as a result of the additions and a new carport would be constructed toward the rear of the site to provide additional covered parking for four vehicles, plus bicycle storage (the carport toward the front of the site would be retained). The existing condominiums currently have 980 sq. ft. of living area plus an attached one-car garage of ±260 sq. ft. The project would increase the living area of the four outside units (Units 1, 2, 7 and 8) from 980 sq. ft. to 1,847 sq. ft., while the four inside units (Units 3, 4, 5 and 6) would be increased from 980 sq. ft. to 1,441 sq. ft. The existing one-car garages would be maintained for all of the units. Other miscellaneous site improvements include the provision of entry walls/features toward the frontage and new fencing for private yard areas. Further details can be found in the attached narrative and drawings.

GENERAL PLAN CONSISTENCY (**Not Applicable to this Project**)

The property is designated Mixed Use by the General Plan. The Mixed Use land use designation is intended to accommodate uses that provide a transition between commercial and residential districts, to promote a pedestrian presence in adjacent commercial areas, and to provide neighborhood commercial services to adjacent residential areas. It is also intended to provide additional opportunities for affordable housing. The designation allows a density up to 20 residential units per acre and a residential component is required in new development, unless an exemption is granted through use permit review. The primary General Plan policies potential applicable to the project are as follows:

Policy CDE-5.5: Promote higher density, infill development, while ensuring that building mass, scale, and form are compatible with neighborhood and town character.

Policy HE 3.2: Encourage property owners to maintain rental and ownership units in sound condition through code enforcement and housing rehabilitation programs.

Policy HE 6.2: Implement Sonoma's Green Building Ordinance to ensure new development is energy and water efficient, and consider establishing additional incentives to achieve energy and water conservation efficiencies higher than those required by the Ordinance. Revise and/or revisit the ordinance as necessary to reflect the introduction of a State-wide green building code.

As called for in the Community Development Element, the scale and appearance of the updated development need to be considered, especially with respect to relationships with adjoining development. The Housing Element encourages the rehabilitation of older multi-family developments and notes that such projects present an opportunity to implement updated water and energy conservation features.

DEVELOPMENT CODE CONSISTENCY (**Not Applicable to this Project**)

Use: The property is zoned Mixed Use (MX). The MX zone is intended to allow for higher density housing types, such as apartments and condominiums, in conjunction with commercial and office development, in order to increase housing opportunities, reduce dependence on the automobile, and provide a pedestrian presence in commercial areas. Multi-family development of five or more units (including condominiums) are allowed in the MX zone subject to review and approval of a Use Permit by the Planning Commission. The proposed project does not constitute a new use and it does not increase the density of the development. However, staff regards it as a modification to an approved Use

Permit, as the size and design of the development was established through the original use permit approval of the development.

Front Yard Setback: The minimum front yard setback for additions in the MX zone is 15 feet for one-story construction and 25 feet for two-story construction. With the proposed additions, the northeast building would provide a setback of 31 feet from the front property line, while the carport (a one-story structure) is set back 24 feet from the front property line.

Rear Yard Setback: The minimum rear yard setback within the MX zone is 15 feet, except when abutting a residential zone in which case the corresponding setback of the residential zone shall apply. The project site abuts a Medium Density Residential (R-M) zone to the south, therefore a minimum 20-foot rear yard setback is required for two-story structures. The southwest building, which is the closest residential building to the rear yard, has a setback of 21 feet, in compliance with the standard. The proposed carport at the southeast area of the site has a rear yard setback of 5'-6", which meets the requirement for a detached accessory structure.

Side Yard Setbacks: One-story structures require a minimum side yard setback of five feet and combined side yard setbacks of fifteen feet. For two-story structures, the minimum setback is increased by two feet for every five feet in building wall height above fifteen feet. The central upper-floor elements of the existing buildings do not meet the minimum side-yard setback standard in all cases, falling approximately one-foot short. However, the new construction complies with side-yard setback requirements.

Coverage: The maximum coverage in the MX zone is 60% of the total lot area. With the proposed additions and new carport, the development would have a lot coverage of 28%.

Floor Area Ratio (FAR): The maximum FAR in the MX zone is 0.70 (or 70% of the total lot area). With the proposed additions, the condominium development would have an FAR of 0.53 in relation to the underlying lot.

Building Height: The maximum building height within the MX zone is 30 feet. The areas of addition would not exceed ± 24 feet in height of to the new roof peaks, except for small cupola features projecting up to ± 28 feet.

Open Space: The Development Code requires 300 square feet of open space per unit, in any combination of private or common open space. Approximately 365 square feet of open space is provided on average for each unit, including private rear patios and yard areas.

Parking: Condominiums require 1.5 parking spaces per unit (one of which must be covered), plus guest parking at the rate of 25% of the total required spaces.

On-Site Parking Requirements				
Type of Residential Unit	Number of Units	Parking Factor	Calculation	Spaces Required
Condominiums	8	1.5 spaces per unit (including one covered) plus	8 x 1.5	12
		guest parking at rate of 25% of total required spaces	12 x 0.25	3
Total				15

As noted in the table, 15 parking spaces are required for the project. This requirement is met in that 16 parking spaces are provided on site, all of which would be covered by carports or unit garages. In addition, parking space dimensions and back-up distances generally conform to the standards and are consistent with the previous approval.

Bicycle Parking: Bicycle parking is required for new multi-family development subject to review on a case-by-case basis (§19.48.110). Bicycle parking is identified on the site plan as part of the new carport. Details on the type and number of racks are typically considered by the DRHPC in design review. A condition of approval has been included in this regard.

Site Design & Architectural Review: Under the Development Code, the Planning Commission is responsible for reviewing and acting upon the project site plan, building massing, and elevation concepts to the extent it deems necessary. Subsequent review by the Design Review and Historic Preservation Commission is also required for multi-family/condominium projects, encompassing elevation details, exterior colors and materials, landscaping (including fences and walls), lighting, site details (such bike racks), and any other issues specifically referred to the DRHPC by the Planning Commission (§19.54.080E). This requirement has been included in the conditions of approval.

Fence/Wall Height Exception: The applicant is requesting an Exception from the fence/wall height standards for the portions of fencing and entry wall proposed within the required 15-foot front yard setback (normally fencing/walls in the front yard setback are limited to a maximum height of 3.5 feet). The proposed fencing would have a maximum height of eight feet (including one-foot of trellis topping) with the associated entry wall at roughly 4.5 feet in height. On the east side of the driveway, the fence would be set back five feet from the property line and on the west side of the driveway the setback would be 14 feet. The fencing and wall are proposed to serve as an entry feature, to enhance privacy, and to screen open space areas from traffic noise. An important consideration with respect to the Exception request is that due to a previous right-of-way dedication, the front property line is set back fifteen feet from the front of the adjoining properties to the east and west, so it is inset from West Napa Street in comparison to them. Visually, the fence would be setback 24-33 feet from the back of sidewalk on West Napa Street. In order to approve an exception to these standards, the Planning Commission must make four findings, as follows:

1. *The fence/wall will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;*

The proposed fencing and wall employ a traditional design. Due to the inset front property line, their location will not appear incompatible with that of other fences in the vicinity.

2. *The height, orientation, and location of the fence/wall is in proper relation to the physical characteristics of the site and surrounding properties;*

As noted above, the fencing and wall are intended to serve as an entry feature, to enhance privacy, and to screen open space areas from traffic noise. The height, location, and orientation of the proposed fencing and wall are logical, given the configuration of the subject property and would not be obtrusive relative to other properties in the vicinity. For example, the proposed fence will not extend past the face of the adjoining building at 369 West Napa Street (on the east).

3. *The fence/wall is a planned architectural feature and does not dominate the site or overwhelm adjacent properties, structures, or passersby;*

Because the front property line of the subject property is inset fifteen feet from the front of the adjoining properties on West Napa Street, the fencing and wall will be set back approximately 24-33 feet from the back of the sidewalk. In light of this set back, these improvements will not appear as a dominating feature.

4. *The fence/wall will be of sound construction and located so as not to cause a safety hazard.*

The fencing and entry wall would be of a sound design and construction and would not present a safety hazard.

In general, staff feels that an Exception to the fence/wall height requirements is justified in that the front 15 feet of the underlying lot was previously dedicated to the City of Sonoma as additional right of way for West Napa Street/Highway 12, which has a variable width within this block. As a result, the fencing and entry wall will have an apparent setback of 24-33 feet, which is appropriate to the site and its surroundings. In addition, the fence segment on the west will be substantially screened with existing vegetation.

CONSISTENCY WITH OTHER CITY ORDINANCES/POLICIES (Not Applicable to this Project)

ENVIRONMENTAL REVIEW (Not Applicable to this Project)

Pursuant to Section of 15301 of the State CEQA Guidelines, the expansion of an existing facility of up to 10,000 square feet is Categorical Exempt from the provisions of CEQA (Class 1 – Existing Facilities) provided that the project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan.

DISCUSSION OF PROJECT ISSUES

Compatibility: The project would increase the size and mass of the structures, especially on the second floor. In terms of compatibility with existing, adjoining development, staff would note that the adjoining property on the east is largely undeveloped, except for a currently-vacant office building located toward the street. Relative to adjoin development on the east, the “Northwest Building”, which is actually more or less centered along the western property line, adjoins carports associated with the neighboring mixed-use development. This relationship does not raise any issues of compatibility. The “Southwest Building” generally aligns with a neighboring two-story multi-family residential structure in a side-yard to side-yard relationship. Currently, the Southwest Building has one-story wings that slope up to a central two-story element. The proposed project would add second-floor extensions that would change the building configuration to a continuous two-story structure. That said, the second-floor additions would be set back in compliance with side-yard setback requirements and, in staff’s view, they would not substantially change privacy conditions, as only a single bedroom window would be introduced. (The second window would be associated with a loft area.)

Building Department Requirements: The Building Department has confirmed that the valuation of proposed improvements will trigger the requirement for installation of automatic sprinkler systems within all of the residential buildings/units. In addition, CalGreen standards will apply and the payment of school impact fees will be required for units that are increased by 500 square feet or more.

Fire Department Requirements: The proposal was evaluated by the Fire Marshall who indicated that an emergency vehicle turnaround will not be required considering the proposal involves an existing development and that all residential buildings will have fire sprinkler systems. However, the access driveway must be signed/marked as a fire lane with parking prohibited. In addition, if an entry gate is approved (see discussion below), it would have to be designed to accommodate emergency access.

Driveway Apron Width: The proposal was evaluated by the City Engineer who indicated that the width of the driveway apron on the West Napa Street frontage must be increased to conform to the Standard Plan, which calls for minimum width of 30 feet. Some flexibility from this standard may be allowed, however a minimum driveway of at least 24 will be required.

Gate/Turnaround: The proposal calls for an entry gate. A related site plan element is a turn-around on the east side of the driveway, intended to enable cars that do not gain access through the gate to properly exit. In staff's view, neither of these features are desirable. Section 19.14.020.F of the Development Code discourages gated developments. In addition, the turnaround, which would be required if the gated entry is approved, would result in awkward vehicle movements and would be visually intrusive. The proposed conditions of approval would eliminate these features.

RECOMMENDATION

The proposed project would upgrade and enhance an existing multi-family development that would greatly benefit from the proposed improvements. Staff recommends approval of the Use Permit modification, subject to the attached conditions.

Attachments

1. Findings
2. Draft Conditions of approval
3. Location map
4. Project Narrative
5. Proposed Site Plan, Floor Plans & Building Elevations
6. Existing Site Plan, Floor Plans & Building Elevations
7. Existing Condominium Plan (Assessor's Map)
8. Existing Condominium Map

cc: Robert Baumann via email)
Robert Baumann & Associates
545 Third Street West
P.O. Box 2201
Sonoma, CA 95476

Teresa Piper (via email)
375 W. Napa, LLC
P.O. Box 907
Menlo Park, CA 94026

City of Sonoma Planning Commission
FINDINGS OF PROJECT APPROVAL
Modifications to Napa Street West Condominiums – 375 West Napa Street

November 10, 2016

Based on substantial evidence in the record, including but not limited to the staff report, and upon consideration of all testimony received in the course of the public review, including the public review, the City of Sonoma Planning Commission finds and declares as follows:

Use Permit Approval

1. That the proposed use is consistent with the General Plan and any Specific Plan;
2. That the proposed use is allowed with a conditional Use Permit within the applicable zoning district and complies with all applicable standards and regulations of the Development Code (except for approved Variances and Exceptions).
3. The location, size, design, and operating characteristics of the proposed use are compatible with the existing and future land uses in the vicinity; and
4. The proposed use will not impair the architectural integrity and character of the zoning district in which it is to be located.

Fence Height Exception Approval

1. The fence will be compatible with the design, appearance, and physical characteristics of the site and other existing structures in the surrounding neighborhood;
2. The height, orientation, and location of the fence/wall is in proper relation to the physical characteristics of the site and surrounding properties;
3. The fence/wall is a planned architectural feature and does not dominate the site or overwhelm adjacent properties, structures, or passersby;
4. The fence/wall will be of sound construction and located so as not to cause a safety hazard.

City of Sonoma Planning Commission
CONDITIONS OF APPROVAL
Modifications to Napa Street West Condominiums – 375 West Napa Street

November 10, 2016

1. The condominium development shall be modified in conformance with the revised project narrative dated 11/10/16, approved site plan and building elevations, except as modified by these conditions and the following:
 - a. The entry gate and the turnaround proposed toward the front of the site off the driveway shall be eliminated.
 - b. The applicant shall provide the City with written verification that other utilities have no issues with siting the new carport structure at the proposed location in the existing Public Utility Easement (PUE).

Enforcement Responsibility: Planning Department, Building Department; Public Works Department
Timing: Prior to the issuance of any occupancy permit

2. An amended condominium plan shall be prepared in accordance with the Subdivision Map Act and filed at the office of the Sonoma County Recorder.

Enforcement Responsibility: Planning Department
Timing: Prior to issuance of building permits

3. The following public improvements shall be required as deemed necessary by the Public Works Division, City Engineer, Caltrans or other applicable department or agency.
 - a. Repair or reconstruction of any damaged or non-conforming portion of curb, gutter, sidewalk, along the West Napa Street/State Hwy 12 frontage of the property as required by the City Engineer and Caltrans.
 - b. Widening/modification of the existing driveway on West Napa Street to conform to City Standard Plan No. 111 (for Residential Driveway Approaches) to provide a driveway width (excluding flares) of 30-feet. If there are physical site limitations, the City Engineer has the discretion to allow a reduction in the standard driveway width to a minimum of 24 feet.
 - c. Address numbers shall be posted on each structure within the development. Individual address numbers, or an address range, shall be clearly posted on West Napa Street.

Enforcement Responsibility: City Engineer; Public Works Department; Fire Department; Caltrans
Timing: Prior to approval of the grading plan, building permit, or issuance of any occupancy permit, as applicable

4. The following plans and agreements for controlling stormwater runoff from the site shall be required:
 - a. An Erosion and Sediment Control Plan shall be submitted to the City Engineer for review and approval. The required plan shall be approved prior to the issuance of a building or grading permit. The Best Management Practices specified in the approved plan shall be implemented before and during any rainfall event. Grading shall not commence or recommence during the rainy season or the period of time beginning when rains begin or October 15, whichever comes first, and ending on the following April 15 or when rains cease, whichever occurs last, unless erosion and sediment control measures have been installed, implemented, and maintained on the site to the satisfaction of the public works director or his/her representative.
 - b. A Stormwater Control Plan (SCP) in conformance with the standards in Provision E.12 of the City of Sonoma's NPDES Permit for stormwater discharges shall be submitted to the City Engineer for review and approval. The plan shall be prepared in accordance with the guidance provided in the BASMAA Post-Construction Manual. The required plan shall be approved prior to the issuance of a building or grading permit.

Enforcement Responsibility: City Engineer; Stormwater Coordinator
Timing: Prior to issuance of a building or grading permit

5. All Building Department requirements shall be met, including compliance with CALGreen standards and the installation of automatic fire sprinkler systems within all of the residential buildings/units. Building permits shall be required.

Enforcement Responsibility: Building Department
Timing: Prior to construction

6. All Fire Department shall be satisfied, including any code modifications effective prior to the date of issuance of any building permit. In addition, the following shall be required:
 - a. All residential structures/units shall be protected by approved automatic fire sprinkler systems.
 - b. On-site parking shall be allowed only in designated parking places as shown on approved on the site plan. All other areas, including the driveway and drive aisle shall be posted clearly as a fire apparatus access road with approved signs or other approved notices or markings that include the words "NO PARKING-FIRE LANE".

Enforcement Responsibility: Fire Department; Building Department
Timing: Prior to the issuance of any building permit

7. An encroachment permit shall be required from the City of Sonoma for any work within the West Napa Street right of way. In addition, an encroachment permit from the Department of Transportation (Caltrans) shall be required for work within the Highway 12 (West Napa Street) right-of-way.

Enforcement Responsibility: Caltrans; City Engineer; Public Works Department
Timing: Prior to any work within the West Napa Street/Hwy 12 public right of way

8. The project shall be subject to architectural review by the Design Review & Historic Preservation Commission (DRHPC), encompassing elevation details, exterior colors and materials, and site details, including the carports, fences/walls, and bicycle racks/storage area.

Enforcement Responsibility: Planning Department; DRHPC
Timing: Prior to the issuance of any building permit

9. If significant alterations to site landscaping are proposed, a landscape plan prepared by a licensed landscape architect shall be required, subject to the review and approval of the Design Review & Historic Preservation Commission (DRHPC). The landscape plan shall comply with the City of Sonoma's Water Efficient Landscaping Ordinance, and Development Code Sections 19.40.100 (Screening and Buffering), 19.48.090 (Landscaping of Parking Facilities), and 19.40.060 (Landscape Standards). Street trees proposed along the West Napa Street frontage shall be consistent with the City's Tree Planting Program, including the District Tree List

Enforcement Responsibility: Planning Department; DRHPC
Timing: Prior to issuance of any occupancy permit

10. If new exterior lighting is proposed, a lighting plan shall be required, subject to the review and approval of the Design Review & Historic Preservation Commission (DRHPC). All proposed exterior lighting for the buildings and/or site shall be indicated on the lighting plan and specifications for light fixtures shall be included. The lighting shall conform to the standards and guidelines set forth in Section 19.40.030 of the Development Code (Exterior Lighting). No light or glare shall be directed toward, or allowed to spill onto any offsite areas. All exterior light fixtures shall be shielded to avoid glare onto neighboring properties, and shall be the minimum necessary for site safety and security. Light standards shall not exceed a maximum height of 15 feet.

Enforcement Responsibility: Planning Department; DRHPC
Timing: Prior to issuance of an occupancy permit

11. 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. Caltrans [For encroachment permits and frontage improvements on State Highway 12/West Napa Street]
 - b. Sonoma County PRMD Sanitation Division [For sewer connections and modifications and interceptor requirements]
 - c. Sonoma Valley Unified School District [For school impact fees]

Enforcement Responsibility: Building Department; Public Works Department City Engineer; Caltrans
Timing: Prior to the issuance of any grading/building permit

12. The applicant shall comply with all requirements of Sonoma County PRMD Engineering Division with respect to sanitary sewer requirements and facilities. A sewer clearance shall be provided to the City of Sonoma Building Division 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 PRMD Sanitation Division immediately to determine whether such fees apply.**

Enforcement Responsibility: Building Department;
Timing: Prior to the issuance of any building permit

13. Dust control measures, subject to approval by the Building Official and the City Engineer, shall be implemented during the construction of the project. All exposed soil areas shall be watered twice daily or as required by the City's construction inspector.

Enforcement Responsibility: Public Works; Building Department
Timing: Throughout construction

14. The applicant shall be required to pay for all inspections prior to the acceptance of public improvements, or within 30 days of receipt of invoice; all plan checking fees at the time of the plan checks; and any other fees charged by the City of Sonoma, Caltrans, the Sonoma County Water Agency or other affected agencies with reviewing authority over this project, except those fees from which any designated affordable units are specifically exempt from.

Enforcement Responsibility: Public Works Department; Building Department; Affected Agencies
Timing: Prior to the acceptance of public improvements, or plan check, or within 30 days of receipt of invoice, as specified above

Vicinity Map

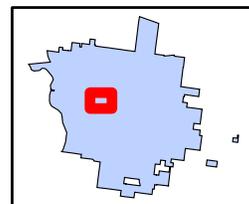


Zoning Designations

- R-HS Hillside Residential (1 D.U./10 acres, maximum)
- R-R Rural Residential (2 D.U./acre, maximum)
- R-L Low Density Residential (2-5 D.U./acre)
- R-S Sonoma Residential (3-8 D.U./acre)
- R-M Medium Density Residential (6-10 D.U./acre)
- R-H High Density (9-12 D.U./acre)
- R-O Housing Opportunity (15-20 D.U./acre)
- R-P Mobile Home Park (7 D.U./acre, maximum)
- MX Mixed Use (12 D.U./acre, maximum)
- C Commercial (15 D.U./acre, maximum)
- C-G Commercial-Gateway (15 D.U./acre, maximum)
- W Wine Production
- P Public Facility
- Pk Park
- A Agriculture

Project Summary

<i>Project Name:</i>	West Napa Condos Modifications
<i>Property Addresses:</i>	375 West Napa Street
<i>Applicant:</i>	Robert Baumann & Associates
<i>Property Owner:</i>	2880 Stevens Creek LLC
<i>General Plan Land Use:</i>	Mixed Use
<i>Zoning - Base:</i>	Mixed Use
<i>Zoning - Overlay:</i>	Historic
<i>Summary:</i>	Consideration of an application to modify an existing 8-unit condominium development.



1 inch = 200 feet



Robert Baumann + Associates
CA License # C28431

545 Third Street West, Sonoma, CA 95476
P - 707.996.7947 F - 707.996.7904
rb@robertbaumann.com

DATE: November 10, 2016
TO: City of Sonoma, Planning Department

RE: PROJECT NARRATIVE – Condominiums at 375 West Napa Street

Dear Planning Commission:

The proposed project is located at 375 W Napa Street in a mixed-use zone of the West Napa Street / Sonoma Highway Corridor. The proposed use is to remain a residential condominium community.

Currently there are eight (8) condominiums situated in four (4) duplexes all with some form of deferred maintenance. The project will include updating the current units and increasing the size functionality, energy efficiency and improved design and aesthetics.

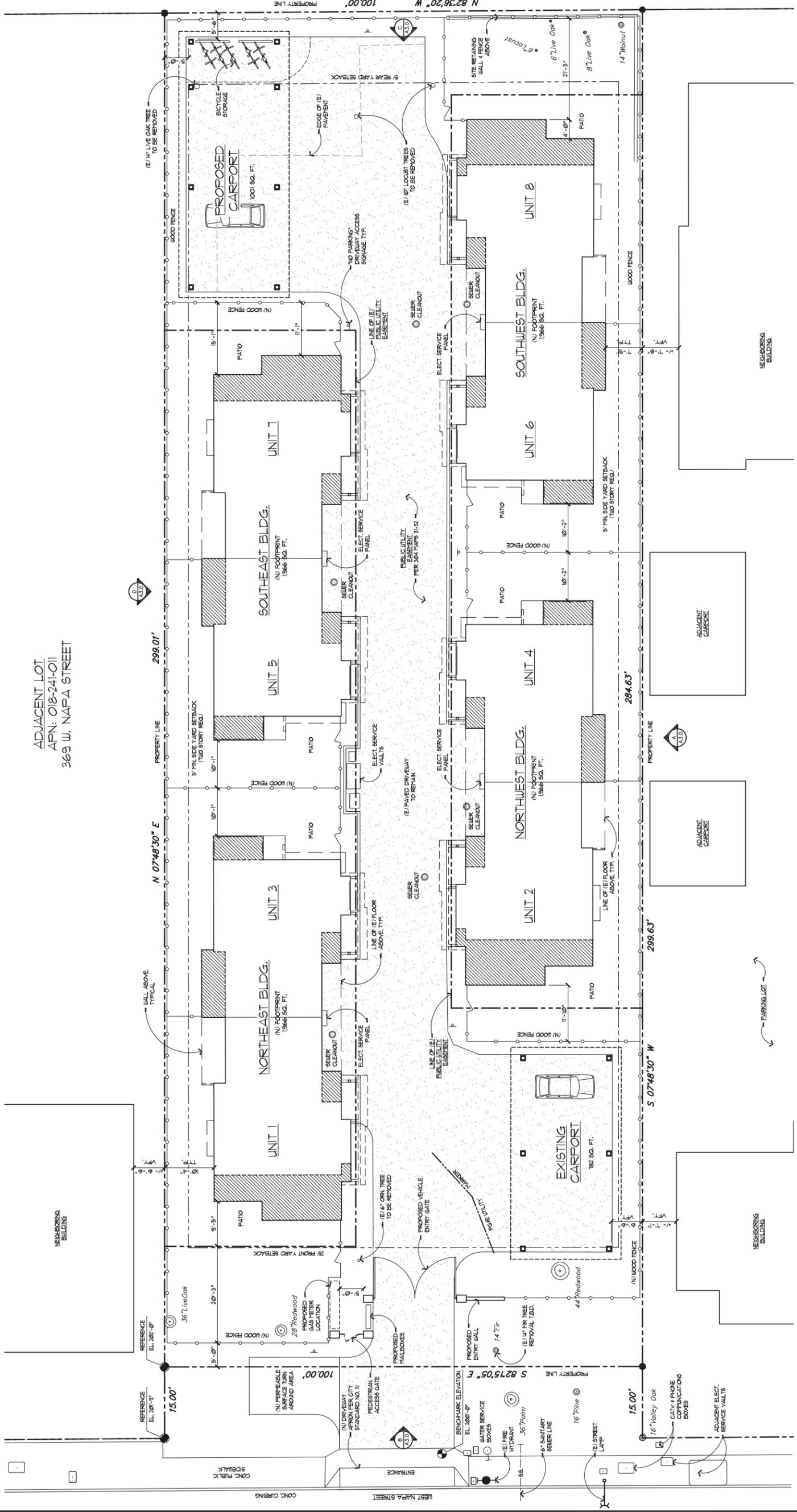
The existing property is .65 acres in size, or 28,431 square feet.
Allowable FAR = 70% of the lot area (19,902 sq. ft.); Proposed FAR = 15,144 (compliant).
Allowable coverage = 60% of the lot area (17,059 sq. ft.); Proposed coverage = 7,864 (compliant).
The project also complies with maximum height and all setbacks (shown on site plan).

Per discussions between the surveyor (Aaron Smith at adobe Associates) and the Public Works Director, Dan Takasugi, it was agreed that boundary between the previously approved condominium area and the Public Utility Easement is not changing. Therefore, a revision to the subdivision map is not required.

If you have any questions about the submitted application materials, or require additional information, please contact me at your earliest opportunity.

Thank you,

Robert Baumann + Associates



ADJACENT LOT
APN: 018-241-011
369 W. NAPA STREET

ADJACENT LOT
APN: 018-241-008
393 & 395 W. NAPA STREET

ZONING REQUIREMENTS SUMMARY

ZONING REQUIREMENTS:	PROPOSED:
LOT AREA *	0.69 ACRES / 29,431 SQ. FT.
MAX. F.A.R. (70) *	19,922 SQ. FT.
MAX. LOT COVER (60%) *	17,059 SQ. FT.
	15,144 SQ. FT. (OK)
	17,664 SQ. FT. (OK)



FLOOR AREA SUMMARY

TYPICAL EXISTING UNIT	9304 SQ. FT.	(E) 8 UNITS TOTAL
528 (MAIN) + 452 (UPPER) + 850 (GT) + 258 (GARAGE) + 1238 SQ. FT. TOTAL		
OUTSIDE UNITS 1, 2, 3, 4, 5, 6, 7, 8	13152 SQ. FT.	8 UNITS TOTAL
180 (MAIN) + 1067 (UPPER) + 1241 (GT) + 253 (GARAGE) + 2100 SQ. FT. TOTAL		
INSIDE UNITS 3, 4, 5, 6, 7, 8	15144 SQ. FT.	(W) GARAGE
688 (MAIN) + 753 (UPPER) + 1411 (GT) + 245 (GARAGE) + 1686 SQ. FT. TOTAL		
*AREA COUNT INCLUDES STAIR AREAS, ONCE ONLY.		

SITE LEGEND

PROPERTY LINE	EXISTING STRUCTURE
SETBACK LINE	EDGE OF HARDSCAPE
DEMO SITE FEATURE	
EXIST. ONE FOOT CONTOUR	"NO PARKING" VEHICLE SIGNAGE
EXIST. FIVE FOOT CONTOUR	AREA OF PROPOSED ADDITION
NEW CONTOUR	AREA OF EXISTING FOOTPRINT
PROPOSED DRAINAGE LINE	
EXIST. TREE	



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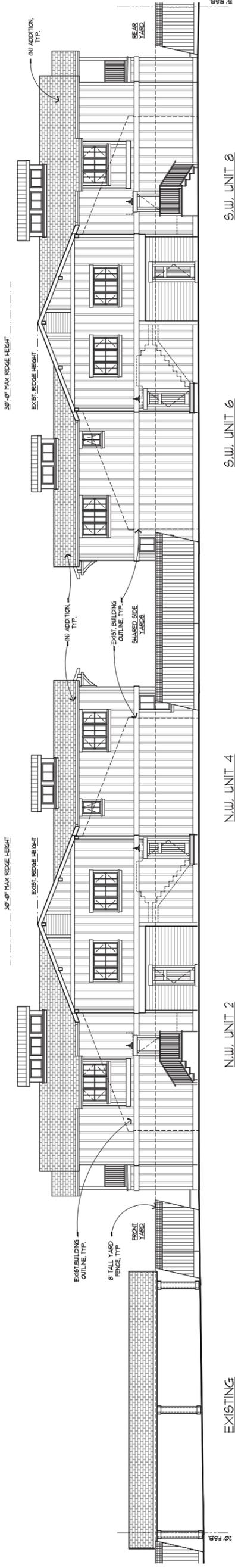
WEST NAPA CONDOS
(APNs: 018-640-001 THRU 008)

ISSUE DATE: 10/14/16

REVISIONS
10/14/16 PLANNING APP.
11/03/16 PLANNING APP.

PROPOSED
DESIGN
DESIGN
DEVELOPMENT
SITE
ELEVATIONS

A30



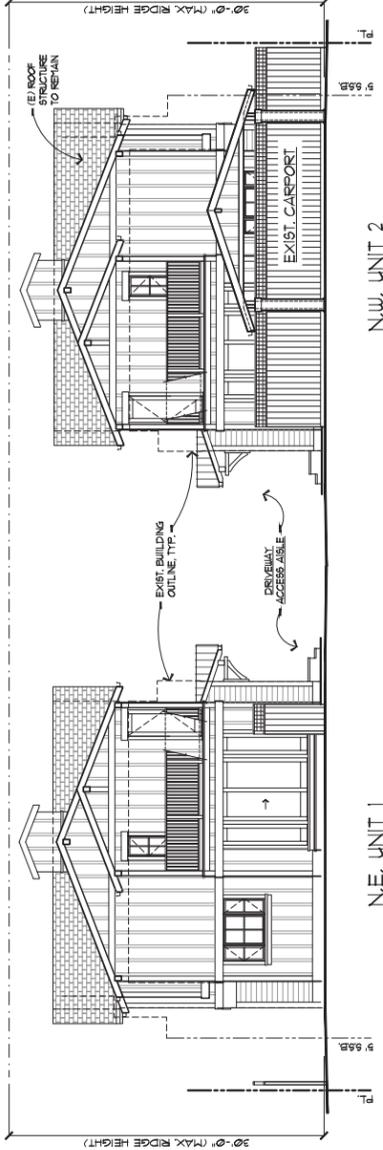
S.W. UNIT 6

S.W. UNIT 4

N.W. UNIT 2

N.W. UNIT 4

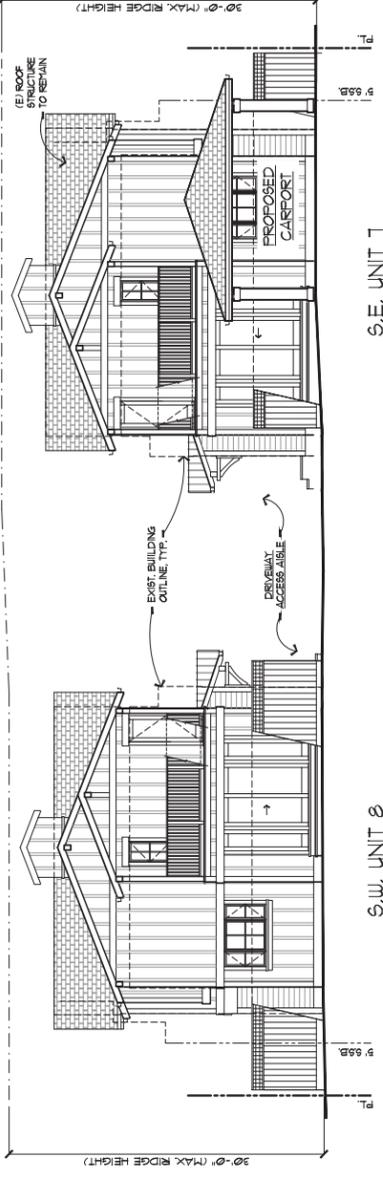
D WEST ELEVATION - SIDE
SCALE: 1/8" = 1'-0"



N.W. UNIT 2

N.E. UNIT 1

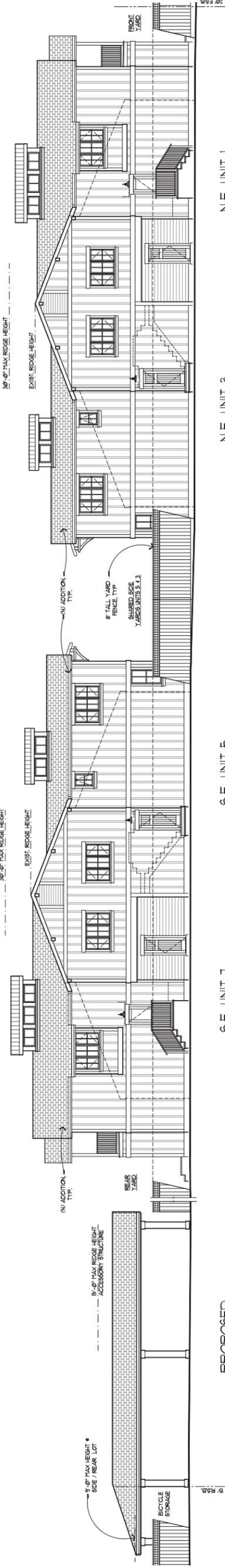
B NORTH ELEVATION - FRONT
SCALE: 1/8" = 1'-0"



S.E. UNIT 1

S.W. UNIT 2

C SOUTH ELEVATION - REAR
SCALE: 1/8" = 1'-0"



N.E. UNIT 1

N.E. UNIT 3

S.E. UNIT 5

S.E. UNIT 1

A EAST ELEVATION - SIDE
SCALE: 1/8" = 1'-0"

PROPOSED
CARPORT



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WEST NAPA CONDOS
 (APNs: 018-640-001 THRU 008)
 315 WEST NAPA STREET SONOMA, CA 95476

ISSUE DATE: 10/14/16

REVISIONS

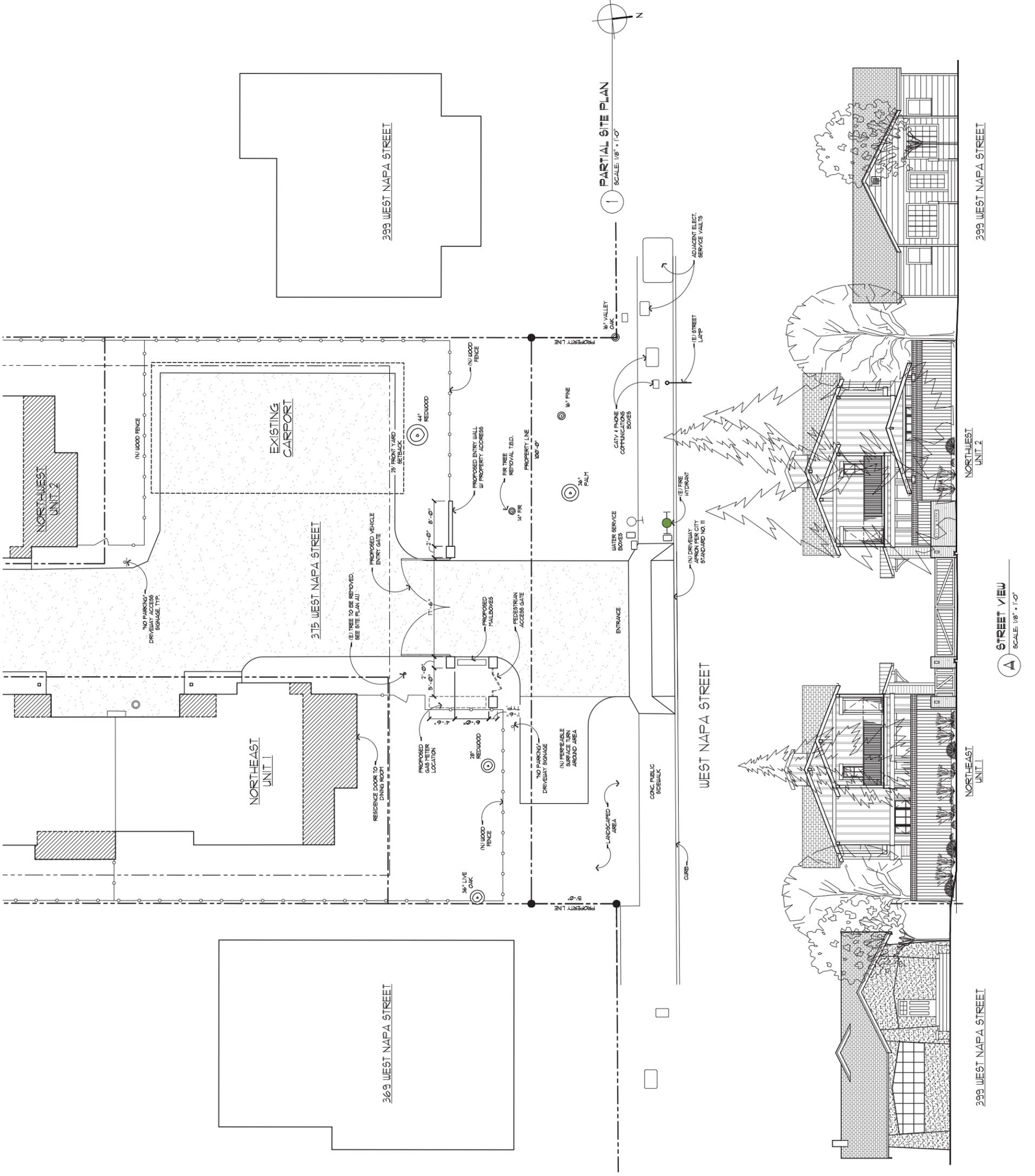
10/14/16 PLANNING APP.
 11/03/16 PLANNING APP.

PROPOSED
 DESIGN

DESIGN
 DEVELOPMENT

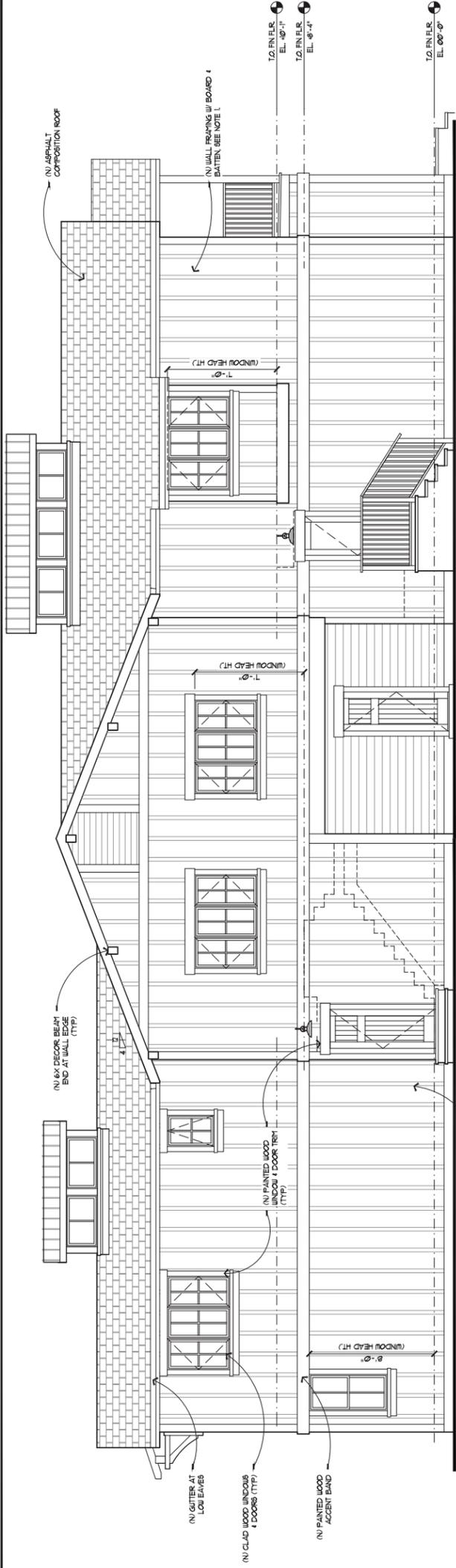
SITE
 ELEVATIONS

A3.1

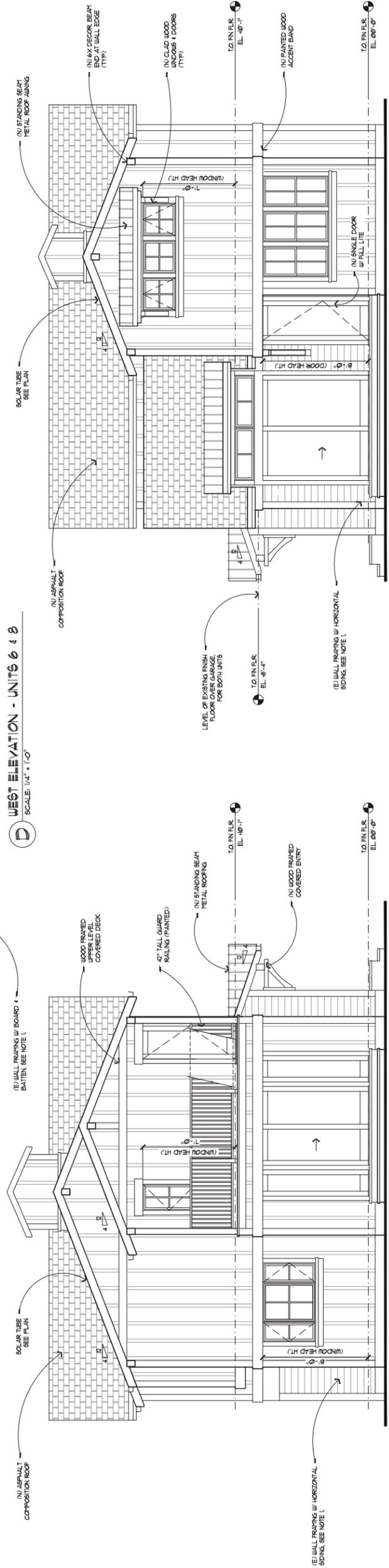


EXTERIOR ELEVATION NOTES

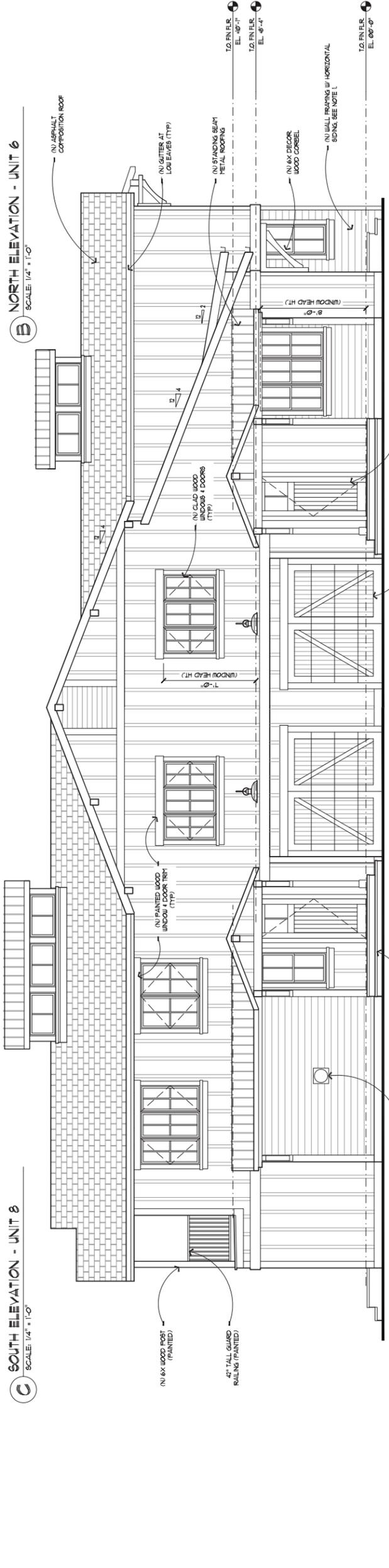
- FOR EXTERIOR SIDING REPLACEMENT:
 A. (N) WALLS W/ NEW BOARD & BATTEN.
 B. OPTION TO KEEP (E) SIDING & COVER WITH LEATHER PROOF MEMBRANE.
 C. (N) RE-SAWN FL. WOOD & BATTENS.
 A. (N) WALLS W/ NEW BOARD & BATTEN.
 B. (N) RE-SAWN FL. WOOD & BATTENS.
 A. (N) LEATHER PROOF MEMBRANE.
 B. (N) WALLS W/ NEW HORIZONTAL SIDING.
 C. KEEP (E) SIDING & COVER WITH LEATHER PROOF MEMBRANE.
 A. (N) HORIZONTAL SIDING OVER
 B. (N) HORIZONTAL SIDING OVER
 A. (N) WALLS W/ NEW HORIZONTAL SIDING.
 B. (N) SHEATHING & LEATHER PROOF MEMBRANE.
 C. (N) HORIZONTAL SIDING OVER
- FOR PROPOSED COLORS & MATERIALS, SEE MATERIAL SAMPLE SHEETS



D WEST ELEVATION - UNITS 6 & 8
SCALE: 1/4" = 1'-0"



C SOUTH ELEVATION - UNIT 6
SCALE: 1/4" = 1'-0"



B NORTH ELEVATION - UNIT 6
SCALE: 1/4" = 1'-0"



A EAST ELEVATION - UNITS 8 & 6
SCALE: 1/4" = 1'-0"

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 (APN'S: 018-640-001 THRU 008)

ISSUE DATE: 10/14/16

REVISIONS
10/14/16 PLANNING APP.

PROPOSED DESIGN

DESIGN DEVELOPMENT

EXTERIOR ELEVATIONS

SW3.1



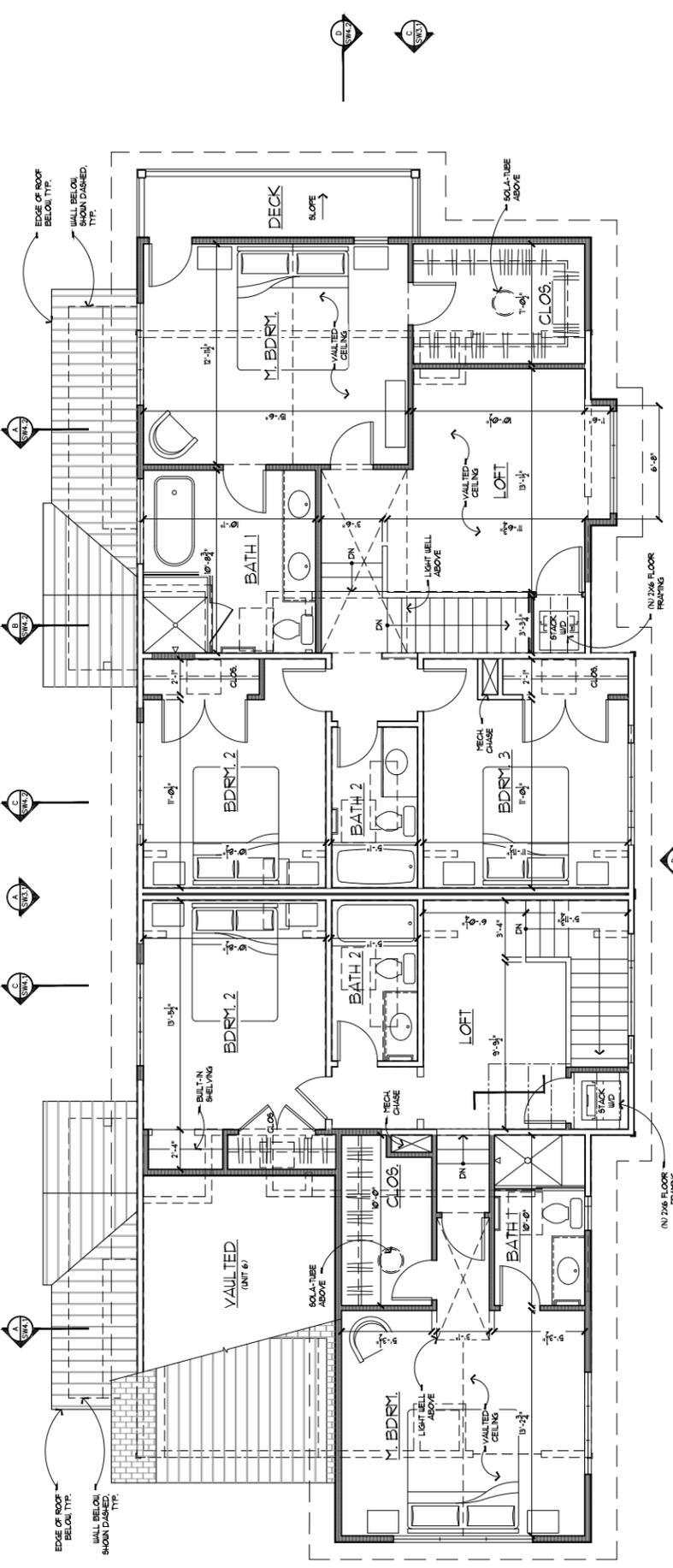
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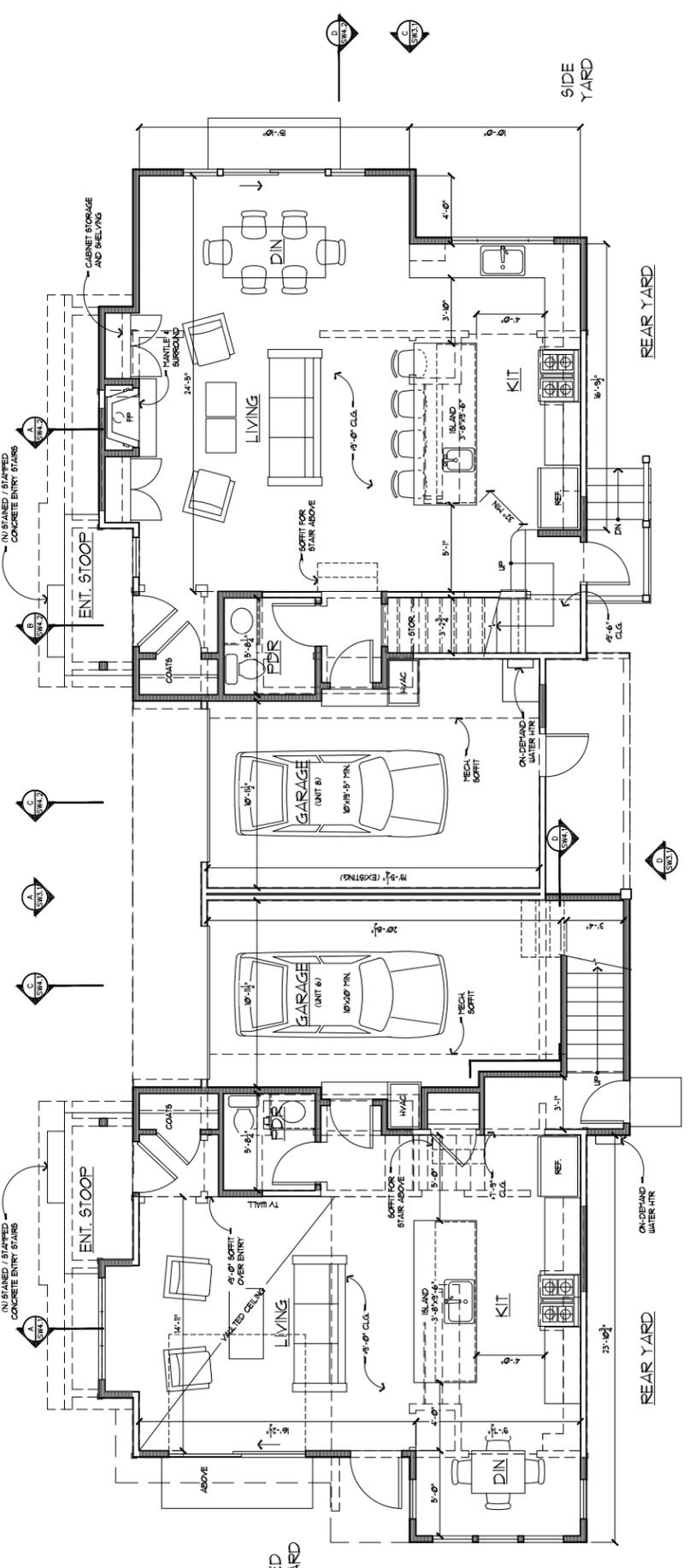
ISSUE DATE: 10/25/16
REVISIONS
10/25/16 PLANNING A/P/E

PROPOSED DESIGN
DESIGN DEVELOPMENT
FLOOR PLANS

SW2.0



2 UPPER LEVEL - UNITS 6 & 8
SCALE: 1/4" = 1'-0"



1 MAIN LEVEL - UNITS 6 & 8
SCALE: 1/4" = 1'-0"

PLAN LEGEND	
	EXISTING WALL TO REMAIN
	NEW WALL
	EXISTING WALL TO BE REMOVED
	EXISTING OR NEW CONSTRUCTION
	BUILDING ELEVATION LETTER
	BUILDING SECTION LETTER
	SHEET NUMBER
	WALL SECTION LETTER
	SHEET NUMBER
	ROOM NAME
	GREAT ROOM
	ROOT

FLOOR AREA SUMMARY

UNIT 6	780 (MAIN) + 1061 (UPPER) = 1841 (TOTAL) (EXCL. GARAGE)
UNIT 8	648 (MAIN) + 793 (UPPER) = 1441 (TOTAL) (EXCL. GARAGE)
*SHELF COUNT INCLUDES STAIR WELLS ONCE ONLY.	



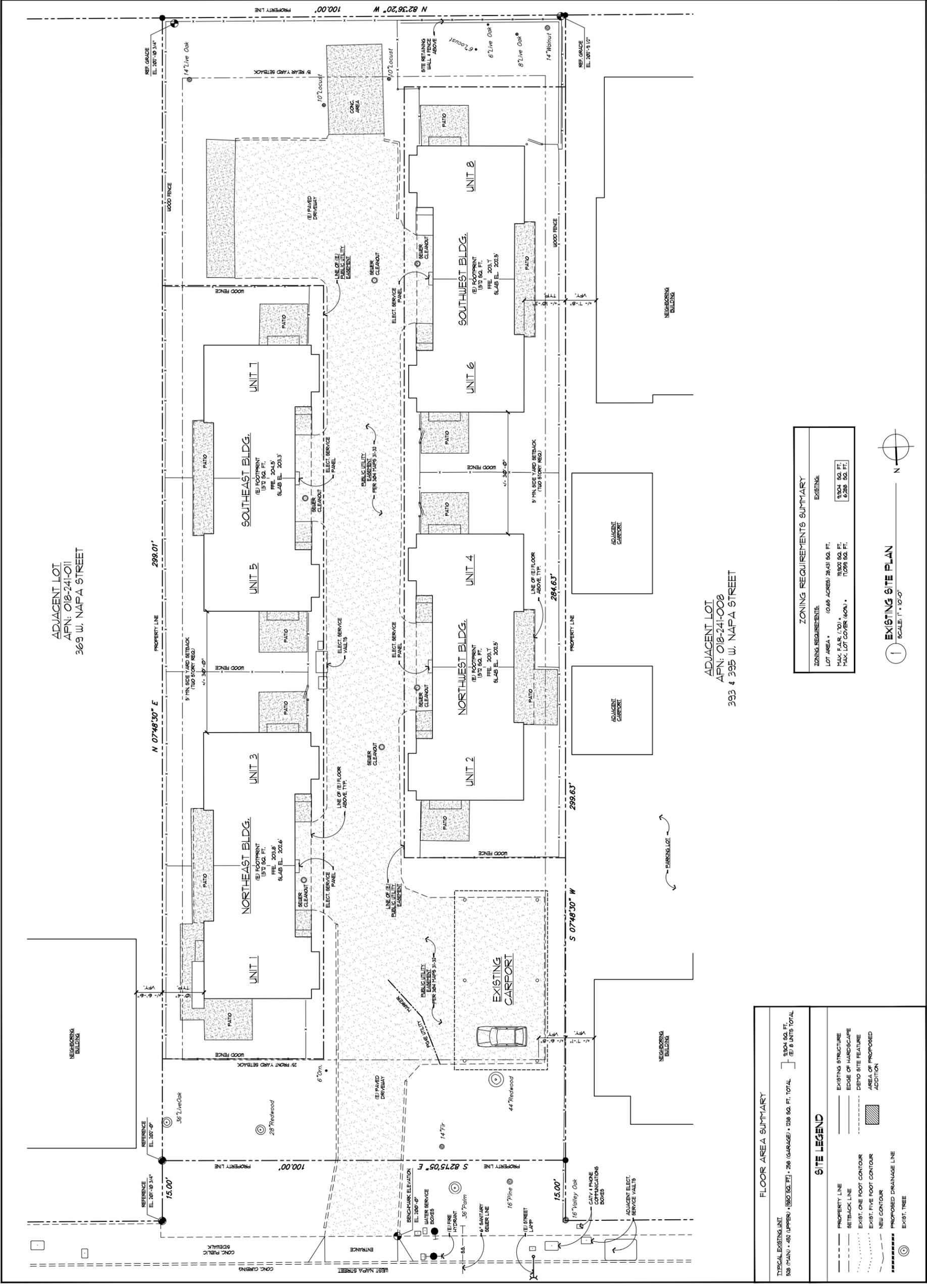
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375 WEST NAPA STREET SONOMA, CA 95476

ISSUE DATE: 10/14/16

REVISIONS
10/25/16 PLANNING APP.

EXISTING CONDITIONS
DESIGN DEVELOPMENT
EXISTING SITE PLAN



ADJACENT LOT
APN: 018-241-011
369 W. NAPA STREET

ADJACENT LOT
APN: 018-241-008
393 & 395 W. NAPA STREET

ZONING REQUIREMENTS SUMMARY

ZONING REQUIREMENTS	EXISTING
LOT AREA	10.66 ACRES/ 29,431 SQ. FT.
MAX. F.A.R. (%)	19,902 SQ. FT.
MAX. LOT COVER (%)	11,098 SQ. FT.
	9,504 SQ. FT.
	6,288 SQ. FT.



EXISTING SITE PLAN
SCALE: 1" = 10'-0"

FLOOR AREA SUMMARY

TYPICAL EXISTING UNIT	592 (MAIN) + 487 (UPPER) + 860 (GT) + 256 (GARAGE) = 1,295 SQ. FT. TOTAL	9,504 SQ. FT.
(E) 8 UNITS TOTAL		76,032 SQ. FT.

SITE LEGEND

---	EXISTING STRUCTURE
---	EDGE OF HARDSCAPE
---	DEPO SITE FEATURE
---	EXIST. ONE FOOT CONTOUR
---	EXIST. FIVE FOOT CONTOUR
---	NEW CONTOUR
---	PROPOSED DRAINAGE LINE
⊙	EXIST. TREE

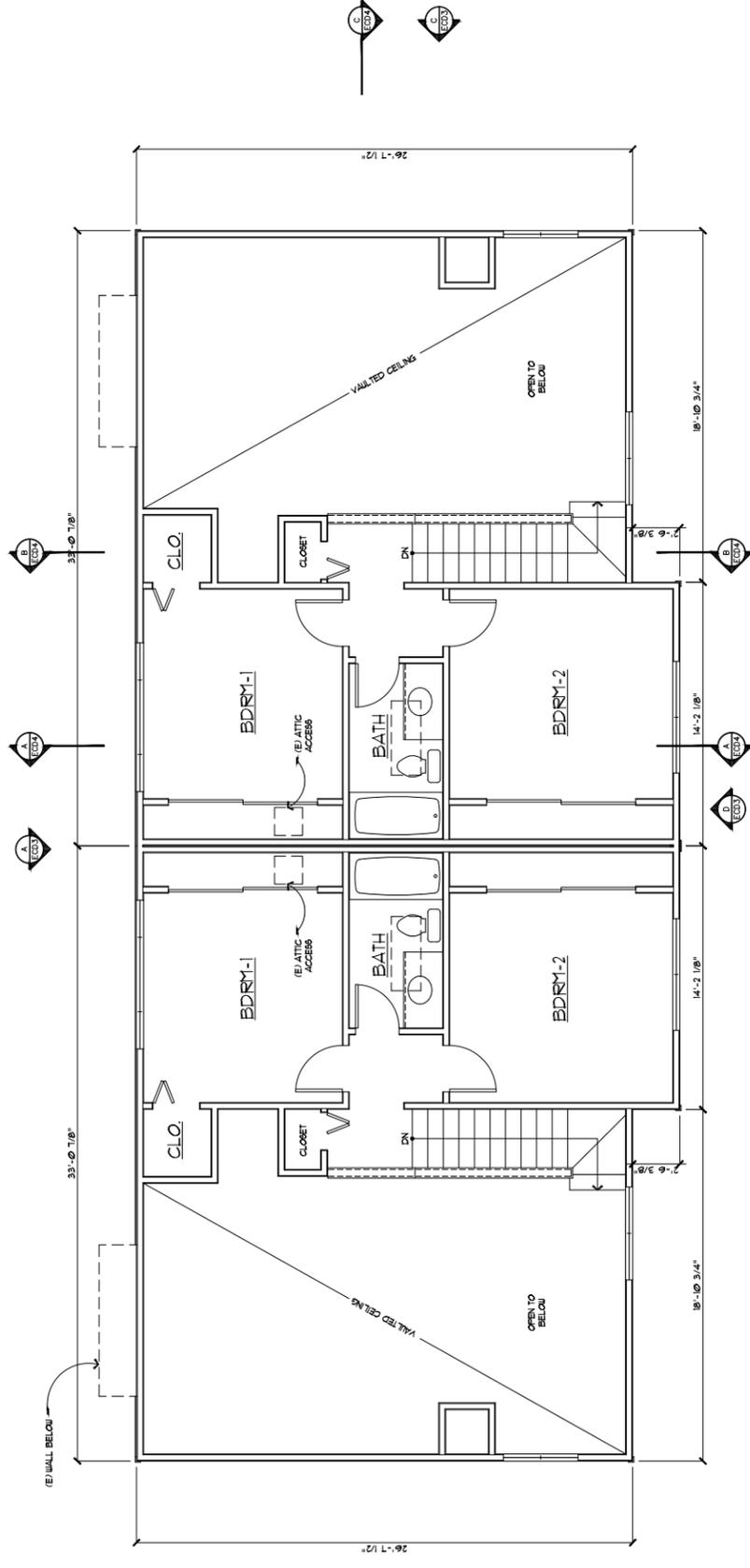


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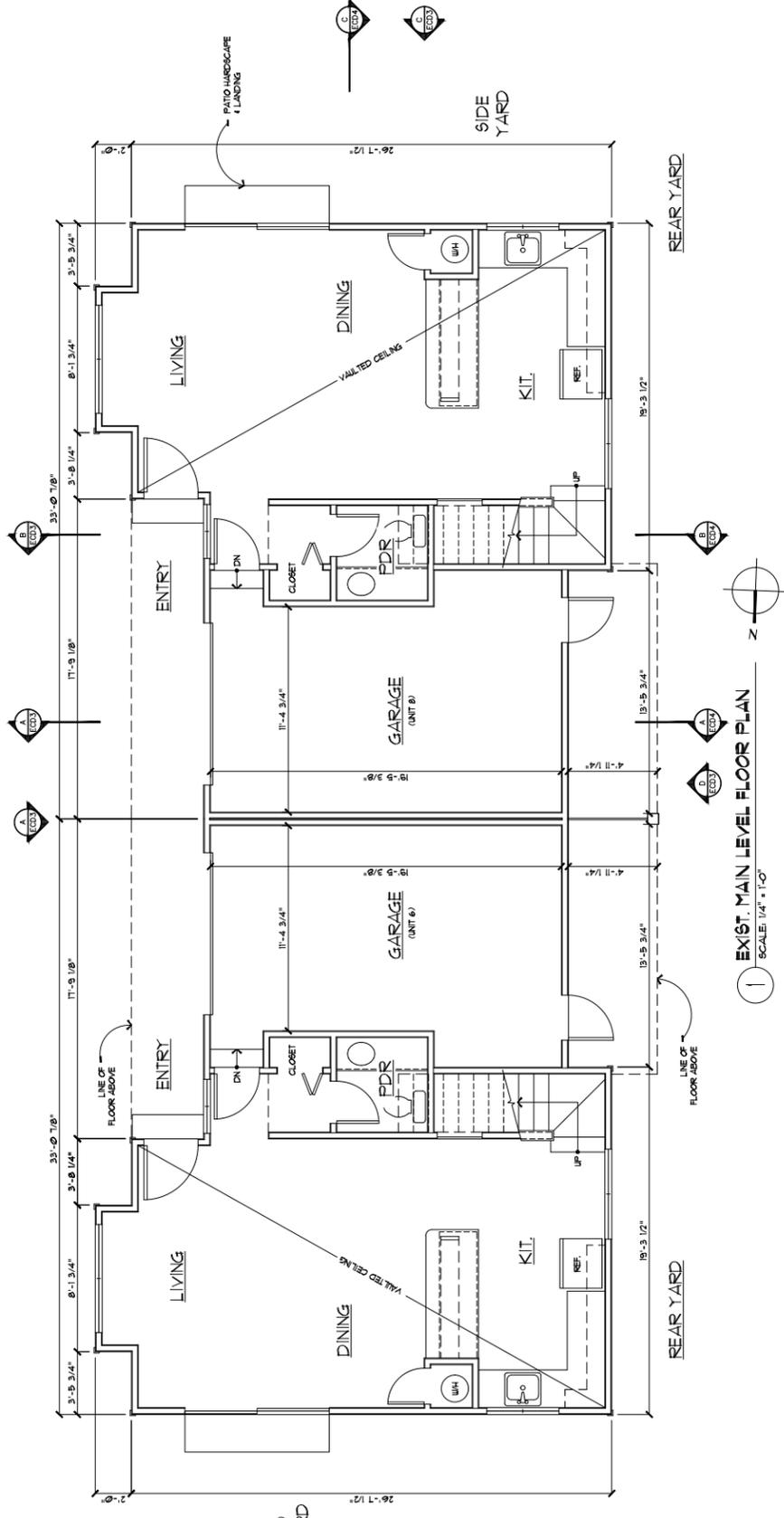
WEST NAPA CONDOS
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 (APNs: 018-640-001 THRU 008)

ISSUE DATE: 10/14/16
 REVISIONS
 10/25/16 PLANNING APE

EXISTING
 CONDITIONS
 DESIGN
 DEVELOPMENT
 FLOOR PLANS



2 EXIST UPPER LEVEL FLOOR PLAN
 SCALE: 1/4" = 1'-0"



1 EXIST MAIN LEVEL FLOOR PLAN
 SCALE: 1/4" = 1'-0"

PLAN LEGEND	
	EXISTING WALL TO REMAIN
	NEW WALL
	EXISTING WALL TO BE REMOVED
	EXISTING OR NEW CONSTRUCTION
	(E) OR (N)
	BUILDING ELEVATION LETTER - SHEET NUMBER
	BUILDING SECTION LETTER - SHEET NUMBER
	WALL SECTION LETTER - SHEET NUMBER
	GREAT ROOM
	ROOM NAME

FLOOR AREA SUMMARY	
TYPICAL EXISTING UNIT	528 (MAIN) + 457 (UPPER) = 985 SQ. FT.
980 SQ. FT. + 258 (GARAGE) = 1238 SQ. FT. TOTAL	

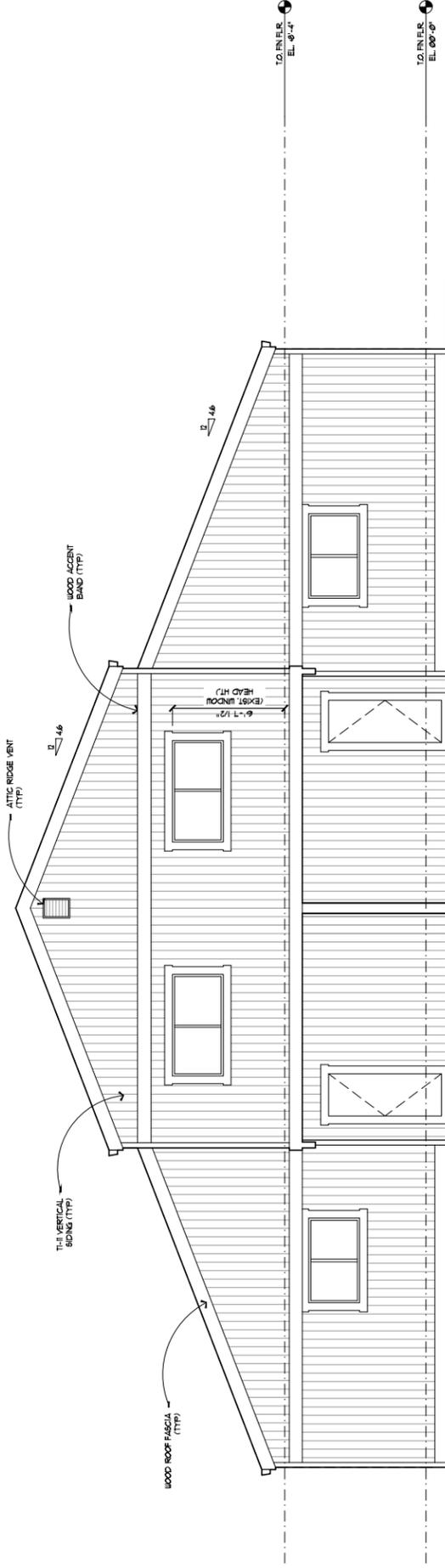


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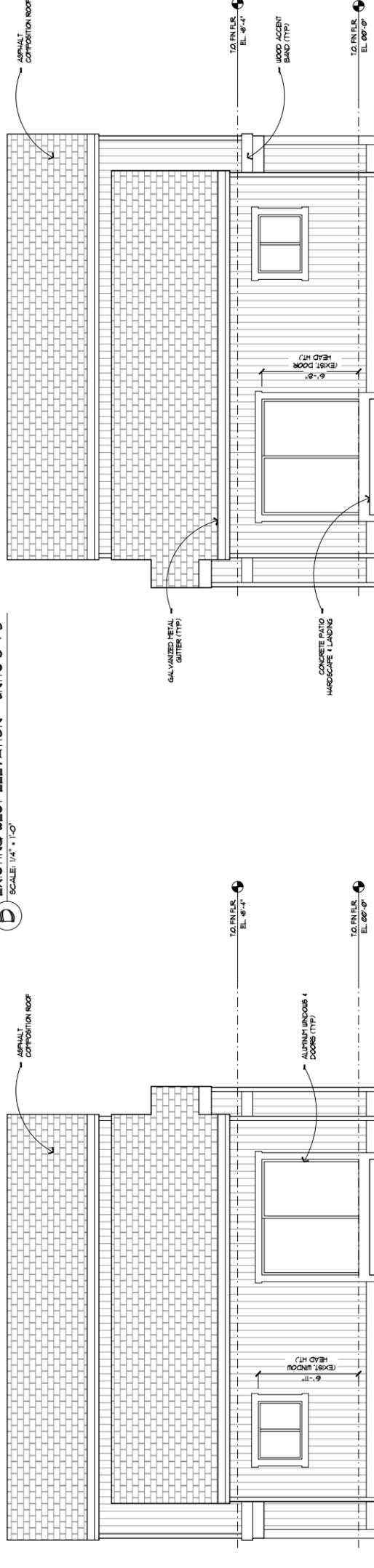
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ISSUE DATE: 10/14/16
 REVISIONS
 10/25/16 PLANNING A/P/E

EXISTING
 CONDITIONS
 DESIGN
 DEVELOPMENT
 EXTERIOR
 ELEVATIONS

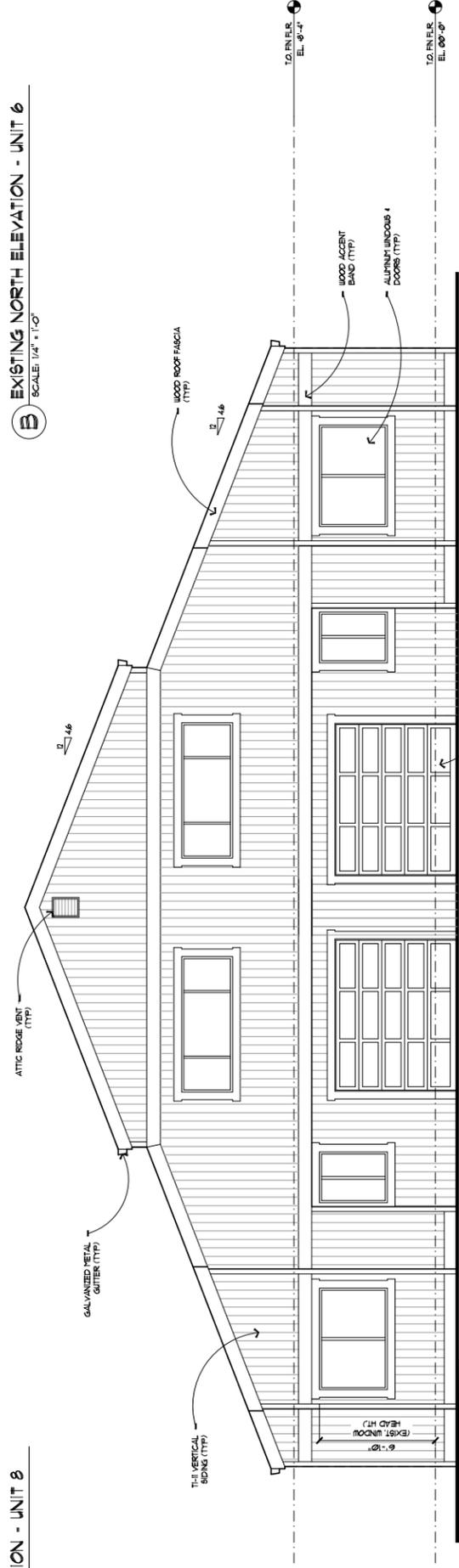


D EXISTING WEST ELEVATION - UNITS 6 & 8
 SCALE: 1/4" = 1'-0"



B EXISTING NORTH ELEVATION - UNIT 6
 SCALE: 1/4" = 1'-0"

C EXISTING SOUTH ELEVATION - UNIT 8
 SCALE: 1/4" = 1'-0"



A EXISTING EAST ELEVATION - UNITS 6 & 8
 SCALE: 1/4" = 1'-0"

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City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 6B

Meeting Date: 12/12/16

Department

Planning and Community Services

Staff Contact

David Goodison, Planning Director

Agenda Item Title

1. Consider and possibly adopt an extension of an interim urgency ordinance imposing a moratorium on the outdoor cultivation of nonmedical marijuana, approving the issuance of a Gov't Code sec. 65858(d) report and making findings that said adoption is exempt under CEQA pursuant to CEQA Guidelines Section 15061, among other provisions.
2. Consider and possibly adopt an extension of an interim urgency ordinance imposing a moratorium on the indoor cultivation of nonmedical marijuana, except under certain circumstances, , approving the issuance of a Gov't Code sec. 65858(d) report and making findings that the adoption of said ordinance is exempt under CEQA pursuant to CEQA Guidelines Section 15061, among other provisions.
3. Provide feedback and direction to staff regarding the proposed process for developing permanent regulations on the cultivation of nonmedical marijuana and related issues.

Summary

Under State law, an interim moratorium ordinance may be adopted based on anticipated changes in development policies arising from ongoing or anticipated planning studies, such as a zoning ordinance amendment. At its meeting of November 7, 2016, the City Council voted 4-1 (Councilmember Hundley dissenting) to adopt two interim moratorium ordinances addressing the following: 1) Placing restriction on the indoor cultivation of nonmedical marijuana; and 2) prohibiting the outdoor cultivation of nonmedical marijuana. Upon adoption, the ordinances went into effect immediately, but their initial term is limited to 45 days, after which they will expire unless extended by a vote of the City Council within that period. Under state law, the ordinance may be extended twice: first for an additional period of ten months and 15 days and, then, for one year, for a total of two years. To adopt the extensions, a four-fifths vote of the City Council is required. In addition, as noted in the attached ordinances, the governing body must issue and adopt a report outlining the measures taken to address the conditions that led to the adoption of the interim moratorium ordinance. This report is provided as the Supplemental Report to this agenda item (attached).

Recommended Council Action

1. Adopt the attached ordinance extending the interim moratorium on the outdoor cultivation of nonmedical marijuana.
2. Adopt the attached ordinance extending the interim moratorium on the indoor cultivation of nonmedical marijuana, except under certain circumstances.
3. Provide feedback and direction to staff regarding the proposed process for developing permanent regulations on the cultivation of nonmedical marijuana and related issues.

Alternative Actions

Decline to extend either or both of the interim moratorium ordinances.

Financial Impact

The adoption of these ordinances will not, in and of themselves, create any financial impacts for the City. The enforcement of these ordinances or future permanent regulations that may be adopted may cause the City to incur costs, the amount of which are not yet determinable.

Environmental Review

Environmental Impact Report

Status

Approved/Certified

- Negative Declaration
- Exempt
- Not Applicable

- No Action Required
- Action Requested

Alignment with Council Goals

The development of local regulations on the cultivation of marijuana is responsive to the City Council’s “Policy and Leadership” goal, which includes calls upon the City to: *“respond to County, State and Federal legislative issues with a focus on retaining local control.”*

Compliance with Climate Action 2020 Target Goals:

N.A.

Attachments:

1. Supplemental Report
2. Ordinance extending an interim urgency moratorium on the outdoor cultivation of nonmedical marijuana, etc.
3. Ordinance extending an interim urgency moratorium on the indoor cultivation of nonmedical marijuana, except under certain circumstances, etc.
4. League of California Cities Q&A

cc:

SUPPLEMENTAL REPORT

Consider and possibly adopt an extension of interim urgency ordinances: 1) imposing a moratorium on the outdoor cultivation of nonmedical marijuana, and 2) imposing a moratorium on the indoor cultivation of nonmedical marijuana, except under certain circumstances. Provide feedback and direction to staff regarding the proposed process for developing permanent regulations on the cultivation of nonmedical marijuana and related issues.

For the City Council Meeting of December 12, 2016

Background

On November 8, 2016, Proposition 64 was adopted by California voters. The passage of Proposition 64 results in a number of implications for local governments, including:

- Legalizes the nonmedical use of marijuana by persons 21 years of age and older;
- Legalizes the **indoor** personal cultivation of up to six marijuana plants per residence, subject to reasonable restrictions that may be imposed by local governments. However, a local government may not impose a ban on indoor cultivation.
- Legalizes the **outdoor** personal cultivation of up to six marijuana plants per residence, subject to reasonable restrictions that may be imposed by local governments. In contrast to the provisions concerning indoor cultivation, a local government may choose to completely ban outdoor cultivation.
- Establishes a timetable for the commercial cultivation, production, marketing, delivery, sale and possession of nonmedical marijuana, subject to a State licensing process, anticipated to become effective in early 2018.

Proposition 64 authorizes local jurisdictions to adopt reasonable rules and regulation pertaining to such personal cultivation, indoor and outdoor. However, to amend the City's Development Code to promulgate such rules, the necessary time to do so would result in such rules taking effect several months after the passage of the Proposition, during which time such activities could commence without complying with requirements assuring the protection of the community's health, safety and welfare. In light of these circumstances, at its meeting of November 7, 2016, the City Council voted 4-1 (Councilmember Hundley dissenting) to adopt two interim moratorium ordinances addressing the following: 1) placing restrictions on the indoor cultivation of nonmedical marijuana; and 2) prohibiting the outdoor cultivation of nonmedical marijuana.

Adoption of Extensions

Upon adoption, the urgency ordinances went into effect immediately, but their initial term is limited to 45 days, after which they will expire unless extended by a vote of the City Council within that period. Under state law, the ordinances may each be extended twice: first for an additional period of ten months and 15 days and, then, for one year, for a total of two years. To adopt the extensions, a four-fifths vote of the City Council is required. Because the City is still in the process of developing permanent regulations on the indoor and outdoor cultivation of

nonmedical marijuana, the City Attorney has prepared extensions to the two ordinances for the City Council's consideration.

At least 10 days before these ordinances expire, the City Council is to approve and issue a report ("10-day Report") identifying the steps taken to alleviate the conditions that led to the adoption of the ordinances. This Supplemental Report constitutes that 10-day Report. And it is this 10-day Report the approval and issuance of which is provided in the attached ordinances.

Process for Developing Permanent Regulations

Developing, adopting, and implementing permanent regulations on the cultivation of nonmedical marijuana will require amending the Municipal Code, including, most likely, the Development Code, which establishes the City's zoning regulations. In considering what allowances to establish and under what rules also requires consideration of how any such rules will be enforced. The review of cultivation rules also raises the potential to revisit the current prohibitions of medical marijuana dispensaries and delivery services within city limits. In addition, it would be desirable to coordinate the City's rulemaking with that of the County and the state. That said, staff recognizes that the City Council wishes to address these issues expeditiously and in a manner that provides opportunities for community involvement. However, all of these tasks take time: much more time than that allotted during the life of the moratoria ordinances adopted by the Council on November 7, 2016. Moving forward, staff has begun the process of digesting Proposition 64 and the earlier enacted Medical Marijuana Regulation and Safety Act ("MMRSA") and their implications for the City. These are complicated pieces of legislation that create, out of whole cloth, brand new state regulatory agencies, a number of which have yet to hire full complements of staff. City staff has been in consultation with the City Attorney's office to gain a better understanding of the requirements of these laws and how the City can retain local control over the businesses and activities that these laws allow. Clearly, further and significant work needs to be done.

To accomplish these goals, staff suggests that the City Council establish a working group, led by the Mayor, to develop a draft ordinance addressing, at a minimum, the following:

Required Ordinance Elements

1. Any potential revisions to the rules governing indoor cultivation. For example, Councilmember Hundley has suggested that it is not necessary or desirable to require tenants to provide proof of property owner consent.
2. Potential allowances for personal outdoor cultivation, such as when confined within a greenhouse, or continuance of a complete ban.
3. Permitting and enforcement provisions.

Optional Ordinance Elements, at the Council's Discretion

1. Consideration of allowances and regulations addressing medical marijuana dispensaries. (Note: the Police continues to oppose any such allowance.)
2. Consideration of allowances and regulations addressing medical marijuana deliveries.

Optional Advisory Issues, at the Council's Discretion

1. Potential allowances for commercial storefront sale of nonmedical marijuana or a complete ban.
2. Potential allowances for commercial outdoor cultivation of nonmedical marijuana or a complete ban.

Staff suggests that the membership of the working group include the Police Chief, the Planning Director, the City Attorney and the Code Enforcement Officer, and the Building Official, as well as one or more citizen members appointed by the Council. Consideration should also be given to including a second Councilmember, schedules permitting. To allow for additional opportunities for public input, the working group would hold at a minimum of two community workshops or forums. Any such working group would be subject to the Brown Act. Moreover, creation of and appointments to such a group are not on the agenda for the December 12, 2016, Council meeting. Rather, this approach is made as a suggestion as to how best to proceed to address the issues implicated by Proposition 64 and the MMRSA.

Alternatively, the City Council may wish to assume the task of addressing these issues and conducting the public outreach necessary to develop a comprehensive body of regulations encompassing both medical and nonmedical marijuana use, cultivation and commercial activities. In terms of timing, the objective would be to develop a draft ordinance, along with any other related recommendations, for Council consideration no later than July, 2017.

Recommendation

Staff recommends that the City Council take the following actions:

1. Adopt the attached ordinance extending the moratorium on the outdoor cultivation of nonmedical marijuana, approving this 10-day Report's issuance and making findings that the ordinance is exempt under CEQA.
2. Adopt the attached ordinance extending the moratorium on the indoor cultivation of nonmedical marijuana, except under certain circumstances, approving this 10-day Report's issuance and making findings that the ordinance is exempt under CEQA.
3. Provide feedback and direction to staff regarding the proposed process for developing permanent regulations on the cultivation of nonmedical marijuana and related issues.

ORDINANCE NO. _____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SONOMA EXTENDING A TEMPORARY MORATORIUM
ON THE OUTDOOR CULTIVATION OF NONMEDICAL MARIJUANA**

WHEREAS, in 1996 the voters of California approved Proposition 215, codified as California Health and Safety Code Section 11362.5 and entitled “The Compassionate Use Act of 1996;” and

WHEREAS, the intent of Proposition 215 was to enable persons who are in need of medical marijuana for specified medical purposes to obtain medical marijuana, and use it under limited, specified circumstances without fear of criminal prosecution under State law; and

WHEREAS, in 2003, the State Legislature enacted SB 420, codified as California Health and Safety Code Section 11362.7 et seq. and entitled the “Medical Marijuana Program Act” (“MMPA”) to clarify the scope of The Compassionate Use Act of 1996; and

WHEREAS, effective January 1, 2016, the Medical Marijuana Regulation and Safety Act (“MMRSA”) became effective under which an extensive state regulatory scheme was established providing for the monitoring, inspecting and licensing of commercial medical marijuana businesses. The MMRSA created a dual-licensing system under which medical marijuana businesses have to obtain both state and local licenses in order to conduct such businesses. However, the MMRSA explicitly acknowledged that cities and counties retain the right to not only regulate such activities, but to ban them entirely. The MMRSA also acknowledged that permissive zoning schemes can implicitly prohibit such activities, including the indoor and outdoor cultivation of medical marijuana when those zoning regulations do not expressly list such activities as permitted or conditionally permitted uses; and

WHEREAS, on December 21, 2015, the City Council adopted Resolution No. 47-2015 which confirmed that the City’s Development Code prohibited and prohibits the delivery of medical marijuana, other commercial medical marijuana activities and the cultivation of medical marijuana; and

WHEREAS, on November 8, 2016, the voters adopted the Control, Regulate and Tax Adult Use of Marijuana Act (“Proposition 64”). Proposition 64 legalizes the recreational use of marijuana in California for individuals 21 years of age and older; and

WHEREAS, Proposition 64 also authorizes the personal cultivation of up to six marijuana plants within a private residence or upon the “grounds” of that private residence for nonmedical purposes; and

WHEREAS, pursuant to Proposition 64, the City may completely prohibit outdoor nonmedical marijuana cultivation for personal use until such time as the California Attorney General determines that the nonmedical use of marijuana is lawful in California under federal law, at which time any ban on the outdoor cultivation of nonmedical marijuana would be nullified. The California Attorney General has not made a determination that nonmedical use of marijuana is lawful in California under Federal law; and

WHEREAS, in anticipation of Proposition 64 passing, the City Council, by a 4/5ths vote, on November 7, 2016, adopted an urgency ordinance (Ordinance No. 09-2016) imposing a temporary moratorium on the outdoor cultivation of nonmedical marijuana for personal use, which said ordinance was to become effective only if Proposition 64 passed. Proposition 64 passed, thus triggering the efficacy of said Ordinance No. 09-2016; and

WHEREAS, Article XI, Section 7 of the California Constitution provides that a city may make and enforce within its limits all local police, sanitary and other ordinances and regulations not in conflict with general laws; and

WHEREAS, given Proposition 64's passage, it is more likely than not that the number of individuals who will desire to and will cultivate nonmedical marijuana for personal use will be significant. It is further more likely than not that substantial numbers of persons interested in cultivating nonmedical marijuana will commence doing so immediately after or soon after Proposition 64 passed, unless and until local regulations and/or prohibitions (on outdoor cultivation) are enacted which control such activities; and

WHEREAS, the cultivation of medical and nonmedical marijuana in other cities has resulted in calls for service to their police departments, including calls for robberies and thefts, and the increase in criminal activity, and it is reasonable to assume that Proposition 64's passage, without reasonable controls imposed by the City of Sonoma, will generate similar, if not greater, numbers of such incidents pertaining to the cultivation of nonmedical marijuana in the City of Sonoma. Similar incidents involving complaints resulting in criminal investigations and the discovery of illegal marijuana cultivations have occurred in the City of Sonoma. In the event that the restrictions imposed by Ordinance No. 09-2016 are not extended, there is a current and immediate threat to the public health, safety and welfare of substantial numbers of persons cultivating nonmedical marijuana outdoors and creating the complaints and enforcement problems already experienced in other communities and in the City of Sonoma and exposing citizens to robberies, potential violence, vandalism of property and theft of marijuana plants being openly and visibly grown in the yards and grounds of residential properties throughout the City; and

WHEREAS, based upon the experience of the State of Colorado and other states in which nonmedical marijuana has been legalized, it is likely that Proposition 64 will have significant impacts on law enforcement, the medical resources of the State and the regulatory function of local agencies, including the City of Sonoma; and

WHEREAS, the short period between Proposition 64's qualification for the November 8, 2016, ballot and the November 8, 2016, election and Proposition 64's creation of a complex, state-wide licensing system for the commercial production, delivery, marketing, testing and selling of nonmedical marijuana have impeded and prevented the City from adequately studying its impacts and the most appropriate manner in which to comprehensively address the issues implicated by the Proposition and its implementation. The City needs time to further study the Proposition and whether and to what extent the City's General Plan, development code and other regulations will need to be or should be modified to accommodate and/or address the impacts of Proposition 64 on the City and its citizens. Were the City Council to permit the outdoor cultivation of nonmedical marijuana while it studied the means and methods to address such activities, those persons who were engaged in such outdoor cultivation activities may garner rights to continue such activities as grandfathered uses, unaffected by later-enacted legislation by the City Council. Such an outcome presents an immediate and current threat to the ability of the City Council to properly plan and regulate such activities and will undermine the purpose of any such plan and regulation as to those persons who were able to commence the outdoor cultivation of nonmedical marijuana before such plans and/or regulations are put into place; and

WHEREAS, in order to determine the most appropriate and publicly beneficial manner in which to address the outdoor cultivation of nonmedical marijuana issues implicated by Proposition 64 and the effect of such outdoor cultivation activities should the City determine to permit such uses within the City's corporate boundaries, and in order to protect residents and businesses from the potential harmful effects of some outdoor nonmedical marijuana cultivators, the City needs time to study whether to permanently permit and regulate or prohibit such uses and, if the Council determines to permit such uses, to examine the regulations relating thereto and to permit the public adequate time to review and comment upon the issue in accordance with state law in tandem with the City's consideration of any such regulations or prohibition; and

WHEREAS, it would be destructive of and render ineffective any proposed policies, restrictions, ordinances and regulations if, during the period they are being studied and considered by the City, parties seeking to avoid their operation and effect establish such uses, which said operations and activities will defeat, in whole or in part, the objectives of such policies, restrictions, ordinances and regulations; and

WHEREAS, absent the adoption of this interim urgency ordinance extending Ordinance No. 09-2016, it is likely that the establishment and operation of outdoor nonmedical marijuana cultivations within the City, without appropriate controls in place to regulate outdoor nonmedical marijuana cultivations and their impacts on the community, will result in harmful effects to the businesses, property owners and residents of the City; and

WHEREAS, because of the facts set forth above, there exists a current and immediate threat that persons shall commence outdoor nonmedical cultivation operations, that such poses a current and immediate threat to the health, safety and welfare of the citizens of the City and having such uses commence operations and operate in the City before the City has had an opportunity to consider, study and/or adopt regulations (or prohibitions) governing the said outdoor cultivations

will render such regulations ineffective and destroy the purpose of engaging in such an analysis and process in the first place, thus constituting a current and immediate threat to the health, safety and welfare of the citizens of the City; and

WHEREAS, Ordinance No. 09-2016 shall expire at midnight December 22, 2016, unless extended by subsequent ordinance adopted pursuant to Cal. Gov't Code section 65858; and

WHEREAS, at its meeting on December 12, 2016, the City Council was presented the report described in said section 65858(d) ("Report") specifying the measures taken to alleviate the conditions which led to the adoption of Ordinance No. 09-2016. In said Report it is stated that the said conditions giving rise to the necessity of adopting Ordinance No. 09-2016 have not been alleviated and that more time is necessary in order to study and address the issues involved in deciding whether to continue prohibiting the outdoor cultivation of nonmedical marijuana or regulate such, and, if so, how to regulate those cultivation activities. Said Report is hereby approved and the City Manager is authorized and directed to issue the Report; and

WHEREAS, based on the findings set forth above, it is the intent of the City Council to extend Ordinance No. 09-2016's moratorium on the outdoor cultivation of nonmedical marijuana throughout the City to a date that is ten (10) months and fifteen (15) days following the last day that Ordinance No. 09-2016 is in effect; and

WHEREAS, pursuant to Section 15001 of the California Environmental Quality Act (CEQA) Guidelines, this ordinance is exempt from CEQA based on the following findings:

(1) This ordinance is not a project within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in physical change in the environment, directly or ultimately.

(2) This ordinance is categorically exempt from CEQA under Section 15308 of the CEQA Guidelines as a regulatory action taken by the City pursuant to its police power and in accordance with Government Code Section 65858 to assure maintenance and protection of the environment pending the consideration, evaluation and possible adoption of contemplated local legislation, regulation and policies.

(3) This ordinance is not subject to CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. For the reasons set forth in subparagraphs (1) and (2), above, and pursuant to CEQA Guidelines Section 15061, it can be seen with certainty that there is no possibility that this ordinance will have a significant effect on the environment:

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

Section 1. Recitals Made Findings. The above recitals are hereby declared to be true and correct and represent the findings of the City Council of the City of Sonoma, made in the exercise of its independent judgment. Said findings are incorporated by this reference.

Section 2. Moratorium Imposed.

A. Scope.

In accordance with the authority granted the City of Sonoma under Article XI, Section 7 of the California Constitution and California Government Code Section 65858, from and after the effective date of this ordinance, no permit, variance, building permit, approval or any other applicable license or entitlement for use, including, but not limited to any land use entitlement, or the issuance of a business license, shall be approved or issued for the cultivation of nonmedical marijuana outdoors. The cultivation of nonmedical marijuana outdoors is hereby expressly prohibited in all areas and in all zoning districts of the City during the period of time which this ordinance, and any extension thereof, if any, is in effect.

B. Definitions.

1. "Fully enclosed and secure structure" means a space within a building that complies with the applicable provisions of the California Building Standards Code as adopted and amended by Chapter 14.10 (Construction Codes) of the Sonoma Municipal Code, and has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. Walls and roof must be constructed of solid materials that cannot be easily broken through, and must be constructed with non-transparent material. Plastic sheeting, canvas, vinyl, or similar products or materials, regardless of gauge, are not considered solid materials. A fully enclosed and secure structure must be an accessory structure to a private residence located upon the parcel on which that private residence is situated.

2. "Nonmedical marijuana" means marijuana that is intended to be used for nonmedical purposes pursuant to Health and Safety Code section 11362.1 et seq., as those sections may be amended from time to time.

3. "Nonmedical marijuana cultivation" or the "cultivation of nonmedical marijuana" means the planting, growing, harvesting, drying, curing, grading, trimming or processing of marijuana plants or any part thereof pursuant to Health and Safety Code section 11362.1 et seq., as those sections may be amended from time to time.

4. "Marijuana" means all parts of the plant cannabis sativa L, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; cannabis; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

5. “Outdoors” means any location within the City that is not within a fully enclosed and secure structure or a private residence.

C. Statutory Findings and Purpose.

This ordinance is declared to be an interim ordinance as defined under California Government Code Section 65858. This ordinance is deemed necessary based on the findings of the City Council of the City of Sonoma as set forth in the recitals, incorporated by Section 1 of this ordinance.

Section 3. Establishment, Maintenance or Operation of Nonmedical Marijuana Cultivation Outdoors Declared Public Nuisance.

It is unlawful and a public nuisance for any person owning, leasing, occupying, or having possession of any legal parcel or premises within any zoning district in the city to cause or allow such parcel or premises to be used for the outdoor cultivation of nonmedical marijuana. Violations of this ordinance may be enforced by any applicable laws or ordinances, including but not limited to injunctions, or administrative penalties under the Sonoma Municipal Code.

Section 4. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council of the City of Sonoma hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 5. Effective Date and Duration.

This ordinance shall become effective immediately if adopted by at least four-fifths vote of the City Council, and shall remain in effect until the date that is ten (10) months and fifteen (15) days following the last day that Ordinance No. 09-2016 is in effect. Ordinance No. 09-2016’s prohibition of uses and other terms and provisions set forth in sections 2 through 4 thereof shall be extended to the date that is ten (10) months and fifteen (15) days following the last day that Ordinance No. 09-2016 is in effect.

Section 6. Posting. The City Clerk shall cause this ordinance to be published and/or posted within fifteen days after its adoption.

This ordinance was adopted on the 21st day of November, 2016, by the following vote:

AYES: City Council Members: _____

NOES: City Council Members: _____

ABSENT: City Council Members: _____

Lauri Gallian, Mayor

APPROVED AS TO FORM:

ATTEST:

Jeffrey A. Walter, City Attorney

Rebekah Barr, City Clerk

ORDINANCE NO. _____

**AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF SONOMA EXTENDING A TEMPORARY MORATORIUM
(EXCEPT UNDER CERTAIN CIRCUMSTANCES) ON THE INDOOR CULTIVATION
OF NONMEDICAL MARIJUANA**

WHEREAS, in 1996 the voters of California approved Proposition 215, codified as California Health and Safety Code Section 11362.5 and entitled “The Compassionate Use Act of 1996;” and

WHEREAS, the intent of Proposition 215 was to enable persons who are in need of medical marijuana for specified medical purposes to obtain medical marijuana, and use it under limited, specified circumstances without fear of criminal prosecution under State law; and

WHEREAS, in 2003, the State Legislature enacted SB 420, codified as California Health and Safety Code Section 11362.7 et seq. and entitled the “Medical Marijuana Program Act” (“MMPA”) to clarify the scope of The Compassionate Use Act of 1996; and

WHEREAS, effective January 1, 2016, the Medical Marijuana Regulation and Safety Act (“MMRSA”) became effective under which an extensive state regulatory scheme was established providing for the monitoring, inspecting and licensing of commercial medical marijuana businesses. The MMRSA created a dual-licensing system under which medical marijuana businesses have to obtain both state and local licenses in order to conduct such businesses. However, the MMRSA explicitly acknowledged that cities and counties retain the right to not only regulate such activities, but to ban them entirely. The MMRSA also acknowledged that permissive zoning schemes can implicitly prohibit such activities, including the indoor and outdoor cultivation of medical marijuana when those zoning regulations do not expressly list such activities as permitted or conditionally permitted uses; and

WHEREAS, on December 21, 2015, the City Council adopted Resolution No. 47-2015 which confirmed that the City’s Development Code prohibited and prohibits the delivery of medical marijuana, other commercial medical marijuana activities and the cultivation of medical marijuana; and

WHEREAS, on November 8, 2016, the voters adopted the Control, Regulate and Tax Adult Use of Marijuana Act (“Proposition 64”). Proposition 64 legalizes the recreational use of marijuana in California for individuals 21 years of age and older; and

WHEREAS, Proposition 64 also authorizes the personal cultivation of up to six marijuana plants within a private residence or upon the “grounds” of that private residence for nonmedical purposes; and

WHEREAS, pursuant to Proposition 64, the City can enact reasonable regulations for the cultivation of nonmedical marijuana that occurs inside a residence or accessory structure; and

WHEREAS, in anticipation of Proposition 64 passing, the City Council, by a 4/5ths vote, on November 7, 2016, adopted an urgency ordinance (Ordinance No. 10-2016) imposing a temporary moratorium on the indoor cultivation of nonmedical marijuana for personal use (except under specified conditions), which said ordinance was to become effective only if Proposition 64 passed. Proposition 64 passed, thus triggering the efficacy of said Ordinance No. 10-2016; and

WHEREAS, Article XI, Section 7 of the California Constitution provides that a city may make and enforce within its limits all local police, sanitary and other ordinances and regulations not in conflict with general laws; and

WHEREAS, given Proposition 64's passage, it is more likely than not that the number of individuals who will desire to and will cultivate nonmedical marijuana for personal use will be significant. It is further more likely than not that substantial numbers of persons interested in cultivating nonmedical marijuana will commence doing so immediately after or soon after Proposition 64 passes, unless and until local regulations and/or prohibitions (on outdoor cultivation) are enacted which control such activities; and

WHEREAS, the cultivation of medical and nonmedical marijuana in other cities has resulted in (a) calls for service to their police departments, including calls for robberies and thefts, and (b) the increase in criminal activity. Similar incidents involving complaints resulting in criminal investigations and the discovery of illegal marijuana cultivations have occurred in the City of Sonoma. It is reasonable to assume that Proposition 64's passage, without reasonable controls imposed by the City of Sonoma, will generate similar, if not greater, numbers of such incidents pertaining to the indoor cultivation of nonmedical marijuana in the City of Sonoma. In the event that the restrictions imposed by Ordinance No. 10-2016 are not extended, there is a current and immediate threat to the public health, safety and welfare of substantial numbers of persons cultivating nonmedical marijuana indoors and creating the complaints and enforcement problems already being experienced in other communities and in the City of Sonoma and exposing citizens to robberies, potential violence, vandalism of property and theft of marijuana plants; and

WHEREAS, the City Council finds that allowing the use of property within the City for the indoor cultivation of marijuana for nonmedical purposes without the City having any authority to establish conditions, regulations, restrictions, and limitations upon such activities presents a current and immediate threat to the public health, safety, or welfare, including but not limited to the harmful effects associated with such activities, such as: the spread of malodorous smells; indoor electrical fire hazards; inadequate ventilation; health hazards from mold and water damage; criminal activity such as robberies, burglaries, and trespassing, which have been experienced by other communities and/or are significant risks resulting from such activities; and increased nuisance conditions in neighborhoods, among others; and

WHEREAS, based upon the experience of the State of Colorado and other states in which nonmedical marijuana has been legalized, it is likely that Proposition 64 will have significant

impacts on the City's police department, the medical resources of the State and the regulatory function of local agencies, including the City of Sonoma; and

WHEREAS, the short period between Proposition 64's qualification for the November 8, 2016, ballot and the November 8, 2016, election and Proposition 64's creation of a complex, state-wide licensing system for the commercial production, delivery, marketing, testing and selling of nonmedical marijuana have impeded and prevented the City from adequately studying its impacts and the most appropriate manner in which to comprehensively address the issues implicated by the Proposition and its implementation. The City needs time to further study the Proposition and whether and to what extent the City's General Plan, Development Code and other regulations will need to be or should be modified to accommodate and/or address the impacts of Proposition 64 on the City and its citizens. Were the City Council to permit the unregulated, indoor cultivation of nonmedical marijuana while it studied the means and methods to address such activities, those persons who were engaged in such indoor cultivation activities may garner rights to continue such activities as grandfathered uses, unaffected by later-enacted legislation by the City Council. Such an outcome presents an immediate and current threat to the ability of the City Council to properly plan and regulate such activities and will undermine the purpose of any such plan and regulation as to those persons who were able to commence the indoor cultivation of nonmedical marijuana before such plans and/or regulations are put into place; and

WHEREAS, in order to determine the most appropriate and publicly beneficial manner in which to address the indoor cultivation of nonmedical marijuana issues implicated by Proposition 64 and the effect of such indoor cultivation activities should the City determine to regulate such uses within the City's corporate boundaries, and in order to protect residents and businesses from the potential harmful effects of some indoor nonmedical marijuana cultivators, the City needs time to study whether to permanently regulate such uses and, if so, the City needs time to examine the regulations relating thereto and to permit the public adequate time to review and comment upon the issue in accordance with state law in tandem with the City's consideration of any such regulations; and

WHEREAS, it would be destructive of and render ineffective any proposed policies, restrictions, ordinances and regulations if, during the period they are being studied and considered by the City, parties seeking to avoid their operation and effect establish such uses, which said operations and activities will defeat, in whole or in part, the objectives of such policies, restrictions, ordinances and regulations; and

WHEREAS, absent the adoption of this interim urgency ordinance extending Ordinance No. 10-2016, it is likely that the establishment and operation of indoor nonmedical marijuana cultivations within the City, without appropriate controls in place to regulate same and their impacts on the community, will result in harmful effects to the businesses, property owners and residents of the City; and

WHEREAS, because of the facts set forth above, there exists a current and immediate threat that persons shall commence indoor nonmedical cultivation operations, that such poses a current and immediate threat to the health, safety and welfare of the citizens of the City and having such

uses commence operations and operate in the City before the City has had an opportunity to consider, study and/or adopt regulations governing the said indoor cultivations will render such regulations ineffective and destroy the purpose of engaging in such an analysis and process in the first place, thus constituting a current and immediate threat to the health, safety and welfare of the citizens of the City; and

WHEREAS, Ordinance No. 10-2016 shall expire at midnight December 22, 2016, unless extended by subsequent ordinance adopted pursuant to Cal. Gov't Code section 65858; and

WHEREAS, at its meeting on December 12, 2016, the City Council was presented the report described in said section 65858(d) ("Report") specifying the measures taken to alleviate the conditions which led to the adoption of Ordinance No. 10-2016. In said Report it is stated that the said conditions giving rise to the necessity of adopting Ordinance No. 10-2016 have not been alleviated and that more time is necessary in order to study and address the issues involved in deciding whether to continue prohibiting the outdoor cultivation of nonmedical marijuana or regulate such, and, if so, how to regulate those cultivation activities. Said Report is hereby approved and the City Manager is authorized and directed to issue the Report; and

WHEREAS, based on the findings set forth above, it is the intent of the City Council to extend Ordinance No. 10-2016's moratorium on the indoor cultivation of nonmedical marijuana throughout the City to a date that is ten (10) months and fifteen (15) days following the last day that Ordinance No.10-2016 is in effect; and

WHEREAS, pursuant to Section 15001 of the California Environmental Quality Act (CEQA) Guidelines, this ordinance is exempt from CEQA based on the following findings:

(1) This ordinance is not a project within the meaning of Section 15378 of the State CEQA Guidelines, because it has no potential for resulting in physical change in the environment, directly or ultimately.

(2) This ordinance is categorically exempt from CEQA under Section 15308 of the CEQA Guidelines as a regulatory action taken by the City pursuant to its police power and in accordance with Government Code Section 65858 to assure maintenance and protection of the environment pending the consideration, evaluation and possible adoption of contemplated local legislation, regulation and policies.

(3) This ordinance is not subject to CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. For the reasons set forth in subparagraphs (1) and (2), above, and pursuant to CEQA Guidelines Section 15061, it can be seen with certainty that there is no possibility that this ordinance will have a significant effect on the environment:

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

Section 1. Recitals Made Findings. The above recitals are hereby declared to be true and correct and represent the findings of the City Council of the City of Sonoma, made in the exercise of its independent judgment. Said findings are incorporated by this reference.

Section 2. Urgency Moratorium Imposed.

A. Cultivation not in compliance with this ordinance. It is declared to be unlawful and a public nuisance for any person owning, leasing, occupying or having charge or possession of any parcel or premises within any zoning district in the city to cultivate nonmedical marijuana except as provided for in this ordinance. No person other than an individual 21 years of age or older may engage in the cultivation of nonmedical marijuana.

B. Indoor cultivation. Indoor cultivation of nonmedical marijuana is prohibited in all zoning districts of the city, except when such cultivation occurs on a parcel with an approved private residence. All indoor cultivation of nonmedical marijuana must be in compliance with this ordinance.

C. Indoor cultivation in private residence. The indoor cultivation of nonmedical marijuana on a parcel with an approved private residence shall only be conducted within a fully enclosed and secure structure or within a residence. Such cultivation shall be in conformance with the following minimum standards:

1. The primary use of the property shall be for a residence. Nonmedical marijuana cultivation is prohibited as a home occupation.

2. All areas used for cultivation of nonmedical marijuana shall comply with Title 14 (Buildings and Construction) of the Sonoma Municipal Code, as well as applicable law.

3. Indoor grow lights shall not exceed 1,000 watts per luminaire, and shall comply with the applicable provisions of the California Building Standards Code as adopted and amended by Chapter 14.10 (Construction Codes) of the Sonoma Municipal Code.

4. The use of gas products (CO₂, butane, propane, natural gas, etc.) or generators for cultivation of nonmedical marijuana is prohibited.

5. Any fully enclosed and secure structure or residence used for the cultivation of nonmedical marijuana must have a ventilation and filtration system installed that shall prevent marijuana plant odors from exiting the interior of the structure and that complies with the applicable provisions of the California Building Standards Code as adopted and amended by Chapter 14.10 (Construction Codes) of the Sonoma Municipal Code.

6. A fully enclosed and secure structure used for the cultivation of nonmedical marijuana shall be located in the rear yard area of the parcel, and must maintain a minimum ten-foot setback from any property line. The yard where the fully enclosed and secure structure is

maintained must be enclosed by a solid fence at least six feet in height. This provision shall not apply to cultivation occurring in a garage.

7. Adequate mechanical locking or electronic security systems must be installed as part of the fully enclosed and secure structure or the residence prior to the commencement of cultivation.

8. Nonmedical marijuana cultivation shall be limited to six marijuana plants per private residence, regardless of whether the marijuana is cultivated inside the residence or in a fully enclosed and secure structure. The limit of six plants per private residence shall apply regardless of how many individuals reside at the private residence.

9. The residential structure shall remain at all times a residence, with legal and functioning cooking, sleeping and sanitation facilities with proper ingress and egress. These rooms shall not be used for nonmedical marijuana cultivation where such cultivation will prevent their primary use for cooking of meals, sleeping and bathing.

10. Cultivation of nonmedical marijuana shall only take place on impervious surfaces.

11. From a public right-of-way, there shall be no exterior evidence of nonmedical marijuana cultivation occurring on the parcel.

12. Nonmedical marijuana cultivation area, whether in a fully enclosed and secure structure or inside a residence, shall not be accessible to persons under 21 years of age.

13. Written consent of the property owner to cultivate nonmedical marijuana within the residence or in a fully enclosed and secure structure shall be obtained and shall be kept on the premises, and available for inspection by the chief of police or his/her designee.

14. A portable fire extinguisher, that complies with the regulations and standards adopted by the state fire marshal and applicable law, shall be kept in the fully enclosed and secure structure used for cultivation of nonmedical marijuana. If cultivation occurs in a residence, the portable fire extinguisher shall be kept in the same room as where the cultivation occurs.

D. Definitions.

1. "Fully enclosed and secure structure" means a space within a building that complies with the applicable provisions of the California Building Standards Code as adopted and amended by Chapter 14.10 (Construction Codes) of the Sonoma Municipal Code, and has a complete roof enclosure supported by connecting walls extending from the ground to the roof, a foundation, slab or equivalent base to which the floor is secured by bolts or similar attachments, is secure against unauthorized entry, and is accessible only through one or more lockable doors. Walls and roof must be constructed of solid materials that cannot be easily broken through, and must be constructed with non-transparent material. Plastic sheeting, canvas, vinyl, or similar products or materials, regardless of gauge, are not considered solid materials. A fully enclosed and

secure structure must be an accessory structure to a private residence located upon the parcel on which that private residence is situated.

2. "Indoors" means inside a fully enclosed and secure structure or within a private residence.

3. "Luminaire" means a complete lighting unit consisting of lamp(s) and the parts that distribute the light, position and protect the lamp(s), and connect the lamp(s) to the power supply.

4. "Nonmedical marijuana" means marijuana that is intended to be used for nonmedical purposes pursuant to Health and Safety Code section 11362.1 et seq., as those sections may be amended from time to time.

5. "Nonmedical marijuana cultivation" or the "cultivation of nonmedical marijuana" means the planting, growing, harvesting, drying, curing, grading, trimming or processing of marijuana plants or any part thereof pursuant to Health and Safety Code section 11362.1 et seq., as those sections may be amended from time to time.

6. "Marijuana" means all parts of the plant *cannabis sativa* L, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; cannabis; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin.

7. "Outdoors" means any location within the City that is not within a fully enclosed and secure structure or a private residence.

8. "Private residence" or "residence" means a house, an apartment unit, a mobile home or other similar dwelling.

9. "Solid fence" means a fence constructed of substantial material, such as wood or metal, that prevents viewing the contents from one side to the other side of the fence.

D. Statutory Findings and Purpose.

This ordinance is declared to be an interim ordinance as defined under California Government Code Section 65858. This ordinance is deemed necessary based on the findings of the City Council of the City of Sonoma as set forth in the recitals, incorporated by Section 1 of this ordinance.

Section 3. Except as Provided in this Ordinance, Establishment, Maintenance or Operation of Nonmedical Marijuana Cultivation Indoors Declared Public Nuisance.

It is unlawful and a public nuisance for any person owning, leasing, occupying, or having possession of any parcel or premises within any zoning district in the city to cause or allow such parcel or premises to be used for the indoor cultivation of nonmedical marijuana except as provided in this ordinance. Violations of this ordinance may be enforced by any applicable laws or ordinances, including but not limited to injunctions, or administrative penalties under the Sonoma Municipal Code.

Section 4. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council of the City of Sonoma hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

Section 5. Effective Date and Duration.

This ordinance shall become effective immediately if adopted by at least four-fifths vote of the City Council, and shall remain in effect until the date that is ten (10) months and fifteen (15) days following the last day that Ordinance No. 10-2016 is in effect. Ordinance No. 10-2016's prohibition of uses and other terms and provisions set forth in sections 2 through 4 thereof shall be extended to the date that is ten (10) months and fifteen (15) days following the last day that Ordinance No. 10-2016 is in effect.

Section 6. Posting. The City Clerk shall cause this ordinance to be published and/or posted within fifteen days after its adoption.

This ordinance was adopted on the 21st day of November, 2016, by the following vote:

AYES: City Council Members: _____

NOES: City Council Members: _____

ABSENT: City Council Members: _____

Laurie Gallian, Mayor

APPROVED AS TO FORM:

ATTEST:

Jeffrey A. Walter, City Attorney

Rebekah Barr, City Clerk

November 22, 2016



Frequently Asked Questions (FAQs)

Adult Use of Marijuana Act¹

Proposition 64

Question #1: When does the AUMA take effect?

Answer: The AUMA took effect November 9, 2016, the day after the election. But note, the AUMA requires a state license to engage in commercial nonmedical marijuana activity. Licensing authorities are required to begin issuing licenses by January 1, 2018 and the League anticipates that the issuance of licenses will not occur much in advance of January 1, 2018. Thus, the AUMA provisions legalizing commercial nonmedical marijuana activity will not become operational until the state begins issuing licenses (likely in late-2017). The AUMA provisions legalizing personal use and cultivation of nonmedical marijuana took effect November 9, 2016.

Question #2: Can private individuals cultivate nonmedical marijuana at home beginning November 9, 2016?

Answer: Yes, within a private residence by a person 21 years and older for personal use. The AUMA provides that local governments can reasonably regulate, but cannot ban the personal indoor cultivation of up to six nonmedical marijuana plants per private residence. This includes cultivation in a greenhouse that is on the property of the residence but not physically part of the home, as long as it is fully enclosed, secure, and not visible from a public space. Because this activity is not subject to state licensing requirements, individuals may engage in personal indoor cultivation beginning November 9, 2016, unless a city enacts an ordinance imposing a reasonable regulatory scheme that would preclude them from doing so before complying with the city's regulatory requirements.

Local governments may regulate or ban all personal outdoor cultivation. However, the AUMA includes language purporting to repeal any ordinance that bans personal outdoor

¹ Please consult your City Attorney before taking action to implement the AUMA. The answers to these FAQs may be different in your city based upon your municipal code, regulations, and policies. The answers do not constitute legal advice from the League of California Cities®.

cultivation upon the California Attorney General's determination that nonmedical use of marijuana is lawful under federal law.

Question #3: Is there a limitation on the number of marijuana plants that can be cultivated within a single residence?

Answer: Yes. Not more than six living plants may be planted, cultivated, harvested, dried, or processed within a single private residence, or upon the grounds of that private residence, at one time. A "residence" is defined as a house, an apartment unit, a mobile home, or other similar dwelling. No matter how many persons over 21 years of age are living in a "residence," only 6 living plants may be cultivated at one time. (Health & Safety § 11362.2(b)(3).)

Question #4: Can a landlord ban the cultivation/smoking of marijuana on his or her property?

Answer: Yes. An individual or private entity may prohibit or restrict personal possession, smoking, and cultivation of marijuana on the individual's or entity's privately owned property. A state or local government agency also may prohibit or restrict such activities on property owned, leased, or occupied by the state or local government. (Health & Safety §§ 11362.45(g) and (h).)

Question # 5: Can a city ban personal indoor cultivation in all leased or multi-unit residences within the city?

Answer: No. A city cannot prohibit personal indoor cultivation of marijuana in all leased or multi-unit residences within the city. However, because cities may reasonably regulate personal indoor cultivation, a city might be able to condition permit approval for personal indoor cultivation in a leased residence on the applicant receiving permission from his or her landlord.

Question # 6: Does a city's ban on commercial cultivation, personal outdoor cultivation, or retail sales of marijuana or marijuana products make it ineligible for state grant monies for law enforcement, fire protection, or other local programs addressing public health and safety associated with the implementation of Prop 64?

Answer: Yes. If a city bans commercial cultivation, or personal outdoor cultivation, or retail sales of marijuana or marijuana products, it is ineligible to receive state grant monies funded through the new state excise taxes that take effect on January 1, 2018. (Revenue and Taxation Code § 34019(e)(3)(D).)

Question #7: What does the AUMA say about possession, transporting, purchasing or giving away of non-medical marijuana?

Answer: A person 21 years of age or older may possess, process, transport, purchase or give away to persons 21 years of age or older not more than 28.5 grams of marijuana in the non-concentrated form and not more than 8 grams of marijuana in a concentrated

form including marijuana products. If the AUMA passes, these activities will be lawful under state law and cannot be prohibited under local law.

Question #8: Do cities that ban or regulate medical marijuana businesses need to update their ordinances to include nonmedical marijuana?

Answer: Yes. The AUMA prohibits state licensing authorities from issuing a license to a commercial nonmedical marijuana business if operation of the business violates a local ordinance of the jurisdiction in which the business will operate. This means that a city wishing to adopt business or land use regulations prohibiting or regulating commercial nonmedical marijuana businesses must adopt an ordinance prior to the date the state begins issuing licenses, which the League anticipates will be in late 2017.²

Question #9: Can cities be confident that a permissive zoning code, by itself, provides sufficient protection against nonmedical marijuana businesses setting up shop without local approval?

Answer: No. It is unlikely that cities will succeed in arguing that nonmedical marijuana land uses are prohibited by permissive zoning codes under the AUMA, because the AUMA does not contain the same protective language as the MMRSA with respect to permissive zoning. Therefore, cities that wish to ban all or some nonmedical marijuana activities should adopt express prohibitions, even if they operate under a permissive zoning code.

Question #10: Are cities at risk of losing the opportunity to impose bans on personal outdoor cultivation if they don't act until after the November election?

Answer: No. A city may adopt an ordinance banning or regulating personal outdoor cultivation at any time.

Question #11: Are cities at risk of losing the opportunity to impose bans on nonmedical marijuana businesses, if they don't act until after the November election?

Answer: No. However, if a city does not adopt an ordinance expressly banning or regulating nonmedical marijuana businesses before the state begins issuing state licenses nonmedical businesses, a state-licensed nonmedical marijuana business will be able to operate within its jurisdiction without local permission or permitting. This is due to a provision in the AUMA that provides that state licenses cannot be issued where the activity would violate a local ordinance. If a jurisdiction has no ordinance regulating nonmedical marijuana businesses, then the local regulatory scheme is silent on that type of activity, and the state can unilaterally issue a license under terms fully compliant with the AUMA. Cities may adopt an ordinance expressly banning or regulating such operations after the state begins to issue licenses, but it will be difficult to terminate the state licensee's operations until the state license is up for renewal. Therefore, the best practice is to adopt an ordinance before the state begins issuing state licenses.

² Please see Question #8 regarding the use of public roads for transportation and delivery.

Question #12: Can cities ban deliveries under the AUMA?

Answer: Yes. Cities can ban deliveries within their territorial limits. However, cities cannot prevent the use of public roads for the delivery of marijuana. For example, if a licensed delivery company located in City A must travel on public roads through City B to make an authorized delivery in City C, City B cannot prohibit the licensed delivery company from travelling on public roads in City B to get to City C. In addition, cities may not prevent the use of public roads within its jurisdiction to transport nonmedical marijuana.

Question #13: What is the best way for cities to notify the state licensing agencies of their local ordinances that regulate and/or prohibit commercial non-medical marijuana activities within their jurisdictions?

Answer: Unless the state licensing agencies indicate otherwise, cities should mail copies of their local ordinances that regulate or prohibit commercial nonmedical marijuana activities within their jurisdictions to the Department of Consumer Affairs, the Department of Food and Agriculture, and the Department of Public Health. Cities should regularly check each Department's website to ensure that this practice complies with any regulations the Departments may pass regarding notice of local ordinances. In addition, Cities should ensure that any updates or amendments to local ordinances that regulate or prohibit commercial nonmedical marijuana activities are promptly submitted to each Department.

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Department

Finance

Staff Contact

DeAnna Hilbrants, Finance Director

Agenda Item Title

Discussion, consideration and possible action to update City Fee Schedule based on FY 2016-2017 Operating Budget

Summary

The City of Sonoma has an established a City Fee Schedule for those services that benefit only the specific users of that service and do not benefit the general public as a whole. Fees are generated from a variety of services including building and planning permits, special event fees, appeal fees, public safety fees and water service fees (late fees & disconnect fees). Revenue from fees offsets costs of services that would otherwise be paid using general fund revenue.

The City Council has the authority to establish these fees and charges as defined by the State Constitution and in accordance with Government Code Section 39001 with limitations set by Proposition 218. This regulatory authority provides cities the means to “protect overall community interests, while charging only the individual who is benefiting from the service.” Annually, the Council reviews staff’s recommended user fee schedule to determine if fees are calculated in line with the cost of providing the service. If approved, fees would become effective in 60 days or February 13, 2017.

Recommended Council Action

Conduct Public Hearing; adopt resolution approving the updated Fee Schedule for 2016 - 2017.

Alternative Actions

Request additional information; direct staff to make changes to fee schedule and return for subsequent adoption.

Financial Impact

Fees and charges comprise approximately 2.75% of General Fund Revenue. Total revenue derived from fees, fines and licenses (excluding Business Licenses which are considered a tax) is projected to be \$620,641 exclusive of the proposed fee increases. No additional revenue as a result of the updated fee schedule was included in the FY 2016-2017 Budget.

Environmental Review

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

Status

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

- Supplemental Report
- Proposed Fee Schedule

Alignment with Council Goals:

Fiscal Management: Maintain high level fiscal accountability that ensures short and long-term sustainability of City’s financial position; provide for effective and efficient management of local taxpayers’ dollars; apply prudent internal policies and practices to assure the most cost-effective methods are utilized; be wise with our resources.

**SUPPLEMENTAL REPORT
PUBLIC HEARING**

**Discussion, consideration and possible action to update City
Fee Schedule based on FY 2016-2017 Operating Budget**

For the City Council Meeting of December 12, 2016

The City of Sonoma has an established a City Fee Schedule for those services that benefit only the specific users of that service and do not benefit the general public as a whole. Fees are generated from a variety of services including building and planning permits, special event fees, appeal fees, public safety fees and utility fees (late fees & disconnect fees). Revenue from fees offsets the costs of services that would otherwise be subsidized by the General Fund.

The City Council has the authority to establish these fees and charges as defined by the State Constitution and in accordance with Government Code Section 39001 with limitations set by Proposition 218. This regulatory authority provides cities the means to “protect overall community interests, while charging only the individual who is benefiting from the service.” Annually, the Council reviews staff’s recommended user fee schedule to determine if fees are calculated in line with the cost of providing the service. With exception to fees established or limited by State law, all other fees are determined through a cost accounting analysis of actual costs the City incurs. Department Managers review staff hours necessary to provide the service factored by the allowable overhead costs. The direct-charge of fees in this manner, frees up general- purpose tax funds to be used for services, maintenance and facility costs which benefit the entire community. Absent fees, the general fund would subsidize these services and would likely need to reduce services that are not covered by fee recovery. For 2015 – 2016; \$472,250 was budgeted as revenue from fees. For 2016 – 2017; \$620,641 is budgeted to be recovered from fees. The change in fee recovery primarily results from increases in building and zoning fees resulting from increased construction and development activity. Certain fees, such as Building-related fees and solar installation fees, are set by State Code and are not based on the cost of providing the service. In many instances, these codes are not cost-covering but the City is unable to recover costs over the allowable levels.

Public Safety Services are provided to the City under contract. Fees charged by the County of Sonoma [Police-related fees] and Valley of the Moon Fire District [Fire-related fees] on behalf of services provided to City residents are incorporated by reference. Actual fee schedules are adopted separately by the respective agencies.

While salary costs have increased slightly, many of the fees in the 2017 fee schedule will remain flat or will decrease. This is primarily a result of reductions in overhead as staff continues to perform administrative activities more efficiently. Where fees are increasing, the increase primarily results from review and modification of staff time associated with performing activities related to the service being performed.

An overall summary of the changes and highlights to the recommended fee schedule are as follows:

- Audio Tape Duplication Fee (CA-05) has been modified to Media Duplication. Rather than a single charge for a cassette, a hourly rate will be charged and alternate media options (such as CD or USB drive) will be available.

- After nearly one year with a contracted special events manager, staff makes the following recommendations related to special events:
 - Changes in deposit for use of the plaza (SE-18 * SE-24). Staff recommends that the deposit matches the rental rate for the section of the plaza being rented.
 - Removal of the “Wedding Permit” (SE-09) and to include weddings in the appropriate standard special event fee (“Large Scale Special Event” [SE-03] or “Small Scale Special Event” [SE-04]).
 - Removal of “Plaza Maintenance Fees” (SE-17) and Depot Park Maintenance Fees (SE-23). Instead, staff recommends that events are charged the hourly rate based on actual staff time used for activities related to the event.
 - Addition of an “Additional Hours – Special Events Manager” Fee (SE-10). This will recover costs of additional hours required by the special events manager for some events.
 - Pilot program to offer reservations of tables in the Plaza or at Depot Park for family / small group gatherings: “Family / Small Group Gathering” (SE-25). The proposal is based on a small amount of administrative time for the Special Events Manager and a reduced rental rate. The following conditions are recommended for this program:
 - This is a pilot program only and may be discontinued by the city staff at anytime.
 - Use of this event definition is subject to the sole discretion of the City and generally includes:
 - A few tables only (versus a full quadrant / section)
 - Signage on the table(s),
 - Groups of 30 or fewer,
 - Gathering cannot generate revenues
 - Gathering cannot use vendors
 - Gathering must last less than four (4) hours)
 - Event must require less than ½ hour of staff time (special events manager)
 - No staff enforcement of reservation will be provided.
- Modifications to the Building Investigation Fee to assign costs based on timeline for compliance by the property owner. The Minimum Investigation Fee (BL-13) is based on compliance within 30 days and the Standard Investigation Fee (BL-14) is based on compliance exceeding 30 days. This will better align costs between those property owners that comply promptly and those that require additional staff time and follow up.
- Modifications to the Animal Impound Fee to assign costs differently if an animal is brought into the Police Department – such as by the public (PD-09) or if an animal is retrieved in the field by a Community Service Officer or Deputy (PD-11)
- For equipment and materials, staff uses the California Department of Transportation (Caltrans) Labor Surcharge & Equipment Rental Rates. These fees, as updated, are

incorporated by reference. Where applicable, fees will be charged based on the Caltrans Rental Rate Book in effect at the time of the activity.

- Addition of an Electric Vehicle Charging Station Fee (PW-17). The intent of this fee is to discourage use of the charging station as a long term parking space making it unavailable for use by others. In addition, this fee will recover costs especially related to ongoing maintenance and replacement of the charging stations.
- Staff recommends increasing the deposit for the use of City Hydrant Meters and incorporating that deposit into the City Fee Schedule (UT-16).

Changes in other fees reflect:

- Verification or modification of staff hours incurred to perform tasks associated with the fee
- Modification of overhead costs related to benefits, administrative overhead, and capital and facility costs.

Of the 155 fees included on the schedule:

- 29 fees are increasing an average of 4% (highest increase 14%)
- 56 fees are decreasing an average of 8% (highest decrease 50%)
- 51 fees are remaining the same
- 4 fees are new
- 6 fees have been deleted or moved to avoid duplication
- 9 fees have been modified in structure

If approved by the Council, this fee schedule is proposed to go into effect on February 13, 2017.

CITY OF SONOMA

RESOLUTION # _____ - 2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA AMENDING THE PREVIOUSLY ADOPTED SCHEDULE OF USER FEES, LICENSES AND PERMIT CHARGES EFFECTIVE FEBRUARY 13, 2017

WHEREAS, California Constitution, Article XI, Section 7 gives cities police power to engage in regulatory activities for which they may charge a fee for reimbursement of costs; and

WHEREAS, California Constitution, Article XIII B, Section 8 and Government Code Section 39001 provide general authority for charging fees for specific services; and

WHEREAS, various other sections of the California Constitution and Government Code provide authority for the collection of specific fees and charges; and

WHEREAS, on November 16, 2015, the City Council adopted Resolution Number 44-2015 adopting a schedule of user fees, licenses and permit charges with an effective date of January 1, 2016; and

WHEREAS, on December 12, 2016 the City Council of the City of Sonoma held a duly noticed Public Hearing to allow public input and review amendments to the adopted fees and charges.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sonoma hereby:

1. Establishes amendments to certain fees and charges, which appear as an attachment to this resolution including fee calculation sheets incorporated by reference.
2. Finds and determines that the fees and charges set forth in attachments hereto do not exceed the reasonable costs of providing the services for which the fee is charged.
3. The fees set forth in the attachments hereto shall become effective on February 13, 2017.
4. Finds and determines that pursuant to the requirements of California Government Code Section 66015(c), appropriate ordinances, permit fees, and processes are in place to streamline the submittal and approval of permits for solar energy systems in substantial conformance with the practices and policies contained in the California Solar Permitting Guidebook. Calculations related to the administrative cost of issuing a solar rooftop permit are incorporated herein by reference and any fee charged in excess of the fees prescribed in California Government Code Sections 66015(a)(1) or 66015(b)(1) result in the continuation of a quick and streamlined approval process by covering the City's actual administrative cost of providing the service.

PASSED AND ADOPTED, by the City Council of the City of Sonoma, County of Sonoma, State of California on December 12, 2016 by the following vote:

AYES:
NOES:
ABSENT:

, Mayor

ATTEST:

Rebekah Barr, MMC, City Clerk

CITY OF SONOMA 2017 FEE SCHEDULE INDEX
EFFECTIVE FEBRUARY 13, 2017

INDEX NO.	SERVICE	FEE OR HOURLY RATE
EFFECTIVE FEBRUARY 13, 2017		
ADMINISTRATION		
CA-00	Copy fee - ALL DEPARTMENTS - Unless specific document copy fee is stated. This applies to all printed material i.e. Development Code, General Plan, Minutes, Staff Reports, Agendas and Bound Booklets. Does not apply to Municipal Code.	1-10 copies - No Charge Over 10 copies = \$.25 per page
CA-01	Copy Fees: Campaign Disclosure, Statement of Economic Interests (per St. Law)	\$0.10
CA-02	Maps: Land Use, Water System, Plaza, Storm Drain, etc. if printed in house	\$10.00 if in-house Actual Cost if outsourced plus Standard Administrative Overhead (CA-09) if Outsourced
CA-03	Returned Checks [per returned check]	\$16.00 + bank fees charged to the City
CA-04	Billing Fee [per invoice sent]	\$ 72.00
CA-05	Media Duplication [hourly rate]	\$ 77.00
CA-06	Municipal Code Supplement Service [per supplement]	\$ 38.00 Plus actual cost & postage
CA-07	Agenda Packet Subscription, Annual [per year]	\$ 582.00
CA-08	Agendas Only Subscription, Annual [per year]	\$ 233.00
CA-09	Standard Administrative Overhead	15.00%
CA-10	Appeal (Administrative) [per appeal]	\$ 211.00
CA-11	Mobile home Park Rental Increase Application [per application]	\$ 163.00
CA-12	Tobacco Retailers License [per license] ## FOR LICENSES ISSUED AFTER JANUARY 1, 2018)	\$ 223.00

CITY OF SONOMA 2017 FEE SCHEDULE INDEX
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INDEX NO.	SERVICE	FEE OR HOURLY RATE
EFFECTIVE FEBRUARY 13, 2017		
SPECIAL EVENTS		
<i>In addition to the fees below, the California Department of Transportation (Caltrans) Labor Surcharge & Equipment Rental Rates, as updated, are incorporated by reference. Where applicable, fees will be charged based on the Caltrans Rental Rate Book in effect at the time of the activity.</i>		
SE-01	Alcohol Permit [per permit]	\$ 258.00
SE-03	Large Scale Special Event Permit Application Processing Fee [per permit / event]	\$ 1,034.00
SE-04	Small Scale Special Event Permit Application Processing Fee [per permit / event]	\$ 237.00
SE-05	Street Use Permit [per permit]	\$ 608.00
SE-06	Film Permit, High Impact Video Production [per permit]	\$ 591.00
SE-06	Film Permit, Low Impact Video Production [per permit]	\$ 283.00
DELETED 2016 MOVED	SE-07 Barricading (Providing barricades for events)	FEE DELETED (MOVED TO PW-16)
DELETED 2016 MOVED	SE-08 Reservation of Public (On Street) Parking Spaces	FEE DELETED (MOVED TO PW-01)
DELETED 2017 MOVED	SE-09 Wedding Permit (Ceremony only) [per permit]	FEE DELETED (INCLUDED IN SE-03 OR SE-04)
NEW SE-10	Additional Hours - Special Events Manager	\$ 75.00
SPECIAL EVENTS, Rental, Maintenance Fees & Security Deposits		
SE-12	Plaza North East, North West, & South West Quadrants, per day	\$ 300.00
SE-13	Plaza South East Quadrant, per day	\$ 400.00
SE-14	Plaza Amphitheater, per day	\$ 200.00
SE-15	Plaza Horseshoe Pavement Only, per day	\$ 200.00
SE-16	Plaza Rear Parking Lot (only by exception), per day	\$ 300.00
SE-17	Plaza Maintenance Fees, per section or area, per event (non-refundable) Based on hourly rate for staff required to perform services and number of hours of work provided	MAINTENANCE CHARGED BASED ON ACTUAL HOURLY RATES FOR PUBLIC WORKS STAFF.
SE-18	Plaza Security Deposit, Per Quadrant, Section or area, per day (refundable)	DEPOSIT AMOUNT EQUALS RENTAL FEE FOR SECTION(S) RENTED
SE-19	Depot Park Picnic Area 1 & 2 per day	\$50 per section
SE-20	Depot Park Picnic Area 3, per day	\$ 100.00
SE-21	Depot Park Volleyball Area #4, per day	\$ 100.00
SE-22	Depot Park Parking Lot (By Exception Only), per day	\$ 100.00
SE-23	Depot Park Maintenance Fees, per section or area, per day	MAINTENANCE CHARGED BASED ON ACTUAL HOURLY RATES FOR PUBLIC WORKS STAFF.
SE-24	Depot Park Security Deposit, Per Section or area, per day (refundable)	DEPOSIT AMOUNT EQUALS RENTAL FEE FOR SECTION(S) RENTED
NEW SE-25	Family / Small Group Gathering: Depot Park or Plaza (PILOT PROGRAM)	\$ 150.00

CITY OF SONOMA 2017 FEE SCHEDULE INDEX
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INDEX NO.	SERVICE	FEE OR HOURLY RATE
EFFECTIVE FEBRUARY 13, 2017		
BUILDING		
BL-01	Construction Permit Deposit	Varies (Deposit, not a fee)
BL-02	Permit Processing Fee [per permit]	\$ 44.00
BL-03	Training & Certification Fee [per permit]	\$ 9.00
BL-04	Plan Check Fee [per hour]	\$ 115.00
BL-05	Miscellaneous Building Division Services [per hour]	\$ 102.00
BL-06	Imaging [per sheet]	8.5x11 sheet \$5.50 Other, \$2.40
BL-07	Conditional Authorization to Proceed With Work [per authorization]	\$ 510.00
BL-08	Off-Hour Building Dept. Services [per hour]	\$ 204.00
BL-09	Permit Extension Fee [per extension]	\$ 51.00
BL-10	Document Preparation and Recording Fee [per hour]	\$ 102.00
BL-11	Appeal Fee [per appeal]	\$ 802.00
BL-12	Refund Processing Fee [per refund]	\$ 54.00
MODIFIED 2017 BL-13	Minimum Investigation Fee compliance within 30 days (per investigation)	\$ 357.00
MODIFIED 2017 BL-14	Standard Investigation Fee More than 30 day compliance response (per investigation)	\$ 714.00
BL-15	Change of Use or Occupancy Review [each review]	\$ 510.00
BL-16	Contractor's License Tax [each applicable permit]	\$1 per \$1,000 valuation
BL-17	Capital Improvement Fee [each applicable permit]	per SMC 3.24.060
BL-18	Impact Fee [per residential unit each applicable permit]	\$ 966.00
BL-20	Single Inspection Permit Fee [per permit]	\$ 127.00
BL-21	Building Permit Inspection Fee [calculated for each applicable permit]	Per Building Table BL-21-A
BL-22	Building Demolition Inspection Fee [per permit]	\$ 306.00
BL-23	Building Relocation Inspection Fee [per permit]	\$ 612.00
BL-24	Electrical Inspection Fee [calculated for each applicable permit]	Per Electrical Table BL-24-A
BL-25	Plumbing Inspection Fee [calculated for each applicable permit] Water Conserving Plumbing Fixture Verification [calculated for each applicable permit]	Per Plumbing Table BL-25-A \$51.00 (self certification) \$51.00 + \$16.00 per fixture for Staff Verification
BL-26		
BL-27	Mechanical Inspection Fee [calculated for each applicable permit]	Per Mechanical Table BL-27-A 20% of Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A, BL-27-A
BL-28	Energy Inspection Fee [calculated for each applicable permit]	
BL-29	Accessibility Inspection Fee [calculated for each applicable permit]	20% of Inspection Fees in Tables BL-21-A
BL-30	One & Two Family Re-Roofing Permits [calculated for each applicable permit]	\$ 153.00
BL-31	Private Residential Swimming Pool Inspection Fee [per permit]	\$ 612.00
BL-32	Modular and Manufactured Housing Fee [calculated for each applicable permit]	25% of Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A, BL-27-A
BL-34	Grading Permit Inspection Fee [calculated for each applicable permit]	Per Grading Table BL-34-A
BL-35	CALGreen Inspection Fee [calculated for each applicable permit]	See Fee Calculation Sheet
BL-37	Large Format Printing Costs	See Fee Calculation Sheet

CITY OF SONOMA 2017 FEE SCHEDULE INDEX
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INDEX NO.	SERVICE	FEE OR HOURLY RATE
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FIRE DEPARTMENT		
<i>Sonoma Valley Fire Rescue Authority Fee Schedule, as updated, incorporated by reference. Where applicable, fees will be charged based on the Valley of the Moon Fire Protection District Fee Schedule in effect at the time of the activity.</i>		
POLICE DEPARTMENT		
<i>In addition to below fees, Sonoma County Sheriff's Office Fees, as updated, incorporated by reference. Where applicable, fees will be charged based on the Sonoma County Fee Schedule in effect at the time of the activity.</i>		
PD-01	False Alarm [per response]	REMOVED
PD-02	Residential Parking Permit [per permit]	\$ 10.00
PD-03	Letter of Public Convenience or Necessity [per request]	\$ 223.00
PD-04	Dog License [per license]	
	Altered	\$ 25.00
	Unaltered	\$ 50.00
	Senior Citizen - 62 and Older - First License Only (Altered)	\$ 10.00
	Senior Citizen - 62 and Older - First License Only (Unaltered)	\$ 25.00
	Late Penalty (Altered)	\$ 15.00
	Late Penalty (Unaltered)	\$ 30.00
	Duplicate / Transfer	\$ 5.00
PD-05	Kennel Fee [per day]	\$ 40.00
PD-06	Dog Show Permit [per permit]	\$ 46.00
PD-07	Animal-Drawn Vehicle Permit [per permit]	\$ 174.00
PD-08	Owner Surrender of Animal [per surrendered animal]	\$ 60.00
MODIFIED PD-09	Animal Impound Fee Animal brought in to PD by public (per animal)	\$ 25.00
PD-10	Juvenile Diversion Fee [per incident]	\$ 150.00
MODIFIED PD-11	Animal Impound Fee Animal picked up in field by PD	\$ 60.00
Memo	All other Police fees not listed in this schedule will be charged in accordance with County Fee Ordinance #4743 establishing Sheriff's Department fees	

CITY OF SONOMA 2017 FEE SCHEDULE INDEX
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INDEX NO.	SERVICE	FEE OR HOURLY RATE
EFFECTIVE FEBRUARY 13, 2017		
PLANNING		
PL-01	Public Notice [per hearing noticed]	\$ 91.00
PL-02	Tentative Parcel Map [per application]	\$745 plus \$50 per lot plus engineering time (minimum fee \$845)
PL-03	Tentative Subdivision Map [per application]	\$1871 plus \$50 per lot plus engineering time (minimum fee \$2,171)
PL-04	Music License [per application]	\$ 167.00
PL-05	Temporary Use Permit [per permit]	\$ 93.00
PL-06	Minor Use Permit/Exception [per permit]	\$ 373.00
PL-07	Major Use Permit [per permit]	\$ 791.00
PL-08	Variance [per application]	\$ 479.00
PL-09	Planned Unit Development [per application]	\$ 1,465.00
PL-10	Rezoning [per application]	\$ 981.00
PL-11	Prezoning/Annexation [per application]	\$ 1,281.00
PL-12	General Plan Amendment [per application]	\$ 1,594.00
PL-13	Modification of an Approved Plan [per request for modification or revision]	\$ 281.00
PL-14	Deferral Agreement [per application]	\$ 191.00
PL-15	Environmental Review (Initial Study) [per Initial Study]	\$ 1,135.00
PL-16	Environmental Review (Environmental Impact Report) [based on contract costs]	15% of contract cost
PL-17	Lot Line Adjustment /Lot Merger/Certificate of Compliance [per application]	\$ 273.00
PL-18	Appeal [per appeal]	\$ 694.00
PL-19	Sign Review (Administrative) [per application]	\$ 54.00
PL-20	Sign Review (DRC) [per application]	\$ 102.00
PL-21	Design Review (Alteration) [per application]	\$ 151.00
PL-22	Design Review (Minor) [per application]	\$ 235.00
PL-23	Design Review (Major) [per application]	\$ 561.00
PL-24	Design Review (Landscaping Plan) [per application]	\$ 199.00
PL-25	Design Review (Demolition or Relocation) [per application]	\$ 441.00
PL-26	Home Occupation Permit [per application]	\$ 71.00
PL-27	Building Plan Review [per hour]	\$ 110.00
PL-28	Extensions [per request]	\$ 54.00
PL-29	Sidewalk Seating/Outdoor Display Permit [per application / renewal fee is per year]	\$ 63.00 Annual Renewal Fee: \$25
PL-30	Interpretation [per application]	\$ 148.00
PL-31	Research [per hour]	\$ 110.00
PL-32	Inspection [per hour]	\$ 110.00
PL-33	Zoning Permit [per application]	\$ 92.00
PL-34	Storm water Plan Review	DELETED MOVED TO PW-11

CITY OF SONOMA 2017 FEE SCHEDULE INDEX
EFFECTIVE FEBRUARY 13, 2017

INDEX NO.	SERVICE	FEE OR HOURLY RATE
EFFECTIVE FEBRUARY 13, 2017		
PUBLIC WORKS		
<i>In addition to the fees below, the California Department of Transportation (Caltrans) Labor Surcharge & Equipment Rental Rates, as updated, are incorporated by reference. Where applicable, fees will be charged based on the Caltrans Rental Rate Book in effect at the time of the activity.</i>		
PW-01	Parking Barricades-Placement & Removal [per event up to 2 hours of staff time]	\$246 + \$20 per space
DELETED 2016		
MOVED		
PW-02	Water Deposit (Rentals)	FEE MOVED TO UT-13
PW-03	Public Works Inspection Fee [per hour]	\$ 107.00
PW-04	City Engineer Map and Plan Checking Services [per hour]	\$ 163.00
PW-05	City Engineer Inspection Fee [per hour]	\$ 147.00
PW-06	Encroachment Permit Fee (Minor) [per permit]	\$ 170.00
PW-07	Encroachment Permit Fee (Major) [per permit]	\$ 360.00
PW-08	Public Works Crew After Hour Service Charge / Sunday & Holiday Overtime [per hour with 3 hour minimum]	\$258 for First 3 Hours / \$136 per hr after 3 Hours
PW-09	Public Works Crew After Hour Service Fee / Regular Overtime [per hour with 3 hour minimum]	\$197 for First 3 Hours / \$105 per hr after 3 Hours
PW-11	Storm water Plan Review and Inspection Fee [per hour]	\$ 101.00
PW-12	Public Works News rack Initial Permit & Inspection Fee [per application]	\$121 for first 3 news racks / \$20.00 each additional on same application
PW-13	Public Works News rack Annual Fee [per news rack owner per year]	\$ 35.00
PW-14	Public Works Crew Hourly Rate Normal Business Hours [per hour]	\$ 75.00
PW-15	Deposit For Engineering Fees	Varies (Deposit, not a fee)
PW-16	Barricading [per event, up to 2 hours of staff time]	\$ 233.00
NEW 2017		
PW-17	Electric Vehicle Charging Station	\$2.00 Per Hour

CITY OF SONOMA 2017 FEE SCHEDULE INDEX
EFFECTIVE FEBRUARY 13, 2017

INDEX NO.	SERVICE	FEE OR HOURLY RATE
EFFECTIVE FEBRUARY 13, 2017		
UTILITIES		
<i>In addition to the fees below, the California Department of Transportation (Caltrans) Labor Surcharge & Equipment Rental Rates, as updated, are incorporated by reference. Where applicable, fees will be charged based on the Caltrans Rental Rate Book in effect at the time of the activity.</i>		
UT-01	Water Service Payment Reminder Notice [per account unpaid after 39 days from billing date]	\$ 23.00
UT-02	Water Service Turn Off / Turn On (Delinquent Payment) [per account turned off]	\$ 87.00
UT-03	Meter Testing Fee [per test]	\$ 102.00
UT-04	Utility Crew After Hour Service Charge/Regular Overtime [per hour with 3 hour minimum]	\$192 for First 3 Hours / \$100 per hr after 3 Hours
UT-05	Utility Crew After Hour Service Charge/Sunday & Holiday Overtime [per hour with 3 hour minimum]	\$252 for First 3 Hours / \$129 per hr after 3 Hours
UT-06	Non-Residential Fire Line Inspection & Bacteria Testing [per hour]	\$ 120.00
DELETED 2016 UT-07	Water Waste Fee	DELETED
UT-08	Water Flow Test [per test]	\$ 206.00
UT-09	Water Flow Test - Administrative only [per request]	\$ 27.00
UT-10	Back Flow Device Testing Administration (Backflow Fee) [per backflow device per month]	\$ 7.00
UT-11	Meter Cut Lock Fee [per cut lock]	\$ 81.00
UT-12	Second or Third Notice Annual Backflow Device Testing [per notice]	\$ 29.00
UT-13	Water Deposit [per new account]	\$ 150.00
UT-14	Water Service Turn Off / Turn On (Change in Account Holder) [per change in account holder]	\$ 21.00
UT-15	Utility Crew Service Charge Normal Business Hours [per hour]	\$ 71.00
NEW 2017 UT-16	Hydrant Meter Deposit [per hydrant meter]	\$ 3,000.00

Administration

FEE COST WORKSHEET

NUMBER : CA-03

SERVICE: Returned Checks

DESCRIPTION OF SERVICE: Clerical time and expenses involved in contacting a person who has issued a check to the City that is returned for any reason (such as closed account, insufficient funds, etc.).

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Allocation of Salaries and Services

SPECIAL NOTES: This fee is charged in addition to fees charged by the bank. As of 2/1/2015; those fees are \$10.00 per returned check.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Accounting Tech	0.25	\$32.57	\$8.14
				Total Salary <u>\$8.14</u>
		Salary	Percent	
Benefits:		\$8.14	31.87%	\$2.60
Operating Expenses:		\$8.14	31.92%	\$2.60
Overhead:		\$8.14	19.02%	\$1.55
Fixed Assets:	Building & Equipment	\$8.14	16.10%	\$1.31
				Total <u><u>\$16.20</u></u>
				Previous Fee: \$16.00
				Fee Effective 2017:* \$16.00
				<i>per Returned Check</i>
				% Change: 0%

* Plus any applicable bank fees charged to the City.

Administration

FEE COST WORKSHEET

NUMBER : CA-04

SERVICE: Billing Fee

DESCRIPTION OF SERVICE: Clerical time and expense for provide billing services. This fee may be used when an invoice requires rebilling because it was not paid before the due date.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Accounting Tech	0.25	\$32.57	\$8.14
	Avg Mgmt Salary	0.5	\$56.39	\$28.19
				Total Salary <u><u>\$36.34</u></u>
Benefits:		Salary	%	
		\$36.34	31.87%	\$11.58
Operating Expenses:		\$36.34	31.92%	\$11.60
Overhead:		\$36.34	19.02%	\$6.91
Fixed Assets:	Building & Equipment	\$36.34	16.10%	\$5.85
				Total <u><u>\$72.28</u></u>
				Previous Fee: \$73.00
				Fee Effective 2017: \$72.00
				<i>per invoice / pass through invoice</i>
				% Change: -1%

Administration

FEE COST WORKSHEET

NUMBER : CA-05

SERVICE: Media Duplication

DESCRIPTION OF SERVICE: Hourly rate for time and expense for providing copies of recordings. Actual cost of media + 15% overhead will be added to fee. Recordings may be provided on media such as audio tape, CD, DVD or USB Drive.

REFUND POLICY: Full refund if recording has not been duplicated and payment has not been processed. 50% refund if refund check has to be issued. No refund after recording has been made.

PROCESS OF COSTING SERVICE: Hourly rate per hour expended by staff to duplicate recording.

CALCULATION OF FEE				
		Hours	Rate	
Salaries:	City Clerk	1.00	\$ 38.95	\$38.95
				Total Salary <u>\$38.95</u>
Benefits:		Salary	%	
		\$38.95	31.87%	\$12.41
Operating Expenses:		\$38.95	31.92%	\$12.43
Overhead:		\$38.95	19.02%	\$7.41
Fixed Assets:	Building & Equipment	\$38.95	16.10%	\$6.27
				Total <u><u>\$77.48</u></u>
				Previous Fee: \$55.00
				Fee Effective 2017: \$77.00
				<i>per hour*</i>
				% Change: 40%

* plus actual cost of media * 15%.

Administration

FEE COST WORKSHEET

NUMBER : CA-06

SERVICE: Municipal Code Supplement Service

DESCRIPTION OF SERVICE: Clerical time and expense for obtaining and distributing Muni Code supplements. The City updates the Municipal Code on an annual basis. The City Clerk then provides copies of the supplements to everyone who has a copy of the Code. This charge applies to private entities requesting the supplements.

REFUND POLICY: No refund if supplement has been provided.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		<u>Hours</u>	<u>Rate</u>	
Salaries:	City Clerk	0.50	\$38.95	\$19.48
				Total Salary <u>\$19.48</u>
Benefits:		Salary	%	
		\$19.48	31.87%	\$6.21
Operating Expenses:		\$19.48	31.92%	\$6.22
Overhead:		\$19.48	19.02%	\$3.70
Fixed Assets:	Building & Equipment	\$19.48	16.10%	\$3.14
				Total <u><u>\$38.74</u></u>
				Previous Fee: \$61.00
				Fee Effective 2017:* \$38.00
				<i>per supplement plus postage</i>
				% Change: -38%

* Plus actual cost of the printed supplement & postage

Administration

FEE COST WORKSHEET

NUMBER : CA-07

SERVICE: Agenda Packet Subscription

DESCRIPTION OF SERVICE: Clerical time and expense for providing complete agenda packages to members of the public per year. City Council candidates who have qualified for the ballot receive agenda packets free of charge until the date of the election.

REFUND POLICY: Refund on prorated basis minus \$25 administration fee.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		Hours	Rate	
Salaries:	Administrative Asst	10.00	\$29.29	\$292.90
				Total Salary <u>\$292.90</u>
Benefits:		Salary	%	
		\$292.90	31.87%	\$93.36
Operating Expenses:		\$292.90	31.92%	\$93.48
Overhead:		\$292.90	19.02%	\$55.72
Fixed Assets:	Building & Equipment	\$292.90	16.10%	\$47.15
			Total	<u><u>\$582.61</u></u>
			Previous Fee:	\$558.00
			Fee Effective 2017:	\$582.00
				<i>per year</i>
			% Change:	4%

Administration

FEE COST WORKSHEET

NUMBER : CA-08

SERVICE: Agendas Only Subscription

DESCRIPTION OF SERVICE: Clerical time and expense for providing paper agendas through the postal service to members of the public per year . This fee would apply to private citizens who request to be on the mailing list to receive copies of Council and/or Commission agendas.

REFUND POLICY: Refund on prorated basis minus \$25 administration fee.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	4.00	\$29.29	\$117.16
				Total Salary <u>\$117.16</u>
Benefits:		Salary	%	
		\$117.16	31.87%	\$37.34
Operating Expenses:		\$117.16	31.92%	\$37.39
Overhead:		\$117.16	19.02%	\$22.29
Fixed Assets:	Building & Equipment	\$117.16	16.10%	\$18.86
				Total <u><u>\$233.05</u></u>
				Previous Fee: \$223.00
				Fee Effective 2017: \$233.00
				<i>per year</i>
				% Change: 4%

Administration

FEE COST WORKSHEET

NUMBER : CA-10

SERVICE: Appeal (Administrative)

DESCRIPTION OF SERVICE: To facilitate, hear and consider an appeal of a staff-level final decision. Must be filed within fifteen days of the final decision.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	City Clerk	0.50	\$38.95	\$19.48
	City Manager	1.00	\$86.76	\$86.76
				Total Salary <u><u>\$106.24</u></u>
Benefits:		Salary	%	
		\$106.24	31.87%	\$33.86
Operating Expenses:		\$106.24	31.92%	\$33.91
Overhead:		\$106.24	19.02%	\$20.21
Fixed Assets:	Building & Equipment	\$106.24	16.10%	\$17.10
				Total <u><u>\$211.31</u></u>
				Previous Fee: \$247.00
				Fee Effective 2017: \$211.00
				<i>per appeal</i>
				% Change: -15%

Administration

FEE COST WORKSHEET

NUMBER : CA-11

SERVICE: Mobile home Park Rental Increase Application

DESCRIPTION OF SERVICE: To facilitate, hear and consider an application filed by a park owner for a rental increase. (Pursuant to SMC 9.80.035B). The City is currently in the process of updating its Mobile Home Rent Control Administrative Guidelines. This fee may be modified or deleted once that update is

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		Hours	Rate	
Salaries:	City Clerk	1.00	\$38.95	\$38.95
	City Manager	0.50	\$86.76	\$43.38
			Total Salary	\$82.33
Benefits:		Salary	%	
		\$82.33	31.87%	\$26.24
Operating Expenses:		\$82.33	31.92%	\$26.28
Overhead:		\$82.33	19.02%	\$15.66
Fixed Assets:	Building & Equipment	\$82.33	16.10%	\$13.25
			Total	\$163.76
			Previous Fee:	\$215.00
			Fee Effective 2017:	\$163.00
			<i>per application</i>	
			% Change:	-24%

Administration

FEE COST WORKSHEET

NUMBER :

CA-12

SERVICE: Tobacco Retailers License

DESCRIPTION OF SERVICE: Administration and enforcement of the TRL program pursuant to Ordinance No. 04-2015 adopted June 1, 2015. In addition costs of city enforcement (such as City Prosecutor, Code Enforcement Officer) or Administrative Violation penalties may apply for violations.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel and fixed assets

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Manager	0	\$ 51.45	\$0.00
	Acct Tech	1	\$ 32.57	\$32.57
				City Salary \$32.57
Benefits:		Salary	Percent	
		\$32.57	31.87%	\$10.38
				Total City Salary Costs \$42.95
		Hours	Rate	
Contracted Salary Costs:	Police Deputy	16	\$88.86	\$1,421.76
	Administrative Aide	4	\$55.29	\$221.16
				Total Contracted Salary Costs \$1,642.92
Total Salary Costs:				\$1,685.87
Patrol Car (2 days)	\$57.38 per day			\$114.76
Operating Expenses:		\$1,642.92	31.92%	\$524.36
Overhead:		\$1,642.92	19.02%	\$312.54
Fixed Assets:		\$1,642.92	16.10%	\$264.50
				Total \$2,902.03

Divided by 16 licenses to be issued in City

Previous Fee: \$273.00

Fee Effective 2017: \$223.00
per license

Costs of Police Staff based on Sonoma County Fee Schedule

% Change: -18%

For Licenses issued after January 1, 2017

Special Events

FEE COST WORKSHEET

NUMBER : SE-01

SERVICE: Alcohol Permit

DESCRIPTION OF SERVICE: Processing Alcohol Permit Applications for organizations holding events on city property that request permission to serve alcohol.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application has not been processed.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		<u>Hours</u>	<u>Rate</u>	
Salaries:	City Manager	0.25	\$86.76	\$21.69
				City Salary Cost <u>\$21.69</u>
Benefits:			Salary Percent	
			\$21.69 31.87%	\$6.91
			Total City Salary Cost	<u>\$28.60</u>
Contracted Salary Cost:		<u>Hours</u>	<u>Rate</u>	
	Police Chief	0.5	\$122.89	\$61.45
	Administrative Aide	0.2	\$55.29	\$11.06
	Special Events Manager	1	\$45.00	\$45.00
			Total Contracted Salary Cost	<u>\$117.50</u>
Total Salary Costs:				<u>\$146.11</u>
Operating Expenses:			Salary Percent	
			\$146.11 31.92%	\$46.63
Overhead:			\$146.11 19.02%	\$27.79
Fixed Assets:			\$146.11 16.10%	\$23.52
			Total	<u><u>\$244.05</u></u>
			Previous Fee:	\$256.00
			Fee Effective 2017:	\$244.00
				<i>per permit</i>
Costs of Police Staff based on Sonoma County Fee Schedule			% Change	-5%

Special Events

FEE COST WORKSHEET

NUMBER : SE-03

SERVICE: Large Scale Special Event Permit Application Processing Fee

DESCRIPTION OF SERVICE: Staff time and expenses for reviewing and processing special event applications for events within the City and at City Facilities, including the Plaza, Depot Park, and City Streets. During the application process, a contract will be developed to estimate costs to support the event.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if event has not been held.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies. If additional services are required in advance of contract, customer may be billed at the applicable hourly rate for the staff involved.

CALCULATION OF FEE				
		<u>Hours</u>	<u>Rate</u>	
Salaries:	Mgmt Analyst	0	\$32.39	\$0.00
	Parks Supervisor	2	\$39.74	\$79.48
	Street Supervisor	1	\$41.73	\$41.73
				<u>City Salary</u>
Benefits:		Salary	Percent	
		\$121.21	31.87%	\$38.63
			Total City Salary Costs	<u>\$159.84</u>
Contracted Salary Costs:		<u>Hours</u>	<u>Rate</u>	
	Police Sergeant	1.5	\$102.48	\$153.72
	Administrative Aide	0.5	\$55.29	\$27.65
	Fire Marshall	0.5	\$127.00	\$63.50
	Special Events Manager	5	\$45.00	\$225.00
			Total Contracted Salary Costs	<u>\$469.87</u>
Total Salary Costs:				<u>\$629.71</u>
Operating Expenses:		Salary	Percent	
		\$629.71	31.92%	\$200.98
Overhead:		\$629.71	19.02%	\$119.79
Fixed Assets:		\$629.71	16.10%	\$101.38
			Total	<u><u>\$1,051.86</u></u>

Previous Fee: \$958.00

Fee Effective 2017: \$1,051.00

per Application / Event

% Change 10%

Costs of Police Staff based on Sonoma County Fee Schedule

Cost of Fire Marshall Based on Valley of the Moon Fire District Fee Schedule

Special Events

FEE COST WORKSHEET

NUMBER : SE-04

SERVICE: Small Scale Special Event Application Processing Fee

DESCRIPTION OF SERVICE: Staff time and expenses for reviewing and processing special event applications for events within the City and at City Facilities, including the Plaza, Depot Park, and City Streets. This fee includes weddings unless the wedding meets the definition of a large scale special event. Additional costs may be identified during the application review process.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if event has not been held.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Parks Supervisor	1	\$ 39.74	\$39.74
	Street Supervisor	0	\$ 41.73	\$0.00
				City Salary <u>\$39.74</u>
Benefits:		Salary	Percent	
		\$39.74	31.87%	<u>\$12.67</u>
				Total City Salary Costs <u>\$52.41</u>
Contracted Salary Costs:		Hours	Rate	
	Special Events Manager	2	\$45.00	\$90.00
				Total Contracted Salary Costs <u>\$90.00</u>
Total Salary Costs:				<u>\$142.41</u>
Operating Expenses:		Salary	Percent	
		\$142.41	31.92%	\$45.45
Overhead:		\$142.41	19.02%	\$27.09
Fixed Assets:		\$142.41	16.10%	\$22.93
				Total <u><u>\$237.87</u></u>

Previous Fee: \$306.00

Fee Effective 2017: \$237.00

per Application / Event

% Change -23%

Special Events

FEE COST WORKSHEET

NUMBER : SE-05

SERVICE: Street Use Permit

DESCRIPTION OF SERVICE: Processing applications for the use of city streets. Requires City Council approval. If street use permit is authorized, additional fees will be charged including, but not limited to: Barricading (PW-16), additional staff time required for barricading (PW-14, PW-08, PW-09), and costs of any other staff required to set up, clear, and manage street closure.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if event has not been held.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	City Clerk	0.5	\$38.95	\$19.48
	City Manager	0	\$86.76	\$0.00
	Street Supervisor	1.5	\$41.73	\$62.60
	Total Salary			\$82.07
Benefits:		Salary	Percent	
		\$82.07	31.87%	\$26.16
	Total City Salary Costs			\$108.23
Contracted Salary Costs:		Hours	Rate	
	Police Sergeant	1.5	\$102.48	\$153.72
	Special Events Manager	2	\$45.00	\$90.00
Total Salary Costs:				\$351.95
Operating Expenses:		Salary	Percent	
		\$351.95	31.92%	\$112.33
Overhead:		\$351.95	19.02%	\$66.95
Fixed Assets:		\$351.95	16.10%	\$56.66
	Total			\$587.89

Previous Fee: \$576.00

Fee Effective 2017: \$587.00

per permit + \$20.00 per parking space made unavailable by use of street

% Change 2%

Costs of Police Staff based on Sonoma County Fee Schedule

Special Events

FEE COST WORKSHEET NUMBER : SE-06

SERVICE: Film Permit

DESCRIPTION OF SERVICE: Processing of application for permission to film within city limits. There are two structures for this fee depending on the anticipated impact of the event: "High Impact Video Productions" applies to large scale events. "Low Impact Video Productions" applies to small scale events. Staff will make determination of scale of event at the time of application submittal. If film permit is approved, additional fees may be charged including, but not limited to costs of any staff required to set up, clear, and manage activity related to permit.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if event has not been held.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE - HIGH IMPACT VIDEO PRODUCTION					
		Hours	Rate		
Salaries:	City Manager	0.5	\$	\$86.76	\$43.38
	Public Wks Super	0		\$39.74	\$0.00
	Mgmt Analyst	0		\$32.39	\$0.00
				Total City Salary	\$43.38
			Salary	Percent	
Benefits			\$43.38	31.87%	\$13.83
				Total City Salary Costs	\$57.21
		Hours	Rate		
Contracted Salary Costs	Police Chief	1.5	\$	119.87	\$179.81
	Special Events Manager	2	\$	45.00	\$90.00
Total Salary Costs:					\$327.01
			Salary	Percent	
Operating Expenses:			\$327.01	31.92%	\$104.37
Overhead:			\$327.01	19.02%	\$62.21
Fixed Assets:			\$327.01	16.10%	\$52.65
				Total	\$546.24
				Previous Fee:	\$706.00
				Fee Effective 2017:	\$546.00
					<i>per permit</i>
				% Change	-23%

CALCULATION OF FEE - LOW IMPACT VIDEO PRODUCTION					
		Hours	Rate		
Salaries:	City Manager	0.5	\$	\$86.76	\$43.38
	Public Wks Super	0.5		\$39.74	\$19.87
	Mgmt Analyst	0		\$32.39	\$0.00
				Total City Salary	\$63.25
Benefits:			\$63.25	31.87%	\$20.16
				Total City Salary Costs	\$83.41
		Hours	Rate		
Contracted Salary Costs	Police Chief	0.5	\$	\$122.89	\$61.45
	Special Events Manager	1		\$45.00	\$45.00
Total Salary Costs:					\$169.70
			Salary	Percent	
Operating Expenses:			\$169.70	31.92%	\$54.16
Overhead:			\$169.70	19.02%	\$32.28
Fixed Assets:			\$169.70	16.10%	\$27.32
				Total	\$283.46
				Previous Fee:	\$334.00
				Fee Effective 2017:	\$283.00
					<i>per permit</i>
				% Change	-15%

Special Events

FEE COST WORKSHEET

NUMBER : SE-10

SERVICE: Additional Hours - Special Events Manager

DESCRIPTION OF SERVICE: Staff time and expenses for additional time reviewing and processing special event applications for events within the City and at City Facilities, including the Plaza, Depot Park, and City Streets. This rate is for hours in addition to hours specified in associated application fee. Hours may result from: additional follow-up on event requirements (vendor business license, payments, etc.); changes to event plans / layout, etc.

REFUND POLICY: No Refund. Charges occur after work has taken place.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

	<u>Hours</u>	<u>Rate</u>	
Salaries:	0		\$0.00
	0		\$0.00
	0		\$0.00
	0		\$0.00
		City Salary	<u>\$0.00</u>
	Salary	Percent	
Benefits:	\$0.00	31.87%	<u>\$0.00</u>
		Total City Salary Costs	\$0.00
	<u>Hours</u>	<u>Rate</u>	
Contracted Salary Costs:	Special Events Manag	1 \$45.00	\$45.00
		Total Contracted Salary Costs	<u>\$45.00</u>
Total Salary Costs:			\$45.00
	Salary	Percent	
Operating Expenses:	\$45.00	31.92%	\$14.36
Overhead:	\$45.00	19.02%	\$8.56
Fixed Assets:	\$45.00	16.10%	\$7.24
		Total	<u><u>\$75.17</u></u>

Previous Fee: NEW FEE

Fee Effective 2017: \$75.00
per Application / Event
 % Change NEW FEE

Special Events

FEE COST WORKSHEET

NUMBER : SE-25

SERVICE: Family / Small Group Gathering

DESCRIPTION OF SERVICE: This is a pilot option introduced in 2017 to provide reservations for tables at City Parks. Use of this event definition is subject to the sole discretion of the City and typically includes: a few tables only (versus a full quadrant / section), signage on the table(s), groups of 30 or fewer, no revenues earned from event, no vendors used by event, an event lasting less than 4 hours, and requiring less than 1/2 hour of staff time to coordinate and approve. No staff enforcement of reservation will be provided.

REFUND POLICY: Refund of the rental fee only may be issued if event organizer provides proof that they were unable to hold the planned event because the space became unavailable.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

	Hours	Rate	
Salaries:	0		\$0.00
	0		\$0.00
	0		\$0.00
	0		\$0.00
		City Salary	\$0.00
Benefits:	Salary	Percent	
	\$0.00	31.87%	\$0.00
		Total City Salary Costs	\$0.00
Contracted Salary Costs:	Hours	Rate	
Special Events Manager	0.4	\$45.00	\$18.00
		Total Contracted Salary Costs	\$18.00
Total Salary Costs:			\$18.00
Operating Expenses:	Salary	Percent	
	\$18.00	31.92%	\$5.74
Overhead:	\$18.00	19.02%	\$3.42
Fixed Assets:	\$18.00	16.10%	\$2.90
		Total	\$30.07
Rental Fee			\$120.00
TOTAL FEE			\$150.07

Previous Fee: NEW FEE

Fee Effective 2017: \$150.00
per Application / Event
 % Change NEW FEE

Building Department Fee Summary Sheet - Effective 1/20/17

Fee Type	Fee ID	2017 Fee	Unit
<u>Administrative or Plan Review</u>			
Construction Permit Deposit	BL-01	Varies (Deposit - Not a Fee)	
Permit Processing Fee	BL-02	\$44.00	Ea
Training & Certification Fee	BL-03	\$9.00	Ea
Plan Check Fee	BL-04	\$115.00	per Hr.
Miscellaneous Building Division Services (Hourly Rate)	BL-05	\$102.00	per Hr.
Imaging - 8.5 x 11	BL-06	\$0.50	Ea
Imaging - Other sizes	BL-06	\$2.40	Ea
Conditional Authorization to Proceed with Work	BL-07	\$510.00	Ea
Off-Hour Building Dept. Services	BL-08	\$204.00	per Hr.
Permit Application / Permit Extension Fee	BL-09	\$51.00	Ea
Document Preparation and Recording Fee	BL-10	\$102.00	Ea
Appeal Fee	BL-11	\$802.00	Ea
Refund Processing Fee	BL-12	\$54.00	Ea
Minimum Investigation Fee (Compliance Response Within 30 Days)	BL-13	\$357.00	Ea
Standard Investigation Fee (More than 30 Day Compliance Response)	BL-14	\$714.00	Minimum
Change of Use or Occupancy Review (Building Survey)	BL-15	\$510.00	Ea
Contractor's License Tax	BL-16	\$1.00 per \$1,000 valuation	
Capital Improvement Fee - per square foot for commercial buildings	BL-17	\$0.19	per S.F.
Capital Improvement Fee - for one-bedroom dwelling	BL-17	\$410.00	Ea Unit
Capital Improvement Fee - for two-bedroom dwelling	BL-17	\$478.00	Ea Unit
Capital Improvement Fee - for three or more bedroom dwelling	BL-17	\$614.00	Ea Unit
Capital Improvement Fee - for each added bedroom	BL-17	\$68.00	Ea
Impact Fee	BL-18	\$966.00	Ea Unit
<u>Inspection Services</u>			
Single Inspection Permit Fee	BL-20	\$127.00	Ea
Building Permit Inspection Fee	BL-21	Per Building Table BL-21-A	Ea Pmt
Building Demolition Inspection Fee	BL-22	\$306.00	Ea
Building Relocation Inspection Fee	BL-23	\$612.00	Ea
Electrical Inspection Fee - Unit Fee	BL-24	Per Electrical Table BL-24-A	varies
Plumbing Inspection Fee - Unit Fee	BL-25	Per Plumbing Table BL-25-A	varies
Water Conserving Plumbing Fixture Verification - Plumber Certified	BL-26	\$51.00	All Fixt.
Mechanical Inspection Fee - Unit Fee	BL-27	Per Mechanical Table BL-27-A	varies
Energy Inspection Fee	BL-28	20% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A and BL-27-A	Ea Pmt
Accessibility Inspection Fee	BL-29	20% of calculated Inspection Fees in Tables BL-21-A.	Ea Pmt
One & Two Family Re-Roofing Permits	BL-30	\$153.00	Ea Pmt
Private Residential Swimming Pool Inspection Fee	BL-31	\$612.00	Ea Pmt
Modular and Manufactured Housing Inspection Fee	BL-32	25% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A and BL-27-A.	Ea Pmt
Grading Permit Inspection Fee	BL-34	Per Grading Table BL-34-A	Ea Pmt
CALGreen Inspection Fee	BL-35	20% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A, BL-27-A and BL-34-A, or 1-hr. minimum based on the Hourly Building Dept. Rate, whichever is greater.	Ea Pmt
Large Format Printing	BL-37	Per Table in BL-37	varies

Building Department

FEE COST WORKSHEET

NUMBER : BL-01

SERVICE: Construction Permit Deposit

DESCRIPTION OF SERVICE: This is a deposit paid by an applicant at the time an application is made for a building permit. This deposit is to be applied towards the costs of processing the permit application, plan checking services, training fees, and other permit costs required to be paid by the applicant. Permit processing fees and training fees apply to every permit application. Plan checking fees only apply on those permit applications where plan review services are provided.

REFUND POLICY: Once all costs and expenses are calculated for a project, any remaining balance will be refunded to the applicant.

PROCESS OF COSTING SERVICE: The deposit is not a fee but is to be applied towards the payment of fees owed to the City. The deposit amount approximates the costs of processing the permit application, plan checking services and training fees. Since an exact amount for these services cannot be determined at the time of application, the deposit amount is only an approximation of those fees.

CALCULATION OF DEPOSIT

If Estimated Project Cost is:	Deposit Rate is:
Design Change for an existing Permit	\$57.50 Minimum
<\$100,000	\$100 MINIMUM OR \$10.00 for each \$1000 of Estimated Project Cost or portion thereof, whichever is greater
>=\$100,000 but<\$1,000,000	\$1,000 MINIMUM OR \$5.00 for each \$1,000 of Estimated Project Cost or Portion thereof, whichever is greater
>=1000000	\$5,000 MINIMUM OR \$3.00 for each \$1,000 of Estimated Project Cost or Portion thereof, whichever is greater

Building Department

FEE COST WORKSHEET

NUMBER : BL-02

SERVICE: Permit Processing Fee

DESCRIPTION OF SERVICE: Staff time and expenses involved in routing, handling and processing a permit application, including initial application assistance, calculating and collecting the deposit, permit issuance and permit reporting and recordkeeping. This fee does not include plan check time or the calculation of permit fees. The fee is due and payable at time of application.

REFUND POLICY: No refund of this fee is allowed.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		Hours	Rate	
Salaries:	Administrative Asst	0.50	\$29.29	\$14.65
	Average Staff Rate	0.15	\$51.28	\$7.69
				Total Salary <u>\$22.34</u>
		Salary	Percent	
Benefits:		\$22.34	31.87%	\$7.12
Operating Expenses:		\$22.34	31.92%	\$7.13
Overhead:		\$22.34	19.02%	\$4.25
Fixed Assets:	Building & Equipment	\$22.34	16.10%	\$3.60
				Total <u><u>\$44.43</u></u>
				Previous Fee: \$44.00
				Fee Effective 2017: \$44.00 <i>per permit</i>
				% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-03

SERVICE: Training & Certification Fee

DESCRIPTION OF SERVICE: Costs associated with state mandated training and certification for Building Department personnel. The fee is due and payable at the time of permit application.

REFUND POLICY: No refund of this fee is allowed.

PROCESS OF COSTING SERVICE: The fee is calculated based on total budgeted training costs divided by the estimated number of permits issued. The fee is charged on each building permit. *[AB 717 (1995) requires that beginning January 1, 1996, certain building department personnel (i.e. Building Officials, Plan Checkers and Building Inspectors) be trained and certified in the type of work they perform on the job. AB 717 provides that jurisdictions may recover the costs for training and certifying the personnel by charging a fee.]*

CALCULATION OF FEE

Estimated Training Costs	\$5,700.00		
Estimated Permits	605		
Cost per Permit	\$9.42	Total Cost	\$9.42
		Previous Fee:	\$9.00
		Fee Effective 2017:	\$9.00
			<i>per permit</i>
		% Change:	0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-04

SERVICE: Plan Check Fee

DESCRIPTION OF SERVICE: Performance of plan checking and preliminary site review services to verify compliance with the California Building Code, the Sonoma Municipal Code and other applicable regulations, including administrative work and permit approval coordination related thereto.

A Construction Permit Deposit (BL-01) must be paid at the time of application. The balance of any plan check fee shall be due and payable immediately following the rendering of the service.

REFUND POLICY: A refund of 100% of the Plan Check Fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on the actual hourly cost of performing plan review and related services such as counter assistance, corresponding with applicants, design meetings, preliminary site investigations, code research, and other activities related to a building permit application.

SPECIAL NOTES: This fee may be charged at increments of 15 minutes or any portion thereof. In the event that this service is outsourced, the actual vendor costs may be passed through to the applicant with the additional charges as specified in Fee CA-09 (Standard Administrative Overhead). Where multiple permits will be issued under a single plan review (i.e. master plan, P.U.Ds, etc.) the Plan Check fee may either be charged on the first permit issued or divided between the permits at the sole discretion of the Building Official.

CALCULATION OF FEE

Salaries:	Average Plan Check Staff Rate	Hours	Rate	
		1.00	\$58.17	\$58.17
				Total Salary <u>\$58.17</u>
		Salary	Percent	
Benefits:		\$58.17	31.87%	\$18.54
Operating Expenses:		\$58.17	31.92%	\$18.57
Overhead:		\$58.17	19.02%	\$11.07
Fixed Assets:	Building & Equipment	\$58.17	16.10%	\$9.36
				Total <u><u>\$115.71</u></u>
				Previous Hourly Fee: \$116.00
				Fee Effective 2017: \$115.00 <i>per hour</i>
				% Change: -1%

Building Department

FEE COST WORKSHEET

NUMBER : BL-05

SERVICE: Miscellaneous Building Division Services (**Hourly Rate**)

DESCRIPTION OF SERVICE: Staff time and expenses involved in: • Researching code requirements or file documentation not otherwise covered under other fees, duplicating approved permit documentation; (30 minute minimum) • Verifying compliance with various building construction laws on projects where changes to the approved plans are necessary; (30 minute minimum) • When incomplete, changed, or multiple alternative design schemes require additional plan review or inspection; (30 minute minimum) • Plot plan and duplicate plan reviews that are part of an approved master plan for a project; (30 minute minimum) • Reinspection and miscellaneous inspections; (1-hr. minimum) • Temporary and Conditional Occupancy Permits; (1-hr. minimum) • Labor for duplication of lost construction documentation (i.e. Inspection cards, permits, approved plans, etc.) (30 minute minimum) • Minimum rate for each deferred submittal item. (1-hr. minimum) • Cost for preparation and issuance of a Performance Guarantee; (1-hr. min.) • All other misc. building department services not otherwise covered by a fee.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and none of the services listed above have been performed. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies for 1 hour of activity.

SPECIAL NOTES: In the event that this service is outsourced, the actual vendor costs shall be passed through to the applicant with the additional charges as specified in Fee CA-09.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Average Staff Rate	1.00	\$51.28	\$51.28
				Average Salary <u>\$51.28</u>
Benefits:		Salary	Percent	
		\$51.28	31.87%	\$16.35
Operating Expenses:		\$51.28	31.92%	\$16.37
Overhead:		\$51.28	19.02%	\$9.76
Fixed Assets:	Building & Equipment	\$51.28	16.10%	\$8.26
				Total <u><u>\$102.01</u></u>
				Previous Hourly Fee: \$101.00
				Fee Effective 2017: \$102.00 <i>per hour</i>
				% Change: 1%

Building Department

FEE COST WORKSHEET

NUMBER : BL-06

SERVICE: Imaging

DESCRIPTION OF SERVICE: This fee covers the costs of scanning file documents and maintaining micrographics equipment.

REFUND POLICY: No refund is allowed.

PROCESS OF COSTING SERVICE: Based on the actual cost of contracted services and equipment. Charged per sheet based on the size of the document to be microfilmed.

CALCULATION OF FEE

Actual Cost for Imaging/Equipment for each 8.5 x 11sheet	\$0.51
Actual Cost for Imaging/Equipment for each other sized sheet	\$2.41
Previous Fee for each 8.5 x 11sheet:	\$0.50
Previous Fee for each other sized sheet:	\$2.40
Fee for each 8.5 x 11sheet:	\$0.50
Fee for each other sized sheet:	\$2.40
	<i>per sheet</i>
% Change:	0%

8.5 x 11 and 14 Documents

Approved Plan Documentation 8.5 x 11, 8.5 x 14	\$0.01
Index of Building Files, Org. Permits, App Plans, Plan Doc, Arc P.	\$0.06
Double Key Verification	\$0.01
Document Preparation	\$0.05
Database Merge	\$0.01
Output to Media	\$0.01
Installation/setup	\$0.24
Creation of Master CD	\$0.05
Creation of Duplicate Backup Copy	\$0.03
City prep time	\$0.03
Cost per image	\$0.51

Plan size Documents

Approved Building Plans	\$1.45
Index of Building Files, Org. Permits, App.	\$0.06
Double Key Verification	\$0.06
Document Preparation	\$0.50
Database Merge	\$0.01
Output to Media	\$0.01
Installation/setup	\$0.24
Creation of Master CD	\$0.05
Creation of Duplicate Backup Copy	\$0.03
Cost per image	\$2.41

Building Department

FEE COST WORKSHEET

NUMBER : BL-07

SERVICE: Conditional Authorization to Proceed with Work

DESCRIPTION OF SERVICE: Time and expenses involved in verifying compliance with various building construction laws. This service will allow the applicant or his/her representative to start work on a project before all necessary approvals have been granted for the entire project. The authorization shall apply only to certain parts of the project which are unrelated to the items or elements yet to receive approval. The authorization may be issued at the discretion of the Chief Building Official or his/her designated representative. This fee shall be assessed in addition to any other applicable fees. The project applicant or his/her representative shall pay this fee at the time the authorization is granted and prior to starting work.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and none of the services listed above have been performed. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
Salaries:		<u>Hours</u>	<u>Rate</u>	
	Average Staff Rate	5.00	\$51.28	\$256.42
				Total Salary <u><u>\$256.42</u></u>
		Salary	Percent	
Benefits:		\$256.42	31.87%	\$81.73
Operating Expenses:		\$256.42	31.92%	\$81.84
Overhead:		\$256.42	19.02%	\$48.78
Fixed Assets:	Building & Equipment	\$256.42	16.10%	\$41.28
				Total <u><u>\$510.04</u></u>
				Previous Fee: \$456.00
				Fee Effective 2017: \$510.00 <i>per authorization</i>
				% Change: 12%

Building Department

FEE COST WORKSHEET

NUMBER : BL-08

SERVICE: Off-Hour Building Dept. Services

DESCRIPTION OF SERVICE: Time and expenses involved in: Performing inspections and other services outside of normal business hours. This service is subject to voluntary staffing availability.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no service has been performed for the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel (including overtime or holiday pay), services and supplies for 1 hour response during non-business hours. Actual fee to vary according to staff involved (1 hour minimum).

SPECIAL NOTES: This fee may be charged at increments of 15 minutes or any portion thereof. In the event that this service is outsourced, the actual vendor costs shall be passed through to the applicant with the additional charges as specified in Fee CA-09. Where multiple permits will be issued under a single plan review (i.e. master plan, P.U.Ds, etc.) the Plan Check fee may either be charged on the first permit issued or divided between the permits at the sole discretion of the Building Official.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Average Staff Rate	1.00	\$51.28	\$51.28
				Total Salary <u>\$51.28</u>
Benefits:		Salary	Percent	
		\$51.28	31.87%	\$16.35
Operating Expenses:		\$51.28	31.92%	\$16.37
Overhead:		\$51.28	19.02%	\$9.76
Fixed Assets:	Building & Equipment	\$51.28	16.10%	\$8.26
				Sub Total \$102.01
				<u>\$102.01</u>
				Total <u><u>\$204.02</u></u>
				Previous Fee: \$203.00
				Fee Effective 2017: \$204.00
				<i>per hour</i>
				% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-09

SERVICE: Permit Application / Permit Extension Fee

DESCRIPTION OF SERVICE: Time and expenses involved in reviewing, processing and filing a building permit application extension or an extension on an issued building permit including issuance of reminder letters. The fee is due and payable prior to granting an extension of time on an unexpired permit application or an unexpired issued permit. (Permit applications expire by limitation if no permit is issued within a 180-days of the initial application date and no extension is granted. Permits expire by limitation if no regular inspections are made within a 180-day period and no extension is granted.)

REFUND POLICY: No refund of this fee is allowed.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Average Staff Rate	0.50	\$51.28	\$25.64
				Total Salary <u>\$25.64</u>
		Salary	Percent	
Benefits:		\$25.64	31.87%	\$8.17
Operating Expenses:		\$25.64	31.92%	\$8.18
Overhead:		\$25.64	19.02%	\$4.88
Fixed Assets:	Building & Equipment	\$25.64	16.10%	\$4.13
				Total <u><u>\$51.00</u></u>
				Previous Fee: \$50.00
				Fee Effective 2017: \$51.00
				<i>per extension</i>
				% Change: 2%

Building Department

FEE COST WORKSHEET

NUMBER : BL-10

SERVICE: Document Preparation and Recording Fee

DESCRIPTION OF SERVICE: Time and expenses involved in preparing, researching, notarizing, routing, handling, processing and filing violation, termination or other notices with the County Recorder's Office. This fee includes recording fees assessed by the County Recorder. The fee is due and payable prior to filing the notice.

REFUND POLICY: No refund of this fee is allowed.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Average Staff Rate	1.00	\$51.28	\$51.28
				Total Salary <u>\$51.28</u>
		Salary	Percent	
Benefits:		\$51.28	31.87%	\$16.35
Operating Expenses:		\$51.28	31.92%	\$16.37
Overhead:		\$51.28	19.02%	\$9.76
Fixed Assets:	Building & Equipment	\$51.28	16.10%	\$8.26
				Total <u><u>\$102.01</u></u>
				Previous Fee: \$101.00
				Fee Effective 2017: \$102.00 <i>per hour</i>
				% Change: 1%

Building Department

FEE COST WORKSHEET

NUMBER : BL-11

SERVICE: Appeal Fee

DESCRIPTION OF SERVICE: Time and expenses involved in processing an appeal of a decision of the building official to be heard by the Board of Appeals or a hearing officer.

REFUND POLICY: If the board rules in full favor of the appellant, a full refund shall be made to the appellant when requested by the appellant in writing and authorized by the building board of appeals. The Building Official or City Manager may authorize a refund of up to 50% of the Appeal Fee when, in the sole discretion of the Building Official or City Manager a refund of a portion of the appeal fee is merited due to the circumstances of the case. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
Salaries:		<u>Hours</u>	<u>Rate</u>	
	Building Official	6.00	\$67.20	\$403.20
				Total Salary <u><u>\$403.20</u></u>
		Salary	Percent	
Benefits:		\$403.20	31.87%	\$128.51
Operating Expenses:		\$403.20	31.92%	\$128.69
Overhead:		\$403.20	19.02%	\$76.70
Fixed Assets:	Building & Equipment	\$403.20	16.10%	\$64.91
				Total <u><u>\$802.01</u></u>
				Previous Fee: \$703.00
				Fee Effective 2017: \$802.00
				<i>per appeal</i>
				% Change: 14%

Building Department

FEE COST WORKSHEET

NUMBER : BL-12

SERVICE: Refund Processing Fee

DESCRIPTION OF SERVICE: Time and expenses involved in calculating, routing, paying, mailing, handling and processing a refund for a permit application or issued permit. The fee is due and payable at the time the refund has been calculated and prior to issuance of the refund.

REFUND POLICY: No refund of this fee is allowed.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

SPECIAL NOTES: This fee is not applicable for refunds issued as a result of an overcharging error on the part of City staff.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.5	\$29.29	\$14.65
	Average Staff Rate	0.25	\$51.28	\$12.82
				Total Salary <u>\$27.47</u>
Benefits:		Salary	Percent	
		\$27.47	31.87%	\$8.75
Operating Expenses:		\$27.47	31.92%	\$8.77
Overhead:		\$27.47	19.02%	\$5.22
Fixed Assets:	Building & Equipment	\$27.47	16.10%	\$4.42
				Total <u><u>\$54.63</u></u>
				Previous Fee: \$53.00
				Fee Effective 2017: \$54.00 <i>per refund</i>
				% Change: 2%

Building Department

FEE COST WORKSHEET

NUMBER : BL-13

SERVICE: Minimum Investigation Fee (Compliance Response Within 30 Days)

DESCRIPTION OF SERVICE: The Minimum Investigation Fee shall be assessed where staff time is needed to enforce the requirements of the codes or on all permits where work has been performed without first obtaining the required permits. The Minimum Investigation Fee shall apply where corrective action including submittal of a permit application along with complete plans and documentation are submitted to the building department within and including 30 days of notification of the violation and as otherwise determined appropriate by the building official. This fee may be added to the cost of a building permit intended to mitigate the violation/s or may be separately billed by invoice to the owner of the property where the violation(s) exists. This fee is in addition to all other required fees assessed for the enforcement action or work.

REFUND POLICY: No refund of this fee is allowed.

PROCESS OF COSTING SERVICE: The Minimum Investigation Fee is based upon allocation of the costs of personnel (including overtime or holiday pay), services and supplies during normal business hours. It is estimated that an average minimum of 3.5 hours of building department personnel hours are needed for each minor investigation and related enforcement efforts. The fees based on an average minimum of 3.5 hours of staff time. Where staff time exceeds 4 hours, the Standard Investigation Fee shall apply. If work is performed after normal business hours, the fee shall be 200% of the fee normally assessed.

CALCULATION OF FEE				
Salaries:		<u>Hours</u>	<u>Rate</u>	
	Average Staff Rate	3.50	\$51.28	\$179.49
				Total Salary <u>\$179.49</u>
		Salary	Percent	
Benefits:		\$179.49	31.87%	\$57.21
Operating Expenses:		\$179.49	31.92%	\$57.29
Overhead:		\$179.49	19.02%	\$34.15
Fixed Assets:	Building & Equipment	\$179.49	16.10%	\$28.90
				Total <u><u>\$357.03</u></u>
				Previous Fee: \$406.00
				Fee Effective 2017: \$357.00 <i>each Investigation</i>
				% Change: -12%

Building Department

FEE COST WORKSHEET

NUMBER : BL-14

SERVICE: Standard Investigation Fee (More than 30 Day Compliance Response)

DESCRIPTION OF SERVICE: The Standard Investigation Fee shall be assessed where staff time is needed to enforce the requirements of the codes or on all permits where work has been performed without first obtaining the required permits. The Standard Investigation Fee shall apply where corrective action, including submittal of a permit application along with complete plans and documentation are NOT submitted to the building department within and including 30 days of notification of the violation. This fee may be added to the cost of a building permit intended to mitigate the violation/s or may be separately billed by invoice to the owner of the property where the violation(s) exists. This fee is in addition to all other required fees assessed for the enforcement action or work.

REFUND POLICY: No refund of this fee is allowed.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel (including overtime or holiday pay), services and supplies during normal business hours. It is estimated that an average minimum of 7 hours of building department personnel hours are needed for each investigation and related enforcement efforts. The fee will be based on an average minimum of 7 hours of staff time plus the actual staff time over 7 hours charged at the average hourly staff rate. If work is performed after normal business hours, the fee shall be 200% of the fee normally assessed.

CALCULATION OF FEE				
Salaries:		Hours	Rate	
	Average Staff Rate	7.00	\$51.28	\$358.98
				Total Salary
				\$358.98
		Salary	Percent	
Benefits:		\$358.98	31.87%	\$114.42
Operating Expenses:		\$358.98	31.92%	\$114.58
Overhead:		\$358.98	19.02%	\$68.29
Fixed Assets:	Building & Equipment	\$358.98	16.10%	\$57.79
				Total
				\$714.06
				Previous Fee: \$406.00
				Fee Effective 2017: \$714.00
				<i>each Investigation</i>
				% Change: 76%

Building Department

FEE COST WORKSHEET

NUMBER : BL-15

SERVICE: Change of Use or Occupancy Review (Building Survey)

DESCRIPTION OF SERVICE: Staff time and expenses involved in verifying compliance with various laws governing the change of use of an existing structure. The fee is due and payable at time of application.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Average Staff Rate	5.00	\$51.28	\$256.42

Total Salary \$256.42

		Salary	Percent	
Benefits:		\$256.42	31.87%	\$81.73
Operating Expenses:		\$256.42	31.92%	\$81.84
Overhead:		\$256.42	19.02%	\$48.78
Fixed Assets:	Building & Equipment	\$256.42	16.10%	\$41.28

Total \$510.04

Previous Fee: \$507.00

Fee Effective 2017: **\$510.00**
each review

% Change: 1%

Building Department

FEE COST WORKSHEET

NUMBER : BL-16

SERVICE: Contractor's License Tax

DESCRIPTION OF SERVICE: Imposed on all permits where contractors are performing work with a valuation of \$2,000 or more. Per S.M.C.5.08.050.

REFUND POLICY: This fee is 100% refundable where no work is performed. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Tax established by ordinance S.M.C.5.08.050

CALCULATION OF FEE

Previous Fee: **\$1.00 per \$1,000 valuation**

Fee Effective 2017: \$1.00 per \$1,000 valuation
each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-17

SERVICE: Capital Improvement Fee

DESCRIPTION OF SERVICE: Imposed on permits per S.M.C.3.24.060.

REFUND POLICY: This fee is 100% refundable where no work is performed. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee established by ordinance S.M.C.3.24.060.

CALCULATION OF FEE

Previous Fee: \$0.19 per square foot for commercial buildings
 \$410.00 for one-bedroom dwelling
 \$478.00 for two-bedroom dwelling
 \$614.00 for three or more bedroom dwelling
 \$68.00 for each added bedroom

Fee Effective 2017: \$0.19 per square foot for commercial buildings
 \$410.00 for one-bedroom dwelling
 \$478.00 for two-bedroom dwelling
 \$614.00 for three or more bedroom dwelling
 \$68.00 for each added bedroom

each applicable permit
% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-18

SERVICE: Impact Fee

DESCRIPTION OF SERVICE: Imposed on every new dwelling unit.

REFUND POLICY: This fee is 100% refundable where no work is performed. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee established by Resolution 47-86.

CALCULATION OF FEE

Previous Fee: **\$966.00 per residential unit**

Fee Effective 2017: **\$966.00 per residential unit**
each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-20

SERVICE: Single Inspection Permit Fee

DESCRIPTION OF SERVICE: Cost and expense for inspection of work requiring only one inspection with an anticipated inspection duration, including travel time, of less than 45 minutes. This fee also includes one reinspection, administrative services and recordkeeping.

NOTE: This fee may be used when Building Department staff determine that work is of a minor nature only requiring a single minor inspection such as window replacement, siding replacement, etc.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and none of the services listed above have been performed. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies for a Single Inspection Permit with an anticipated inspection duration, including travel time, of less than 45 minutes, plus the additional time for one reinspection, administrative services and recordkeeping.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Average Staff Rate	1.25	\$51.28	\$64.10
				Average Salary \$64.10
Benefits:		Salary	Percent	
		\$64.10	31.87%	\$20.43
Operating Expenses:		\$64.10	31.92%	\$20.46
Overhead:		\$64.10	19.02%	\$12.19
Fixed Assets:	Building & Equipment	\$64.10	16.10%	\$10.32
				Total \$127.51
				Previous Fee: \$126.00
				Fee Effective 2017: \$127.00
				<i>per permit</i>
				% Change: 1%

Building Department

FEE COST WORKSHEET

NUMBER : BL-21

SERVICE: Building Permit Inspection Fee

DESCRIPTION OF SERVICE: Performance of building inspections and related administrative work. The fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of the Building Permit Inspection Fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on the valuation of the work to be performed pursuant to Tables BL-21-A and Table BL-21-B. The building valuation for a permit is determined and modified as necessary by the Building Official using the Building Valuation Data published by the International Code Council in Building Safety Journal and other relevant data as necessary. Where no Building Valuation data is specifically listed the Building Official will determine the appropriate valuation using any reasonable means or methods.

When in the opinion of the Building Official a Single Inspection Permit may be issued for the proposed work, the fee shall be based on the Single Inspection Permit Fee (BL-20) in lieu of this fee. The Single Inspection Permit Fee shall be treated as the Building Permit Inspection Fee for the purposes of calculating any other fees.

In lieu of assessing inspection fees based on permit valuation as set forth herein, the building official may, at his/her sole discretion, calculate and charge a fee equal to the estimated actual cost of providing the inspection and inspection-related services in accordance with the hourly rate set forth in the adopted fee schedule.

Fee: Per Building Table BL-21-A

Building Department

[NOTE: Rates have not changed since 1997]

FEE COST WORKSHEET

BL-21 (continued)

Building - Table 21-A Inspection Fee Schedule

Building Permit Inspection System Fees	
Total Valuation	Fee
\$1 to \$500	- \$23.50
\$501 to \$2,000	- \$23.50 for the first \$500 plus \$3.05 for each additional \$100 or fraction thereof, to and including \$2,000
\$2,001 to \$25,000	- \$69.25 for the first \$2,000 plus \$14.00 for each additional \$1,000 or fraction thereof, to and including \$25,000
\$25,001 to \$50,000	- \$391.25 for the first \$25,000 plus \$10.10 for each additional \$1,000 or fraction thereof, to and including \$50,000
\$50,001 to \$100,000	- \$643.75 for the first \$50,000 plus \$7.00 for each additional \$1,000 or fraction thereof, to and including \$100,000
\$100,001 to \$500,000	- \$993.75 for the first \$100,000 plus \$5.60 for each additional \$1,000 or fraction thereof, to and including \$500,000
\$500,001 to \$1,000,000	- \$3233.75 for the first \$500,000 plus \$4.75 for each additional \$1,000 or fraction thereof, to and including \$1,000,000
\$1,000,001 and up	- \$5,608.75 for the first \$1,000,000 plus \$3.65 for each additional \$1,000 or fraction thereof.

When a building permit is required for a project, the applicant will pay the above-mentioned fees based on the valuation of the proposed project. The fee for issuing the permit is included in this table. The permit fees shall be paid at the time that the building permit is issued.

The building valuation for a permit is determined and modified as necessary by the Building Official using the latest Building Valuation Data published by the International Code Council in Building Safety Journal and other relevant data as necessary (see Building - Table BL-21-B).

In lieu of assessing inspection fees based on permit valuation as set forth herein, the building official may, at his/her sole discretion, calculate and charge a fee equal to the estimated actual cost of providing the inspection and inspection-related services in accordance with the hourly rate set forth in the adopted fee schedule.

**Building Valuations Table BL-21-B
Square Foot Construction Costs**

	New Floor Area S.F. Valuations										
	Construction Type										
Group (2009 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IIIV	IV	VA	VB	
A-1 Assembly, theaters, with stage	\$263.23	\$254.16	\$248.01	\$237.85	\$223.83	\$217.33	\$230.33	\$204.37	\$196.89		
A-1 Assembly, theaters, without stage	\$241.24	\$232.18	\$226.03	\$215.86	\$202.01	\$195.52	\$208.35	\$182.56	\$175.07		
A-2 Assembly, nightclubs	\$205.89	\$199.92	\$194.86	\$186.97	\$176.26	\$171.40	\$180.40	\$159.60	\$154.20		
A-2 Assembly, restaurants, bars, banquet halls	\$204.73	\$198.76	\$192.54	\$185.81	\$173.94	\$170.24	\$179.24	\$157.28	\$153.04		
A-3 Assembly, churches	\$243.54	\$234.47	\$228.32	\$218.16	\$204.53	\$198.03	\$210.64	\$185.07	\$177.59		
A-3 Assembly, general, community halls, libraries, museums	\$203.14	\$194.08	\$186.77	\$177.77	\$162.98	\$157.64	\$170.25	\$143.52	\$137.20		
A-4 Assembly, arenas	\$240.08	\$231.02	\$223.71	\$214.70	\$199.69	\$194.36	\$207.19	\$180.24	\$173.91		
B Business	\$210.10	\$202.33	\$195.66	\$185.91	\$169.57	\$163.21	\$178.60	\$148.88	\$142.35		
E Educational	\$223.06	\$215.15	\$208.97	\$199.66	\$186.44	\$176.96	\$192.77	\$162.93	\$157.97		
F-1 Factory and industrial, moderate hazard	\$125.90	\$120.10	\$113.17	\$108.82	\$97.63	\$93.21	\$104.24	\$81.86	\$76.65		
F-2 Factory and industrial, low hazard	\$124.74	\$118.94	\$113.17	\$107.66	\$97.63	\$92.05	\$103.08	\$81.86	\$75.49		
H-1 High Hazard, explosives	\$117.86	\$112.06	\$106.29	\$100.78	\$90.99	\$85.40	\$96.20	\$75.21	NP		
H234 High Hazard	\$117.86	\$112.06	\$106.29	\$100.78	\$90.99	\$85.40	\$96.20	\$75.21	\$68.84		
H-5 HPM	\$210.10	\$202.33	\$195.66	\$185.91	\$169.57	\$163.21	\$178.60	\$148.88	\$142.35		
I-1 Institutional, supervised environment	\$209.64	\$202.00	\$196.37	\$186.90	\$172.91	\$168.24	\$186.90	\$155.08	\$150.14		
I-2 Institutional, hospitals	\$353.57	\$345.81	\$339.14	\$329.38	\$311.95	NP	\$322.08	\$291.26	NP		
I-2 Institutional, nursing homes	\$244.99	\$237.23	\$230.56	\$220.80	\$205.62	NP	\$213.50	\$184.93	NP		
I-3 Institutional, restrained	\$239.05	\$231.29	\$224.61	\$214.86	\$200.24	NP	\$207.56	\$179.55	NP		
I-4 Institutional, day care facilities	\$209.64	\$202.00	\$196.37	\$186.90	\$172.91	\$168.24	\$186.90	\$155.08	\$150.14		
M Mercantile	\$153.39	\$147.42	\$141.20	\$134.47	\$123.17	\$119.47	\$127.90	\$106.51	\$102.27		
R-1 Residential, hotels	\$211.44	\$203.81	\$198.17	\$188.71	\$175.00	\$170.33	\$188.71	\$157.17	\$152.23		
R-2 Residential, multiple family	\$177.31	\$169.68	\$164.04	\$154.57	\$141.56	\$136.89	\$154.57	\$123.73	\$118.79		
R-3 Residential, one- and two-family	\$166.95	\$162.36	\$158.35	\$154.08	\$148.42	\$144.55	\$151.46	\$138.89	\$130.68		
R-4 Residential, care/assisted living facilities	\$209.64	\$202.00	\$196.37	\$186.90	\$172.91	\$168.24	\$186.90	\$155.08	\$150.14		
S-1 Storage, moderate hazard	\$116.70	\$110.90	\$103.97	\$99.62	\$88.67	\$84.24	\$95.04	\$72.89	\$67.68		
S-2 Storage, low hazard	\$115.54	\$109.74	\$103.97	\$98.46	\$88.67	\$83.08	\$93.88	\$72.89	\$66.52		
U Utility, miscellaneous (Private Garages & Accessory)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	\$51.77	

The above valuations have been modified using a 1.16 regional modifier for the San Francisco Bay Area

Other Valuations

NEW - Carports / Patio Covers / Arbors / Covered Por	\$35.37
NEW - Decks	\$17.68
NEW - Fire Sprinkler (included in this permit)	\$1.51
NEW - Commercial Fire Sprinkler	\$3.02

Alteration Project Category Modifiers

Categories of Work	Work Category Modifiers applied to New Construction Values for Alteration Work
Nonstructural	36%
Structural	20%
Electrical	8%
Plumbing	8%
Mechanical	8%
Elevator or Conveyor System	6%
Fire Sprinklers	3%
Shell Only?	80%
First Time Tenant Improvements Only?	25%

The valuation is determined by multiplying the applicable value(s) listed by the gross area of applicable portion of the building.

The valuation of a remodel equals the area of the remodel times the RMDL Modifier times the valuation for a new structure of the same occupancy of VB construction type.

Additions shall be valued at the same rate per square foot as for new construction.

Reduce valuation 20% for shell only buildings.

Reduce valuation 75% for first-time time tenant improvements only permits.

N/A = Not Applicable; NP = Not Permitted

Building Department

FEE COST WORKSHEET

NUMBER : BL-22

SERVICE: Building Demolition Inspection Fee

DESCRIPTION OF SERVICE: Time and expenses involved in verifying field compliance with various laws governing the demolition of an existing structure. The fee is due and payable at time of permit issuance.

[For demolitions of small wood framed accessory structures such as carports or tool sheds, the fee may alternatively be based on the standard building permit calculation method which is based on valuation of work and could result in a lower fee.]

REFUND POLICY: A refund of 100% of the Building Demolition Inspection Fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

Salaries:	Average Staff Rate	Hours	Rate	
		3.00	\$51.28	\$153.85
				Total Salary <u>\$153.85</u>
Benefits:		Salary	Percent	
		\$153.85	31.87%	\$49.04
Operating Expenses:		\$153.85	31.92%	\$49.10
Overhead:		\$153.85	19.02%	\$29.27
Fixed Assets:	Building & Equipment	\$153.85	16.10%	\$24.77
				Total <u><u>\$306.03</u></u>

Previous Fee: \$304.00

Fee Effective 2017: **\$306.00**
per permit

% Change: 1%

Building Department

FEE COST WORKSHEET

NUMBER : BL-23

SERVICE: Building Relocation Inspection Fee

DESCRIPTION OF SERVICE: Time and expenses involved in verifying and inspecting compliance with various laws governing the relocation of an existing structure. Covers foundation, connection of existing plumbing, existing electrical and existing mechanical systems to new utilities.

REFUND POLICY: A refund of 100% of the Building Relocation Fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

Salaries:	Average Staff Rate	Hours	Rate	
		6.00	\$51.28	\$307.70
				Total Salary <u>\$307.70</u>
Benefits:		Salary	Percent	
		\$307.70	31.87%	\$98.07
Operating Expenses:		\$307.70	31.92%	\$98.21
Overhead:		\$307.70	19.02%	\$58.54
Fixed Assets:	Building & Equipment	\$307.70	16.10%	\$49.54
				Total <u><u>\$612.05</u></u>
				Previous Fee: \$609.00
				Fee Effective 2017: \$612.00 <i>per permit</i>
				% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-24

SERVICE: Electrical Inspection Fee

DESCRIPTION OF SERVICE: Performance of electrical inspections and related administrative work. The fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of the Electrical Permit Fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on the system or unit fee schedules of the work to be performed pursuant to Electrical Table BL-24-A.

Previous Fee: Per Electrical Table BL-24-A

Fee Effective 2017: Per Electrical Table BL-24-A
each applicable permit

% Change: -15% (+/-)

Building Department

FEE COST WORKSHEET

BL-24 (continued)

Electrical - Table BL-24-A Unit Inspection Fee Schedule

Electrical Permit Unit Inspection Fees	Unit	Fee
Electrical Permit Issuance Fee (Minimum Charge)	each	\$42.50
Services & Sub-Panels		
For each new electrical sub-panel	each	\$17.00
For temporary and permanent services 600 volts or under and 1000 amperes or under in rating	each	\$42.50
For services over 600 volts or over 1000 amperes in rating	each	\$68.00
Receptacle, Switches, Controls, Lighting Outlets, Fixtures and Similar Devices		
For receptacle, switch, lighting or other outlets at which current is used or controlled and for lighting fixtures, sockets or other lamp-holding devices.		
<i>Note: For mutli outlet assemblies, each 5 feet or fraction thereof may be considered as one outlet.</i>	each	\$0.85
Residential Appliances		
For fixed residential appliances or receptacle outlets for same, including wall mounted electric ovens; counter-mounted cooktops; electric ranges, self-contained room, console, or through-wall air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding one horse power (HP) in rating.		
<i>Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.</i>	each	\$6.80
Nonresidential Appliances		
For nonresidential appliances and self-contained factory-wired non-residential appliances not exceeding one horse power (HP), kilowatt (kW), or kilovolt ampere (KVA), in rating including cooking equipment, medical and dental devices; food, beverage, and ice cream cabinets; illuminated showcases; drinking fountains; vending machines; laundry machines; other similar type of equipment.		
<i>Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.</i>	each	\$10.20
Power Apparatus		
For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, hoods, exhaust fan, cooking or baking equipment and other apparatus, as follows:		
<i>Notes: For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used. These fees include all switches, circuit breakers, contactors, thermostats, relays and other directly related control equipment.</i>		
Rating in horse power (HP), kilowatts (kW), kilovolt-amperes (KVA), or kilovolt-amperes-reactive (KVAR):		
Up to and including 1	each	\$10.20
Over 1 and not over 10	each	\$13.60
Over 10 and not over 50	each	\$25.50
Over 50 and not over 100	each	\$51.00
Over 100	each	\$76.50

Building Department

FEE COST WORKSHEET

BL-24 (continued)

Electrical - Table BL-24-A Unit Inspection Fee Schedule

Electrical Permit Unit Inspection Fees	Unit	Fee
Busways		
For each 100 ft or fraction thereof of trolley and plug-in type busways.		
<i>Note: An additional fee will be required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways. No fee is required for portable tools.</i>		
	each	\$8.50
Signs, Outline Lighting, Marquees, Pole Lighting, Theatrical Lighting and other Special Purpose Nonresidential Lighting		
For signs, outline lighting, marquees, pole lighting, theatrical lighting and other special purpose nonresidential lighting supplied from one branch circuit		
	each	\$25.50
Miscellaneous Apparatus, Conduits and Conductors		
For electrical apparatus, equipment, conduits and conductors for which a permit is required but for which no fee is herein set forth.		
<i>Note: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment.</i>		
	each	\$25.50
Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions. For permanently installed rides, booths, displays and attractions, use the ELECTRICAL UNIT FEES.		
For electric generators and electrically driven rides	each	\$34.00
For mechanically driven rides, and walk-through attractions or displays having electric lighting and for a an area of festoon or booth lighting	each	\$8.50
Photovoltaic Systems		
Roof Mount Systems (including rack system)		
For the first 0-15 Kilowatts (kW) for each system	each	\$102.00
For each kW of a system over 15 Kilowatts and less than or equal to 50 Kilowatts	each	\$13.60
For each kW of a system over 50 Kilowatts and less than or equal to 250 Kilowatts	each	\$8.50
For each kw of a system over 250 Kilowatts	each	\$5.10
Ground Mount Systems (including rack & support system)		
For the first 0-15 Kilowatts (kw) for each system	each	\$204.00
For each kW of a system over 15 Kilowatts and less than or equal to 50 Kilowatts	each	\$20.40
For each kW of a system over 50 Kilowatts and less than or equal to 250 Kilowatts	each	\$13.60
For each kW of a system over 250 Kilowatts	each	\$8.50
Electric Vehicle Charging Station	each	\$102.00

Building Department

FEE COST WORKSHEET

NUMBER : BL-25

SERVICE: Plumbing Inspection Fee

DESCRIPTION OF SERVICE: Fee for performing plumbing inspections and related administrative work. The fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on the system or unit fee schedules of the work to be performed pursuant to Plumbing Table BL-25-A.

CALCULATION OF FEE

Previous Unit Fee: Per Plumbing Table BL-25-A

Fee: Per Plumbing Table BL-25-A
each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

BL-25 (continued)

Plumbing - Table BL-25-A Unit Inspection Fee Schedule

Plumbing Permit "Unit" Inspection Fees	Unit	Fee
Plumbing Permit Issuance Fee (Minimum Charge)	each	\$42.50
Fixtures, Traps, Water Piping, Drainage Piping and Vents		
For each new or replacement plumbing fixture on one trap or a set of fixtures on one trap and served by potable water (including water, drainage piping, venting and backflow protection therefore).	each	\$17.00
For each plumbing fixture installed on a Recycled (reclaimed) Water System (including non potable water supply and backflow protection therefore). Includes inspection and initial testing of supply and cross-connection of the system.	each	\$17.00
For each kitchen-type grease trap, including its vent.	each	\$17.00
For each industrial waste pretreatment interceptor including its trap and vent, excepting kitchen-type grease traps.	each	\$20.40
For installation, alteration or repair water treatment equipment.	each	\$6.80
For alteration or repair of water piping for each fixture.	each	\$6.80
For repair or alteration of drainage or vent piping for each fixture	each	\$6.80
Water Heaters (Including Solar Thermal)		
For each water heater including its vent.	each	\$17.00
Gas Piping Systems		
For each fuel gas piping system of five outlets or less.	each	\$8.50
For each additional fuel gas piping outlet over five outlets.	each	\$1.70
For each medical gas piping system of five outlets or less.	each	\$34.00
For each additional medical gas piping outlet over five outlets.	each	\$3.40
Lawn Sprinklers, Backflow Devices and Graywater Disposal Systems		
For each lawn sprinkler system on any one meter including backflow protection devices therefore.	each	\$8.50
For each backflow protective device not otherwise included with the lawn sprinkler system fee.	each	\$8.50
For the installation of each alternative water source (nonpotable) Clothes Washer System	each	\$17.00
For the installation of each water source (nonpotable) Simple System. Includes inspection and initial testing of supply and cross-connection of the system.	each	\$76.50
For the installation of each water source (nonpotable) Complex System. Includes inspection and initial testing of supply and cross-connection of the system.	each	\$204.00
Rainwater Systems		
For the installation of each rainwater drain within a building.	each	\$8.50
For the connection of each pump, tank, fixture, appliance, industrial process, equipment or disposal field to a nonpotable rainwater catchment system. Includes inspection and initial testing of supply and cross-connection of the system.	each	\$17.00
Miscellaneous		
For each fixture, appliance, equipment or piece apparatus regulated by the Plumbing Code but not classed in other categories, or for which no other fee is listed in the table.	each	\$8.50

Building Department

FEE COST WORKSHEET

NUMBER: BL-26

SERVICE: Water Conserving Plumbing Fixture Verification

DESCRIPTION OF SERVICE: This service fee is to recover costs associated with inspecting, verifying and administering a program for the upgrading of existing noncompliant plumbing fixtures in buildings constructed and approved for use prior to January 1, 1994 pursuant to the requirements of CA Civil Code Sections 1101.1-1101.8. This is an unfunded state mandated program. This fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on the estimated hourly cost (30 minutes at the average staff rate) to perform the service for all applicable permits.

CALCULATION OF FEE

	Average Staff Rate	Hours	Rate	
Salaries:		0.50	\$51.28	\$25.64
				Total Salary <u>\$25.64</u>
		Salary	Percent	
Benefits:		\$25.64	31.87%	\$8.17
Operating Expenses:		\$25.64	31.92%	\$8.18
Overhead:		\$25.64	19.02%	\$4.88
Fixed Assets:		\$25.64	16.10%	\$4.13
				Total <u><u>\$51.00</u></u>

Previous Fee for Self Certification: \$50.00

Fee for Self Certification Effective 2017: \$51.00

each applicab

% Change: 2%

Building Department

FEE COST WORKSHEET

NUMBER : BL-27

SERVICE: Mechanical Inspection Fee

DESCRIPTION OF SERVICE: Fee for performing mechanical inspections and related administrative work. The fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on the system or unit fee schedules of the work to be performed pursuant to Mechanical Table BL-27-A.

CALCULATION OF FEE

Previous Fee: **Per Mechanical Table BL-27-A**

Fee Effective 2017: Per Mechanical Table BL-27-A
each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

BL-27 (continued)

Mechanical - Table BL-27-A Unit Inspection Fee Schedule

Mechanical Permit Unit Inspection Fees	Unit	Fee
Mechanical Permit Issuance Fee	each	\$42.50
HVAC Change out		
Furnace or air conditioner replacement including ductwork and vents in new residential and new single tenant and single use non-residential business office, retail sales or similar light-commercial buildings.	each	\$51.00
Furnaces		
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3kW).	each	\$22.10
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW).	each	\$25.50
For the installation or relocation of each floor furnace, suspended heater, recessed wall heater or floor-mounted unit heater, including vent.	each	\$13.60
Appliance Vents		
For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit.	each	\$8.50
Repairs or Additions		
For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, evaporative cooling system or air ducts, including installation of controls regulated by the Mechanical Code.	each	\$13.60
Boilers, Compressors, Air Conditioners and Absorption Systems		
For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW).	each	\$17.00
For the installation or relocation of each boiler or compressor over three horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW).	each	\$25.50
For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW).	each	\$34.00
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW).	each	\$51.00
For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h(512.9 kW).	each	\$85.00

Building Department

FEE COST WORKSHEET

BL-27 (continued)

Mechanical - Table BL-27-A Unit Inspection Fee Schedule

Mechanical Permit Unit Inspection Fees	Unit	Fee
Air Handlers		
<i>Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance cooling unit, evaporative cooler, or absorption unit for which a permit is required elsewhere in the Mechanical Code.</i>		
For each air-handling unit to and including 10,000 cubic feet per minute (cfm), including ducts attached thereto.	each	\$13.60
For each air-handling unit over 10,000 cfm	each	\$20.40
Evaporative Coolers		
For each evaporative cooler other than portable type.	each	\$13.60
Ventilation and Exhaust		
For each ventilation fan connected to a single duct.	each	\$8.50
For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit.	each	\$20.40
For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood.	each	\$25.50
Miscellaneous		
For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table.	each	\$13.60

Building Department

FEE COST WORKSHEET

NUMBER : BL-28

SERVICE: Energy Inspection Fee

DESCRIPTION OF SERVICE: This service is to recover costs associated with inspecting elements required to meet State energy efficiency regulations. California Energy Efficiency Standards are State mandated locally enforced regulations. This fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on 20% of the permit fees calculated pursuant to Tables BL-21-A, BL-24-A, BL-25-A and BL-27-A.

CALCULATION OF FEE

Previous Fee: 20% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A and BL-27-A

Fee Effective 2017: 20% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A and BL-27-A
each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-29

SERVICE: Accessibility Inspection Fee

DESCRIPTION OF SERVICE: This service is to recover costs associated with inspecting elements required to meet State disabled access regulations. California disabled access standards are State mandated locally enforced regulations. This fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on 20% of the permit fees calculated pursuant to Tables BL-21-A.

CALCULATION OF FEE

Previous Fee: 20% of calculated Inspection Fees in Tables BL-21-A.

Fee Effective 2017: 20% of calculated Inspection Fees in Tables BL-21-A.
each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-30

SERVICE: One & Two Family Re-Roofing Permits

DESCRIPTION OF SERVICE: Time and expenses involved in verifying compliance with various laws governing the re-roofing of an existing one or two family dwelling. The fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Average Staff Rate	1.50	\$ 51.28	\$76.93
				Total Salary <u>\$76.93</u>
		Salary	Percent	
Benefits:		\$76.93	31.87%	\$24.52
Operating Expenses:		\$76.93	31.92%	\$24.55
Overhead:		\$76.93	19.02%	\$14.63
Fixed Assets:	Building & Equipment	\$76.93	16.10%	\$12.38
				Total <u><u>\$153.01</u></u>
				Previous Fee: \$152.00
				Fee Effective 2017: \$153.00 <i>per permit</i>
				% Change: 1%

Building Department

FEE COST WORKSHEET

NUMBER : BL-31

SERVICE: Private Residential Swimming Pool Inspection Fee

DESCRIPTION OF SERVICE: Time and expenses involved in inspecting compliance with various laws governing the construction of swimming pools. **This fee includes required grading, building, plumbing, mechanical and electrical permit fees for private, one- and two-family residential pools.** This service also covers costs associated with inspecting elements required to meet State swimming pool barrier regulations. California swimming pool barrier standards are State mandated locally enforced regulations.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		Hours	Rate	
Salaries:	Average Staff Rate	6.00	\$51.28	\$307.70
				Total Salary <u><u>\$307.70</u></u>
Benefits:		Salary	Percent	
		\$307.70	31.87%	\$98.07
Operating Expenses:		\$307.70	31.92%	\$98.21
Overhead:		\$307.70	19.02%	\$58.54
Fixed Assets:	Building & Equipment	\$307.70	16.10%	\$49.54
				Total <u><u>\$612.05</u></u>
				Previous Fee: \$609.00
				Fee Effective 2017: <u><u>\$612.00</u></u> <i>per permit</i>
				% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-32

SERVICE: Modular and Manufactured Housing Inspection Fee

DESCRIPTION OF SERVICE: Fee for performing inspection services related to the California Building Code and related administrative work. For detached modular housing and detached manufactured housing that has been inspected in the plant through a State or Federally approved inspection program. Any portions of a building that are site-built are subject to regular inspection fees.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on 25% of the permit fees calculated pursuant to Tables BL-21-A, BL-24-A, BL-25-A and BL-27-A . Any portions of a building that are site-built are subject to regular inspection fees (i.e. 100% of calculated inspection fees).

CALCULATION OF FEE

Previous Fee: 25% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A and BL-27-A.

Fee Effective 2017: 25% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A and BL-27-A.

each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER : BL-34

SERVICE: Grading Permit Inspection Fee

DESCRIPTION OF SERVICE: Fee for performing grading inspections and related administrative work. The fee is due and payable at time of permit issuance. This fee does not cover Public Works Inspections of public or private infrastructure improvements (i.e. water, gas, sewer, storm drainage, curbs, gutters and public sidewalks, public and private streets, etc.) associated with a subdivision or other improvement project.

REFUND POLICY: A refund of 100% of the Grading Permit Inspection Fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on the cubic yards of grading materials moved, removed or processed.

CALCULATION OF FEE

Previous Fee: Per Grading Table BL-34-A

Fee Effective 2017: Per Grading Table BL-34-A
each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

BL-34 (continued)

Grading Table BL-34-A Inspection Fee Schedule

Building Permit Inspection System Fees		
Cubic Yards	Fee	Inspection Allotment
50 cubic yards or less	- \$54.00	Covers up to 1 inspection.
51 to 100 cubic yards	- \$108.00	Covers up to 2 inspections.
101 to 1,000 cubic yards	- \$216.00	Covers up to 3 inspections.
1,001 to 10,000 cubic yards	- \$432.00	Covers up to 6 inspections.
10,001 to 100,000 cubic yards	- \$864.00	Covers up to 12 inspections.
100,001 to 200,000 cubic yards	- \$1,296.00	Covers up to 24 inspections.
200,001 cubic yards or more	- \$1,944.00	Covers up to 36 inspections.

Any time or expenses for grading inspections exceeding the inspection allotment will be billed to the permittee at the Hourly Building Department Rate (see BL-05). This fee only covers grading inspection and does not include stormwater management or other agency inspection fees.

Building Department

FEE COST WORKSHEET

NUMBER : BL-35

SERVICE: CALGreen Inspection Fee

DESCRIPTION OF SERVICE: This service is to recover applicable costs associated with inspecting elements required to meet California Green Building Code (CALGreen) regulations. CALGreen is a State mandated, locally enforced green building code. This fee is assessed only on those projects where the City staff performs CALGreen inspections (i.e. some addition and alteration projects). The CALGreen inspection fee is due and payable at time of permit issuance.

REFUND POLICY: A refund of 100% of this fee may be authorized by the Building Official when an unexpired permit has been terminated and no work has been performed on the project. The Refund Processing Fee (BL-12) shall be deducted from any refund due. Application for refund must be made within one (1) year of the date the fee is paid.

PROCESS OF COSTING SERVICE: This fee is based on 20% of the permit fees calculated pursuant to Tables BL-21-A, BL-24-A, BL-25-A, BL-27-A and BL-34-A, or 1-hr. minimum based on the Hourly Building Dept. Rate, whichever is greater.

CALCULATION OF FEE

Previous Fee: 20% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A, BL-27-A and BL-34-A, or 1-hr. minimum based on the Hourly Building Dept. Rate, whichever is greater.

Fee Effective 2017: 20% of calculated Inspection Fees in Tables BL-21-A, BL-24-A, BL-25-A, BL-27-A and BL-34-A, or 1-hr. minimum based on the Hourly Building Dept. Rate, whichever is greater.

each applicable permit

% Change: 0%

Building Department

FEE COST WORKSHEET

NUMBER :BL-37

SERVICE: Large Format Printing Costs

DESCRIPTION OF SERVICE: Cost to customer for large format printing services using the City's plotter.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: These fees are based on the actual costs for plotter supplies and amortized costs for the plotter and maintenance.

CALCULATION OF FEE

Large Format Printing Costs

Paper Type	Paper Weight	Roll or Paper Width	Cost Per Sheet
Bond or Bright White	20-24lb	36"	7.10 + 0.20 per foot
Coated Paper	26lb	24"	7.10 + 0.10 per foot
Coated Paper	26lb	36"	7.10 + 0.30 per foot
Super Heavyweight Coated	42lb	36"	7.10 + 0.90 per foot
Vellum	3.3 mil	36"	7.10 + 0.40 per foot
High Gloss Photo	9 mil	36"	7.10 + 1.90 per foot

% Change: 0%

Police Department

FEE COST WORKSHEET

NUMBER : PD-02

SERVICE: Residential Parking Permit

DESCRIPTION OF SERVICE: To issue parking permits to residents who live in a designated residential three hour parking zone. Requires verification of resident status

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		<u>Hours</u>	<u>Rate</u>	
Salary, benefits and Police Department overhead:	Administrative Aide	0.1	\$60.49	\$6.05
			Total Salary	\$6.05
Operating Expense		<u>Salary</u>	<u>Percent</u>	
		\$6.05	31.92%	\$1.93
City Overhead		\$6.05	19.02%	\$1.15
Fixed Assets (Building and Equipment):		\$6.05	16.10%	\$0.97
			Total	<u>\$10.10</u>
			Previous Fee:	\$20.00
				<i>per permit</i>
			Fee Effective 2017:	\$10.00

Police Department

FEE COST WORKSHEET

NUMBER : PD-03

SERVICE: Letter of Public Convenience or Necessity

DESCRIPTION OF SERVICE: Analysis of statistical information for Alcoholic Beverage Control License. Prepare Letter of Public Convenience or Necessity.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salary, benefits and Police Department overhead:	Administrative Aide	0.5	\$60.49	\$30.25
	Chief	0.75	\$138.09	\$103.57
				Total Salary <u>\$133.81</u>
		Salary	Percent	
Operating Expense		\$133.81	31.92%	\$42.71
City Overhead		\$133.81	19.02%	\$25.46
Fixed Assets (Building and Equipment):		\$133.81	16.10%	\$21.54
				Total <u><u>\$223.52</u></u>

Previous Fee: \$204.00
per request

Fee Effective 2017: \$223.00

%Change: 9%

Police Department

FEE COST WORKSHEET

NUMBER : PD-04

SERVICE: Dog License

DESCRIPTION OF SERVICE: To issue a license for dogs that reside in the city limits. This includes review of appropriate paperwork and maintenance of database. State Ag code 30804.5 Ag code requires a 50% discount for altered dogs. A 50% discount for the first dog licensed to (and by) a senior citizen (62 and older) is proposed.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		Hours	Rate	
Salary, benefits and Police Department overhead:	CSO	0.4	\$46.42	\$18.57
				Total Salary <u>\$18.57</u>
		Salary	Percent	
Operating Expense		\$18.57	31.92%	\$5.93
City Overhead		\$18.57	19.02%	\$3.53
Fixed Assets (Building and Equipment):		\$18.57	16.10%	\$2.99
			Total	<u><u>\$31.02</u></u>

Previous Fee: Varies

Cost: \$31.00

Dog Licenses (based on recommended fee for unaltered dog)

Altered	\$25.00	<i>per license</i>
Unaltered	\$50.00	<i>per license</i>
Late Penalty	\$15.00 Altered \$30.00 Unaltered	<i>per license</i> <i>per license</i>
Duplicate/Transfer	\$5.00	<i>per license</i>
Senior Citizen (62 and older)*	\$10.00 Altered	<i>per license</i>
*applies to first license only	\$25.00 Unaltered	<i>per license</i>

Police Department

FEE COST WORKSHEET

NUMBER : PD-05

SERVICE: Kennel fee per day

DESCRIPTION OF SERVICE: Boarding of animals. This includes food, cleaning supplies, and exercise. This fee is charged for animals brought into PD and for animals picked up by Police Department Staff. This fee is charged after one day (PD-09 is charged for the first day).

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		<u>Hours</u>	<u>Rate</u>	
Salary, benefits and Police Department overhead:	CSO	0.6	\$46.42	\$27.85
				Total Salary <u>\$27.85</u>
		<u>Salary</u>	<u>Percent</u>	
Operating Expense		\$27.85	31.92%	\$8.89
City Overhead		\$27.85	19.02%	\$5.30
Fixed Assets (Building and Equipment):		\$27.85	16.10%	\$4.48
				Total <u><u>\$46.52</u></u>
				Previous Fee: \$60.00
				Fee Effective 2017: \$40.00 <i>per day</i>
				%Change: -33%

Police Department

FEE COST WORKSHEET

NUMBER : PD-06

SERVICE: Dog Show Permit

Description Of Service: Clerical time and expenses in issuing Dog Show Permit.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		<u>Hours</u>	<u>Rate</u>	
Salary, benefits and Police Department overhead:	CSO	0.6	\$46.42	\$27.85
				\$27.85
		<u>Salary</u>	<u>Percent</u>	
Operating Expense		\$27.85	31.92%	\$8.89
City Overhead		\$27.85	19.02%	\$5.30
Fixed Assets (Building and Equipment):		\$27.85	16.10%	\$4.48
			Total	\$46.52
			Previous Fee:	\$48.00
			Fee Effective 2017:	\$46.00
				<i>per permit</i>
			%Change:	-4%

Police

FEE COST WORKSHEET

NUMBER : PD-07

SERVICE: Animal-Drawn Vehicle Permit**DESCRIPTION OF SERVICE:** To issue permits for animal-drawn vehicles. Includes time associated with permit paperwork, inspection, and issuance of Mandated City Resolution #25-2009**REFUND POLICY:** No refund available.**PROCESS OF COSTING SERVICE:** Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE			
	<u>Hours</u>	<u>Rate</u>	
Salary, benefits and Police Department overhead: Traffic Officer	0.75	\$93.11	\$69.83
Police Chief	0.25	\$138.09	\$34.52
		Total Salary	\$104.36
Operating Expense	Salary	Percent	
	\$104.36	31.92%	\$33.31
City Overhead	\$104.36	19.02%	\$19.85
Fixed Assets (Building and Equipment):	\$104.36	16.10%	\$16.80
		Total	\$174.31
		Previous Fee:	\$166.00
		Fee Effective 2017:	\$174.00
			<i>per permit</i>
		%Change:	5%

Police Department

FEE COST WORKSHEET

NUMBER : PD-08

SERVICE: Owner surrender of animal

DESCRIPTION OF SERVICE: The fee is charged to pet owners who surrender their animals to the animal control officer if they can no longer care for them. Fee covers the associated paperwork, kenneling, and sheltering/adoption fees.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE				
		<u>Hours</u>	<u>Rate</u>	
Salary, benefits and overhead:	CSO	0.8	\$46.42	\$37.14
				Total Salary <u>\$37.14</u>
		<u>Salary</u>	<u>Percent</u>	
Operating Expense		\$37.14	31.92%	\$11.85
City Overhead		\$37.14	19.02%	\$7.06
Fixed Assets (Building and Equipment):		\$37.14	16.10%	\$5.98
				Total <u><u>\$62.03</u></u>
				Previous Fee: \$81.00
				Fee Effective 2017: \$60.00
				<i>per animal surrendered</i>
				%Change: -26%

Police Department

FEE COST WORKSHEET

NUMBER : PD-09

SERVICE: Animal Impound Fee - Animal Brought by Public

DESCRIPTION OF SERVICE: This fee is charged for animals brought into PD by public. This fee is charged to the owner of the animal for the first day. After the first day, PD-05 (Kennel Fee) applies.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

SPECIAL NOTES: In addition to the fees specified, the owner will be responsible for any costs incurred by the City for contract service such as veterinary services plus Standard Administrative Overhead (CA-09) shall apply. This fee includes the first 24 hours in the kennel. After the first day, the daily kennel fee applies.

CALCULATION OF FEE

Salary, benefits and Police Department overhead:	CSO	0.33	\$46.42	\$15.32
				Total Salary
				\$15.32
Operating Expense			Salary	Percent
			\$15.32	31.92%
City Overhead			\$15.32	19.02%
Fixed Assets (Building and Equipment):			\$15.32	16.10%
				Total
				\$25.59
				Previous Fee: varies
				Fee Effective 2017: \$25.00
				<i>per animal surrendered</i>
				%Change: N/A

Police Department

FEE COST WORKSHEET

NUMBER : PD-10

SERVICE: Juvenile Diversion Fee

DESCRIPTION OF SERVICE: Fee is charged to participate in Youth and Family Services program. Per Resolution, this fee may be reduced/waived based upon ability to pay. Fees collected are shared with the Sheriff's Office since they pay for half the program.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee Established by City RESOLUTION NO. 35-2012

CALCULATION OF FEE				
		<u>Hours</u>	<u>Rate</u>	
Salary based on YFS contract cost	YFS Mgr	6.5	\$ 28.78	\$187.08
			Total Salary	\$187.08
		<u>Salary</u>	<u>Percent</u>	
Operating Expense		\$187.08	31.92%	\$59.71
City Overhead		\$187.08	19.02%	\$35.59
Fixed Assets (Building and Equipment):		\$187.08	16.10%	\$30.12
			Total Cost	<u>\$312.50</u>
			Previous Fee:	\$150.00
			Fee Effective 2017:	\$150.00 <i>per incident</i>

* Salary based upon YFS contract cost.

* If juvenile provides proof that family is qualify for free school lunch, fee is reduced to \$50.

Police Department

FEE COST WORKSHEET

NUMBER : PD-11

SERVICE: Animal Impound Fee

DESCRIPTION OF SERVICE: This fee is charged for animals brought into PD and for animals picked up (impounded such as for running at large) by Police Department Staff. This fee is charged for the first day. After the first day, PD-05 (Kennel Fee) applies.

REFUND POLICY: No refund available.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

SPECIAL NOTES: In addition to the fees specified, the owner will be responsible for any costs incurred by the City for contract service such as veterinary services plus Standard Administrative Overhead (CA-09) shall apply. This fee includes the first 24 hours in the kennel. After the first day, the daily kennel fee applies.

CALCULATION OF FEE

Salary, benefits and Police Department overhead:	CSO	0.8	\$46.42	\$37.14
				Total Salary
				\$37.14
Operating Expense			<u>Salary</u>	<u>Percent</u>
			\$37.14	31.92%
City Overhead			\$37.14	19.02%
Fixed Assets (Building and Equipment):			\$37.14	16.10%
				Total
				<u>\$62.03</u>
				Previous Fee: varies
				Fee Effective 2017: \$60.00
				<i>per animal surrendered</i>
				%Change: N/A

Planning Division

FEE COST WORKSHEET

NUMBER : PL-01

SERVICE: Public Notice

DESCRIPTION OF SERVICE: Processing, administration and direct costs associated with preparing and posting public notices for planning applications.

REFUND POLICY: Full refund minus calculated staff costs based on time expended notice has not been issued. Non-refundable after notices have been issued.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	0.10	\$67.20	\$6.72
Senior Planner	0.40	\$51.45	\$20.58
Associate Planner	0.10	\$48.72	\$3.43
Administrative Asst	0.10	\$29.29	\$2.93
			Total Salary <u>\$33.66</u>
	Salary	Percent	
Benefits:	\$33.66	31.87%	\$10.73
Operating Expenses:	\$33.66	31.92%	\$10.74
Overhead:	\$33.66	19.02%	\$6.40
Fixed Assets:	\$33.66	16.10%	\$5.42
Publication Fee, postage and materials	\$25.00		\$25.00
			Total <u><u>\$91.95</u></u>
			Previous Fee: \$92.00
			Fee Effective 2017: \$91.00 <i>per hearing noticed</i> Change: -1.09%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-02

SERVICE: Tentative Parcel Map

DESCRIPTION OF SERVICE: Processing and administration of an application for a tentative parcel map (four lots or fewer).

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to the first Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	2.00	\$67.20	\$134.40
	Senior Planner	3.00	\$51.45	\$154.35
	Associate Planner	2.50	\$48.72	\$121.80
	Administrative Asst	0.50	\$29.29	\$14.65
				Total Salary <u>\$425.20</u>
Benefits:		Salary	Percent	
		\$425.20	31.87%	\$135.52
Operating Expenses:		\$425.20	31.92%	\$135.71
Overhead:		\$425.20	19.02%	\$80.89
Fixed Assets:		\$425.20	16.10%	\$68.45
				Total <u><u>\$845.76</u></u>
				Previous Fee: \$756.00
				Fee Effective 2017:* \$745.00
				<i>per application + \$50 per lot (minimum fee - \$845)</i>
				Change: -1%

*\$50.00 per lot fee is charged (minimum \$100), in addition to the base fee of \$750

* In addition to the base fee, engineering time will be billed on an hourly basis. Deposit required.

Planning Division

FEE COST WORKSHEET

NUMBER : PL-03

SERVICE: Tentative Subdivision Map

DESCRIPTION OF SERVICE: Processing and administration of an application for a tentative subdivision map (5 or more lots).

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to the first Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	5.00	\$67.20	\$336.00
	Senior Planner	7.00	\$51.45	\$360.15
	Associate Planner	7.00	\$48.72	\$341.04
	Administrative Asst	1.00	\$29.29	\$29.29
				Total Salary <u><u>\$1,066.48</u></u>
Benefits:		Salary	Percent	\$339.92
		\$1,066.48	31.87%	
Operating Expenses:		\$1,066.48	31.92%	\$340.38
Overhead:		\$1,066.48	19.02%	\$202.88
Fixed Assets:		\$1,066.48	16.10%	\$171.70
				Total <u><u>\$2,121.36</u></u>

Previous Fee: \$1,900.00

Fee Effective 2017: **\$1,871.00**
per application + \$50 per lot (minimum fee - \$2,121)
 Change: -1.53%

*\$50.00 per lot fee is charged (minimum of \$250), in addition to the base fee of

* In addition to the base fee, engineering time will be billed on an hourly basis. A deposit is required (PW-15)

Planning Division

FEE COST WORKSHEET

NUMBER : PL-04

SERVICE: Music License

DESCRIPTION OF SERVICE: Processing and administration of an application for a Music License.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	0.10	\$67.20	\$6.72
Senior Planner	0.50	\$51.45	\$25.73
Associate Planner	1.00	\$48.72	\$48.72
Administrative Asst	0.10	\$29.29	\$2.93
			Total Salary <u><u>\$84.09</u></u>
	Salary	Percent	
Benefits:	\$84.09	31.87%	\$26.80
Operating Expenses:	\$84.09	31.92%	\$26.84
Overhead:	\$84.09	19.02%	\$16.00
Fixed Assets:	\$84.09	16.10%	\$13.54
			Total <u><u>\$167.27</u></u>
			Previous Fee: \$170.00
			Fee Effective 2017: \$167.00 <i>per application</i>
			Change: -1.76%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-05

SERVICE: Temporary Use Permit

DESCRIPTION OF SERVICE: Processing and administration of an application for Temporary Use permit approval. (Note: this is typically an administrative action.)

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Senior Planner	0.10	\$51.45	\$5.15
	Associate Planner	0.80	\$48.72	\$38.98
	Administrative Asst	0.10	\$29.29	\$2.93

Total Salary \$47.05

	Salary	Percent	
Benefits:	\$47.05	31.87%	\$15.00
Operating Expenses:	\$47.05	31.92%	\$15.02
Overhead:	\$47.05	19.02%	\$8.95
Fixed Assets:	\$47.05	16.10%	\$7.57

Total \$93.59

Previous Fee: \$95.00

Fee Effective 2017: \$93.00
per permit

Change: -2.11%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-06

SERVICE: Minor Use Permit/Exception

DESCRIPTION OF SERVICE: Processing and administration of an application for Minor Use permit approval and Exceptions.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	0.30	\$67.20	\$20.16
Senior Planner	1.25	\$51.45	\$64.31
Associate Planner	2.00	\$48.72	\$97.44
Administrative Asst	0.20	\$29.29	\$5.86
			Total Salary <u>\$187.77</u>
	Salary	Percent	
Benefits:	\$187.77	31.87%	\$59.85
Operating Expenses:	\$187.77	31.92%	\$59.93
Overhead:	\$187.77	19.02%	\$35.72
Fixed Assets:	\$187.77	16.10%	\$30.23
			Total <u><u>\$373.50</u></u>
			Previous Fee: \$380.00
			Fee Effective 2017: \$373.00 <i>per permit</i>
			Change: -1.84%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-07

SERVICE: Major Use Permit

DESCRIPTION OF SERVICE: Processing and administration of an application for a Major Use permit approval.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	2.00	\$67.20	\$134.40
	Senior Planner	3.00	\$51.45	\$154.35
	Associate Planner	2.00	\$48.72	\$97.44
	Administrative Asst	0.40	\$29.29	\$11.72
				Total Salary <u>\$397.91</u>
Benefits:		Salary	Percent	
		\$397.91	31.87%	\$126.82
Operating Expenses:		\$397.91	31.92%	\$127.00
Overhead:		\$397.91	19.02%	\$75.70
Fixed Assets:		\$397.91	16.10%	\$64.06
				Total <u><u>\$791.48</u></u>
				Previous Fee: \$800.00
				Fee Effective 2017: \$791.00 <i>per permit</i>
				Change: -1.13%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-08

SERVICE: Variance

DESCRIPTION OF SERVICE: Processing of an application for a Variance.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	0.50	\$67.20	\$33.60
Senior Planner	2.50	\$51.45	\$128.63
Associate Planner	1.50	\$48.72	\$73.08
Administrative Asst	0.20	\$29.29	\$5.86
			Total Salary <u>\$241.16</u>
	Salary	Percent	
Benefits:	\$241.16	31.87%	\$76.87
Operating Expenses:	\$241.16	31.92%	\$76.97
Overhead:	\$241.16	19.02%	\$45.88
Fixed Assets:	\$241.16	16.10%	\$38.83
			Total <u><u>\$479.70</u></u>
			Previous Fee: \$486.00
			Fee Effective 2017: \$479.00
			<i>per application</i>
			Change: -1.44%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-09

SERVICE: Planned Unit Development

DESCRIPTION OF SERVICE: Processing and administration of an application for Planned Unit Development approval.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	5.00	\$67.20	\$336.00
	Senior Planner	5.00	\$51.45	\$257.25
	Associate Planner	5.00	\$48.72	\$114.25
	Administrative Asst	1.00	\$29.29	\$29.29

Total Salary \$736.79

	Salary	Percent	
Benefits:	\$736.79	31.87%	\$234.84
Operating Expenses:	\$736.79	31.92%	\$235.16
Overhead:	\$736.79	19.02%	\$140.16
Fixed Assets:	\$736.79	16.10%	\$118.62

Total \$1,465.57

Previous Fee: **\$1,480.00**

Fee Effective 2017: \$1,465.00

per application

Change: -1.01%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-10

SERVICE: Rezoning

DESCRIPTION OF SERVICE: Processing and administration of an application for a rezoning.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	2.00	\$67.20	\$134.40
	Senior Planner	4.00	\$51.45	\$205.80
	Associate Planner	3.00	\$48.72	\$146.16
	Administrative Asst	0.25	\$29.29	\$7.32

Total Salary \$493.68

	Salary	Percent	
Benefits:	\$493.68	31.87%	\$157.35
Operating Expenses:	\$493.68	31.92%	\$157.57
Overhead:	\$493.68	19.02%	\$93.92
Fixed Assets:	\$493.68	16.10%	\$79.48

Total \$981.99

Previous Fee: \$995.00

Fee Effective 2017: \$981.00
per application

Change: -1.41%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-11

SERVICE: Rezoning/Annexation

DESCRIPTION OF SERVICE: Processing and administration of an application for a Rezoning and related activities associated with the annexation of property.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	3.00	\$67.20	\$201.60
Senior Planner	5.00	\$51.45	\$257.25
Associate Planner	3.50	\$48.72	\$170.52
Administrative Asst	0.50	\$29.29	\$14.65
			Total Salary <u><u>\$644.02</u></u>
	Salary	Percent	
Benefits:	\$644.02	31.87%	\$205.27
Operating Expenses:	\$644.02	31.92%	\$205.55
Overhead:	\$644.02	19.02%	\$122.51
Fixed Assets:	\$644.02	16.10%	\$103.68
			Total <u><u>\$1,281.02</u></u>
			Previous Fee: \$1,296.00
			Fee Effective 2017: \$1,281.00
			<i>per application</i>
			Change: -1.16%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-12

SERVICE: General Plan Amendment

DESCRIPTION OF SERVICE: Processing and administration of an application for a General Plan Amendment.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	4.00	\$67.20	\$268.80
	Senior Planner	6.00	\$51.45	\$308.70
	Associate Planner	4.00	\$48.72	\$194.88
	Administrative Asst	1.00	\$29.29	\$29.29

Total Salary \$801.67

	Salary	Percent	
Benefits:	\$801.67	31.87%	\$255.52
Operating Expenses:	\$801.67	31.92%	\$255.87
Overhead:	\$801.67	19.02%	\$152.50
Fixed Assets:	\$801.67	16.10%	\$129.06

Total \$1,594.62

Previous Fee: **\$1,612.00**

Fee Effective 2017: \$1,594.00
per application

Change: -1.12%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-13

SERVICE: Modification of an Approved Plan

DESCRIPTION OF SERVICE: Modification or revision to a development proposal that was previously approved by the Planning Commission or Design Review Commission.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	0.25	\$67.20	\$16.80
	Senior Planner	1.00	\$51.45	\$51.45
	Associate Planner	1.20	\$48.72	\$58.46
	Administrative Asst	0.50	\$29.29	\$14.65

Total Salary \$141.36

	Salary	Percent	
Benefits:	\$141.36	31.87%	\$45.06
Operating Expenses:	\$141.36	31.92%	\$45.12
Overhead:	\$141.36	19.02%	\$26.89
Fixed Assets:	\$141.36	16.10%	\$22.76

Total \$281.18

Previous Fee: **\$284.00**

Fee Effective 2017: \$281.00
per request for modification or revision
 Change: -1.06%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-14

SERVICE: Deferral Agreement

DESCRIPTION OF SERVICE: Processing and administration of an application for the deferral of public improvements.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	0.00	\$67.20	\$0.00
Senior Planner	1.25	\$51.45	\$64.36
Associate Planner	0.50	\$48.72	\$24.36
Administrative Asst	0.25	\$29.29	\$7.32
			Total Salary <u><u>\$96.05</u></u>
	Salary	Percent	
Benefits:	\$96.05	31.87%	\$30.61
Operating Expenses:	\$96.05	31.92%	\$30.65
Overhead:	\$96.05	19.02%	\$18.27
Fixed Assets:	\$96.05	16.10%	\$15.46
			Total <u><u>\$191.05</u></u>
			Previous Fee: \$192.00
			Fee Effective 2017:* \$191.00
			<i>per application</i>
			Change: -0.52%

*Plus engineering time, which will be billed on an hourly basis. Deposit required (PW-15).

Planning Division

FEE COST WORKSHEET

NUMBER : PL-15

SERVICE: Environmental Review (Initial Study)

DESCRIPTION OF SERVICE: Preparation of an initial study in conformance with the requirements of CEQA.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	3.00	\$67.20	\$201.60
Senior Planner	5.00	\$51.45	\$257.25
Associate Planner	2.00	\$48.72	\$97.44
Administrative Asst	0.50	\$29.29	\$14.65
			Total Salary <u>\$570.94</u>
	Salary	Percent	
Benefits:	\$570.94	31.87%	\$181.97
Operating Expenses:	\$570.94	31.92%	\$182.22
Overhead:	\$570.94	19.02%	\$108.61
Fixed Assets:	\$570.94	16.10%	\$91.92
			Total <u><u>\$1,135.66</u></u>
			Previous Fee: \$1,146.00
			Fee Effective 2017: \$1,135.00
			<i>per Initial Study</i>
			Change: -0.96%

Planning Division

FEE COST WORKSHEET

NUMBER :

PL-16

SERVICE: Environmental Review (Environmental Impact Report)

DESCRIPTION OF SERVICE: Preparation of an Environmental Impact Report, including consultant selection, administration and support.

REFUND POLICY: Not Refundable. Fees are charged as they occur.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate		
Salaries:	Planning Director	30.00	\$67.20		\$2,016.00
	Senior Planner	40.00	\$51.45		\$2,058.00
	Associate Planner	40.00	\$48.72		\$1,948.80
	Administrative Asst	6.00	\$29.29		\$175.74
				Total Salary	\$6,198.54
Benefits:		Salary	Percent		
		\$6,198.54	31.87%		\$1,975.66
Operating Expenses:		\$6,198.54	31.92%		\$1,978.36
Overhead:		\$6,198.54	19.02%		\$1,179.17
Fixed Assets:		\$6,198.54	16.10%		\$997.92
Other Costs:	Contract cost of EIR consultants (paid by applicant).				
				Total	\$12,329.65

Previous Fee: 15% of contract cost

Fee Effective 2017: 15% of contract cost

Change: 0.00%

* Staff recommends connecting the fee to the cost of the EIR consultant contract so that less complicated projects are not penalized and larger projects pay their fair share.

Planning Division

FEE COST WORKSHEET

NUMBER : PL-17

SERVICE: Lot Line Adjustment/Lot Merger/Certificate of Compliance

DESCRIPTION OF SERVICE: Processing and administration of an application for a lot line adjustment, lot merger, or certificate of compliance.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	2.00	\$67.20	\$134.40
	Administrative Asst	0.10	\$29.29	\$2.93
				Total Salary <u><u>\$137.33</u></u>
		Salary	Percent	
Benefits:		\$137.33	31.87%	\$43.77
Operating Expenses:		\$137.33	31.92%	\$43.83
Overhead:		\$137.33	19.02%	\$26.12
Fixed Assets:	Equipment	\$137.33	16.10%	\$22.11
				Total <u><u>\$273.16</u></u>
				Previous Fee: \$274.00
				Fee Effective 2017:* \$273.00
				<i>per application</i>
				Change: -0.36%

*Plus engineering time, which will be billed on an hourly basis. Deposit required (PW-15).

Planning Division

FEE COST WORKSHEET

NUMBER : PL-18

SERVICE: Appeal

DESCRIPTION OF SERVICE: Processing and administration of an appeal.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
	Planning Director	2.00 \$67.20	\$134.40
	Senior Planner	2.00 \$51.45	\$102.90
	Associate Planner	2.00 \$48.72	\$97.44
	Administrative Asst	0.50 \$29.29	\$14.65
			Total Salary <u><u>\$349.39</u></u>
	Salary	Percent	
Benefits:	\$349.39	31.87%	\$111.36
Operating Expenses:	\$349.39	31.92%	\$111.51
Overhead:	\$349.39	19.02%	\$66.46
Fixed Assets:	\$349.39	16.10%	\$56.25
			Total <u><u>\$694.97</u></u>
			Previous Fee: \$703.00
			Fee Effective 2017: \$694.00
			<i>per appeal</i>
			Change: -1.28%

*The City Council has previously chosen to subsidize this fee.

Planning Division

FEE COST WORKSHEET

NUMBER : PL-19

SERVICE: Sign Review (Administrative)

DESCRIPTION OF SERVICE: Processing of an application for administrative sign review.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to approval.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
	Planning Director	0.00	\$67.20
	Senior Planner	0.00	\$51.45
	Associate Planner	0.50	\$48.72
	Administrative Asst	0.10	\$29.29
			Total Salary
			\$27.29
	Salary	Percent	
Benefits:	\$27.29	31.87%	\$8.70
Operating Expenses:	\$27.29	31.92%	\$8.71
Overhead:	\$27.29	19.02%	\$5.19
Fixed Assets:	\$27.29	16.10%	\$4.39
			Total
			\$54.28
			Previous Fee: \$55.00
			Fee Effective 2017: \$54.00
			<i>per application</i>
			Change: -1.82%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-20

SERVICE: Sign Review (DRC)

DESCRIPTION OF SERVICE: Processing and administration of an application for sign review subject to the review of the Design Review Commission.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to approval.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
	Senior Planner	0.00 \$51.45	\$0.00
	Associate Planner	1.00 \$48.72	\$48.72
	Administrative Asst	0.10 \$29.29	\$2.93
			Total Salary <u>\$51.65</u>
	Salary	Percent	
Benefits:	\$51.65	31.87%	\$16.46
Operating Expenses:	\$51.65	31.92%	\$16.48
Overhead:	\$51.65	19.02%	\$9.83
Fixed Assets:	\$51.65	16.10%	\$8.32
			Total <u><u>\$102.74</u></u>
			Previous Fee: \$105.00
			Fee Effective 2017: \$102.00 <i>per application</i>
			Change: -2.86%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-21

SERVICE: Design Review (Alteration)

DESCRIPTION OF SERVICE: Processing and administration of an application for design review involving the alteration of an existing building.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Senior Planner	0.00	\$51.45	\$0.00
	Associate Planner	1.50	\$48.72	\$73.08
	Administrative Asst	0.10	\$29.29	\$2.93

Total Salary \$76.01

	Salary	Percent	
Benefits:	\$76.01	31.87%	\$24.23
Operating Expenses:	\$76.01	31.92%	\$24.26
Overhead:	\$76.01	19.02%	\$14.46
Fixed Assets:	\$76.01	16.10%	\$12.24

Total \$151.19

Previous Fee: \$155.00

Fee Effective 2017: \$151.00

per application

Change: -2.58%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-22

SERVICE: Design Review (Minor)

DESCRIPTION OF SERVICE: Processing and administration of an application for design review of minor commercial development (involving additions or new construction of less than 5,000 square feet) or minor residential development (new development of 4 or fewer units).

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Senior Planner	0.50	\$51.45	\$25.73
	Associate Planner	1.75	\$48.72	\$85.26
	Administrative Asst	0.25	\$29.29	\$7.32

Total Salary \$118.31

	Salary	Percent	
Benefits:	\$118.31	31.87%	\$37.71
Operating Expenses:	\$118.31	31.92%	\$37.76
Overhead:	\$118.31	19.02%	\$22.51
Fixed Assets:	\$118.31	16.10%	\$19.05

Total \$235.33

Previous Fee: **\$240.00**

Fee Effective 2017: \$235.00
per application

Change: -2.08%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-23

SERVICE: Design Review (Major)

DESCRIPTION OF SERVICE: Processing and administration of an application for design review of major commercial development (involving additions or new construction of 5,000 square feet or more) or major residential development (new development of 5 or more units).

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	0.00	\$67.20	\$0.00
	Senior Planner	2.50	\$51.45	\$128.63
	Associate Planner	3.00	\$48.72	\$146.16
	Administrative Asst	0.25	\$29.29	\$7.32
	Total Salary			\$282.11

	Salary	Percent	
Benefits:	\$282.11	31.87%	\$89.92
Operating Expenses:	\$282.11	31.92%	\$90.04
Overhead:	\$282.11	19.02%	\$53.67
Fixed Assets:	\$282.11	16.10%	\$45.42

Total \$561.15

Previous Fee: \$571.00

Fee Effective 2017: \$561.00
per application

Change: -1.75%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-24

SERVICE: Design Review (Landscaping Plan)

DESCRIPTION OF SERVICE: Processing and administration of an application for design review of a landscaping plan.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

		<u>Hours</u>	<u>Rate</u>	
Salaries:	Senior Planner	0.00	\$51.45	\$0.00
	Associate Planner	2.00	\$48.72	\$97.44
	Administrative Asst	0.10	\$29.29	\$2.93
				Total Salary <u><u>\$100.37</u></u>
		Salary	Percent	
Benefits:		\$100.37	31.87%	\$31.99
Operating Expenses:		\$100.37	31.92%	\$32.03
Overhead:		\$100.37	19.02%	\$19.09
Fixed Assets:		\$100.37	16.10%	\$16.16
				Total <u><u>\$199.65</u></u>
				Previous Fee: \$205.00
				Fee Effective 2017: \$199.00
				<i>per application</i>
				Change: -2.93%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-25

SERVICE: Design Review (Demolition or Relocation)

DESCRIPTION OF SERVICE: Processing and administration of an application for design review involving the demolition or relocation of an existing building.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	0.25	\$67.20	\$16.80
	Senior Planner	1.00	\$51.45	\$51.45
	Associate Planner	3.00	\$48.72	\$146.16
	Administrative Asst	0.25	\$29.29	\$7.32
				Total Salary <u>\$221.73</u>
Benefits:		\$221.73	31.87%	\$70.67
Operating Expenses:		\$221.73	31.92%	\$70.77
Overhead:		\$221.73	19.02%	\$42.18
Fixed Assets:		\$221.73	16.10%	\$35.70
				Total <u><u>\$441.05</u></u>
				Previous Fee: \$450.00
				Fee Effective 2017: \$441.00
				<i>per application</i>
				Change: -2.00%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-26

SERVICE: Home Occupation Permit

DESCRIPTION OF SERVICE: Processing and administration of an application for a home occupation permit.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to approval.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	0.10	\$67.20	\$6.72
Senior Planner	0.20	\$51.45	\$10.29
Associate Planner	0.30	\$48.72	\$14.62
Administrative Asst	0.15	\$29.29	\$4.39
			Total Salary <u>\$36.02</u>
	Salary	Percent	
Benefits:	\$36.02	31.87%	\$11.48
Operating Expenses:	\$36.02	31.92%	\$11.50
Overhead:	\$36.02	19.02%	\$6.85
Fixed Assets:	\$36.02	16.10%	\$5.80
			Total <u><u>\$71.65</u></u>
			Previous Fee: \$72.00
			Fee Effective 2017: \$71.00 <i>per application</i>
			Change: -1.39%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-27

SERVICE: Building Plan Review

DESCRIPTION OF SERVICE: Review of building permit plans for compliance with zoning regulations and conditions of

REFUND POLICY: Non-refundable.

PROCESS OF COSTING SERVICE: This fee is charged on an hourly basis with a 15 minute minimum at the time of issuance of a building permit. Due to the varied nature and requirements of building permit plans, the fee is charged at an hourly rate based on actual time expended.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Planning Director	1.00	\$67.20	\$67.20
	Senior Planner	1.00	\$51.45	\$51.45
	Associate Planner	1.00	\$48.72	\$48.72
				Average Salary <u>\$55.79</u>
Benefits:		Salary	Percent	
		\$55.79	31.87%	\$17.78
Operating Expenses:		\$55.79	31.92%	\$17.81
Overhead:		\$55.79	19.02%	\$10.61
Fixed Assets:		\$55.79	16.10%	\$8.98
				Total <u><u>\$110.97</u></u>
				Previous Hourly Fee: \$112.00
				Fee Effective 2017: \$110.00 <i>per hour*</i>
				Change: -1.79%

***Charged in 15-minute increments**

Planning Division

FEE COST WORKSHEET

NUMBER : PL-28

SERVICE: Extension

DESCRIPTION OF SERVICE: Processing a request for an extension of an approved use permit or tentative map.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services, and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
	Planning Director	0.00 \$67.20	\$0.00
	Senior Planner	0.00 \$51.45	\$0.00
	Associate Planner	0.50 \$48.72	\$24.36
	Administrative Asst	0.10 \$29.29	\$2.93
			Total Salary <u>\$27.29</u>
	Salary	Percent	
Benefits:	\$27.29	31.87%	\$8.70
Operating Expenses:	\$27.29	31.92%	\$8.71
Overhead:	\$27.29	19.02%	\$5.19
Fixed Assets:	\$27.29	16.10%	\$4.39
			Total <u><u>\$54.28</u></u>
			Previous Fee: \$55.00
			Fee Effective 2017: \$54.00
			<i>per request</i>
			Change: -1.82%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-29

SERVICE: Sidewalk Seating/Outdoor Display Permit

DESCRIPTION OF SERVICE: Processing of an application for a sidewalk seating permit or an outdoor display permit.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to approval.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Senior Planner	0.00	\$51.45	\$0.00
Associate Planner	0.60	\$48.72	\$29.23
Administrative Asst	0.10	\$29.29	\$2.93
			Total Salary <u>\$32.16</u>
	Salary	Percent	
Benefits:	\$32.16	31.87%	\$10.25
Operating Expenses:	\$32.16	31.92%	\$10.26
Overhead:	\$32.16	19.02%	\$6.12
Fixed Assets:	\$32.16	16.10%	\$5.18
			Total <u><u>\$63.97</u></u>
			Previous Fee: \$65.00
			Previous Annual Renewal Fee: \$25.00
			Fee Effective 2017: \$63.00
			Annual Renewal Fee Effective 2017: \$25.00
			<i>per application</i>
			Change: -3.08%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-30

SERVICE: Interpretation

DESCRIPTION OF SERVICE: Processing and administration of an application for an interpretation (Planning Commission review).

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to any Planning Commission hearing on the item.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	1.00	\$67.20	\$67.20
Senior Planner	0.00	\$51.45	\$0.00
Associate Planner	0.00	\$48.72	\$0.00
Administrative Asst	0.25	\$29.29	\$7.32
			Total Salary <u>\$74.52</u>
	Salary	Percent	
Benefits:	\$74.52	31.87%	\$23.75
Operating Expenses:	\$74.52	31.92%	\$23.79
Overhead:	\$74.52	19.02%	\$14.18
Fixed Assets:	\$74.52	16.10%	\$12.00
			Total <u><u>\$148.23</u></u>
			Previous Fee: \$148.00
			Fee Effective 2017: \$148.00 <i>per application</i>
			Change: 0.00%

Planning Division

FEE COST WORKSHEET

NUMBER : PL-33

SERVICE: Zoning Permit

DESCRIPTION OF SERVICE: Processing of an application for a Zoning Permit.

REFUND POLICY: No refund after application has been processed. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to approval.

PROCESS OF COSTING SERVICE: This fee is based upon an average allocation of the costs of personnel, services and supplies associated with the activity.

CALCULATION OF FEE

	Hours	Rate	
Salaries:			
Planning Director	0.00	\$67.20	\$0.00
Senior Planner	0.40	\$51.45	\$20.58
Associate Planner	0.40	\$48.72	\$19.49
Administrative Asst	0.10	\$29.29	\$2.93
			Total Salary \$43.00
	Salary	Percent	
Benefits:	\$43.00	31.87%	\$13.70
Operating Expenses:	\$43.00	31.92%	\$13.72
Overhead:	\$43.00	19.02%	\$8.18
Fixed Assets:	\$43.00	16.10%	\$6.92
Publication Fee, postage and materials			\$7.00
			Total <u><u>\$92.53</u></u>
			Previous Fee: \$93.00
			Fee Effective 2017: \$92.00 <i>per application</i>
			Change: -1.08%

Public Works

FEE COST WORKSHEET

NUMBER : PW-01

SERVICE: Parking Barricades - Placement & Retrieval

DESCRIPTION OF SERVICE: Staff time and expenses associated with placing "No Parking" signs and retrieving barricades for special events or construction activities.

REFUND POLICY: No refund after event has occurred. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to placement of barricades.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies. \$238 is base fee for staff time required for preparing vehicle, loading and delivery of barricades, retrieving barricades and making vehicle available for next assignment. \$20 per space is rental fee per space including barricade.

SPECIAL NOTES: This fee is based on two hours of staff time for barricade set up. If additional staff hours are required during normal business hours, those hours may be charged at the hourly rate specified in PW-14. If service is required after normal business hours (including additional hours), the Public Works After Hours Service Charge / Overtime Fee or Public Works After Hours Service Charge/ Sunday & Holiday Fee may be charged in addition to or substituted for any fee that is based on hourly rate.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Maintenance Worker II	2.00	\$30.60	\$61.20
	Streets Superintendent	1.50	\$41.73	\$62.60
			Total Salary	\$123.80
Benefits:		Salary	Percent	
		\$123.80	31.87%	\$39.46
Operating Expenses:		\$123.80	31.92%	\$39.51
Overhead:		\$123.80	19.02%	\$23.55
Fixed Assets:	Buildings & Equipment	\$123.80	16.10%	\$19.93
			Total	\$246.24

Previous Fee: \$238 + \$20 per space

Fee Effective 2017: \$246 + \$20 per space

Percent Change: 3.36%

Public Works

FEE COST WORKSHEET

NUMBER : PW-03

SERVICE: Public Works Inspection Fee

DESCRIPTION OF SERVICE: Staff time and expenses associated with conducting public works and site improvement inspections including associated document review, recordkeeping, and travel time.

REFUND POLICY: No Refund. Fee charged as occurs.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies for one hour of activity. Actual number of hours will vary depending on the project. 1/2 hour minimum charge for any service covered by this fee. 16% of the Total Salary is added to this fee for the purpose of recovering costs to maintain the City's Standard Plans.

Add BL-06 Imaging Fee as necessary to cover the cost of scanning file documents and maintaining micrographics equipment.

SPECIAL NOTES: If service is required after normal business hours, the Public Works After Hours Service Charge / Overtime Fee or Public Works After Hours Service Charge/ Sunday & Holiday Fee may be charged in addition to or substituted for any fee that is based on hourly rate.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administration Asst	0.25	\$29.29	\$7.32
	Streets Superintendent or Water Operations Supervisor	1	\$42.79	\$42.79
			Total Salary	\$50.11
		Salary	Percent	
Benefits:		\$50.11	31.87%	\$15.97
Operating Expenses:		\$50.11	31.92%	\$15.99
Overhead:		\$50.11	19.02%	\$9.53
Fixed Assets:	Buildings & Equipment	\$50.11	16.10%	\$8.07
Standard Plan Update Fee:		\$50.11	16.00%	\$8.02
			Total	\$107.69
			Previous Fee:	\$107.00
			Fee Effective 2017:	\$107.00 <i>per hour</i>
			% Change:	0.00%

Public Works

FEE COST WORKSHEET

NUMBER : PW-04

SERVICE: City Engineer Map and Plan Checking Services

DESCRIPTION OF SERVICE: Actual time and expenses associated with checking subdivision maps, public improvement plans, and site review services by the City Engineer. Activities may include, but are not limited to, performing plan review and related services (e.g. corresponding with applicants, design meetings, preliminary site investigations, code research, etc.) for building or grading permit applications, subdivision improvements, parcel maps, and similar improvements.

REFUND POLICY: Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to final approval.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies. The fee shall be charged at increments of 15 minutes or any portion thereof.

Add BL-06 Imaging Fee as necessary to cover the cost of scanning file documents and maintaining micrographics equipment.

SPECIAL NOTES: This fee may be charged at increments of 15 minutes or any portion thereof. In the event that this service is outsourced, the actual vendor costs shall be passed through to the applicant with additional charges as specified in Fee CA-09 (Standard Administrative Overhead).

CALCULATION OF FEE				
		<u>Hours</u>	<u>Rate</u>	
Salaries:	City Engineer	1.00	\$68.54	\$68.54
	Administration Asst	0.25	\$29.29	\$7.32
			Total Salary	\$75.86
Benefits:		Salary	Percent	
		\$75.86	31.87%	\$24.18
Operating Expenses:		\$75.86	31.92%	\$24.21
Overhead:		\$75.86	19.02%	\$14.43
Fixed Assets:	Buildings & Equipment	\$75.86	16.10%	\$12.21
Standard Plan Update Fee:		\$75.86	16.00%	\$12.14
			Total	\$163.04
			Previous Fee:	\$158.00
			Fee Effective 2017:	\$163.00
				<i>per hour</i>
			% Change:	3.16%

Public Works

FEE COST WORKSHEET

NUMBER : PW-05

SERVICE: City Engineer Inspection Fee

DESCRIPTION OF SERVICE: Actual time and expenses associated with inspection of public works projects by the City Engineer.

REFUND POLICY: Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to final inspection.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies. The fee shall be charged at increments of 15 minutes or any portion thereof. In the event that City Engineer Inspection services are provided by an outside vendor, the actual vendor costs shall be passed through to the applicant with additional charges as specified in Fee CA-09 (Standard Administrative Overhead). Sixteen percent (16%) is added to this fee for the purpose of recovering costs to maintain the City's Standard Plans. This fee may be charged at increments of 15 minutes or any portion thereof.

Add BL-06 Imaging Fee as necessary to cover the cost of scanning file documents and maintaining micrographics equipment.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	City Engineer	1.00	\$68.54	\$68.54
				Total Salary <u>\$68.54</u>
Benefits:		Salary	Percent	
		\$68.54	31.87%	\$21.85
Operating Expenses:		\$68.54	31.92%	\$21.88
Overhead:		\$68.54	19.02%	\$13.04
Fixed Assets:	Buildings & Equipment	\$68.54	16.10%	\$11.03
Standard Plan Update Fee:		\$68.54	16.00%	\$10.97
				Total <u><u>\$147.30</u></u>
				Previous Fee: \$147.00
				Fee Effective 2017: \$147.00 per hour
				% Change: 0.00%

Public Works

FEE COST WORKSHEET

NUMBER : PW-06

SERVICE: Encroachment Permit Fee (Minor)

DESCRIPTION OF SERVICE: Staff time and expenses associated with issuing an encroachment permit for activities in the public right of way, including but not limited to, parking construction related vehicles, placing a debris box for an extended period of time, planting a tree, and other minor work not requiring City Engineer review.

REFUND POLICY This fee is non-refundable.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies. \$15 per permit is allocated for the purpose of maintaining PW standard plans.

Add BL-06 Imaging Fee as necessary to cover the cost of scanning file documents and maintaining micrographics equipment.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administration Asst	1.25	\$29.29	\$36.61
	Streets Superintendent	1	\$41.73	\$41.73
				Total Salary <u>\$78.34</u>
Benefits:		Salary	Percent	
		\$78.34	31.87%	\$24.97
Operating Expenses:		\$78.34	31.92%	\$25.00
Overhead:		\$78.34	19.02%	\$14.90
Fixed Assets:	Buildings & Equipment	\$78.34	16.10%	\$12.61
Standard Plan Update Fee:		\$15.00		\$15.00

Total \$170.83

Previous Fee: \$168.00

Fee Effective 2017: \$170.00
per permit

% Change: 1.19%

Public Works

FEE COST WORKSHEET

NUMBER : PW-07

SERVICE: Encroachment Permit Fee (Major)

DESCRIPTION OF SERVICE: Staff time and expenses associated with processing an encroachment permit for activities in the public right of way such as the installation, repair or replacement of curb, gutter, sidewalk, or driveway approach; installation, repair or replacement of underground utilities; installation, repair or replacement of street paving; similar or other related construction activities.

REFUND POLICY: This fee is non-refundable.

PROCESS OF COSTING SERVICE: This fee is based on two hours of staff time. If additional staff hours are required during normal business hours, those hours may be charged at the hourly rate specified in PW-14. If service is required after normal business hours (including additional hours), the Public Works After Hours Service Charge / Overtime Fee or Public Works After Hours Service Charge/ Sunday & Holiday Fee may be charged in addition to or substituted for any fee that is based on hourly rate. Fee is based upon allocation of the costs of personnel, services and supplies.

\$30 per permit is added for the specific of maintaining PW standard plans.

Add BL-06 Imaging Fee as necessary to cover the cost of scanning file documents and maintaining micrographics equipment.

CALCULATION OF FEE				
		Hours	Rate	
Salaries:	Administrative Asst	1.25	\$29.29	\$36.61
	Streets Superintendent	2.00	\$41.73	\$83.46
	PW Director / City Engineer	1.00	\$68.54	\$68.54
			Total Salary	\$188.61
Benefits:	Salary		Percent	
	\$188.61		31.87%	\$15.37
Operating Expenses:	\$188.61		31.92%	\$60.20
Overhead:	\$188.61		19.02%	\$35.88
Fixed Assets:	Buildings & Equipment	\$188.61	16.10%	\$30.37
Standard Plan Update Fee:	\$30.00			\$30.00
			Total	\$360.43
			Previous Fee:	\$363.00
			Fee Effective 2017:	\$360.00
				<i>per permit</i>
			% Change:	-1%

Public Works

FEE COST WORKSHEET

NUMBER : PW-08

SERVICE: Public Works Crew After Hour Service Charge / Sunday & Holiday Overtime

REFUND POLICY: No Refund.

DESCRIPTION OF SERVICE: Staff time and expenses associated with a customer-requested, after hours service call. Examples of a service call request may include turning on and off electrical service in the Plaza during special events. Fee to be charged for customer-caused problem.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	[Sunday & Holiday OT] Maintenance Worker II	1.00	\$61.20	\$61.20
Total Salary				\$68.52

	Salary	Percent		
Benefits:	\$68.52	31.87%	\$21.84	
Operating Expenses:	\$68.52	31.92%	\$21.87	
Overhead:	\$68.52	19.02%	\$13.04	
Fixed Assets:	Buildings & Equipment	\$68.52	16.10%	\$11.03

Total **\$136.30**

3 Hour Minimum \$373.00

Previous Fee*: \$373 for first 3 hours / \$124 per hour after 3 hours

Fee Effective 2017: **\$258.00**
for 3 hour minimum

Fee Effective 2017: **\$136.00**
per hour after 3 hour Minimum

Percent Change: 9.38%

Public Works

FEE COST WORKSHEET

NUMBER : PW-09

SERVICE: Public Works Crew After Hours Service Charge / Regular Overtime

REFUND POLICY: No Refund.

DESCRIPTION OF SERVICE: Staff time and expenses associated with a customer requested/after hours service call. Examples of a service call request may include turning on and off electrical service in the Plaza during special events or for issues caused by special events customers.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	[3 hr. Mandatory OT per MOU] Maintenance Worker II	1.00	\$45.90	\$45.90
Total Salary				\$53.22

	Salary	Percent	
Benefits:	\$53.22	31.87%	\$16.96
Operating Expenses:	\$53.22	31.92%	\$16.99
Overhead:	\$53.22	19.02%	\$10.12
Fixed Assets:	Buildings & Equipment	\$53.22	16.10% \$8.57

Total **\$105.87**

* error in prior year calculation

Previous Fee*: \$282 for first 3 hours / \$94 per hour after 3 hours

Fee Effective 2017: **\$197.00**
for 3 hour minimum

Fee Effective 2017: **\$105.00**
per hour after 3 hour Minimum

Percent Change: 12.77%

Public Works

FEE COST WORKSHEET

NUMBER : PW-11

SERVICE: Stormwater Plan Review and Inspection Fee

DESCRIPTION OF SERVICE: Hourly rate for staff time and expenses associated with reviewing plans for compliance with stormwater runoff regulations, conducting inspections to verify compliance, and related activities.

REFUND POLICY: Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to final inspection.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies. Actual number of hours will vary depending on the project. One hour minimum charge for field inspection service covered by this fee.

Add BL-06 Imaging Fee as necessary to cover the cost of scanning file documents and maintaining micrographics equipment.

SPECIAL NOTES: One hour minimum. Additional hours charged at hourly rate.

CALCULATION OF FEE				
		<u>Hours</u>	<u>Rate</u>	
Salaries:	Administration Asst	0.50	\$29.29	\$14.65
	Storm Wtr Compliance Spec	1.00	\$36.51	\$36.51
				Total Salary <u>\$51.16</u>
Benefits:		Salary	Percent	
		\$51.16	31.87%	\$16.30
Operating Expenses:		\$51.16	31.92%	\$16.33
Overhead:		\$51.16	19.02%	\$9.73
Fixed Assets:	Buildings & Equipment	\$51.16	16.10%	\$8.24
				Total <u><u>\$101.75</u></u>
				Previous Fee: \$97.00
				Fee Effective 2017: \$101.00 <i>per hour (one hour minimum)</i>
				% Change: 4.12%

Public Works

FEE COST WORKSHEET

NUMBER : PW-12

SERVICE: Public Works Newsrack Initial Permit & Inspection Fee

DESCRIPTION OF SERVICE: Staff time and expenses associated with issuing Newsrack Permit including, but not limited to, Public Works conducting initial site inspections and associated document review, recordkeeping, and travel time.

REFUND POLICY: No Refund.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies. Minimum one hour for up to 3 newsracks. There is an additional fee for each additional rack received as part of the same permit application. 16% of the Total Salary is added to this fee for the purpose of recovering costs to maintain the City's Standard Plans.

SPECIAL NOTES: This also requires an Encroachment Permit.

CALCULATION OF FEE			
		Hours	Rate
Salaries:	Administrative Asst	0.50	\$29.29
	Streets Superintendent	1.00	\$41.73
Total Salary:			\$56.38
Benefits:		Salary	Percent
		\$56.38	31.87%
Operating Expenses:		\$56.38	31.92%
Overhead:		\$56.38	19.02%
Fixed Assets:		\$56.38	16.10%
Standard Plan Update Fee:	Buildings & Equipment	\$56.38	16.00%
Total			\$121.16

\$120 for first 3 newsracks on same application.
 \$20 for each newsrack received as part of same
 Previous Fee: permit application

Fee Effective 2017:* **\$121.00**
for first 3 newsracks on same application. \$20 for each newsrack received as part of same permit application

% Change: 0.83%

*Fee of \$120.00 is for up to 3 newsracks per permit application. Additional fee of \$20.00 applies for each additional rack received as part of same permit application.

Public Works

FEE COST WORKSHEET

NUMBER PW-13

SERVICE: Public Works Newsrack Annual Fee

DESCRIPTION OF SERVICE: Staff time and expenses associated with managing Newsrack Permit including, but not limited to, Public Works conducting site inspections, follow up on insurance paperwork, and notifications to newsrack owners of issues as well as associated document review, recordkeeping, and travel time.

REFUND POLICY: No Refund.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

SPECIAL NOTES: If a newsrack owner is notified that it is out of compliance with the Newsrack Ordinance and fails to make corrections specified by the City, the Newsrack may be pulled by City Staff and the owner will be billed at the Public Works Hourly Rate (PW-14).

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	PW Foreman	0.25	\$41.73	\$10.43
			Total Salary	\$17.76
Benefits:		Salary	Percent	
		\$17.76	31.87%	\$5.66
Operating Expenses:		\$17.76	31.92%	\$5.67
Overhead:		\$17.76	19.02%	\$3.38
Fixed Assets:	Buildings & Equipment	\$17.76	16.10%	\$2.86
			Total	<u>\$35.32</u>
			Previous Fee:	\$34.00
			Fee Effective 2017:	\$35.00
			% Change:	3%

Public Works

FEE COST WORKSHEET

NUMBER : PW-14

SERVICE: Public Works Crew Hourly Rate Normal Business Hours

DESCRIPTION OF SERVICE: Staff time and expenses associated for public works services that are not specified in another rate.

REFUND POLICY: No Refund. Fee charged as occurs.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services, and supplies for one hour of activity.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	Maintenance Worker II	1.00	\$30.60	\$30.60
			Total Salary	\$37.92

	Salary	Percent		
Benefits:	\$37.92	31.87%	\$12.09	
Operating Expenses:	\$37.92	31.92%	\$12.10	
Overhead:	\$37.92	19.02%	\$7.21	
Fixed Assets:	Buildings & Equipment	\$37.92	16.10%	\$6.11

Total \$75.43

Previous Fee: **\$83.00**

Fee Effective 2017: \$75.00

% Change: -10%

Public Works

FEE COST WORKSHEET

PW-15

SERVICE: Deposit for Engineering Fees

DESCRIPTION OF SERVICE: This is a deposit paid by an applicant at the time an application is made for a building permit requiring engineering services. This deposit is to be applied towards the costs of processing the public works services such as Public Works Inspections, City Engineer Inspection, Map and Plan Checking Services.

REFUND POLICY: Once all costs and expenses are calculated for a project, any remaining balance will be refunded to the applicant.

PROCESS OF COSTING SERVICE: The deposit is not a fee but is to be applied towards the payment of fees owed to the City. The deposit amount approximates the costs of processing the permit application, public works, and engineering services. Since an exact amount for these services cannot be determined at the time of application, the deposit amount is an estimate of those fees.

CALCULATION OF DEPOSIT

Deposit is calculated by City Engineer or designee in advance of initiating engineering services. Deposit must be received before services are started. In the event that the deposit is depleted before the project is completed, applicant will need to replenish the deposit before work can be continued. All fees must be paid before final building permit sign off.

Public Works

FEE COST WORKSHEET

NUMBER : PW-16

SERVICE: Barricading

DESCRIPTION OF SERVICE: Utilizing City staff and equipment to set up barricades on City streets to accommodate events (e.g. events in or around the Plaza). This fee differs from PW-01, which is related to placement of parking barricades and rental or parking spaces. In some cases, both fees may apply.

REFUND POLICY: No refund after event has occurred. Full refund minus calculated staff costs based on time expended between time of application and issuance of refund if application is withdrawn prior to placement of barricades.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of personnel, services, and supplies for 1 hour of activity.

SPECIAL NOTES: This fee is based on two hours of staff time for barricade set up. If additional staff hours are required during normal business hours, those hours may be charged at the hourly rate specified in PW-14. If service is required after normal business hours (including additional hours), the Public Works After Hours Service Charge / Overtime Fee or Public Works After Hours Service Charge/ Sunday & Holiday Fee may be charged in addition to or substituted for any fee that is based on hourly rate.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administration Asst	0.50	\$29.29	\$14.65
	Street Supervisor	1.00	\$41.73	\$41.73
	Maintenance Worker II	2.00	\$30.60	\$61.20
			Total Salary:	\$117.58
		Salary	Percent	
Benefits:		\$117.58	31.87%	\$37.47
Operating Expenses:		\$117.58	31.92%	\$37.53
Overhead:		\$117.58	19.02%	\$22.37
Fixed Assets:	Buildings & Equipment	\$117.58	16.10%	\$18.93
			Total	\$233.87
			Previous Fee:	\$238.00

Fee Effective 2017: **\$233.00**

% Change: -2%

Public Works

FEE COST WORKSHEET

NUMBER : PW-17

SERVICE: Electric Vehicle Charging Stations

DESCRIPTION OF SERVICE: Hourly fee to maintain and operate each electric vehicle charging station (two stations total) owned by the City. These stations were originally installed utilizing federal grant funding through Sonoma County, which will not be available for continued maintenance and operation costs.

REFUND POLICY: No Refund.

PROCESS OF COSTING SERVICE: Fee based upon allocation of the costs of maintenance/operation activities and amortized capital replacement. Fee will be charged per hour of use with a two hour minimum charge.

SPECIAL NOTES: This hourly fee would cover expenses associated with the continued operation of the City-owned electric vehicle charging stations. The fee would also encourage users of the stations to move their electric vehicle when the charge session is complete, allowing for another user to access the station.

CALCULATION OF FEE

HOURLY RATE OF STAFF

		Hours	Rate	
Salaries:	PW Operations Manager	1.00	\$43.85	\$43.85
			Subtotal Salary:	\$43.85
		Salary	Percent	
Benefits:		\$43.85	31.87%	\$13.98
Operating Expenses:		\$43.85	31.92%	\$14.00
Overhead:		\$43.85	19.02%	\$8.34
Fixed Assets:	Buildings & Equipment	\$43.85	16.10%	\$7.06
Total:				\$87.22

MAINTENANCE/OPERATION & CAPITAL REPLACEMENT COSTS

Total Daily Cost of EACH Charging Station	\$12.35
Total Cost per Hour of Charging	\$2.22
Total	\$2.22

Previous Fee: **NEW FEE**

Fee Effective 2017: \$2.00
per hour (two hour minimum)

% Change: NEW FEE

Utilities

FEE COST WORKSHEET

NUMBER : UT-01

SERVICE: Water Service Payment Reminder Notice

DESCRIPTION OF SERVICE: Staff time and expenses for the notification to a water customer of a past due water bill.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

CALCULATION OF FEE

Salaries:	Accounting Tech	Hours 0.25	Rate \$32.57	\$8.14
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Total Salary \$8.14

	Salary	Percent	
Benefits:	\$8.14	26.96%	\$2.19
Operating Expenses:	\$8.14	41.03%	\$3.34
Overhead:	\$8.14	12.00%	\$0.98
Fixed Assets:	\$8.14	9.23%	\$0.75
Mailing and Printing Costs			\$8.00

Total \$23.41

Previous Fee: \$25.00

Fee Effective 2017: \$23.00
Per Notification

% Change: -8.00%

Utilities

FEE COST WORKSHEET

 NUMBER : UT-02

SERVICE: Water Service Turn Off / Turn On (Delinquent Payment)

DESCRIPTION OF SERVICE: Staff time and expenses for (1) turn off of water service for delinquent accounts and (2) turn on of water service when payment is received.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.50	\$29.29	\$14.65
	Accounting Tech	0.50	\$32.57	\$16.29
	Maintenance Worker II	0.50	\$30.60	\$15.30
			Total Salary	\$46.23

		Salary	Percent	
Benefits:		\$46.23	26.96%	\$12.46
Operating Expenses:		\$46.23	41.03%	\$18.97
Overhead:		\$46.23	12.00%	\$5.55
Fixed Assets:	Buildings & Equipment	\$46.23	9.23%	\$4.26
			Total	\$87.47

Previous Fee: \$97.00

Fee Effective 2017: \$87.00

Per Turn Off / Turn On

% Change: -10.31%

Utilities

FEE COST WORKSHEET

NUMBER : UT-03

SERVICE: Meter Testing Fee

DESCRIPTION OF SERVICE: Staff time and expenses associated with testing a water meter at the request of a customer. The City will test a meter at no charge on one occasion. If a customer makes multiple requests and the meter is not found to be faulty, the City may charge the Meter Testing Fee.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

SPECIAL NOTES: In the event that meter testing services are provided by an outside vendor, the actual costs from the vendor plus the Billing Fee / Overhead Pass Through (CA-04) may apply.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Accounting Tech	0.25	\$ 32.57	\$8.14
	Maintenance Worker II	1.50	\$ 30.60	\$45.90
				Total Salary <u>\$54.04</u>
Benefits:		Salary	Percent	
		\$54.04	26.96%	\$14.57
Operating Expenses:		\$54.04	41.03%	\$22.18
Overhead:		\$54.04	12.00%	\$6.48
Fixed Assets:	Buildings & Equipment	\$54.04	9.23%	\$4.99
				Total <u><u>\$102.25</u></u>
				Previous Fee: \$131.00
				Fee Effective 2017: \$102.00 <i>Per Test</i>
				% Change: -22.14%

Utilities

FEE COST WORKSHEET

NUMBER : UT-04

SERVICE: Utility Crew After Hour Service Charge / Regular Overtime

DESCRIPTION OF SERVICE: Staff time and expenses associated with a customer requested, after hours service call. This fee may be charged in addition to, or substituted for, any fee that is based on an hourly rate if that service is requested after hours. Examples of a service call request include, but are not limited to, turning water service on/off or responding to water related problems found to be on the customer side of the meter.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

SPECIAL NOTES: Fee is based on three (3) hour minimum. After 3 hour minimum, hourly rate specified applies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	[3 hr. Mandatory OT per MOU] Maintenance Worker II	1.00	\$45.90	\$45.90

Total Salary \$53.22

	Salary	Percent	
Benefits:	\$53.22	26.96%	\$14.35
Operating Expenses:	\$53.22	41.03%	\$21.84
Overhead:	\$53.22	12.00%	\$6.38
Fixed Assets:	Buildings & Equipment	\$53.22	9.23% \$4.91

Total \$100.70

3 Hour Minimum \$192.50
 \$307 per hour
 for 3 hour
 minimum.
 \$102 per hour
 after 3 hour
 Previous Fee: minimum.

Fee Effective 2017: \$192.00
for 3 Hour Minimum
\$100.00
per hour after 3 hour Minimum

% Change: 2%

Utilities

FEE COST WORKSHEET

NUMBER : UT-05

SERVICE: Utility Crew After Hour Service Charge / Sunday & Holiday Overtime

DESCRIPTION OF SERVICE: Staff time (including travel time) and expenses associated with a customer requested, after hours service call that occurs on Sunday or City holiday. Examples of a service call request include, but are not limited to, turning water service on/off or responding to water related problems found to be on the customer side of the meter.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and, supplies.

SPECIAL NOTES: Fee is based on three (3) hour minimum. After 3 hour minimum, hourly rate specified applies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	[Sunday & Holiday OT @ double time] Maintenance Worker II	1.00	\$61.20	\$61.20
				Total Salary <u>\$68.52</u>
Benefits:		Salary	Percent	
		\$68.52	26.96%	\$18.47
Operating Expenses:		\$68.52	41.03%	\$28.12
Overhead:		\$68.52	12.00%	\$8.22
Fixed Assets:	Buildings & Equipment	\$68.52	9.23%	\$6.32
				Total <u><u>\$129.65</u></u>
				3 hour minimum \$252.05
				\$404 for first 3 hours; \$134 per hour after 3
				Previous Fee: hour minimum
				Fee Effective 2017: \$252.00
				<i>for 3 hour Minimum</i>
				\$129.00
				<i>per hour after 3 hour Minimum</i>
				% Change: -4%

Utilities

FEE COST WORKSHEET

NUMBER : UT-06

SERVICE: Non-Residential Fire Line Inspection & Bacteria Testing

DESCRIPTION OF SERVICE: Hourly rate for staff time and expenses (including travel time and test services) associated with conducting inspection and water testing of non-residential fire sprinkler lines connected to the public water system.

REFUND POLICY: 80% of this fee is refundable if no work is performed.

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies. Actual number of hours will vary depending on the project. 1/2 hour minimum charge for any service covered by this fee. 16% of the Total Salary is added to this fee for the purpose of recovering costs to maintain the City's Standard Plans.

SPECIAL NOTES: If re-inspection or re-testing is required due to failed inspections or testing, additional hourly fees are applicable at the Public Works Inspector hourly rates. If service is requested after hours, the customer may be charged the After Hours Service Charge in addition to this fee.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.50	\$29.29	\$14.65
	Water Ops Supervisor	1.00	\$43.84	\$43.84
				Total Salary <u><u>\$58.49</u></u>
Benefits:		Salary	Percent	\$15.76
		\$58.49	26.96%	
Operating Expenses:		\$58.49	41.03%	\$24.00
Overhead:		\$58.49	12.00%	\$7.02
Fixed Assets:	Buildings & Equipment	\$58.49	9.23%	\$5.40
Standard Plan Update fee		\$58.49	16.00%	\$9.36
				Total <u><u>\$120.02</u></u>
				Previous Fee: \$134.00
				Fee Effective 2017: <u><u>\$120.00</u></u> <i>Per hour</i>
				% Change: -10.45%

* Previous Fee was based on 6 hour. Will charge hourly.

Utilities

FEE COST WORKSHEET

NUMBER : UT-08

SERVICE: Water Flow Test

DESCRIPTION OF SERVICE: Staff time associated with determining water line pressure and hydrant flows.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

SPECIAL NOTES: If service is required after normal business hours, the Public Works After Hours Service Charge / Overtime Fee or Public Works After Hours Service Charge / Sunday & Holiday Fee may be charged in addition to or substituted for any fee that is based on hourly rate.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.50	\$29.29	\$14.65
	Maintenance Worker II	2.00	\$30.60	\$61.20
				Total Salary <u>\$75.85</u>
		Salary	Percent	
Benefits:		\$75.85	26.96%	\$20.44
Operating Expenses:		\$75.85	41.03%	\$31.12
Overhead:		\$75.85	12.00%	\$9.10
Fixed Assets:	Buildings & Equipment	\$75.85	9.23%	\$7.00
Water Use	(12,000 gal @ 6.90/1000 [1/2015 water rates])			\$62.76
				Total <u><u>\$206.27</u></u>
				Previous Fee: \$221.00
				Fee Effective 2017: \$206.00 <i>Per Test</i>
				% Change: -6.79%

Utilities

FEE COST WORKSHEET

NUMBER : UT-09

SERVICE: Water Flow Test - Administrative Only

DESCRIPTION OF SERVICE: Staff time to prepare invoice and statements from hydrant flow reports when an actual test is not performed.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.50	\$29.29	\$14.65
				Total Salary
				\$14.65

		Salary	Percent	
Benefits:		\$14.65	26.96%	\$3.95
Operating Expenses:		\$14.65	41.03%	\$6.01
Overhead:		\$14.65	12.00%	\$1.76
Fixed Assets:	Buildings & Equipment	\$14.65	9.23%	\$1.35

Total \$27.71

Previous Fee: \$24.00

Fee Effective 2017: **\$27.00**
per request

% Change: 12.50%

Utilities

FEE COST WORKSHEET

NUMBER : UT-10

SERVICE: Back Flow Device Testing (Backflow Fee)

DESCRIPTION OF SERVICE: Staff time and expenses related to meeting the requirements of the Cross-Connection Control Program mandated by the State Water Resources Control Board formerly (CDPH) to monitor cross connections and backflow device testing. Tasks include: Sending out annual testing notices; maintaining and validating a list of approved testers; logging of test results; updating changes in ownership; respond to calls and inquiries about program; on-site activities such as checking meter ID's; locating backflow devices; identifying systems that are in place and not on existing list; maintaining memberships and certifications; and annual reporting.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies and converted into a monthly rate to include on monthly water bills.

SPECIAL NOTES: This fee is billed on the customer's monthly water bill. In the event that customer fails to perform required backflow test after the third notice, water service may be turned off. If that occurs, a Water Service Turn Off Fee (UT-02) will apply.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.10	\$29.29	\$2.93
	Water Ops Supervisor	0.02	\$43.84	\$0.88
Total Salary				\$3.81

		Salary	Percent	
Benefits:		\$3.81	26.96%	\$1.03
Operating Expenses:		\$3.81	41.03%	\$1.56
Overhead:		\$3.81	12.00%	\$0.46
Fixed Assets:	Buildings & Equipment	\$3.81	9.23%	\$0.35

Total \$7.20

Previous Fee: \$7.00

Fee Effective 2017: \$7.00
per month per device

% Change: 0.00%

Utilities

FEE COST WORKSHEET

NUMBER : UT-11

SERVICE: Meter Cut Lock Fee

DESCRIPTION OF SERVICE: Staff time and expenses associated with replacing a water meter lock when it has been cut off.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Accounting Tech	0.25	\$32.57	\$8.14
	Maintenance Worker II	1.00	\$30.60	\$30.60
				Total Salary <u>\$38.74</u>
Lock Replacement:				\$8.00
		Salary	Percent	
Benefits:		\$38.74	26.96%	\$10.44
Operating Expenses:		\$38.74	41.03%	\$15.90
Overhead:		\$38.74	12.00%	\$4.65
Fixed Assets:	Buildings & Equipment	\$38.74	9.23%	\$3.57
				Total <u><u>\$81.30</u></u>
				Previous Fee: \$79.00
				Fee Effective 2017: \$81.00 <i>per Cut Lock</i>
				% Change: 2.53%

Utilities

FEE COST WORKSHEET

NUMBER : UT-12

SERVICE: Second or Third Notice Annual Back Flow Device Testing

DESCRIPTION OF SERVICE: Water customers with Backflow Devices are required to test the device annually and submit information to the City. The City notifies the customers via a letter with information. If the customer does not respond, a second or third notice may be sent.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

SPECIAL NOTES: If a second or third notice is required, this fee is billed on the customer's monthly water bill. In the event that customer fails to perform required backflow test after the third notice, water service may be turned off. If that occurs, a Water Service Turn Off / Turn On Fee (UT-02) will apply.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	Accounting Technician	0.25	\$32.57	\$8.14
				Total Salary <u>\$15.47</u>
Benefits:		Salary	Percent	\$4.17
		\$15.47	26.96%	
Operating Expenses:		\$15.47	41.03%	\$6.35
Overhead:		\$15.47	12.00%	\$1.86
Fixed Assets:	Buildings & Equipment	\$15.47	9.23%	\$1.43
Supplies	Certified Mail and Printing			\$6.50
				Total <u><u>\$29.26</u></u>

Previous Fee: \$42.00

Fee Effective 2017: **\$29.00**
per Notice

% Change: -30.95%

Utilities

FEE COST WORKSHEET

NUMBER : UT-13

SERVICE: Water Deposit

DESCRIPTION OF SERVICE: A deposit of \$150 will be charged to all new accounts, residential or non-residential. Deposit shall be credited to customer account if no late fees or turn off for non-payment have been issued by the City for 24 months and no returned checks have been written on the account. A temporary turn on may be allowed but the deposit must be received within 7 days of turn on or water service may be turned off and the customer will be responsible for water turn off fee (UT-02).

REFUND POLICY: Deposit will be credited to customer's account when account is closed or when no late fees or turn off for non-payment have been issued by the City and no returned checks have been issued on the account.

PROCESS OF COSTING SERVICE: Deposit is based on average 2 month residential water billing.

CALCULATION OF FEE

	Previous Fee:	\$150.00
BASED ON TWO-MONTH WATER BILL	Fee Effective 2017:	\$150.00

Utilities

FEE COST WORKSHEET

NUMBER : UT-14

SERVICE: Water Service Turn Off / Turn On (Change in Account Holder)

DESCRIPTION OF SERVICE: Staff time and expenses for (1) turn off of water service for new account holder (such as new owner / tenant) and set up of account for new tenant.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services, and supplies.

CALCULATION OF FEE

		Hours	Rate	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	Accounting Tech	0.25	\$32.57	\$8.14
	Maintenance Worker II	0.25	\$30.60	\$7.65
Total Salary				\$23.12

Benefits:		Salary	Percent	
		\$23.12	26.96%	\$6.23
Operating Expenses:		\$23.12	41.03%	\$9.48
Overhead:		\$23.12	12.00%	\$2.77
Fixed Assets:	Buildings & Equipment	\$23.12	9.23%	\$2.13
Total				\$43.74

Previous Fee: \$33.00

Fee Effective 2017: \$21.00
Per Turn Off / Turn On

% Change: -36.36%

* Cost of activity is divided in half to be shared between account being closed and account being opened.

Utilities

FEE COST WORKSHEET

NUMBER : UT-15

SERVICE: Utility Crew Service Charge Normal Business Hours

DESCRIPTION OF SERVICE: Staff time and expenses associated for utility crew services that are not specified in another rate.

REFUND POLICY: No Refund

PROCESS OF COSTING SERVICE: Fee is based upon allocation of the costs of personnel, services and supplies.

SPECIAL NOTES:

CALCULATION OF FEE

		<u>Hours</u>	<u>Rate</u>	
Salaries:	Administrative Asst	0.25	\$29.29	\$7.32
	Maintenance Worker II	1.00	\$30.60	\$30.60
				Total Salary <u><u>\$37.92</u></u>
Benefits:		Salary	Percent	
		\$37.92	26.96%	\$10.22
Operating Expenses:		\$37.92	41.03%	\$15.56
Overhead:		\$37.92	12.00%	\$4.55
Fixed Assets:	Buildings & Equipment	\$37.92	9.23%	\$3.50
				Total <u><u>\$71.75</u></u>
				Previous Fee: \$70.00
				Fee Effective 2017: \$71.00 <i>Per Hour</i>
				% Change: 1%



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 7A
Meeting Date: 12/12/16

Department Police	Staff Contact Bret Sackett, Police Chief
-----------------------------	--

Agenda Item Title

Appeal of Police Chief’s denial of a *Letter of Public Convenience or Necessity* for a new Type 21 Off-Sale Retail liquor license at Easy Stop Market

Summary

The owner of Easy Stop Market, 925 Broadway, submitted an application to the California Alcohol Beverage Control (ABC) for a new Type 21 Off-Sale Retail liquor license to sell distilled spirits (hard alcohol). Per the ABC, there already exists too many Off-Sale Retail licenses in this area, which requires the application to obtain a “Letter of Public Convenience or Necessity” from the local jurisdiction. This process helps ensure that local jurisdictions and the ABC are working collaboratively when considering new alcohol licenses in areas that are overly concentrated and the local jurisdiction can maintain local control in such matters. In Sonoma, these letters are provided by the Chief of Police.

After careful consideration, the Police Chief did not find that public convenience or necessity would be served by the issuance of another license. The applicant has subsequently appealed that decision to the City Council.

Recommended Council Action

Deny the appeal and uphold the Police Chief’s finding that Public Convenience or Necessity would not be served by the issuance of another Type 21 Off-Sale Retail liquor license.

Alternative Actions

Uphold the appeal and direct the Police Chief to provide a *Letter of Public Convenience or Necessity* to the applicant and Department of Alcoholic Beverage Control in support of a new Type 21 Off-Sale Retail liquor license.

Financial Impact

None

Environmental Review

Status

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

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

- Supplemental staff report
- Exhibit A, B, C, D, E, F
- Appeal submitted by applicant
- Request for reconsideration submitted by applicant's attorney
- Letter from Louann Carlomagno, SVUSD Superintendent
- Email from Nicole Abate Ducarroz

Alignment with Council Goals:

This item is not directly related to any stated in Council Goal.

cc: Sonoma Valley Unified School District Superintendent and associated staff

Supplemental Staff Report
Appeal of Police Chief's denial of a *Letter of Public Convenience or Necessity* for a new
Type 21 Off-Sale Retail liquor license at Easy Stop Market
Prepared by Bret Sackett, Police Chief

In October 2016, the owner of Easy Stop Market, located at 925 Broadway in Sonoma, made an application with the Department of Alcohol Beverage Control (ABC) for a new Type 21 Off-Sale Retail liquor license. A Type 21 license will allow for the sale of beer, wine, and distilled spirits (hard alcohol) for consumption off the premise. Easy Stop currently has a Type 20 Off-Sale Retail license, which allows them to sell beer and wine for consumption off the premise.

Upon review, the ABC determined the proposed location is within an area that meets the criteria of "Undue Concentration" as outlined in the Business and Professions Code. In essence, Undue Concentration exists when there are more Off-Sale Retail Licenses in a particular census tract than deemed appropriate based upon a formula identified in the Business and Professions Code. Undue Concentration also exists if the premise is in "high crime" area, which means the reporting district has 20% more crimes than the average of the jurisdiction as a whole.

When the ABC determines the proposed location is in an area that has an over concentration of Off-Sale Retail Licenses, they require the applicant to obtain a "Letter of Public Convenience or Necessity" from the local jurisdiction. This process helps to ensure that ABC and the local jurisdiction are working in collaboration when reviewing new alcohol licenses, particularly since there is ample evidence to suggest that the density of alcohol establishments can be detrimental to community health and safety.

On October 24 2016, I received a request to provide a "Letter of Public Convenience or Necessity" in support of a new ABC License at Easy Stop Market, 925 Broadway, Sonoma.

After careful review of many factors, I determined that public convenience or necessity would not be served, and requested ABC deny the application.

Per ABC, there should be 7 Off-Sale Retail Licenses in this particular census tract, but 11 currently exist; nearly 60% more than deemed appropriate (Exhibit A). While many of these retail establishments are not "storefront" type operations, prudent public policy suggests that it is imperative to look beyond the census tract and consider the application in light of the city as a whole.

Per the ABC website, there are 110 Off-Sale Retail Licenses listed for Sonoma. There are 11 Type 21 Off Sale Retail Liquor licenses in the Sonoma; such as CVS, Safeway, Lucky's, and Broadway Market (Exhibit B).

The proposed location is also in an area considered "high crime", although we no longer report crime stats to the ABC. It should be noted that most of the Hwy 12 corridor in Sonoma falls within this category and I am, by no means, suggesting Easy Stop is a haven for crime. In 2013, the clerk was cited for selling alcohol to a minor, but that was under a previous owner.

Easy Stop has applied for a Type 21 Off-Sale Retail liquor license on 2 other occasions; 2003 and 2007. A finding of public convenience or necessity was denied both times, so ABC denied those license applications.

The proposed location is across the street from Sonoma Valley High School, Creekside High School, and Adele Harrison Middle School and is along the primary route for students who walk or bike to/from school. It's not uncommon to see students in the store before/after school, or during the lunch break.

In the most recent California Healthy Kids Survey for Sonoma Valley, the report concludes that kids are experimenting with alcohol as early as 7th grade. It also reveals that 25% of 11th grade students consider themselves "heavy alcohol users" and 52% of 11th graders at the alternative high school consider themselves heavy alcohol users (Exhibit C). The report also reveals that 63% of the 9th graders and 74% of the 11th graders feel alcohol is "fairly easy or very easy" to obtain (Exhibit D). In talking with students and parents, many believe alcohol is often obtained by stealing it from retail stores.

In a recent online survey by the Sonoma Index Tribune regarding underage drinking, 72% of the respondents said underage drinking has always been a problem and still is, 21% said the problem has gotten worse, and only 7% thought the problem was better due to increased awareness (Exhibit E).

Although cases for underage drinking has remained fairly consistent for the past 2 years, the number of kids cited and the level of intoxication has increased. Most notable was a case where a group of students skipped school, stole 3-4 bottles of vodka from another store, and drank to excess, which resulted in one girl experiencing life-threatening alcohol poisoning and was in a coma for several days.

According to Sonoma Valley Hospital, 81 people ages 14-25 were treated for alcohol or drug related emergencies in 2015- mid 2016.

The Sonoma Valley Youth and Family Services (SVYFS) diversion program states the majority of the referrals are for substance abuse (alcohol and marijuana). In 2014, there were 54 referrals (large spike in marijuana related) and there were 46 referrals in 2015.

A quote from SVYFS 2015 annual report states, "This year substance abuse referrals are at 46.5% of the total number of referrals (an increase of 6.2% since last year). There has been a large influx of alcohol arrests."

It's been well established that the density of alcohol outlets has a direct correlation to underage access to alcohol. The Community Preventative Services Task Force, an independent, nonfederal, unpaid group of public health experts appointed by the Director of CDC, recommends "the use of regulatory authority (e.g., through licensing and zoning) to limit alcohol outlet density on the basis of sufficient evidence of a positive association between outlet density and excessive alcohol consumption and related harms (Exhibit F)."

I have met with the applicant and his representative, where they offered to install several safeguards to prevent underage access, such as limiting store hours or securing the distilled spirits behind the counter. It should be noted, however, that these conditions are completely voluntary and are not regulatory in nature, unless ABC agrees to include them at the time of issuance. In my experience, ABC tends to shy away from unique (voluntary) conditions and prefers to utilize a standard set of conditions to ensure regulatory and enforcement consistency. As such, absent other regulatory authority imposed by ABC, the applicant can remove such safeguards at any time they choose and any such voluntary conditions will not likely apply if the store (or license) is sold or transferred.

And finally, the applicant suggests in his letter that denying him this license will put him at a disadvantage with his competitors. However, I have to question this claim since I think he is comparing himself to more traditional retail stores, such as CVS and Safeway. In my opinion, Easy Stop is more similar to 7-11 or Jolly Washer, which only sells beer and wine.

In closing, given the fact there are numerous other locations to obtain distilled spirits within Sonoma, including 2 places just blocks from Easy Stop's location, coupled with its close proximity to our local schools, I do not believe public convenience or necessity would be served by the issuance of another license. In addition, I believe youth access and underage drinking can be attributed to the over concentration of Off-Sale Retail Licenses.

As such, I recommend the City Council deny the appeal.

EXHIBIT A



California Department of Alcoholic Beverage Control For the County of SONOMA - (Off-Sale Licenses) and Census Tract = 1502.03

Report as of 12/5/2016

License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1) 453786	ACTIVE	20	6/15/2007	5/31/2017	MAC WINES LLC 115 SPECHT RD SONOMA, CA 95476-7925 Census Tract: 1502.03	THREE WINE COMPANY	PO BOX 2069 SONOMA, CA 95476	4906
2) 507662	ACTIVE	20	3/25/2011 2:16:57 PM	8/31/2017	HUEMOZ 1969 LLC 1051 BROADWAY , SUITE B SONOMA, CA 95476-7487 Census Tract: 1502.03			4906
3) 513168	ACTIVE	20	10/17/2011 12:48:10 PM	9/30/2017	Census Tract: 1502.03 FRANGL, DAVID ERNIE 1005 FRYER CREEK DR SONOMA, CA 95476-7573	BACCHUS WINES CALIFORNIA		4906
4) 519835	ACTIVE	20	4/16/2012 1:14:34 PM	5/31/2017	Census Tract: 1502.03 BULGARIAN MASTER VINTNERS LLC 1262 BROADWAY SONOMA, CA 95476-7504	BULGARIAN MASTER VINTNERS, LLC	PO BOX 2279 SONOMA, CA 95476	4906
5) 543041	ACTIVE	20	11/6/2014 8:40:07 AM	1/31/2017	Census Tract: 1502.03 SHARP, MONIKA REGINA 374 NAPA RD SONOMA, CA 94558-7625	SHARP ENTERPRISES	860 COTTONWOOD CT LINCOLN, CA 95648	4906
6) 543728	ACTIVE	20	5/2/2014 10:11:53 AM	4/30/2017	Census Tract: 1502.03 MYERS, JAN P 134 COOPER ST SONOMA, CA 95476-7557	MY WELL WINES		4906
7) 544895	ACTIVE	20	7/31/2014 12:57:44 PM	6/30/2017	Census Tract: 1502.03 KALOYA, BARJINDER S 925 BROADWAY SONOMA, CA 95476-7403	EASY STOP MARKET		4906
8) 551814	ACTIVE	20	12/19/2014 2:17:21 PM	11/30/2016	Census Tract: 1502.03 BALANCED WINE SELECTIONS LLC 1151 BROADWAY, STE 201 #1 SONOMA, CA 95476-7584		11590 E LAKE AVE ENGLEWOOD, CO 80111-5839	4906
9) 556230	ACTIVE	20	5/20/2015 10:47:12 AM	4/30/2017	Census Tract: 1502.03 RENAISSANCE CONSULTING GROUP LLC 956 1ST ST W	PONO WINES	PO BOX 375 ROSEVILLE, CA 95661-0375	4906

10)558676	ACTIVE	20	8/27/2015 4:26:15 PM	7/31/2017	SONOMA, CA 95476-7417 Census Tract: 1502.03 IYER, RAJ NARAYANAN 1230 PICKETT ST SONOMA, CA 95476-7545	OCEANS CHURNING WINES	19201 SONOMA HWY, #346 SONOMA, CA 95476-5413	4900
11)74995	ACTIVE	21	5/1/1979	5/31/2017	Census Tract: 1502.03 GAUDINO, DIANNE 20511 BROADWAY SONOMA, CA 95476 Census Tract: 1502.03	BROADWAY MARKET	PO BOX 175 SONOMA, CA 95476	4900

--- End of Report ---

For a definition of codes, view our [glossary](#).

EXHIBIT B



California Department of Alcoholic Beverage Control
License Type 21
For the Cities of
SONOMA

11 of 11 Licenses Displayed

To create a downloadable CSV File go back and check the Create CSV Download Option.

Report as of 12/5/2016

License Number	Status	License Type	Orig. Iss. Date	Expir Date	Primary Owner and Premises Addr.	Business Name	Mailing Address	Geo Code
1) 74995	ACTIVE	21	05/01/1979	5/31/2017	GAUDINO, DIANNE 20511 BROADWAY SONOMA, CA 95476 Census Tract: 1502.03	BROADWAY MARKET	PO BOX 175 SONOMA, CA 95476	4900
2) 571654	ACTIVE	21	08/22/2016	6/30/2017	QUIK STOP MARKETS INC 990 GROVE ST SONOMA, CA 95476-5305 Census Tract: 1503.03	QUIK STOP MARKET #118	PO BOX 305103, KROGER BUSINESS LICENSE NASHVILLE, TN 37230	4906
3) 539163	ACTIVE	21	01/14/2014	12/31/2016	SHRESTHA, HARI 18285 HIGHWAY 12 SONOMA, CA 95476-3644 Census Tract: 1503.06	BOYES FOOD CENTER & DELI		4900
4) 313780	ACTIVE	21	12/19/1995	6/30/2017	THRIFTY PAYLESS INC 19205 SONOMA HWY SONOMA, CA 95476 Census Tract: 1502.02	RITE AID STORE 6032	2600 CAPITOL AVE, STE 300 SACRAMENTO, CA 95816-5930	4906
5) 449774	ACTIVE	21	07/18/2007	6/30/2017	LUCKY STORES INC 19181 SONOMA HWY SONOMA, CA 95476-5449 Census Tract: 1502.02	LUCKYS 778	PO BOX 4278, ATTN: NIKKI BORUP MODESTO, CA 95352-4278	4900
6) 553020	ACTIVE	21	01/26/2015	3/31/2017	VINEYARD MARKET LLC 18913 SONOMA HWY SONOMA, CA 95476-5401 Census Tract: 1502.02	VINEYARD MARKET LLC		4900
7) 194230	ACTIVE	21	01/22/1987	6/30/2017	SAFEWAY INC 477 W NAPA ST SONOMA, CA 95476 Census Tract: 1502.04	SAFEWAY INC #911	PO BOX 29096, MAIL STOP #6516 PHOENIX, AZ 85038-9096	4906
8) 446808	ACTIVE	21	01/25/2007	12/31/2016	WHOLE FOODS MARKET CALIFORNIA INC 201 W NAPA ST SONOMA, CA 95476-6640 Census Tract: 1502.04	WHOLE FOODS MARKET	PO BOX 684786, ATTN LICENSING TEAM AUSTIN, TX 78768-4786	4906
9) 480756	SUREND	21	03/09/2010	2/28/2017	CHOTKOWSKI, CHRISTIAN ADAM 19 W NAPA ST Census Tract: 1502.04	PROOFD	361 LAKE ST SONOMA, CA 95476-3336	4906

10) <u>47879</u>	ACTIVE	21	06/22/2009	5/31/2017	SONOMA, CA 95476-6605 Census Tract: 1502.04 GARFIELD BEACH CVS LLC 201 W NAPA ST, STE 35 SONOMA, CA 95476	CVS PHARMACY STORE 9152	1 CVS DR, MAIL DROP 23062A WOONSOCKET, RI 02895-6146	4906
11) <u>567592</u>	ACTIVE	21	05/25/2016	4/30/2017	Census Tract: 1502.04 NUGGET MARKET INC 500 W NAPA ST, STE 550 SONOMA, CA 95476 Census Tract: 1502.02	NUGGET MARKET	168 COURT ST WOODLAND, CA 95695	4906

--- End of Report ---

For a definition of codes, view our [glossary](#).

EXHIBIT C

6. Alcohol and Other Drug Use

Table A6.1

Summary Measures of Level of AOD Use

	Grade 7 %	Grade 9 %	Grade 11 %	NT %	Table
Lifetime alcohol or drugs (excluding cold/cough medicines and prescription drugs)	22	44	63	79	A6.2
Current alcohol or drugs	15	28	43	72	A6.4
Current heavy drug users	3	12	21	55	A6.4
Current heavy alcohol user (binge drinker)	4	10	25	52	A6.4
Current alcohol or drug use on school property	4	6	11	39	A6.10

Note: Cells are empty if there are less than 25 respondents.

EXHIBIT D

Table A6.11

Perceived Harm and Availability

	Grade 7 %	Grade 9 %	Grade 11 %	NT %
<i>Perceived Harm of Use...</i>				
Alcohol - drink occasionally				
Great	25	32	29	37
Moderate	23	28	18	26
Slight	23	22	35	15
None	29	19	18	22
Alcohol - 5 or more drinks once or twice a week				
Great	44	49	46	59
Moderate	22	29	25	15
Slight	9	9	17	7
None	26	13	12	19
Marijuana - smoke occasionally				
Great	40	34	25	19
Moderate	19	23	13	15
Slight	10	17	26	22
None	31	26	36	44
Marijuana - smoke once or twice a week				
Great	46	45	28	21
Moderate	14	19	19	14
Slight	9	12	23	11
None	31	24	30	54
* <i>Perceived Difficulty of Obtaining...</i>				
Alcohol				
Very difficult	17	6	6	7
Fairly difficult	11	5	6	26
Fairly easy	17	18	20	19
Very easy	13	45	54	22
Don't know	41	25	15	26
Marijuana				
Very difficult	22	5	6	7
Fairly difficult	11	5	2	4
Fairly easy	9	15	14	4
Very easy	13	50	63	64
Don't know	46	25	15	21

Question HS A.79-82, 84, 85/MS A.72-75, 77, 78: How much do people risk harming themselves physically and in other ways when they do the following?... Drink alcohol occasionally... Have five or more drinks of an alcoholic beverage once or twice a week... Smoke marijuana occasionally... Smoke marijuana once or twice a week... How difficult is it for students in your grade to get any of the following substances if they really want them?... Alcohol... Marijuana.

Note: Cells are empty if there are less than 25 respondents.

EXHIBIT E

Poll: Is Sonoma facing a crisis in teen drinking?

FIRST LAST

INDEX-TRIBUNE STAFF WRITER | October 13, 2016

Index-Tribune writer David Templeton's recent story on teen alcohol abuse made note that local law enforcement is seeing a rise in dangerous binge drinking among Valley youth. So in our most recent poll at sonomanews.com, we asked readers if Sonoma is facing a crisis in teen drinking.

While 72 percent of respondents said it's definitely a problem, they don't think it's any worse than it's always been. On the other hand, 21 percent say the problem is growing. A mere 7 percent of readers think teen drinking is decreasing, which is certainly looking at things with rose colored glasses – or, perhaps, as the other 93 percent of respondents might say, beer goggles.

Here are few of the more impassioned responses.

They are also mixing Xanax with alcohol which can be lethal. The alcohol is being ripped off at CVS and Rite Aid and no one is doing anything about it. It is up to parents to be parents and know what their kid is doing and where they are at all times! That is the biggest problem – parents are not willing to keep on top of what their kids are doing.

In my experience growing up here, drinking has always been an element, but it is the mixing with other LEGAL drugs that is the larger problem today. In the '80s,

dozens of teenagers regularly dropped acid in the Plaza at night and had a relatively safe time. Or so I heard. And don't get me started on the meth epidemic that existed here for decades. Today, opioids are disruptors in the self-medication game. We need to talk about prescription heroin: OPIOIDS. We need to talk about the risks, those who have died, those who have had to live with grief and senseless loss. We need to discuss the legal prescriptions sitting in our cabinets. This is a crisis that affects all of us: rich, poor, old, young. This is a Big Pharma issue. A community issue. We need to leave shame behind and begin conversation. We need to admit there are dealers right here in Sonoma. People we know. We excuse it because they are not what you'd expect a dealer to look like. Could be your doctor, your neighbor, or your own teenager. It could be you. Alcohol is a problem; opioids are a crisis. Report on that.

I am 50 years old and it was a problem when I was hanging out in the square years ago and has been steady and growing ever since. The biggest difference now is that RX drugs are more readily available.

Actually, I don't have a clue. I don't know many teens. The ones I know don't drink. But I read the article in the paper, and every now and then you see a story in the "police blotter" section about teens drinking. I didn't drink until I was 19. And I don't drink at all now.

Preventing Excessive Alcohol Consumption: Regulation of Alcohol Outlet Density

Task Force Finding

Intervention Definition

Alcohol outlet density regulation is defined as applying regulatory authority to reduce alcoholic beverage outlet density or to limit the increase of alcoholic beverage outlet density. Regulation is often implemented through licensing or zoning processes. An alcohol outlet is a place where alcohol may be legally sold for the buyer to drink there (on-premises outlets, such as bars or restaurants) or elsewhere (off-premises outlets, such as liquor stores). Density refers to the number of alcohol outlets in a given area.

Task Force Finding (February 2007)*

On the basis of the reviewed evidence, the Community Preventive Services Task Force found sufficient evidence of a positive association between outlet density and excessive alcohol consumption and related harms to recommend limiting alcohol outlet density through the use of regulatory authority (e.g., licensing and zoning) as a means of reducing or controlling excessive alcohol consumption and related harms.

*From the following publication:

Task Force on Community Preventive Services. Recommendations for reducing excessive alcohol consumption and alcohol-related harms by limiting alcohol outlet density. *Am J Prev Med* 2009;37(6):570-1.

Publications

Campbell CA, Hahn RA, Elder R, Brewer R, Chattopadhyay S, Fielding J, Naimi TS, Toomey T, Briana Lawrence B, Middleton JC, Task Force on Community Preventive Services. The effectiveness of limiting alcohol outlet density as a means of reducing excessive alcohol consumption and alcohol-related harms. *Am J Prev Med* 2009;37(6):556-69.

Task Force on Community Preventive Services. Recommendations for reducing excessive alcohol consumption and alcohol-related harms by limiting alcohol outlet density. *Am J Prev Med* 2009;37(6):570-1.

Disclaimer

The findings and conclusions on this page are those of the Community Preventive Services Task Force and do not necessarily represent those of CDC. Task Force evidence-based recommendations are not mandates for compliance or spending. Instead, they provide information and options for decision makers and stakeholders to consider when determining which programs, services, and policies best meet the needs, preferences, available resources, and constraints of their constituents.

Document last updated September 24, 2013

City of Sonoma

Notice of Appeal

RECEIVED
SONOMA CITY CLERK
11/15/2016
For City Use
Date Received
By: *[Signature]*
Filing Fee \$212 Pd. *CH #3241*

- Any person dissatisfied with any final decision of a City Commission, board, or City official may appeal such final decision to the City Council. Only final decisions may be appealed to the City Council.

Exceptions:

- Final decisions of the City Planner or a City Commission related to the enforcement or application of Title 19 of the Sonoma Municipal Code (SMC) is governed by the appeal provisions of SMC Title 19. The Planning Appeal Form should be used for these types of appeals.
- Final decisions of the Building Official related to the enforcement or application of the construction codes adopted in SMC Chapter 14.10 is governed by the appeal provisions contained in SMC Chapter 14.10. The Application for Appeal before the Board of Appeals form should be used for these types of appeals.
- The fee to file an appeal is \$212.00 and must accompany this form.
- Pursuant to Section 1.24.020 of the Sonoma Municipal Code appeals must be filed with the City Clerk within **fifteen (15) calendar days** of the date the final decision, together with the filing fee.
- The application for appeal shall state the decision being appealed, the identity of the appellant and his/her interest in the matter and shall set forth the reasons which, in the opinion of the appellant render the decision unjustified or inappropriate.

Please Print or Type:

SECTION 1. APPELLANT INFORMATION:

Name: BARJINDER KALOYA Phone # 415-272-4446

Mailing Address: 925 BROADWAY, SONOMA CA 95476

Email: BARJINDERKALOYA@YAHOO.COM

SECTION 2. SUBJECT OF APPEAL

1. In accordance with the procedures set forth in Chapter 1.24 of the Sonoma Municipal Code (Copy Attached), I hereby appeal the decision of the:

POLICE CHIEF SACKETT

(Name of Official, Committee, or Commission decision being appealed)

2. The date the decision being appealed was rendered: NOVEMBER 6, 2016

3. The issue, application or project was entitled: PUBLIC CONVENIENCE OR

NECESSITY LETTER FOR THE ISSUANCE OF A TYPE 21 OFF

SALE GENERAL LIQUOR LICENSE FOR THE EASY STOP MARKET

LOCATED AT 925 BROADWAY, SONOMA CA 95476

SECTION 2. SUBJECT OF APPEAL (cont.)

4. I discussed the matter with the following City staff member:

BRET SACCHETT, CHIEF OF POLICE on OCTOBER 24, 2016
(Staff Member's Name and Department) (Date)

5. Has this matter been the subject of a previous appeal? If so, when was it heard and by whom:

NO

SECTION 3. REASON FOR APPEAL

I HAVE OWNED MY BUSINESS, EASY STOP MARKET @ 925

BROADWAY IN SONOMA FOR JUST OVER TWO YEARS NOW AND BUSINESS

HAS BEEN TOUGH. BASICALLY I MAKE A MODEST LIVING IN THE

SUMMER MONTHS AND I STRUGGLE TO SURVIVE IN THE WINTER MONTHS

AS MANY OF MY COMPETITORS IN TOWN ARE ABLE TO SERVE ALL TYPES

OF ALCOHOL AND I CANNOT WITHOUT THIS LICENSE. APPROVAL OF MY

APPEAL WILL ALLOW ME TO FAIRLY COMPETE WITH THE OTHER STORES

IN TOWN, AND MAKE AN HONEST LIVING FOR MYSELF AND

MY FAMILY, I INTEND TO FOLLOW ALL OF THE LAWS, RULES AND

REGULATIONS REQUESTED OF ME SO THAT THE ADDITION OF THIS

LICENSE WILL NOT HAVE NEGATIVE CONSEQUENCES ON THE COMMUNITY
(PLEASE SEE THE ATTACHED LETTER TO POLICE CHIEF SACCHETT)

Signed:

Signature (Appellant)

Date

Barbara S. Kolesky

Signature (Appellant)

11-15-16.

Date

October 24, 2016

Bret Sackett, Chief of Police
Sonoma Police Department
175 1st Street West
Sonoma, CA 95476

Re: Application for an ABC License
Easy Stop Market
925 Broadway
Sonoma, CA 95476

Mr. Sackett,

I am writing to you in reference to my ABC application for a Type 21 Off-Sale Liquor License at the above-referenced location and to request a Public Convenience or Necessity Letter 'PCN'. I have been operating my business at this location since 2014. During the time since I took ownership of this location 2 years ago, there have never been any complaints or violations from the neighbors, ABC or the police department from the beer & wine being sold here at my store. I am now upgrading my license to a type 21 so that I can offer my customer's more choices, like many of my competitors in the area. The surrounding competition is causing me to be at a competitive disadvantage, since without this license, I cannot compete will with other stores in this area, which is why I need this license as my business struggles to survive, especially during the winter months.

I understand that this type of license has been previously denied at this location with previous applicants, but this is my first application with ABC for this type 21 license. I also understand that there is an issue because high school students are in close proximity to my store. I want you to know, that I am ready, willing and able to take whatever precautionary measures and make any necessary changes to my operation to accommodate this new license to ensure both public safety and that there will never be any underage drinking.

My plans are to place the higher volume alcohol products only behind the counter where my employees and myself will be the only persons to have access to it. I am also going to build a wall on the left side of the counter so that no customers will be able to enter or reach into the back of the counter avoiding the potential of anyone getting their hands on any of these alcohol products. I will additionally have any and all of my employees attend the LEAD training program at the local ABC office, as well as any other measures necessary to obtain this license in a safe an secure way for the public.

This business is my livelihood and my only source of income, so this is of utmost importance to me and my family. I am looking forward to working with you on this needed PCN letter. If you have any questions about this letter, or need any other information, please feel free to contact me or my representative, Jeff Sacher, Santa Rosa Business and Commercial at 707-526-1050 (office) 707-888-4972 (cell) or jeff@jsacher.com anytime. Thank you.

Sincerely,



Barjinder Kaloya
Easy Stop Market
415-272-4446

MEMORANDUM

To: Chief Bret Sackett, Sonoma Police Dept.
Attn. Darcy Proctor, Admin. Asst.

Cc.: CA Department of Alcoholic Beverage Control
Attn. Mary Schmitz, Licensing Facilitator
Barjinder Kaloya, Owner Easy Stop Market
Jeff Sacher, Santa Rosa Business & Commercial, LLC

From: Roger Cook¹ for Barjinder Kaloya

Date: December 5, 2016

Re: Request For Reconsideration Of Barjinder Kaloya ABC Appln. No. 573792

I. INTRODUCTION

A. Request For Reconsideration

This requests reconsideration of Barjinder Kaloya's application for a type 21 off-sale general license, denied on November 6. This request is based on material new information provided herewith that ABC has suggested should be brought to the attention of Chief Sackett.

Mr. Kaloya timely appealed denial of his application to the Sonoma City Council, and his appeal is set for hearing on December 12. However, since the present request for reconsideration is based on new factual information not addressed in the determination appealed from, the matter is not ripe for Council review.

If Chief Sackett requires more time to consider this request for reconsideration, Mr. Kaloya will consent to a continuance of the December 12 hearing.

If on the other hand, after considering the present new information, Chief Sackett grants Mr. Kaloya's application, there will be no need for a City Council hearing.

B. Summary

Barjinder Kaloya holds a type 20 "off-sale"² license for sale of beer and wine at 925 Broadway, and he has been selling beer and wine at that location without incident ever since he bought the Easy Stop Market in June 2014. Mr. Kaloya recently applied for a type 21 license, which would allow him to also sell distilled spirits at that location. However, on November 6, Chief Sackett denied the application for the following reasons:

The site for this license is 925 Broadway in Sonoma. Upon review of this location, we have determined an undue concentration of licenses currently exist

¹ Senior Counsel, Kilpatrick, Townsend & Stockton, LLP; 2 Embarcadero Ctr., San Francisco 94111 State Bar No. 55208. rcook@kilpatricktownsend.com, mobile 415-378-2301. After filing his notice of appeal, Mr. Kaloya sought legal counsel to help prepare for the December 12 hearing.

² "Off-sale" licenses are for sale of alcohol to be consumed *off* the seller's premises, e.g. sales by markets and convenience stores. This is in contrast to "on-sale" licenses which are for sale of alcohol to be consumed *on* the seller's premises, e.g. as sales in restaurants and bars.

in this census tract. There are currently 11 licenses in this tract, with 7 being the number allowed based on population and crime factors.

In addition to the over concentration of licensed premises, this site is located in an area considered “high crime” based upon the formula outlined in the Business and Professions code, although we do not report crime statistics to ABC. And finally, this location is across the street from the Sonoma Valley High School and the Adele Harrison Middle School.

Mr. Kaloya respectfully requests reconsideration. First, there is no indication that Chief Sackett was aware that 9 of the 11 licenses relied upon to find that there is an “undue concentration of licenses” in the census tract (which are limited to “internet only sales” not storefront businesses) are so materially different from the license Mr. Kaloya is seeking that they should be disregarded in assessing whether the location has a *material* “undue concentration of licenses” in accordance with Business and Professions Code (“Code” or “B&PC” Sec. 23958. *See* Appendix, II.B. When, on November 22, I put this question to ABC Licensing Representative, Mary Schmitz, she said that the materiality of this information should be resolved by Chief Sackett.³

Moreover, even if there were an “undue concentration of licenses,” the application may be allowed if granting the license would serve “public convenience or necessity.” Mr. Kaloya respectfully submits that granting the license would materially enhance public convenience because it would make Easy Stop the closest and most convenient location for a large segment of local residents to purchase distilled spirits, and would also introduce much needed price competition, where the other licensee is selling distilled spirits at a 27% premium over the present nearest competitor.

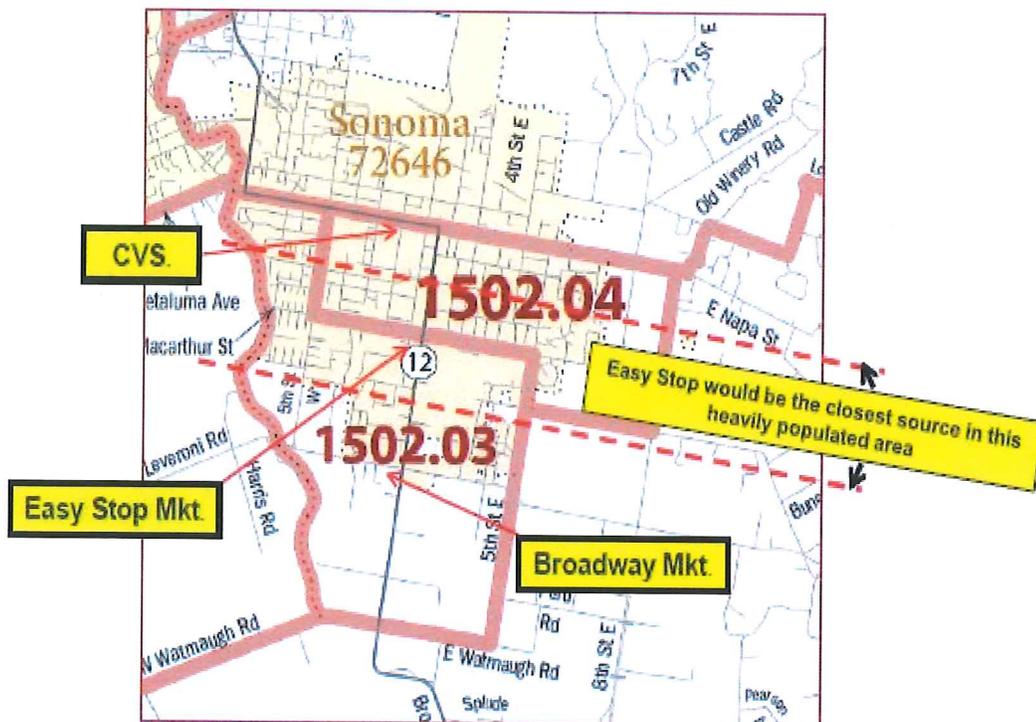
A map of the relevant census tract 1502.03 is set forth below. The map is marked to show locations of Easy Stop Market and the two next closest locations (CVS and Broadway Market) licensed for off-sale of distilled spirits, and the heavily populated area where Easy Stop would be the closest and most convenient place for local residents to purchase distilled spirits if the license were granted.

³ On November 22, to better understand the legal issues underpinning Chief Sackett’s ruling, I spoke to Mary Schmitz, the ABC Department’s Licensing Representative, and then to Darcy Proctor, Police Chief Sackett’s Administrative Assistant. Ms. Schmitz and Ms. Proctor were each very courteous and helpful.

As to the “undue concentration of licenses” determination, I noted that 9 out of the 11 licenses relied upon to make that determination are expressly restricted to “Internet sales only” and so are quite different from the type of business Mr. Kaloya seeks to license. Ms. Schmitz confirmed my observation, characterizing these 9 licenses as for “non-storefront” businesses. When I said that these 9 licensed businesses were so completely different from the business for which Mr. Kaloya is seeking a license that do not seem material to the “undue concentration” issue, Ms. Schmitz suggested that I bring this to the attention of Chief Sackett, as this memo is intended to do.

As to the “high crime area” determination, Ms. Schmitz informed me that, consistent with its normal practice, ABC did not itself determine that Mr. Kaloya’s premises are in a “high crime area” as defined in the California Business and Professions Code, nor does ABC have access to any data which would allow it to make that determination one way or the other. Instead, as is its practice, ABC relied upon Chief Sackett to collect the data and determine whether a particular location is within a “high crime area” according to the letter and spirit of the California Business and Professions Code. Here again, she suggested that this was also something I should take up with Chief Sackett.

When I telephoned Chief Sackett, Ms. Proctor took my call and said she would convey my thoughts to Chief Sackett. After listening to my concerns, Ms. Proctor suggested that I submit them in writing, as I am now doing.



Mr. Kaloya has been selling alcohol at 925 Broadway without incident since he bought Easy Stop Market in June 2014. As evidence that Mr. Kaloya’s operation of the business has been trouble-free, there was ***not a single protest*** after Mr. Kaloya posted notice at the market and mailed letter notice to 150 nearby residents – many of whom are likely to have children who attend the nearby schools.

There being no data cited in support of Chief Sackett’s “high crime area” designation, and there being none of the usual outward manifestations of crime in the area (bars on windows, loitering, graffiti, the frequent soundings of police sirens/car alarms/burglar alarms, frequent police stops, guard dogs, signs of gang presence, reckless vehicle operation, etc.), Mr. Kaloya questions whether there is actually any crime in the area of a type or volume as might logically, as a practical matter, justify denying Mr. Kaloya’s application.

II. DISCUSSION

Given that Mr. Kaloya is himself a responsible member of the Sonoma business community with an unblemished record, his personal fitness for the requested license is not in issue. Instead, the only question (and ultimate issue) is whether granting the license would be “contrary to public welfare and morality.” See *Nick v. Department of Alcoholic Beverage Control*, 233 Cal.App.4th 194, 202 (December 2014).

All things considered, the answer to that question should be “No.”

Mr. Kaloya respectfully requests that his application be approved, for the reasons set forth below.

A. There Is An “Under-Concentration” Not “Over-Concentration” Of Relevant Licenses

Even though the locale in question may be nominally over-licensed, there being 11 licenses in a 7-license area, only 2 of 11 are for convenience store businesses, one of which is Mr. Kaloya’s own Easy Stop Market (the other being Broadway Market), and the other 9 of 11 are so materially different from the type of license for which Mr. Kaloya has applied – so different that 99.99% of local residents are unlikely to know that they even exist, given that none of them have signs at the licensed locations to indicate that business is being conducted there, 7 of them being conducted out of residences in well-kept residential neighborhoods – that they are hardly relevant to his application.

That these 9 of 11 licenses have no visible footprint is not surprising since, although nominally type 20 licenses, they are *expressly limited to “internet sales only”* which, as Ms. Schmitz explained, defines a sub-category of type 20 licenses only issued to businesses that *do not operate out of a storefront*. Investigation has confirmed that none of these are storefront operations.

These 9 of 11 “internet sales only” licenses are no reason to deny Mr. Kaloya’s license. In addition to having no storefront, two also do not have an internet presence, making it unclear whether they are actually conducting business.⁴ The remaining 7 promote sale of various wines, take internet orders for purchase of those wines, and ship the wine by UPS or FedEx to states which permit such transactions. Two of those 7 allow customers to save shipping costs by picking up orders from warehouses outside Sonoma county. Consequently, while these 9 of 11 beneficially provide income to local residents, increase the local tax base, and help promote sale of local wines, the potential negative impact of these 9 licenses on local “public welfare or morals” is absolutely nil.

Moreover, as Chief Sackett reports, “the number [of licenses] allowed based on population and crime factors” is 7. Thus, given that the 9 of 11 licensed businesses have not even the slightest negative impact on the community (the other being Mr. Kaloya’s own business), and that only one of the other two licenses currently permits sale of distilled spirits, it would appear that, rather than an “undue concentration” there is actually an “under-concentration” of licenses for the type currently applied for, especially since granting the license would provide many residents a closer place to purchase distilled spirits and be likely to provide much needed price competition.

B. Granting The Application Would Enhance “Public Convenience”

Under the Code, alleged “high crime” and “over-concentration of licenses” must be balanced against “public convenience or necessity.” Since Easy Stop Market is a “convenience store,”⁵

⁴ In addition to not having a storefront, Huemoz 1959 and Sharp Enterprises also do not have an internet presence. Whether they are actually conducting business is unclear.

⁵ According to the National Association of Convenience Stores, a “convenience store” is “... a retail business with primary emphasis placed on *providing the public a convenient location to quickly purchase* from a wide array of consumable products ,, ”. <http://www.nacsonline.com/Research/Pages/What-is-a-Convenience-Store.aspx> (emphasis added). Convenience stores usually charge significantly higher prices than conventional grocery stores or [supermarkets](#), as convenience stores order smaller quantities of inventory at higher per-unit prices from wholesalers. However convenience stores make up for this by having longer opening hours, serving more locations, and having shorter cashier lines. *Understanding Food: Principles and Preparation* By Amy Brown.

adding distilled spirits to its stock-in-trade would enhance “public convenience” by definition and, also, in fact, since Easy Stop Market would become the most convenient place to purchase distilled spirits for the large segment (perhaps 30% or more) of the nearby population for whom Easy Stop Market is closer than either of the next closest locations (CVS and Broadway Market) currently licensed to sell distilled spirits.⁶

By the same token, if Easy Stop Market were permitted to sell distilled spirits, it would provide much needed competition for distilled spirits in the south-side area where Broadway Market is currently the only vendor selling distilled spirits, and maintains high premium pricing (which, on a November 19 sample, averaged 27.5% higher prices for distilled spirits than its current nearest distilled spirits competitor, CVS).⁷

C. Mr. Kaloya Has Long Been Selling Alcohol At 925 Broadway Without Incident.

While Mr. Kaloya’s market is located across the street from the Sonoma high and middle schools, sale of alcohol at that location is plainly not a problem, since Mr. Kaloya is already licensed for sale of beer and wine at that location and has been selling those beverages for the past 2 ½ years without incident.

Mr. Kaloya’s business agent, Jeff Sacher, reports that when asked why sale of distilled spirits would be forbidden when sale of beer and wine are allowed and being sold without incident, Chief Sackett replied that distilled spirits are more frequently involved in underage drinking, although he offered no supporting data.

Assuming there is supporting data, there is no reason to also assume that granting the present application will add to the problem of underage drinking. If teenagers were likely to purchase distilled spirits at Mr. Kaloya’s market, then its proximity to the school might be relevant, but sales to teenagers are illegal (21 years old being the lawful age), and there is no reason to assume that Mr. Kaloya would engage in illegal sales.⁸

⁶ Easy Stop Market would be the closest place to purchase distilled spirits for residents living in the heavily populated swath of homes 3/10ths of a mile north and south of Easy Stop Market, between 5th St. W. and 7th St. E. Mr. Kaloya estimates that this area houses 20% or more of Sonoma’s residents.

⁷ Broadway Market is the only vendor of distilled spirits south of Sonoma Plaza and charges a premium price on distilled spirits:

Product (750 ml.)	CVS (“You Pay”/“Sale Price”) (\$)	Broadway Market (Regular/Special) (\$)	B. Market Premium 11/19/16 (%)
Jack Daniels No. 7	23.99/16.99	20.99/	24%
Jim Beam Bourbon	17.99/11.99	15.29/	28%
Jny. Walker Red Scotch	25.99/21.99	27.99/22.99	5%
Beefeater Gin	18.99/13.99	21.99/19.99	43%
Patron Silver Tequila	52.99/39.99	55.99/51.99	30%
Absolut Vodka	22.99/15.99	21.59/	35%
Avg.			27.5%

⁸ Mr. Kaloya personally mans the cash register from 6:00 AM to 4:30 PM every weekday, assuring no illegal sales during school hours. Moreover, because Easy Stop Market is a small store with a single entrance right next to the cash register, and also is protected with 11 security cameras, Easy Stop Market has never been plagued by shoplifting, unlike Safeway and other larger stores in Sonoma.

Indeed, the most common way for teenagers to acquire alcohol is reportedly from adults or other teenagers, rather than by direct in-store purchases,⁹ and there is no reason to assume that Easy Stop Market's proximity to the schools has any bearing on such transactions, given the many other local places where adults are likely to purchase off-sale distilled spirits (e.g. CVS, Safeway, Sonoma Market, Whole Foods, Broadway Market, Rite-Aid, et al.).

Consequently, there is no logical reason to believe (let alone evidence to show) sale of distilled spirits at the Easy Stop Market would have any material effect on the incidence of local teenagers drinking distilled spirits.

Local residents appear to agree, since there was *not a single protest* after Mr. Kaloya posted notice at the market and mailed letter notice to 150 nearby residents – many of whom are likely to have children who attend the nearby schools.

D. The Subject Tract Does Not Appear To Be A “High Crime Area” Or Otherwise Plagued By Such Crimes As Might Logically Justify Denying The License

Absent actual data to the contrary, it is difficult to believe that a store located across the street from the Sonoma high and middle schools – of which the community is justifiably proud – is in a “high crime area” as “crime” is defined in B&PC Sec. 53984.4, i.e. “criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.” At odds with the image of Sonoma's schools being located in a high crime area, Mayor Gallian's website message proclaims “[w]e're proud of our [i.e. Sonoma's] low crime rate.”

<http://www.sonomacity.org/Businesses/Services/Overview.aspx>.

The Mayor's pronouncement aside, there are *absolutely no outward signs of high crime* in the area, e.g. bars on windows, loitering, graffiti, the frequent soundings of police sirens/car alarms/burglar alarms, frequent police stops, guard dogs, signs of gang presence, reckless vehicle operation, etc. Even though he has worked at his store nine hours per day, 5-6 days per week, for the past few years, Mr. Kaloya reports that he has *never* witnessed or even heard of any crimes in the vicinity of his store, and his store has *never* been robbed or even suffered from shoplifting.

Moreover, even assuming the existence of crimes in this census tract, it would be illogical to also assume that those crimes are primarily related to off-sale of alcohol in the tract (or would be materially increased by granting the present application), given the tract's immediate proximity to two other tracts where on-sale activities (at the many bars, restaurants and wine-tasting rooms in the downtown area) and off-sale activities (at CVS, Safeway, Sonoma Market, Whole Foods, Rite-Aid, et al.) are far more profuse.

⁹ Survey evidence reportedly shows that the primary way in which teenagers acquire alcohol is from adults or other underage persons.

A survey of over 6000 teenagers revealed [that] [t]eenagers and young adults typically get their alcohol from persons 21 or older. The second most common source for high school students is someone else under age 21 ... [Citation to Alcohol Policy Information System (APIS) [State Profiles of Underage Drinking Laws](#)].

https://en.wikipedia.org/wiki/Alcohol_consumption_by_youth_in_the_United_States .

E. Mr. Kaloya Is A Responsible And Deserving Member Of The Sonoma Business Community For Whom The Requested License Is Extremely Important.

A university graduate, Mr. Kaloya emigrated here from India in 1991, worked hard and saved enough to purchase the Easy Stop Market in June 2014. He and his wife (who also works) have three children, one of whom is a U.C. Davis graduate pursuing a career in computer coding, another who is studying Human Development and Psychology at U.C. Davis, and a third soon to graduate from high school with plans to enter college.

Mr. Kaloya has never been accused of a crime, let alone convicted; and his store is well-kept, well-run, has never been a hang-out for loiterers or gang members or otherwise a place which fosters criminal or immoral behavior.

Mr. Kaloya reports that his store, whose profitability is marginal, actually loses money during the winter months when sales of wine and beer are typically slow, but that the ability to sell distilled spirits would replace that lost income, thereby greatly improving the standard of living for Mr. Kaloya and his family.

III. CONCLUSION

There is no history of underage alcohol sales or shoplifting at Mr. Kaloya's store. Rather than mere happenstance, this immaculate record is owed to hard work, scrupulous attention to the law, and the way Mr. Kaloya has set up and operates his store to prevent shoplifting. As a result, there is absolutely no danger that allowing Mr. Kaloya to also sell distilled spirits might contribute to underage drinking in the community.

Mr. Kaloya respectfully requests Chief Sackett to reconsider his determinations that Mr. Kaloya's market is located in a "high crime area" that has an "undue concentration of licenses." Although, according to the statutory formula, 7 licenses would be acceptable in the subject census tract, there is only one other license for distilled spirits in the tract, and only two stores (already including Mr. Kaloya's store) where alcohol is sold. Similarly, Mr. Kaloya respectfully submits that neither the market nor the schools across the street are in a neighborhood where crime is so prevalent, or such a type, as might justify denying Mr. Kaloya the requested license.

Moreover, even if there were in fact material excess licenses and/or material crimes in the census tract, "public welfare" would be served by granting the subject license, because it would provide a closer and more convenient place to purchase distilled spirits for perhaps 30% or more of local residents and would also likely provide needed price competition with a distilled spirits competitor who currently appears to be enjoying monopoly pricing.

Under the circumstances, absent good cause presently lacking, he should not be deprived of an opportunity to materially improve his business. The license should be granted.

Appendix

I. THE CASE

On October 14, 2016, the Department notified Mr. Kaloya that it had received his completed application and fee, and further notified him of its “undue concentration” finding because

Your premises has been identified as being situated in a census tract division which is either over concentrated with the particular license type applied-for; and/or found to be located in a crime reporting district which has a 20% greater number or (sic) reported crimes than other reporting districts within that particular law enforcement jurisdiction;

However, the Department also advised Mr. Kaloya that the Department could still issue a license if the local governing body “determines public convenience or necessity would be served by the issuance” and, to that end, referred to him to the Chief of Police for the City of Sonoma.

On October 24, Mr. Kaloya submitted his application based upon “public convenience or necessity” to Chief of Police Bret Sackett.

On November 6, Chief Sackett denied the application for the following reasons:

The site for this license is 925 Broadway in Sonoma. Upon review of this location, we have determined an undue concentration of licenses currently exist in this census tract. There are currently 11 licenses in this tract, with 7 being the number allowed based on population and crime factors.

In addition to the over concentration of licensed premises, this site is located in an area considered “high crime” based upon the formula outlined in the Business and Professions code, although we do not report crime statistics to ABC. And finally, this location is across the street from the Sonoma Valley High School and the Adele Harrison Middle School.

On November 15, 2016 Mr. Kaloya appealed Chief Sackett’s decision to the City of Sonoma, and that appeal has been set for hearing on December 12.

In accordance with the Code, ABC may grant Mr. Kaloya’s license if Chief Sackett renders a favorable “public convenience or necessity” ruling by January 12, 2017.

II. LAW

A. Constitutional Authority: California Constitution, Article XX, Section 22

The California Constitution Grants the Department of Alcoholic Beverage Control (“Department” or “ABC”) “exclusive power” to license the sale of alcoholic beverages “in accordance with the laws enacted by the legislature.” Cal. Const. art. XX, §22. The Department may “in its discretion,... deny... Any specific alcoholic beverage license if it shall determine for good cause that the granting or continuance of such license would be contrary to public welfare or morals, or that a person seeking or holding a license has violated any law prohibiting conduct involving moral turpitude.” *Nick v. Department of Alcoholic Beverage Control*, 233 Cal.App.4th 194, 203 (December 2014).

Thus, the Department has broad discretion in determining whether to grant or deny an alcoholic beverage license. *Id.* However, that discretion “is not absolute but must be exercised in

accordance with the law.] Id. “[I]ts decisions should be based on sufficient evidence and [] it should not act arbitrarily in determining what is contrary to public welfare or morals.” Id. The Department “must determine whether ‘good cause’ exists for denying a license upon the ground that its issuance would be contrary to public welfare or morals. [Citations]” Id. “as long as there is substantial evidence to support the Department’s determination, as long as the decision is a reasonable one under the evidence, the decision must be upheld as a valid exercise of the Department’s discretion conferred by the Constitution.” Id.

B. Statutory Authority: California Business and Professions Code Sec. 23958

Pursuant to constitutional authority, the California Legislature enacted California Business & Professions Code §23958 which provides that upon receipt of an application for a license and the appropriate fee, “the department shall make a thorough investigation to determine whether the applicant and the premises for which a license is applied qualify for a license” and shall deny the application if the applicant or premises do not so qualify. B&PC §23958.

The Code also provides that the department further shall deny an application for a license if issuance of that license “would result in or add to and undue concentration of licenses, except as provided in Section 23958.4.” Id.

Section 23958.4 (1) (a) provides that “undue concentration” means

... the case in which the applicant premises are located in an area where any of the following conditions exist:

(1) The applicant premises are located in a crime reporting district that has a 20% greater number of reported crimes, as crimes are determined from all crime reporting districts within the jurisdiction of the local law enforcement agency. ...

(3) As to off-sale retail license applications, the ratio of off-sale retail licenses to population in the census tract or census division in which the applicant premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the applicant premises are located.

Section 23958.4 (b) (2) provides that notwithstanding Section 23958, the department [ABC] may issue a license if the local governing body or its designated officer “determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.”

Section 23958.4 (c) (2) provides that “reported crimes” means “the most recent yearly compilation by the local law enforcement agency of reported offenses of criminal homicide, forcible rape, robbery, aggravated assault, burglary, larceny, theft, and motor vehicle theft, combined with all arrests for other crimes, both felonies and misdemeanors, except traffic citations.”

December 6, 2016

Dear Sonoma City Council Chairperson and Council Members,

As Superintendent of Sonoma Valley Unified School District along with Principals Kathleen Hawing (Sonoma Valley High School), Sydney Smith (Creekside High School), Jason Sutter (Prestwood Elementary School), and Mary Ann Spitzer (Adele Harrison Middle School), we are asking the City Council of Sonoma to reject the appeal of Easy Stop Market, 925 Broadway, application for a Type 21 Off Sale Liquor License. While we appreciate having the convenience store in our community, we are strongly opposed to the addition of a Type 21 Hard Liquor License for the following reasons:

- Student safety in and around our schools remains our priority. According to local law enforcement, the Easy Stop business is located in an area where 20% more crimes have been reported. The proposed use is located across the street from Sonoma Valley High School and Creekside High School, and in close proximity to Adele Harrison Middle School and Prestwood Elementary School. During lunch hours, Sonoma Valley High School students access the store and frequent the Easy Stop parking lot. Given the proximity of the business to “sensitive land use areas” (schools, preschools, child care centers, and parks) issuing a liquor license at this location poses significant risks.
- Easy Stop is located on Broadway in an area of “Undue Concentration”. Undue Concentration of licenses in a given area is defined as a higher ratio of retail liquor licenses to the population in an area which the applicant premises are located. Studies suggest a high-density area associated with an increase in alcohol consumption. Increased alcohol consumption leads to an increase in related harms and potential fatalities among underage drinkers.
- Easy Stop currently holds a Type 20 license, allowing the sale of wine and beer. The addition of a hard liquor license at this location, frequented by students from the neighboring schools is unnecessary. The economic benefit does not outweigh the potential negative impacts of selling hard liquor at this business location. Research suggests that the negative impacts of selling hard liquor in areas of undue concentration lead to a range of health and social problems. Most importantly to note are the potential risks of youth binge drinking which is a major cause of death among young people.
- Areas with a high number of young adults and a large number of alcohol outlets may create an unusually high risk of health problems, including excessive drinking. Limiting the physical availability is one of the most effective approaches to mitigating the social and health-related consequences of binge drinking. According to the Surgeon General, alcohol is the most widely used substance of abuse among America’s youth, with a higher percentage of young people between the ages of 12 and 20 use alcohol than tobacco or illicit drugs.

As leaders in our schools and community, we feel strongly about the issue of excessive drinking among youth. Each of us, including the City of Sonoma Chairperson and Council Members, are not powerless to prevent underage drinking. We owe nothing less to our children than to commit ourselves to help solve this problem.

We urge the Sonoma City Chairperson and Council Members to oppose the appeal of Easy Stop Market’s Type 21 Liquor License. This action is necessary to continue a proactive approach to protecting the health and safety of our community including children. With evidence that positively correlates reducing access to reducing social and health related impacts of excessive drinking, we feel empowered to take this necessary position to protect the youth in our valley.

Thank you in advance for your time. We appreciate your consideration.

Sincerely,

Louann Carlomagno
Kathleen Hawing
Sydney Smith
Mary Ann Spitzer
Jason Sutter

Rebekah Barr

From: Madolyn Agrimonti <magrimonti@comcast.net>
Sent: Monday, December 05, 2016 12:16 PM
To: Rebekah Barr
Subject: Fwd: No to Easy Stop, protect our children

FYI

Sent from my iPhone

Begin forwarded message:

From: Nicole Abate Ducarroz <nicole@ducarroz.org>
Date: December 5, 2016 at 12:02:22 PM PST
To: mayorgallian@icloud.com, Gary Edwards <gary@sagekase.com>, Rachel Hundley <rachelhundleyesq@gmail.com>, Madolyn Agrimonti <magrimonti@comcast.net>, david@cvmgrapes.com, David Goodison <davidg@sonomacity.org>
Cc: Louann Carlomagno <lcarlomagno@sonomaschools.org>, Susan Gorin <Susan.Gorin@sonoma-county.org>
Subject: No to Easy Stop, protect our children

Dear City Council,

Please vote A BIG NO to granting the appeal for Easy Stop to sell Liquor. They are too close to our schools.

This may not affect you or your children yet, but I am sure that alcoholism has affected you in some way at some point in your life. Lets keep them protected for as long as possible before sending them off to college. We have an elementary school, middle school and high school less than 500 feet of this easy stop.

Thank you,

Nicole

Nicole Abaté Ducarroz
707.495.6707
nicole@ducarroz.org



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 7B
Meeting Date: 12/12/2016

Department

Administration

Staff Contact

Carol Giovanatto, City Manager

Jeffrey A. Walter, City Attorney

Agenda Item Title

Discussion, Consideration and Possible Adoption of Resolution Approving and Establishing Rules and Regulations for the Administration of the City's Mobilehome Space Rent Protection Ordinance and Repealing Resolution No. 57-1998

Summary

At its meeting of April 18, 2016, the City Council approved Ordinance No. 02-2016 which amended Chapter 9.80 of the Sonoma Municipal Code pertaining to the protection of rents for spaces in mobilehome parks. A provision in that ordinance authorized the City Manager to promulgate rules and regulations to administer and implement the ordinance, subject to the City Council's approval. Rules implementing the ordinance have been prepared and are now being presented to the Council for its approval. These rules pertain to the implementation of the automatic annual rent increase, the banking of that increase, registration, definitions of capital improvements, amortization schedules, the proper interest rates to be applied for capital improvement expenses, exclusions from the "in-place" transfer of mobilehomes and homeowner petitions for reduced rent due to reduction in services.

Recommended Council Action

Adopt the resolution approving rules and regulations for the implementation of the mobilehome space rent protection ordinance and repealing Resolution No. 57-1998.

Alternative Actions

Decline to adopt the resolution.

Adopt the resolution with modifications to the rules and regulations.

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 Repealing Resolution No. 57-1998 and Adopting Rules and Regulations for the Administration of the City's Mobilehome Space Rent Protection Ordinance
2. Rules and Regulations for the Administration of the City of Sonoma's Mobilehome Space Rent Protection Ordinance (SMC Chapter 9.80)

cc:

SUPPLEMENTAL REPORT

Discussion, Consideration and Possible Adoption of Resolution Approving and Establishing Rules and Regulations for the Administration of the City's Mobilehome Space Rent Protection Ordinance and Repealing Resolution No. 57-1998

For Council Meeting of November 21, 2016

BACKGROUND

On April 18, 2016, the City Council adopted Ordinance No. 02-2016 which amended the City's Municipal Code pertinent to the protection of rents for spaces in mobilehome parks. That ordinance authorized the City Manager to adopt rules and regulations to implement and administer the Rent Control Ordinance subject to City Council approval. The City Manager and City Attorney offices have prepared rules and regulations implementing and addressing some of the provisions in the Mobilehome Rent Control Ordinance and are requesting that the Council approve same. The proposed Rules and Regulations are attached.

After the adoption of the original Mobilehome Rent Control Ordinance in 1992, the Council adopted Resolution No. 57-1998 which set forth some guidelines for the implementation of that previous ordinance. The attached rules incorporate and update many of Resolution No. 57-1998's guidelines, thus, making Resolution No. 57-1998 unnecessary.

The highlights of the proposed rules are as follows:¹

Section 1.00 – Automatic Annual Rent Increase

The rules lay out in greater detail the logistics and timing of the annual adjustment in rents that park owners are entitled to implement, based on 80% of the change in the CPI. Park owners are required under these rules to post, in each park, certain information provided to the park by the City Manager's office.

Section 1.01 – Banking

Under this particular rule, the banking provision of the newly amended Rent Control Ordinance is explained in greater detail. Under the ordinance amendments approved by the Council in April 2016, park owners are not required to implement the automatic annual increase in rents allowed under the ordinance, but, rather, can withhold all or a portion of the increase for implementation at a later date. However, Section 1.01 requires that any landlord who wishes to defer the annual rent increase must notify the park's residents by January 30 of the year in question of each annual increase allowed under Section 9.80.045 of the Rent Control Ordinance which has not been implemented and advising the park's residents that the park owner intends to bank the increase for future implementation.

¹ The following section numbers correspond to the section numbers utilized in the attached rules.

Section 2.00 – Registration

The rules, consistent with the recently amended Rent Control Ordinance, specify that by May 31 of each year each park owner must file with the City Manager an annual registration statement. The rules set forth the form of that registration statement that must be utilized by the park owners.

Section 3.00 – Homeowner/Resident Petitions

Sections 3.00, 3.01, 3.02, 3.03, 3.04 and 3.05 set forth the rules and regulations pertinent to homeowner petitions filed to challenge certain actions by park owners that may violate the Rent Control Ordinance or the rules and regulations. In addition, these sections set forth the procedures and forms to be utilized by a park resident who contends that the housing services provided by the park have been discontinued or materially reduced, thus warranting a corresponding reduction in rent. In a petition by a park resident to reduce rent because of the discontinuation or material reduction in housing services, the resident bears the burden of proving the reduction and that the park owner had notice of the reduction and notwithstanding this notice did not take appropriate action to restore the housing service upon which the original rental arrangement with the park owner and the resident was based.

In addition, the Section 3 series provide mechanisms for park residents to bring to the City's attention a park owner's failure to properly register mobilehome spaces governed by the recently amended Rent Control Ordinance, a park owner's failure to properly notice the maximum allowable rent, and a park owner's improper banking of the annual increase among other things.

Section 5.00 – Capital Improvements

This section repeats the definition of capital improvements found in Resolution No. 57-1998, but expands upon it and clarifies the definition. For example, Section 5.00 states that any rehabilitation of the park that is necessitated as a result of the park owner's neglect, permissive waste, deferred maintenance or acts of God shall not be considered capital improvements to the extent that they restore facilities and premises to the conditions reasonably bargained for by the mobilehome park residents. In other words, the expenses incurred by landlords in effecting these types of capital improvements cannot be recouped from the residents through capital improvement pass-throughs or otherwise.

Section 6.00 – Definition of In-Place Sale

Under Section 9.80.060 of the Rent Control Ordinance, a mobilehome park owner is permitted to charge a new base rent for a mobilehome space whenever an in-place transfer or lawful space vacancy occurs. The rental increase allowed to be charged by the park owner cannot be greater than 5% of the rent in effect prior to the increase. However, regulation Section 6.00 states that there are certain in-place sales or transfers that will not permit the increase of rent at all. Those include transfers to a spouse, former spouse, child, sibling, mother or father-in-law, sister or brother-in-law, or transfers upon death to any of the foregoing relatives.

Forms

The rules propose the use of a number of forms to implement the rules' provisions. These forms may need to be modified and/or tweaked over time and the resolution prepared for the Council to adopt these rules and regulations grants to the City Manager the authority to revise these rules as circumstances warrant, in the exercise of the City Manager's reasonable judgment.

CITY OF SONOMA

RESOLUTION # ___-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA REPEALING RESOLUTION 57-1998 AND ADOPTING RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE CITY'S MOBILEHOME SPACE RENT PROTECTION ORDINANCE

WHEREAS, in 1998, by Resolution No. 57-1998, the City Council adopted administrative guidelines governing the implementation and administration of its Mobilehome Space Rent Protection Ordinance; and

WHEREAS, on April 18, 2016, the City Council adopted amendments to said Ordinance and authorized the City Manager, with the approval of the City Council, to adopt rules and regulations for its administration and implementation:

NOW, THEREFORE, be it resolved by the City Council of the City of Sonoma as follows:

- 1. Resolution # 57-1998 is hereby repealed.
2. The rules and regulations for the administration of the City's Mobilehome Space Rent Protection Ordinance (codified as Chapter 9.80 of the City of Sonoma Municipal Code) and attached hereto as Exhibit A are hereby approved.
3. The City Manager is hereby authorized to modify some or all of the forms attached to these rules as appendices, as necessity may dictate and within the exercise of the City Manager's reasonable discretion and judgment; provided said revisions are consistent with the Mobilehome Space Rent Protection Ordinance and these rules and regulations.

The foregoing resolution was duly adopted this 21st day of November, 2016, by the following roll call vote:

AYES: _____
NOES: _____
ABSENT: _____
DISQUALIFIED: _____

_____, Mayor

_____, Rebekah Barr, MMC, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of the City of Sonoma at a regular adjourned meeting thereon held on November 21, 2016.

_____, Rebekah Barr, MMC, City Clerk

EXHIBIT A

**REGISTRATION FORM FOR
INDIVIDUAL MOBILEHOME PARK
[PARK]**

Dated: _____ Mobilehome Park

Required by the City Manager pursuant to the Sonoma Mobilehome Space Rent Protection Ordinance.

Effective Date: The data requested will be as of _____.

Administration Fee: A fee of \$_____ must be paid for each mobilehome space not exempted from payment of the administration fee.

Due Date: Registration Forms #1A, #1B and #1C must be completed and returned to the City Manager no later than May 31. Payment of the \$_____ administration fee for each non-exempt space *must* be received by the City no later than June 30, _____.

1. Mobilehome Park: Name, mailing address, and telephone number of the mobilehome park:

2. Park Owners: The name(s), business address, email address, business telephone number of each person or legal entity possessing an ownership interest in the park and the nature of that interest:

a. Current owner(s): _____

b. Previous owner(s): _____

3. Park Records:

a. Name and address of the custodian of the park owner's records:

b. Name, address, email address of park representative to whom notices may be sent:

4. Spaces: a. Number of spaces in the park: _____
b. Have any spaces been added within the park in calendar year 20____?
No ____ Yes ____ If yes, how many? _____

5. Services: What housing services are provided to the mobilehome owners/residents within the park? Attach copies of the forms of rental agreement(s) used and copies of the park's Rules and Regulations in effect during calendar year 20____.

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- | | | |
|-----------------------------------|----------------------------|-------------------------------|
| _____ Landscaping, Groundskeeping | _____ Community Laundry | _____ Utilities: |
| _____ Swimming Pool | _____ Recreation/Clubhouse | _____ Water |
| _____ Roads | _____ Sidewalks | _____ Garbage |
| _____ Storage | _____ Parking | _____ Sewer |
| _____ Mailboxes | _____ Lighting | _____ Cable Television |
| _____ Security Services | _____ Animal Runs | _____ Telephone
(Landline) |
| | _____ DSL | _____ Other: _____ |

6. **Utilities:** Indicate whether the following utilities or services are paid by the park owner or the homeowner/resident:

Utility	Park pays and does not separately charge homeowner/resident (Yes or No)	Date Service Began (Write "X" if not provided)	Date Ended
Electricity			
Gas			
Water			
Cable TV			
Internet			
Sewer			

If the provision of gas, water, sewer and/or electric services is not consistent park-wide, then answer question No. 8 for each individual mobilehome space.

7. **Exempt Spaces:** List on Form #1C those spaces and mobilehomes which the park owner considers exempt from Chapter 9.80 and a statement of the reasons therefor.

8. **Individual Electricity/Gas Rates (if any):** Supply the information only if the provision of water, sewer, electricity and/or gas services is not consistent park-wide. For each individual mobilehome park space, indicate whether the following utilities or services are paid by the park owner or the homeowner/resident:

Space Nos.	Park pays and does not separately charge homeowner/resident (Yes or No)	Date Service Began (Write "X" if not provided)	Date Ended
------------	---	--	------------

Electricity:

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Gas:

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Cable TV:

Internet:

Water:

Garbage:

Sewer:

Extra TV
Outlet:

Storage
Space:

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- 9. Attach a current rent schedule, dated, reflecting the current space rents for each of the spaces in the park. Attach a current rent schedule, dated, reflecting the current rents charged for the renting of each of the mobilehomes owned by the park owner.
- 10. State the name, address, space number, email address (if known), and telephone number of each mobilehome owner.
- 11. State the name, address, space number, email address (if known), and telephone number of each person renting a mobilehome.

CERTIFICATION

The undersigned warrants and represents that s/he is authorized by the owner of the park to execute this form on behalf of the park owner, and the undersigned warrants and represents that the information provided hereinabove, attached hereto and otherwise supplied to the City of Sonoma as part of this registration statement is true and correct, complete and does not omit any material facts.

Name: _____
Title: _____
Date: _____

**REGISTRATION FORM FOR
MOBILEHOME SPACES UNDER RENT CONTROL
[EACH MOBILEHOME SPACE]**

Dated: _____ Mobilehome Park

Required by the City Manager pursuant to the Sonoma Mobilehome Space Rent Protection Ordinance.

Effective Date: The data requested will be as of _____.

Due Date: Registration Forms #1A, #1B and #1C must be completed and returned to the City no later than May 31, _____.

Please answer the following questions for each space under rent control in the mobilehome park:

1. Mailing address of space:

2. Has the mobilehome coach on this space been sold since January 1, ____ (previous year)?

No ____ Yes ____ If yes, date of sale: _____

3. What was the total monthly rent paid on January 1, ____ *excluding* any amount separately charged for gas, electricity, water, sewer, garbage, extra TV outlets, storage space and/or Internet:

\$ _____

a. Name and address of the custodian of the park owner's records:

4. What are the current amounts charged for the following items (as of January 1, _____)?

<u>Items</u>	<u>Amount</u>
a. Extra TV Outlet	\$ _____
b. Storage Space	\$ _____
c. Amortized Pass-Through [approved by net operating income or capital improvement pass-through petition]	\$ _____ Expiration Date: _____
d. Gas	\$ _____
e. Electricity	\$ _____
f. Water	\$ _____
g. Garbage	\$ _____
h. Sewer	\$ _____
i. Cable TV	\$ _____
j. Internet	\$ _____
k. Other	\$ _____

5. Name of current homeowner/resident as of January 1, _____

CITY OF SONOMA

6. List any housing services provided to this mobilehome space, but not provided to others:

7. List any housing services *not* provided to this mobilehome space, but provided to others:

8. Supply this information only if the provision of electricity, water, sewer and/or gas services is not consistent park-wide. Indicate whether the following utilities or services are paid by the park owner or the homeowner/resident:

Utility	Park pays and does not separately charge homeowner/resident (Yes or No)	Date Service Began (Write "X" if not provided)	Date Ended
Electricity			
Gas			
Water			
Cable TV			
Internet			
Sewer			

CERTIFICATION

The undersigned warrants and represents that s/he is authorized by the owner of the park to execute this form on behalf of the park owner, and the undersigned warrants and represents that the information provided hereinabove, attached hereto and otherwise supplied to the City of Sonoma as part of this registration statement is true and correct, complete and does not omit any material facts.

Name: _____
 Title: _____
 Date: _____

CERTIFICATION

The undersigned warrants and represents that s/he is authorized by the owner of the park to execute this form on behalf of the park owner, and the undersigned warrants and represents that the information provided hereinabove, attached hereto and otherwise supplied to the City of Sonoma as part of this registration statement is true and correct, complete and does not omit any material facts.

Name: _____

Title: _____

Date: _____

**CITY OF SONOMA
MOBILEHOME RENT PROTECTION**

Mobilehome Park: _____

REGISTRATION FORM
Mobilehome Space Number _____
[NEW OR NO LONGER EXEMPT SPACE]

Please answer the following questions for this space in the mobilehome park:

1. Mailing address of the space: _____

2. What was the total monthly rent paid on January 1, 2010, excluding any amount separately charged for gas, electricity or any other matter? _____

3. How many rental increases have been imposed against the space since January 1, 2010. Please state the date of each increase, the amount of the increase and the amount of the monthly rent before and after the increase.

Rent <i>before</i> increase (excluding any amount specifically charged for gas & electricity)	Increase Date	Amount of Increase	Rent <i>after</i> increase (excluding any amount specifically charged for gas & electricity)

4. Name and current address of each resident from January 1, 2010, to date:

<u>Name of Resident</u>	<u>Address</u>
_____	_____
_____	_____
_____	_____
_____	_____

5. What is the name and address of the legal owner of the mobilehome?

6. Is there a written lease? _____ If yes, when did it commence and when will it expire?

7. List any housing services provided to this mobilehome space, but not provided to others:

8. List any housing services *not* provided to this mobilehome space but provided to others:

9. Supply this information only if the provision of gas, cable, water, sewer, Internet, and/or electric services are not consistent parkwide:

Indicate whether the following utilities are paid by the park owner or homeowner/resident:

Utility	Park pays and does not separately charge homeowner/resident (Yes or No)	Date Service Began (Write "X" if not provided)	Date Ended
Electricity			
Gas			
Cable			
Internet			
Water			
Sewer			

CERTIFICATION

The undersigned warrants and represents that s/he is authorized by the owner of the park to execute this form on behalf of the park owner, and the undersigned warrants and represents that the information provided hereinabove, attached hereto and otherwise supplied to the City of Sonoma as part of this registration statement is true and correct, complete and does not omit any material facts.

Name: _____
Title: _____
Date: _____

Petitioner Number: _____

HOMEOWNER/RESIDENT PETITION

[Please type or print]

My name is: _____
(Last) (First) (Initial)

I have lived in: _____
(Name of Mobilehome Park)

(Address/Space Number)

Since: _____ My phone number(s) are: (_____) (home)
(Month/Year) (_____) (work)

The park owner is: _____

The park owner's business address, phone number and email address are:

(Address)

(City/State/Zip)

(Phone) (Email Address)

My rent is currently: \$_____ per month

The reason I am filing this petition is:

_____ I have received a discontinuance or substantial reduction in housing service(s) without a corresponding decrease in the rent. (Attach Decrease in Service Statement, Appendix 4)

_____ The landlord has not registered or re-registered the mobilehome space in which I am a homeowner/resident in accordance with the requirements of the City's Mobilehome Space Rent Protection Ordinance ("Ordinance").

_____ The landlord has failed to properly post notice of the maximum allowable rent for my space as required by the Ordinance and/or failed to provide information required by Section 1.00 of the City's Rent Control Administration Rules and Regulations ("Regulations"). The landlord therefore may not demand, accept, or retain all or any portion of the Annual General Adjustment. I have given the landlord thirty (30) calendar days' notice of the failure to properly post the notice or provide information and the notice has still not been posted as of the date I am filing this petition.

_____ The landlord has improperly imposed a rent increase based upon banking, in violation of the Ordinance. My rent history as a homeowner/resident in the mobilehome space is set forth below.

**MOBILEHOME OWNER/RESIDENT
DECREASE IN SERVICES STATEMENT**

Petition No. _____

Please read the instructions prior to filling out form.

HOMEOWNER'S/RESIDENT'S NAME: _____

ADDRESS, SPACE NUMBER: _____

1. Description of Service No. 1: _____

a. What was the prior level of service established by the park owner? _____

b. When was this level of service first provided by the park owner? _____

c. What is the nature of the change in level of service that you believe constitutes a
reduction in service? _____

d. When did you first notice the reduction in service level? _____

e. How did you learn of the reduction in service level? _____

f. Did you tell the landlord/owner, manager, or representative? _____
Date: _____ Written Notice: _____ Oral: _____

g. Did you ask the manager to solve the problem? _____
Date: _____ Written Notice: _____ Oral: _____

h. What did the manager do? _____

_____ Date: _____

i. Was the service improved or corrected? _____
_____ Date: _____

j. What is it like now? _____

_____ Date: _____

k. Has the reduction in service level reduced or diminished your enjoyment of your
mobilehome? _____ If so, explain how: _____

l. If so, by what percentage has your enjoyment been so diminished or reduced? _____

m. How do you calculate or determine the percentage you stated above? _____

1. Description of Service No. 2: _____

a. What was the prior level of service established by the park owner? _____

b. When was this level of service first provided by the park owner? _____

c. What is the nature of the change in level of service that you believe constitutes a
reduction in service? _____

d. When did you first notice the reduction in service level? _____

e. How did you learn of the reduction in service level? _____

f. Did you tell the landlord/owner, manager, or representative? _____
Date: _____ Written Notice: _____ Oral: _____

g. Did you ask the manager to solve the problem? _____
Date: _____ Written Notice: _____ Oral: _____

h. What did the manager do? _____

_____ Date: _____

i. Was the service improved or corrected? _____
_____ Date: _____

j. What is it like now? _____

_____ Date: _____

k. Has the reduction in service level reduced or diminished your enjoyment of your
mobilehome? _____ If so, explain how: _____

l. If so, by what percentage has your enjoyment been so diminished or reduced? _____

m. How do you calculate or determine the percentage you stated above? _____

I declare under penalty of perjury that these statements are true and correct to the best of my knowledge and belief.

Dated: _____ Signature: _____

- ❖ Attach additional pages if needed for additional signatures of other homeowner/resident petitioners.
- ❖ Attach copies of any supporting written documentation.
- ❖ Attach an additional page with a statement of all information in support of your petition for a rent decrease.

SERVICE REDUCTION INSTRUCTIONS

Individuals or associations representing several homeowners/residents can use one service reduction claim form for everyone they represent and who are affected by the alleged reduction in service level(s). A service reduction claim applies to all homeowners/residents who are affected by it and are included in the matter and bound by the outcome, regardless of whether they have also filed a claim.

“Service Reduction” is defined by the Regulations as a decrease or diminution in the basic service level provided by the landlord pursuant to any of the following:

California Civil Code Sections 1941.1 or 1941.2, the Mobilehome Residency Law, the Mobilehome Parks Act, the implied warranty of habitability, an express or implied agreement, the level of services at the last rent increase, the park rules and regulations.

Each question in the claim form must be answered and proven by the petitioner(s).

Proof: Mobilehome park homeowners/residents have the burden of proving their claim to be true. Correspondence, photographs, and witnesses are some of the types of evidence that can be used. One copy of all documentation must be filed with the City Manager and one with the landlord by the filing deadline.

Calculation of Value of Service Reduction: If proven, service reductions can result in a credit based upon their duration and the reduction in enjoyment of the mobilehome space. The City Manager or a hearing officer cannot order compensation for the damage to your property or person. The intent is that a reduction in service be accompanied by a “corresponding reduction in rent.”

City of Sonoma

No. 1 The Plaza
Sonoma California 95476-6690
Phone (707) 938-3681 Fax (707) 938-8775
E-Mail: cityhall@sonomacity.org



CHECKLIST

January:

Increases (See Section 1.00 of Guidelines)

- Calculate CPI (80% of increase) usually avail approx. 1/15
- Send CPI increase letter (mail or email) to owners and Tri-Park Committee
- Per guidelines increase letter must be posted at City Hall, on city website, and posted in a prominent place at each mobilehome park
- When increase requests come in, within 5 days of receipt, verify calcs and send approval letters to owners (mail and email)
- After all is complete, send all approval letters, requests, responses and back-up to the Tri Park Committee

May:

May 1st send Rent Stabilization Admin Fee

**RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE CITY OF SONOMA'S
MOBILE HOME SPACE RENT PROTECTION ORDINANCE (SMC CHAPTER 9.80)**

Section 1.00 - Automatic Annual Rent Increase (SMC 9.80.045)

- A. Except as is provided in Section 1.01, below, automatic annual increases may be noticed by the park owner pursuant to the State Mobilehome Residency Law such that the increases take effect in May of each year.
- B. The allowable annualized percentage change in the Consumer Price Index (CPI) upon which the automatic annual rent adjustment is to be based shall be annually calculated by the City Manager and posted by February 15th of each year in City Hall and on the City's website, and on a notice board at each mobilehome park and shall be mailed to each park owner and to the designated tenant representative ("DTR"). A copy of the City Manager's notice shall be posted in a prominent place by each park owner in each mobilehome park within three working days after it is received by the park owner.
- C. Park owners shall provide the City Manager with a list of all park spaces subject to the automatic annual rent adjustment, the current monthly rent for each space, and the amount of the rent increase for those spaces resulting from the automatic rent adjustment. Upon receipt of the information provided to the City Manager pursuant to this subsection C, the City Manager shall send a copy of the information to the Designated Homeowner/Tenant Representative, and a copy shall be posted on the City's website.
- D. Within five working days of the receipt of the information provided pursuant to subsection C, the City Manager shall confirm to each park owner in writing that the annual adjustment in rent shown in the information provided pursuant to subsection C has been correctly calculated and has not exceeded 80% of the announced change in the CPI. A copy of the City Manager's notice shall be posted in a prominent place by each park owner in each mobilehome park within three working days after it is received by the park owner.
- E. In order to calculate the allowable annual rent increase, the percentage change in the CPI shall be computed by calculating the percentage change between the CPI in effect in the December ("subsequent December") immediately preceding the February 15th identified in subsection B above, and the CPI in effect in December of the prior year.
- F. If a space was exempt from Chapter 9.80 for a portion of the prior calendar year but during that same year lost its exemption and became subject to Chapter 9.80, the allowable rent adjustment shall be calculated by calculating the percentage change between the CPI in effect on the date of the termination of the exemption and the subsequent December CPI used to calculate the automatic annual increase.
- G. The percentage change in the CPI which forms the basis of the annualized rental increase shall be rounded to the nearest one-quarter of a percent.

Section 1.01 – Banking (SMC 9.80.045(D))

- A. A park owner who refrains from imposing an allowed, annual general rent adjustment, or any portion thereof, may accumulate the increase and impose some or all of the increase at any time.
- B. Rent increases permitted under SMC Section 9.80.045 (Annualized Automatic Increase) may be implemented by a park owner at any future time, subject to the precondition that by January 30th of each year, the park owner notify the mobilehome owner of each increase allowed pursuant to Section 9.80.045

which has not been implemented. The notification shall also state that the park owner has banked the increase and that the banked increase may be added to the rent at any future date.

C. The permissible imposition of a banked increase at any time is the one exception to the rule which proscribes more than one rent increase within a 12-month period.

D. (1) If the City Manager or a hearing officer determines that a landlord has imposed a banked increase to which the landlord is not entitled, the landlord shall be required to notify all homeowner/tenants affected by the overcharge and provide the City Manager or hearing officer with proof that notice was given and/or that a good faith effort was made to provide such notice.

(2) The City Manager or hearing officer shall recalculate the maximum allowable rent. In determining this amount, the City Manager or hearing officer shall determine the rent in effect as of the date of the last properly noticed and implemented rent increase which was in compliance with Chapter 9.80 and these rules and regulations. The City Manager or hearing officer shall disallow any and all annual general adjustments subsequent to the date of an improper banking increase. The City Manager or hearing officer shall allow the recalculated maximum rent to be increased by properly noticed and implemented individual rent adjustments subsequent to the date of the last properly noticed and implemented rent increase.

Section 1.02 – Automatic Annual Increases After the Termination of a Lease Exempted by State Law (SMC 9.80.050)

A. For the purpose of calculating automatic annual increases in rent after the termination of a lease exempted from regulation by the Mobilehome Residence Law (CA Civil Code §798.17), the rent in effect at the time the lease terminates shall be used for the purpose of determining the allowable increase and the calculation of the allowable, annual CPI increase shall be equal to the percentage change between the CPI in effect on the date the lease terminates and the CPI used to determine the allowable annual automatic increase.

Section 2.00 – Registration (SMC 9.80.150)

A. No later than May 31st of each year, each park owner shall file with the City Manager an annual registration statement in the form attached hereto as Appendices 1A, 1B and 1C.

Section 2.01 – New and Previously Exempt Controlled Rental Spaces

A. Within thirty (30) calendar days after the creation of a new controlled rental space, park owners shall notify the City Manager by registering the space by filing with the City Manager a registration statement in the form attached hereto as Appendix 2 and paying a prorated administration fee pursuant to SMC Section 9.80.200, covering the period beginning with the first day of the month within which the controlled rental space was created and continuing through the remainder of the calendar year.

B. Within thirty (30) calendar days after a previously exempt controlled rental space loses its exempt status, the park owner shall notify the City Manager and pay a prorated administration fee as set forth in subsection 2.01(A), above.

Section 3.00 – Homeowner/Resident Petitions - General

A. Petitioning homeowners/residents may assert on a homeowner/resident petition any of the violations of the Ordinance as set forth in this Section 3. (See, Appendix 3)

B. Nothing in these Rules and Regulations shall prevent a park owner or park residents from exercising their rights under the Mobilehome Residency Law, Article 5, Homeowners Meetings with Management (CA Civil Code §798.53).

C. If, in a decision, the City Manager or a hearing officer determines that a landlord or homeowner/resident is owed any money as a result of a petition filed under this Section 3, then any amount of money owed:

1. shall be a credit towards the next month(s) rent (payable after the final decision) until the full amount of the credit is received for any homeowner/resident who continues to live in a controlled rented space.
2. shall constitute a debt owed the homeowner/resident by the landlord which may be collected in any manner provided by law for the collection of debts for a prior homeowner/resident or a homeowner/resident whose tenancy of the controlled rental space ends prior to receiving any or all of the credit owed by the landlord.

D. Until the issuance of a final written statement of decision, or an order of the City Manager or hearing officer authorizing the withholding of all or a portion of rent, a homeowner/resident shall pay the properly noticed rent.

E. 1. Unless otherwise specified, any of the homeowner/resident petitions filed under this section may be filed at any time and are not subject to a requirement of consolidation of petitions, although at the discretion of the City Manager or hearing officer they may be consolidated with similar petitions.

2. If a final decision requires a homeowner/resident to pay money to the landlord, the landlord shall be paid by the homeowner/resident on or before the next date on which monthly rent is due, after the date of the final decision.

F. Retaliation. The park owner/management shall in no way retaliate against any homeowner/resident for the homeowner's/resident's assertion or exercise of any right under this Section 3. In the event of retaliatory action by the park owner/management, the homeowner/resident is referred to state law and homeowner/resident rights existing under state law.

Section 3.01 – Rent Adjustment Based Upon Discontinuance or Material Reduction of Housing Service

A. General. The City Manager or a hearing officer may order a reduction in a homeowner's/resident's base rent pursuant to a finding that the homeowner/resident has suffered a discontinuance or material reduction of housing service(s) without a corresponding reduction in rent in violation of SMC Section 9.80.100.

1. A homeowner/resident petition alleging a discontinuance or material reduction in housing service:
 - a. Must be filed on Forms Appendices 3 and 4.
 - b. May be filed with the City Manager at any time up to one (1) year from the date the homeowner/resident knew or should have known of the reduction or discontinuance of service, subject to the notice requirement set forth in subsection A(4), below.

2. All affected homeowners/residents, whether or not they have filed a petition, shall receive a reduction in rent if the City Manager or a hearing officer determines that they have been subject to the discontinuance and/or the material reduction in service set forth in the petition.

3. Except in extraordinary circumstances, or where there have been long-term credible oral or written notices to a landlord of a discontinuance or a material decrease in services, no rent decrease in any amount in excess of twelve months' rent will be allowed, nor shall consideration be given to an issue that arose prior to one year preceding the filing of the petition. This provision shall not limit any civil remedies that would otherwise be available to a homeowner/resident or landlord.

4. For a homeowner/resident to prevail on an allegation of a discontinuance or material reduction in housing service, the homeowner/resident must prove that notice was given to the landlord of the discontinuance or reduction in housing service by either:

a. the homeowner/resident actually notifying the landlord in accordance with the terms of the Mobilehome Residency Law (CA Civil Code §798.84, as amended) currently at least thirty (30) calendar days before filing a petition with the City Manager; or

b. demonstrating that there was a housing code violation concerning the alleged discontinuance or material reduction in housing service on file with a state or local housing agency five (5) calendar days before the date on which the homeowner/resident filed a petition with the City Manager.

5. If the City Manager or hearing officer finds that a material service reduction or discontinuance of housing services has occurred, then the value of the service reduction will be determined, as set forth in subsection B(5), below, and the homeowners/residents shall receive a credit for each day they have been subject to the service reduction or discontinuance of housing services without a corresponding reduction in rent until the service was or is restored.

6. If the City Manager or hearing officer finds that a material service reduction or discontinuance of housing services is continuing as of the final date of the decision on a homeowner/resident's petition, then the homeowner/resident shall be allowed to continue to reduce his or her monthly rent payment by the value of the service reduction.

7. a. After the date of the final decision, if the landlord restores a discontinued or reduced housing service then the landlord may give the tenant a ninety (90) calendar day notice of the restoration of the rent by an amount equal to the amount by which the decision reduced the rent, to be effective as of the legally noticed date. The legally noticed date must be on or after the date of the restoration of the housing service.

b. If the homeowner/resident does not agree with the landlord that the housing service has been restored in whole or in part, then the homeowner/resident (within fifteen (15) calendar days of receipt of notice from the landlord) may notify the City Manager and request that the City Manager determine whether the housing service has actually been restored in whole or in part. The City Manager's consideration of this request will be based on the homeowner's/resident's prior petition so that the homeowner/resident will not be required to pay an additional filing fee.

c. If the City Manager or a hearing officer determines that the discontinued or reduced housing service has been restored, in whole or in part, then the homeowner's/resident's rent shall be increased accordingly, as of the legally noticed date.

B. Valuation of Discontinuance or Material Reduction of Housing Services.

1. Basic Service Level. The landlord is required to furnish to the homeowner/resident a basic level of housing services, herein called the “Basic Service Level.” The Basic Service Level for a particular housing service for a particular controlled rental space is established by:

- a. the Mobilehome Parks Act and other applicable codes and statutes, including but limited to CA Civil Code §§1941.1 and 1941.2;
- b. the Mobilehome Residency Law;
- c. the landlord’s implied warranty of habitability;
- d. the park’s rules and regulations;
- e. any express or implied agreement between the landlord and homeowner/resident;
- f. the level of service consistent with subsections a-e, above, and implied by:
 - (i) the nature and quality of original construction of improvements, fixtures and equipment;
 - (ii) the age of the improvements, fixtures and equipment;
 - (iii) the condition of the improvements, fixtures and equipment at the beginning of the applicable term of tenancy; and/or
 - (iv) the landlord’s policies of operation and maintenance, repair and replacement communicated to the homeowner/resident at the beginning of the applicable term of tenancy.

2. Service Reductions. A service reduction occurs when the landlord has breached its obligation to furnish to the homeowner/resident the Basic Service Level and the homeowner’s/resident’s usability and/or enjoyment of the premises is therefore measurably reduced.

3. Allegations of Service Reductions or Discontinuance of Housing Services. Each allegation of a material service reduction or of a discontinuance of a housing service shall be made in a separate writing (Appendix 4), signed by the homeowner/resident claiming it, and filed with the City Manager by the date specified in subsection 3.01(A)(1)(b).

4. Proof of Service Reductions. The burden of proof of each service discontinuance or reduction in service is on the person alleging the reduction. A service discontinuance or reduction for a particular service for a particular rental space shall be proven as follows:

- a. the person alleging the service reduction shall prove:
 - (i) the Basic Service Level for the particular service for the particular controlled rental space; and
 - (ii) the actual service level for the particular service for the particular controlled rental space; and

- (iii) that the actual service level is, or was, materially lower than the Basic Service Level; and
- (iv) that the service reduction existed within the twelve (12)-month period immediately preceding the date of filing the petition commencing the proceeding in which the issue is being heard; and
- (v) the amount or percentage by which the person's rent should be reduced.

b. The burden of proof shall be satisfied by persuading the City Manager or hearing officer that the fact sought to be proven is more probable than not.

c. The burden of proof shall be met by using evidence which has a tendency in reason to prove or disprove a disputed fact of consequence in determining the Basic Service Level, or that the actual service level is materially lower than the Basic Service Level.

d. Proof shall be received only for a service discontinuance or reduction alleged in a petition filed with the City Manager during or prior to the submission date as specified in SMC Section 9.80.080(D)(1).

5. Determining Value of a Discontinuance or Reduction in Service. If the City Manager or a hearing officer finds that a discontinuance or material reduction in service has occurred which was or is unreasonable under the circumstances, the City Manager or hearing officer shall determine the monetary value to be assigned to the service discontinuance or reduction in service by applying the following standards and procedures:

a. The City Manager or hearing officer shall determine the percentage reduction in usability and/or enjoyment of the controlled rental space caused by the discontinuance or reduction in service commencing with the date on which the service was discontinued or reduced subject to the provisions of subsection 3.01(A) and subsection 3.01(B)(4).

b. In determining the percentage reduction of usability and/or enjoyment, the City Manager or hearing officer shall consider the following factors:

- (i) the area effected;
- (ii) the amount of time the homeowner/resident is exposed to the condition;
- (iii) the degree of discomfort the condition imposes;
- (iv) the extent to which such a condition causes homeowners/residents to find the premises uninhabitable and leave (temporarily or permanently);
- (v) the extent to which the homeowner/resident is unable to use his/her space and/or the common areas of the park;
- (vi) the number of homeowners/residents affected by the condition;
- (vii) the degree to which the condition affects the health and/or safety of the homeowner/resident; and
- (viii) any other similar factors.

c. The City Manager or hearing officer shall apply the percentage reduction to the monthly rent, divide by thirty (30), and multiply the resulting sum by the number of days commencing from the date the service was first reduced or discontinued to the date of restoration of the Basic Service Level, to determine the value of the service reduction.

6. Consequences of a Discontinuance or Reduction in Service.

a. Once the value of the service reduction is determined, it shall be applied as a credit against future rent payments.

b. If the City Manager or a hearing officer finds a reduction or discontinuance of service which occurred during the occupancy by a previous homeowner/resident, then the monetary value of the reduction or discontinuance of service shall constitute a debt owed the previous homeowner/resident by the landlord which may be collected in any manner provided by law for the collection of debts.

7. Severe Reductions in Service. If the City Manager or a hearing officer determines that a discontinuance or reduction in service is so severe as to jeopardize the health and/or safety of a homeowner/resident, then the City Manager or hearing officer may reasonably condition, disallow, or reduce rent and/or a rent increase based upon the severity of such conditions.

Section 3.02 – Improper Registration

A. The homeowner/resident of a controlled rental space, which has not been registered in violation of Section 9.80.150 of the Ordinance, may file a petition pursuant to these Regulations on the form attached as Appendix 3. The petition may request the right to withhold all or a portion of the space rent until the rental space is properly registered. Such action may be taken by the City Manager on his or her own initiative. After sustaining a properly filed homeowner/resident petition, the City Manager or hearing officer may authorize the homeowner/resident to withhold all or a portion of the rent for the controlled rental space until the space is properly registered.

B. 1. After the City Manager or hearing officer finds that a landlord has complied with the registration requirements of the Ordinance, in determining what if any portion of the withheld rent shall be owed to the landlord for the period in which the rental space was not properly registered, the City Manager or hearing officer shall consider such factors as the landlord's motivation and intent in failing to properly register the controlled space.

2. The City Manager or hearing officer shall order the homeowner/resident to pay any money owed to the landlord pursuant to subsection B(1), above, on or before the next date on which monthly rent is due, after the date of the order.

C. The City Manager or hearing officer may disallow a rent increase demanded, accepted or retained by the landlord if at the time of the noticed increase or thereafter the landlord had not properly registered or re-registered the controlled rental space.

D. 1. If the City Manager or hearing officer determines that a landlord has demanded, accepted or retained any increase in rent for a controlled rental space which has not been properly registered, the City Manager or hearing officer shall disallow said increase for the period during which the controlled rental space was not properly registered.

2. Any amount of rental increase paid by the homeowner/resident which the City Manager or hearing officer determines to be disallowed shall be a credit towards the next monthly rent(s) due. If the homeowner/resident leaves the park prior to receiving the full benefit of the credit, the remainder shall constitute a debt owed the homeowner/resident by the landlord which may be collected in any manner provided by law for the collection of debts.

Section 3.03 – Landlord’s Failure to Properly Post Notice of Maximum Allowable Rents

A. If a landlord fails to post the maximum allowable rent for each space, in violation of Section 9.80.045(B) of the Ordinance, and the other information required to be posted under Section 1.00 of these Regulations, then the landlord shall not demand, accept or retain the annual general rent adjustment otherwise permitted by the Ordinance.

B. The landlord will be permitted to impose the annual general adjustment increase otherwise permitted by the Ordinance effective on the date the City Manager or hearing officer determines that a landlord has complied with the posting requirement.

C. Any amount of rent retained by the landlord prior to compliance with the provisions of this Section shall be paid to the homeowner/resident as set forth in Section 3.00, above.

D. For a homeowner/resident to prevail on an allegation of a landlord’s failure to post a notice of maximum allowable rent, the homeowner/resident must give the landlord thirty (30) calendar days’ notice of failure to post, and the violation of the Ordinance must still be in effect at the time the homeowner/resident files a petition under this Section.

Section 3.04 – Improper Banking Increase

A. A landlord may impose a rent increase based upon allowable accumulated but uncharged rent increases in the annual general adjustment at any time upon proper notice. Any rent increase imposed under this Section may not be rescinded and re-imposed at a later date.

B. The City Manager or hearing officer may order the landlord to repay the homeowner/resident any rent improperly collected and retained, and set the maximum allowable rent on the affected controlled rental space(s) in accordance with the provisions of Section 3.00, above.

Section 3.05 – Homeowner/Resident Defense to Individual Rent Adjustment Increases

A. If a landlord has accepted and retained rent in excess of the amount permitted by the Ordinance, the landlord shall be in violation of Section 9.80.180 of the Ordinance.

B. A homeowner/resident may file a petition under this Section at any time, provided only that the portion of the current rent resulting from the last individual rent adjustment prior to filing the petition which was accepted or retained in violation of Section 9.80.180 of the Ordinance may be subject to an order by the City Manager or hearing officer. After giving proper notice, the landlord shall be entitled to impose the individual rent adjustment provisions of Section 9.80.180 of the Ordinance. The individual rent adjustment shall not be retroactively imposed.

C. Subject to the limitation imposed in subsection B, above, the City Manager or hearing officer may order the landlord to repay the homeowner/resident any rent improperly collected and retained in accordance with the provisions of Section 3.00, above.

Section 4.00 - Calculation of Base Year Operating Costs Pursuant to Maintenance of Net Operating Income Formula When Applicant Does Not Have Base Year Information and Presumptions About Increases in Management and Maintenance Expenses

A. In cases where an applicant cannot provide complete information on base year operating costs despite good faith efforts to obtain such information, said expenses shall be projected. In order to project costs, if the costs are determined by public regulation or public charges or fees, changes in these charges between the base year and the current year shall be considered. (For example, if water rates have increased by 40% since the base year, it shall be presumed that water expenses have increased by 40% since the base year, unless there is evidence that consumption patterns have changed thereby affecting annual costs.)

B. There shall be a rebuttable presumption that maintenance expenses have increased by the percentage increase in the CPI, unless the level of maintenance has significantly increased or decreased since the base year.

C. There shall be a rebuttable presumption that management expenses have increased by the percentage increase in the CPI, unless the level of management services has significantly increased or decreased since the base year.

5.00 - Capital Improvements – Definition

A. Capital improvements are expenditures which materially add to the value of a property or appreciably prolong its life, which have a life of ten or more years, and are not treated as an expense for income tax purposes.

B. Expenses related to the provision of gas and electricity, facilities for which a fee is charged (such as coin operated washers and dryers), or for which reimbursement may be obtained shall not be considered.

C. The term “capital improvements” does not include those costs associated with the normal maintenance and upkeep of facilities and premises which were reasonably intended to be part of the consideration provided by the mobilehome park as rent.

D. Substantial rehabilitation of the park that is necessitated as a result of the park owner’s neglect, permissive waste, deferred maintenance, or acts of God shall not be regarded to be capital improvements to the extent that they restore facilities and premises to the conditions reasonably bargained for by the mobilehome park residents.

E. Capital improvements must be reasonably related to the operation of the business, are appropriate to the use of the property, and for the primary benefit, use and enjoyment of the homeowners/residents of the entire park. Costs must be allocated over all spaces in the park.

5.01 - Interest Rate for Capital Improvement Expenses

The interest rate for capital improvements shall be equal to the prime interest rate as report by the Wall Street Journal, on the date the application is deemed complete.

5.02 - Amortization Periods

A. Capital improvements shall be amortized according to the following schedule. If an improvement is not itemized in the schedule, it shall be amortized in accordance with the useful life tables of the Internal Revenue Service which are used to set depreciation schedules. If shown by a preponderance of the evidence that the amortization schedule should be different than the schedule in this section or the IRS tables, then a schedule shall be set based on the evidence. Improvements that are made in conjunction with the construction of a building shall be amortized over the life of the building.

<u>Improvement</u>	<u>Amortization Period</u> (Years)
Fencing	15
New Building	27.5
“Petromat” Paving	10
Re-roofing	18
Sewer Systems	50
Water Distribution Systems	50

B. Proposed capital improvements claims must set forth an amortization table spreading the cost of the improvement, less any industry rebates, insurance proceeds, or other reimbursement, over its proven useful life.

5.03 - Notification of the Amount of Capital Improvement Increases and Their Amortization Period

All notices to tenants of their rent levels shall separately set forth amounts of any capital improvement increases and the termination date(s) of those increases.

6.00 - Definition (“in-place”) Sale

A. For the purposes of determining if an in-place transfer has occurred pursuant to Section 9.80.060(C) of the Sonoma Municipal Code, the following types of transfers shall not be considered in-place sales: transfers to a spouse, former spouse, child, sibling, mother or father in-law, sister or brother in-law, or transfers upon death to any of the foregoing relatives.

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CITY OF SONOMA
City Council
Agenda Item Summary

City Council Agenda Item: 7C
 Meeting Date: 12/12/2016

Department Administration	Staff Contact Carol Giovanatto, City Manager
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Agenda Item Title

Discussion, consideration and possible action for extension of the Valley of the Moon Certified Farmers' Market agreement for management of the Tuesday Night Farmers' Market in the Plaza

Summary

The Tuesday Night Farmers' Market on the Plaza has been managed by the Valley of the Moon Certified Farmers' Market (VOMCFM), a nonprofit organization, since 2011. They were first granted management authority by the City Council in December 2010 when they submitted a proposal in response to the City's Request for Proposals for Market Management. In 2015 the Council extended their management agreement through the 2016 season. A letter of request has been submitted by the VOMCFM requesting Council consider an additional extension for an undetermined period of time.

Recommended Council Action

Council discretion.

Alternative Actions

Council discretion.

Financial Impact

To be determined. The CSEC currently determines the amount of Plaza Use fees that are charged. Council may consider changes to the fee structure as a component of the discussion.

Environmental Review

Status

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

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

Supplemental Report
Letter from Valley of the Moon Certified Farmers Market
2010 RFP for Farmers Market Management
Proposal from Valley of the Moon Certified Farmers Market

Alignment with Council Goals:

cc: Bill Dardon via email

SUPPLEMENTAL REPORT

Discussion, consideration and possible action for extension of the Valley of the Moon Certified Farmers' Market agreement for management of the Tuesday Night Farmers' Market in the Plaza

For the Council Meeting of December 12, 2016

The Tuesday Night Farmers' Market on the Plaza has been managed by the Valley of the Moon Certified Farmers' Market (VOMCFM) since 2011. They were first granted management authority by the City Council in December 2010 when they submitted a proposal in response to the City's Request for Proposals for Market Management. In 2015 the Council extended their management agreement through the 2016 season. A letter of request has been submitted by the VOMCFM requesting Council consider an additional extension for an undetermined period of time.

The Tuesday Night Farmers Market is an event that has grown significantly over the past years and has been successful when viewed as an overall gathering place for both locals and visitors. The original Request for Proposal for Operation of Tuesday Night Farmers Market [RFP] issued in 2010 was general in its objectives in stating:

The primary purpose of the Tuesday Night Farmers Market will be to offer Community members an opportunity to purchase fresh, locally grown produce and other artisan goods, provide farmers an opportunity to sell their products locally, to benefit local businesses, provide an opportunity for local musicians to perform, and provide a festive community event which highlights the town character and to create a social gathering place in the Town Square, the Plaza.

In response to the 2010 RFP the City received two proposals, each of which submitted their plan in meeting the above objective. Once the VOMCFM's proposal was accepted, they were required to annually submit their Plaza Use application to the City's Community Services and Environment Commission for further review and approvals including setting Plaza Use Fees prior to initiating the Farmers Market Season which has traditionally run from April through October.

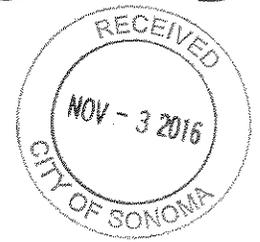
The Valley of the Moon Certified Farmers' Market is interested in continuing the relationship with the City and has presented an option to work directly with a sub-committee appointed by the Council to modify the objectives of the Market should the Council desire to do so. Since the contract has come to the end of its extended term, staff submits the following options for Council consideration:

- 1) Renew the agreement with VOMCFM for Council-specified timeframe under the existing guidelines with no changes.
- 2) Appoint a Council sub-committee, including members of CSEC, staff and VOMCFM to redefine the objectives of the Market and report back for Council ratification before consideration of extension of VOMCFM agreement.

- 3) Appoint a Council sub-committee to work with staff and/or members of the CSEC to draft new guidelines and objectives for the Market; issue new Request for Proposal for Market Management. Time would be of the essence in getting the RFP prepared and distributed for the 2017 Market season.

New guidelines could include more specific requirements for management, vendors, hours of operation, environmental considerations and local preferences. Adding additional detail to the Market Plan will allow the Proposer or Current Manager the opportunity to structure the event in compliance with Council preferences. Council may also want to consider the fee structure as a separate component of the sub-committee discussion.

Copy to Council



34 West Spain Street
Sonoma, CA 95476
707/694-3611

www.SonomaPlazaMarket.org

Carol Giovanatto
Sonoma City Councilmembers
#1 The Plaza
Sonoma, CA 95476

November 1, 2016

Dear Carol and City Councilmembers:

Now that the sixth successful season of the Tuesday night Farmers' Market under our management has come to an end, our organization, Valley of the Moon Certified Farmers' Market (VOMCFM), would typically come before the City Council to request another extension of our contract to present and manage the market in the Plaza. Because of some questions and concerns expressed by the Council at its April 18, 2016 meeting, we feel that it might be time to review our performance against the original goals as outlined in the City's 2010 Request for Proposal and determine if there are any modifications to those goals for the future. We think of our organization's role as a partner with the City in presenting one of the most loved and cherished on-going City events, and we would like to keep that partnership mutually positive and beneficial to all parties. If the current City Council and staff feel that the guidelines for our event have significantly changed, we obviously need to clarify the situation in order to continue to do our job to the satisfaction of all interested parties.

Perhaps an ad hoc committee could be created that might include City Council members, CSEC members, City staff members, and representatives of VOMCFM? As you can see from some of the programs and changes that VOMCFM made during the 2016 season, our organization is genuinely interested in presenting an event that reflects the desires of our community and supports the goals and objectives of the City. In order to continue to do that, input from the various stakeholders will be very important to the on-going success of the event and our organization.

Please let us know how you would like to proceed. Thank you!

Cordially,

Biff Darden, President

BD:cw
cc: CSEC Chairman Ken Brown



SONOMA'S

TUESDAY NIGHT FARMERS MARKET



CITY OF SONOMA REQUEST FOR PROPOSALS (RFP) REVISED

OPERATION OF TUESDAY NIGHT FARMERS MARKET

(As Permitted in Plaza Park)

SUBMITTAL DEADLINE – NOVEMBER 19, 2010

REQUEST FOR PROPOSAL FOR OPERATION OF TUESDAY NIGHT FARMERS MARKET

INTRODUCTION

The City of Sonoma is seeking proposals from qualified persons/firms for The operation, management and marketing of Tuesday Night Farmers Market from May 3, 2011 to October 25, 2011, in Plaza Park in the City of Sonoma. The successful bidder will be subject to the issuance of a Plaza Permit with conditions, as set forth herein and the City of Sonoma Special Events Policy, including Appendix A, Plaza Park Restrictions, Requirements & Guidelines.

This Request for Proposal (RFP) describes the project, the required scope of services, selection process, and the minimum information that must be included in the proposal.

BACKGROUND AND GENERAL COMMUNITY DESCRIPTION

Located in the heart of one of the world's premier wine producing regions, Sonoma is a working town with approximately 9,800 residents and a rich cultural heritage. The adjacent scenic hills and agricultural valley provide a setting of unparalleled natural beauty. The San Francisco de Solano mission and other historic buildings that surround the central Plaza complement the area's viticulture prominence and visual beauty to make Sonoma a distinctive and successful tourism destination. The City serves as the economic hub for the rural Sonoma Valley, which has a population of about 39,000.

A Tuesday Night Certified Farmers Market has taken place in the City's historic eight-acre Plaza in the heart of downtown for the past 20+ years. The Market has grown in size and scope, and has become one of the trademark summer events for the City. The City and the community at large have a stake in the Market continuing as a signature event for Sonoma Valley. The Market is not only a hub for residents who wish to purchase fresh, locally grown produce, but is also a social gathering place for all ages, a popular picnic destination, and culturally important to the City. As such, the goal of this RFP and selection process is to continue and enhance Tuesday Night Certified Farmers Market in the Plaza and to integrate the community's values into the process of Market Management and operations.

PROJECT OBJECTIVES

The primary purpose of the Tuesday Night Farmers Market will be to offer community members an opportunity to purchase fresh, locally grown produce and other artisan goods, provide farmers an opportunity to sell their products locally, to benefit local businesses, provide an opportunity for local musicians to perform, and provide a festive community event which highlights the town character and to create a social gathering place in the Town Square, the Plaza.

The City of Sonoma is requesting proposals from qualified organizations/individuals for the creation, operation, overall management and marketing of the Tuesday Night Farmers Market. The operation of the Market expected to begin May 3, 2011.

The Sonoma City Council and Community Services and Environment Commission recently took public testimony and deliberated on their preferred values and management philosophy for the Farmers Market. As a result, the following values must be reflected in any proposal and implemented in the Market: transparency in operations; openness and fairness in selection process for vendors; accountability of Market Management to the City and to the community; emphasis on locally grown produce and locally produced goods; and sustainable environmental and green practices throughout.

The successful proposal shall be expected to comply with all applicable California Codes, Regulations, Certified Farmers Market rules, maintain a valid City Business License and meet the Insurance Requirements of the City. The proposer should also seek to provide a consumer mix that reaches all aspects of the local marketplace, and appeals to adults, teenagers and children. Proposers shall include a detailed description and process for how local vendors will be supported and given priority

PROPOSAL REQUIREMENTS

General

The proposal should be concise, well organized, and demonstrate the proposer's qualifications and experience applicable to the project. The proposal shall be limited to 10 pages, double-sided (8-1/2 x 11 inches), exclusive of resumes, graphics, forms, photographs, cover letter, etc. Type size and margins for text should be in keeping with accepted standard formats for desktop publishing and processing.

The proposal must include a discussion of the proposer's approach to the project, a breakdown and explanation of project tasks, a proposed project schedule, an estimate of revenues and expenditures, documentation of the proposer's qualifications for the scope of work, and any other relevant materials.

Contents

Proposals submitted in response to this RFP shall be in the following order and shall include:

Executive Summary: Include a (1) page summary of the entire proposal describing the most important elements of the proposal.

Identification of the Lead Entity, including:

- Legal name and address of company or non-profit proposing to conduct the Market.
- Legal form of company or non-profit (e.g. partnership, corporation, non-profit status, etc.). If joint venture, identify the members of the joint venture and provide all information required within this section for each member.
- Disclosure of "parent company" if proposer is a wholly-owned subsidiary (or subject to other partnerships).
- Physical address(es) of office(s) working on this project.
- Name, title, address, email, and telephone number of the person to serve as project manager and a proposal contact (if different).

Experience and Technical Competence-:

- Describe the team's experience in operating other certified or non-certified farmers markets or related community event management experience. List the name and location of the farmers market and type of work accomplished in operating the market. Include reference contact information, as applicable.
- Describe experience recruiting, retaining, and managing community event logistics.
- Describe any past event management experience including, but not limited to, vendor recruitment, booth arrangement, traffic flow, parking, market event set-up and take-down, and any other related information.
- Briefly describe your advertising and marketing philosophy and experience as it relates to farmers markets.

- Describe your knowledge of and indicate your ability to obtain all regulatory/health permits and County and State certifications applicable to the operation and management of a certified farmers market.

Proposed Method to Accomplish the Work

- Explain how current vendors of the Tuesday Night Farmers Market will be integrated into your approach to the Market.
- Briefly describe the proposer's technical and management philosophy regarding the successful operation of a farmers market.
- Describe how proposer will work with special event managers to promote the City Party, Jazz Nights in coordination with the Farmers Market.
- Explain space requirements. Proposers should be aware that the Plaza Chavoya Horseshoe is the primary Market location, with additional space around City Hall available if requested and necessary.
- A website for the Tuesday Night Farmers Market is required and will need to be updated and maintained regularly. Describe how the website will be utilized to provide key information.

Knowledge and Understanding of Local Environment

- Express and demonstrate a knowledge and understanding of the local environment and culture by describing the applicant's experience with the City of Sonoma and how the applicant plans on maintaining an open local presence while working with City of Sonoma staff.
- Display understanding of the Plaza Use Guidelines and Special Event Policy.

Project Organization and Key Personnel

- Describe proposed project organization, including team structure and identification and responsibilities of key personnel. Include resumes' for key personnel as attachments.
- Describe type of availability and hours during non-market hours including office location/hours, phone and fax numbers and email addresses. Provide an indication of the approximate staffing level(s) for the project.
- If there will be a Board for the Farmers Market, describe the composition of the Board, how Board members are chosen, their terms, how Board meetings will be held and conducted, and their decision-making authority with respect to vendor selection and Market rules. Include any appeal procedures.
- Describe in detail the qualifications and experience of the individual who will act as the Market Manager including a detailed job/duties description. Market Manager must be on site during the Tuesday Night Farmers Market. In the event that a Market Manager has not yet been identified, describe in detail the process for recruiting and selecting a Market Manager and include a detailed job/duties description for same as attachment.
- Provide a projected operational budget of costs and services proposed, including but not limited to costs associated with marketing, vendor recruitment, special events, and projected City monetary and/or in-kind contribution(s), if any.
- Provide a project timeline for services provided leading up to, and including the opening day of the market, operation throughout the market season, and the close of the market at the end of the season.

Rules and Regulations

- Provide an organized and detailed set of Rules and Regulations for the operation of the Tuesday Night Farmers Market, which should include consideration of, but is not limited to, the following:
 - Farmers Market requirements for managing organization and vendors
 - General rules for all participants
 - Application process for vendors
 - Process for Vendor selection and space allocation
 - Process for vendor approval, or denial and maintenance of a waiting list
 - Requirements for Edible Food Vending
 - Fundraisers and Non-Profit organizations
 - Political, Religious and other Informational Groups / First Amendment accommodation
 - Entertainment – music (including youth oriented), live performance arts, etc.
 - Arts & Crafts
 - Merchant Booths
- Proposer will be required to submit certification for the Tuesday Night Farmers Market prior to the issuance of the Plaza Use Permit and before the first day of the market.
- Include a comprehensive and “green” waste management system for the event, including how the requirement of “No Styrofoam” will be enforced, and how recycling/composting will be encouraged and supervised.
- Provide a Power Plan for electrical needs and information on what steps will be taken to preserve the Plaza lawn, turf, vegetation and other Plaza amenities.

Financial Sustainability and Fees

- Fees for Plaza Use for the Weekly Farmers Market are as follows:
 - Chavoya Horseshoe - \$100.00 week, North Parking Lot \$75.00 week (as incentive for use during the 2011 Season).
- For additional space, charges will be determined in accordance with the City Fee Schedule.
- Include a proposed budget and any other relevant financial documents which demonstrate your ability to undertake this endeavor.

Exceptions to this Request for Proposal

- The proposer shall certify that it takes no exception(s) to any portion of the RFP. If the proposer does take exception(s) to any portion of the RFP, the specific portion of the RFP to which exception(s) is taken shall be identified and explained.

SUBMITTAL REQUIREMENTS

- Proposals may be submitted by email, mail, or hand-delivered to City Hall. If hard copy, please submit one original proposal. Proposals submitted by facsimile are not acceptable and will not be considered.
- The proposal shall be signed by an individual or individuals authorized to execute legal documents on behalf of the proposer.
- The entire proposal must be received no later than **2:00 PM, November 19, 2010**. E-mail, mail or hand-deliver all proposals to:

Milenka Bates, Public Works Director
City of Sonoma

#1 The Plaza
Sonoma, CA 95476
mbates@sonomacity.org

- Failure to comply with the requirements of the RFP may result in disqualification.
- Proposals and/or modifications received subsequent to the hour and date specified above will not be considered.

PRE-SUBMITTAL ACTIVITIES

All questions relating to the RFP should be presented to:

Colleen Pratt, Public Works Administrative Assistant
(707) 938-3332
cpratt@sonomacity.org

The City of Sonoma reserves the right to revise the RFP prior to the date that proposals are due. Revisions to the RFP shall be mailed to all potential proposers and all holders of the RFP.

SELECTION PROCESS

A selection committee (the “Committee”) will be established for this project which will include City of Sonoma staff, CSEC Commissioners, and may include representatives from the private sector, the general public, or individuals with expertise and experience in managing a farmers market.

- If applicable, the Committee may interview the short listed organizations. Based upon the proposal and interview, the Committee will rank the finalists as to their individual qualifications and merits.
- Due to the short timeline, the negotiations regarding the scope of work, contract schedule, contract terms and conditions, technical specifications, and price may be held with the primary and secondary proposers concurrently.
- Following Committee and staff review, a recommendation will be brought to the Community Services Environment Commission (CSEC) and City Council for approval.

REVIEW PROCESS

During the first year, the Farmers Market Manager will be required to meet on the following dates with the CSEC and staff to review the event:

Special Event Committee Review (Staff)	January 6, 2011
CSEC Plaza Use Application Review	January 12, 2011
CSEC Review (pre market check-in)	April 13, 2011
CSEC Review	June 9, 2011
CSEC Review	August 11, 2011

(Additional dates may be added if staff or CSEC deem necessary)

EVALUATION CRITERIA

Proposers will be evaluated on the following criteria:

- Proposer qualifications and experience, including internal organization and resources, comparable project experience, and knowledge of the Sonoma community.
- Proposer’s approach to project management, including coordination with City of Sonoma staff, budget monitoring and quality control, and applicable progress/reporting systems.

- Ability to meet the City's requirements and the unique needs of the Sonoma community with respect to the Market.

SCHEDULE FOR RFP, SELECTION, AWARD AND MARKET IMPLEMENTATION

Issue RFP	October 12, 2010
Proposal Due Date	November 19, 2010
Oral Interviews	November 29 – December 2, 1010
Presentation to CSEC CSEC Recommendation to City Council	December 8, 2010
Presentation to City Council City Council award RFP	December 15, 2010
Special Event Review	January 6, 2011
CSEC Plaza Use Application Review	January 12, 2011
CSEC Review (pre market check-in)	April 13, 2011
Market Opens	May 3, 2011

SPECIAL CONDITIONS

Reservations

This RFP does not commit the City of Sonoma to award a permit or contract, to defray any cost incurred in the preparation of a proposal pursuant to this RFP, or to procure or contract for work.

Public Records

All proposals submitted in response to this RFP become the property of the City of Sonoma and public records and, as such, may be subject to public review.

Right to Cancel

The City of Sonoma reserves the right to cancel, for any or no reason, in part or in its entirety, this RFP, including but not limited to: selection schedule, submittal date, and submittal requirements. If the City of Sonoma cancels or revises the RFP, all proposers will be notified in writing by the City of Sonoma.

Additional Information

The City of Sonoma reserves the right to request additional information and/or clarification from any or all proposers to this RFP.

Public Information

Proposers who wish to release information to the public regarding operators selection, contract award or data provided by the City of Sonoma must receive prior written approval from the City of Sonoma before disclosing such information to the public.

Insurance Requirements

The City of Sonoma requires individuals and business entities doing business with it to obtain insurance. The required insurance certificates must comply with all requirements of the standards as shown in this document and must be provided within fifteen (15) days of notice of selection and prior to the commencement of any work on the project.

###

**CORRESPONDENCE RECEIVED
SUBSEQUENT TO THE WRITING OF THE
STAFF REPORT**

**HAS NOT BEEN
REVIEWED BY STAFF**

Proposal to the City of Sonoma

for

***Operating and Managing
The Tuesday Night Farmers' Market
2017 Season***

Submitted December 7, 2016

by

***Valley of the Moon Certified Farmers' Market
34 West Spain Street
Sonoma, CA 95476***

Bill Dardon
President of the Board of Directors

Introduction:

The Valley of the Moon Certified Farmers' Market (VOMCFM) requests a one year extension of our agreement with the City of Sonoma to present and manage the Tuesday Night Farmers' Market in the Plaza for the 2017 season. This agreement is critical to have in place as soon as possible, because our usual schedule is to begin accepting vendor applications on December 1st, with applications closed on February 1st and notifications to accepted vendors by March 1st. Delays in these dates and this process will impose a hardship and possible additional expenses on our vendors as they work to get necessary permits, licenses and insurance in place for Market opening on May 2, 2017.

VOMCFM understands that City Council has expressed some concerns about the Tuesday night market, and we stand ready to discuss and respond to those concerns, always with the objective of creating a Tuesday Night Farmers' Market that works for the City and citizens of Sonoma. Based on Council concerns that we heard expressed during the April 18, 2016 Council meeting, we submitted a request on November 1, 2016 to formally meet and work together with Council and City staff to agree on any new parameters and guidelines for the Market, if they may have changed from those outlined in the 2010 Request for Proposal. The only response to that letter was to let us know that we have been placed on the agenda for the December 12, 2016 City Council meeting. This proposal urges the Council to extend our agreement for *just* the 2017 market season, so that we may immediately begin the necessary preparations for our season, already at least two weeks behind schedule from previous years. In addition, we ask again to have an opportunity, well in advance of the end of our 2017 season, to sit down with City Council and staff (and perhaps members of the community in an ad hoc "citizens advisory" committee) to discuss and refine the vision of what we would like the Farmers' Market to be for the coming years. Out of those discussions, we would hope to agree on some goals and objectives, as well as criteria for continuing evaluation of how the Market is being managed, updating the original objectives as they were outlined in the 2010 Request for Proposal.

In the immediate term, however, we would request that the Council, at its December 12, 2016 meeting, approve our management agreement for the 2017 season, so that we may start immediately on preparing. Integral to that approval, in order to accommodate our non-profit organization's budget and financial situation, we would request the 2017 Plaza Use fee be the same as it has been for the last 6 years. If there is going to be a significant change in the City fees, the time to do that would be when we have adequate planning and preparation time to adjust our budget or locate sources of additional funding.

Background:

Valley of the Moon Certified Farmers' Market (VOMCFM) is a non-profit 501(c)(4) social welfare organization, as officially recognized by the State of California. The sole purpose of VOMCFM is to present and manage the Tuesday night Farmers' Market in Sonoma's Plaza, for the benefit, education and socialization of the citizens of Sonoma and the surrounding areas. VOMCFM has been in existence since early 2011, when it was created after being awarded the right to operate, manage and market the Tuesday night Farmers' Market in response to a Request for Proposal from the City of Sonoma.

Here is an excerpt from the 2010 Request for Proposal, describing the Market as the City sees it:

A Tuesday Night Certified Farmers Market has taken place in the City's historic eight-acre Plaza in the heart of downtown for the past 20+ years. The Market has grown in size and scope, and has become one of the trademark summer events for the City. The City and the community at large have a stake in the Market continuing as a signature event for Sonoma Valley. The Market is not only a hub for residents who wish to purchase fresh, locally grown produce, but is also a social gathering place for all ages, a popular picnic destination, and culturally important to the City. As such, the goal of this RFP and selection process is to continue and enhance Tuesday Night Certified Farmers Market in the Plaza and to integrate the community's values into the process of Market Management and operations.

PROJECT OBJECTIVES

The primary purpose of the Tuesday Night Farmers Market will be to offer community members an opportunity to purchase fresh, locally grown produce and other artisan goods, provide farmers an opportunity to sell their products locally, to benefit local businesses, provide an opportunity for local musicians to perform, and provide a festive community event which highlights the town character and to create a social gathering place in the Town Square, the Plaza.

For VOMCFM, these words have formed the guiding principles for operating the market.

After two years of successfully managing the Market (2011 and 2012), VOMCFM came before the City Council to review our performance and request an extension of our right to manage the Market. City Council and City staff were very positive in their evaluation, and our agreement was extended for the 2013 and 2014 Market seasons.

Again after the 2014 Market season, VOMCFM came before City Council to request another extension of our agreement. Because it is hard to plan in two year increments, and to enable us to seek grants and other funds to supplement our operating costs with the assurance that we would

continue to manage the Market and be able to plan and work with organizations offering grants (such as the Tourism Improvement District and the County of Sonoma), we requested a longer-term agreement. Again the City Council and staff were very generous with their praise, but chose to only extend the agreement for another two years. In a letter to VOMCFM dated February 5, 2015, Assistant City Manager Gay Johann had this to say:

Since it has been under your management, the Tuesday Night Market has been met with great enthusiasm by the vendors and the community as a whole. This has been evidenced by the large (and sometimes huge) turnout we see each and every Tuesday evening of the market season. Also, as noted in the staff report that went to the City Council, the Community Services and Environment Commission (CSEC) has been so pleased with your spirit of cooperation and compliance with the conditions of approval they eliminated their Farmers' Market subcommittee as they felt the market no longer needed that level of scrutiny. You have brought the market a long way since taking over four years ago!

VOMCFM would like to continue to present and manage the Tuesday night Farmers' Market. We feel that, due to the unique nature of the Market event, it would be most beneficial and workable to consider ourselves "partners" with the City in presenting this venerable community event, so well-loved, well-attended and relied upon by the citizens of Sonoma and the Sonoma Valley.

Proposal Summary:

Valley of the Moon Certified Farmers' Market is a nonprofit corporation that has successfully operated this venerable Farmers' Market/Community Event under a two year agreement from 2011-2012 that was subsequently renewed for another two years for the 2013 and 2014 seasons, and then renewed again for the 2015 and 2016 seasons. For this request, in order to avoid delay in commencing the upcoming season, we are submitting this proposal to continue to present and manage the Tuesday Night Market for just the 2017 season, under the same terms as the previous 6 seasons. We are anticipating and requesting that, during the 2017 season, the City and VOMCFM will meet and work together to solidify longer-range plans and objectives for the future of the Tuesday Night Farmers' Market and create a framework for a public/private partnership tasked with presenting and managing it.

Summary of Accomplishments 2011-2016:

Community-oriented

- ◆ Renewing the Market focus on farmers and reaffirming our commitment to providing a source for healthy local foods for members of our community.
- ◆ Offering an EBT (Food Stamp) matching program during half of the 2015 season and all of the 2016 season, which doubles the purchasing power of EBT customers, composed of Sonoma's less-fortunate and elderly populations, supporting the health and well-being of our citizens. EBT use at the Market increased 70% from the 2014 season to the 2016, and we expect that increase to continue as more Market patrons become aware of the matching program.
- ◆ Offering a place for youth of Sonoma to congregate and enjoy our Plaza under the watchful eye of the elders of our community.
- ◆ Offering a family gathering and picnicking event for 26 weeks of each year, especially during the summer out-of-school season.
- ◆ Presenting family-oriented entertainment and activities, such as weekly musical performances, annual Zucchini Races, and Halloween parade and trick-or-treating.
- ◆ Offering a no-cost space for any community non-profit organization to reach out and provide information to the community, as well as solicit volunteers & monetary support.
- ◆ Offering a no-cost space for political organizations to distribute information and seek petition signatures.
- ◆ Bringing many people to Sonoma's downtown, on the traditionally slowest night of the week, to enjoy not only the Market vendors, but also patronize and support surrounding Plaza businesses, many of whom leverage the event with market-oriented specials.
- ◆ Cooperating with Sonoma Valley Jazz Society to attract large spillover crowds to their Tuesday Night Jazz Series from June through September.
- ◆ Offering a no-cost weekly stall space throughout the summer to the Sonoma Valley Education Foundation for promotion of their fund-raising raffle and Red and White Ball.
- ◆ Granting over \$20,000 in scholarships and grants to local students and school programs, through our Scholarship/Grants program.
- ◆ Connecting community members with the Farmers' Market through our FarmFan weekly texts.
- ◆ Involving local businesses in the Market through our Sponsorship program, begun in 2013, offering 3 levels of sponsorship (Platinum, Gold & Silver).
- ◆ Offering beer and wine sales to Market patrons, in response to new state laws allowing and encouraging such sales at Farmers' Markets.
- ◆ On-going and regular website re-designing to make it easier for community members to get timely information about the Market.
- ◆ Working with local artist Caroline Hipkiss to design and market an annual commemorative poster for the Market.

Vendor-oriented

- ◆ Offering a weekly venue, at affordable stall fees, for local farmers, food vendors, artisans and service providers to present themselves to their community.
- ◆ Being fair and transparent in our vendor selection process, including creating an objective vendor evaluation/scoring system that favors more-local businesses, smaller start-up businesses, and businesses that source their product ingredients from other local businesses.
- ◆ Focusing on farmers to make sure the Market works for them. In the run-up to the 2016 season, lengthy meetings were held with local farmers and farmer representatives, and out of these meetings several plans of action were agreed upon. These include 2016 season efforts to re-arrange the market to offer patrons more time to shop from farmers, offering the FarmFan text messaging service to promote the Market and farmers, and offering our EBT (Food Stamp) matching program to increase EBT customers purchases at farmer vendors.
- ◆ Constantly improving and fine-tuning our operations to make things easier for the vendors, for instance posting online “virtual meetings” to disseminate important information and policies, or offering annual emailed vendor receipts.
- ◆ Managing and applying rules in a fair and consistent manner.
- ◆ Offering local vintners and micro-breweries access to our Market patrons, through the new vendor category of beer and wine sales (closed bottles only), newly allowed at farmers markets due to a change in state law.

Entertainment-oriented

- ◆ Offering local entertainers an opportunity to play in front of a home-town audience.
- ◆ Providing a venue that supports and encourages local youth performing artists and musicians.
- ◆ Revamping the staging area to face out toward Broadway, providing more space for audiences to gather.
- ◆ Improving our weekly entertainment offerings through professional management (Mooneyhan Promotions).
- ◆ Providing professional sound equipment and a technician for select larger bands.
- ◆ Promoting Market entertainment through our website, Facebook page, and FarmFan texting service.

City-oriented

- ◆ Providing stable, reliable, professional management of a cherished community event.
- ◆ Working and coordinating with City staff to address any problems that might arise in a timely manner.
- ◆ Being responsive to the community, soliciting and listening to input to constantly improve the event and reflect favorably on the City.

Market Operations

- ◆ Complying with all applicable state and local laws and regulations, to ensure a well-run, legally-compliant market. This includes close work with the City's Fire Marshall, making sure each season that emergency access to all areas of the market are clear and all vendors are safely complying with fire regulations.
- ◆ Contracting with and paying several thousand dollars per year to Sonoma County Sheriffs to provide additional security for Market evenings.
- ◆ Continually improving and upgrading our waste and recycling systems, including monitoring of vendors and their containers, dedicated receptacles for Trash, Recycling and Compost in strategic locations throughout the Market, and a dedicated garbage/recycling staff person who is present during and after each Market to clean the Plaza and return it to an acceptable condition.
- ◆ Maintaining and cleaning the Plaza restrooms for all Market evenings, with hourly monitoring.
- ◆ Working closely with City Parks staff to ensure that our cherished Plaza is returned to excellent condition by Wednesday morning after each Market.



City of Sonoma
City Council
Agenda Item Summary

City Council Agenda Item: 7D

Meeting Date: 12/12/16

Department Public Works	Staff Contact Lisa Janson/Special Events Manager
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Agenda Item Title

Approval of Application by Destination Races for Temporary Use of City Streets for the Napa to Sonoma Wine Country Half Marathon on Sunday, July 16, 2017

Summary

Destination Races has requested temporary use of city streets for the Napa to Sonoma Wine Country Half Marathon as follows:

1. Closure of East Napa Street between Broadway and First Street East 6:30 a.m. until 11:00 a.m. on Sunday July 16, 2017. Barricades and Police Officers will be posted at Broadway to ensure that drivers are making a left hand turn onto Napa Street from Broadway.
2. Closure of the west-bound of East Napa between 1st Street East and City Limit between 7:55 a.m. until 11:00 a.m. on Sunday July 16, 2017. Road will be coned down the middle runners running down the west bound lane. The north side of the East Napa Street will be posted No parking during the closure time
3. CHP to manage intersection at 7th Street East and East Napa Street.
4. The applicant will be responsible for providing notice and detour routes to all residents and business affected by street closures in the affected areas 10 days in advance. This includes residents North of East Napa Street. Residents South of East Napa Street will also receive notification and will have full access out of the neighborhood during the race.
 - i. East Napa Street between Broadway and First Street East 6:30 a.m. until 11:00 a.m.
 - ii. East Napa Street between 1st Street East and City Limits (one house East of 6th Street East) from 7:55 a.m. to 11:00 a.m.
5. Applicant will be required to hire a professional traffic safety entity to assist with all detours within City limits. The traffic safety entity will provide all signs necessary to alert the neighbors in advance of the event about the upcoming traffic delays, provide flaggers and detour support during the race.
6. At 11:00 a.m. East Napa Street will be completely re-open, a crossing guard will be in place to help the remaining runners cross at 1st Street East at East Napa Street. After 11:00am all runners and walkers left on the course will be instructed that they need to move to the sidewalk and that the streets are open to vehicles.
7. Reach out to the CHP and the Sonoma Police Department for assistance with the course management.

8. Notify Shell Vista Fire and SVFRA with the race route and times.
9. Access to alley behind Basque Boulangerie will remain accessible until 7:55 a.m.
10. East-bound lane of East Napa remains open, allowing residents in the block immediately south of East Napa Street to exit the neighborhood heading east. Flaggers at East Napa Street and 5th Street East and Patten and 5th Street East will direct cars back to Broadway, where they will be able to travel in any direction.
11. Professional traffic safety entity will be positioned at 2nd Street East and East Napa Street and 2nd Street east and East Spain Street. Any cars approaching from the North will be directed on East Spain Street to travel west or Lovall Valley and 7th Street East to travel east towards Napa.
12. Professional traffic safety entity will be positioned at 4th Street East and East Napa Street and 4th Street East and East Spain Street. Any cars approaching from the North will be directed on Spain Street to 2nd Street West to access Broadway.
13. Sonoma Police officers will be positioned at 1st Street East and East Spain Street and 1st Street East and East Napa Street to ensure no thru traffic enters 1st St. East (open for parking and local business access during the race).

Members of the Special Events Committee have met with the Event Organizer and reviewed the above proposal, at which time they identified recommended conditions of approval that have been incorporated in the attached Resolution. The CSEC approved the Plaza Use Permit on November 9, 2016 additional details regarding the Plaza Use Permit are included in the attachments.

Council Action

Adopt the resolution approving the use of city streets, which includes the conditions recommended by the Special Events Committee members, including Police, Fire, Public Works and Planning Departments.

Alternative Actions

N/A

Financial Impact

The applicant is required to reimburse the City for additional personnel costs incurred as a result of this event.

Environmental Review

Status

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

- Approved/Certified
- No Action Required
- Action Requested

Attachments:

1. Draft Resolution
2. Course Maps
3. Application for Use of City Streets
4. Testimonials from businesses, charitable organizations, and community members

cc: Matt Dockstader
Destination Races
1905 Sperring Road
Sonoma, CA 95476

CITY OF SONOMA

RESOLUTION # _____ - 2016

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SONOMA APPROVING AND
CONSENTING TO THE USE OF CITY STREETS FOR THE NAPA TO SONOMA WINE
COUNTRY HALF MARATHON ON SUNDAY, JULY 16, 2017**

WHEREAS, Destination Races has made application to conduct the Napa to Sonoma Wine Country Half Marathon, which will involve use of city streets; and

WHEREAS, the Napa to Sonoma Wine Country Half Marathon will temporarily impede and restrict the free passage of traffic over city streets on July 16, 2017 between the hours of 7:50 a.m. and 11:00 a.m.; and

WHEREAS, the Special Events Committee have identified recommended conditions of approval which are detailed in attached Exhibit A; and

WHEREAS, the application for the use of city streets was brought forward to the City Council at its meeting of December 12, 2016.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sonoma as follows:

1. The City Council approves and consents to the street closure associated with the proposed Wine Country Half Marathon upon terms and conditions deemed appropriate and necessary by the State of California and Department of Transportation.
2. The approval of the street closure is subject to the conditions and limitations as detailed in Exhibit A, along with the following:
 - A. Applicant shall work with Sonoma Police Department and California Highway Patrol as soon as possible to finalize traffic control plan and contract with the Sonoma County Sheriff's Department for services as required.
 - B. Applicant shall provide a written request for special barricading to the Public Works Department at least thirty days prior to the event and meet with the Street and Police Dept.
 - C. Applicant shall comply with City of Sonoma standard insurance requirements.
 - D. The applicant is required to reimburse the City for additional personnel costs incurred as a result of this event.

PASSED, APPROVED AND ADOPTED 12th day of December 2016, by the following vote:

AYES:
NOES:
ABSENT:

, Mayor

ATTEST:

Rebekah Barr, MMC, City Clerk

WINE COUNTRY MARATHON CONDITIONS AND LIMITATIONS

1. Closure of East Napa Street between Broadway and First Street East 6:30 a.m. until 11:00 a.m. on Sunday July 16, 2017. Barricades and Police Officers will be posted at Broadway to ensure that drivers are making a left hand turn onto Napa Street from Broadway.
2. Closure of the west-bound of East Napa between 1st Street East and City Limit between 7:55 a.m. until 11:00 a.m. on Sunday July 16, 2017. Road will be coned down the middle runners running down the west bound lane. The north side of the East Napa Street will be posted No parking during the closure time.
3. CHP to manage intersection at 7th Street East and East Napa Street.
4. The applicant will be responsible for providing notice and detour routes to all residents and business affected by street closures in the affected areas 10 days in advance. This includes residents North of East Napa Street. Residents South of East Napa Street will also receive notification and will have full access out of the neighborhood during the race.
 - i. East Napa Street between Broadway and First Street East 6:30 a.m. until 11:00 a.m.
 - ii. East Napa Street between 1st Street East and City Limits (one house East of 6th Street East) from 7:55 a.m. to 11:00 a.m.
5. Applicant will be required to hire a professional traffic safety entity to assist with all detours within City limits. The traffic safety entity will provide all signs necessary to alert the neighbors in advance of the event about the upcoming traffic delays, provide flaggers and detour support during the race.
6. At 11:00 a.m. East Napa Street will be completely re-opened, a crossing guard will be in place to help the remaining runners cross at 1st Street East at East Napa Street. After 11:00am all runners and walkers left on the course will be instructed that they need to move to the sidewalk and that the streets are open to vehicles.
7. Applicant shall notify Shell Vista Fire and SVFRA of the race route and times.
8. Access to alley behind Basque Boulangerie will remain accessible until 7:55 a.m.
9. East-bound lane of East Napa remains open, allowing residents in the block immediately south of East Napa Street to exit the neighborhood heading east. Flaggers at East Napa Street and 5th Street East and Patten and 5th Street East will direct cars back to Broadway, where they will be able to travel in any direction.
10. Professional traffic safety entity will be positioned at 2nd Street East and East Napa Street and 2nd Street east and East Spain Street. Any cars approaching from the North will be directed on East Spain Street to travel west or Lovall Valley and 7th Street East to travel east towards Napa.
11. Professional traffic safety entity will be positioned at 4th Street East and East Napa Street and 4th Street East and East Spain Street. Any cars approaching from the North will be directed on Spain Street to 2nd Street West to access Broadway.
12. Sonoma Police Officers will be positioned at 1st Street East and East Spain Street and 1st Street East and East Napa Street to ensure no thru traffic enters 1st St. East (open for parking and local business access during the race).



**City of Sonoma
No. 1 The Plaza
Sonoma CA 95476**



**PERMIT APPLICATION
FOR USE OF CITY STREETS**

Revised 12/3/15

Application Fee: \$576.00

(Encro 100-00000-000-30203)

Note: Events utilizing any portion of Highway 12 must also obtain permission from Caltrans, District 4, 111 Grand Avenue, Oakland 94612, (510) 286-4404.

Name of Applicant: Napa to Sonoma Wine Country Half Marathon / Matt Dockstader

Name of Sponsoring Organization: Destination Races

Address: 1224 Sperring Rd, Sonoma, CA 95476

Telephone Numbers: Day: 707-933-1719 Cell: 415-717-5918 Email: matt@destinationraces.com

Name of Event: Napa to Sonoma Wine Country Half Marathon

Type of Event – Mark Appropriate Box

- Run or Walk Rally or Assembly Parade
 Other

Date(s) of Event: Sunday, July 16, 2017

Street Closure(s) Requested:

E. Napa St between Broadway and 1st St E from 6:30 am to 11:00 am
WB Lane E Napa St between 1st St E and City limit from 7:55 am to 11:00 am
_____ between _____ and _____ from _____ am/pm to _____ am/pm

Complete Description of Event. Using additional sheets if necessary, describe the number of participants; duration of the event; the number, type, size and material of all entries including any floats or banners; the number and type of animals and a plan for cleaning up after them; any seating being provided; and Judges Tables. Attach a map of the route to be used and indicating the location of the staging area, announcer's stand, barricade placement, vendors, banners, signs and booths, etc.:

14th Annual half marathon from Curvison Carreras in Napa to Sonoma Plaza. Any runners still on road at 11:00 am will be moved to sidewalk.

Estimated Daily Attendance: 3500 Runners

If a Sound Amplification is be used, describe the type, location, purpose and hours of use: Announcer at Race Finish Line from 7:50 am to 10:30 AM, Band in Plaza from 9:30 am - 10:30 am, and 11:15 to noon.

General Conditions of Approval:

Applicant is responsible for obtaining permission from Caltrans for use of any portion of Highway 12. All facilities placed upon a City street are subject to continuing safety approval and inspection by the appropriate City departments. A clear path of a minimum width of 20 feet through the length of the portion of roadway being used must be maintained for emergency vehicle access. Obstructions shall not be placed along the curb or the roadway within 10 feet of any fire hydrant. All facilities used for the event shall be removed from City streets immediately after the close of the event. All costs for barricading, traffic control, street sweeping and clean up shall be borne by the applicant. Applicant will be required to submit a deposit equal to the amount estimated by the City for services performed by City personnel in relation to the event. The deposit is due no later than two weeks before the first day of the event. If actual costs exceed the amount of the deposit, applicant will be required to pay the difference. If actual costs are less than the deposit, the excess will be returned to applicant or applied to any other fees or charges owed to the City. Applicant must provide a certificate of insurance and a policy endorsement naming the City of Sonoma as additional insured as described in the City of Sonoma Facility Use Insurance Requirements.

I do hereby acknowledge and affirm that all information contained herein is accurate to the best of my knowledge and agree to assume full responsibility and liability for and indemnify, and suits for or by reason of injury to any person or damages to any property of the parties hereto or of the third persons for any and all cause or causes whatsoever on in any way connected with the holding of said event or any act or omission or thing in any manner related to said event and its operation irrespective of negligence, actual or claimed, upon the part of the City, its agents or employees.

Max Della
Applicant's Signature

12-2-16
Date

For City Use Only

POLICE DEPARTMENT RECOMMENDATION: <input type="checkbox"/> Approve <input type="checkbox"/> Deny	
Amount of Deposit Required: \$ _____ COMMENTS:	
_____ Authorized Signature	_____ Date
PUBLIC WORKS DEPARTMENT RECOMMENDATION: <input type="checkbox"/> Approve <input type="checkbox"/> Deny	
Amount of Deposit Required: \$ _____ COMMENTS:	
_____ Authorized Signature	_____ Date
Date Approved by CSEC: _____	
Date Approved by City Council: _____	

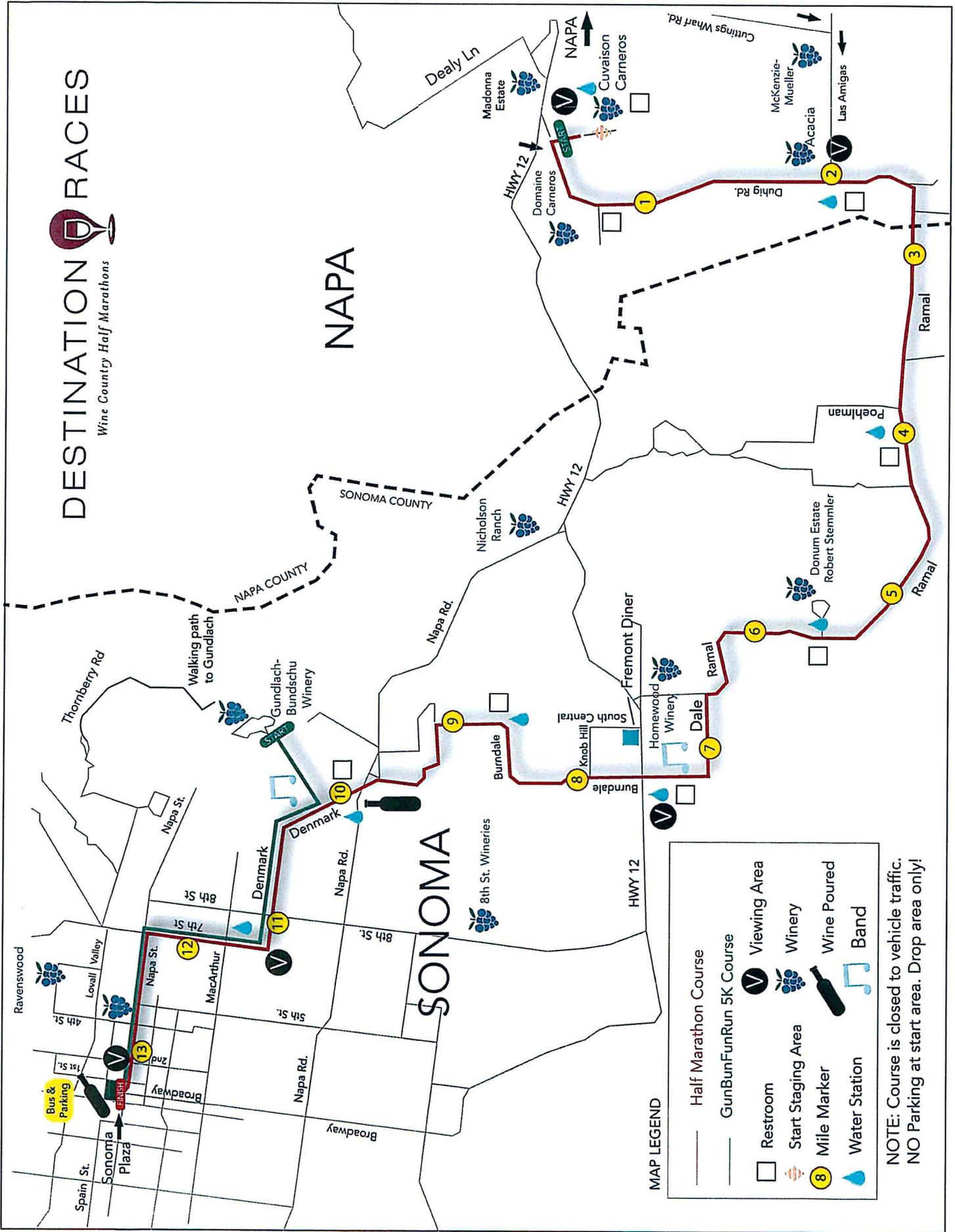
Napa to Sonoma Wine Country Half Marathon

Proposed 2017 Route Changes

1. Close Westbound lane of East Napa Street from 7th St East to 1st St East (7:55am-11:00am). No Parking posted along north side of East Napa Street. Road will be coned down the center with runners in the normal Westbound traffic lane. CHP to manage intersection of 7th St E and East Napa Street.
2. Close both lanes of East Napa St from Broadway (Plaza entrance) to 1st St East (6:30 am-11:00am). Barricades and Police Officer at Broadway (all vehicles make left turn at Napa St during race). This block has been fully closed for the race in the past.
3. Access to alley behind Basque Boulangerie will remain accessible until 7:55 am.
4. Eastbound lane of East Napa Street remains open, allowing residents in the block immediately south of East Napa Street to exit the neighborhood heading East. Flaggers at East Napa St./5th St E and Patten/5th St E will direct cars back to Broadway, where they will be able to travel in any direction.
5. Professional traffic entity will be positioned at 2nd St E/E Napa St and 2nd St E/E Spain St. Any cars approaching from the North will be directed on East Spain St to travel west, or Lovall Valley/7th St E to travel East towards Napa.
6. Professional traffic entity will be positioned at 4th St E/E Napa St and 4th St E/E Spain St. Any cars approaching from the North will be directed on East Spain St to travel west, or Lovall Valley/7th St E to travel East towards Napa. Vehicles will be directed to use Spain St to 2nd St West to access Broadway.
7. Sonoma Police officers will be positioned at 1st St E/East Spain St and 1st St East/E Napa St to ensure no thru traffic enters 1st St E (open for parking and local business access during the race).
8. Add an additional Sonoma PD officer to work the event.
9. All residents in the neighborhoods north of E Napa St between 1st St E and 7th St E will receive an event notification with detour routes listed 10 days prior to the race. Residents south of East Napa St will also receive notification and will have full access out of the neighborhood during the race.
10. Gear will be dropped off and sorted in a corral on the east side of the plaza (no gear bus staging in Plaza parking spaces).
11. All buses off Plaza--runner buses will pull into Casa Grande Lot for loading, and CCFA buses will pull up along Barracks for loading (no bus loading in parking spaces along Plaza).
12. Water Station #7 will be located on 7th St East in front of Sonoma Garden Park.
13. Any runners still on East Napa St at 11:00 am will be instructed to move to the sidewalk by course marshalls.
14. Gate at Vets Building parking lot will be opened by 5:00 am.

DESTINATION RACES

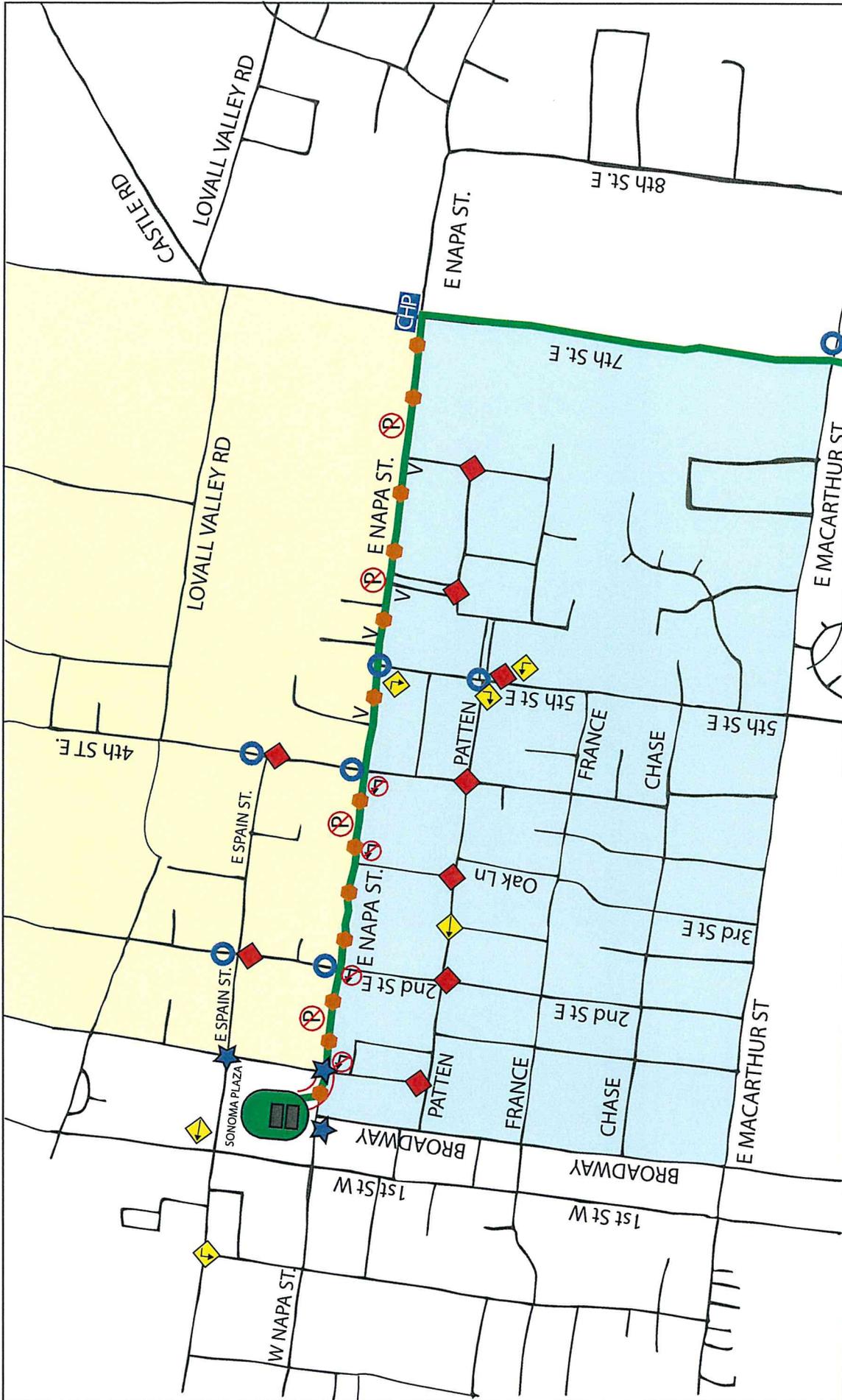
Wine Country Half Marathons



MAP LEGEND

- Half Marathon Course
- GunBunFunRun 5K Course
- Restroom
- Start Staging Area
- Mile Marker
- Water Station
- Viewing Area
- Winery
- Wine Poured
- Band

NOTE: Course is closed to vehicle traffic.
NO Parking at start area. Drop area only!



KEY

- NO PARKING
- BARRICADE
- ROAD CLOSED SIGN
- DETOUR SIGN
- RIGHT TURN ONLY
- RUNNER ROUTE
- CONES
- VOLUNTEER
- POLICE
- CALIFORNIA HIGHWAY PATROL
- FLAGGER

ZONE 1

ZONE 2

Residents north of E. Napa St can exit via Spain St. or Lovall Valley Rd.

Residents south of E. Napa St. have full access out of the neighborhood.

Friday, December 2, 2016

City Council of Sonoma
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476



Attention:

Laurie Gallian, Mayor
Madolyn Agrimonti,
Mayor Pro-Tem

David Cook, Councilmember
Gary Edwards,
Councilmember

Rachel Hundley,
Councilmember

Good afternoon City Council Members,

As Owners, Managers and Patrons of businesses in the City of Sonoma and its Town Plaza, we are disappointed with the City Council's decision to block and deny the Napa to Sonoma Half Marathon. As you are aware, 54% of local residents are employed in Service related business, which include tourism.

Those who signed this letter realize that the Napa to Sonoma Half Marathon is a source of good, high quality tourism that is consistent with the culture of Sonoma. The race promotes a healthy outdoor lifestyle, our agriculture and the historic, rural character of our town by allowing it's participants to experience the town throughout the race. Further, from historical sales reports on event days, we can state with certainty that the race is has a significant impact on our local economy.

On the November 21st City Council hearing, we believe you acted in the interests of a select few residents who do not speak for the greater majority of citizens and businesses who are in favor of the race. We ask that you honor the City's message:

"Welcome to the City of Sonoma! Sonoma is not only one of the world's finest grape-growing regions and visitor destinations... Sonoma blends a friendly small-town atmosphere with the entrepreneurial culture of the Bay Area. Wine and tourism are our most well-known industries."

On December 5th do what is best for your city and revisit your prior decision - resolve to work with the race organizers to adopt a plan that insures we keep our promises to our citizens by allowing the City of Sonoma to welcome guests to our town in a fun, healthy and economically worthwhile endeavor.

Lastly, since many of us are planning to run in the race with teams from our businesses, we hope you enjoy a morning in Sonoma at the race with us as well!

Sincerely,

Jeff Zappelli
WALT Wines

Kristina Munoz
El Dorado Hotel

David Rossi
Fulcrum Wines

Thrace Bromberger
WALT Wines

Courtney Wilson
Patz & Hall Winery

Hayden Schmidter
Three Sticks Wines

Rebekah Barr

From: Carol Giovanatto
Sent: Wednesday, December 07, 2016 10:57 AM
To: Rebekah Barr
Subject: FW: Napa to Sonoma
Attachments: image001.jpg

Another letter.

~Carol

Carol E. Giovanatto, City Manager
City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476

[707] 933-2213 Phone
[707] 938-2559 Fax
cgiovanatto@sonomacity.org
www.sonomacity.org

From: Monte Wallace <Monte@groskopf.com>
Sent: Tuesday, December 6, 2016 9:36 PM
To: David@cvmgrapes.com
Cc: gary@sagekase.com; rachelhundleyesq@gmail.com; magrimonti@comcast.net; amy@amyharringtonlaw.com;
Subject: Napa to Sonoma

Good Afternoon All,

The reason for this E-mail is to urge the council to permit the Napa 2 Sonoma race to finish in the Plaza.

I was born in Sonoma and have lived here for 50 years now.

I live downtown and I'm well aware of the traffic implications of this type of event but with or without the event traffic in our town will not be much different.

I take my boy to the plaza playgrounds quite often on the weekends and it is always plagued with tourists so that with or without the event that will not be much different.

This event should be treated as the crown jewel of Sonoma's events calendar.

With obesity being so prevalent in our society this is the kind of event we should treasure it changes peoples lives!!!!

I invite all of you, if you haven't done so already, to join up and train for this event meet the people who come from across the country and around the globe and have a truly unique experience.

Rebekah Barr

From: Carol Giovanatto
Sent: Wednesday, December 07, 2016 10:54 AM
To: Rebekah Barr
Subject: FW: Napa-to-Sonoma Wine Country Half Marathon

More letters.

~Carol

Carol E. Giovanatto, City Manager
City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476

[707] 933-2213 Phone
[707] 938-2559 Fax
cgiovanatto@sonomacity.org
www.sonomacity.org

From: Meghan Leerskov <megleerskov@yahoo.com>
Sent: Wednesday, December 7, 2016 5:58 PM
To: David@cvmgrapes.com; gary@sagekase.com; rachelhundleyesq@gmail.com; magrimonti@comcast.net;
mayorgallian@icloud.com; amy@amyharringtonlaw.com;
Cc: raceinfo@destinationraces.com
Subject: Napa-to-Sonoma Wine Country Half Marathon

Good morning,

I'm a runner, a local and the owner of a plaza business and I *want* the Napa-to-Sonoma Wine Country Half Marathon to stay in Sonoma.

As a fanatic runner who has participated in the event, it was one of the best executed races that I've run--seamless, safe, clean and fun—I've been looking forward to July 2017 since I crossed the finish line this summer.

As a business owner with a long-time establishment on the plaza, I know that events like these are how our town's bread gets buttered. Several thousand runners came to town and patronized the businesses that we Sonomans own and work at. Some of those runners came just for the race, but many stayed for days before and after, going to our restaurants, salons, shops, parks and grocery stores. I met couples, sisters and friends that were in town for the week, lured by the run to plan a vacation in the valley. Each year my business sees an uptick from the race and we happily bring on extra staff to accommodate.

As a local, I was pleased to hear from other runners that the race raised millions for charity. Besides many runners raising funds for a colitis foundation, the local Native Sons of the Golden West and other groups were paid to volunteer, cash that will filter back into our community through their good works and scholarships.

Was the race a minor inconvenience to some who were temporarily caught unaware in traffic, looking for parking downtown and those along the route? Perhaps. But there were also neighbors who set up chairs along the road and crafted handmade signs to cheer us on; kids at the finish line who watched what hard work and perseverance in motion looks like; and people who saw the best side of our city that will come back every year to run.

Let us run.

Meghan Leerskov

A 26-year resident of Sonoma and an owner of Steiners Tavern



CROHN'S & COLITIS FOUNDATION OF AMERICA

December 1, 2016

Sonoma City Council
City of Sonoma
Sonoma, CA 95476

Dear Sonoma City Council:

I write on behalf of the Crohn's & Colitis Foundation of America (CCFA), and its Team Challenge endurance training and fundraising program, regarding the Napa-to-Sonoma Wine Country Half Marathon. Team Challenge has been a partner with Destination Races on this event since 2008, with the designation of Official National Charity Training Program.

This event is the largest single fundraising event for CCFA each calendar year. Over the past nine years, Team Challenge has brought close to 5,000 runners from across the country to participate in this race, with approximately 1,000 specifically from Northern California. Collectively, this group has raised over \$22 million for CCFA patients and research.

This event has been a vital piece to CCFA's overall fundraising efforts and has helped support groundbreaking research, which now has the top researchers in the world saying it is not a matter of if we find a cure, but when. Continued participation in this event is critical in helping the Foundation get to that when. Please let me know if you have any additional questions for me.

Sincere regards,

Craig Comins
Vice President, Team Challenge Campaigns
Crohn's & Colitis Foundation of America
733 Third Avenue, Suite 510
New York, NY 10017

Testimonials for Napa to Sonoma – from RaceRaves and runners

From Mike Sohaskey & Katie Ho, co-founders, RaceRaves.com

We were introduced to Destination Races in 2010 as participants in the Napa to Sonoma Wine Country Half Marathon, and have now worked with them as partners for the past two years. We are the co-founders of RaceRaves, a Trip Advisor-like website created in 2014 and dedicated to capturing runner feedback on different races. Our company works with many race organizers across the country, and based on our own experience as both runners and business people, as well as other runners' testimonials, we can attest that Matt and his team are a paragon of professionalism when it comes to producing a race that respects the community and is beloved by runners across the country.

It's clear from both Matt's personal level of commitment to this event and the feedback from his runners why the Napa to Sonoma Half Marathon consistently ranks as one of the "must do" running events not just in California, but in the nation. Best of all, the Napa to Sonoma event showcases the region to appreciative runners from across the country, and Matt's audience of higher-income runners—many of whom travel from out of town to spend several days in the area—are happy to spend their discretionary income bolstering a local economy that they're thrilled to support.

Here are just a few examples of what runners have shared about their 2015-2016 Napa to Sonoma race experiences:

Linda Juretschke from Chicago, IL – August 6, 2016

Well organized from start to finish!

...Overall, I would rate this one of the best races I have participated in. It was well organized from start to finish, and has plenty to offer to both novice and expert runners. I am already signed up for the Destination Races Santa Barbara Wine Country Half Marathon next May, and have made it my goal to complete all eight races in the series. These races are by no means inexpensive, and for those of us traveling, participating can be very costly. However, the price of participating is well worth it given the great experience and opportunity to explore wine country in such an amazing way.

Jennifer Henry from Placentia, CA – July 25, 2016

A wonderful racing experience!

Truly one of the best races I've run! Emails were informative and helpful. The expo was in a beautiful setting with great vendors and many things to do, including wine tasting. The course was GORGEOUS. And the finisher's festivities were well

organized. The wine tasting opportunities were abundant and all the reps were helpful and made it a lot of fun. We got free race pictures and will be sent tech shirts in our corrected sizes (the only glitch, that was handled professionally). Overall a great race!

John Tondini from Bellevue, WA – July 20, 2016

Limited field, awesome post-race event

This race sells out fast. The event organizers purposefully keep the field small to create a great experience and to limit impact on the small town environment of Sonoma. Transportation is smooth and as described on the website for the race. The race temp is surprisingly cool. The best way to experience this race is to make a whole weekend of it and sign up for the welcome reception and other events. Runners from all 50 states and many countries come for this “bucket-list” run.

Mike Johnson from Gilbert, AZ – Dec 17, 2015

Beautiful Course, Bucket List Race

This is my second time running this race and I would run it more often if I could get in to the limited field. Such a well run organization and the course is just stunning. There are some tough hills and back country roads but the small size and intimate setting make this a must run course. The medal is top notch every year and you also get a collector wine glass at the finish line. The post race party is also a big part of what makes this race special. There is great entertainment and dozens of wineries on site to sample throughout the morning and afternoon. There was plenty of post race fuel and even a booth with Ryan and Sara Hall who are stand up folks. Such a great weekend. I hope to race the Napa 2 Sonoma again!

Senovia Morrison from Miami, FL – Dec 16, 2015

This was the best race that I have ever done!

I experienced the best meet and greet, vinyasa yoga in the vineyard, pre race pasta dinner, and post wine tour (TJ was an awesome host). The race was well organized and I enjoyed packet pickup, wine at mile 10 of the race and the post race party. Everything about this race was exceptional! If I could, I would do it every year!!!!

Susan Rendon from Las Vegas, NV – July 29, 2015

Wine Lover Race Must DO!

One my top 10 races that I have ever done. I loved the course and location. The aid stations were stocked and there was pretty of people to support the course. Mile 10 wine stop was a hit. The band on the course was great and I did not want to leave.

Allison Alfonso from Wesley Chapel, FL – Jul 25, 2015

Beautiful + FUN post-race party

Although the hills were challenging (especially considering we're from Florida), the course was absolutely beautiful! Additionally, it was extremely well-organized. Everything went so smoothly, including the expo, parking, bus transportation to the start, water stations and post-race party! The post-race party was one of the best I've experienced too!!!



A wonderful racing experience!

Jul 25, 2016
Half Marathon



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DIFFICULTY A row of five shoe icons, with four filled and one empty, representing a 4-star rating for difficulty.

PRODUCTION A row of five shoe icons, all filled, representing a 5-star rating for production.

SCENERY A row of five shoe icons, all filled, representing a 5-star rating for scenery.

SWAG A row of five shoe icons, all filled, representing a 5-star rating for swag.



jatseattle
REPEAT RUNNER '16
FOLLOW

limited field, awesome post-race event

Jul 20, 2016

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DIFFICULTY

PRODUCTION

SCENERY

SWAG



uabeta
REPEAT RUNNER '15
FOLLOW

Beautiful Course, Bucket List Race

Dec 17, 2015

Half Marathon



This is my second time running this race and I would run it more often if I could get in to the limited field. Such a well run organization and the course is just stunning. There are some tough hills and back country roads but the small size and intimate setting make this a must run course. The medal is top notch every year and you also get a collector wine glass at the finish line. The post race party is also a big part of what makes this race special. There is great entertainment and dozens of wineries on site to sample throughout the morning and afternoon. There was plenty of post race fuel and even a booth with Ryan and Sara Hall who are stand up folks. Such a great weekend. I hope to race the Napa 2 Sonoma again!

DIFFICULTY

PRODUCTION

SCENERY

SWAG



Runner1980
FIRST-TIMER '15

[FOLLOW](#)

This was the best race that I have ever don...

Dec 16, 2015

Half Marathon



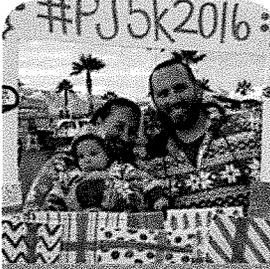
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DIFFICULTY 

PRODUCTION 

SCENERY 

SWAG 



srendon
FIRST-TIMER '15

[FOLLOW](#)

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Jul 29, 2015

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DIFFICULTY 

PRODUCTION 

SCENERY 

SWAG 



Allisonalfonso
FIRST-TIMER '11

[FOLLOW](#)

Beautiful + FUN post-race party!

Jul 25, 2015

Half Marathon



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DIFFICULTY 

PRODUCTION 

SCENERY 

SWAG 

FULCRUM on point

25 EAST NAPA ST., SUITE D,
SONOMA, CALIFORNIA 95476

PH 707.931.6097

December 7, 2016

City Council of Sonoma
City of Sonoma
Number 1 The Plaza
Sonoma, CA 06907

Dear City Council Members,

I am writing to you to express Fulcrum Wines support of the Napa to Sonoma Half Marathon and ask that you reconsider your decision on rejecting the permit to hold the event. We know first-hand how this event brings enthusiastic visitors to Sonoma and how it translates to sales to our business.

We are a proud new business in Sonoma and we opened our doors just before the last marathon in July. We found the event to be invigorating to the square and we saw improved store traffic and sales. It was a much-appreciated boost for a newly opened venture. We employ two City of Sonoma residents in our tasting room and so this event not only has benefits for businesses, but to the residents of Sonoma who gain commissions and tips from busy days on the Plaza.

We appreciate that events can come with traffic and parking issues and that a small percentage of residents will find this burdensome. However, we believe that the success of an event shouldn't be held against it. Having a vibrant downtown is what brought our business (and investment) to Sonoma and we are committed to add to that vibrancy as an engaged member of the community. Your help by supporting the marathon is just one way that we can prosper together.

Thanks, in advance, for your thoughtful consideration and again I urge you to reconsider the permitting Napa to Sonoma Half Marathon as it is exactly the type of event that represents the city well as it benefits us all.

Sincerely,



David Rossi
Winemaker/CEO

WWW.FULCRUMWINES.COM

FULCRUM WINE COMPANY

Wednesday, November 30, 2016

City Council of Sonoma
City of Sonoma
No. 1 The Plaza
Sonoma CA 95476

Attention:

Laurie Gallian, Mayor
Madolyn Agrimonti,
Mayor ProTem

David Cook, Councilmember
Gary Edwards, Councilmember

Rachel Hundley,
Councilmember

Good afternoon City Council Members,

As Owners, Managers and Patrons of businesses in the City of Sonoma and its Town Plaza, we are disappointed with the City Council's decision to block and deny the Napa to Sonoma Half Marathon. As you are aware, 54% of local residents are employed in Service related business, which include tourism.

Those who signed this letter realize that the Napa to Sonoma Half Marathon is a source of good, high quality tourism that is consistent with the culture of Sonoma. The race promotes a healthy outdoor lifestyle, our agriculture and the historic, rural character of our town by allowing it's participants to experience the town throughout the race. Further, from historical sales reports on event days, we can state with certainty that the race is has a significant impact on our local economy.

On the November 21st City Council hearing, we believe you acted in the interests of a select few residents who do not speak for the greater majority of citizens and businesses who are in favor of the race. We ask that you honor the City's message:

"Welcome to the City of Sonoma! Sonoma is not only one of the world's finest grape-growing regions and visitor destinations... Sonoma blends a friendly small-town atmosphere with the entrepreneurial culture of the Bay Area. Wine and tourism are our most well-known industries."

On December 5th do what is best for your city and revisit your prior decision - resolve to work with the race organizers to adopt a plan that insures we keep our promises to our citizens by allowing the City of Sonoma to welcome guests to our town in a fun, healthy and economically worthwhile endeavor.

Lastly, since many of us are planning to run in the race with teams from our businesses, we hope you enjoy a morning in Sonoma at the race with us as well!

Sincerely,

Jeff Zappelli
WALT Wines

Sarah Congress
Sojourn Cellars

Courtney Wilson
Patz & Hall Winery

Thrace Bromberger
WALT Wines

Brittany Welt
Pangloss Cellars

Kelsey
Sonoma Loeb Winery

Sherri Percovich
Sojourn Cellars

Dylan
Bryter Wines

David Rossi
Fulcrum Wines

Randy Bennett
Sojourn Cellars

Kristina Munoz
El Dorado Hotel

Hayden Schmidter
Three Sticks Wines

Zach Chamberlin
Roche Winery

Antonia Dehinrich
Ravenswood Winery

Amanda Lorren
Talisman Winery

Valentino Pecak
Nicholson Ranch Winery

Jayne Dowers
SIGH Sonoma

Edwin Richards
Adastra Winery

Rob Della Santina
Della Santina's Trattoria

Robin Elliot
Cline Cellars

Douglas Thompson
Poseidon Obsidian Ridge

Cornerstone Sonoma

Krave Jerky

Bright Event Rentals

Ariel Ceja
Ceja Vineyards

Taylor Eason
Gundlach Bundschu Winery

Eric Keating
Keating Wines

Elaine Bell Catering

ScharffenBerger Chocolate

Ellen Leland
Lake Sonoma Winery

Darby Tarantino
Meadowcroft Wines

California Wine Tours

Park Point Health Club

Level Sleep

Hanna Boys Center

December 2, 2016

Sonoma City Council
Sonoma City Hall
#1 The Plaza
Sonoma, CA 95476

Dear City Council Members,

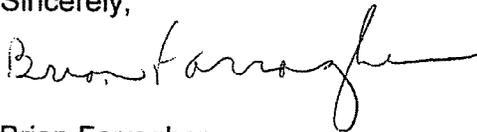
Hanna Boys Center has been a beneficiary of Destination Races, Wine Country Half Marathon since its inception in 2006. As you are aware, Hanna is one of Northern California's most successful residential treatment centers. For 70 years, Hanna has helped change the lives of thousands of at-risk boys of diverse ethnic and economic backgrounds from the greater Bay Area and throughout California, through caring, respect, education, and faith. The Hanna Program helps strengthen the mind, body, and spirit through focused, individualized attention, encouraging each boy to recognize and realize his potential.

The Sunday race is also a big day for the 100+ volunteers representing Hanna. As the event beneficiary, Hanna will receive thousands of much needed dollars from the proceeds of this event. More importantly, Hanna students, staff, and volunteers represent Hanna as active and positive members of the Sonoma Valley community.

Hanna is an independent 501(c)(3) nonprofit organization that relies solely on donations for funding. With the help of fundraising events like the Wine Country Half Marathon, we are able to fund our residential, clinical and educational programs.

We appreciate all you have done, and your continued support of Hanna and Destination Races for the half marathon and raise the funds needed to continue to help our young people excel. If you have any questions, please feel free to contact me at 707-996-6767

Sincerely,



Brian Farragher
Executive Director



**Bright Event Rentals
22674 Broadway Suite A
Sonoma, CA 95476**

**Honorable City Council Members
City Council City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476**

Dear Council Members,

I am writing to communicate Bright Event Rentals' support of the Destination Races annual Napa to Sonoma half marathon. We have supplied the necessary rentals for this event for the past 5 years and value the ongoing partnership that has developed between Bright and Destination Races. In 2016, the Sonoma event generated close to \$40,000 of revenue for our company and helped us continue to employ close to 135 people during the month of July. The partnership with Destination Races continues to grow offering additional revenue for our company as they add additional races in places like Healdsburg. This helps contribute to the growth of our company as well. If the Sonoma event was to not continue, I feel it would weaken our relationship with Destination Races and may end up not only reducing our future July business but potentially our growth as a company.

Bright understands the impact that these events have on the community and realize that there are many perspectives that need to be considered. We provide rentals for many events in the City of Sonoma and Bright would like to continue to improve how they impact the people who live and work in the city. With that in mind, I would like to make myself available to you to discuss the needs of the city and what we can do to help both for this event as well as others that occur at the square and in the city of Sonoma. Please feel free to email me (mprichett@brightrentals.com) or call me on my cell to arrange a time to meet.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Prichett".

**Michael Prichett
Vice President of Marketing and Sales
707.282.8232**



Administration Office
191 W. Verano Avenue, Sonoma, CA. 95476
Phone: 707.935.0200
Fax: 707.343.1807
Email: info@fahausa.org
Website: <http://www.fahausa.org>

December 5, 2016

City Council of Sonoma
No #1, The Plaza
Sonoma, CA 95476

Mayor Laurie Gallian,
Mayor Pro Tem Madolyn Agrimonti,
Councilor David Cook,
Councilor Gary Edwards,
Councilor Rachel Hundley;

Re: Denial to Destination Races for permit to divert traffic for July 16, 2017.

The City of Sonoma has denied the permit to Destination Races to divert traffic on July 16, 2017, as required of the Napa Sonoma Wine Country Half Marathon. The Finnish American Home Association (FAHA) disagrees with this position.

Who we are;

FAHA, The Finnish American Home Association was established over 40 years ago, by first generation Finnish immigrants. Recognizing a growing need for affordable housing for the elderly and concerned with maintaining cultural heritage, lead to the purchase of the FAHA property located at 191 -197 W. Verano, Sonoma.

Incorporated in 1971, FAHA is a registered 501(c) (3) non-profit organization.

FAHA provides affordable housing to 76 Seniors. The majority of residents are qualified by the U.S. Department of Housing and Urban Development (HUD). All units are considered for occupancy without prejudice in regard to race, color, religion, sex, gender, gender identity, family status, national origin, marital status, ancestry, sexual orientation, or any other basis prohibited by law.



Administration Office
191 W. Verano Avenue, Sonoma, CA. 95476
Phone: 707.935.0200
Fax: 707.343.1807
Email: info@fahausa.org
Website: <http://www.fahausa.org>

How does this denial impact FAHA?

FAHA is **one** of the local non-profit partners which benefits from the generosity of Destination Races events. At a time when fundraising is more than challenging for small non-profits, Destination Races has supported FAHA with opportunity to build recognition in the community and through direct donations.

FAHA Volunteers provide direct support to the race event. It has been their collective experience that participants, their guests, and vendors are a financial benefit to the community. Held on a Sunday morning in the summer when traffic within Sonoma Plaza can at best be described as light, this event where traffic is temporally re-routed does not lead to long traffic delays. It seems as if possibly City Council has denied this permit on the basis of one or two loud voices not the voice of the majority of residents and merchants and certainly without regard to its impact on non-profits.

We ask that reconsideration of this permit application be seriously and adequately re-examined. It is our position that Destination Races, a Sonoma based business is to be lauded for its considerable leadership in community development and non-profit support.

FAHA Board;

Steve Rowe, President

Salla Jados-Vaerma

Minna Rodgers, Treasurer

Ann Ratilainen, Secretary

Kari Autio

Liisa Hale

Kiia Huttula

Benn Karne

Kirsti Maki

Adrian Martinez

Pirkko McGuire

Markku Ratilainen

Ilse Tapia

Nancy Yates.

Dear Matt:

My wife and I have participated in the Destination Races Napa to Sonoma Half Marathon five of the past eight years. We thoroughly enjoy the event and visiting the California wine country. It is highly unlikely that we would visit the Sonoma region in the absence of the your event.

We enjoy the annual event so much that we now recruit friends and family to run and visit with us and regularly extend our stay to take in the tourism aspects that the region offers. We fly into the Santa Rosa airport, rent a car, stay at a Sonoma hotel and dine and shop in Sonoma and Napa while visiting. We are known to conduct a big annual wine purchase also while on this annual visit to Sonoma. Our only frustration is that the event is in such high demand that sometimes we cannot get into the event. In that case, we typically do not visit Sonoma in those years.

My point is that your event makes a big difference as to where we spend our tourism dollars in the summer months! It appears from the race registration delay recently that the City of Sonoma may be reconsidering the merits of this event. As the Chief Executive Officer of the Port of Seattle, I can attest that events such as yours are highly valued tourism events that are an economic engine to a region.

I would invite you to share my remarks with your mayor and city councilmembers and would be happy to be a reference for Destination Races. Your organization operates one of the most efficient and effective race events. I have personally run 15 marathons, 35 half marathons and a half dozen triathlons in the past ten years and yours is one of the best.

Ted J. Fick
952.270.1353
tedfick1@hotmail.com

John Tondini

2016

2 nts lodging at the El Pueblo Inn, Sonoma.

Friday

Grocery items at Safeway

Lunch at Freemont Diner

Wine tasting & purchase at Larson Family Winery

Reception at Cuvaision

Dinner at La Casa, Sonoma

Saturday

Breakfast at Basque Boulangerie, Sonoma

Cornerstone Sonoma expo

Loeb Sonoma wine tasting & purchase at the Plaza

Lunch at Mary's Pizza, Sonoma

Shopping around the Plaza

Wine tasting at Roche & purchase

Dinner at Girl & Fig

Party of 5 —2015

3nts stay at Eldorado Hotel, Sonoma

Friday

Roche wine tasting & purchase, sonoma

Reception at Cuvaision & purchase

Dinner at Mary's Pizzza, Sonoma

Saturday

Breakfast at Basque Boulangerie

Expo at Hanna Boy's Ranch

Larson Family winery & purchase

Lunch at El Dorado Kitchen, sonoma

Dinner at HopMonk, Sonoma

Sunday

Post race lunch at La Casa

Dinner at Red Grape

Monday

Breakfast at Sunflower café

2014

2nts at BW Western Krug, Sonoma

Friday

Reception at Cuvaision

Dinner at Girl & Fig

Saturday

Grocery items at Safeway

Expo at Hanna center

Lunch at Mary's Pizza

Larson winery & purchase

Shopping around the Plaza

Wine tasting at Roche & purchase

Dinner at El Dorado Kitchen

We, as part of the local business community of Sonoma, petition city council to grant a street permit to allow Destination Races to produce the 14th annual Napa to Sonoma Wine Country Half Marathon on Sunday, July 16th, 2017.

This race provides high visibility for our town and our wine region, and attracts thousands of active lifestyle enthusiasts and guests to the City of Sonoma for a long weekend of wine tasting, shopping, and dining out in our town. We feel the Napa-to-Sonoma Wine Country Half Marathon has a positive impact on the City of Sonoma and local businesses, while making significant contributions to local and national charities. We support Destination Races efforts to obtain the necessary street use permits to continue the Napa-to-Sonoma Wine Country Half Marathon in Sonoma Plaza in 2017.

Name	Business	Signature
Thrace Bergeres	WART Wines	Thrace Bergeres
Jeff Zappelli	WART Wines	Jeff Zappelli
Hayden Schumler	Three Sticks Wines	Hayden Schumler
Zach Chambolin	Roche Winery	Zach Chambolin
Leeann Agee	Fulcrum Wines	Leeann Agee
Meagan Horecko	Sigh Champagne	Meagan Horecko
Pam Amoroso	BEYTER Estates	Paula Amoroso
Jennifer Meyers	Sonoma-Loeb	Jennifer Meyers
Frank Donaghy	Passaggio Wine	Frank Donaghy
W. Della Santina	Della Santina's	W. Della Santina
M. Della Santina	Della Santina's	M. Della Santina
Kyle Marioni	Kamen Wines	Kyle Marioni
FELICIA LUBRANO	Jelisa Lubrano	BENNETT VALLEY CELLARS
Mayra Martinez	Manys Pizza snack	Mayra Martinez

Rebekah Barr

From: Carol Giovanatto
Sent: Wednesday, December 07, 2016 10:54 AM
To: Rebekah Barr
Subject: FW: Napa-to-Sonoma Wine Country Half Marathon

More letters.

~Carol

Carol E. Giovanatto, City Manager
City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476

[707] 933-2213 Phone
[707] 938-2559 Fax
cgiovanatto@sonomacity.org
www.sonomacity.org

From: Meghan Leerskov <megleerskov@yahoo.com>
Sent: Wednesday, December 7, 2016 5:58 PM
To: David@cvmgrapes.com; gary@sagekase.com; rachelhundleyesq@gmail.com; magrimonti@comcast.net;
mayorgallian@icloud.com; amy@amyharringtonlaw.com;
Cc: raceinfo@destinationraces.com
Subject: Napa-to-Sonoma Wine Country Half Marathon

Good morning,

I'm a runner, a local and the owner of a plaza business and I *want* the Napa-to-Sonoma Wine Country Half Marathon to stay in Sonoma.

As a fanatic runner who has participated in the event, it was one of the best executed races that I've run--seamless, safe, clean and fun—I've been looking forward to July 2017 since I crossed the finish line this summer.

As a business owner with a long-time establishment on the plaza, I know that events like these are how our town's bread gets buttered. Several thousand runners came to town and patronized the businesses that we Sonomans own and work at. Some of those runners came just for the race, but many stayed for days before and after, going to our restaurants, salons, shops, parks and grocery stores. I met couples, sisters and friends that were in town for the week, lured by the run to plan a vacation in the valley. Each year my business sees an uptick from the race and we happily bring on extra staff to accommodate.

As a local, I was pleased to hear from other runners that the race raised millions for charity. Besides many runners raising funds for a colitis foundation, the local Native Sons of the Golden West and other groups were paid to volunteer, cash that will filter back into our community through their good works and scholarships.

Was the race a minor inconvenience to some who were temporarily caught unaware in traffic, looking for parking downtown and those along the route? Perhaps. But there were also neighbors who set up chairs along the road and crafted handmade signs to cheer us on; kids at the finish line who watched what hard work and perseverance in motion looks like; and people who saw the best side of our city that will come back every year to run.

Let us run.

Meghan Leerskov

A 26-year resident of Sonoma and an owner of Steiners Tavern



CITY OF SONOMA
 City Council
 Agenda Item Summary

Agenda Item:	9
Meeting Date:	12/12/2016

Department Administration	Staff Contact Rebekah Barr, MMC City Clerk/Executive Assistant to the City Manager
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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.
Sonoma County Mayors & Clm. Assoc. BOD	North Bay Watershed Association	City Audit Committee	Cittaslow Sonoma Valley Advisory Council	LOCC North Bay Division Liaison, Alternate
Sonoma County Trans. Authority & Regional Climate Protection Authority	Sonoma County Mayors & Clm. Assoc. BOD, Alt.	City Facilities Committee	City Facilities Committee	Sonoma Clean Power Alt.
Sonoma Disaster Council	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 Housing Corporation	Sonoma County Waste Management Agency	Sonoma Clean Power	Sonoma County Health Action & SV Health Roundtable	S. V. Citizens Advisory Commission
S.V.C. Sanitation District BOD	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. Fire & Rescue Authority Oversight Committee	Sonoma Housing Corporation	S. V. Library Advisory Committee	Sonoma Valley Citizens Advisory Comm. Alt.	S. V. Library Advisory Committee, Alternate
VOM Water District Ad Hoc Committee	S.V.C. Sanitation District BOD, Alt.			
Water Advisory Committee	S.V. Fire & Rescue Authority Oversight Committee			
	VOM Water District Ad Hoc Committee, Alternate			
	Water Advisory Committee, Alternate			

Recommended Council Action – Receive Reports

Attachments: None