

**SPECIAL CITY COUNCIL MEETING MINUTES
CITY OF SONORA
JUNE 29th, 2009**

A Special Meeting of the City Council of the City of Sonora was held this date in the Council Chambers at City Hall, 94 North Washington Street, at 5:00 p.m. The following members were present: Mayor Ronald E. Stearn, Mayor Pro-Tem Gary Anderson, Councilmembers Bill Canning and Hank Russell; City Administrator Greg Applegate, City Clerk Marijane Cassinetto, Engineer Gerard Fuccillo, Community Development Director Edward J. Wyllie, Finance Director Karen Stark, Police Chief Mark Stinson, Fire Chief Mike Barrows. Absent: Councilmember David Sheppard, Attorney Richard Matranga and Grants/Redevelopment Program Manager Rachelle Kellogg.

Mayor Stearn reported that there was no Closed Session Meeting this date.

PRESENTATIONS/PROCLAMATIONS/COMMENDATIONS

None.

CONSENT CALENDAR

Motion by Mayor Pro-Tem Anderson, second by Councilmember Russell, and unanimously carried that the Consent Calendar be approved as follows:

1. Approval of Minutes for the Closed and Regular Council Meetings of June 15th, 2009;
2. Approval of invoices for previously budgeted expenses to be paid on June 30th, 2009, in the amount of \$87,148.04; and
3. Approval to set a Public Hearing for Monday, July 20th, 2009, shortly after 5:00 p.m. related to the appeal filed by Tuolumne County Citizens for Responsible Growth to the Site Plan and Design Review action taken by the Sonora Planning Commission on June 8th, 2009, related to the Sonora Lowe's Home Improvement Warehouse Project.

CITY CLERK'S REPORT ON POSTING OF AGENDA

City Clerk Cassinetto advised Council that at 9:08 a.m. on the 25th day of June, 2009, the Agenda for the City of Sonora's Council Meeting and the Sonora Redevelopment Agency Meeting scheduled for this date was posted outside City Hall for public view.

PUBLIC HEARINGS

Public Hearing to Solicit Citizens' Views Regarding Submission of State Community Development Block Grant (CDBG) Applications. This was the time and place set for a Public Hearing to be conducted for the purpose of soliciting citizens' views on setting priorities for the potential submission of applications under the State Community Development Block Grant Program for Fiscal Year 2009-2010. Community Development Director Wyllie reported that the City is eligible to submit applications for CDBG Funds, and that the City anticipates submitting applications pursuant to Notices of Funding Availability published by the State. Projects funded must carry out a least one of three National Objectives: benefit to low income households or persons, elimination of slums and blight, or meeting urgent community development needs.

Mayor Stearn opened the Public Hearing at 5:05 p.m.

There being no appearances, the Public Hearing was closed at 5:06 p.m.

No action required.

Public Hearing to Solicit Citizens' Views on Annual Reports for Community Development Block Grants (CDBG) #05-STBG-1495 and #08-STBG-4844. This was the time and place set for a Public Hearing to solicit

citizens' views on the Annual Reports for CDBG #05-STBG-1495 which funded the Homebuyers' Assistance Loan Program, the Shaws Flat Storm Drain Project and the Barretta Street Storm Drain Project. Additionally, to solicit citizens' views for CDBG #08-STBG-4844 which provides funding for the Homebuyers Assistance Loan Program. Community Development Director Wyllie reported that #08-STBG-4844 currently has one loan which closed escrow and one which has been approved and should close by June 30th, 2009. There is funding available for an additional 4 to 5 loans. The City's Program Income Reuse Plan allocates CDBG funds repaid to the City to the Housing Rehabilitation Loan Program. During FY 2008-2009 the City funded two loans through this Program, one of which was for multiple housing units.

Mayor Stearn opened the Public Hearing at 5:07 p.m.

There being no appearances, the Public Hearing was closed at 5:08 p.m.

No action required.

Public Hearing to Solicit Citizens' Views on a Community Development Block Grant (CDBG) General Allocation Application. This was the time and place set for a Public Hearing to solicit citizens' views on a CDBG General Allocation Application which will be submitted to the State Department of Housing and Community Development (HCD). Community Development Director Wyllie reported that the City is applying for a \$400,000 Grant under the 2009-2010 General Allocation to fund the City-wide Homebuyers' Assistance Program. Wyllie stated that the City was successful in obtaining a CDBG General Allocation Grant in the amount of \$500,000 in 2008. These funds are being used to provide a minimum of six loans to low income households. The City received final approval on January 21st, 2009, to proceed with the approved grant activities. Since then one loan has been closed, another loan approved closing by June 30th, and an additional loan is pending. The funding cycle for the 2009-2020 application is \$400,000 which would allow for an additional five loans should the City be successful in obtaining the grant. Administrator Applegate reported that the City's Homebuyers Assistance Program is very successful, and that other cities use Sonora as a model. Applegate thanked all personnel for their part in making the Program a model of success, and reported that salaries and administrative costs are funded by the Grant.

Mayor Stearn opened the Public Hearing at 5:10 p.m. There being no appearances, the Public Hearing was closed at 5:11 p.m.

Mayor Stearn called for Action on New Business Item #5.

NEW BUSINESS

Resolution No. 06-29-2009-C Approving Application and Contract Execution for Funding from 2009-2010 General Allocation of the State Community Development Block Grant (CDBG) Program. In consideration of information provided at the above Public Hearing, **MOTION by Mayor Pro-Tem Anderson, second by Councilmember Canning, and unanimously carried that Resolution No. 06-290-2009-C be approved and adopted which approves an application for a \$400,000 General Allocation Grant from the State Community Development Block Grant Program for said Loan Program and authorizes the City Administrator to execute all associated documents.**

PUBLIC APPEARANCES

None.

PUBLIC APPEARANCES (Non-Agenda)

None.

UNFINISHED BUSINESS

Renewal of Shooting Range Contract with California Highway Patrol. The Council engaged in continued consideration of approving renewal of the Shooting Range Contract with the California Highway Patrol for a three (3) year period, and authorization for the Police Chief to execute the same on behalf of the City. The current Contract expires on June 30th, 2009; renewal would be for three years at \$2,050 per year. Said matter was continued from the Council Meeting of June 1st, 2009. At said meeting Councilmember Sheppard stated his objection to the use of high powered rifles on the range due to proximity to residential property, and Councilmember Canning did not want to take action until he had the opportunity to visit the range. Chief Stinson reported that Sheppard and Canning have had the opportunity to visit the range since that Meeting. Chief Stinson presented the terms of the Contract, passed out photos of the range and surrounding topography, and recommended approval. Stinson explained the photos in regard to safety noting that the height of the banks is very adequate to provide safety, and that rifles would have to be literally pointed straight up to cause any danger. It was also noted that there was only one complaint about noise when the range first opened in approximately 1995. The matter was resolved by establishing a no shooting after 8 p.m. rule. No other complaints have been made since.

Councilmember Canning suggested that the matter be tabled to a time when Councilmember Sheppard would be present. Canning stated that after visiting the range, he does not have any problem with approval, but felt that Sheppard should be present when taking any action. Administrator Applegate noted that if tabled, there would not be a contract in force to allow usage by the CHP. Stinson stated that there would be a very good chance that if not approved, the Highway Patrol would seek another site. Councilmember Russell stated that the range is perfectly satisfactory.

MOTION by Councilmember Russell, second by Mayor Pro-Tem Anderson, that the renewal Shooting Range Contract with the California Highway Patrol for its use of the City's range be approved as presented, and that the Police Chief be authorized and directed to sign the same on behalf of the City. Motion passed as follows: Ayes: Stearn, Anderson, Russell; Abstain: Canning.

NEW BUSINESS

City of Sonora Budget for Fiscal Year 2010. The Council engaged in consideration of approving and adopting the Fiscal Year 2010 Budget. Council held a Special Budget Study Session on June 1st, 2009. At that time, Projected General Fund Revenues for the City were estimated at \$4,103,000, while Expenses were estimated at \$4,325,300, which translated into \$222,300 projected expenditures over revenue for FY 2009-2010. Finance Director Stark presented the Budget recommending adoption. Stark noted that in an effort to offset the budgeted General Fund Revenue reduction of 12.4% from said Budget, City employees agreed to defer all or part of their previously negotiated salary increases. With this deferral of salary increases and a hiring freeze on certain vacant positions and changes in the City's medical insurance carrier and benefits, the current budgeted expenses over revenue is calculated at \$130,600, down from the \$222,300. Stark reported that due to the significant impacts of the current recession on the City's revenues and the uncertainty of economic recovery, the City's Finance Committee will be meeting on a regular basis through FY 2009-2010 to determine if additional steps need to be taken to further reduce expenditures in order to prevent an increase to the budgeted General Fund deficit. Administrator Applegate reported that a savings of \$8,000 to \$10,000 may be forthcoming from the San Joaquin Valley Risk Management Authority which would further reduce the \$130,600 figure.

MOTION by Councilmember Russell, second by Councilmember Canning, and unanimously carried that the Fiscal Year 2010 Budget be adopted as presented. A complete copy of said Budget as presented is on file in the Office of the City Finance Director for review, and is made a part hereof by reference.

Resolution No. 06-29-2009-A Establishing 2010 Appropriation Limitation. The Council engaged in consideration of adopting Resolution No. 06-29-2009-A which establishes the 2010 Appropriation Limitation for the City. Finance Director Stark presented said Resolution recommending approval. Stark reported that the City has choices as to what factors to use in calculating said Limitation. The City may select either the percentage of

change in California per capita personal income, or, the percentage of change in the local assessment roll due to the addition of local non-residential new construction. The other choice is whether to use the Department of Finance's annual population factors for the City or for the entire County. Stark stated that this year the City has elected to use the percentage change in California per capita personal income, and is also choosing Tuolumne County's population percentage change for calendar year 2009.

MOTION by Councilmember Russell second by Mayor Pro-Tem Anderson, and unanimously carried that Resolution No. 6-29-2009-A be approved and adopted which establishes the 2010 Appropriation Limitation at \$34,340,725.

Resolution No. 06-29-2009-B Authorizing General Fund Monies to Fund Redevelopment Agency Expenditures. The Council engaged in consideration of approving and adopting Resolution No. 06-29-2009-B which authorizes the use of General Fund monies to fund the Sonora Redevelopment Agency expenditures for Fiscal Year 2010. Finance Director Stark presented the Resolution recommending adoption. Stark noted that at the Sonora Redevelopment Agency Meeting of this date, the Agency adopted a budget with expenditures totaling \$570,300 for Fiscal Year 2010. Noting the requirement that the Redevelopment Agency must operate in a deficit position, and that the Agency does not have sufficient revenues to pay for current expenses, the monies, therefore, must be borrowed from another source, and the City currently uses the General Fund to fund Redevelopment Agency expenditures.

MOTION by Mayor Pro-Tem Anderson, second by Councilmember Canning, and unanimously carried that Resolution No. 06-29-2009-B be adopted as presented authorizing the use of General Fund monies to fund Redevelopment Agency expenditures for Fiscal Year 2010.

Change Order to 2009 Street Paving Overlays Project. The Council engaged in consideration of approving Change Order #1 to the 2009 Street Paving Overlays Project - Shaws Flat Road. Engineer Fuccillo presented the request recommending approval. Fuccillo reviewed said Project, and noted that the original contract amount of \$293,103.00, was significantly under the estimate and the available funding. It was noted at the bid award, that there would be additions to this Project. The Change Order, in the amount of \$160,038, would provide overlay on Shaws Flat Road from Elk Drive to Highway 49, and include additional width for walkway purposes on Shaws Flat Road between Sonora High School and Banner Drive, some minor storm drainage work to fill in a roadside ditch between Banner Drive and Saratoga Road, asphalt dike (curb) work as well as pavement grinding to match existing curb and gutter along the School, and a complete restriping of the paved areas. Fuccillo also reported that minor second Change Order in the amount of \$9,570.00 provided for an addition of 110 tons of asphalt to pave the driveway and parking area at the Dragoon Gulch Trail on Alpine Lane. This second Change Order can be staff approved, and does not require approval by the Council.

Fuccillo reported that the changes consist of approximately 3300 Lineal Feet of street paving of Shaws Flat Road, and will increase the total Project paving length to approximately three miles of paving for this year. The above-described additional paving of Shaws Flat Road will be done in late July or in August with completion prior to the High School opening for its normal season.

MOTION by Councilmember Russell, second by Councilmember Canning, and unanimously carried that Change Order #1 to said 2009 Street Paving Overlay Project in the amount of \$160,038 for the paving of Shaws Flat Road as presented be approved, and that the City Administrator be authorized and directed to execute the Change Order document on behalf of the City.

Amended Administrative Policy #36 - Uniform/Personal Property Repair and Replacement. The Council engaged in consideration of approving and adopting Amended Administrative Policy #36 - Uniform/Personal Property Repair and Replacement. Administrator Applegate presented the Amended Policy recommending approval. Applegate noted that the Policy changes are minor and provide for more thorough documentation.

MOTION by Councilmember Canning, second by Mayor Pro-Tem Anderson, and unanimously carried that Amended Administrative Policy #36 - Uniform/Personal Property Repair and Replacement be approved as presented.

Acceptance of Barretta Street Storm Drain Project. The Council engaged in consideration of accepting Improvements as Completed on the Barretta Street Storm Drain Project and authorizing the filing of Notice of Completion with the Tuolumne County Records Office. Engineer Fuccillo reported that said Project, as contracted with Peterson Excavation, Inc., has been substantially completed in accordance with the Plans and Specifications and authorized changes thereto. A final inspection was conducted on June 22nd, 2009. Minor cleanup items will be done prior to release of the 10% retention. The contract amount was \$64,078.00, and a minor time and material Change Order amounted to \$1,000.00. Fuccillo commended Peterson Excavation on a very expeditious job.

MOTION by Mayor Pro-Tem Anderson, second by Councilmember Russell, and unanimously carried that the contract with Peterson Excavation, Inc., for said Project be accepted as completed, and that the City Clerk be authorized and directed to file a Notice of Completion with the Tuolumne County Recorder.

ADJOURN FROM REGULAR CITY COUNCIL MEETING INTO THE SONORA REDEVELOPMENT AGENCY MEETING

Council adjourned into the Sonora Redevelopment Agency Meeting at 5:50 p.m. Council reconvened into its Regular City Council Meeting at 5:55 p.m.

WRITTEN STAFF REPORTS

None.

COMMUNICATIONS - Information Only

1. June 2009 Director's Report from the Tuolumne County Economic Development Agency.

COUNCILMEMBERS AND DEPARTMENT HEADS

Administrator Applegate expressed thanks to Public Works Department personnel for their work done in preparation for the road overlay paving project. He also acknowledged the retirement of Supervising Mechanic Dave Alves stating that his retirement would be recognized at the next Council Meeting. **Mayor Pro-Tem Anderson** commented on the Federal Cap and Trade Bill. **Councilmember Canning** expressed thanks for the good job by the Police Department at the Mother Lode Fair. **Department Heads and Councilmembers** commented on the current heat wave.

ADJOURN

There being no further business to come before the Council at this time, the meeting was adjourned at 5:58 p.m. to the Regular Meeting on July 20th, 2009, at 5:00 p.m. at City Hall.

Marijane Cassinotto, City Clerk

SONORA REDEVELOPMENT AGENCY MEETING MINUTES
CITY OF SONORA
JUNE 29th, 2009

A meeting of the Sonora Redevelopment Agency was held this date in the Council Chambers at City Hall, at 5:50 p.m. with the following members present: Chair Ronald Stearn, Members Gary Anderson, Bill Canning and Hank Russell; Executive Director Greg Applegate, Secretary Marijane Cassineto, City Finance Director Karen Stark and Community Development Director Ed Wyllie. Absent: Member David Sheppard and Attorney Richard Matranga. Posting of Agenda was noted at the City Council Meeting of this date.

New Business

Matters Relating to Adoption of Agency's FY 2009-2010 Budget. The Agency engaged in consideration of approving and adopting its final Budget for Fiscal Year 2009-2010. City Finance Director Stark presented the same for adoption recommending approval.

MOTION by Member Russell, second by Member Anderson, and unanimously carried that the following actions be taken:

- 1. Adoption of the Fiscal Year 2010 Budget as presented - Total Revenue (net of pass through payments to other taxing agencies) is \$690,200; total expenditures equal \$570,300; and**
- 2. The Agency makes the finding that it has determined that the planning and administrative expenses budgeted for the low to moderate housing fund are necessary for the production, improvement or preservation of law and moderate income housing.**

Said Budget is on file and available in the Office of the City Finance Director for review.

Matters Relating to the Sonora Opera Hall Project. The Agency engaged in consideration of approving the following:

1. Approve up to \$25,000 of Redevelopment Funds to complete the Sonora Opera Hall Brick Repair Project;
2. Award Taylor Masonry, Inc., the contract to complete the Sonora Opera Hall Brick Repair Project;
3. Determine and approve the following findings:
 - a) There is a need to increase tourism through enhancement of the historic character of the community while providing expanded and improved visitor facilities; and
 - b) There is a need to enhance community facilities and recreational opportunities available to residents of the Project Area and supportive of the local population at large.

Community Development Director Wyllie presented background information and recommended approval on behalf of Redevelopment Agency Staff. Wyllie noted that the scope of work for said Project includes removing all damaged bricks and replacement with like material, re-mortaring as needed and cleaning and sealing all exterior stone and brick.

MOTION by Member Russell, second by Member Anderson, and unanimously carried that the Agency approves the above-described actions and findings as presented.

Resolution No. RDA 06-29-2009-A Regarding Use of Housing Set-Aside Funds. The Agency engaged in consideration of adopting Resolution No. RDA 06-29-2009-A which approves and authorizes the use of Housing Set-Aside Funds for the City of Sonora Homebuyers Assistance Loan Program. Community Development Director Wyllie presented background information and recommended approval. Wyllie noted that this is the second step to take which follows the City Council adoption of Resolution 06-29-2009-C at its June 29th, 2009, meeting, wherein

the City approved the application and contract execution for funding from the 2009-2010 general allocation of the CDBG Program.

MOTION by Member Anderson, second by Member Canning, and unanimously carried that Resolution No. RDA 06-29-2009-A be approved and adopted authorizing the use of housing set-aside funds for the City of Sonora Homebuyers Assistance Loan Program.

ADJOURN AND RECONVENE INTO REGULAR COUNCIL MEETING

The Agency adjourned and reconvened into the Regular City Council meeting at 5:55 p.m.

Marijane Cassinetta, Secretary