

**CITY COUNCIL MEETING MINUTES  
CITY OF SONORA  
MARCH 1, 2010**

A Regular 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, David Sheppard and Hank Russell; City Administrator Greg Applegate, City Clerk Marijane Cassinetto, Engineer Gerard Fuccillo, Attorney Richard Matranga, Community Development Director Edward J. Wyllie, Finance Director Karen Stark, Police Chief Mark Stinson, and Fire Chief Mike Barrows. Absent: Grants/Redevelopment Program Manager Rachelle Kellogg.

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

**PRESENTATIONS/PROCLAMATIONS/COMMENDATIONS**

**Liz Bass, Tuolumne County Supervisor of District 1** gave her monthly report which covered the County's Outreach Events Services Strategic Plan wherein the Board Members traveled to all Districts and held public meetings to pose questions seeking public opinion on a number of local issues. Approximately 500 people participated.

**Mayor Stearn** read a Proclamation declaring March 8 - 12, 2010, as *Arbor Day* within the City of Sonora. Administrator Applegate noted that the Proclamation goes hand-in-hand with Sonora's status as a Tree City USA.

**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 Regular Council Meeting of February 16, 2010, for the Sonora Redevelopment Agency Meeting of February 16, 2010, and for the Council Workshop Meeting of February 9, 2010; and
2. Approval of invoices for previously budgeted expenses to be paid on March 2, 2010, in the amount of \$63,457.30.

**CITY CLERK'S REPORT ON POSTING OF AGENDA**

City Clerk Cassinetto advised Council that at 2:28 p.m. on the 24<sup>th</sup> day of February, 2010, the Agenda for the City of Sonora's Council Meeting scheduled for this date was posted out side City Hall for public view.

**PUBLIC HEARINGS**

None.

**PUBLIC APPEARANCES**

**Jolene Depaoli and Chace Anderson** discussed their plans to hold a *Great Strides Walk* in Sonora on April 17, 2010, which purpose is to raise money for and awareness of Cystic Fibrosis. Depaoli is organizing the Walk as her Senior Project at Sonora High School. She reported that she hopes to raise \$15,000. Administrator Applegate reported that the Walk will take place on the public right-of-way, and no road closures are necessary; therefore, no approval is required, but just the City's "blessing". The Council wished the Walk great success and gave its "blessing".

**PUBLIC APPEARANCES (Non-Agenda)**

None.

## **UNFINISHED BUSINESS**

None.

## **NEW BUSINESS**

**Resolution No. 03-01-2010-B Road Closure for 2010 Mother Lode Round Up Parade.** The Council engaged in consideration of approving Resolution No. 03-01-2010-B which authorizes the closure of State Route 49 and certain other City Streets for the 53<sup>rd</sup> Annual Mother Lode Round Up Parade on May 8, 2010, from 10 a.m. to 1 p.m. Jim Opie appeared on behalf of the Tuolumne County Sheriff's Posse to request approval and thank the City for its continued support.

**MOTION by Mayor Pro-Tem Anderson, second by Councilmember Canning, and unanimously carried that Resolution No. 03-01-2010-B authorizing said closures be approved as presented.**

**Resolution No. 03-01-2010-A Calling and Giving Notice of Holding Election, and Proposed Ordinance No. 790 Regarding Increase in Transient Occupancy Tax (TOT).** The Council engaged in consideration of Resolution No. 03-01-2010-A which calls for and gives notice of the holding of a Municipal Election on June 8, 2010, for submission to the voters of a Ballot Measure relating to an increase in the City's Transient Occupancy Tax (TOT). The Council also engaged in consideration of approving Ordinance No. 790 which will amend Chapter 3.20 of the Municipal Code by increasing, with voter approval, the TOT from 8% to 10%. Implementation of said Ordinance will only be effected if the voters approve the TOT ballot measure increase. Administrator Applegate presented his Staff Report recommending approval. Applegate stated that the current TOT is 8% in both the City and the unincorporated area of the County. A ballot measure for a 1% increase was placed on the November 2, 2004, ballot by the City Council and the Board of Supervisors, which measure failed. The County Board of Supervisors will consider approving an ordinance which will propose the same increase as the City with voter approval. Over the last several weeks, the Tuolumne County Visitors Bureau, Tuolumne County Lodging Association and the Tuolumne County Chamber of Commerce Boards have voted to support the Ballot Measure. These agencies' approval is predicated on the following conditions:

- 1) The percentage of TOT increase will be 2%, raising the TOT from 8% to 10%.
- 2) 25% of the 2% increase will go to the Visitors Bureau to enhance marketing of tourism and lodging.
- 3) The 2% TOT increase is to be pursued by both the City and the County.
- 4) The 2% TOT increase will only be approved if voters from the City and voters from the unincorporated areas of the County approve complimentary ballot measures.

Applegate noted that Ordinance No. 790 will only be implemented if the voters approve the TOT ballot measure increase. The City Attorney will prepare an impartial analysis pursuant to Election Code Section 9280. Nancy Sikes appeared on behalf of the Tuolumne County Visitors Bureau noting that said Measure was initiated through the Tuolumne County Lodging Association, and that it has received the unanimous support of the Visitors Bureau. Councilmember Canning expressed his opinion that it was a poor time economically to raise any kind of tax, and that if the question was before the Council to make the decision, he would not vote for it. Councilmember Sheppard reiterated his belief that government expands to consume all available revenues, and stated that the Visitors Bureau is already well funded and views this revenue source as specious at best. Councilmember Russell asked for clarification on the wording dealing with the requirement that both city and county needing to approve the ballot measure in order for the TOT to be increased. Attorney Matranga will look at this for clarification to ensure that both City and County need to approve the ballot measure in order for the TOT increase to go into affect. Mayor Pro-Tem Anderson stated that he is not in favor of increased taxes, but that this at least puts it before the voters.

**MOTION by Mayor Pro-Tem Anderson, second by Councilmember Russell that:**

1. **Resolution No. 03-01-2010-A be adopted which calls and gives notice of the holding of a Municipal**

- Election on June 8, 2010, for submission to the voters of a ballot measure relating to an increase in the City's Transient Occupancy Tax; and
2. **City Ordinance No. 790 be approved, which is an Ordinance amending Chapter 3.20 of the City's Municipal Code by increasing, with voter approval, the Transient Occupancy Tax rate from 8% to 10%.**

**Said Motion passed four to one as follows: Ayes: Stearn, Anderson, Canning, Russell; No: Sheppard.**

#### **WRITTEN STAFF REPORTS**

None.

#### **COMMUNICATIONS - Information Only**

1. February 2010 Director's Report for the Tuolumne County Economic Development Authority.

#### **COUNCILMEMBERS AND DEPARTMENT HEADS**

**Police Chief Stinson** reported that the Census Bureau is conducting its U.S. Census, and that all of its workers will have identification. He urged the public to contact their local law enforcement agency if they are approached by anyone not carrying official identification. Stinson also reported on a recent scam out of Canada where persons posing as police officers or repair persons are making phone calls to the elderly seeking money. Stinson also cautioned the public to not send money, but to contact law enforcement. **Fire Chief Barrows** reported that on February 19, 2010, former non-safety Volunteer Bill Soars passed away due to an aortic aneurism while visiting family in Florida. Barrows also reported that flow testing for hydrants will begin on March 16, 2010, and that Green Waste Disposal Days will be held on April 24, 2010 and May 1, 2010. **Administrator Applegate** reported that the City had its preconstruction meeting with Lowes, and that ground breaking will take place between March 15 and April 15, 2010. **Mayor Pro-Tem Anderson** requested that the public curb their dogs while walking them in Sonora. **Councilmember Russell** commented on the article in the Union Democrat regarding Starbucks' gun policy. **Mayor Stearn** stated that the water shut off at Hetch Hetchy in Moccasin was not good for tourism.

#### **ADJOURN**

There being no further business to come before the Council at this time, the meeting was adjourned at 5:45 p.m. to the Special City Council Workshop on Wednesday, March 3, 2010, at 9:00 a.m. at City Hall.

*Marijane Cassinotto, City Clerk*