

**CITY COUNCIL MEETING MINUTES
CITY OF SONORA
AUGUST 17th, 2009**

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, and Hank Russell; City Administrator Greg Applegate, City Clerk Marijane Cassinetto, Engineer Gerard Fuccillo, Attorney Richard Matranga (absent at 5:32 p.m.), Community Development Director Edward J. Wyllie, Finance Director Karen Stark, Police Chief Mark Stinson, Fire Chief Mike Barrows and Grants/Redevelopment Program Manager Rachelle Kellogg. Absent: Councilmember David Sheppard.

PRESENTATIONS/PROCLAMATIONS/COMMENDATIONS

Tuolumne County District 1 Supervisor Liz Bass gave her monthly report noting that a State Safe Routes to Schools Grant in the amount of \$700,000 has been awarded to the County to improve the ingress and egress into Sonora Elementary. There will be small matching funds required from the County and from the School. Bass also reported that its final Budget will be adopted in two weeks, and that the Board is considering hiring back laid off personnel with the \$2,000,000 recovered. Additionally Bass reported that the County Planning Commission will meet on August 19th, 2009, to discuss proposed plans for the new Law and Justice Center project on property adjacent to the City Limits between Old Wards Ferry and Loop Roads.

CONSENT CALENDAR

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

1. Approval of Minutes for the Closed and Regular Council Meetings of August 3rd, 2009;
2. Approval of invoices for previously budgeted expenses to be paid on August 18th, 2009, in the amount of \$161,446.36;
3. Approval to cancel the regularly scheduled City Council Meeting on Tuesday, September 8th, 2009, and to give authorization to pay invoices of previously budgeted expenses on September 9th, 2009; and
4. Approval to set a Public Hearing on Monday, September 21st, 2009, shortly after 5:00 p.m. to consider the proposed Fray Rezoning and Tentative Parcel Map.

CITY CLERK'S REPORT ON POSTING OF AGENDA

City Clerk Cassinetto advised Council that at 10:37 a.m. on the 13th day of August, 2009, the Agenda for the City of Sonora's Council Meeting scheduled for this date was posted outside City Hall for public view.

PUBLIC HEARINGS

Public Hearing Re: Notice of Appeal Filed by the Tuolumne County Citizens for Responsible Growth (TCCRG) to the Site Plan and Design Review Action Taken by the City Planning Commission on June 8, 2009, Related to the Sonora Lowe's Home Improvement Warehouse Project. This Public Hearing was continued from the August 3, 2009, City Council Meeting at the request of Staff to continue negotiations for a Settlement Agreement. Community Development Director Wyllie requested that the Public Hearing scheduled for this Meeting be continued to the Council Meeting of September 21st, 2009, to allow time for the City Attorney to complete negotiations on said Agreement.

MOTION by Councilmember Canning, second by Councilmember Russell, and unanimously carried that said Public Hearing be continued to the next Council Meeting on September 21st, 2009, shortly after 5:00 p.m.

Public Hearing on Matters Related to Sunrise Hills Landscape and Lighting Maintenance District (LLMD).

This was the time and place set for a Public Hearing to consider the question of the levy and collection of the proposed assessments for LLMD maintenance activities for said District for Fiscal Year 2009-2010, and

consideration of any oral and/or written statements or protests against the boundaries of the District and any zones or units therein, the proposed Diagram or the proposed Assessment, or the estimate of the costs thereof, and consideration of the final Annual Engineer's Report. Engineer Fuccillo presented his Final Report and possible recommended actions. The assessments for lots are proposed at the reduced rate of \$53.96 per single family residential lot and \$120.64 per commercial lot. The Assessment Diagram and estimates of costs and assessments will be established by proposed Resolution No. 08-17-2009-A.

Mayor Stearn opened the Public Hearing at 5:17 p.m.

The City Clerk reported that no written communications were received, and no written protests have been filed by property owners representing 50% or more of the total financial obligation of the Maintenance District. Administrator Applegate reported that no phone calls were received.

Connie Williams, Sunrise Hills resident, noted that at last year's Public Hearing she had submitted a letter requesting that the rates be reduced. She was pleased at the proposed reduction in rates to \$53.96 per lot, and thanked the Council for its consideration to adopt the reduced rates.

There being no further appearances, the Public Hearing was closed at 5:20 p.m. Mayor Stearn called for action on New Business Item #1.

NEW BUSINESS

Resolution No. 08-17-2009-A Approving Levy and Collection of Proposed Assessments for Activities of City of Sonora Landscaping and Lighting Maintenance District for Sunrise Hills Units I and II for Fiscal Year 2009-2010, Confirming the Diagram and Approving Final Engineer's Report. In consideration of information provided at the above Public Hearing, **MOTION by Councilmember Canning, second by Councilmember Russell, and unanimously carried that the Draft Annual Engineer's Report be adopted as the Final Annual Engineer's Report, and that Resolution No. 08-17-2009-A be approved and adopted as presented.**

PUBLIC APPEARANCES

None.

PUBLIC APPEARANCES (Non-Agenda)

Bea Readell, Director of Tuolumne County Behavioral Health, gave a brief report on the changes in the Mental Health Services Program resulting from the economic downfall. She noted that Behavioral Health has lost one-third of its budget which is affecting one-third of its staff. Adult services has been most negatively affected. On the positive side there is a continued effort to keep up with the Mental Health field and it has expanded its Crisis Assessment and Intervention Program (CAIP).

UNFINISHED BUSINESS

Bid Acceptance for USDA Grant Funded Vehicles. The Council engaged in continued consideration of the Bid Acceptance for USDA Grant funded vehicles, in particular the bid for the Sport Utility Vehicle (SUV). Fire Chief Barrows reviewed Council action of May 4th, 2009, wherein approval for the purchase of the Ford Expedition was subject to final approval from USDA Rural Development. The Grant Application for said SUV fire command vehicle was approved by USDA Rural Development on July 10th, 2009. Between May 4th, 2009, and July 10th, 2009, Ford stopped production of the 2009 Model Ford Expedition which was to be provided by Hillier Ford. Therefore, the Hillier bid for said vehicle became null and void. Staff requested updated bids from the five most competitive automobile dealerships which meet requirements. An updated bid submitted by Hillier Fleet Ford was still the low bid. Chief Barrows requested the following actions for approval:

1. Rescind the May 4, 2009, Council action approving the bid submitted by Hillier Fleet Ford in the amount of \$32,672.90 for the purchase of a 2009 Ford Expedition XLT 4x4, and

2. Accept the amended bid submitted by Hillier Fleet Ford in the amount of \$32,884.96 for a 2010 Ford Expedition XLT 4x4 Rapid Spec 101A, leather seating, skid plates, trailer tow package, SYNC system with navigation, and direct the Fire Chief to move forward with the purchase.

MOTION by Councilmember Russell, second by Mayor Pro-Tem Anderson, and unanimously carried that the May 4th, 2009, Council action approving the bid submitted by Hillier Fleet Ford in the amount of \$32,672.90 for the purchase of a 2009 Ford Expedition XLT 4x4 be rescinded.

MOTION by Councilmember Russell, second by Councilmember Canning, and unanimously carried that the Council accepts the amended bid submitted by Hillier Fleet Ford in the amount of \$32,884.96 for a 2010 Ford Expedition XLT 4x4 Rapid Spec 101A, leather seating, skid plates, trailer tow package, SYNC system with navigation, and direct the Fire Chief to move forward with the purchase.

NEW BUSINESS

Final Budget Adjustments for Fiscal Year 2008-2009. The Council engaged in consideration of approving Final Budget Adjustments for Fiscal Year 2008-2009. Finance Director Stark presented the adjustments recommending approval. Stark reported in regard to General Fund Revenues, the budgeted amount for sales tax revenue assumed a 3% increase over Fiscal Year 2008. The decrease in actual sales tax received was 11% from the prior year. Lower than anticipated interest rates resulting in interest earnings on investments and loan interest income that were less than the budgeted amounts. A transfer out from the General Fund to the Fire Mitigation Fund in the amount of \$192,000 was recorded in order to offset the deficit Fire Mitigation Fund balance and close that fund as of June 30, 2009. This transfer is a one-time, non-operational transfer and does not represent recurring General Fund revenue and expenditure activity. In regard to General Fund Expenses, the self-insured medical costs in various departments were significantly over budget. Total General Fund self-insured medical costs exceeded budget by approximately \$119,000. These costs are difficult to predict and hard to control. Savings in salary and benefit costs from frozen and vacant positions in the Police Department offset the self-insured medical cost over runs. The total proposed Adjustments represent a decrease in the Budget of \$608,500.

MOTION by Councilmember Canning, second by Mayor Pro-Tem Anderson, and unanimously carried that said FY 2009-2010 Budget Adjustments be approved as presented; said Adjustments are more fully described in Exhibit "A" which is attached hereto and made a part hereof by reference.

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

Council adjourned into the Sonora Redevelopment Agency Meeting at 5:45 p.m. Council reconvened into its Regular City Council Meeting at 5:50 p.m.

WRITTEN STAFF REPORTS - July 2009

1. From Community Development Director Wyllie for the Planning/Building Department and the Public Works Departments.
2. From Police Chief McIntosh for the Police Department.
3. From Fire Chief Barrows for the Fire Department.
4. From Grants/Redevelopment Program Manager Kellogg; and
5. Quarterly Finance Staff Report from Finance Director Stark.

COMMUNICATIONS - Information Only

None.

COUNCILMEMBERS AND DEPARTMENT HEADS

Grants/Redevelopment Program Manager Kellogg reported that the City was not successful in the State Safe Routes to Schools Grant application to be used for improvements on Shaws Flat Road for safety crossing at Sonora

High School. **Finance Director Stark** reported that the annual audit for Fiscal Year 2009 begins this coming Wednesday. **Fire Chief Barrows** reported that the Fire Department still has an engine in Santa Cruz at the Lockheed Fire. **Engineer Fuccillo** reported that the Shaws Flat Road Paving Project is 98% completed. **Administrator Applegate** noted that he had received a letter from American Recovery Reinvestment Act letting the City know that it will receive \$25,795 in Federal Program monies, and that he has sent notice to secure the funding. He also reported receiving many compliments on the City's "Magic of the Night" event. **Mayor Pro-Tem Anderson** extended a thank you from the Rose Society to Public Works for its assistance at Rother's Corner. **Councilmember Russell** complimented the newly formed Joint Powers Economic Development Authority and its new Director Larry Cope, and reported that they meet on the 2nd Friday of each month. **Mayor Stearn** complimented the Public Works Department for its great job on painting of the retaining wall on Barretta Street from Cemetery Lane to Gold Street.

ADJOURN

There being no further business to come before the Council at this time, the meeting was adjourned at 6:00 p.m. to the Regular Meeting on Monday, September 21st, 2009, at 5:00 p.m. at City Hall, noting the cancellation of the September 8, 2009, Regular Meeting.

Marijane Cassinetto, City Clerk

SONORA CITY COUNCIL CLOSED SESSION MEETING MINUTES CITY OF SONORA AUGUST 17th, 2009

A 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 4:00 p.m. with the following members present: Mayor Ronald Stearn, Mayor Pro-Tem Gary Anderson, Councilmembers Bill Canning, and Hank Russell; City Administrator Greg Applegate, City Attorney Richard Matrangola, Community Development Director Edward Wyllie and City Clerk Marijane Cassinetto. Absent: David Sheppard.

CITY CLERK'S POSTING OF THE AGENDA

City Clerk Cassinetto advised the Council that at 10:37 a.m. on the 13th day of August, 2009, the Agenda for the City of Sonora Council Meeting (Closed Session) was posted outside City Hall for public view.

PUBLIC APPEARANCES

None.

ADJOURN INTO CLOSED SESSION

The City Clerk was excused from Closed Session. The Council adjourned into Closed Session for consideration of the following matters:

- (1) Personnel (Authority: G.C. Sections 54957 and 54957.6), None;
- (2) Real Property Transactions (Authority: G.C. Section 54956.8), None; and
- (3) Pending Litigation (Authority: G.C. Section 54956.8), (A) Settlement (return on the Writ) - Citizens for Responsible Growth, Inc., vs. the City, Challenging California Gold/Lowes Design and Site Plan Review.

RECONVENE TO OPEN SESSION

Council reconvened into Open Session at 5:00 p.m.

Mayor Stearn reported that no action had been taken in Closed Session.

Marijane Cassinetto, City Clerk

SONORA REDEVELOPMENT AGENCY MEETING MINUTES
CITY OF SONORA
AUGUST 17th, 2009

A meeting of the Sonora Redevelopment Agency was held this date in the Council Chambers at City Hall, at 5:45 p.m. with the following members present: Chair Ronald Stearn, Members Gary Anderson, Bill Canning, and Hank Russell; Executive Director Greg Applegate, Secretary Marijane Cassinetta, and City Finance Director Karen Stark. Absent: Member David Sheppard. Posting of Agenda was noted at the City Council Meeting of this date.

NEW BUSINESS

Final Adjustments for the Agency's FY 2008-2009 Budget. The Agency engaged in consideration of approving the final adjustments for its Budget for Fiscal Year 2008-2009. City Finance Director Stark presented the adjustments recommending approval. Stark reported that the Agency's Housing Fund received less than anticipated investment earnings due to lower than budgeted interest rates. Administration costs relating to the housing program were incurred by said Housing Fund but not budgeted. Lower than budgeted interest rates also resulted in interest expense that was below budget in the Agency's General Fund. The Opera Hall Brick Rehabilitation Project and various miscellaneous sidewalk repair projects were budgeted in the General Fund but not started in Fiscal Year 2009. These projects will be completed in Fiscal Year 2010.

MOTION by Member Russell, second by Member Canning, and unanimously carried that the Final Budget Adjustments for Fiscal Year 2008-2009 be approved as presented; a copy of said Adjustments is attached hereto as Exhibit "A" and incorporated herein and made a part hereof.

ADJOURN AND RECONVENE INTO REGULAR COUNCIL MEETING

The Agency adjourned and reconvened into the Regular City Council meeting at 5:50 p.m.

Marijane Cassinetta, Secretary