

**CITY COUNCIL MEETING MINUTES
CITY OF SONORA
OCTOBER 15th, 2007**

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 Hank Russell, Mayor Pro-Tem Ronald E. Stearn, Councilmembers Gary Anderson, Bill Canning and David Sheppard; City Administrator Greg Applegate, City Clerk Marijane Cassineto, Engineer Gerard Fuccillo, Attorney Richard Matranga, Community Development Director Edward J. Wyllie, Finance Director Karen Stark, Police Chief Mace McIntosh, and Grants/Redevelopment Program Manager Rachelle Kellogg. Absent: Fire Chief Mike Barrows.

PRESENTATIONS/PROCLAMATIONS/COMMENDATIONS

The Mayor Read A Proclamation supporting October 23 - 31, 2007, as *Red Ribbon Celebration*. Sonora High School students Courtney Sorini and Kaylin Wivell reviewed Red Ribbon Celebration activities which include a march and rally on Monday, October 22nd, 2007, from 5 to 8 p.m., and other Friday Night Live sponsored events.

County Supervisor Liz Bass appeared before the Council to give her monthly report. Bass stated that she had no specific report at this time, and introduced Deputy County Counsel Sarah Carillo who reviewed the parameters of her responsibilities within the many County Departments, and in regard to Economic Development, read a statement encouraging the inclusion of active efforts to attract and retain young professionals in our community.

CONSENT CALENDAR

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

1. Approval of Minutes for the Closed and Regular Council Meetings of October 1st, 2007, and approval of Minutes for the Sonora Redevelopment Agency Meeting of October 1st, 2007; and
2. Approval of invoices for previously budgeted expenses in the amount of \$118,118.97 to be paid on October 16th, 2007, and approval to pay invoices for November 6th, 2007, due to the cancellation of the Regular City Council Meeting on November 5th, 2007.

CITY CLERK'S REPORT ON POSTING OF AGENDA

City Clerk Cassineto advised Council that at 8:40 a.m. on the 11th day of October, 2007, the Agenda for the City of Sonora's Council Meeting scheduled for this date was posted outside City Hall for public view.

PUBLIC HEARINGS

None.

PUBLIC APPEARANCES

None.

PUBLIC APPEARANCES (Non-Agenda)

Sonora High School District Superintendent Rob Gaskill appeared before the Council to thank the City for its partnership in numerous ventures over the past several years, and to give an update on current infrastructure and improvement projects on the campus. Gaskill introduced Alternative Education Campus Principal Jim Roeber and new Sonora High Campus Principal Todd Deardon. Each gave brief summary reviews of their respective campus activities.

UNFINISHED BUSINESS

Waive Second Reading, Adoption Ordinance No. 776. The Council engaged in consideration of waiving the second reading and adopting Ordinance No. 776 which requires indemnification from claims, actions or proceedings

against the City in connection with any action to approve a Land Use Application, enabling the City to transfer the risk to applicants with respect to costs associated with actions to approve such Applications. Said Ordinance was introduced at the Council Meeting of September 19th, 2007, and waiving the second reading and action on adoption was tabled to this date when a full Council would be present. Administrator Applegate recommended adoption. **MOTION by Councilmember Canning, second by Councilmember Anderson, and unanimously carried that the second reading be waived and Ordinance No. 776 be approved and adopted.**

Waive Second Reading, Adoption Ordinance No. 777. The Council engaged in consideration of waiving the second reading and adopting Ordinance No. 777 which allows for the rezoning of the Dragoon Gulch Trail Project Expansion Area to the zoning classification OS, Open Space, under Title 17 of the Sonora Municipal Code. Said Ordinance was introduced at the Council Meeting of October 1st, 2007. Community Development Director Wyllie recommended adoption. **MOTION by Mayor Pro-Tem Stearn, second by Councilmember Anderson, and unanimously carried that the second reading be waived and Ordinance No. 777 be approved and adopted.**

NEW BUSINESS

Presentation by Nanci Sikes, Executive Director of the Tuolumne County Visitors Bureau. Nanci Sikes appeared before the Council to present the Tuolumne County Visitors Bureau Annual Report for Fiscal Year 2006-2007. Sikes reviewed the Bureau's Budget, its various programs including advertising and the State Fair Exhibit, its 2007 Visitors Guide, website information, trade show participation and improvements to its site at Yosemite Junction. Sikes also passed out and reviewed its Publicity Report, including travel impacts. The Council thanked Sikes for a thorough report and many excellent years of service in her position as Executive Director.

Resolution No. 10-15-2007-A Regarding Closures for Annual Christmas Parade. The Council engaged in consideration of adopting Resolution No. 10-15-2007-A which approves street and parking closures for the Annual Christmas Parade to be held on November 23rd, 2007, at 5:30 p.m. Special Events Coordinator Sheala Wilkinson reviewed parade plans, requested approval to hold said Parade and approval for related actions. Wilkinson also thanked Police Sergeant Glen Roberts for his continued help in administrating such closures. **MOTION by Councilmember Canning, second by Mayor Pro-Tem Stearn, and unanimously carried that Resolution No. 10-15-2007-A be approved and adopted authorizing closures as requested, and that the following related actions be approved:**

1. **Authorization to hold said 24th Annual Christmas Parade on Friday, November 23rd, 2007, at 5:30 p.m.;**
2. **Direction for the Police, Fire and Public Works Departments to coordinate all Safety Controls;**
3. **The Mayor or Mayor Pro-Tem to represent the City in said Parade; and**
4. **The two-hour parking restrictions be released during the week of December 17th through December 25th, 2007, within the downtown corridor of Zone A as requested by the Parking and Traffic Commission.**

Sonora High School Request for Use of Woods Creek Park. The Council engaged in consideration of Sonora High School's annual request to use Woods Creek Park (Rotary Park) for its 2008 Girls Softball Program. Administrator Applegate reviewed the request recommending approval and noting that the required Certificate of Additional Insurance had been provided. **MOTION by Mayor Pro-Tem Stearn, second by Councilmember Anderson, and unanimously carried that said request by Sonora High School Athletic Department for the use of Woods Creek Park (Rotary Park) from February 18th through May 9th, 2008, be approved as requested subject to Woods Creek Little League Officials approving the schedule of ballfield uses.**

Introduce, Waive First Reading of Ordinance No. 778. The Council engaged in consideration of introducing and waiving the first reading of Ordinance No. 778 which amends and adds "or Marijuana" to Chapter 9.08 of the Sonora Municipal Code, Public Consumption of Alcoholic Beverages. Police Chief McIntosh recommending approval, read a portion of the initiated proposal submitted by Sergeant Turu Vanderwiell. Christopher DeMars

appeared on his behalf and on that of his father, Chris DeMars, to request that prescribed marijuana in the form of tincture, continue to be an allowable use in public places and exempt from the Ordinance. DeMars explained that his father participates in local government meetings and, by a doctor's prescription, is in possession of and it is necessary for him to take his dosage of tincture marijuana during the time of his participation in such public meetings. He noted that there is no smoking involved, only sublingual application. After discussion, it was the consensus of the Council that the intent of the Ordinance is to eliminate marijuana smoking and noxious smoke, and that the Ordinance be referred back to Staff for revision to reflect said intent.

WRITTEN STAFF REPORTS - September 2007

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.
5. Quarterly Report from Finance Director Karen Stark.

COMMUNICATIONS - Information Only

1. Notification from the State Office of Historic Preservation informing the City of a Boundary Increase for the Tuolumne County Courthouse which will include the area of Courthouse Park, and that the increase has been placed on the National Register of Historic Places and the California Register of Historic Resources.

COUNCILMEMBERS AND DEPARTMENT HEADS

Finance Director Stark reported that TOT (Transient Occupancy Tax) revenues for 2007 were up 6% over last year. **Grants/Redevelopment Program Manager Kellogg** reported that the City will be applying for a \$900,000 with 10% matching fund grant entitled Safe Routes to Schools through Caltrans. Proposed Phase I would include sidewalk construction in front of the High School along Shaws Flat Road to the City limits, and Phase II would include a signalized traffic crossing in front of the High School Administration Building. Kellogg will make the full presentation of the grant application at the City's Mini Retreat to held on November 5th, 2007. **Community Development Director Wyllie** reviewed projects currently being done in the City by the Baseline Conservation Camp inmates. **Police Chief McIntosh** noted that his Department is preparing for Sonora High Homecoming events. **Engineer Fuccillo** reported that both of the storm damage projects on Linoberg Streets and Sonora Avenue have been completed. **Councilmember Sheppard** reported on his attendance at a Foothill Pregnancy Center fund raiser which provides alternatives to abortion, post abortion counseling and many worthwhile services. Sheppard also requested that correspondence received from Municipal Officials for Redevelopment and Reform of Eminent Domain be placed on the Council Mini Retreat Agenda. **Mayor Pro-Tem Stearn** requested an update regarding the status of the historic street lighting to be put in place by PG&E. **Councilmember Canning** requested that the City Administrator write a letter to PG&E reminding them of their deadline date of installation for the historic street lights, and requesting a status report and compliance. **Mayor Russell** reported on a National Resource Summit held by Senator Dave Cogdill last Friday that was very informative and time well spent.

ADJOURN

There being no further business to come before the Council at this time, and noting the cancellation of the Regular Council Meeting of November 5th, 2007, the meeting was adjourned at 6:38 p.m. to the Special Annual Council Mini Retreat Meeting on November 5th, 2007, at 8:30 a.m. at the City Fire Station.

Marijane Cassinetta, City Clerk

**CITY COUNCIL MEETING MINUTES - CLOSED SESSION
CITY OF SONORA
OCTOBER 15th, 2007**

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 Hank Russell, Mayor Pro-Tem Ronald Stearn, Councilmembers Gary Anderson, Bill Canning and David Sheppard; City Administrator Greg Applegate, City Attorney Richard Matranga and City Clerk Marijane Cassinetto. Absent: None.

CITY CLERK'S POSTING OF THE AGENDA

City Clerk Cassinetto advised the Council that at 8:40 a.m. on the 11th day of October, 2007, the Agenda for the City of Sonora Council Meeting (Closed Session) was posted outside City Hall for public view.

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), (A) City Engineer Contract Renewal, (B) City Attorney Contract Renewal;
- (2) Real Property Transactions (Authority: G.C. Section 54956.8), None; and
- (3) Pending Litigation (Authority: G.C. Section 54956.8), (A) Litigation brought by Citizens for Responsible Growth, Inc., vs. the City of Sonora/Lowes Design and Site Plan Review.

RECONVENE TO OPEN SESSION

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

Mayor Russell reported that the following action had been taken in Closed Session: (1) Approval of Contract Renewal for the City Engineer for three years through June 30th, 2011; and approval of Contract Renewal for the City Attorney for three years through June 30th, 2011.

Marijane Cassinetto, City Clerk