

**CITY COUNCIL
CITY OF SONORA
APRIL 17, 2017**

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 5:01 p.m. The following members were present: Mayor Connie Williams, Mayor Pro-Tem Jim Garaventa, Councilmembers Matt Hawkins (present at 5:25 p.m.), Mark Plummer, George Segarini; City Administrator Tim Miller, City Clerk Marijane Cassinetto, Administrative Services Director Jennifer Callaway, City Attorney Nubia Goldstein, Community Development Director Rachelle Kellogg, Interim City Engineer Gerard Fuccillo, Fire Chief Aimee New, Interim Police Chief Michael Harden. Absent: None.

CITY CLERK'S REPORT ON POSTING OF AGENDA

City Clerk Cassinetto advised Council that at 11:45 a.m. on the 14th day of April, 2017, the Agenda for the City of Sonora Council Meeting scheduled for this date was posted outside City Hall for public view.

APPROVAL OF THE AGENDA

No changes.

PRESENTATIONS

Interim Police Chief Harden introduced new Police Officer Curtis Hankins. Hankins was sworn in with his family at his side, and his badge was pinned by his son. Mayor Williams welcomed him on behalf of the Council.

Fire Chief New presented Fire Engineer Tyler Piche with his 15 year Employee Service Award. Piche was congratulated and thanked by the Council.

Mayor Williams presented the following Mayor Awards of Appreciation:

- a. Oak Valley Community Bank, which was received by its General Manager Lynn Wilson;
- b. Clarke Broadcasting, which was received by its General Manager Randolph Holder;
- c. St. James Episcopal Church, which was received by Fr. Vern Walter; and
- d. Eric and Cynthia Hewitt of McCoy Tire were not present to receive their award.

PUBLIC COMMENT (Non-Agenda)

A member of the public thanked the employees of the Public Works Department for the great job they have done during all the recent heavy storms. She also requested that discussion regarding Alcoholic Beverage Control requirements for licensing be placed on the Council's Agenda. Mayor Williams suggested that it be placed on the Agenda for discussion at the monthly Townhall/Merchants Meeting. Administrator Miller said that it will be placed on the Agenda for the next Townhall/Merchants Meeting on April 26, 2017.

CONSENT CALENDAR

Councilmember Plummer asked that a source website be added to the Special Meeting Minutes for March 30, 2017, in regard to the author of a paper entitled "Legal Marijuana's Social Impact on Colorado", which was submitted to the Council at that Meeting and attached as Exhibit "A" to the Minutes. It was noted that the website was not verbally mentioned at the Meeting, nor did it appear on the Exhibit, and therefore is not included as a part of the record.

MOTION by Mayor Pro-Tem Garaventa, seconded by Councilmember Plummer, that the Consent Calendar be approved as follows:

- 1. Approval of the Council Special Meeting Minutes for March 30, 2017, and for the Council Minutes for the Closed and Regular Session Meetings of April 3, 2017;**
- 2. Approval to pay invoices for previously budgeted expenses on April 18, 2017, in the amount of \$317,458.84; and**
- 3. Approval of disbursements in the amount of \$155,620.26 on April 14, 2017, for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, and miscellaneous voluntary employee deductions.**

There was no public comment. Councilmember Segarini noted that he was not present at the April 3, 2017, Meetings, and would therefore abstain from voting. The above **MOTION passed three to one as follows: Ayes: Williams, Garaventa, Plummer; Abstain: Segarini; Absent: Hawkins.**

PUBLIC HEARINGS

Resolution No. 04-17-2017-A Approving the City's Homebuyer Assistance Loan Program Guidelines. This was the time and place set for a Public Hearing to consider adoption of Resolution No. 04-17-2017-A which approves the City's Homebuyer Assistance Loan Program Guidelines. Recommending approval, Community Development Director Kellogg reviewed background information noting that the City has received a Community Development Block Grant in the amount of \$494,331.00 which will allow the City to assist approximately 5 low-income households with the purchase of a

home within the City limits. The General Conditions require adoption of the Program Guidelines.

Mayor Williams opened the Public Hearing at 5:23 p.m. There being no appearances, the Public Hearing was closed at 5:24 p.m. **MOTION by Councilmember Segarini, second by Councilmember Plummer, and unanimously carried that Resolution No. 04-17-2017-A be approved and adopted as presented.**

UNFINISHED BUSINESS

None.

NEW BUSINESS

Tuolumne County Economic Development Authority (TCEDA) FY 2018 Budget. The Council considered approving the TCEDA Fiscal Year 2018 Budget. Administrator Miller presented his Staff Report recommending that the Council not approve the requested increase of the City's contribution in the amount of \$15,580, but approve \$87,261.00, the same amount that was allocated in FY 2017. Larry Cope, Executive Director of the Tuolumne County Economic Development Authority, presented the TCEDA FY2018 Budget, noting a balanced Budget with total projected Revenues of \$460,732.00 and Expenditures of \$460,732.00. Requesting the City to approve \$102,841.00 for its contribution, \$15,580.00 over last year, he reviewed budget highlights and history, and noted that the Tuolumne County Board of Supervisors approved the TCEDA Budget with the increased allotment. Cope also reviewed TCEDA's Five-Year Work Plan. Councilmembers and Cope had discussion with questions and answers to line items and explanation for the increases.

The Mayor asked for public comment. The following persons appeared in support of approving the requested increase and in support of Cope and the benefits provided by TCEDA and economic development:

- Frank Helm, owner of Dodge Ridge Ski Area
- Sherri Brennan, Tuolumne County District 1 Supervisor
- Erin Socey representing Sierra Pacific Industries
- Lindsey Brewer, Director of Marketing and Public Relations for Sonora Regional Medical Center
- Dave Thoeny, Executive Director of Mother Lode Job Training
- Shirley Sarno representing the Downtown Chamber of Commerce
- Dave Carlberg, Co-Founder of Kinomatic
- Mike Ayala, Government Affairs Liaison for the Tuolumne County Chamber of Commerce
- A Member of the Public
- Harry Ohls, City resident

Ruanne Mikelson, City resident, said she would like the Council to take a second look and asked them to take a "deep dive" to determine what the return on the investment is to be able to know specifically what has come back as investment over the past 9 years. There was no further public comment.

Councilmember Hawkins talked about the mess that existed a number of years ago with the Central Sierra Economic Development Authority, and that when Larry Cope came in, he offered many helpful suggestions which saved the member Counties, the City of Sonora and others a lot of money. He said investing in the TCEDA Budget is well worth it, and "gets the idea of investment". He would like to see it voted on tonight. Councilmember Plummer commented that if the City does not have the money, where would the money come from for the requested increase. Administrator Miller responded that in the past the allotment came from Redevelopment Agency funds, and now it comes out of the General Fund. He said the decision becomes a matter of priority; to balance the City's Budget would require money to come from somewhere else. Mayor Pro-Tem Garaventa had concerns about possibly jeopardizing the Joint Powers Agreement (JPA), and what approval may convey to City employees in making provision for TCEDA. Councilmember Segarini spoke in favor of approving the increase, that TCEDA is the most successful of all economic development entities, and continuing efforts will bring the County and City more return on investment than he can hope for. He would like to see it voted on tonight. Mayor Williams affirmed that it is not about Larry, but 100% about the money, suggested that the Council possibly wait on the decision until the City is further into its Budget, that Larry come back and present what investment has come back to the City, and to find out any ramifications that may exist with the JPA.

Councilmember Plummer asked if the Council could approve the FY2017 current allotment tonight and come back later and approve the full amount should the Council decide to do so. Attorney Goldstein said that if the Council wants to approve the current level of funding, a motion can be made. Mayor Pro-Tem Garaventa asked if that would jeopardize the Joint Powers Agreement. Goldstein responded that the JPA terms would need to be evaluated. Administrator Miller said that an option for tonight would be to get legal counsel's opinion by the May 1, 2017, Meeting, and put it back on the May 1st Agenda for consideration, and list the options at that point.

MOTION by Councilmember Plummer, second by Mayor Pro-Tem Garaventa to continue consideration of the TCEDA Budget request to the Council Meeting of May 1, 2017.

The Mayor asked for public comment. Larry Cope noted that the TCEDA needs to approve its Budget within the deadline, and give public notice, as well as the Tuolumne County Board of Supervisors, and therefore requested the Council to take timely action to allow for the required notification process for these agencies. There was no further public comment. Mayor Williams asked if the continuance allows enough time for the process. Attorney Goldstein said that, in her opinion, she believes there is. Cope said that he was not sure without talking to Carlyn Drivdahl, and would not know until tomorrow morning.

The above MOTION passed three to two by a roll call vote: Ayes: Williams, Garaventa, Plummer; Noes: Hawkins, Segarini.

Urban Greening Grant Application. The Council considered authorizing the filing of an Urban Greening Grant application for the Stockton Road Active Transportation and Complete Street Project (Project) in conjunction with the Tuolumne County Transportation Council to improve Stockton Road. Administrator Miller reported that the request had come from the Tuolumne County Transportation Council (TCTC) to ask the City if it was interested in filing said Grant application in conjunction with the TCTC. Miller noted that if the Council approves, TCTC has asked if the City would like TCTC to prepare and submit the Grant application, and Miller said that City Staff accepts that offer for TCTC's preparation. TCTC also asked if the City would want to be lead agency and manage the Project, and Miller said it could be worked out later upon receipt of the Grant.

Noting that the Grant application deadline is May 1, 2017, Darin Grossi, Executive Director of the TCTC, reviewed the Project reporting its consistency with the Vision Sonora Project. For Project qualification, the Project must provide for reduction of greenhouse gas emissions. Specifically, either sequester and store carbon by planting trees, reduce building energy use by strategically planting trees to shade buildings, or reduce commute vehicle miles traveled by constructing bicycle paths, bicycle lanes or pedestrian facilities that provide safe routes for travel between residences, workplaces, commercial center, and schools. Grossi noted that a maximum of \$4.3 Million can be requested.

The Mayor asked for public comment. Elena Linehan appeared in opposition to filing for the Grant. A copy of Linehan's comments are attached hereto as Exhibit "A" for reference. Jim Davis, owner of Stan & Jim's Body Shop, appeared in opposition stating that the Project as planned will negatively impact his business. Davis commented that "Putting bulb outs, planting trees up and down there to curtail the greenhouse gases is like

me going down to Melones and throwing a bucket of water in there and saying the drought is over. This is, as far as he is concerned BS, it's a ploy to get Vision Sonora funded for the \$4 Million to get this Project done." He said that traffic on Stockton Road was greatly reduced when the Bypass was put in, and he does not support covering the beauty of Sonora Creek. He commended Interim City Engineer Fuccillo for his prior recommendations on the Concept Plan for Stockton Road within the Vision Sonora Project, and urged the Council to trust Fuccillo's recommendations for Stockton Street improvements. There were no further public comments.

Mayor Pro-Tem Garaventa said that as a public safety priority he would like to see crosswalks included in the Plan from Forest Road westerly all the way to the end of the Project, and the priority for monies to be spent on needed facilities that do not exist now, and also spent to bring existing facilities up to Code. Councilmember Segarini said that he is in favor of submitting the Grant application. Councilmember Plummer asked for clarification on the Conceptional Plan as to bulb outs. Grossi responded that he does not see any typical bulb outs, but there are areas where the road is narrowed where the extra space is what may be referred to as bulb outs. Councilmember Hawkins asked for clarification that the existing parking spaces by the Body Shop will remain. Grossi said that it looks like they will. Hawkins said that he likes the Plan, and definitely sees both sides. He appreciates the business concerns, and he feels that the sidewalks will be very beneficial. Mayor Williams noted that the only way Vision Sonora is going to be implemented is project by project based on available grant monies, and there will be more public input about the final outcome and design. Williams said she is in favor of authorizing the TCTC to apply for the Grant on behalf of the City, and noted that there is no award guarantee. If the monies are awarded, the Concept can be looked at with further decisions on what to include, and there will be more public input.

MOTION by Councilmember Segarini, second by Councilmember Hawkins to authorize the filing of an Urban Greening Grant application in conjunction with the TCTC for the Stockton Road Active Transportation and Complete Street Project. MOTION passed four to one by the following vote: Ayes: Williams, Garaventa, Hawkins, Segarini; No: Plummer; Absent: None.

RECESS AND RECONVENE

The Council recessed at 7:40 p.m. and reconvened back into its Regular Session at 7:50 p.m.

NEW BUSINESS CONT.

Resolution No. 04-17-2017-B, Dedication of Road Right-of-Way. The Council considered adoption of Resolution No. 04-17-2017-B which accepts an Irrevocable and Perpetual Offer to Dedicate an Easement by Sonora Community Hospital [Sonora Regional Medical Center, (SRMC)] for public road and utility purposes necessary for the widening of Greenley Road. Recommending approval, Interim City Engineer Fuccillo presented the matter noting that the dedication is approximately 8531 square feet, and has been partially improved with sidewalk and street widening as part of the SRMC Pavilion Project. The dedication is consistent with the conditions of approval for the SRMC Pavilion Project as well as the Plans for the Greenley-Mono Intersection Project - Phase 2.

There was no public comment. **MOTION by Mayor Pro-Tem Garaventa, second by Councilmember Segarini, and unanimously carried that said Resolution be approved and adopted, and that the City Clerk be authorized and directed to record the Offer to Dedicate and acceptance with the Tuolumne County Recorder.**

Budget Transfer Policy. The Council considered adoption of a Budget Transfer Policy. Recommending approval and noting Finance Committee approval, Administrative Services Director Callaway presented background information and noted that the Policy establishes a set of standard procedures regarding budget adjustments and transfers, including, when such an adjustment or transfer may be required, what level of approval is required, and procedures for processing adjustments. The purpose of the Policy is to clean up and formalize the process and authorizes the City Administrator to approve transfers between accounts within the same fund that do not affect budgeted year-end fund balances, and requires that the City Council will retain authority and sole responsibility for adopting the City's budget, and that only the Council may supplement appropriations from fund balances or working capital.

There was no public comment. **MOTION by Councilmember Hawkins, second by Mayor Pro-Tem Garaventa, and unanimously carried that said Budget Transfer Policy be approved as presented.** A copy of the Policy is available in the Office of the City Administrator for review.

Marijuana Working Group. The Council considered the formation of a Working Group to review and recommend measures for local implementation of the Adult Use of Marijuana Act and the Medical Marijuana Regulation and Safety Act. Administrator Miller noted that upon Council's direction at its last Meeting,

Staff has met and is recommending that the Group consist of five members with the following makeup:

- Two Councilmembers
- One Public Member
- One Industry Member
- One Public Safety Member (Police or Fire)

Miller reported that the Council Handbook of Rules and Procedures prescribes the process for establishment of, and appointment to, Commissions, Community/Government Committees and Committees but is silent on the establishment of a Working Group. He noted that if the Council concurs with the recommended formation, then it will be necessary to decide how to select the public and industry members, decide if the public safety member should be a police or a fire representative, and also the Mayor needs to appoint the two Councilmember representatives.

It was Council consensus to accept the Working Group formation as recommended by Staff, and to approve the public application process to receive applications for the public and industry members, and the Mayor appointed Councilmember Hawkins and herself to represent the Council.

MONTHLY REPORTS

1. Community Development Department
2. Fire Department
3. Police Department
4. Public Works Department

No public comment.

VISION SONORA REPORT

None - No public comment. The next Meeting will be on Thursday, May 11, 2017, at 9:00 a.m. in the Council Chambers.

COMMUNICATIONS

None - No public comment.

COUNCILMEMBER/DEPARTMENT HEAD REPORTS

Interim Police Chief Harden reminded Council and the public that he will host *Coffee with a Cop* on April 18, 2017, from 9 to 10 a.m. at the Union Hill Coffee Shop on North Washington Street. The event will provide an opportunity to listen to the community and for the exchange of ideas. **Community Development Director Kellogg** said she is looking forward to a successful Annual Spring Festival which will be held downtown on Saturday, April 29, 2017, from 11 a.m. to 4 p.m., with live music, art and craft vendors, bug/petting zoo, bouncy house, face painting, merchants' specials and more. **Fire Chief New** said that testing

will be held Saturday for volunteer and intern fire fighters, that the Fire Department will once again be cooking tri-tip sandwiches at the Spring Festival in the Fire Museum parking lot, and the Fire Department is the recipient of a battery operated combination extrication tool which will be showcased at the Spring Festival. **Interim Engineer Fuccillo** noted that the next Council Meeting in May will be his 38th year anniversary with the City. **Councilmember Hawkins** thanked Mayor Williams for appointing him to sit on the Working Group established for recommendations on the implementation of the Adult Use of Marijuana Act. **Mayor Williams** commended the Union Democrat on its recent article on the Coffill Park safety and beautification project, and she asked that Councilmember appointments for expired terms on the Tuolumne County Transportation Commission and the Parking and Traffic Commission be advertised placed on the Agenda for consideration.

ADJOURN

There being no further business to come before the Council at this time, the Regular Session Meeting was adjourned at 8:15 p.m. to the next Regular Council Meeting on Monday, May 1, 2017, at 5:00 p.m. in the Council Chambers at City Hall.

Marijane Cassinetto, City Clerk Date