

**CITY COUNCIL
CITY OF SONORA
JULY 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 5:00 p.m. The following members were present: Mayor Connie Williams, Mayor Pro-Tem Jim Garaventa, Councilmembers Matt Hawkins, Mark Plummer (present at 5:05 p.m.), George Segarini; City Administrator Tim Miller, City Clerk Marijane Cassinetto, Administrative Services Director Jennifer Callaway, City Attorney Nubia Goldstein, Community Development Director Rachelle Kellogg, Fire Chief Aimee New, Interim City Engineer Gerard Fuccillo, Acting Police Chief Turu VanderWiel. Absent: None.

CITY CLERK'S REPORT ON POSTING OF AGENDA

City Clerk Cassinetto advised Council that at Noon on the 14th day of July, 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

New Business Item #5 was moved to G.1 - Public Hearings.

PRESENTATIONS

Mayor Williams thanked and presented Awards of Excellence for caring to improve the appearance of Historic Downtown Sonora to the following:

1. Gary and Bette Dambacher for 99 North Washington Street;
2. Zachary Calbert for 46 South Washington Street, UTLTRN Design;
3. Marianne Wright for 104 South Washington Street, Tar Flat Antiques; and
4. Kenneth and Kristen Hedges, 106 South Washington Street, Little Roots Toy Shop.

PUBLIC COMMENT (Non-Agenda)

Laurie Lehmann commented that July 29, 2017, is National Dance Day, and that the Sonora Historic Chamber and the Arts Alliance are sponsoring A Day of Dance at Coffill Park from Noon to 4 p.m. All ages are welcomed to attend and participate; dances will be performed as well as lessons given.

CONSENT CALENDAR

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

- 1. Approval of the Council Minutes for the Closed and Regular Session Meetings of June 19, 2017;**
- 2. Approval to pay invoices for previously budgeted expenses on July 18, 2017, in the amount of \$112,522.13; and**
- 3. Approval of disbursements in the amount of \$179,796.59 on June 23, 2017, and \$133,769.18 on July 7, 2017, for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, and miscellaneous voluntary employee deductions. There was no public comment, and the Motion passed unanimously.**

PUBLIC HEARINGS

Ordinance No. 840 Relating to Electric Charging Stations.

This was the time and place set for a Public Hearing to consider the introduction by title and waiving of the first reading of Ordinance No. 840 which establishes an expedited permitting process for electric vehicle charging stations and implements a checklist of requirements. Mayor Williams opened the Public Hearing at 5:17 p.m. Recommending approval, Community Development Director Kellogg reported that the expedited process is a State mandated requirement pursuant to AB 1236 approved by the Governor on October 8, 2015, and needs to be in place prior to September 30, 2017. Kellogg noted that the purpose is to promote and encourage the use of electric vehicles, and she reviewed Ordinance provisions.

A member of the public asked if there will be a charge for use of the charging stations. Kellogg replied that the Ordinance only establishes and streamlines the permitting process. There was no further public comment, and the Public Hearing was closed at 5:21 p.m. Councilmember Segarini said that he knows of two charging stations that do not charge.

MOTION by Mayor Pro-Tem Garaventa, second by Councilmember Segarini, and unanimously carried that Ordinance No. 840 be introduced by title with the first reading waived.

UNFINISHED BUSINESS

None

NEW BUSINESS

Street Closures for Magic of the Night Event. The Council considered approving closure of the following Streets from 5:00 p.m. to 9:30 p.m. on Friday, August 4, 2017, for the annual Magic of the Night Event:

1. Yaney Avenue between Washington Street and Green Street; and
2. Green Street between Church Street and the Coffill Parking Lot driveway (located next to the Bank of America Parking Lot on Green Street).

Recommending approval, Special Programs Coordinator Sheala Wilkinson reviewed the closures noting approval by the Police, Fire and Public Works Departments. The popular summer Event includes music, entertainment, antique cars and merchants' specials. There was no public comment.

MOTION by Councilmember Segarini, second by Councilmember Plummer, and unanimously carried that approval be given for said Street closures as requested.

Direction Relating to Previous Ordinance No. 820, Camping Restrictions. The Council considered direction for Staff review, and placement on a future Agenda of previous Ordinance No. 820, an Urgency Ordinance establishing camping restrictions in the City. Administrator Miller stated that the matter before the Council is to give consensus as to whether Staff should review and prepare an Ordinance to come back to the Council; the City Attorney would review the Ordinance from a legal standpoint, and Staff would make any changes necessary to update as to content. Miller also noted that Ordinance No. 820 was enacted with a sunset date of December 31, 2014, and although reintroduced at the December 15, 2014, Council Meeting, it failed to be adopted at the subsequent January 20, 2015, Meeting. The matter is before the Council now due to a suggestion from a recent Merchants/Town Hall Meeting to reinstitute the Ordinance. Mayor Williams asked for public comment.

The following persons spoke: Mr. Mitchell, Hazel Mitchell, Don Sullivan, Julie Harris Laurie Daily, Peggy Kingman, Jeanette Lambert, Marianne Wright, Arthur Schmidt, Dawn Warfield, Tiffany Phillips, Robin Walters, Joe Silva and six other members of the public. Comments included: The homeless pose problems to public safety including violence and fire; that a basic needs campground be established, or other type facility, with rules to be followed, and if not followed, they be banned from use; that a court system be established to expunge records; the homeless problem is difficult to solve, that without a place for them to go, there will always be a problem; that a community Task Force be established to solve the problem; and that the mental health issues are a major part of the problem with a great need to meet the need for mental health care.

Other comments: A Task Force would need to be dedicated and really make things happen; what was the outcome of the prior Task Force; denying a place to be for those who are not on drugs and are not criminals would be criminal; because of destructive behavior, a business man shared that he has suffered over \$38,000 in damages at his gas station; that the homeless are not easy to help anymore, that over five generations her family have helped the homeless, and their destructive behaviors have increased, and in the past year four fires have been started on her family property; that the biggest problem is with those who don't care, just want a handout, they shoplift, commit crimes and cause problems for businesses; that too much is done without expecting anything in return; there is difficulty finding jobs in the community; not all the homeless shoplift and have destructive behaviors; housing is not affordable; programs can work; how can people help and collaborate with government; many children do not have enough food; to categorize issues and make a solution; and some people volunteered to sit on a Task Force.

Mayor Williams commented on the prior Task Force. She reported that she had gone out to the property on Truckenmiller Road that residents spoke about relating to public safety issues at the last Council Meeting including extreme fire danger, and that their properties are losing value and not saleable. Williams expressed concern about safety issues and wanted to know what the City can do legally, she was interested in how many illegal camping arrests were made during the time the Ordinance was in effect, what is in place for private property owners and absentee owners, and wanted Task Force consideration placed on the next Agenda. She thanked the public for their comments. Councilmember Segarini asked the Acting Police Chief if he had noticed any decline in homeless issues when the Ordinance was in effect. Chief VanderWiel responded that he could not say he has seen much difference; he is in support of an Ordinance and said that he is happy to respond to any problems. Segarini noted that when he was with the Tuolumne County Chamber of Commerce, they were involved with a County Task Force which met monthly for two years to help with affordable housing; they did come up with a recommendation, and it was adopted by the Board of Supervisors. He respects the issues the business community has and would like to see Staff bring back an Ordinance with legal review.

Councilmember Hawkins said that transients and the homeless are two different issues; when the Ordinance was in effect he did see shoplifting go down at Wal Mart, but he heard that it rose in other businesses; he talked about how easy it is to become homeless; that he could see some acreage set aside and monitored

by security where rights could be respected and with no alcohol or drugs allowed. He would like to see an Ordinance with a sunset clause and has an open ear, and is looking forward to some solutions. Mayor Pro-Tem Garaventa said that he was not in favor of a camping restriction Ordinance; he sees it only as a band aid and said that there is a need to look at those individuals that are the problem and go after them and not paint the homeless with a broad brush; he felt the Task Force should come out of the City, not the County because it is affecting downtown, and wants to see what would come out of a Task Force looking for a comprehensive solution. He commented on the problems with absentee property owners and the need for them to be taking care of their properties and provision to cause them to be accountable. Councilmember Plummer said that we need to look at what we want to do and why we are doing it. He supported citizen safety and wanted to specifically deal with the fire issues, and does not want to see people having to deal with frightening and scary places on adjacent property due to the fire hazards; his concern is how to protect people from fire, and to deal with the public safety issues.

RECESS AND RECONVENE

The Council recessed at 7:00 p.m. and reconvened at 7:08 p.m.

New Business Item 2 Continued

Administrator Miller noted that there were three Councilmembers with their comments that indicated an interest to have Staff do legal review and the work necessary to bring the Ordinance back to the Council, and that it could be brought back for consideration at the August 7, 2017, Council Meeting. Mayor Williams reiterated that she would like to have a Task Force established at the next Council Meeting.

Replacement of Marijuana Working Group Member. The Council considered appointing a public member to replace Harry Ohls on the Marijuana Working Group. It was Council consensus to ask if former applicant Dale Baxter would like to serve, and if not, then solicitation for applications will be advertised. Administrator Miller said that he will contact Mr. Baxter to see if he would like to serve, and if so, he will be invited to the next Meeting. If not wanting to serve, solicitation for applicants will be advertised.

Rule 20A PG&E Underground Credits Possible Sale. The Council considered authorizing the City Administrator to negotiate sale of the City's Rule 20A PG&E credits. Administrative Services Assistant Callaway provided background

information reporting that the City currently has \$1,226,284 in credits and annually accrues \$29,992 worth of credits, and that under the 20A Rule, cities and counties are able to trade or sell unallocated credits, and are sold for less than full dollar value. She gave examples from two other cities which ranged from \$0.46 to \$0.55 on the dollar. Using the estimated cost of \$1,000 per linear foot (revised from the initial estimate of \$2,800 in the Staff Report) to install underground lines, Callaway noted that a 1,200 lineal foot project could be done. Callaway reported that proceeds would generate one-time funds which could not be used for on-going expenditures, and gave five possible suggested options. She noted that the Finance Committee has recommended sale of the credits.

Administrator Miller commented that the Council would need to decide if there is a value to hold those funds and make them available for a project. He noted that the time it would take to establish a district, PG&E's timeline to work on a design, and to get a project implemented could take three to five years. The Council would need to weigh a project against what the City could get from negotiations with PG&E. The matter before the Council tonight seeks policy direction for Staff.

Interim City Engineer Fuccillo distributed his written e-mail report to the Council, and he stated that he does not agree with selling the credits. Fuccillo's report is attached hereto as Exhibit "A" and made a part hereof for reference. He proposed that undergrounding extending from the ending point of the South Washington Street undergrounding project done in 1988 from Restano Way either to the Sierra Railroad tracks or to Highway 108 would be a viable project for use of the credits, and would be complimentary to the Vision Sonora Plan. Fuccillo also noted that in reviewing the 2016 CPUC Program Review, he believes the City may lose future credit allocations if it sells current credits. Administrator Miller disagreed, and he reiterated that the matter tonight seeks policy direction. There was consensus out of Council discussion to see if there is any interest to purchase, to find out how much would be offered, and to bring back that information for a decision. Mayor Williams requested that Staff find out if future credits would be forfeited.

There was no public comment. **MOTION by Councilmember Plummer, second by Councilmember Segarini, and unanimously carried that the City Administrator be authorized to negotiate the sale of the City's Rule 20A PG&E credits.**

Expenditure Adjustment to Repair Firetruck. The Council considered authorizing the use of and approving an expenditure adjustment in the amount of \$18,902.81 from City Code 5 Fire

Fund (Fund 399) for repairs to Truck 757. Recommending approval, Fire Chief New explained damage to Truck 757 when its electrical system shorted out causing the emergency back-up pump motor for the hydraulic system to energize and continually run, burn up, and thus requiring the replacement of the ladder swivel. The swivel allows for ladder rotation as well as the electrical, hydraulic and water connections/systems. The allocation is requested as this repair was not allocated in the City Budget. Requested repair quotes were sent out to two ladder repair companies, and only one quote from High Tech Repair in the amount of \$18,902.81 was received. There was no public comment.

MOTION by Councilmember Plummer, second by Councilmember Segarini, and unanimously carried that the Council authorizes an Appropriation of Fund Balance and an Expenditure Budget Adjustment of \$18,902.81 from City Code 5 Fire Fund (Fund 399) for repairs to Truck 757.

MONTHLY REPORTS

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

No public comment.

VISION SONORA COMMITTEE REPORT

Mayor Williams read her Vision Sonora Committee Report which is attached hereto as Exhibit "B", and reported that the next Meeting will be on Thursday, August 10, 2017, at 9:00 a.m. in the Council Chambers at City Hall. There was no public comment.

COMMUNICATIONS

None - No public comment.

COUNCILMEMBER/DEPARTMENT HEAD REPORTS

Fire Chief New reported that the strike team sent to the Wall Fire returned on July 8, 2017, and that sources have been sent out to the Detwiller Fire near Mariposa; that the Fire Department will have a food booth at *Magic of the Night*, and that the Department's hand pumper will take place competing in the Fire Muster State Championships in Angels Camp on August 5, 2017. **Acting Police Chief VanderWiel** reported that *Coffee With a Cop* will be held on July 27, 2017, from 8 a.m. to 10 a.m. at Sonora Joes, and he invited the public, Council and Staff to attend the Police Department's *Annual National Night Out* on August 1, 2017, from 6 p.m. to 8 p.m. in Coffill Park. **Administrative Services Director Callaway** reported that open

recruitment is being held for Public Works Assistant and Equipment Mechanic and closes July 29th; that the Finance Committee for the Fiscal Liability Plan was kicked off and will be meeting every two weeks, and recommendations will be coming to the Council; and that Sonora has been ranked #5 of the top charming cities in the U.S. **Interim Engineer Fuccillo** reported that the Construction Contract has been signed for the Greenley Road/Mono Way Intersection Phase II Project with the start of construction at the end of this month and completion slated for October 2017. **Councilmember Segarini** reported that the Central Sierra Economic Development District has hired Mother Lode Job Training as its replacement entity to operate the District which was effective July 1, 2017. **Councilmember Hawkins** thanked Mayor Pro-Tem Garaventa for filling in for him at the Marijuana Working Group Meeting. **Mayor Williams** noted that paperwork has been submitted in regard to Jim Grinell's request to remove signage at the Restano/Mono Way intersection indicating "No Right Turn on Red"; that she and Fire Chief New looked at the property on Truckenmiller Road for which extreme fire danger was reported by surrounding property owners who requested that something be done for public safety, that she and Staff have talked to some of the property owners, and it is in the hands of Staff to see what can be done. She also noted that she is sitting on the Sonora Union High School District Advisory Committee as a representative of the City.

ADJOURN

There being no further business to come before the Council at this time, the Regular Session Meeting was adjourned at 8:00 p.m. to the next Regular Session Meeting on Monday, August 7, 2017, at 5:00 p.m. in the Council Chambers at City Hall.

Marijane Cassinetto, City Clerk Date