

**CITY COUNCIL
CITY OF SONORA
AUGUST 15, 2016**

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 and George Segarini; City Administrator Tim Miller, City Clerk Marijane Cassinetto, Administrative Services Director Jennifer Callaway, Fire Chief Aimee New, Police Chief Mark Stinson, Community Development Director Rachelle Kellogg. Absent: City Attorney Byron Smith and Interim Engineer Gerard Fuccillo.

CITY CLERK'S REPORT ON POSTING OF AGENDA

City Clerk Cassinetto advised Council that at 11:00 a.m. on the 12th day of August, 2016, 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

Fire Chief New introduced and swore in new Intern Fire Fighters Tanner Hagstrom, Trevor Mayo-Corallo, Alec Espio and Caleb DeCoster. Their badges were pinned, and they were welcomed by the Council.

PUBLIC FORUM (Non-Agenda)

A Member of the Public suggested that the new slogan for Sonora be "Sonora - Little Big Town - Queen of the Southern Mines". Another member of the public encouraged more people to attend Council Meetings, she complimented Staff and the Police Officers on a great *Magic of the Night* event, she stated that Baldwin Construction did a great job on the outside of the building at the intersection of Washington and Bradford Streets, that George Reed, Inc. is doing a neat and tidy job as a sub-contractor on the Wal*Mart expansion, and that it looks like some of the trees will remain in place on that site.

CONSENT CALENDAR

MOTION by Mayor Pro-Tem Garaventa, and second by Councilmember Segarini, that the Consent Calendar be approved as follows:

1. Approval of Minutes for the Closed and Regular Council Meetings of August 1, 2016;
2. Approval to pay invoices for previously budgeted expenses on August 16, 2016, in the amount of \$238,118.15; and

3. Approval of disbursements in the amount of \$152,165.78, on August 5, 2016, 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 above **MOTION passed unanimously.**

PUBLIC HEARINGS

This was the time and place set for a Public Hearing to consider adoption of Resolution No. 08-15-2016-A which approves a 2.67% increase in refuse collection rates pursuant to the solid waste disposal Franchise Agreement with Waste Management. In addition, Waste Management has requested approval to add a charge of \$30.00 for residential customers and \$95.00 for commercial customers when a customer, after receiving notice, contaminates the contents of a recycling cart or bin; and a charge of \$8.00 for residential customers and \$150.00 for commercial customers when a customer, after receiving notice, fills the recycling cart or bin beyond its capacity.

Administrator Miller reviewed the requested 2.67% increase pursuant to the Consumer Price Index as provided for in the Franchise Agreement. Miller stated that for a typical residential subscriber with one 35 gallon cart, the current rate will increase by \$0.64, from \$23.94 per month to \$24.58 per month.

Mayor Williams opened the Public Hearing at 5:20 p.m. A member of the public said that the contract provides for a CPI adjustment no matter what kind of service we get, and said that "we get pretty crummy service". She said that recycle bins are almost always overflowing because they are only picked up every two weeks, and regular cans are overflowing periodically, although some people only have a small amount of garbage; and is service equitable for everyone? She also asked if there was going to be a free dump day this year. Administrator Miller responded that there will be a free dump day this Fall.

The Public Hearing was closed at 5:23 p.m. Julie Cabral, Waste Management District Manager, answered Council's questions regarding the new proposal to charge for contamination of recycling carts and for over capacity of garbage bins and recycle carts. There was Council discussion on a number of concerns regarding the new proposed charges. Waste Management will provide more information on its proposal to charge for contamination and over filling.

MOTION by Councilmember Segarini, second by Councilmember Plummer, and unanimously carried that Resolution No. 08-15-2016-

A be adopted solely approving the 2.67% CPI increase as provided for in the Franchise Agreement.

UNFINISHED BUSINESS

None

NEW BUSINESS

Presentation by District Attorney. Laura Krieg, Tuolumne County District Attorney, gave a power point presentation regarding Proposition 57 - *The Public Safety and Rehabilitation Act of 2016*, and requested Council to approve a letter to be sent to Senator Berryhill and Assembly Member Bigelow in opposition to the Proposition. Krieg stated that it will appear as an initiative on the November 2016 ballot, and is being pushed by Governor Brown in his attempt to reduce the prison population, and is being represented as policy that will release only non-violent criminals, but it would do quite the opposite. Krieg warned that Proposition 57 is extremely deceptive and would result in a complete threat to public safety Statewide and locally. Reviewing policy changes beginning in October of 2011, Krieg presented statistics on releases, increased crimes, trends and projections on institution population, reviewed the definitions of violent and non-violent crime under the initiative, and examples of how the credit process works under the parameters of the California Department of Corrections. Krieg said that it is a poorly drafted initiative that leaves a lot of questions and undermines and creates a complete upheaval of prior laws that the voters have passed for truth in sentencing. Krieg also noted that the courts have already met the three judge panel requirement in reducing the prison population, and the prison population has been drastically reduced, and any further releases will severely impact public safety. The California District Attorneys Association has offered to sit down with the Governor to plan out how the population can be kept at a manageable level without putting the public at great risk. She reported that the Governor has not taken up the Association's offer.

The Council indicated its complete support in opposition to Proposition 57, and discussed to whom the letter should be addressed to be the most effective. They also discussed the importance of public awareness suggesting public outreach through media sources.

Mayor Williams asked for any public comment. A member of the public said that the District Attorney's presentation was excellent, and suggested that because the initiative is already set to be on the ballot, that the letter not be sent to legislators, but to the Union Democrat or the Modesto Bee for public outreach.

Councilmembers continued discussion on who the addressee should be. **MOTION by Councilmember Hawkins, second by Councilmember Plummer that the letter be approved** (addressed to Berryhill and Bigelow), **and that a copy should be sent to the Union Democrat and the California District Attorneys Association.** Mayor Pro-Tem Garaventa suggested that the letter be sent to the California District Attorneys Association with copies to the Governor, Senator Berryhill, Assembly Member Bigelow, the Union Democrat, Clarke Broadcasting and the Modesto Bee. **Councilmember Hawkins amended his MOTION to approve the letter to be sent to the California District Attorneys Association with copies to the above as suggested by Mayor Pro-Tem Garaventa, and Councilmember Plummer amended his second as well.**

A member of the public suggested that the letter be sent to the head of the California Department of Corrections and copies to all media outlets for more public awareness.

Councilmember Hawkins amended his above amended Motion to include a copy to the head of the California Department of Corrections and Rehabilitation, and Councilmember Plummer amended his second as well, and said Motion as amended passed unanimously.

Presentation by Tuolumne Utilities District (TUD) and Request for Letter of Support. Lisa Westbrook, Customer/Public Relations Coordinator for TUD, gave a presentation on TUD's application to the Sierra Nevada Conservancy (CNC) for grant funds to address fuel reduction along the Tuolumne Main Canal, and requested that the Council approve a letter of support to the CNC. A draft letter has been prepared by TUD. Westbrook passed out a new map of the Project. Westbrook reported that wild fire is the biggest threat to the Tuolumne Main Canal which supplies water to 90% of the residents in Tuolumne County. The application requests \$500,000 in funds for a fuel break. Mayor Williams asked that the letter include language stating that it is a very important project for the residents of the City of Sonora.

There was no public comment. **MOTION by Mayor Pro-Tem Garaventa, second by Councilmember Hawkins, and unanimously carried that said letter of support be sent to the Sierra Nevada Conservancy with the above addition requested by Mayor Williams.**

Engineering Services Agreement for Greenley Road/Mono Way Intersection Project - Phase 2. The Council considered authorizing the City Administrator to execute an engineering services agreement with O'Dell Engineering for Phase 2 of the Greenley Road/Mono Way Intersection Project for the amount of \$91,839. Recommending approval, Administrator Miller reviewed

the Request for Proposal process which resulted in the choice of O'Dell Engineering. He noted that Interim City Engineer Fuccillo will be overseeing the plans, specifications and bid document preparation and providing management and inspection services during construction.

The Mayor asked for public comment. A member of the public asked how the project would be funded. Administrator Miller responded that the funding will come from Traffic Mitigation Fees. Glenn Caldwell, President of the Tuolumne County Business Council, asked about the timeline. Administrator Miller responded that the plans and specifications would be completed by the end of this year with a project bid date at the beginning of 2017, commencement of construction in late winter/early spring, and an early summer completion.

MOTION by Councilmember Segarini, second by Mayor Pro-Tem Garaventa, and unanimously carried that the City Administrator be authorized to execute an engineering services agreement with O'Dell Engineering for the amount of \$91,839 in accordance with the Request for Proposal, Consultant's Proposal as revised, and the City's Agreement for Services.

Assembly Bill 1217 Regarding Orange County Fire Authority.

Administrator Miller reported that the League of California Cities Central Valley Regional Public Affairs Manager has requested that the City send a letter to the author of AB 1217, Assemblyman Tom Daly, taking a position in opposition to the Bill which would preclude alternate members from being appointed to the Orange County Fire Authority. Councilmember Segarini noted that the League feels that letting the State get its foot in the door with Joint Powers Authorities would give the State a step up on moving into other jurisdictions, and possibly setting a precedent.

The Mayor asked for public comment. A member of the public commented, "Well, I think this is a crock of male bovine excrement; I am absolutely opposed to this", also commented that it is not within the City's jurisdiction, the Bill specifically identifies the Orange County Fire Authority to most likely deal with the large number of members, and commented on its history with several amendments. She said that the Assembly has already passed the Bill, and does not think the City should spend time writing the letter, but if a letter is sent, it should go to Senator Berryhill because the Senate has not yet passed it.

Mayor Pro-Tem Garaventa said that he researched the Bill and its number of amendments before passed by the Assembly. He is not sure it is the City's duty to do anything, and it seems like it is a localized issue to deal with the large membership, and the Assembly considered it as a special law; he thinks the City is

best left out of it. Mayor Williams commented that it is a State Bill which could attempt to undermine existing law in the future, and the League has asked the City to oppose it. Mayor Williams stated her desire to send the letter to Senator Berryhill with a copy to Tom Daly.

MOTION by Councilmember Segarini, second by Mayor Williams to send a letter in opposition to AB 1217 to Senator Berryhill with a copy to Assemblyman Daly. There was no further public comment. The Motion failed by the following vote: Ayes: Williams, Segarini; Noes: Garaventa, Hawkins, Plummer.

California League of Cities Annual Conference. The Council considered designating a voting Delegate and Alternate(s) to the League of California Cities Annual Conference on October 5th through 7th, 2016, in Long Beach. Mayor Williams asked if anyone on the Council was interested in attending. None stated that they were interested. Mayor Williams said that if there was no interest, she would be willing to go, and she will review the Conference Agenda to see if there would be value in sending her. There was no public comment. The matter will be placed on the September 6, 2016, Council Meeting Agenda for further consideration.

Discussion Regarding Council and Mayor Photographs. Mayor Williams noted that the Council pictures in the upstairs hallway needed to be updated, and that the pictures of all the Mayors who have served which are in back of the Council Chambers need to be updated as well. Williams suggested that professional photos be done of the Council, and asked for Council discussion. It was discussed that the individual Council pictures and the historical Mayor pictures should both be updated, but that money should not be spent on professional photos, and that cell phone pictures could suffice. A member of the public said that Councilmember Plummer's picture is not on the website, and she would like to see his photo and the e-mail addresses updated on the website, and that she does not care who takes the pictures but does not want to pay for them.

Mayor Williams concluded that a location to take the individual Council photos will be found, and then someone to take them will be found (without charge), and the Mayor's photos will get updated.

MONTHLY REPORTS - July 2016

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

COMMUNICATIONS

None

COUNCIL MEMBER/DEPARTMENT HEAD REPORTS

Administrative Services Director Callaway reported that the City's gas tax audit received a good report, and that it is audit season, and the audit report will be out in November. She noted that the new computers are ready to be installed in the Administrative Office, and that the City has both physical and virtual backups for all of its information. **Community Development Director Kellogg** reported that the *Magic of the Night* event was great and thanked Sheala Wilkinson for her hard work, and that the first State inspection of the Farmers Market was done with no findings and passed with flying colors, and she thanked Market Manager Aaron O'Hare. She reported that the Stewart Street Project with CDBG funding is ready to move forward, and that Councilmembers need to supply any changes in information to Sheala Wilkinson so that the website can be updated. **Administrator Miller** reported that he and Bill Seldon have begun the City's survey on hazard trees and tree mortality, and he reported on funding sources for the City and possible funding sources for private property owners for tree removal. **Councilmember Hawkins** apologized for not being at the last Council Meeting, that he was terribly sick. He reported that he did a ride along with Police Officers and was very impressed by the professionalism in the Department and encouraged all the Council to do ride alongs. **Mayor Pro-Tem Garaventa** reported that he attended *National Night Out* at the Opera Hall, *Magic of the Night*, the Yes Partnership Meeting which had no quorum so no business was conducted, the Mother Lode Fair Finance Committee Meeting, and 2nd Saturday Art Night. **Councilmember Segarini** attended *National Night Out*, the Tuolumne County Transportation Council Meeting, the ATCAA Board Meeting, the Governmental Affairs Council Meeting at the Chamber, *Magic of the Night*, and reported that the next Town Hall/Merchant's Meeting will be held on August 24th in the Council Chambers at 8 a.m. **Mayor Williams** complimented the Police Department and the Explorers for a great job at *National Night Out* which was a great event and had a large attendance; she attended *Magic of the Night* and complimented Sheala Wilkinson for a great job and attended the *After 8 Event* which was an outdoor showing of the movie *Back to the Future 3*. She attended the TCTC Meeting and complimented Bill Canning and Supervisor Gray for their diligence in finding a way to decrease funding for the Transit Center by \$360,000, and she reported that the next Vision Sonora Committee Meeting will be held on August 25th in the Council Chambers at 9 a.m. **Mayor Pro-Tem Garaventa** noted that there is sand kicking up at the project on Stewart Street at Theall, Williams and Lytton Streets, and asked what the project is. **Administrator Miller** responded that it is TUD pavement patching work, and he will have Bill Seldon contact TUD about the sand.

ADJOURN

There being no further business to come before the Council at this time, the Meeting was adjourned at 7:13 p.m. to the next Regular Council Meeting on Tuesday, September 6, 2016, (September 5, 2016 is Labor Day) at 5:00 p.m. in the Council Chambers at City Hall.

Marijane Cassinetto, City Clerk Date