

**CITY COUNCIL  
CITY OF SONORA  
OCTOBER 2, 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, George Segarini; City Administrator Tim Miller, City Clerk Marijane Cassinetto, Administrative Services Director Jennifer Callaway, City Attorney Douglas White, Fire Chief Aimee New, Acting Police Chief Turu VanderWiel, and Community Development Director Rachelle Kellogg. Absent: Interim City Engineer Gerard Fuccillo.

**CITY CLERK'S REPORT ON POSTING OF AGENDA**

City Clerk Cassinetto advised Council that at Noon on the 29th day of October, 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**

**Mayor Williams** presented the following Vision Sonora Awards of Excellence:

1. Andrew Carpenter and Russell Orr for 94 North Green Street (awardees not present)
2. Symons Properties II, LLC, for 644 South Washington Street; award was accepted by a representative from the Sonora Area Foundation
3. William and Carol Polley for 38 North Washington Street; award was accepted by a representative from the Sonora Area Foundation
4. Edward and Pamela Oakes for 320 West Stockton Street; award accepted by their son, Chris Oakes

**PUBLIC COMMENT (Non-Agenda)**

**Laurie Lehmann** thanked Robin from the Antique Attic, Ed from Rustic Roses, and Carol who have been helping to keep downtown cleaner. She also said that she attended the Brew and Que event held last Saturday at the Fairgrounds and said that the organizers did a great job.

**CONSENT CALENDAR**

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

- 1. Approval of the Council Minutes for the Regular Session Meeting of September 18, 2017;**
- 2. Approval to pay invoices for previously budgeted expenses on October 3, 2017, in the amount of \$184,330.63; and**
- 3. Approval of disbursements in the amount of \$132,330.37 on September 29, 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.**

### **UNFINISHED BUSINESS**

**Homeless Task Force.** The Council considered establishing a process to designate Alternates to the Homeless Task Force, and setting the first meeting. Administrator Miller noted that this matter has been placed on the Agenda pursuant to Council's direction at its last Meeting. Miller reviewed that the Council has already agreed to consider Alternates for the Agency Service Provider and the Charitable Organization Provider Members.

Councilmember Hawkins reiterated his request at the last Meeting, that he feels there is a need to have an Alternate for the business representative. Mayor Pro-Tem Garaventa said that he feels Alternates should be appointed for either each of the categories or none. Councilmember Segarini reiterated his feeling that there should not be Alternates for the individual representatives because it provides for possible lack of communication and continuity. Mayor Williams agreed with Segarini's concern, but also noted that with one representative there is a possibility for absence; she additionally stated that she has no problem with having Alternates. Councilmember Plummer said that agrees with Mayor Pro-Tem Garaventa that there should be Alternates for either all or none; he supports having the original seven members.

The Mayor asked for public comment. Kathie Peacock requested that any Alternate chosen to represent the Charitable Organization be a member of the Organization. A member of the public said, "No, no and no" to appointing any Alternates; she feels that the current appointees are either committed or not.

**MOTION by Councilmember Segarini, second by Councilmember Plummer that the Task Force Committee maintain the original Members who applied with no Alternates for any of the Members.**

Mayor Pro-Tem Garaventa said that the matter could always be reconsidered if it does not work out.

The **MOTION passed four to one by the following vote: Ayes: Williams, Garaventa, Plummer, Segarini; No: Hawkins.**

Task Force Council Representatives Garaventa and Hawkins considered setting the first Meeting time and date. After discussion with Council and Staff, it was Council consensus to set Thursday, October 12, 2017, at 6 p.m. for the first Meeting of the Homeless Task Force.

#### **PUBLIC HEARINGS**

None.

#### **NEW BUSINESS**

**Matters Regarding the Annual Christmas Parade.** The Council considered approval of the following actions in regard to the 34<sup>th</sup> Annual Historic Downtown Sonora Christmas Parade which will be held on Friday, November 24, 2017.

1. Approval to hold said Parade on Friday, November 24, 2017, at 6:00 p.m.;
2. Adoption of Resolution No. 10-02-2017-A authorizing closure of State Route 49 (Washington and Stockton Streets), along with other City Streets, and "No Parking" designations to accommodate the Parade;
3. Request the Mayor or Mayor Pro-Tem to represent the City in said Parade;
4. Release the three-hour parking restriction within the downtown corridor including all streets within Zone A from Wednesday, November 22, 2017, through Monday, January 1, 2018; and
5. Accommodate the Trolley stops included within said Resolution.

Recommending approval, Special Events Coordinator Sheala Wilkinson, presented the matters. Mayor Williams said that she would be happy to represent the City in the Parade. There was no public comment.

**MOTION by Mayor Pro-Tem Garaventa, second by Councilmember Hawkins, and unanimously carried that the above actions be approved as presented.**

**Special Event Permit and Related Matters.** The Council considered approval of a Special Event Permit application submitted by Ryan Scheller of Sound Extreme Productions, to hold its 17<sup>th</sup> Annual Halloween Event on a portion of Green Street, in front of the Bourbon Barrel, and the approval to allow the

consumption of alcohol within a tent on said public Street. Recommending conditional approval, Administrator Miller reviewed the application which requests the closure of Green Street between Church Street and the Coffill Parking Lot between 3 p.m. and 3 a.m. on Saturday, October 28, 2017; a tent would be erected with live music between 8 p.m. and 11 p.m., and alcohol would be served in the tent, and entertainment would continue at the Bourbon Barrel which would remain open until 1:30 p.m. The event is expected to draw 300 people. Miller noted that the possession and consumption of alcohol would be limited to the confines of the tent, the activity is an adult only event, and that the tent entrances and exits would be monitored by security.

The Mayor asked for public comment. Gina Bachtelle, Business Manager for the Bourbon Barrel, appeared on behalf of Sound Extreme Productions. She noted that Ryan Scheller was out of town and unable to attend tonight's Meeting. Bachtelle stated that the Bourbon Barrel is working in cooperation with Sound Extreme Productions to help with the success of the event. She reviewed the proposed plans for the event and submitted a revised drawing of the venue which detailed the location of security, and an indicated change in the closure of Green Street from the original application; the request is to change the Green Street closure from Church Street to the Bank of America parking lot which would close the Coffill Parking Lot to the public and provide parking for those working at the event. Bachtelle responded to questions by the Council providing additional information on the plans for the evening noting dancing and music until 11 p.m. in the tent, and stated that the special Alcoholic Beverage Control License will be acquired by Trado, and all requirements will be met.

Mayor Williams and Councilmember Plummer had concern about the noise being allowed so late. Bachtelle said that they would be willing to have last call in the tent by 11:30 p.m., and the tent would be fully closed at Midnight, and attendees will filter inside the Bourbon Barrel where a smaller band will play until its closure at 1:30. Administrator Miller noted that time changes could be made in the Motion if the Council desired.

The Mayor asked for public comment. Laurie Lehmann, City resident, stated that she has an Air B&B, has an issue with the noise going to late, and said that she would be more comfortable with a closure of 10:30 or 11 rather than midnight. A member of the public said it looks like Trado is the applicant even through the Agenda indicates it is from Ryan Scheller. She asked if the event could start at 7 p.m. rather than 8 p.m. She said that the rules should be consistent for every event; she is

not in favor of giving particular group exceptions. Bachtelle confirmed that the applicant is Ryan Scheller of Sound Extreme Productions, and using the Trado venue; Trado is working in cooperation with this event, and wants to support everybody, growth in Sonora, and these events downtown. She recognized that noise is a big hurdle, and they want to work with and make everyone happy. A member of the public asked if this event is the same date as the Trick or Treat Street event. Staff responded that it is not the same date.

Councilmember Hawkins said that he likes to see the reinvestment, and it is obviously important to address the noise issues and make everyone as happy as possible. Mayor Williams had concern that it may set a precedent to allow what others may request like late noise, allowing alcoholic beverages in front of businesses, and to closing public lots. She suggested a curfew on noise should be considered for downtown; she is against closing the public lot, and would like to see the Green Street closure between the Coffill Lot and the Trado property as indicated on the Staff report map.

Interim Police Chief VanderWiel discussed Staff's recommendation as to the Green Street closure and ease for safety vehicles and traffic patterns; he said that he was okay with closure of Green Street as requested tonight between the Bank of America and Coffill Parking Lots.

Mayor Pro-Tem Garaventa stated that he does not feel it sets a precedent as alcohol consumption already takes place during the Mother Lode Roundup Parade, open containers will be restricted to the tent, the City closes parking lots for other events, other bars have outside noise and are open to 2 a.m.; he said stopping tent activity at midnight is a good idea. Councilmember Segarini agreed that it is not setting precedent, it is providing for drinking in a closed space, he supports the midnight closure; said they will do all they can do to keep it all in line; and it is a kind of an experiment. Councilmember Plummer said there is a need to respect residents, and midnight is pushing the envelope, but a good starting point.

**MOTION by Councilmember Plummer, second by Councilmember Segarini, and unanimously carried that temporary closure of Green Street between Church Street and the Bank of America Parking Lot be approved on October 28, 2017, from 3 p.m. Saturday to allow for set up, until 1:30 a.m. Sunday to allow for take down, and allow the possession and consumption of alcoholic beverages between the hours of 8 p.m. to Midnight, with music between 8 and 11 p.m., subject to the following conditions:**

1. Obtain the required ABC License;
2. Provide the required liability insurance;
3. Provide exit and no smoking signs, fire extinguishers and occupancy as required by the Fire Department;
4. Provide State Fire Marshall approved tent;
5. Provide security staffing (minimum 3) at all entrance and exit locations as required by the Police Department and limit entrance location(s) as required by ABC;
6. Place "No Alcohol Beyond This Point" signs at all exits as required by the Police Department; and
7. Place "Road Closed" and/or "Detour" signs as directed by the Public Works Department.

Mayor Williams asked that a policy be set for regulations on noise curfew, closures, stop times, and these type things. Administrator Miller said that Staff can work on something and bring it back to the Council. Miller also agreed that the action taken does not set precedence.

**Award Bid for the Education Center Re-Roof and Exterior Rehab Project.** The Council considered awarding the bid for the Education Center Re-Roof and Exterior Rehab Project. Community Development Director Kellogg reviewed background information and the scope of work included. Kellogg recommended approval noting the importance of going forward with the Project to stop further deterioration. Kellogg stated that two bids were received, and Staff recommends award to low bidder Harris Builders, Inc., for the Base Bid amount of \$152,350 and Additive Alternate #1 in the amount of \$15,180; for a Total Bid of \$167,530. Authorization for the City Administrator to execute the Construction Contract on behalf of the City is also requested. Kellogg additionally recommended award with funding through Deferred Revenue Fund 303-02347 with a current balance of \$178,928, and if Council awards as presented, Staff will formalize the budget adjustments during the mid-year budget review.

There was no public comment. **MOTION by Councilmember Hawkins, second by Mayor Pro-Tem Garaventa, and unanimously carried that the Construction Contract be awarded to Harris Builders, Inc., as presented, that the City Administrator be authorized to execute said Construction Contract and all other related documents on behalf of the City, and that funding be accomplished through Deferred Revenue Fund 303-02347 as recommended.**

**School Resource Officer Services Agreements.** The Council considered authorizing the City Administrator to execute Agreements with Sonora School District, Sonora Union High School, Tuolumne County Superintendent of Schools and Motherlode

Adventist Junior Academy (Schools) for School Resource Officer Services. Recommending approval, Administrative Services Director Callaway presented the matter. Callaway reported that the City has had Agreements with the Schools during Fiscal Year 2016/17, and had continued in the current Fiscal Year, but the City was notified by Central San Joaquin Valley Risk Management Association, of which the City is a Member, that it requires indemnity language in such Agreements. Subsequently, the City ceased providing the services with said Schools, and Interim Police Chief VanderWiel notified the Schools that Agreements with the required indemnity language needed to be executed before Services could resume. The Schools were each sent Agreements with the required liability language with the request for their execution; to date Sonora School District has returned its executed copy, but none of the other three have come back. Staff requests approval for execution for the Sonora School District Agreement, and also for the three others when executed and returned to the City.

The Mayor asked for public comment. A member of the public asked for clarification regarding the indemnity language requirement, commenting that she wondered why the school districts would want to accept 100% of liability when the Police Officer is an employee of the City. There was no further public comment. Administrator Miller said that if the Schools are not willing to provide the liability coverage, the City will not enter into the Agreements.

**MOTION by Councilmember Plummer, second by Councilmember Hawkins, and unanimously carried that the City Administrator be authorized to execute the Services Agreement with Sonora School District as it has been received and presented, and that he also be authorized to execute the three other Services Agreements when they are returned with the required liability language included.**

**Agreement for Sale of PG&E Rule 20A Underground Funds.** The Council considered authorizing the City Administrator to execute an Agreement with the City of Half Moon Bay (HMB) to transfer \$400,000 in PG&E Rule 20A credits in exchange for \$200,000; and adoption of Resolution No. 10-02-2017-B authorizing PG&E to transfer \$400,000 of Rule 20A credits to HMB. Recommending approval, Administrative Services Director Callaway reviewed background information noting that at its September 18, 2017, Meeting, the Council authorized the sale of up to \$500,000 in PG&E Rule 20A credits at \$0.50 for every \$1.00 in value. Pursuant to Staff discussion with the HMB City Engineer, he confirmed that the HMB City Council would like to purchase \$400,000 worth of credits in exchange for \$200,000. Action is

being requested tonight at the request of the HMB City Engineer so that the HMB Council can approve the same at its October 3, 2017, Council Meeting. The Mayor asked for public comment, and there was none.

**MOTION by Councilmember Segarini, second by Councilmember Plummer, and unanimously carried that the City Administrator be authorized to execute an Agreement with the City of Half Moon Bay for the transfer of \$400,000 in immediately available City of Sonora PG&E Rule 20A Credits to the City of Half Moon Bay in exchange for \$200,000 from the City of Half Moon Bay; and approval to adopt Resolution No. 10-02-2018-B authorizing PG&E to transfer \$400,000 of City of Sonora Credits to the City of Half Moon Bay.**

**Resolution No. 10-02-2017-C Relating to Street Marking.**

The Council considered approving Resolution No. 10-02-2017-C which amends the Fiscal Year 2017/18 Operating Budget to include a new capital project to install centerline striping and street markings on various City Streets which will be funded by SB 1 funds. Recommending approval, Administrator Miller reported that SB 1, the Road Repair and Accountability Act, was signed by the Governor on April 28, 2017, which provides additional funding for basic road maintenance, rehabilitation and critical safety needs on both State Highway and local streets and road systems, and current fund estimates provided by the League of California Cities indicate that Sonora will be eligible to receive \$27,702 in FY 2017/18, and approximately \$83,000 in FY 2018/19. Miller stated that if approval is given, funds will be placed in next year's Budget, and the striping and marking project would begin in the Spring of 2018 and be completed by Summer of 2018.

Council and Staff discussed the necessity for a complete overlay on Snell Street, and to not make Snell Street a part of this project. Administrator Miller said that he will look at it when he puts together the scope of work for the project.

The Mayor asked for public comment. A member of the public said the project and receiving the monies is fabulous, that Snell Street needs the complete overlay, and to include Stewart Street in the project instead.

**MOTION by Mayor Pro-Tem Garaventa, second by Councilmember Hawkins, and unanimously carried that Resolution No. 10-02-2017-C be approved and adopted as presented.**

**City Website Presentation.** Community Development Director Kellogg introduced Craig Sederquist and Thomas Jay from Level

One Web Design who gave the presentation of the City's new website. Kellogg asked that Councilmembers submit any comments or recommended changes, and the website will be finalized, prepared for launch, and Level One will begin training Staff who will be responsible for maintenance and update of the new website.

The Mayor asked for public comment. A member of the public said that it looks much better. She does not like the placement of City Government all the way over to the right on the Home Page; also asked if the City Limits could be more specifically spelled out, and if information was included about the cemeteries in the City. No action necessary, presentation only.

#### **MONTHLY REPORTS**

None - No public comment.

#### **VISION SONORA COMMITTEE REPORT**

None. The next Meeting will be held on Thursday, October 5, 2017, at 9 a.m. in the Council Chambers. No public comment.

#### **COMMUNICATIONS**

None - No public comment.

#### **COUNCILMEMBER/DEPARTMENT HEAD REPORTS**

**Mayor Pro-Tem Garaventa** reported on his attendance at the Chamber Downtown Mixer, the Fair Board Meeting and the *Unruly Brew & Que* event at the Fairgrounds. **Councilmember Segarini** reported that he attended the IRWIN Meeting, the Central Sierra Economic Development District Meeting, the Visitors Bureau Meeting and the Merchants/Townhall Meeting. **Community Development Director Kellogg** noted that it was the City Administrator's Birthday, who was wished a Happy Birthday by all.

#### **ADJOURN**

There being no further business to come before the Council at this time, the Regular Session Meeting was adjourned at 7:30 p.m. to the next Regular Session Meeting on Monday, October 16, 2017, at 5:00 p.m. in the Council Chambers at City Hall.

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Marijane Cassinetto, City Clerk      Date