

**CITY COUNCIL
CITY OF SONORA
August 20, 2018**

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 Jim Garaventa, Mayor Pro-Tem Matt Hawkins, Councilmembers Mark Plummer, Connie Williams, Colette Such; City Administrator Tim Miller, Deputy City Clerk Tracy Skelly, City Attorney Douglas White, Administrative Services Director Christopher Gorsky, Fire Chief Aimee New, Police Chief Turu VanderWiel, Community Development Director Rachelle Kellogg. Absent: Interim Engineer Gerard Fuccillo, City Clerk Marijane Cassinetto.

CITY CLERK'S REPORT ON POSTING OF AGENDA

Deputy City Clerk Tracy Skelly advised Council that at 11:30 a.m. on the 17th day of August 2018, 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

There was a correction to the agenda with respect to Mr. Wheelers name and the numbering under Section I. An updated copy was distributed to the Council and the public.

PRESENTATIONS

Presentation of the Vision Sonora Award of Excellence.
Councilmember and Vision Sonora Chair Williams presented the Vision Sonora Award of Excellence to Heidi Cortapassi to say thank you for all their hard work at the 531 S. Washington Street location to improve the appearance of the Historic downtown.

Introduction, Oath and Badge Pinning of Fire Fighter John Wheeler. Fire Chief New introduced and administered the Oath to Firefighter John Wheeler. Mr. Wheeler's mother, Jeannine, pinned his badge. John thanked the council for the opportunity and said he was excited to work for the City of Sonora.

PUBLIC COMMENT

Ken Perkins reported that the TCEDA did release documents last Friday in in response to the lawsuit, however, the documents were lean on information like dates when businesses were created. Due to these dates and the names of businesses being redacted it made it difficult to determine if they are in compliance with the lawsuit. He also feels that in the future it would be difficult for the Council to determine when new businesses come into the City. He hopes the Council has been able to review the documents that have been released and feels that the City should remove themselves from the Joint Powers Authority before the end of the year.

A **member of the public** would like to know when garbage, recycling, trash, dog poop and cigarette butts will be on the agenda so that we can have a discussion about them. She noted the amount of cigarette butts that she found on Washington Street on Saturday. She feels that people are more likely to litter on dirty streets, stating, "litter begets litter".

A **member of the public** requested that the Council allow staff to look into having an agreement with AirBnB for the collection of Transient Occupancy Tax.

CONSENT CALENDAR

MOTION by Councilmember Hawkins, second by Councilmember Williams, that the Consent Calendar be approved as follows:

1. Approval of the Minutes for the City Council Closed Session Meeting and Open Session Meeting of August 6 2018;
2. Approval to pay invoices for previously budgeted expenses on August 17, 2018, in the amount of \$137,491.27; and
3. Approval of disbursements in the amount of \$167,883.44, on August 17, 2018 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, and miscellaneous voluntary employee deductions.

UNFINISHED BUSINESS

City Attorney White spoke in regards to the suspension of funding for the Tuolumne County Economic Development Authority (TCEDA) while the Management Audit is pending. He said after reviewing the agreement between the City and the TCEDA, the Council would not be able to withhold funding. The agreement is for a period of one year and has an obligation to inform the County 180 days in advance to terminate the contract. The Council should consider making some legal and auditing revisions to the agreement in the future. **Councilmember Hawkins** asked **City Attorney White** if the City would be susceptible to a lawsuit if they decided not to pay. **City Attorney White** said yes, that is usually how you would enforce a breach of contract situation. **Councilmember Williams** asked if there was a clause in the contract regarding a yearly audit. **City Attorney White** confirmed that it does have a clause in the contract but that it addressed the functions of the auditor as opposed to the ability to call for an independent audit. **Councilmember Plummer** stated that the best policy would be that the City should withdraw from the agreement at the appropriate time if the County or the TCEDA elects not to have an audit that would inspire some confidence in the community. **City Attorney White** confirmed. **Ken Perkins** stated that regardless of whether there is an audit, it will take years to rectify the deficiencies of the TCEDA and the City will still be dealing with the same failed leadership.

PUBLIC HEARINGS

None

NEW BUSINESS

Consideration to authorize the closure of Lower Sunset Street for the Tuolumne County Historical Society's Museum Day. The Council considered the Tuolumne County Historical Society's request to close Lower Sunset Street between Bradford and West Jackson Streets on Saturday, September 22, 2018 between the hours of 8:00am and 5:00pm, for a display area for Museum Day celebrating "Law and Order: Then and Now". This request was reviewed by the City departments and is recommended for approval subject to the following conditions: obtaining a Special Event Permit, providing the required liability insurance and placing "road closed" and/or "detour" signs as directed by the Public Works Department.

Joe Sparagna invited everyone to attend the event, which the Tuolumne County Historical Society has been sponsoring for 10 years now. Tuolumne County Sheriff will be there and other events include geocaching, tours of the museum, and a surplus book sale.

MOTION by Councilmember Williams, second by Councilmember Plummer. The MOTION passed as follows: **Ayes: Garaventa, Hawkins, Plummer, Williams, Such.**

Consideration to provide staff direction regarding design choices for gateway signage and the transit shelter for the Stockton/Washington Downtown Transit and Accessibility Improvement Project. City of Sonora Community Development Director **Rachelle Kellogg** presented the Council with a Staff Report requesting direction from the Council on the design of the transit shelter and whether the "Historic Downtown Sonora" sign should be included in the project and if so, what design should be used. Once a design has been chosen, then Cal Trans can do the environmental review and the preliminary design plans can move forward.

On July 23, 2018, the public was invited to an Open House to solicit input on the location of the transit shelter, the design of the transit shelter and the "Historic Downtown Sonora" sign. On August 1, 2018 the Vision Sonora Design and Marketing Committee met and took into consideration the comments made by the public and came up with several design concepts. These designs were provided to Kimley-Horn, and Associates who provided the concepts included in the Council packet. The original designs and comments from the public are included in the packet as well.

Due to environmental documents, once the Council approves a design, only minor changes can be made and must remain substantially the same as what the council approves tonight. **Councilmember Williams** mentioned that the Vision Sonora Design and Marketing Committee wanted the concept to look as historical as possible. In Concept A, the support posts mimic the light posts in downtown Sonora, the

panels are see through for security reasons, the cut patterns provide something that is rusty looking and the benches are like the ones that were recently installed downtown and it has the City and County seals. Concept B has wooden support posts and clear panels on the sides with the rest being similar to Concept A. **Councilmember Hawkins** asked which concept is least expensive, to which **Community Development Director Kellogg** responded probably the wooden post concept, but we will work through the cost down the road. **Councilmember Hawkins** mentioned that the City has some inventory in a warehouse from previous projects over the past 50 years or so and wondered if it was possible to incorporate some of those things into the bus shelters. **Community Development Director Kellogg** said that maybe some of that inventory could be used for the hardscape materials. **Mayor Jim Garaventa** asked how much the sign will cost as a part of the project and asked if the grant will cover everything including the sign or is there leeway to eliminate the sign later. **Community Development Director Kellogg** said that once a design has been developed, then the City will receive an engineer's cost for construction. Only then will the City know how much the grant will cover. **City Administrator Miller** said budget estimates would afford the ability to cover the sign particularly if the Council's design reflects less landscaping and less street improvements than what was originally anticipated. **Councilmember Plummer** asked if there was a significant life span difference between the metal and wood support post materials and the maintenance. **City Administrator Miller** said that the metal support posts would have a longer life expectancy and that the maintenance would probably be less than for the wood support posts. **Laurie Lehman**, member of the Vision Sonora Design committee, expressed her excitement about the designs that Kimley-Horn and Associates provided. The wooden post concept was based on a scenario of using a kit to make it more affordable and then add design elements to make it more historical looking. She said that her group did not go into much detail of the sign wall but wanted to make sure that it was low enough to see the businesses behind it and noted that it was designed with a curved seating area. Another Vision Sonora Committee member mentioned the font and letters being used on the sign should be raised with lighting behind it and kept as historic as possible. **Executive Director of the Tuolumne County Transit Agency Darin Grossi** thanked the design committee for their work and effort into making this unique to Sonora. Creating a beautiful public space is important on a project like this so that people have a positive experience. It has been proven that if you create an attractive and pleasant experience with proper landscaping and design, you will get more participation in ridership. He noted that the Transportation Council can work with either concept. **Councilmember Such** noted that in looking at the public comments, it seemed like there was not much support for either of the shelter designs and that it seems like overwhelmingly no one wanted the sign. **Community Development Director Kellogg** said that the design concept for both the shelter and the sign has been updated to include the concerns that were reflected in the public comments.

She concurred that the majority of public comment noted that they did not want a sign. **Councilmember Williams** noted that the original designs were very modern and that may be the reason for the comments. **Community Development Director Kellogg** noted that they took the comments into consideration and came up with the designs that are included in the packet. The main concern from the public was the height of the sign and blocking the storefronts, which the design committee addressed by lowering the height of the sign. They also wanted to make sure that the back of the sitting area was narrow so that people were not sitting on top of the sign and dangling their feet into traffic. Another comment that was made was that they wanted to see soapstone used that is similar to that used in other monuments around the city. **Mayor Garaventa** liked bus shelter concept B and gateway sign concept A. **Councilmember Hawkins** likes bus shelter concept B and gateway sign concept A. **Councilmember Williams** likes bus shelter concept A and she likes gateway sign concept A. **Councilmember Such** does not like any of the designs however her preference for the bus shelter is concept A and her preference for the gateway sign is concept B. **Councilmember Plummer** prefers bus shelter concept A and prefers gateway sign concept B. **Councilmember Williams** said that they could probably do the size of the gateway sign concept A and the design of gateway sign concept B. **Councilmember Hawkins** inquired about how long the materials, wood or metal, will last if properly maintained. **Tuolumne County Transit Agency Darin Grossi** said he may not be the best person to answer this question, but recalling a conversation with local architect Cooper Kessel, generally houses are built to last 50 years with proper maintenance, so he would assume these would last a similar amount of time with maintenance.

MOTION by Councilmember Williams, second by Councilmember Hawkins for the gateway sign concept A due to the height and width but with an arch as in concept B.

The **MOTION** passed as follows: **Ayes:** Garaventa, Plummer, Williams, Hawkins. **Noes:** Such.

MOTION by Councilmember Williams, second by Councilmember Plummer for the bus shelter design concept A including a corrugated roof.

The **MOTION** passed as follows: **Ayes:** Plummer, Williams, Hawkins, Such. **Noes:** Garaventa

Consideration to approve City responses to the Tuolumne County Grand Jury findings and recommendations for the City of Sonora addressing a public discussion concerning a tax increase for roads; and, funding of a management audit of the Tuolumne Economic Development Authority and authorize the City Administrator to sign on behalf of the City. City Administrator Miller read the City's responses to

the findings and recommendations received from the Tuolumne County Civil Grand Jury regarding the Tuolumne County Economic Development Authority and Tuolumne County's deteriorating roads contained in the 2017-2018 Tuolumne County Grand Jury Report. The City is looking for any further direction from the Council. **Councilmember Williams** asked if it was the recommendation of the Grand Jury that there be a financial audit just for two prior fiscal years and **City Administrator Miller** said that was not a recommendation of the Grand Jury, that it would be a recommendation of the staff to the TCEDA Board who would ultimately have that decision. **Councilmember Plummer** does not feel that any extra audits would be a financially responsible thing to do. **County Administrator Craig Pedro** was glad that the County and the City are on the same sheet of music. The Board is recommending that they pursue the management audit as well as a financial audit. The Board will request that the TCEDA put funding aside for the management audit. The audit will cover all of the recommendations of the Grand Jury except the one related to interactions and disclosures of private business due to the legal component of the issue. The TCEDA will also request CALED come in and poll its members regarding best practices, performance measures, goal setting and reporting and will make that information available to the public within two months. The Board would also like to have both of the audits done by an independent auditing firm coordinated by the County Auditor-Controller and that the work should be completed as expeditiously as possible. The County Auditor-Controller has reached out to the County's auditors, which can be used as an independent audit firm to save time. He said there are opportunities to do things better as we move forward.

MOTION by Councilmember Plummer, second by Councilmember Williams to approve the responses as proposed. The MOTION passed as follows: Ayes: Garaventa, Hawkins, Plummer, Williams, Such.

Consideration to adopt Resolution No. 08-20-2018-A accepting the Volunteer Firefighter Assistance grant in the amount of \$11,600 and allocating \$5,800 from Fund 303 (General Fund) as the local match.

Fire Chief New requested that the City Council accept the 2018 Volunteer Firefighter Assistance Grant in the amount of \$11,600 and designate the Fire Chief as the City's representative to sign the agreements on behalf of the City of Sonora Fire Department. She noted that Federal funding has been significantly reduced in the grant arena, so they have reduced the awards to almost all of the departments that have applied. The Volunteer Firefighter Assistance Grant is for small rural communities with population of less than 10,000 and the City has been awarded the grant for at least the last three years. The grant money will be used for the purchase of new turnouts.

MOTION by Councilmember Plummer, second by Councilmember Hawkins. The MOTION passed as follows: Ayes: Garaventa, Hawkins, Plummer, Williams, Such.

Consideration to designate voting delegate(s) and alternate(s) to the League of California Cities Annual Conference.

City Administrator Miller is requesting direction from the Council on designating a voting delegate and alternate for the League of California Cities Annual Conference and whether they should attend the Conference. The City Council FY2019 budget only contains \$500 for travel and training. The cost of attending the Conference would be at least \$1500 per member to cover registration, room, meals and travel. In the past, the Council would attend the Conference in the alternate years when it was held in the northern part of the state. As an alternative to the Annual Conference, there is a Division meeting to be held on August 30, 2018 at UC Merced. **Councilmember Williams** stated that there are two resolutions to be voted on that affect local government. Councilmember Williams would like to see the City budget money for the next League Conference in Sacramento. She believes that the City should put money in the budget for League events in the future for educating Council Members. **Councilmember Hawkins** said he recalls many years ago voting against adding more money in the budget for educating the Council and he regretted that decision. He feels there should be more money in the budget for training. **Councilmember Williams** said she will be attending the August 30, 2018 Division meeting in Merced and **City Administrator Miller** will be attending as well.

MONTHLY REPORTS

Mayor Garaventa acknowledged receipt of Department Monthly reports.

VISION SONORA COMMITTEE REPORT

None

COMMUNICATIONS

None

COUNCILMEMBER/DEPARTMENT HEAD REPORTS

Fire Chief New stated that Engine 752 did return from the Donnell incident early Friday morning with no injuries. There was minor damage to the back fender of the passenger side of the engine due to accidentally striking a stump while making a turn onto one of the dirt roads in tight quarters. It should be minimal cost to fix and the engine is over at the shop getting a safety inspection before it gets back out on the road. The Chief noted that most of the larger fires are becoming better contained. The Yosemite/Ferguson fire is 100% contained but they will be mopping up for several weeks. The Carr Fire is now between 85% to 90% contained. The Mendocino Complex Fire is also wrapping up. Unfortunately, there are about five new fires that have broken out and so now, there are resources being requested for other locations. She noted that it is a busy fire season and wanted to remind everyone to be extra careful and vigilant out there with open flames or weed whacking and work they are doing in their yards; it only takes a spark. **Community Development Director Kellogg** wanted to mention that the City received two proposals for the Red Church engineering design, one

from Willdan and one from Kimley-Horn and Associates. Staff will be evaluating them, working with Cal Trans, looking at costs and will bring forward a recommendation to the Council. **City Attorney White** spoke in regards to the regulations that have been trying to eliminate any way for local jurisdictions to regulate the delivery of recreational and medical marijuana. He will continue to give the Council updates as it progresses and if the Council is interested, it is California Code Section §5416D. **Councilmember Williams** attended the Central Sierra Economic Development Board Meeting on August 16, 2018 and Amador County has made a decision to rejoin the CSEDD. The meetings will continue to be on third Thursday of the second Monday of the Month; in other words that would be November 15, 2018 at 9:30am at Mother Lode Job Training. She also attended the Tuolumne County Opioid Safety Conference and the Tuolumne County Chamber Mixer on August 16, 2018 and the Merchant Meeting for the Sonora Chamber on August 17, 2018. **Councilmember Such** also attended the Tuolumne County Opioid Safety Conference on August 16, 2018 and she felt it was a very interesting conference and was grateful to have been able to attend. However, because she attended that conference, she missed the Central Sierra Economic Development Authority meeting that she was supposed to attend that morning. **Councilmember Hawkins** mentioned that he attended the National Night Out; the Police and Fire Departments were there and his kids had a lot of fun. Also on August 10, 2018, he got married. **Councilmember Plummer** said since the Tuolumne County Economic Development Authority public meeting at the Supervisor's Chambers he has been thinking about metrics. He recalled when Larry Cope was there presenting the budget, he asked him about metrics and Larry said that the metrics came from his Board. Councilmember Plummer believes that the City should develop their own a set of metrics and expectations of what they want Economic Development to look like and what it should be doing for the City and have that be the measure by which we judge success and not by the entity itself and believes it should be a discussion item. **City Administrator Miller** said that there would be other information available through the management audit and through the CALED poll, so he feels that they may want to wait until they have more information before they decide to create something on their own, but he feels that it should definitely be examined. **Councilmember Williams** feels that the Council needs to decide if they feel they have gotten a return on investment and decide whether they will stay in the agreement. **Mayor Garaventa** reported that he attended the TCTC meeting, helped the Sonora Chamber with their sales at both the Jeff Foxworthy and Smokey Robinson shows; attended the Second Saturday Art Show, the Tuolumne County Opioid Safety Conference and the Government Affairs meeting at the Chamber. **City Administrator Miller** reminded the Council that if they have been appointed to new committee assignments they are required to file a form 700 for those committees within 30 days from the date of assuming or leaving office.

ADJOURNMENT

There being no further business to come before the Council at this time, the Regular Session Meeting was adjourned at 6:52 p.m. to the to the next Regular Meeting on Tuesday, September 4, 2018, at 5:00 p.m. in the Council Chambers at City Hall.

**Minutes
Subject To
Council Approval**

Tracy L. Skelly, Deputy City Clerk

Date