

**SONORA CITY COUNCIL
CITY OF SONORA
February 11, 2019**

A Special Meeting of the City Council of the City of Sonora was opened this date in the Council Chambers at City Hall, 94 North Washington Street, at 3:30 p.m. with the following Members present: Mayor, Jim Garaventa, Councilmembers Mark Plummer, Colette Such and Connie Williams; City Administrator Tim Miller, Deputy City Attorney, Nubia Goldstein, Administrative Services Director, Chris Gorsky, Community Development Director, Rachelle Kellogg, Fire Chief, Aimee New. Absent: Mayor Pro-Tem, Matt Hawkins and Police Chief Turu VanderWiel.

Following the Council and Staff Roll Call, the Mayor asked for a moment of silence to recognize Denine Urquhart. A member of the public commented on her support of the Odd Fellows cemetery including the adopt a grave program and photo documentation.

REPORT ON POSTING OF THE AGENDA

City Administrator, Tim Miller, advised the Council that at 10:45 a.m. on the 8th day of February, 2019, the Agenda for the City of Sonora Council Meeting was posted outside City Hall for public view.

APPROVAL OF THE AGENDA

No Changes

PRESENTATIONS

None

PUBLIC COMMENT (NON-AGENDA ITEMS)

Member of the Public commented that the Public Works Department was doing a better job of maintaining downtown and the placement of the pet waste stations in City parking lots and Coffill Park.

CONSENT CALENDAR

1. Approval of the Closed Session Minutes for the meeting of January 22, 2019;
2. Approval to pay invoices of previously budgeted expenses on February 5, 2019 and;
3. Approval of disbursements in the amount of \$136,213.82 on February 1, 2019 for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions, and miscellaneous voluntary employee deductions.

Motion by Councilmember Plummer, seconded by Councilmember Williams, unanimously carried on a vote of 4-0, that items 1a, 2 and 3 of the Consent Calendar be approved.

The Open Session meeting minutes were pulled by Council member Williams, requesting correction to "top" and "park" which should be "stop" and "Park", respectively on Page 5, 4th paragraph.

Motion by Councilmember Williams, seconded by Councilmember Plummer, unanimously carried on a vote of 4-0, that the Open Session meeting minutes be approved.

UNFINISHED BUSINESS

None

PUBLIC HEARINGS

None

NEW BUSINESS

1. Discussion and possible direction regarding the appointment of the City Clerk

Deputy City Attorney Goldstein reviewed the City Clerk's vacancy; options the Council considered; and, decision to appoint instead of holding a special election. She noted that a Council person could serve as City Clerk and would be responsible for official duties while City staff would perform the day to day duties. In response to a question by Councilmember Such, Administrator Miller described the staff responsibilities and time commitments.

Mayor Garaventa asked for public comment There was no comment.

Motion by Councilmember Williams, seconded by Councilmember Plummer, unanimously carried on a vote of 4-0, to appoint Councilmember Such as City Clerk Pro-Tempore.

Councilmember Hawkins arrived a 3:45.

2. Discussion and possible direction regarding implementation of a Cannabis Business Tax for non-storefront cannabis deliveries in the City of Sonora

Deputy City Attorney Goldstein, updated the Council on current Bureau of Cannabis Regulations allowing local delivery of medicinal and adult use cannabis. She requested Council direction regarding the next steps:

- 1) implementation of a Cannabis Tax
- 2) other regulation such as a business permit

3) amending the City's pilot program to allow local dispensaries to sell adult use cannabis

There was Council discussion regarding fines and penalties, to consider all options, the challenges of enforcement and implementation, and disadvantage to local businesses.

Mayor Garaventa asked for public comment.

Jeff Muzio, stated that the new regulation will affect his business, that he is happy with the current program and will likely stay with medicinal only even if adult use is allowed. He also indicated he may want to amend his current agreement to modify the existing fee to be more fair and may need to consider adult use cannabis.

There were no additional public comments.

By consensus, a majority of the Council agreed that a cannabis tax, business permit regulations and adult use sales should be considered.

3. Consideration to accept the Annual Financial Report Year Ended June 30, 2018 (Fiscal Year 2018 audit)

Administrative Services Director, Chris Gorsky reviewed the audit noting there were no findings and the auditor's issued an unqualified report. He provided comparisons of current and prior year's revenues and expenditures.

Mayor Garaventa asked for public comment. There was no comment.

Motion by Councilmember Williams, seconded by Councilmember Hawkins, approved on a vote of 5-0, to accept the Fiscal Year 2018 audit.

MONTHLY REPORTS

None

VISION SONORA COMMITTEE REPORT

Administrator Miller

COMMUNICATIONS

Administrator Miller referenced the Rural Working Group Task Force. Councilmember Williams provided additional information regarding the possible roles and responsibilities should a task force be formed.

COUNCILMEMBER/DEPARTMENT HEAD REPORTS

There were no Department Head reports. Councilmembers Hawkins and Plummer had no reports. Councilmember Williams reported attendance at an ATCAA meeting and Vision Sonora Design Committee meeting; Councilmember Such reported on a tour of the Juvenile Justice Center, attending the Vision Sonora Design Committee meeting and a Homeless Solutions meeting; Mayor Garaventa reported attending the Homeless Solutions meeting and a Fire Resiliency Task Force meeting.

ADJOURN INTO CLOSED SESSION at 4:45 PM (First Floor Conference Room)

1. Real Property Transactions - Pursuant to Government Code Section 54956.8 a. Property Address: 542 Stockton Road, APN 02-210-041
Agency Negotiator: Timothy A. Miller, City Administrator
Negotiating Parties: City of Sonora and Center for Non Violent Community
Under Negotiation: Price and Terms of Payment for Lease

2. Conference with Legal Counsel
 - a. Existing Litigation - Tafoya, Galvan v. City of Sonora et al
Superior Court of County of Tuolumne Case No: CV 61821

 - b. Initiation of Litigation - Pursuant to Gov. Code, § 54956.9(d)(4): One case

3. Conference with Labor Negotiator - Pursuant to Government Code Section 54957.6
 - a. Agency Designated Negotiator - Timothy A. Miller, City Administrator
Employee Organization: Sonora Fire Fighters' Association

RECONVENE INTO OPEN SESSION

1. Announce Action Taken, if any, during Closed Session

Mayor Garaventa reported that direction was given to staff on items 1 and 3.

For item 2a, Mayor Garaventa reported on a Motion by Councilmember Plummer, seconded by Councilmember Williams, approved by a vote of 5-0, City staff was authorized to file a government claim against the State in the Tafoya, Galvan v. City of Sonora et al lawsuit.

For item 2b, Mayor Garaventa reported on a Motion by Councilmember Plummer, seconded by Councilmember Such, approved by a vote of 5-0, City staff was authorized to initiate litigation against the Bureau of Cannabis Control.

ADJOURNMENT

The meeting was adjourned at 5:40 p.m.

Colette Such, City Clerk Pro-Tem

Date