

**CITY COUNCIL
CITY OF SONORA
AUGUST 3, 2015**

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 Ronald Stearn, Mayor Pro-Tem Connie Williams, Councilmembers Bill Canning, George Segarini and Jim Garaventa; City Administrator Tim Miller, City Clerk Marijane Cassinetto, Attorney Byron Smith, Community Development Director Rachelle Kellogg, Interim Finance Director Bijan Sadeghian, Police Chief Mark Stinson and Fire Chief Aimee New. Absent: Interim City Engineer Gerard Fuccillo.

CITY CLERK'S REPORT ON POSTING OF AGENDA

City Clerk Cassinetto advised Council that at 8:00 a.m. on the 30th day of July, 2015, 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

None.

PUBLIC FORUM (Non-Agenda)

Chuck Keil, downtown employee, stated that he is in favor of the Vision Sonora Project.

Joe Silva and Fay Choate, appeared on behalf of St. James Episcopal Church, reporting that the Church will be participating in the *Episcopal Church Diocesan Tour Against Trafficking* event to raise awareness about human trafficking. On September 16, 2015, an informational event will be held at the Sonora Opera Hall with special speakers, and the viewing of the film *A Trafficking Life*. As part of the event, there will be a 750 mile bike ride from the southern end of the Church's Diocese to the northern end. Riders will arrive in Sonora on October 17, 2015, and leave to continue their ride to Avery, California, on October 19, 2015. Silva invited the public to attend the film viewing and participate in the ride. The Church is complying with all City regulations. Administrator Miller confirmed that all necessary permits will be secured, and any necessary street closures will brought to the Council for approval.

Elena Linehan, former City Downtown Revitalization Manager, voiced her concern that the benches presently situated downtown may be repurposed or replaced with new benches funded by the Vision Sonora Project. She noted that some of the current benches were purchased by individuals as a memorial to former citizens and business owners and memorial plates are attached; other benches have been purchased by business owners, and are not City property. She said that "it almost seems to me that the Vision Sonora Project is designed to discourage dissension". She stated that at the Magic of the Night event on Friday, August 7, 2015, proponents of Vision Sonora will be promoting the Project, and suggested that there also be opportunity for someone to talk about the problems; she offered to be present.

Administrator Miller noted that Staff has not received any direction to remove any benches downtown; one bench has been purchased that will be on display as what may be purchased for the downtown area. He is not aware where the idea of repurposing or removing any of the benches comes from, but the City is not doing this as an activity with the Public Works Department.

CONSENT CALENDAR

Motion by Councilmember Segarini, second by Councilmember Garaventa, and that the Consent Calendar be approved as follows:

1. Approval of Minutes for the Closed and Regular Council Meetings of July 20, 2015;
2. Approval to pay invoices for previously budgeted expenses on August 4, 2015, in the amount of \$96,559.31; and
3. Approval of disbursements in the amount of \$195,242.96 on July 24, 2015, for payroll, inclusive of employee salaries, employer and employee taxes and retirement contributions and miscellaneous voluntary employee deductions.

Said MOTION passed four to one as follows: Ayes: Stearn, Williams, Segarini, Garaventa; Noes: None; Abstain: Canning (not present at the Meetings of July 20, 2015).

PUBLIC HEARINGS

Request for Tentative Map Extension. This was the time and place set for a Public Hearing to consider approving a two-year Tentative Subdivision Map extension to November 17, 2017 for Steven Schoennauer for the Shaws Flat Village project to construct 24 townhouse units located off Shaws Flat Road. Community Development Director Kellogg presented the matter reviewing project history and recommending approval. The Public Hearing was opened at 5:17 p.m. Applicant Steven Schoennauer appeared in support of the extension noting that he is planning to move ahead with the Project. There being no further public comment, the Hearing was closed at 5:18 p.m. **MOTION by Councilmember Canning, second by Mayor Pro-Tem Williams, and**

unanimously carried that said Tentative Map Extension be approved as presented.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Third Addendum for Lease of School Street Parking Lot. The Council considered approving the Third Addendum with Sonora High School District providing for a one-year lease extension for the School Street parking lot, and authorizing the City Administrator to execute the same on behalf of the City. Administrator Miller presented the Addendum reviewing history and recommending approval. Miller noted that the recommended one-year extension will allow time to consider options regarding a future long term lease or the School District's acquisition of said property. There were no public comments. **MOTION by Councilmember Segarini, second by Councilmember Garaventa, and unanimously carried that said Third Addendum providing for a one-year extension be approved as presented, and that the City Administrator be authorized and directed to execute the same on behalf of the City.**

Resolution No. 08-03-2015-A. The Council considered approving Resolution No. 08-03-2015-A which incorporates the appropriate findings and adopts the Mitigated Negative Declaration (MND) and the Mitigation Monitoring and Reporting Program (MMRP) for the Greenley Road/Mono Way Intersection Project, Phase 2. Recommending approval, Administrator Miller presented the Resolution, reviewed the Project, related matters, and the MND contents. Notice of Intent to adopt the MND and availability of the Initial Study (IS) was published in the local paper as well as distributed to various Federal, State and local agencies, and the State Clearinghouse. Two comments on the MND/IS were received from the Central Valley Regional Water Quality Control Board and Ed Fernandez. Neither of the comments challenged the MND analysis or conclusions, therefore, no revisions were required. Additionally, Miller noted that said Project requires right-of-way acquisition from property owned by Sonora Regional Medical Center on which a Medical Center Complex is being constructed.

Mayor Stearn asked for public comment. Sonora Regional Medical Center representative Andrew Jahn noted support for the Intersection Project, and reported that preparation for "stick by stick" demolition began today for the Medical Center Complex; he reviewed remediation monies paid to the TCTC in regard to road and related improvements required for the Complex. Scott Patterson representing California Gold, the contractor for the

Medical Center Project, appeared in favor of said Resolution and stated the contractor's willingness to help in any way they can to help move the Project along. He requested that the purchase of the corner property (gas station) be moved on quickly. Elena Linehan made a lighthearted comment on imploding the current building (former Andys) on the Medical Complex site.

There being no further comments, and upon **MOTION by Councilmember Canning, second by Councilmember Garaventa, it was unanimously carried that Resolution No. 08-03-2015-A incorporating the appropriate findings and adopting the Mitigation Negative Declaration and the Mitigation Monitoring and Reporting Program for said Intersection Project be approved and adopted as presented.**

Resolution No. 08-03-2015-B. The Council considered approving Resolution No. 08-03-2015-B which declares the Council's unconditional commitment pursuant to Government Code Section 54960.2 regarding alleged Brown Act violations. City Attorney Smith reported that on about July 6, 2015, a cease and desist letter was issued to the City by Carol Doud pursuant to Government Code Section 54960.2 for three alleged Brown Act violations. Attorney Smith reviewed the provisions of said Resolution which provides that in order to avoid unnecessary litigation as to whether each of these constitutes a violation, the Council and Staff, without admitting to any violation of the Brown Act, unconditionally commits to provisions of the Brown Act. The Resolution also provides for Council's right to rescind procedure and noticing requirements therefor.

MOTION by Councilmember Canning, second by Mayor Pro-Tem Williams, that Resolution No. 08-03-2015-B be approved and adopted as presented.

Public comment was made by Elena Linehan that the Brown Act was never intended to limit public input, but intended to ensure public input. She also requested clarification as to when the updates on Vision Sonora would be put on the Council's Agenda on a regular basis as previously requested by Councilmember Segarini. Administrator Miller responded that pursuant to Council direction, updates on Vision Sonora will be placed on the Agenda for the first Council Meeting of each month, and that due to omission at this Meeting, the next update will be placed on the Agenda for the Meeting of August 17, 2015, and thereafter updates will be agendaized for the first Meeting of each month.

There being no further comments, the above **MOTION approving and adopting Resolution No. 08-03-2015-B passed unanimously as presented.**

Designation of Delegates to League of California Cities Annual Conference. The Council considered designating a voting delegate and up to two alternates to the League of California Cities Annual Conference from September 30 through August 2, 2015 in San Jose. Administrator Miller presented the matter noting the item's continuance to this Meeting due to the absence of Mayor Pro-Tem Williams and Councilmember Canning at Council's last Meeting. Miller reported that the League needs notification by September 18, 2015. Councilmember Garaventa stated his possibility to attend; all other Councilmembers said that they would not be able to attend due to calendar conflicts. Mayor Pro-Tem Williams suggested that each year monies be allocated in the Budget for attendance. There was no public comment. **MOTION by Mayor Pro-Tem Williams, second by Councilmember Canning, and unanimously carried that Councilmember Garaventa be designated as the voting delegate for said Annual Conference.** It was noted that Garaventa's attendance is not mandatory.

MONTHLY REPORTS

None.

COMMUNICATIONS - Information Only

1. Business License Activity Summary, 2nd Quarter 2015.

COUNCILMEMBERS AND DEPARTMENT HEAD REPORTS

Police Chief Stinson reported that the 32nd Annual "National Night Out" event will take place tomorrow night (August 4) at the Opera Hall at 6 p.m. and invited the public to attend. He also reported that the mountain lion that has been cited in many areas is still making his rounds, and urged caution and suggested that pets be kept indoors. **Fire Chief New** reported that Fire Captain Matt Slusher has been assigned to the Shasta/Trinity fire, that smoke detectors will be distributed at no charge by the Red Cross, and that the Fire Department will be doing training on the old Andy's building before it is demolished. She thanked Sonora Regional for the training opportunity. **Community Development Director Kellogg** reported that the Notice to Proceed for the Fire Flow Project has been issued and work will begin on September 8, 2015, that approval has been given by Cal Trans for \$205,000 for the Park and Ride Project, and that the demolition permit was issued for the Sonora Regional Pavilion Center. **Mayor Pro-Tem Williams** asked to clarify why the update for Vision Sonora was not agendaized. **Administrator Miller** stated that he thought it was supposed to be placed on the third Monday's Meetings; it was confirmed that it was the direction of Council to place it on the Agenda for the first Meeting of each month, and, because it was not included on tonight's Meeting Agenda, it will be placed on the Agenda for the next Meeting and then will appear routinely on the first Meeting of each month. **Councilmember Segarini**

reported that he attended the Tuolumne County Chamber Governmental Affairs Meeting, and noted that there were 14 new business licenses issued in the second quarter of this year. **Attorney Smith** reported that in the matter of Tuolumne Jobs & Small Business Alliance vs. the City of Sonora, the Superior Court rendered the following decision: The Court finds... that Petitioner has failed to meet its burden of proof that the adoption by the City of Sonora of the Sonora Commercial Specific Plan would obstruct the policies and objectives of the City of Sonora General Plan, and further finds the Sonora Commercial Specific Plan consistent with the City of Sonora General Plan and that no reasonable person could have reached a different outcome. Smith noted that the Petitioner has 60 days to appeal. **Administrator Miller** noted that at the Board of Supervisors Meeting on August 18, 2015, it will consider a cost sharing proposal for the acquisition of property and construction for the Mono Way/Greenley Road Intersection Project. **Mayor Stearn** commented on the bench in front of prior Mundorf's hardware (currently Funky Junk) which is dedicated to the memory of Frank Holman stating that Mr. Holman was a "straight shooter".

ADJOURN

There being no further business to come before the Council at this time, the Meeting was adjourned at 6:00 p.m. to the Regular Meeting on Monday, August 17, 2015, at 5:00 p.m. at City Hall.

Marijane Cassinetto, City Clerk Date