



AGENDA
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS

TUESDAY, APRIL 12, 2016

PUBLIC BUSINESS SESSION: 6:30 p.m.

**PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD.,
CLOVERDALE, CA 95425**

The Cloverdale City Council welcomes you to its meetings that are typically scheduled for the 2nd and 4th Tuesday of the month. Your interest and participation are encouraged and appreciated. ***Please silence all pagers, cellular telephones and other communications devices upon entering the meeting.***

ADDRESSING THE CITY COUNCIL:

When asked to do so by the Mayor, those wishing to address the City Council are asked to step up to the podium. Speak directly into the microphone so everyone in the audience can hear your comments and so they'll be recorded into the official record. State your name and City of Residence for the record. Per City Council Policy, three (3) minutes are typically allotted to each speaker. However, Council may at its discretion revise the amount of time allotted. Public comments will normally be received after staff presentations on an agenda item and before the City Council starts deliberations. A Talking Tips sheet is available for your use.

We may disagree, but we will be respectful of one another.
All comments will be directed to the issue at hand, and addressed to the City Council.
Personal attacks are unacceptable.

DISABLED OR SPECIAL NEEDS ACCOMMODATION: In compliance with the Americans with Disabilities Act, if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk's office at 894-2521. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

WAIVER WARNING: If you challenge decisions/directions of the City Council in court, you may be limited to raising only those issues you or someone else raised at public hearings(s) described in this Agenda, or in written correspondence delivered to the City of Cloverdale at, or prior to, the public hearing(s).

PUBLIC BUSINESS SESSION – 6:30 p.m.

OPENING:

- Call to Order
- Pledge of Allegiance
- Roll Call
- Conflict of Interest Declaration
- Agenda Review – Regular Session (Changes and/or Deletions)

PUBLIC COMMENTS:

Any person wishing to speak to the City Council on any item not listed on the agenda may do so at this time. Members of the public have the right to speak on any items on the Council Agenda during that item. Pursuant to the Brown Act, the City Council is not allowed to consider issues or take action on any item not listed on the agenda. Each person wishing to speak must go to the podium when advised by the Mayor and speak directly into the microphone.

PROCLAMATIONS / PRESENTATIONS:

1. International Telecommunicators Proclamation
2. National Crime Victim's Rights Proclamation
3. Equal Pay Day Proclamation

CONSENT CALENDAR:

All items under Consent Calendar will be considered together by one action of the Council unless any Council Member or member of the public requests that an item be removed and considered separately.

4. Minutes of Previous Meeting March 1, 2016 - Moore
5. Minutes of Previous Meeting February 23, 2016 - Moore
6. Minutes of Previous Meeting February 9, 2016 - Moore
7. Minutes of Previous Meeting February 3, 2016 - Moore
8. Minutes of Previous Meeting May 12, 2015 - Matlock
9. Second reading and adoption of Ordinance No. 706-2016, amending Cloverdale Municipal Code Chapter 8.08 related to smoking in public places- Cramer/Sanchez
10. Consideration of Resolution authorizing the City Manager to submit a letter to the Department of Alcoholic Beverage Control regarding an off-sale license for the Dollar General retail store- Miranda
11. Consideration of Resolution approving the revised Public Works Director Job Description and proposed salary- Cayler

COMMUNICATIONS:

Council may discuss at this time written communications sent to Councilmembers since the last Council meeting. Written communication to be discussed will be listed below, if any.

12. Letter from Mayor Gina Belforte requesting Council support for her appointment to Remote Access Network Board

PUBLIC HEARINGS: None

NEW BUSINESS:

13. Presentation and Discussion of the City of Cloverdale's Top Ten Goals for Fiscal Year 2016-2017 – Cayler

Recommendation: Staff recommends that the City Council review and accept the Top Ten Goal List for the Fiscal Year 2016-2017.

14. Discussion and Possible Action on the Yorty Creek Recreational Area Directional Signage Project- Cayler

Recommendation: Staff recommends that the City Council discuss the Yorty Creek Direction Signage project and hear public comments, then provide project oversight.

SUBCOMMITTEE ACTION ITEMS:

15. Consideration of Resolution establishing limited parking restrictions at the Senior Center Bus Shelter – Apodaca

Recommendation: Staff recommends that the City Council adopt the resolution establishing limited parking restrictions and authorizing City Staff to coordinate placement of the limited “No Parking” sign with Sonoma County Transit.

SUBCOMMITTEE REPORTS: (VERBAL REPORTS: 15 minutes)

- Airport (Chair, Councilmember Cox and Vice Mayor Wolter) - Next Meeting: May 3, 2016, 9:00 a.m., Cloverdale Performing Arts Center
- Finance, Administration & Police (Chair, Mayor Brigham and Vice Mayor Wolter) - Next Meeting: April 27, 2016, 2:00 p.m.
- Planning & Community Development (Chair, Vice Mayor Wolter and Mayor Brigham) - Next Meeting: April 19, 2016, 4:00 p.m.
- Public Works (Chair, Councilmember Russell and Councilmember Cox) - Next Meeting: May 24, 2016, 10:30 a.m.
- Joint City/Fire District (Chair, Councilmember Palla and Mayor Brigham) - Next Meeting: June 13, 2016, 5:30 p.m.
- Joint City/School District (Chair, Councilmember Palla and Councilmember Cox) – Next Meeting: May 16, 2016, 5:00 p.m.

COUNCIL REPORTS (INCLUDING STUDENT LIAISON): (VERBAL REPORTS: 15 minutes)

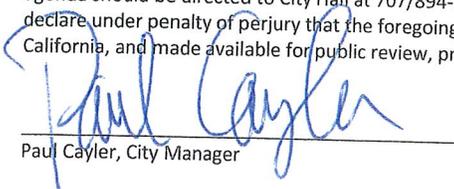
LEGISLATIVE REPORT:

CITY MANAGER/CITY ATTORNEY REPORT:

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:

ADJOURNMENT: Adjourn to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Tuesday, April 26, 2016, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

The City does not transcribe its proceedings. Anyone who desires a verbatim record of this meeting should arrange for attendance by a court reporter or for other acceptable means of recordation. Such arrangements will be at the sole expense of the individual requesting the recordation. Questions about this agenda should be directed to City Hall at 707/894-2521. State of California, County of Sonoma, City of Cloverdale. CERTIFICATION I, Paul Cayler, do hereby declare under penalty of perjury that the foregoing agenda was posted on the outdoor bulletin board at the City Hall, 124 N. Cloverdale Blvd., Cloverdale, California, and made available for public review, prior to or on this 7th day of April, 2016, at or before 5:00 p.m.


Paul Cayler, City Manager

**PROCLAMATION
2016**

**Proclamation of the City Council of the City of Cloverdale Proclaiming the week of
April 11 – 17, 2016 as “International Telecommunicators Week” honoring
Cloverdale’s Public Safety Telecommunicators – Dispatchers**

Whereas, Public Safety Telecommunicators are the driving force behind our Nation’s Emergency Rescue Services. They are the men and women who dispatch our police forces, ambulances, and/or firefighters. Although they are not as visible as the men and women who arrive at the scene of emergencies, they are just as important and deserve our respect and appreciation; and

Whereas, we depend upon Public Safety Telecommunicators to notify emergency personnel promptly, clearly, and calmly. We depend upon them to keep our husbands, our wives, and our children calm and assured in an emergency. We depend upon them for guidance and support in our most frantic and panicked moments; and

Whereas, dedicated men and women engage in the operation of emergency response systems of the City of Cloverdale Police Department and the Cloverdale Health Care District; and

Whereas, these individuals are responsible for responding to telephone calls of the general public for police, fire and emergency medical assistance and for dispatching such assistance to help save the lives and property of our citizens; and

Whereas, such calls include not only police, fire, and emergency medical service calls, but those related to parking, animals, public works and maintenance activities, and all of the other operations which modern governmental agencies must conduct; and

Whereas, Cloverdale’s Public Safety Telecommunicators daily serve the public in countless ways without due recognition by the beneficiaries of their services; and

Whereas, some of us have been lucky enough not to have had to dial 911 in the middle of a fire, a crime, robbery, or a medical emergency. However, for the millions of Americans who have faced such an emergency, Public Safety Telecommunicators, have been there – ready and willing to help.

Therefore, Be it Resolved that we, the City Council and the citizens of Cloverdale and its surrounding area, take the time to recognize these professionals for their invaluable contribution to our daily lives; and

Be it Further Resolved, that I Mary Ann Brigham, Mayor of the City of Cloverdale do hereby proclaim the week of April 11 – 17, 2016 as:

International Telecommunicators Week

in the City of Cloverdale and further, the Cloverdale City Council extends its gratitude to the Public Safety Telecommunicators for their dedicated service to this community.

Mary Ann Brigham, Mayor



PROCLAMATION
OF THE CITY OF CLOVERDALE,
COUNTY OF SONOMA, STATE OF CALIFORNIA,
PROCLAIMING APRIL 10, 2016, through APRIL 16, 2016, AS
NATIONAL CRIME VICTIMS' RIGHTS WEEK IN THE CITY OF CLOVERDALE

Whereas, more than 20 million Americans are directly harmed by crime each year; and

Whereas, the emotional, physical, psychological, and financial impact of crime falls on people of all ages and abilities, and of all economic, racial and social backgrounds; and

Whereas, National Crime Victims' Rights Week is an opportune time to commit to ensuring that all victims of crime are offered accessible and appropriate services in the aftermath of crime; and

Whereas, the 2016 theme "Serving Victims. Building Trust. Restoring Hope." underscores the importance of establishing trust with victims and assisting them in restoring hope in their process of healing and recovery; and

Whereas, the City of Cloverdale is dedicated to building partnerships with community leaders, religious groups, schools and other agencies to better reach and serve all victims of crime.

Now, Therefore, Be It Resolved, that the City of Cloverdale hereby proclaims April 10 through April 16, 2016, as National Crime Victims' Rights Week in the City of Cloverdale; and reaffirms its commitment to respect and enforce victims' rights and address their needs during Crime Victims' Rights Week and throughout the year; and to express our appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community.

April 12, 2016
Mayor Mary Ann Brigham



City Council Proclamation

Recognizing April 12, 2016, As Equal Pay Day

WHEREAS, more than 50 years after the passage of the Equal Pay Act, women, especially minority women, continue to suffer the consequences of unequal pay; and

WHEREAS, according to the U.S. Census Bureau, women working full time, year round in the United States of America typically earn 79 percent of what men earn, indicating little change or progress in pay equity; and

WHEREAS, according to Graduating to a Pay Gap, a 2012 research report by the American Association of University Women (AAUW), the gender pay gap is evident one year after college graduation, even after controlling for factors known to affect earnings, such as occupation, hours worked, and college major; and

WHEREAS, in 2009 the Lilly Ledbetter Fair Pay Act was signed into law, which gives back to employees their day in court to challenge a pay gap, and now we must pass the Paycheck Fairness Act, which would amend the Equal Pay Act by closing loopholes and improving the law's effectiveness; and

WHEREAS, according to one estimate, college-educated women working full time earn more than a half million dollars less than their male peers do over the course of a lifetime; and

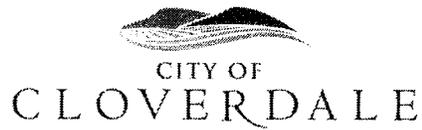
WHEREAS, nearly four in 10 mothers are primary breadwinners in their households, and nearly two-thirds are primary or significant earners, making pay equity critical to families' economic security; and

WHEREAS, Tuesday, April 12, symbolizes the time in 2016 when the wages paid to American women catch up to the wages paid to men from the previous year.

Therefore, Be It Proclaimed that I, Mayor Mary Ann Brigham, do hereby proclaim April 12, 2016, as Equal Pay Day in the City of Cloverdale, and this Council so reaffirms its commitment to recognize the full value of women's skills and contributions to the labor force, and further encourage businesses to conduct internal pay evaluations to ensure women are being paid fairly.

April 12, 2016

Mayor Mary Ann Brigham



**DRAFT MINUTES
SPECIAL JOINT MEETING OF THE CITY COUNCIL & PLANNING COMMISSION**

TUESDAY, MARCH 1, 2016

OPEN SESSION: 5:00 p.m.

**SESSION LOCATION: CLOVERDALE SENIOR CENTER
311 N. MAIN STREET CLOVERDALE, CA 95425**

CONVENE OPEN SESSION – 5:00 p.m.

OPENING:

- Call to Order: Mayor Brigham called the meeting to order at 5:00 p.m.
- Roll Call: : Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, Mayor Brigham, Commissioner Halliday, Chair Shanahan, Alternate Commissioner Bovee
- Conflict of Interest Declaration: None
- Agenda Review (Changes and/or Deletions): None

PUBLIC COMMENTS: None

COUNCIL WORKSHOP:

- 1. Workshop on the City of Cloverdale's Council Goal Setting and the Prioritization of the City's Fiscal Year 2016-2017 Workplan**

City Manager Cayler began the workshop by welcoming everyone and providing an update on the progress made on last year's goals (attached). Mr. Cayler explained the process that would be used to prioritize the top goal statements. He commented that the top ten goals would be considered when developing the budget for fiscal year 2016/17. Mr. Cayler compiled the goal statements submitted by Councilmembers and Senior Staff into one list of 46 goals (attached). Participants discussed the goal statements, combined some that were similar, and eliminated others. Councilmembers were then provided with color dots to affix to the goals statements they considered most important. The number of dots provided to each Councilmember equaled half of the number of statements, plus one extra. The dot selections were to be calculated at a later date into a numeric score to create a new list organized by score to determine the top ranking goal statements.

ADJOURNMENT: Mayor Brigham adjourned the meeting at 7:45 p.m. to the next regular meeting of the City Council and Cloverdale Community Development Successor Agency scheduled Tuesday, March 8, 2016, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).



Date: February 29, 2016

To: Mayor and City Council Members

From: Paul Cayler, City Manager

Re: **Evaluation of Fiscal Year 2015-2016 Top Ten Goal Achievement**

The purpose of this memorandum is to list the Top Ten Goals as prioritized by the Cloverdale City Council in the Fiscal Year 2015-2016 budget process, and then provide feedback to the City Council on the achievement of those goals. The Top Ten Goals are set forth below with assessment of achievement for each goal in ***bold italics***.

- 1) Begin redevelopment of Thyme Square and Cherry Creek properties through strategic visioning process and outlining path to construction, including use of remaining funds and action plan.

A professional architect, Mr. Jim Burns, was retained to prepare three conceptual master planning for the Thyme Square parcel. All conceptual plans will include locating the new Alexander Valley Healthcare Wellness Center on the property. The work on the conceptual plans has begun, and staff has completed its first review. Report back to the City Council for community feedback on the conceptual Thyme Square plans is expected in the next 30 days.

- 2) Working with the City Council and community, prepare a Five Year Strategic Plan to be a road map as the City moves forward.

A professional organizational specialist, Ms. Sue Haun, was retained to facilitate meetings with the City Council, City Staff and Community Stakeholders to prepare a strategic plan. As of the writing of this memorandum, the initial meeting with the City Council was completed on February 3, 2016. An employee survey has been completed. Community Stakeholders Group meeting is scheduled for March 24th. A diverse list of community stakeholders has been confirmed through a nomination process by Councilmembers. The project timeline is that the strategic plan will be completed before June 30, 2016.

- 3) Establish Building Maintenance Fund as a line item with an assessment of each building's condition so that a five year maintenance plan can be estimated.

This goal has been challenging. At this time, little progress has been made on a five year maintenance plan primarily due to loss of key management level personnel.

- 4) Identify and set aside funds necessary to build Emergency Reserve Fund with policy on Council approval to use funds.

which recognize employee sacrifices through a limited salary and benefits adjustment.

The City and the Police Officers' Association and the Dispatchers' Association have successfully completed memorandums of understanding (MOU) through June 30, 2017. The MOU call for a 2% cost of living adjustment (COLA) effective July 1, 2015, and a subsequent 2% COLA will be effective July 1, 2016. This COLA was extended to all unaffiliated employees. There is anticipation that an MOU with the Cloverdale Classified Service Employees' Association will be finalized soon for the same term and COLA adjustment.

10) Identify CalPERS unfunded liability.

On July 22, 2015, a report on the City's unfunded pension liability was presented to the Cloverdale City Council. An actuarial consultant, Mr. John Bartel, reported out on the City's California Public Employees Retirement System (CalPERS) is approximately \$5.2 million. A number of methods to pay down this unfunded liability were presented to the Council. The City of Cloverdale has a unique method of financing pension obligations through ad valorem revenue source.

FISCAL YEAR 2016-2017 GOAL STATEMENTS

Goal Setting Workshop March 1, 2016

CITY OF CLOVERDALE

Compiled by City Manager Paul Cayler from Goal Statements submitted by Cloverdale Council Members and Senior Staff

Administration and Finance

- 1) Improve the Performing Art Center public address and public presentation systems at the Performing Arts Center.
- 2) Develop a tickler system that will remind City staff to review contracts or follow up on other information such as insurance certificates, tax returns and other documents required by the terms of the agreement.
- 3) Approve going to system of "action minutes" rather than the detailed type minutes that are presently prepared now as a way of decreasing workload caused by time consuming minute taking at the City Council, Planning Commission and committee meetings.
- 4) Set up a "Building/Property Reserve Fund" as a budgeted "line item" for future maintenance on all City owned property, including an assessment of each building's condition and what maintenance items are needed in the next five years.
- 5) Continue efforts with Sonoma County Latino Leaders, the Cloverdale Unified School District, the Chamber of Commerce and Alexander Valley Healthcare to improve communications throughout the Latino community.
- 6) Continue efforts to build long-term fiscal stability in the General Fund and Enterprise Fund through application of sound budgetary policies and building an emergency reserve fund.
- 7) Complete outline of options to have City Hall resume Monday through Friday working hours.
- 8) Working with Senior Management Team to implement an effective plan that will help us identify available grant funding opportunities and allow staff to submit required application materials before the due date so that Cloverdale will be considered for funding.
- 9) Prepare succession plan for the retirement of the Finance Manager position.

Community Outreach and Promotion

- 10) In collaboration with key community stakeholders begin designing and instituting a "Cloverdale Marketing and Promotion Program" that establishes the Cloverdale brand while attracting and retaining businesses and local jobs which create economic well-being through increased tourism as well as welcome new residents in order to cut down on "retail leakage" and encouraging greater community pride.
- 11) Upgrade the City website to make it more inviting and responsive.
- 12) Request that County Supervisor Gore, Assembly Member Wood and State Senator McGuire schedule regular Town Hall meetings in Cloverdale to hear about our local needs and bring residents up-to-date.

Airport

13) Develop a long term roadmap for the future of the Cloverdale Municipal Airport that includes Federal Aviation Administration mandatory maintenance and upgrades as well as any needed events or business friendly policies.

14) Conduct a public hearing to address concerns and determine the future of the Cloverdale Municipal Airport.

Streets

15) Identify a street for repaving within the next 12 months using gas tax money rather than using funding for general fund items.

16) Prepare and implement a plan to re-stripe City Streets and curb markings.

17) Continue Safe Routes to School project on South Cloverdale Blvd.

18) Improve roadway lane striping, specifically at South Cloverdale Blvd and Citrus Fair Drive (southbound Cloverdale Blvd right lane should be "RIGHT TURN ONLY" onto westbound Citrus Fair Drive), and at South Cloverdale Blvd and Brookside Drive (southbound Cloverdale Blvd right lane should be "RIGHT TURN ONLY" onto westbound Brookside Drive.

19) Develop a Hazard Mitigation project for comprehensive repairs to the Downtown storm drain system.

20) Address drainage problem at Lake Street and Live Oak Street which is compromising the integrity of the road surfaces.

Public Works and Utilities

21) Budget funding for a Public Works Foreman position in charge of day-to-day coordination of the various tasks among the Water, Sewer, Streets and Parks & Landscape functions that reports to the City Engineer/Public Works Director.

Parks

22) Develop healthy and free activities for children and youth, especially determine location and funding sources for a skate and dog park as well as issues related to the Boys and Girls Club.

23) Work with volunteer groups to identify a location to build a skate and dog park possibly using Quimby Act funding.

24) Make upgrades and maintain to City Park including redoing basketball courts, adding pickle ball court, repave parking lot, paint buildings (not Scout Cabin), and add new signs and dog stations.

25) Continue development of the Clover Springs Open Space Trail project.

Public Safety

- 26) Budget funding for a sixth dispatcher position.
- 27) Continue work toward replacing the Police Station with a new facility.
- 28) Develop policy and make budget funding for police officer body cameras.

Planning and Community Development

- 29) Research opportunities resulting from the potential legalization of marijuana, especially economic development, zoning, public safety, City finances, and Cloverdale residents' questions and opinions on the subject.
- 30) Work effectively with Alexander Valley Resort developer plus neighboring businesses and stakeholders to realize successful creation of this major project.
- 31) Stepped up code enforcement focused on abatement of blighted properties that pose a threat to health and safety, as well as property values of neighboring parcels, including assistance by volunteer community members for disabled residents that demonstrate a true financial or physical need with compliance.
- 33) Implement an effective and proactive Code Enforcement program under the leadership of the Police Department including working closely with the other city and non-city departments, like the Fire Marshal and Building Inspector, to abate nuisances and violations.
- 34) Address short term vacation rentals like Airbnb.
- 35) Develop a homeless plan.
- 36) Review current code enforcement processes to determine whether it is still effective and current with Council direction and provides City staff with direction regarding enforcement priorities.
- 37) Implement a plan to review and update city codes recommending changes that will help boost economic development and reduce redundant and/or unnecessary regulations.
- 38) Working with local elected officials, the Chamber of Commerce and community groups across the County to better cope with rising rents and need for affordable housing to accommodate residents to fill local jobs.
- 39) Working in partnership with the Chamber, actively reach out and communicate with absentee landlords to help get vacant buildings occupied.
- 40) Work with Alexander Valley Healthcare (AVH) to determine the best possible path to them relocating on Thyme Square.

- 41) Outline options that remaining funds from the former Redevelopment Agency can be used for. Review all options with Council and work with Council to adopt an action plan. This process shall include property owned by the low to moderate housing fund including the Time Square Property.
- 42) Compare City permitting processes with our competing jurisdictions with the goal of streamlining regulation to reduce time and costs as well as removing barriers to building Cloverdale's economic base while continuing to improve customer satisfaction ratings.
- 43) Continue efforts to remove barriers and actively work with businesses to fill vacant retail and office spaces.
- 44) Pursue public electric vehicle charging stations.
- 45) Implement procedures to ensure complete cost recovery (i.e. development pays for itself).
- 46) Develop process by which the City Council may assume planning items normally heard by the Planning Commission.



**DRAFT MINUTES
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS**

TUESDAY, FEBRUARY 23, 2016

CLOSED SESSION 5:30 p.m.

CLOSED SESSION LOCATION: CITY HALL CONFERENCE ROOM, 124 N. CLOVERDALE BLVD. CLOVERDALE, CA 95425

PUBLIC BUSINESS SESSION: 6:30 p.m.

**PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD.,
CLOVERDALE, CA 95425**

CLOSED SESSION: 530 pm

OPENING:

- Call to Order: Mayor Brigham called the meeting to order at 5:30 p.m.
- Roll Call: Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham
- Agenda Review - Closed Session (Changes and/or Deletions): None

PUBLIC COMMENTS ON CLOSED SESSION AGENDA: None

RECESS TO CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION (1)

Pursuant to California Government Code Section 54956.9(d)(2)

Number of Cases: 1

CONVENE PUBLIC BUSINESS SESSION – 6:30 p.m.

OPENING:

- Call to Order: Mayor Brigham called the meeting to order at 6:30 pm
- Pledge of Allegiance
- Roll Call: Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham
- Report out of Closed Session –Actions Taken: No reportable action taken
- Conflict of Interest Declaration: None
- Agenda Review – Regular Session (Changes and/or Deletions): None

PUBLIC COMMENTS: None

PROCLAMATIONS / PRESENTATIONS:

1. Introduction of David Kelley

City Manager Cayler introduced and welcomed David Kelley, the new Assistant City Manager/Community Development Director.

2. Presentation by First 5 Sonoma County and Sonoma County Department of Health Services regarding Quality Preschool Initiative

Alfredo Perez presented this item. He discussed the Cradle to Career program, which is part of the Health Action effort to improve health disparities in the community by focusing on educational achievement from cradle to career. He shared the details of the program, funding challenges, and the need for the program in Cloverdale. Councilmembers thanked Mr. Perez and discussed the benefits of the program to children of Cloverdale and suggested taking this a project to the Joint City/ School District Subcommittee and the School Board of Trustees.

PUBLIC COMMENTS:

LaReva Myles, Cloverdale, asked how much it would cost to put this program into play for Cloverdale and how many children would be included. Mr. Perez responded that the cost for quality, full day care would be about \$13,000 per student, per year, and roughly estimated attendance in Cloverdale to be 50 children.

3. Presentation of the 2015 Financial Statements

Joanne Cavallari, Finance Manager, handed out a revised Agenda Summary, which corrected some of the numbers in the report (attached). She then introduced and thanked Terry Krieg, independent auditor, who provided the Audited Financial Statements for year 2014/15. Mr. Krieg discussed the details of his findings and reported the financial statements present fairly, in all material respects, the respective financial position of the government activities, the business type activities, each major fund, and the aggregate remaining fund. In closing, Mr. Krieg stated he had no significant deficiencies to report and complimented the Finance Manager and City Staff. City Manager Cayler commented that the City's General Fund has increased approximately \$100,000 from the previous audit.

PUBLIC COMMENTS: None

Action: Motion was made by Councilmember Palla to accept the FY 2014/15 City of Cloverdale Audited Financial Statements, and seconded by Councilmember Cox. The motion passed by voice vote: (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, Mayor Brigham; 0-noes).

CONSENT CALENDAR:

- 4. Minutes of Previous Meetings – December 9, 2016**
- 5. Engagement of Terry E. Kreig to provide auditing and financial services for FY 15/16**
- 6. Waive the second reading and adopt Ordinance No. 703-2016, amending the Cloverdale Municipal Code, Title 18 (Zoning Ordinance), Chapter 18.08.040, and, waive the second reading and adopt Ordinance No. 704-2016 approving a Development Agreement between the City of Cloverdale and Spight Properties II LCC pertaining to the development of the Alexander Valley Resort project**
- 7. Water Production Update**

PUBLIC COMMENTS:

LaReva Myles, Cloverdale, asked that item number seven be removed from the Consent Calendar for discussion.

Action: Motion was made by Vice Mayor Wolter and seconded by Councilmember Palla to approve the consent calendar minus item number seven. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes).

City Manager Cayler opened the discussion on item seven, regarding the Water Production Update. Vanessa Apodaca, Interim City Engineer, reported an overall reduction in water use of about 40%. City Manager Cayler commented that City residents did a great job of water conservation during the drought, but it created a negative financial impact on revenues.

Action: Motion was made by Councilmember Palla to accept item number seven, the Water Production Update, and seconded by Councilmember Cox. The motion passed by voice vote: (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, Mayor Brigham; 0-noes).

COMMUNICATIONS: None.

PUBLIC HEARINGS: None.

NEW BUSINESS:

8. City's Mid-Year Budget Review

Joanne Cavallari, Finance Manager, presented this informational only item. She shared that the General Fund revenues are about 45% of budget at midyear, which is typical. Property tax is about 8% above FY 2014/15, and about 9% higher than budget. She reported that Transient Occupancy Tax (TOT) revenues are also higher than expected. However, sales tax projections have been decreased primarily due to lower gasoline prices. Discussion ensued regarding the details of the budget.

PUBLIC COMMENTS: None

9. Discussion and Possible Action on Potential Parks Capital Projects

Vanessa Apodaca, Interim City Engineer, presented this item and offered three possible capital improvement projects. She noted that only the project to resurface a parking lot at the City Park was within the proposed \$60,000 budget. For this reason, the parking lot resurfacing project was recommended. The Council discussed the need for additional improvements at the City Park and the possibility of utilizing the Quimby Act funds.

PUBLIC COMMENTS:

LaReva Myles, Cloverdale, asked if the City Plaza is considered a park and, if so, could the Plaza be eligible for funds to install public bathrooms. She also discussed the request for bathrooms at the park in front of the Cloverdale High School.

Action: Motion was made by Vice Mayor Wolter to direct Staff to proceed with design and bidding of Improvements to City Park parking lot and to research and report back on the possibility of using Quimby Act funds, and seconded by Councilmember Russell. The motion passed by roll call vote: (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, Mayor Brigham; 0-noes).

10. Discussion and Possible Action on the Future of the Sonoma County Waste Management Agency, including Possible One Year Extension of Joint Powers Authority Agreement

City Manager Cayler presented this item and introduced Patrick Carter, the Interim Executive Director of Sonoma County Waste Management Agency (SCWMA), to discuss the proposed one-year extension of the Joint Powers Agreement (JPA). Mr. Carter discussed the programs offered by the Agency and possible options moving forward, which included retaining the existing ACWMA model and either renewing or developing a new JPA Agreement. Mr. Carter requested the Council approve a one-year extension to allow the other SCWMA member time to provide feedback and determine best options. He requested the Council direct the City's SCWMA Board representative to vote in favor of a one-year extension for the operating term of the SCWMA JPA and suggested the Council approve the extension through a resolution at a future meeting. Councilmembers voiced approval of the one-year extension with the caveat that the work be completed in one year, culminating in a recommended plan for moving forward, and agreed to vote on a resolution regarding this at a future meeting.

PUBLIC COMMENTS:

LaReva Myles, Cloverdale, asked what services could be lost or gained by the requested extension.

SUBCOMMITTEE ACTION ITEMS:

Finance, Administration & Police

11. Consideration of Draft Resolution No. 018-2016 Accepting Draft Water and Sewer Rate Study and directing staff to proceed with the Proposition 218 Public Noticing Process for Proposed Water and Sewer Rate Increases and to Return April 26, 2016 for a Public Hearing and the Adoption of Rates

Vanessa Apodaca, Interim City Engineer, presented this item reporting that there are insufficient funds to maintain the contingency reserve required by City policy in both the water operating fund and the sewer operating fund. She stated that without a rate increase the water operating fund may not be able to meet services and financial requirements. She further stated a water rate increase is needed in order to meet existing debt service coverage requirements. Failure to meet these requirements could have an adverse impact on the utility's credit rating. Ms. Apodaca went on to add that without a sewer rate increase, the Sewer Operating Fund may not be able to meet service and financial requirements and the City's ability to fund needed sewer system rehabilitation projects would also be impaired. She introduced Bob Reed, from the Reed Group hired by the City of Cloverdale to conduct a Water and Sewer Rate Study. Mr. Reed discussed the rate analysis and the rate models used to design water and sewer rate schedules that would generate the required revenue. Senior Water treatment Operator, Darren Hernandez, came to the podium to discuss Cloverdale's water system, which is over 20 years old. He commented on recent upgrades and the future needs of the system.

PUBLIC COMMENTS:

LaReva Myles, Cloverdale, asked about the possibility of a water shortage surcharge. She also asked if there are enough residents protesting a rate increase, can it still be implemented.

Discussion ensued about water usage and rates.

Action: Motion was made by Councilmember Cox to adopt Resolution No. 018-2016, accepting the Water and Sewer Rate Study, and seconded by Councilmember Palla. The motion passed by roll call vote: (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, Mayor Brigham; 0-noes).

Action: Motion was made by Councilmember Palla to direct staff to proceed with the Proposition 218 Public Noticing Process for Proposed Water and Sewer Rate Increases and to return April 26, 2016, for a Public Hearing and the Adoption of Rates, and seconded by Councilmember Russell. The motion passed by roll call vote: (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, Mayor Brigham; 0-noes).

12. Presentation and Discussion of Proposed Ordinance Repealing and Replacing Cloverdale Municipal Code Chapter 5.24 Relating to Massage Therapy and Massage Establishments

Chief Cramer presented this item, introducing the proposed ordinance. He shared background information and discussed areas in the ordinance that require updating to come into compliance with current laws. The Chief commented that the City of Cloverdale's existing massage ordinance has not been revised since its adoption in 1975, noting that there have been significant changes in the laws governing massage therapy since that time.

The Council thanked Chief Cramer for his presentation and discussed the issues related to massage therapy and the proposed ordinance.

PUBLIC COMMENTS:

LaReva Myles, Cloverdale, inquired about the difference between a business license and a home occupation permit. City Attorney Sanchez and Chief Cramer responded.

SUBCOMMITTEE REPORTS: (VERBAL REPORTS: 15 minutes)

- Airport (Chair, Councilmember Russell and Mayor Cox) - Next Meeting: April 5, 2016, 8:00 am.
- Finance, Administration & Police (Chair, Mayor Cox and Vice Mayor Brigham) - Next Meeting: February 25, 2016, 2:00 pm.
- Planning & Community Development (Chair, Councilmember Wolter and Vice Mayor Brigham) - Next Meeting: February 24, 2016, 4:00 pm.
- Public Works (Chair, Mayor Cox and Councilmember Russell) - Next Meeting: March 29, 2016, 10:30 am.
- Joint City/Fire District (Chair, Councilmember Palla and Vice Mayor Brigham) - Next Meeting June 13, 2016, 5:30 pm.
- Joint City/School District (Chair, Councilmember Palla and Councilmember Wolter) – Next Meeting: March 21, 2016, 5:00 pm.

COUNCIL REPORTS (INCLUDING STUDENT LIAISON): (VERBAL REPORTS: 15 minutes)

Councilmember Russell announced that she expects a meeting to be taking place soon where she and a Councilmember from Windsor will be hosting a presentation about the SMART bus system, which she hopes will be podcast.

LEGISLATIVE REPORT: None.

CITY MANAGER/CITY ATTORNEY REPORT: None.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS: None

ADJOURNMENT: Mayor Brigham adjourned the meeting at 10:30 p.m. to a special joint meeting of the City Council and Cloverdale Community Development Successor Agency and the Cloverdale Planning Commission, Tuesday, March 1, 2016, for Public Business Session at 5:00 p.m. (Cloverdale Senior Center, 311 N. Main St., Cloverdale, CA 95425).



**City Council/Successor Agency
Agenda Item Summary**

Agenda Item: 3
Meeting Date: February 23, 2016

Agenda Section Presentations	Staff Contact Joanne Cavallari, Finance Manager
Agenda Item Title Presentation and acceptance of the FY 2014/15 City of Cloverdale Audited Financial Statements	

Summary

Local governments are required to have an independent auditor review their finances each year, and produce an Independent Auditors' Report. The Governmental Accounting Standards Board (GASB) provides principles and guidelines against which that jurisdiction's finances are evaluated.

Regardless of how many Funds a jurisdiction may use for accounting purposes, GASB Statement 34 requires that for purposes of its audit, a city's Funds are grouped into three broad categories; major governmental funds, major enterprise (or business) funds, and non-major funds. Major Funds are those that have assets, liabilities, revenues or expenditures equal to or greater than 10% of their Fund Type total, five percent of the grand total of all of the City's Funds.

Governmental Accounting Standards Board (GASB) 34 was intended to improve the public's ability to read and understand the audits of public agencies. Among its components was the creation of the Management's Discussion and Analysis (MD&A). The MD&A offers a narrative summary of the jurisdiction's annual financial condition.

Governmental Accounting Standards Board (GASB) 68, Accounting and Financial Reporting for Pensions, was effective for fiscal years beginning after June 15, 2014. Its purpose is to improve accounting and financial reporting by state and local governments for pensions and pension liabilities.

An Audit is typically made up of a cover letter from the independent auditor; the MD&A; the Basic Financial Statements, including Notes; Required Supplementary Information (RSI), including comparisons between budget and actual; Supplementary information, including combining balance sheets; and Other Reports, including reports on internal control, a summary of findings, and a summary of prior year findings.

FINANCIAL HIGHLIGHTS

- The City's total net position at June 30, 2015 was **\$94,367,364**, a decrease of **\$8,865,298** over the prior year before restatement for the implementation of GASB 68. The restatement for the new pension accounting standard accounts for about \$7.2 million of the total fiscal 2015 decrease in net position from fiscal 2014. After the restatement of the beginning net position, the City reports a **\$1,626,636** overall decrease in net position.
- Total City revenues, including program and general revenues, were **\$10,160,763**, a decrease of **\$614,347** from the prior year. Total expenses were \$11,787,399 which is an increase of \$795,510 from the prior year.
- Governmental Activities Program Revenues were **\$1,414,248** a decrease of **\$312,727** from fiscal 2014's \$1,726,975. Charges for services decreased by \$35,023 from the prior year, while grants and contributions revenue decreased by **\$277,704**. Tax revenue was \$3,962,630 for 2015 which represents a 4% increase from the prior year. Other General Revenues were \$48,798, a decrease of \$195,021 primarily due to the recovery of prior period expenditures in fiscal year 13/14.
- Governmental Activities Program Expenses were \$7,603,231 fiscal 2015, an increase of \$490,610 from 2014 which was \$7,112,621.

- Program revenues from Business-Type Activities were \$4,735,087 in fiscal year 2015, down \$241,163 from the prior year. Business-type activities revenue this year is comprised of charges for services which increased \$129,598 primarily due to increases in water and sewer service rates.
- General Fund revenues and other funding sources were **\$5,694,748**, a decrease of **\$43,137** from 2014. The difference is primarily due to a decrease in grant revenue and reimbursements compared to the previous year.
- General Fund total expenditures were \$5,599,447, an increase of \$482,423 from prior year amounts due to filling of vacant positions in the public safety and public works departments.
- General fund balance is \$893,284, an increase of \$95,301 from the prior year's fund balance of \$797,983. The fund balance is approximately 16% of total General Fund expenditures.

Terry E. Krieg, CPA, will attend the Council meeting to present the report and answer questions from the Council and public.

Staff Recommendation

Review and accept by motion order the FY 2014/15 City of Cloverdale Audited Financial Statements.

Budget/Financial Impact

The purpose of an audit is to review a prior year's financial activities.

Subcommittee Recommendation

The Audited Financial Statements were provided to the Finance, Administration, and Police Subcommittee; however, they have not separately reviewed this report.

Recommended Council Action

Review and accept by motion order the City of Cloverdale FY 2014/15 Audited Financial Statements.

Attachments:

1. FY 2014/15 Audited Financial Statements.

cc:



**DRAFT MINUTES
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS**

TUESDAY, FEBRUARY 9, 2016

CLOSED SESSION 5:30 p.m.

CLOSED SESSION LOCATION: CITY HALL CONFERENCE ROOM, 124 N. CLOVERDALE BLVD. CLOVERDALE, CA 95425

PUBLIC BUSINESS SESSION: 6:30 p.m.

**PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE BLVD.,
CLOVERDALE, CA 95425**

CONVENE PUBLIC BUSINESS SESSION – 6:30 p.m.

OPENING:

- Call to Order: Mayor Brigham called the meeting to order at 6:30 pm
- Pledge of Allegiance: Clayton Farris led the Pledge of Allegiance
- Roll Call: Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham
- Report out of Closed Session –Actions Taken: No closed session took place
- Conflict of Interest Declaration: None
- Agenda Review – Regular Session (Changes and/or Deletions): City Manager Cayler requested to remove and postpone item number three until a later meeting

PUBLIC COMMENTS:

Ray Tyrone, Cloverdale, discussed water and sewer services on his property.

Mike Handy, Cloverdale, voiced disapproval of the extended use and hours at the Senior Center and requested the Planning Commission and City Council reconsider the recent agreement modification with the Senior Center.

PROCLAMATIONS / PRESENTATIONS: None

CONSENT CALENDAR:

1. **Minutes of Previous Meetings –December 8, 2016**
2. **Professional Services Agreement with Brelje & Race Consulting Civil Engineers to Prepare Bid Documents, Assessment and Provide Construction Management Services for a Biosolids Removal Project**
3. **Resolution No. 010-2016 approving a Professional Services Agreement with RMC Water and Environment to provide assistance to the city throughout the reissuance process for the City's National Pollution Discharge Elimination System (NPDES) permit for discharge of treated wastewater**
4. **Resolution No. 011-2016-2016 Appointing the Engineer of Work for the Cloverdale Landscaping and Lighting Assessment District for Fiscal Year 2016-17**
5. **Adoption of Resolution No. 012-2016 Authorizing Signatures for the City of Cloverdale General Checking Account held at the Exchange Bank**

PUBLIC COMMENTS: None

Action: Motion was made by Vice Mayor Wolter and seconded by Councilmember Russell to approve the consent calendar minus item number three, which was removed and postponed to a later date. The motion passed by roll call vote (5-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes)

COMMUNICATIONS: None.

PUBLIC HEARINGS:

- 6. Consideration of a General Plan Amendment related to the Alexander Valley Resort Project, an amendment to the Alexander Resort Specific Plan, an amendment to the City's Zoning Ordinance rezoning a 12.3 acre site northwest of the Alexander Valley Resort site from the "MP-Business Park District" to the "SP-1-Specific Plan District" amending certain development standards in the SP-1 District and a Development Agreement to the Alexander Valley Resort Project**

Interim Community Development Director, Jerry Haag, presented this item and requested the Council take the following actions:

- Open the public hearing and take testimony
- Adopt City Council Resolution approving an Addendum to the 2009 Certified Alexander Valley Resort Specific Plan Environmental Impact Report (EIR)
- Adopt City Council Resolution approving an amendment to the Cloverdale General Plan relating to the Alexander Valley Resort Specific Plan
- Introduce and waive the first reading of Ordinance of the City Council of the City of Cloverdale amending Cloverdale Municipal Code zoning, making certain changes to Section 18.08.040, the SP-1 District and rezoning the approximately 12.3-acre site located on the southeast corner of Asti Road and Santana Drive (APN 117-050-02) as "SP-1"
- Introduce and waive the first reading of Ordinance of the City Council of the City of Cloverdale approving a Development Agreement for the Alexander Valley Resort Project

City Attorney Sanchez discussed the details of the development agreement.

Mayor Brigham opened the Public Hearing.

PUBLIC COMMENTS:

Bruce Reuser, Cloverdale, reported that he and Tyris worked through the weekend to come to an agreement. He stated that Tyris has offered a Deed Restriction, which would preclude any future complaints against the Reuser Industrial Center. Mr. Reuser supplied copy of the Declaration Acknowledging Neighboring Uses and Deed Restrictions document (attached) and commented that Tyris will be recording the Deed Restriction as soon as possible.

LaReva Myles, Cloverdale, asked how the development agreement TOT plan was created in regard to the amounts, the splits, and the reimbursements. City Attorney Sanchez responded explaining the TOT revenues.

William Schmidt, Cloverdale, stated that he is the Vice President of West Coast Professional Door, which is located in the Reuser Business Park. He commented that he likes the agreement that Reuser and Tyris have worked out but asked that the Council give careful consideration regarding any changes to the General Plan.

Clay Skelton, Cloverdale, commented that on July 14, 2015, Tyris promised there would be one million in TOT taxes and asked why this figure has now changed.

Andrew Zamberlin, Tyris Corporation, came to the podium and explained that the million dollar figure was a projected number from the Laulima developers, which was similar to the projections made in the Mundie report conducted by the City in 2005 or 2006. The estimation was that hotel taxes would be approximately a million dollars if the hotel was fully built out as envisioned in 2004. He talked about the expected TOT sharing.

City Attorney Sanchez discussed the details of the five year TOT sharing plan. Mr. Sanchez also discussed a suggested edit in Ordinance 704-2016, under Section 2.8.7, Park and Recreation Facilities.

Bob Jordan, Cloverdale, voiced that he does not want to see anything happen that could threaten the industrial park in the future. He stressed the importance of compatible neighbors.

Dan Doport, Attorney for Tyris, requested to go on the record to clarify that Tyris' intent is for improvements such as the trails to be open to the public. He also commented on the TOT sharing.

Interim Community Development Director, Jerry Haag, reported a typographical error in the Resolutions presented, stating that the acreage should read 267 acres instead of 254 acres.

Action: Motion was made by Vice Mayor Wolter to approve Resolution No. 013-2016 adopting a CEQA Addendum to the 2009 Final Environmental Impact Report for the Alexander Valley resort Project located on approximately 267 acres of land lying east of Asti Road, west of the Russian River, south of Santana Drive and north of Cloverdale Municipal Airport (APNs 116-260-012, 116-310-013 & -014, 117-050-010, -011, 012, -017, -024, -026, -027, -028 & -029), and seconded by Councilmember Palla. The motion passed by roll call vote: (4-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell; 1-no- Mayor Brigham).

Action: Motion was made by Councilmember Russell to approve Resolution No. 014-2016 approving amendments to the General Plan changing the land use designation of a 12.3 acre site from "Business Park" to "Destination Commercial" and making text amendments to ensure consistency with the Alexander Valley Resort Specific Plan which, as amended covers approximately 267 acres of land lying east of Asti Road, west of the Russian River, south of Santana Drive and north of Cloverdale Municipal Airport (APNs 116-260-012, 116-310-013 & -014, 117-050-010, -011, 012, -017, -024, -026, -027, -028 & -029), and seconded by vice Mayor Wolter. The motion passed by roll call vote: (4-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell; 1-no- Mayor Brigham).

Action: Motion was made by Councilmember Palla to approve Resolution No. 015-2016 approving a Specific Plan Amendment to the Alexander Valley Resort Specific Plan adding a 12.3 acre site to the planning area, allowing a golf course as an optional, rather than mandatory feature and making other text amendments (approximately 267 acres of land lying east of Asti Road, west of the Russian River, south of Santana Drive and north of Cloverdale Municipal Airport, APNs 116-260-012, 116-310-013 & -014, 117-050-010, -011, 012, -017, -024, -026, -027, -028 & -029), and seconded by Councilmember Russell. The motion passed by roll call vote: (4-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell; 1-no- Mayor Brigham).

Action: Motion was made by Vice Mayor Wolter to introduce and waive the first reading of Ordinance No. 703-2016 of the City Council of the City of Cloverdale amending Title 18, "Zoning", of the Cloverdale Municipal Code, making certain changes to the standards of the SP-1 (Specific Plan) Zoning District within the Alexander Resort Project (APNs 116-260-012, 116-310-013 & -014, 117-050-010, -011, 012, -017, -024, -026, -027, -028 & -029), and seconded by Councilmember Palla. The motion passed by roll call vote: (4-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell; 1-no- Mayor Brigham).

Action: Motion was made by Councilmember Palla to introduce and waive the first reading of Ordinance No. 704-2016 of the City Council of the City of Cloverdale, as amended, approving a Development Agreement with Spight Properties II LLC pertaining to the development of the Alexander Resort Project located on approximately 267 acres of land lying east of Asti Road, west of the Russian River, south of Santana Drive and north of Cloverdale Municipal Airport (APNs 116-260-012, 116-310-013 & -014, 117-050-010, -011, 012, -017, -024, -026, -027, -028 & -029), and seconded by vice Mayor Wolter. The motion

passed by roll call vote: (4-ayes – Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell; 1-no- Mayor Brigham).

Mayor Brigham closed the Public Hearing.

NEW BUSINESS:

7. Discussion of Outline for March 1, 2016, Cloverdale City Council Goal Setting Workshop

City Manager Cayler discussed the outline for the goal setting workshop scheduled for 5:30 pm on March 1, 2016 at the Senior Center. He announced that the deadline for submitting goal statements to be considered at the workshop would be February 24th.

PUBLIC COMMENTS: None

8. Discussion and Possible Action to Determine Regional Issues of Significance for the General Membership of the Sonoma County Mayors' and Councilmembers' Association to Consider in 2016

City Manager Cayler presented this item and recommended that the City Council discuss and take action to create a list of regional issues important to Cloverdale to be transmitted in a letter to Petaluma Mayor David Glass, who is the 2016 presiding officer of the Sonoma County Mayors' and Councilmembers' Association. Councilmembers discussed issues of interest and determined the most significant issues for Cloverdale to be: Affordable housing, road funding, and homelessness, attracting and retaining quality jobs, public transportation, condition of County Schools, medical marijuana.

PUBLIC COMMENTS:

Jeanne Cox, Cloverdale, stated that she is a member of the "Friends of the Cloverdale Library" and suggested regional library funding be added to the above list.

Jimmy Halliday, Cloverdale, complimented the Council on the discussions to determine top regional issues of significance for Cloverdale, affirming the need to reach out for what we need and deserve as a City. He suggested this could be included in the goal setting.

SUBCOMMITTEE ACTION ITEMS: None

SUBCOMMITTEE REPORTS: (VERBAL REPORTS: 15 minutes)

- Airport (Chair, Councilmember Cox and Vice Mayor Wolter)- Councilmember Cox reported that hanger leases were discussed at the last meeting with the subcommittee recommending a 7% hanger rent increase. Next Meeting: April 5, 2016, 8:00 a.m.
- Finance, Administration & Police (Chair, Mayor Brigham and Vice Mayor Wolter) – Committee met on January 28th and previewed of the Water and Sewer Rate Setting Study; a presentation on the study will be coming to the Council on February 23rd. A draft investment policy was also discussed, as well as the draft massage ordinance. Next Meeting: February 25, 2016, 2:00 p.m.
- Planning & Community Development (Chair, Vice Mayor Wolter and Mayor Brigham) Committee met and discussed development of the Thyme Square property - Next Meeting: February 24, 2016, 4:00 p.m.
- Public Works (Chair, Councilmember Russell and Councilmember Cox) - Next Meeting: March 29, 2016, 10:30 a.m.
- Joint City/Fire District (Chair, Councilmember Palla and Mayor Brigham) - Next Meeting: February 22, 2016, 5:30 p.m.
- Joint City/School District (Chair, Councilmember Palla and Councilmember Cox) – Next Meeting: March 21, 2016, 5:00 p.m.

COUNCIL REPORTS (INCLUDING STUDENT LIAISON):

Councilmember Palla shared that Chief Cramer will be updating the City's Tobacco Ordinance and offered his appreciation and thanks.

Councilmember Russell commented that she spent a day with "Tomorrow's Leaders Today" with Supervisor Gore and representatives from Santa Rosa. She was excited to report that five young people went through the process this year. She shared a letter from Sonoma County Transit Authority (SCTA) and a congratulations letter from the White House directed to the Chair of the Sonoma County Regional Climate Protection Authority. Both letters are attached. Councilmember Russell commented that the Regional Climate Protection Authority is working very closely with Senator McGuire to help finance water savings through the Water Bill Savings Act.

Mayor Brigham stated a meeting took place on Friday regarding Cannabis Law with Assembly Member Wood, the State Board of Equalization, the Water Resource Board, Chief Cramer, and Patrick King from the Soil King in attendance. The current laws were discussed. Mayor Brigham commented that she received a lot of positive feedback regarding Chief Cramer's work and attitude and she wanted to commend him publicly.

LEGISLATIVE REPORT: None.

CITY MANAGER/CITY ATTORNEY REPORT:

City Manager commented that the City will have a booth at the Citrus Fair, which will be opening next weekend and reported that a couple of time slots remain open for working the City booth on Sunday and encouraged volunteers.

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:

Councilmember Cox stated he would like to receive an update on the water conservation efforts relative to where Cloverdale is compared to other cities in the County and other cities in the State.

ADJOURNMENT: Mayor Brigham adjourn the meeting at 8:55 p.m. to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Tuesday, February 23, 2016, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

RECORDING REQUESTED BY:

Spight Properties II LLC
1220 Diamond Way, Suite 100
Concord, CA 94520

AND WHEN RECORDED RETURN TO:

Spight Properties II LLC
1220 Diamond Way, Suite 100
Concord, CA 94520
Attention: Elena Spight

APN 117-050-026

**DECLARATION ACKNOWLEDGING NEIGHBORING USES
AND DEED RESTRICTION**

This Declaration Acknowledging Neighboring Uses and Deed Restriction (hereinafter "Deed Restriction") is made on February __, 2016, by Spight Properties II LLC (hereinafter "Declarant"). Declarant hereby declares and covenants as follows:

A. Declarant is the owner of that certain real property located in the City of Cloverdale, Sonoma County, California, designated in the Official Records of Sonoma County by Assessor's Parcel Number 117-050-026, and more particularly described in Exhibit A attached hereto ("the Property").

B. Santana Business Park is a tract of land adjacent to the Property consisting of multiple Assessor's Parcel Numbers individually identified and more particularly described in Exhibit B attached hereto ("the Business Park"). The Business Park carries the City of Cloverdale zoning ordinance designations of "M-P Industrial Park" and "M-1 General Industrial" and has been deemed by the City of Cloverdale to be suitable for light industrial and business park uses.

C. Declarant intends to develop and improve the Property in the future and acknowledges there are concerns among owners of the properties within the Business Park about whether their existing lawful, properly permitted, regulated and approved light industrial and other businesses inside the Business Park, which during the course of normal operations variously generate or emit noise, odors, dust and fumes and which involve the arrival and departure of light-, medium- and heavy-duty trucks and shipping vehicles at all hours of the day or night, will be compatible with, have a deleterious effect on, or otherwise unreasonably interfere with Declarant's planned development and improvement of the Property and Declarant's use and enjoyment thereof. Declarant has maintained there should be no incompatibility between the aforementioned existing lawful business operations within the Business Park and any contemplated development and improvement of the Property.

**DECLARATION ACKNOWLEDGING NEIGHBORING USES
AND DEED RESTRICTION**

D. Therefore, for the benefit of the present and future property owners within the Business Park, and in exchange for valuable consideration the receipt of which is hereby acknowledged, Declarant hereby covenants that no matter what future development or improvement there may be made on and to the Property, Declarant shall never assert or claim – to the City of Cloverdale, any governmental regulatory agency or in any court of law – that the Business Park, the properly approved and permitted operations and lawful activities (including legal nonconforming uses under Section 18.02.090(B)(1) of the City of Cloverdale Municipal Code) undertaken thereon, and the associated externalities from such operations and activities as are described in Paragraph C above, are nuisances, public or private, permanent or continuous, that unreasonably interfere with Declarant’s use and enjoyment of the Property, should be abated or enjoined, or for which the owners of businesses within the Business Park should pay damages to Declarant.

E. This Deed Restriction and the burdens and benefits created and established hereby are and shall be appurtenant, respectively, to the Property and all parcels within the Business Park, and binding on Declarant and each and all of Declarant’s members, officers, directors, employees, agents, servants, successors-in-interest and assigns so long as and to the extent that businesses located within the Business Park continue properly approved and permitted lawful operations consistent with the Business Park’s existing the M-P Industrial Park and M-1 General Industrial zoning designations, or otherwise constitute legal nonconforming uses and structures as set forth in Section 18.02.090(B)(1) of the City of Cloverdale Municipal Code.

In Witness Hereof, Declarant has executed this Deed Restriction on the day and year above.

Declarant:

Spight Properties II LLC

By: Elena Spight,
Managing Member and Authorized Signatory

EXHIBIT A

to Declaration Acknowledging Neighboring Uses and Deed Restriction

THE LAND HEREIN REFERRED TO IS SITUATED IN THE CITY OF CLOVERDALE, COUNTY OF SONOMA, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

Lying within the City of Cloverdale, State of California, within the Rancho Musalacón, being a portion of Tract I, Parcel Two of the lands of Spight Properties II, LLC as said lands are described in that certain deed recorded in the Office of the Sonoma County Recorder under Document Number 2001-181126, and a portion of the lands of Spight Properties II, LLC, as said lands are described in that deed recorded in the Office of the Sonoma County Recorder under Document Number 2011-062705, both Official Records of Sonoma County, said portions being combined to form one parcel of land more particularly described as follows:

Commencing at the common southerly corner of said lands of Spight Properties II and the lands of the State of California as described in that deed recorded in the Office of the Sonoma County Recorder in Book 2787, Page 130, Official Records of Sonoma County; thence, along the common line of said lands, North 22°54'09" East 17.06 feet to the beginning of a 940.00 foot radius non-tangent curve, concave westerly; thence, northwesterly along said curve, from a tangent bearing of North 9°22'43" West, through a central angle of 5°00'42" a length of 82.22 feet to the Point of Beginning; thence, continuing along said common line, continuing along said 940 foot radius curve, through a central angle of 22°47'30" for a length of 373.92 feet; thence North 37°10'55" West 373.83 feet to the beginning of a curve having a radius of 1560.00 feet, concave easterly; thence, northwesterly along said curve through a central angle of 3°16'22" a length of 89.11 feet to the most southerly corner of that parcel described in the deed to the City of Cloverdale recorded in the Office of the Sonoma County Recorder under Document Number 2003-210020, Official Records of Sonoma County; thence, along the southeasterly line of last said parcel the following three courses: (1) North 48°18'39" East 461.96 feet lying South 48°18'39" West 79.00 feet from the northeasterly line (produced) of said lands of Spight Properties II to the beginning of a curve having a radius of 20.00 feet; (2) on a 20.00 foot radius curve, concave southerly, through a central angle of 90°00'00" for an arc length of 31.42 feet; (3) North 48°18'39" East 59.03 feet to the most easterly corner of said lands of the City of Cloverdale and the northeasterly line of said lands of Spight Properties II; thence, along said easterly line, South 41°41'56" East 890.39 feet to a ½ inch iron pipe, tagged LS5759 as shown on the Record of Survey filed for record in the Office of the Sonoma County Recorder in Book 649 of Maps at Page 31, Official Records of Sonoma County and the north line of the aforesaid lands of Spight Properties II (Document Number 2011-062705); thence, along the common line of said lands of Spight Properties II, South 49°02'48" West 307.47 feet to a point distant thereon 425.78 feet northeasterly of the most southerly corner of said Tract I, Parcel 2; thence, leaving said common line, South 11°11'52" West 99.07 feet to the northerly line of the lands of Spight Properties II as described in that deed recorded under Document Number 2011-062703; thence, along last said line the following two courses: (1) North 78°48'08" West 73.00 feet to the beginning of a curve having a radius of 168.00 feet, concave southerly; (2) thence northwesterly along said curve, through a central angle of 1°22'14", for an arc length of 4.02 feet to the southeasterly line of Parcel 2 of Tract I, distant thereon 300.26 feet northeasterly of the southerly terminus thereof; thence, continuing northwesterly along said 168 foot radius curve, through a central angle of 50°21'55", for an arc length of 147.68 feet; thence South 49°27'43" West 59.54 feet to the beginning of a curve concave northeasterly having a radius of 72.00 feet; thence, northwesterly along said curve, through a central angle of 27°15'46", an arc length of 34.26 feet; thence South 76°43'29" West 37.93 feet to the Point of Beginning.

A.P. No. 117-050-026 formerly portions of A.P. No. 116-310-068 and A.P. No. 117-050-025.

Basis of bearings being South 43°50'31" East between found state well monuments 184 and 186, as calculated from the coordinate values listed on the State of California monument map S-66.11 "Cloverdale Bypass" (12/1994).

Pursuant to that certain Lot Line Adjustment (LLA 027-2011) Lot Line Adjustment Grant Deed recorded November 2, 2012, Instrument No. 2012109610, Official Records and Lot Line Adjustment Grant Deed (Corrected) recorded April 1, 2013, Instrument No. 2013033143, Official Records.

DECLARATION ACKNOWLEDGING NEIGHBORING USES AND DEED RESTRICTION

Exhibit B

to Declaration Acknowledging Neighboring Uses
and Deed Restriction

SONOMA COUNTY ASSESSOR PARCEL NUMBERS

116-310-056

116-310-057

116-310-069

116-310-071

116-310-077

116-310-078

116-310-081

116-310-082

116-580-001

116-580-002

116-580-003

116-580-004

116-580-005

116-580-006

116-580-007

116-580-008

116-580-009

116-580-010

February 8, 2016

Honorable Carol Russell
Mayor of the City of Cloverdale
314 Laurel Ct.
Cloverdale, CA 95425

Dear Director Russell,

The Regional Climate Protection Authority recently received the enclosed letter of congratulations from President Barack Obama for our designation in December, 2014 as one of the inaugural class of community scale White House Climate Action Champions.

The RCPA was selected in recognition of the outstanding leadership in climate action demonstrated within and across each of the nine local cities, the County of Sonoma, and the regional agency partners including the Sonoma County Transportation Authority, Sonoma Clean Power, the Sonoma County Water Agency, and the Sonoma County Agricultural Preservation and Open Space District.

Our work together is defining the frontier of ambitious climate action in greenhouse gas emissions reductions and climate resilience. Programs and policies developed locally will continue to serve as models for other communities to follow in demonstrating the possibility of a better future with lower emissions.

Thank you for your and your community's continued leadership on climate change, and for working in collaboration to make us successful as a region.

Sincerely,



Suzanne Smith
Executive Director, RCPA/SCTA



THE WHITE HOUSE
WASHINGTON

January 13, 2016

The Honorable Sarah Glade Gurney
Board Chair
Sonoma County Regional Climate Protection Authority
Santa Rosa, California

Dear Mayor Gurney and RCPA Directors:

Congratulations on your selection as a White House Climate Action Champion.

As we face the growing impact of extreme weather and climate change, we must join in common purpose to confront this threat and protect generations to come. By engaging communities across our Nation in advancing this mission, we can help shape the tomorrow we seek. That's why my Administration launched the Climate Action Champions competition—to encourage the kind of leadership we need at the local level, and to create additional opportunities for partnership.

Through the innovative steps your local governments are taking at this critical time, your community is doing its part to help build a sustainable and resilient future. I am deeply committed to finding opportunities to expand on those efforts, and I look forward to working with you.

Again, congratulations. I wish you the very best for an outstanding year of progress ahead.

Sincerely,

A handwritten signature in black ink, appearing to be "Barack Obama", written in a cursive style. The signature is positioned below the word "Sincerely,".



**DRAFT MINUTES
SPECIAL MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS**

WEDNESDAY, FEBRUARY 3, 2016

PUBLIC BUSINESS SESSION: 10:00 a.m.

**PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE LIBRARY, CONFERENCE ROOM, 401 N. CLOVERDALE BLVD.,
CLOVERDALE, CA 95425**

CONVENE PUBLIC BUSINESS SESSION – 10:00 a.m.

OPENING:

- Call to Order: Mayor Brigham called the meeting to order at 10:07 a.m.
- Roll Call: Councilmember Palla, Vice Mayor Wolter, Councilmember Cox, Councilmember Russell, and Mayor Brigham
- Conflict of Interest Declaration: None
- Agenda Review – Regular Session (Changes and/or Deletions): None

PUBLIC COMMENTS: None

COMMUNICATIONS: None

NEW BUSINESS:

1. City of Cloverdale Council’s Strategic Planning Retreat

Mayor Brigham introduced and welcomed meeting facilitator, Sue Haun, from Strategies by Design.

Sue Haun explained strategic planning as the process of looking at where an organization is currently, where you want to take the organization, setting a very intentional destination, and then mapping out how to get there. She stated that it is a multi-year, multi-priority plan, which is much more than annual goal setting. She commented that the process includes reviewing the organization’s mission and gathering input from stakeholders, analyzing the organizations strengths, weaknesses and identifying opportunities and threats (SWOT) to create an action plan.

The retreat workshop included discussion on:

A. Vision

- Vision/ Process Defined
- Discuss/ Define Vision for the City of Cloverdale

B. Mission & Key Service Areas

- Introduction/ Process Defined
- Review Mission
- Define Key Service Areas/ Strategic Focal Areas/ Framework

C. Where We Have Come From- 2012 -2016 Accomplishment & Challenges

- Process Defined
- Top 2-3 Prouds & Sorries
- Implications Moving Forward for Strategic Plan

D. Where We Are Now – SWOT analysis

- Definitions – Strengths, Weaknesses, Opportunities, Threats
- Strengths/ Weaknesses

E. Next Steps, Wrap Up

- Next Steps- Gathering Data, Definitions of Strategic
- Evaluation of the Day

The workshop participants included the City Council, Senior City Staff (City Manager Cayler, Police Chief Cramer, Finance Manager Cavallari), and members of the public (Tony Landucci, LaReva Myles, Paula Wren, and Roz Katz). From the group discussion, Ms. Haun developed the attached matrix, which represents the group's input on internal and external strengths, weaknesses, opportunities, and threats. Ms. Haun noted that the matrix is incomplete since it is the first step in the strategic planning process. She reported that meetings with the Senior Management Team and key community stakeholders will be scheduled to provide information that will be added to the SWOT Matrix for review at the Council's second strategic planning session anticipated to occur in May.

ADJOURNMENT: Mayor Brigham adjourned the meeting at 3:52 p.m. to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Tuesday, February 9, 2016, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

City of Cloverdale
SWOT ANALYSIS

Draft at March 6, 2016



INTERNAL Attributes of the organization Culture, Image, Organizational Structure, Key Staff, Operational Efficiency, Operational Capacity, Financial Resources		EXTERNAL Attributes of the environment Partners, "Customers," Trends, Social Changes, Economic Environment, Political & Regulatory Environment, New Technology	
HELPFUL <i>in achieving the mission</i>	HARMFUL <i>in achieving the mission</i>	HELPFUL <i>in achieving the mission</i>	HARMFUL <i>in achieving the mission</i>
STRENGTHS	WEAKNESSES	OPPORTUNITIES	THREATS
<p>MISSION / SERVICES</p> <p>Planning & Community Development / Economic Development –</p> <ul style="list-style-type: none"> · Visionary projects, ideas and community development (which ones?) · Recreational projects - River Park Project and Clark St. Park · Business retention and expansion - Renner Project & Bear Republic Brewing Co.; new life in downtown area · Drafted and adopted a comprehensive medical marijuana cultivation ordinance <p>Public Safety –</p> <ul style="list-style-type: none"> · ? <p>Fire Services -</p> <ul style="list-style-type: none"> · Completion of new facility · ? <p>Infrastructure – Roads, Sewage, Water, Utilities, Buildings –</p> <ul style="list-style-type: none"> · Improvements in the run water system – will reduce the costs of operations and improve our energy efficiency · Cloverdale Blvd. <p>Airport Services -</p> <ul style="list-style-type: none"> · ? <p>Access to City Services / Customer Satisfaction –</p> <ul style="list-style-type: none"> · City website provides easily accessible and timely information, including posting of Council meeting agenda packets <p>Partnerships / Collaboration –</p> <ul style="list-style-type: none"> · Senior Center (how?) 	<p>Planning & Community Development / Economic Development –</p> <ul style="list-style-type: none"> · Code enforcement gaps that contribute to blighted properties · Lack of business attraction and retention program coordination with Chamber <p>Public Safety -</p> <ul style="list-style-type: none"> · ? <p>Infrastructure – Roads, Sewage, Water, Utilities, Buildings –</p> <ul style="list-style-type: none"> · Aging infrastructure · Perception by the community that the water and sewer bills are too high; community doesn't understand what drives the cost · Deterioration of city streets <p>Airport Services -</p> <ul style="list-style-type: none"> · ? <p>Access to City Services –</p> <ul style="list-style-type: none"> · Antiquated website · Limited hours for City Hall · Not open on Fridays · Calls / emails not returned in a timely manner or at all <p>Partnerships / Collaboration –</p> <ul style="list-style-type: none"> · ? <p>Strategic Focus –</p> <ul style="list-style-type: none"> · Complaint driven goal structure (reactive rather than proactive) 	<p>Planning & Community Development / Economic Development –</p> <ul style="list-style-type: none"> · Alexander Valley Resort for development · Smart Train commitment to reaching Cloverdale (many benefits) · Expand trade area – greater Cloverdale area – attract more businesses · Cherry Creek drop can expand · Russian River access · Available space for business to provide more retail · Reasonably priced land for infill development · Cyclists · Development of Thymes Square – Police and Health Care · Cannabis legalization <p>Partnerships –</p> <ul style="list-style-type: none"> · Expand partnerships to include service clubs (Kiwanis, Rotary, Lions) <p>Location / Geography / Culture –</p> <ul style="list-style-type: none"> · Friendly, family atmosphere; small town charm · People want to get out of the city, opportunity to stimulate lots of tourism · US101 access · Natural environment and beauty, River · Attract bed & breakfast and restaurant tourism · Airport and landing strip · Diverse population – strong LGBT and Hispanic communities · Diversity of local organizations – Performing Arts Center, History Center, Brewing Co., Well Fargo Bank, etc. <p>Technology -</p> <ul style="list-style-type: none"> · ? 	<p>Planning & Community Development / Economic Development –</p> <ul style="list-style-type: none"> · Capital projects have increasingly demanding restrictions, requiring more resources and funding · Smart train (crime) · Russian River liability · Not a lot of economic diversity. Residents shop outside of Cloverdale – tax revenue goes to county or another city · No downtown restrooms · Blighted properties (used car business was a lost opportunity due to weed infested lot) · Loss of microenterprise business (folded, then taken over by CAA) · Boys & Girls Club issues (admin., lost control of building) · Limited job diversity and opportunity for youth jobs · Issues with water supply impacts development · Internet retailing impacts local businesses · Climate change · Post-recession conservative spending attitude · Homeless housing – no wiring in building <p>Partnership Development –</p> <ul style="list-style-type: none"> · Chamber of Commerce is unable to conduct a business attraction and retention program · Poor relationship with Sonoma County <p>Location / Geography / Culture –</p> <ul style="list-style-type: none"> · Small population base · Not conducive to businesses locating in Cloverdale · Lack of rural low income housing · Lack of low/moderate income housing (to attract workers) · Poor reputation of schools · Religious right <p>Technology -</p> <ul style="list-style-type: none"> · ?



	STRENGTHS	WEAKNESSES	OPPORTUNITIES	THREATS
GOVERNANCE / FINANCIAL MGT.	<p>City Council Members –</p> <ul style="list-style-type: none"> Consistency of members Dedicated, knowledgeable Open to each other and the public Lack of infighting and politicking that is so destructive elsewhere Good relationship with staff / accessible Institutional memory <p>Financial Management –</p> <ul style="list-style-type: none"> Finances in accordance with governmental accounting standards Successful local revenue measure (Measure O) Ad Valorem Tax (implemented in the 70's) in place and funds city employee pension Got RDA/City Loan repayment plans approved by DOF 	<p>City Council Members –</p> <ul style="list-style-type: none"> ? <p>Decorum in Council Meetings –</p> <ul style="list-style-type: none"> ? <p>Financial Management –</p> <ul style="list-style-type: none"> Unsure of fiscal position / revenue / general funds Lack of emergency funds 	<p>Financial Management –</p> <ul style="list-style-type: none"> Obtain grants for projects - recapture dollars in order to do things for the community as a whole Unspent RDA bond proceeds are available for development RUDAD – Rural funding for rural development is a possible funding source Rural Worker Housing Funding is another possible funding source 	<p>Financial Management –</p> <ul style="list-style-type: none"> Loss of Redevelopment Agency Funding Disconnect between the state and the cities – the assembly and the senate at any one time can take funding (like they did with the Redevelopment Agency funds) at a moment's notice, which can cause havoc with our resources It's a challenge finding money for capital projects Financial uncertainty due to possible sun setting of Measure O in X
IMAGE / OUTREACH	<p>Image / Community Relations –</p> <ul style="list-style-type: none"> Effective communication with some segments of the community (which ones?) Good customer relations (with whom?) Good community identity (say more) How does the community view the city / city council? 	<p>Image / Community Relations –</p> <ul style="list-style-type: none"> Lack of participation / communication with some segments of the community Committee meetings? Transparency issues? Trust? Engaging the community and responding to 	<p>Image / Community Relations –</p> <ul style="list-style-type: none"> To boost communication, improve PR and share important news through use of smartphones and automatic texting systems <p><i>What specific events, activities or approaches by other people/organizations in the community can be capitalized on?</i></p>	<p>Image / Community Relations –</p> <ul style="list-style-type: none"> X <p><i>What specific events, activities or approaches by other people/organizations in the community will compete with COC's efforts?</i></p>



	STRENGTHS	WEAKNESSES	OPPORTUNITIES	THREATS
ROLES & RELATIONSHIPS, COMMUNICATION, STRUCTURE, CAPACITY	<p>Staff –</p> <ul style="list-style-type: none"> · Cohesiveness among staff · Professional staff, department heads – educated and dedicated · Good relationship with city council members / accessible · Finance Manager knowledgeable about governmental accounting standards · New Police Dept. Command and caliber of Police Dept. staff · Most employees have been with the city for 6 or more years · Employees feel the work they do is important and like the kind of work they do · Employees have high regard for supervisors and Senior Management Team <p>Recruitment & Retention –</p> <ul style="list-style-type: none"> · ? <p>Structure / Capacity / Systems –</p> <ul style="list-style-type: none"> · Good communication · New direction for the police department · Systems / processes? · Good policies and procedures within each department? <p>Technology -</p> <ul style="list-style-type: none"> · Keeping pace with technology (?) 	<p>Staffing Shortage / Workload / Burnout –</p> <ul style="list-style-type: none"> · Lack of staffing in all departments · Outsourced staffing, e.g., IT staff not on site (a contract) · No grant writers on staff <p>New Police Facility -</p> <ul style="list-style-type: none"> · Did not get new police facility built <p>Succession Planning -</p> <ul style="list-style-type: none"> · Half of employees are 50+; increasing potential for retirement · Employee turnover post-recession resulted in employee retirements and moving on – loss of institutional memory among staff <p>Recruitment & Retention –</p> <ul style="list-style-type: none"> · ? <p>Recognition & Rewards, Pay -</p> <ul style="list-style-type: none"> · Employees feel pay and benefits are not in line with other major employers in the area · High performing employees are not recognized and rewarded on a timely basis <p>Performance Accountability -</p> <ul style="list-style-type: none"> · Employees feel steps are not taken to deal with poor performers who cannot or will not improve · Previous failures to ensure implementation of previously completed strategic plans <p>Structure / Capacity / Systems –</p> <ul style="list-style-type: none"> · ? <p>Technology -</p> <ul style="list-style-type: none"> · ? 	<p>New Police Facility -</p> <ul style="list-style-type: none"> · USDA funding for police station <p>Recruitment & Retention -</p> <ul style="list-style-type: none"> · x <p>Technology –</p> <ul style="list-style-type: none"> · Increasing use of technology, e.g., smartphones to access web-based information can free up staff time by providing more on-line access to city services 	<p>Regulatory Environment –</p> <ul style="list-style-type: none"> · The constantly shifting and expanding regulatory environment. Increasing regulations (e.g. ADA interpretations of regulations change every 6 months and storm water regulations are skyrocketing in terms of scope and details which affects sewer operations, OSHA / Safety · Sucks/wastes a lot of resource <p>Geographically Remote / Small -</p> <ul style="list-style-type: none"> · Retention/replacements of staff – especially technically skilled folks (e.g., engineers). Bringing people from outside the community more difficult. <p>Technology –</p> <ul style="list-style-type: none"> · Increasing costs of maintaining websites, limited staff and IT resources <p>Recruitment & Retention –</p> <ul style="list-style-type: none"> · ? <p>Structure / Capacity / Systems –</p> <ul style="list-style-type: none"> · ?



**DRAFT MINUTES
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF DIRECTORS**

TUESDAY, MAY 12, 2015

OPEN SESSION: 9:00 a.m.

SESSION LOCATION: CLOVERDALE FIRE DEPT. MEETING ROOM, 451 S. CLOVERDALE BLVD., CLOVERDALE, CA 95425

CONVENE OPEN SESSION – 9:00 a.m.

OPENING:

- Call to Order: Meeting called to order at 9:00 a.m.
- Pledge of Allegiance
- Roll Call: Present - Councilmember Wolter, Councilmember Russell, Councilmember Palla, Vice Mayor Brigham; Absent - Mayor Cox
- Conflict of Interest Declaration: None
- Agenda Review – Regular Session (Changes and/or Deletions): None

PUBLIC COMMENTS:

Vice Mayor Brigham opened and closed the public comment period, as none was received.

PROCLAMATIONS / PRESENTATIONS:

1. Workshop on the City of Cloverdale’s Fiscal Year 2015/2016 Budget. Cayler/Cavallari

City Manager, Paul Cayler, explained that the purpose of the workshop is to identify questions, problems, and additions or deletions to the proposed budget, so that identified issues that need to have greater discussion may be brought forward to Council at the first meeting in June. Mr. Cayler stated the budget needs to be ready for approval at the second meeting in June in order to meet the statutory requirement to have an adopted budget by July 1. Finance Manager, Joanne Cavallari, gave a PowerPoint presentation and went through the budget book with a department by department, line by line review.

ADJOURNMENT: Vice Mayor Brigham adjourned the meeting at 1:30 p.m. to the next regular meeting of the City Council and Cloverdale Community Development Successor Agency, Wednesday, May 13, 2015, for Closed Session at 5:30 p.m. (at the City Hall Conference Room 124 N Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:30 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425.)



Agenda Section Consent Calendar	Staff Contact Stephen Cramer, Police Chief Jose M. Sanchez, City Attorney
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Agenda Item Title
Waive second reading and adopt Ordinance No. 706-2016, Amending Cloverdale Municipal Code Chapter 8.08 Related to Smoking in Public Places.

SUMMARY:
On March 22, 2016, the City Council held a noticed public hearing to consider introducing and waiving the first reading of Ordinance No. 706-2016 amending Cloverdale Municipal Code Chapter 8.08 related to smoking in public places. The purpose of this agenda item is for the Council to consider and adopt Ordinance No. 706-2016. The City’s current smoking ordinance has not been updated since 1989. Minor amendments are necessary to bring the ordinance in line with current laws. Additionally, staff is recommending that provisions be added to prohibit smoking at all public events in the City, such as festivals, concerts, farmers’ markets, and other indoor and outdoor public events where numerous people would be susceptible to the negative impacts of secondhand smoke.

BACKGROUND:
The City of Cloverdale’s existing smoking ordinance, located in Chapter 8.08 of the Cloverdale Municipal Code, has not been revised since 1989. The current ordinance is out of compliance with state law. Several sections of Chapter 8.08 allow for smoking in indoor locations (such as bars, waiting rooms, cafeterias, etc.) where State law now prohibits it. The Municipal Code also allows for businesses to seek a variance from the City, allowing for indoor smoking. Since 1998, California law has prohibited smoking in nearly all indoor workplaces and therefore businesses usually comply with this.

Staff is proposing amendments to the Municipal Code to create clear local regulations that align with State law and meet local needs. Based on numerous complaints from the public, staff is proposing amendments that would prohibit all smoking at public events in the City such as concerts, festivals, markets, parades, etc. The changes would allow for smoking in any public area not being used for the event, as long as it is at least 20 feet away from the event. The proposed changes also make minor amendments to bring the City in line with current trends, such as including electronic cigarettes within the definition of cigarettes and adding a definition for “smoke,” which includes tobacco and marijuana smoke.

The Planning and Community Development Subcommittee reviewed the proposed ordinance at its February 24th meeting and recommended it be presented to the full City Council. The draft ordinance was presented to the full City Council at its March 8, 2016 workshop. On March 22, 2016, the City Council held a noticed public hearing to consider introducing and waiving the first reading of the Ordinance.

DISCUSSION:
Proposed Amendments to Smoking Ordinance:
The ordinance before the City Council consideration proposes the following changes and additions to Chapter 8.08 of the Municipal Code (the “Smoking Ordinance”):

- 1) Minor amendments to bring ordinance more in line with current law and trends:
 - Amend “definitions” to include electronic cigs, vape pipes and hookah in cigarette/smoking devices; and add definition of “smoke” (this item was not included in the proposal reviewed by

the Subcommittee)

- Delete provisions related to certain allowable indoor smoking that is now illegal in California (bars, waiting rooms, employee cafeterias, etc.)
- Remove variance section

2) Add a prohibition section regarding public events:

- 8.08.035, “public events regulated”
 - shall apply to indoor and outdoor events
 - farmers markets
 - concerts
 - fairs, bazars
 - does not prevent people from smoking on streets/sidewalks near event (20 feet away or more) that aren’t being used for the event

Overview of the law:

Laws related to smoking, secondhand smoke, and tobacco in California are in numerous statutes, including the Labor Code, the Government Code, the Health and Safety Code, the Education Code, the Penal Code, and the United States Code.

It is illegal in California to smoke on school campuses, in government buildings, at daycare facilities, within 25 feet of playgrounds, within 20 feet of an entrance, exit or window of a public building, and in health facilities.

It is also illegal in California to smoke in any enclosed place of employment. There are exceptions to this rule, including: up to 65% of hotel/motel guest rooms; up to 25 or 50% (depending on the total square footage) of hotel/motel lobbies; meeting and banquet rooms in hotels, except when food is present; retail tobacco shops and private smoking lounges within a tobacco shop; employee break rooms meeting strict design standards; and small businesses with five or fewer employees, and when the smoking area is not accessible to minors, all employees have consented to allow smoking, and certain ventilation and exhaust standards are met.

Local Authority:

Cities have the authority to enact local regulations that are more stringent than state law on secondhand smoke. Local regulations on smoking are intended to address both the health impacts of the activity to nonsmokers and the undesired impacts (odor, irritants) of smoking. Such ordinances are within the authority of a city to pass laws to protect the public health and welfare, as well as a city’s authority to regulate public nuisances. The United States Surgeon General has declared that there is no safe level of exposure to secondhand smoke. Numerous local cities have enacted more stringent smoking regulations in recent years. For example, smoking in outdoor dining areas of restaurants and bars is generally prohibited in Healdsburg, Santa Rosa, Cotati, Petaluma, Rohnert Park, and Windsor.

Electronic cigarettes:

Electronic cigarettes are devices that emit doses of vaporized nicotine or other substances that are inhaled by the user. Most use battery-powered heat to vaporize a liquid solution held in the mouthpiece of the device. Many cities have enacted regulations on electronic cigarettes, a growing trend in the tobacco business. Some examples of the more than 44 cities and counties that have passed prohibitions on electronic cigarettes include the cities of Los Angeles, Cotati, Healdsburg, Petaluma, Santa Rosa, Walnut Creek, Mountain View, Los Altos, Arcadia, Temecula, Santa Barbara, and Eureka.

Existing State law makes it illegal to sell or give electronic cigarettes to minors, but does not extend smoking prohibitions to electronic cigarettes. A recent national survey by the Centers for Disease Control and

Prevention revealed that use of electronic cigarettes by middle and high school students is increasing. Many electronic cigarette cartridges come in flavors that may appeal to children and teens, such as cotton candy and bubble gum.

According to the California Medical Association, the safety of electronic cigarettes is currently unknown. The devices have yet to be submitted to the U.S. Food and Drug Administration for approval. A 2009 study by the U.S. Food and Drug Administration found that electronic cigarettes contain carcinogens and toxic chemicals (although at lower levels than those within cigarettes) to which users and bystanders could be exposed. In 2013, University of California researchers determined that many of the elements identified in electronic cigarette vapor are known to cause respiratory distress and disease. However, some smokers successfully use electronic cigarettes to help them quit or reduce their tobacco intake, and studies support this. Much of the uncertainty surrounding the effects of electronic cigarettes is due to inaccurate nicotine content labeling, variations in nicotine related impurities in cartridges among manufacturers, and the varying levels of metal and silicate particle concentrations in electronic cigarette particles.

The federal government has banned the use of electronic cigarettes on airplanes. Additionally, the U.S. Food and Drug Administration is developing regulations for electronic cigarettes, which could make them subject to requirements for ingredient listing, user fees, and manufacturing requirements.

Outdoor smoking regulations:

Many cities prohibit smoking in outdoor areas of restaurants, at city parks, and at all places of employment. According to a recent reports from the American Lung Association, 84 municipalities in California prohibit smoking in all outdoor dining areas, 113 restrict smoking at public events, and 45 restrict smoking on sidewalks in commercial areas.¹ Cities with total bans on smoking in outdoor dining areas include El Cerrito, Piedmont, Oakland, Union City, Berkeley, Malibu, Manhattan Beach, Pasadena, Santa Monica, Del Mar, Morro Bay, Healdsburg, and San Jose.

¹ American Lung Association, *List of Municipalities that Restrict Smoking in Outdoor Dining Areas June 2015*; and *State of Tobacco Control 2014, 2015, and 2016*.

Budget/Financial Impact

The financial impact of additional smoking regulations on the budget would be minimal.

Subcommittee Recommendation

This agenda item was presented to the Planning and Community Development Subcommittee on February 24, 2016. The Subcommittee recommended it be presented to the full City Council for discussion and direction to staff. The full City Council discussed the draft ordinance at its March 8, 2016 workshop and directed staff to bring it back for first reading. On March 22, 2016, the City Council held a noticed public hearing to consider introducing and waiving the first reading of the Ordinance.

Recommended Council Action

The City Manager recommends that the City Council waive the second reading and adopt Ordinance No. 706-2016, an Ordinance of the City Council of Cloverdale Amending Cloverdale Municipal Code Chapter 8.08, "Smoking in Public Places," to Align Regulations with Current Law and to Prohibit Smoking at Outdoor Public Events.

Attachments:

1. Ordinance No. 706-2016.
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2631022.1

**CITY OF CLOVERDALE
CITY COUNCIL
ORDINANCE NO. 706-2016**

**AN ORDINANCE OF THE CITY COUNCIL OF CLOVERDALE AMENDING
CLOVERDALE MUNICIPAL CODE CHAPTER 8.08, “SMOKING IN PUBLIC
PLACES,” TO ALIGN REGULATIONS WITH CURRENT LAW AND TO
PROHIBIT SMOKING AT OUTDOOR PUBLIC EVENTS**

WHEREAS, tobacco use causes death and disease and continues to be an urgent public health challenge, as evidenced by the following:

- Tobacco-related illness is the leading cause of preventable death in the United States, accounting for about 443,000 deaths each year;¹ and
- Scientific studies have concluded that tobacco use can cause chronic lung disease, coronary heart disease and stroke, in addition to cancer of the lungs, larynx, esophagus, and mouth;² and
- Some of the most common types of cancers, including stomach, liver, uterine, cervix, and kidney are related to tobacco use;³ and

WHEREAS, secondhand smoke has been repeatedly identified as a health hazard, as evidenced by the following:

- The U.S. Surgeon General concluded that there is no risk-free level of exposure to secondhand smoke;⁴ and
- The California Air Resources Board placed secondhand smoke in the same category as the most toxic automotive and industrial air pollutants by categorizing it as a toxic air contaminant for which there is no safe level of exposure;⁵ and

¹ US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation’s Leading Killer*. 2011, p. 2. Available at: www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf.

² US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation’s Leading Killer*. 2011, p. 2. Available at: www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf.

³ Leistikow B, Zubair K, Connolly GN, et al. “Male Tobacco Smoke Load and Non-Lung Cancer Mortality Associations in Massachusetts.” *BMC Cancer*, 8:341, 2008. Available at: www.biomedcentral.com/1471-2407/8/341.

⁴ US Department of Health and Human Services, Office of the Surgeon General. *How Tobacco Smoke Causes Disease: The Biology and Behavioral Basis for Smoking-Attributable Disease: A Report of the Surgeon General*. 2010, p. 9. Report highlights available at: www.surgeongeneral.gov/library/tobaccosmoke/factsheet.html.

⁵ Resolution 06-01, Cal. Air Resources Bd. (2006) at 5. Available at: www.arb.ca.gov/regact/ets2006/res0601.pdf; see also California Environmental Protection Agency, Air Resources Board. *News Release, California Identifies Secondhand Smoke as a “Toxic Air Contaminant.”* Jan. 26, 2006. Available at: www.arb.ca.gov/newsrel/nr012606.htm.

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- The California Environmental Protection Agency included secondhand smoke on the Proposition 65 list of chemicals known to the State of California to cause cancer, birth defects, and other reproductive harm;⁶ and

WHEREAS, exposure to secondhand smoke causes death and disease, as evidenced by the following:

- Secondhand smoke is responsible for as many as 3,000 deaths from lung cancer and 46,000 deaths from heart disease among nonsmokers each year in the United States;⁷ and
- Exposure to secondhand smoke increases the risk of coronary heart disease by approximately thirty percent;⁸ and
- Secondhand smoke exposure causes lower respiratory tract infections, such as pneumonia and bronchitis, in as many as 300,000 children in the United States under the age of 18 months each year, and exacerbates childhood asthma;⁹ and

WHEREAS, tobacco use and exposure to secondhand smoke impose great social and economic costs, as evidenced by the following:

- The total annual economic burden of smoking in the United States is \$193 billion;¹⁰ and
- From 2001-2004, the average annual health care expenditures attributable to smoking were approximately \$96 billion;¹¹ and
- The medical and other costs to nonsmokers due to exposure to secondhand smoke were estimated at over \$10 billion per year in the United States in 2005;¹² and

⁶ California Environmental Protection Agency, Office of Environmental Health Hazard Assessment. *Chemicals Known to the State to Cause Cancer or Reproductive Toxicity*. 2006, p. 8 & 17. Available at: www.oehha.ca.gov/prop65/prop65_list/files/P65single081106.pdf.

⁷ US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation's Leading Killer*. 2011, p. 2. Available at: www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf.

⁸ Barnoya J and Glantz S. "Cardiovascular Effects of Secondhand Smoke: Nearly as Large as Smoking." *Circulation*, 111: 2684-2698, 2005. Available at: www.circ.ahajournals.org/cgi/content/full/111/20/2684.

⁹ US Department of Health and Human Services, Centers for Disease Control and Prevention. *Tobacco Use: Targeting the Nation's Leading Killer*. 2011, p. 2. Available at: www.cdc.gov/chronicdisease/resources/publications/aag/pdf/2011/Tobacco_AAG_2011_508.pdf.

¹⁰ US Department of Health and Human Services, Centers for Disease Control and Prevention. *Fact Sheet – Economic Facts about U.S. Tobacco Production and Use*. Available at: www.cdc.gov/tobacco/data_statistics/fact_sheets/economics/econ_facts/index.htm#costs (last updated March 9, 2011).

¹¹ US Department of Health and Human Services, Centers for Disease Control and Prevention. *Fact Sheet – Economic Facts about U.S. Tobacco Production and Use*. Available at: www.cdc.gov/tobacco/data_statistics/fact_sheets/economics/econ_facts/index.htm#costs (last updated March 9, 2011).

¹² Behan DF, Eriksen MP and Lin, Y. *Economic Effects of Environmental Tobacco Smoke*. Schaumburg, IL: Society of Actuaries, 2005, p. 2. Available at:

(footnote continued)

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- California's Tobacco Control Program saved the state and its residents \$86 billion in health care expenditures between the year of its inception, 1989, and 2004, with savings growing yearly;¹³ and
- Indoor smoking bans have been attributed with reductions in calls for ambulances and reductions in deaths attributed to heart attacks;¹⁴ and

WHEREAS, exposure to secondhand smoke anywhere has negative health impacts, and exposure to secondhand smoke does occur at significant levels outdoors, as evidenced by the following:

- Levels of secondhand smoke exposure outdoors can reach levels attained indoors depending on the direction and amount of wind and number and proximity of smokers;¹⁵ and
- Irritation from secondhand smoke begins at levels as low as 4 micrograms per cubic meter, and in some outdoor situations this level can be found as far away as 13 feet from the burning cigarette;¹⁶ and
- Smoking cigarettes near building entryways can increase air pollution levels by more than two times as compared to background levels, with maximum levels reaching the "hazardous" range on the US EPA's Air Quality Index;¹⁷ and

[www.soa.org/files/pdf/ETSReportFinalDraft\(Final%203\).pdf](http://www.soa.org/files/pdf/ETSReportFinalDraft(Final%203).pdf); see also US Department of Health and Human Services, Centers for Disease Control and Prevention. *Fact Sheet – Fast Facts*, www.cdc.gov/tobacco/data_statistics/fact_sheets/fast_facts/index.htm (last updated March 9, 2011).

¹³ Lightwood JM, Dinno A and Glantz SA. "Effect of the California Tobacco Control Program on Personal Health Care Expenditures." *PLoS Med*, 5(8): e178, 2008. Available at: www.plosmedicine.org/article/info:doi/10.1371/journal.pmed.0050178.

¹⁴ Franklin D. *Smoking Ban Tilts Odds Against Ambulance Calls from Casinos*. Available at: <http://www.npr.org/blogs/health/2013/08/05/209149956/smoking-ban-in-casinos-linked-to-fewer-caller-for-ambulances>; Shute N. *After Smoking Is Banned, Heart Attacks Drop*. Available at <http://www.npr.org/blogs/health/2012/10/29/163889012/after-smoking-is-banned-heart-attacks-drop>.

¹⁵ Klepeis NE, Ott WR, and Switzer P. *Real-Time Monitoring of Outdoor Environmental Tobacco Smoke Concentrations: A Pilot Study*. San Francisco: University of California, San Francisco and Stanford University, 2004, p. 80, 87. Available at: http://exposurescience.org/pub/reports/Outdoor_ETS_Final.pdf; see also Klepeis NE, Ott WR and Switzer P. "Real-Time Measurement of Outdoor Tobacco Smoke Particles." *Journal of the Air & Waste Management Association*, 57: 522-534, 2007. Available at: www.ashaust.org.au/pdfs/OutdoorSHS0705.pdf.

¹⁶ Junker MH, Danuser B, Monn C, et al. "Acute Sensory Responses of Nonsmokers at Very Low Environmental Tobacco Smoke Concentrations in Controlled Laboratory Settings." *Environmental Health Perspectives*, 109(10):1045-1052, p. 1049-51, 2001. Available at: www.pubmedcentral.nih.gov/picrender.fcgi?artid=1242082&blobtype=pdf; Repace JL. "Benefits Ordinance No. of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles." *William Mitchell Law Review*, 34(4): 1621-1638, p. 1626, 2008. Available at: www.repace.com/pdf/Repace_Ch_15_Outdoor_Smoke.pdf.

¹⁷ Kaufman P, Zhang, B, Bondy S, et al. "Not just 'a few wisps': real-time measurement of tobacco smoke at entrances to office buildings." *Tobacco Control*. Published Online First: 21 December 2010. doi:10.1136/tc.2010.041277. Abstract available at: <http://tobaccocontrol.bmj.com/content/early/2010/12/21/tc.2010.041277.abstract>.

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- To be completely free from exposure to secondhand smoke in outdoor places, a person may have to move nearly 25 feet away from the source of the smoke, about the width of a two-lane road;¹⁸ and

WHEREAS, cigarette butts pose a health threat to young children and are a major and persistent source of litter; and

WHEREAS, laws restricting the use of tobacco products have recognizable benefits to public health and medical costs, as evidenced by the following:

- Cities with smoke-free laws see an appreciable reduction in hospital admittances for heart attacks in the months and years after such laws are passed;¹⁹ and
- Smoking bans help people reduce the number of cigarettes they smoke or to quit altogether;²⁰ and
- Strong smoking regulations for restaurants decrease the number of children who transition from experimenting with smoking to becoming actual smokers;²¹ and

WHEREAS, the safety and efficacy of electronic cigarettes is still unknown and electronic cigarettes deliver an unknown mix of potentially carcinogenic and toxic compounds, as evidenced by the following: a) nicotine content labeling is not accurate with some electronic cigarette manufacturers;²² b) nicotine related impurities content in cartridges and refills vary by electronic cigarette manufacturer;²³ and c) the concentrations of some metal and silicate particles in electronic cigarette aerosol were higher than or equal to the levels contained in conventional cigarette smoke;²⁴ and

¹⁸ Repace JL. “Benefits of Smoke-Free Regulations in Outdoor Settings: Beaches, Golf Courses, Parks, Patios, and in Motor Vehicles.” *William Mitchell Law Review*, 34(4): 1621-1638, p. 1626, 2008. Available at: www.repace.com/pdf/Repace_Ch_15_Outdoor_Smoke.pdf.

¹⁹ US Department of Health and Human Services, Centers for Disease Control and Prevention. “Reduced Hospitalizations for Acute Myocardial Infarction After Implementation of a Smoke-Free Ordinance – City of Pueblo, Colorado, 2002 – 2006.” *Morbidity and Mortality Weekly Report*, 57(51&52): 1373-1377, 2009. Available at: www.cdc.gov/mmwr/preview/mmwrhtml/mm5751a1.htm; Glantz SA. “Meta-Analysis of the Effects of Smokefree Laws on Acute Myocardial Infarction: An Update.” *Preventive Medicine*, 47(4): 452-453, 2008. Abstract available at: www.ncbi.nlm.nih.gov/pmc/articles/PMC2927851/?tool=pubmed.

²⁰ Neighmond P. “Smoking Bans Help People Quit, Research Shows.” *National Public Radio*, October 25, 2007, www.npr.org/templates/story/story.php?storyId=15610995.

²¹ Siegel M, Albers AB, Cheng DM, et al. “Local Restaurant Smoking Regulations and the Adolescent Smoking Initiation Process: Results of a Multilevel Contextual Analysis Among Massachusetts Youth.” *Archives of Pediatrics and Adolescent Medicine*, 162(5): 477-483, 2008. Available at: <http://archpedi.ama-assn.org/cgi/reprint/162/5/477.pdf>.

²² Trehy ML, Ye W, et al. “Analysis of Electronic Cigarette Cartridges, Refill Solutions, and Smoke for Nicotine and Nicotine Related Impurities.” *Journal of Liquid Chromatography & Related Technologies*, 34:1442–1458, 2011.

²³ *Id.*

²⁴ Williams M, Villarreal A, Bozhilov K, Lin S, Talbot P (2013) Metal and Silicate Particles Including Nanoparticles Are Present in Electronic Cigarette Cartomizer Fluid and Aerosol. *PLoS ONE* 8(3): e57987. doi:10.1371/journal.pone.0057987

WHEREAS, the U.S. Food and Drug Administration conducted laboratory analysis of electronic cigarette samples and found them to contain carcinogens and toxic chemicals to which users and bystanders could potentially be exposed,²⁵ suggesting that the same concerns present with secondhand smoke from conventional cigarettes may exist with electronic cigarettes; and

WHEREAS, it is unlawful to sell or furnish electronic cigarettes to minors,²⁶ however minors are still able to obtain access to electronic cigarette products. A national survey revealed that between 2011 and 2012, middle school students who reported ever using electronic cigarettes increased from 1.4% to 2.7% and current use of electronic cigarettes increased from 0.6% to 1.1%.²⁷ The same survey found that high school students who reported ever using electronic cigarettes increased from 4.7% to 10.0% while current use increased from 1.5% to 2.8%; and

WHEREAS, state law prohibits smoking within 25 feet of playgrounds and tot lots and expressly authorizes local communities to enact additional restrictions;²⁸ and state law prohibits smoking within 20 feet of entryways and operable windows of government buildings;²⁹ and

WHEREAS, there is no Constitutional right to smoke;³⁰ and

WHEREAS, it is the intent of the City Council, in enacting this Ordinance, to provide for the public health, safety, and welfare by discouraging the inherently dangerous behavior of smoking and tobacco use around non-tobacco users, especially children; by protecting the public from exposure to secondhand smoke where they live, work and play; by reducing the potential for children to wrongly associate smoking and tobacco use with a healthy lifestyle; and by affirming and promoting a healthy environment in the City.

²⁵ US Food and Drug Administration. *News Release, FDA and Public Health Experts Warn About Electronic Cigarettes*. July 22, 2009. Available at: www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm173222.htm.

²⁶ Cal. Health & Safety Code § 119405 (West 2013).

²⁷ Centers for Disease Control and Prevention. *Electronic Cigarette Use Among Middle and High School Students—United States, 2011-2012. Morbidity and Mortality Weekly Report*. September 6, 2013 (survey results are available at http://www.cdc.gov/tobacco/data_statistics/surveys/nyts.)

²⁸ Cal. Health & Safety Code § 104495 (West 2008).

²⁹ Cal. Gov't Code § 7597 (West 2008).

³⁰ Public Health Law & Policy, Technical Assistance Legal Center. *There Is No Constitutional Right to Smoke*. 2005. Available at www.phlpnet.org/tobacco-control/products/there-no-constitutional-right-smoke.

NOW, THEREFORE, the City Council of the City of Cloverdale does ordain as follows:

SECTION 1. Amendment of Code. Chapter 8.08 of the Cloverdale Municipal Code is amended to read as follows:

Chapter 8.08

SMOKING IN PUBLIC PLACES

Sections:

- 8.08.010 Purpose of provisions.
- 8.08.020 Definitions.
- 8.08.030 City-owned facilities regulated.
- 8.08.035 Public events regulated.
- 8.08.040 Enclosed places where smoking is prohibited.
- 8.08.050 Places of employment regulated.
- 8.08.060 Areas exempt from restrictions.
- 8.08.070 Posting requirements.
- 8.08.080 Reserved.
- 8.08.090 Enforcement of provisions.
- 8.08.100 Retaliation prohibited.
- 8.08.110 Chapter provisions not exclusive.
- 8.08.120 Violation—Penalty.

8.08.010 Purpose of provisions.

The purpose of this chapter is to protect the public health and welfare by regulating smoking in public places and places of employment and to strike a reasonable balance between the needs of persons who smoke and the needs of nonsmokers to breathe smoke-free air, and to recognize that, when these needs conflict, the need to breathe smoke-free air shall have priority.

8.08.020 Definitions.

The following words and phrases, whenever used in this chapter, shall be construed as defined in this section, unless it is apparent from the context that they have a different meaning:

“Bar” means an area which is devoted to the serving of alcoholic beverages and in which the service of food is only incidental to the consumption of such beverages.

“City” means the city of Cloverdale, state of California.

“Electronic smoking device” means an electronic and/or battery-operated device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances.

“Electronic smoking device” includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. “Electronic smoking device”

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does not include any product specifically approved by the United States Food and Drug Administration for the use in the mitigation, treatment, or prevention of disease.

“Employee” means any person who is employed by any employer in consideration for direct or indirect monetary wages or profit.

“Employer” means any person, partnership, corporation, including municipal corporation, who employs the services of more than three persons.

“Enclosed” means closed in by roof and four walls with appropriate openings for ingress and egress.

“Place of employment” means any enclosed area under the control of a public or private employer which employees normally frequent during the course of employment, including but not limited to, work areas, employee lounges, conference rooms, and employee cafeterias or eating places. A private residence is not a place of employment for purposes of this chapter, unless it is used as a child care or health care facility.

“Smoke” means the gases, particles or vapors released into the air by combustion, electronic ignition or vaporization when the apparent or usual purpose of the combustion, electronic ignition or vaporization is human inhalation of the resulting combustion products, including but not limited to tobacco smoke, cigarette smoke, marijuana smoke, and gases, aerosol or vapor released by the ignition of e-cigarettes or electronic smoking devices. “Smoke” does not include the product of combustion of incense or similar products when used solely for olfactory purposes and not containing tobacco or nicotine.

“Smoking” means the carrying or holding of a lighted pipe, cigar, cigarette of any kind, including an electronic cigarette or electronic or battery-operated smoking device, or any other lighted smoking equipment or the lighting or emitting or exhaling the smoke or vapor of a pipe, cigar, or cigarette of any kind.

“Sports arena” means the enclosed sports pavilions, gymnasiums, health spas, swimming pools, roller and ice rinks, bowling alleys, and other similar places where members of the public assemble to engage in physical exercise, participate in athletic competition or witness sports events.

8.08.030 City-owned facilities regulated.

All enclosed facilities and transit buses owned, leased, or operated by the city or under control of the city council shall be subject to the provisions of this chapter.

8.08.035 Public events regulated.

Smoking shall be prohibited in enclosed and unenclosed public places, when being used for a public event, including but not limited to a farmers’ market, concert, parade, craft fair, festival, bazar, or any other event which may be attended by the general public, provided that Smoking is permitted at least twenty (20) feet from the event area on streets and sidewalks being used in a traditional capacity as pedestrian or vehicular thoroughfares, unless otherwise prohibited by this Chapter or other law.

8.08.040 Enclosed places where smoking is prohibited.

Smoking shall be prohibited in the following places within all areas of the city:

A. All enclosed areas within businesses available to and customarily used by the general public including, but not limited to, retail stores, hotels and motels, pharmacies, banks, attorneys' offices and other offices;

B. Within all restaurants.

C. Waiting rooms, hallways, wards and semiprivate rooms of health facilities, including, but not limited to, hospitals, clinics, physical therapy facilities, doctors' offices and dentists' offices, except that health facilities shall also be subject to the provisions of Section 8.08.050 of this chapter regulating smoking in places of employment;

D. Elevators, public restrooms, indoor service lines, buses, taxicabs, public airports, and other means of public transit under the authority of the city, and in ticket, boarding, and waiting areas of public transit depots;

E. In public areas of museums and galleries;

F. Enclosed seating areas of theaters, auditoriums, and halls which are used for motion pictures, stage dramas and musical performances, ballets or other exhibitions, except when smoking is part of any such production;

G. Enclosed sports arenas, convention, church, social and auditorium halls;

H. Retail food marketing establishments, including grocery stores and supermarkets;

I. Public schools and other public facilities under the control of another public agency, which are available to and customarily used by the general public, to the extent that the same are subject to the jurisdiction of the city;

J. Notwithstanding any other provisions of this chapter, any owner, operator, manager or other person who controls any establishment subject to this chapter may declare that entire establishment as a nonsmoking establishment.

8.08.050 Places of employment regulated.

A. It shall be the responsibility of employers to make reasonable effort to provide smoke-free area for nonsmokers within existing facilities.

B. Within ninety days of the effective date of the ordinance codified in this chapter, each employer and each place of employment located within the city, shall adopt, implement, make known to employees and public, and maintain a written smoking policy, which shall contain at a minimum the following requirements:

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1. Prohibition of smoking in conference and meeting rooms, classrooms, restrooms, medical facilities, hallways and elevators and all other areas as required by state or federal law;

2. Any employee in a place of employment shall be given the right to designate his/her immediate work area as a nonsmoking area and to post the same with an appropriate sign or signs, to be provided by the employer. The policy adopted by the employer shall include a reasonable definition of the term “immediate work area”;

C. Reserved.

D. The smoking policy shall be communicated to all employees within three weeks of its adoption, and at least annually thereafter. All new employees shall be informed of the policy during initial orientation and in no case later than three weeks after employment;

E. Notwithstanding the provisions of subsection A of this section, every employer shall have the right to designate any place of employment, or portion thereof, as a nonsmoking area.

8.08.060 Areas exempt from restrictions.

Notwithstanding any other provision of this chapter, the following areas shall not be subject to the smoking restrictions of this chapter:

A. Private residences, unless the residence is used as a child care or a health care facility;

B. Reserved.

C. Hotel or motel rooms rented to guests, as allowable under state law;

D. Retail stores that deal primarily in the sale of tobacco and smoking paraphernalia;

E. Restaurants, hotel and motel conference or meeting rooms, and public and private assembly rooms while these places are being used for private functions, so long as no food is being served;

F. A private enclosed space occupied exclusively by smokers, even though such a place may be visited by nonsmokers, and private enclosed offices, excepting places in which smoking is prohibited by the fire agency of jurisdiction or by any other law, ordinance or regulation.

8.08.070 Posting requirements.

“Smoking” or “No Smoking” signs, whichever are appropriate, with letters of not less than one inch in height or the international “No Smoking” symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it, shall be clearly, sufficiently and conspicuously posted in every building or other place where smoking is controlled by this chapter, by the owner, operator, manager or other person having control of such building or other places.

8.08.080 Reserved.

8.08.090 Enforcement of provisions.

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A. Any owner, manager, operator or employer of any establishment subject to this chapter shall have the responsibility to inform any apparent violator, whether public or employee, about any smoking restrictions in the establishment, and shall attempt at all times to obtain voluntary compliance by any apparent violator.

B. Any citizen who desires to register a complaint under this chapter may initiate the complaint by filing a written complaint with the police department.

C. While an establishment is undergoing otherwise mandated inspections, a “self-certification” will be required from the owner, manager, operator or other person having control of such establishment that all requirements of this chapter have been complied with.

8.08.100 Retaliation prohibited.

No person or employer shall discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because such employee or applicant exercises any rights afforded by this chapter.

8.08.110 Chapter provisions not exclusive.

This chapter shall not be interpreted or construed to permit smoking where it is otherwise restricted by other applicable laws.

8.08.120 Violation—Penalty.

A. It is unlawful for any person who owns, manages, operates or otherwise controls the use of any premises subject to this chapter to fail to:

1. Properly post signs required hereunder,
2. To provide signs for the use of employees in designating their areas;
3. To properly set aside “No Smoking” areas;
4. To adopt a smoking restriction policy; or
5. To comply with any other requirements of this chapter.

B. It is unlawful for any person to smoke in any area restricted by the provisions of this chapter.

C. Any person or business that violates subsections A or B or any other provisions of this chapter shall be guilty of an infraction, punishable by:

1. A fine, not exceeding one hundred dollars for first violation;
2. A fine, not exceeding two hundred dollars for a second violation of this chapter within one year,
3. A fine, not exceeding five hundred dollars for each additional violation of this chapter within five years.

SECTION 2. California Environmental Quality Act (“CEQA”).

The City Council hereby finds that the approval of the amendments in this Ordinance is exempt from further environmental review under the general rule in California Environmental Quality Act (CEQA) Guidelines section 15061(b)(3) that CEQA only applies to projects that have the potential

for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that this Ordinance will have a significant effect on the environment.

SECTION 3. No Mandatory Duty of Care.

This Ordinance is not intended to, and shall not be construed or given effect in a manner that imposes upon the City or any officer, agent, employee or volunteer, thereof a mandatory duty of care towards persons and property, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 4. Severability.

If any section, subsection, sentence, clause or phrase of this Chapter is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The City Council hereby declares that it would have passed the ordinance codified in this Chapter, and each and every section, subsection, sentence, clause or phrase not declared invalid or unconstitutional without regard to whether any portion of this Chapter would be subsequently declared invalid or unconstitutional.

SECTION 5. Effective Date.

This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Council Members voting for or against the same, in a newspaper of general circulation published in the County of Sonoma, State of California.

I hereby certify that the foregoing is a true and complete copy of an ordinance duly and regularly adopted by the City at a regular meeting thereof held on _____, 2016, by the following vote:

PASSED, APPROVED AND ADOPTED this ___ day of _____ 2016 by the following roll call vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

APPROVED:

ATTEST:

_____,
MaryAnn Brigham, Mayor

_____,
Paul Cayler, City Clerk



**City Council/Successor Agency
Agenda Item Summary**

Agenda Item: 10
Meeting Date: April 12, 2016

Agenda Section Consent	Staff Contact Rafael Miranda, Associate Planner
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Agenda Item Title

Action to approve Resolution No. 023-2016 of the City Council of the City of Cloverdale authorizing the City Manager to submit a letter to the Department of Alcoholic Beverage Control (ABC) stating that the Public Convenience or Necessity will be served by the Departments issuance of a type 20 off-sale license for the Dollar General retail store located at 465 S. Cloverdale Boulevard.

Summary

On June 3, 2015 the Planning Commission approved a Design Review, Plot Plan and Sign Permit to allow for the construction of a new Dollar General retail store located at 465 S. Cloverdale Boulevard. Presently, the project is under construction and Dollar General recently applied for a type 20 alcohol license from the Department of Alcoholic Beverage Control (ABC), to allow for the sale of beer and wine at the store for consumption off the premises (off-sale beer and wine license). Dollar General subsequently submitted a request for a finding of Public Convenience or Necessity to the City of Cloverdale as required by the ABC pursuant to § 23958.4 of the Business and Professions Code.

ABC administers the issuance of various types of licenses that allow for the manufacture and/or sale of alcoholic beverages within the State of California. In cases where an overconcentration of such licenses exist within a particular census tract, ABC may still issue a new license if the local governing body or its designated subordinate officer or body determines that public convenience or necessity would be served by the issuance of an ABC license.

For the purpose of off-sale retail license applications, the term “undue concentration” is defined by the ratio of off-sale retail licenses to population in the census tract or census division in which the premises are located exceeds the ratio of off-sale retail licenses to population in the county in which the premises are located. As indicated on the attached Location Map/Census Tract Map, the City is divided into two census tracts including Tract No. 1542.01 and Tract No. 1542.02. In Census Tract No. 1542.01, six (6) off-sale licenses is considered by ABC to be an over concentration for the population of the tract. Currently, there are ten (10) existing ABC licenses issued by ABC within this Census Tract.

Staff has determined that the sale of beer and wine for off-site consumption from a general retail store such as Dollar General is considered to be ancillary to the primary general retail use of the site. Furthermore, the use and operation of the site as a general retail use will assist in the generation of additional sales and use tax revenues to the City, as well as, assist in the creation and maintenance of additional jobs and economic opportunities for the residents of the City. Therefore, it is in the opinion of staff that the public convenience or necessity would be served by the proposed sale of beer and wine for off-premises consumption in conjunction with the operation of a general retail store located at 465 S. Cloverdale Boulevard.

Options

- 1) Adopt Resolution No. 023-2016 determining that the public convenience or necessity would be served by the issuance of an off-sale beer and wine license (type 20 alcoholic beverage control license) for the premises located at 465 S. Cloverdale Boulevard.
- 2) Modify the proposed Draft Public Convenience or Necessity letter.

- 3) Deny the application and require staff to return with a resolution denying the public convenience or necessity letter request.

Budget/Financial Impact

The sale of beer and wine from the general retail store will assist in the generation of additional sales and use tax revenues to City.

Subcommittee Recommendation:

None

Recommended Council Action:

Staff recommends adoption of Resolution No. 023-2016 authorizing the City Manager to submit a letter to the Department of Alcoholic Beverage Control (ABC) stating that the Public Convenience or Necessity will be served by the Departments issuance of a type 20 off-sale license for the Dollar General retail store located at 465 S. Cloverdale Boulevard.

Attachments:

1. Dollar General request for a finding of Public Convenience or Necessity dated February 23, 2016
 2. Location Map/Census Tract Map.
 3. Resolution No. 023-2016 authorizing the City Manager to submit a letter to the Department of Alcoholic Beverage Control (ABC) stating that the Public Convenience or Necessity will be served by the Departments issuance of a type 20 off-sale license for the Dollar General retail store located at 465 S. Cloverdale Boulevard
 4. Draft Public Convenience or Necessity Letter
-

MAR 03 2016

February 23, 2016

Rafael Miranda
Associate Planner
City of Cloverdale
124 N. Cloverdale Boulevard
Cloverdale CA 95425

RE: Dolgen California LLC
465 S Cloverdale Blvd.
Cloverdale CA 95425

Please consider this letter our official request for a finding of Public Convenience or Necessity required by the Department of Alcoholic Beverage Control pursuant to § 23958.4 of the Business and Professions Code. Please consider the following as justification of Public Convenience and Necessity, for the proposed Dollar General at the above location.

Statement of Public Convenience or Necessity

Dolgen California LLC, DBA Dollar General is committed to taking all feasible steps to address law enforcement concerns about the site. In addition, Dollar General has an extensive employee – training program and is a responsible retailer of alcoholic beverages. Dollar General Stores are designed to provide a safe environment for patrons and employees. To that end, the following design elements are incorporated into our security plan. The storefront includes a significant number of windows so that the interior of the store is visible from the exterior of the building. Additional security measures include; adequate lighting levels both on the interior and exterior of the store, employee supervision of the facility, closed circuit video monitoring system with cameras located strategically throughout the property, and careful window signage and landscaping placement to avoid obstruction of visibility into and out of the facility.

Public Convenience or Necessity

First, it is important to emphasize that Business & Professional Code § 23958.4 require a positive finding of public convenience **"or"** necessity in order for an on-site ABC application to be approved. This it is legally sufficient if Dolgen California LLC shows **either** public convenience **or** public necessity. It is **not** legally necessary to show both.

Second, it is only necessary to show public convenience or necessity where there is an "undue concentration" of licensees in the census tract. The term "undue concentration" (also referred to as "over concentration") is specifically defined in Business and Professional Code § 23958.4 as simply a ratio of **the number of licenses in a census tract** compared to **the average number of licenses in a County**, as a whole. It

“Over Concentration” also does not mean that the State, or anyone else, has previously looked at this census tract and determined that it has suffered any deleterious effects from the actual number of licenses existing; or that it will suffer if a new license is issued. It merely provides a guideline for making such a determination, in the form of determining whether in a particular situation, the ABC license would serve the “public convenience or necessity”.

Thus the fact that the census tract in which the Dolgen California LLC, (DBA: Dollar General) site is located is statutorily “over concentrated” does not mean that the selling of alcoholic beverages at a store selling a small amount of alcoholic beverages at a small box store will have adverse impacts. Rather, it simply means that either public convenience or public necessity will be served by the sale of alcoholic beverages at this site in conjunction with the sales of other items carried.

BASIS FOR SUPPORTING OFFSITE ALCOHOLIC BEVERAGES SALES AS AN INTEGRAL PART OF THE PROPOSED PROJECT.

1. The convenience of Dollar General’s Concept:

For more than 50 years, Dollar General has been delivering convenience and value to shoppers. Today with over 10,000 stores in 40 states from coast to coast Dollar General is committed to helping shoppers save time and money every day. Dollar General, the nation’s largest small – box discount retailer makes shopping for everyday needs simpler and hassle – free by offering a carefully edited assortment of the quality private and national branded items that are frequently used and replenished, such as food, snacks, health and beauty aids, cleaning supplies, basic apparel, house wares and seasonal items at everyday low prices in convenient neighborhood stores. Dollar General ranks among the largest retailers of top quality brands made by America’s most – trusted manufactures, such as Proctor & Gamble, Kimberly Clark, Unilever, Kellogg’s, General Mills and Nabisco.

In Dollar General Stores, consumers can find everyday low prices on products they use every day without the need of a membership. The goal of Dollar General is to provide their customers a better life and their employee’s opportunity and a great working environment. Customers’ reliance on Dollar General varies from using Dollar General for fill-in shopping, to making periodic trips to stock up on household items, to making weekly or more frequent trips to meet most essential needs. We believe that our value and convenience proposition attracts customers from a wide range of income brackets and life stages. The Dollar General Store in Cloverdale features an expanded food offering including frozen and refrigerated products as well as a larger footprint than a traditional Dollar General store.

Although alcoholic beverages comprise only a small percent of the store shelf-space, it is nevertheless necessary in order to provide Dollar General Customers with a complete range of products. Thus, alcoholic beverages are a key element of the Dollar General concept. By providing an assortment of products, including alcoholic beverages, readily available to the Dollar General consumer, the public convenience of the area is certainly

served. Without it, customers may be obliged to travel to a range of retail outlets in order to complete their shopping needs. Alcoholic beverages will comprise no more than approximately 5% of total sales floor space.

Furthermore, Dollar General wants to maximize the availability of a large diversity of food and sundry items at the site pursuant to its concept. Permitting the sale of beer, wine, and distilled spirits at the site will complete Dollar General's concept, enabling customers to purchase a variety of products at one convenient stop. Providing customers all of this at one location is what "public convenience or necessity" is really all about.

2. Over Concentration in Primarily Commercial Census Tracts is consistent with Good Zoning Policy

According to the Department of Alcoholic Beverage Control, in Census Tract 1542.01, the tract in which the Dollar General is located, there are currently ten (10) active off-sale alcoholic beverages licenses and six (6) are allowed. The threshold for over-concentration established by the ABC, while a valuable guideline, is determined directly by population and does take into account zoning or general plan designations. As a result, the ABC establishes high license limits for largely residential census tracts and low thresholds for densely commercial tracts, while the General Plan encourages the concentration of commercial activity, as opposed to an even dispersal among residential neighborhoods. As a result almost all commercial areas are over concentrated.

3. Dollar General's Distinction among Other Existing Off-Sale Licensed Retailers in the Census Tract

As noted above, the Department of Alcoholic Beverage Control reported that there are currently ten (10) active off-sale alcoholic beverages licenses in Census Tract 1542.01. Of these ten (10) retailers, they can be categorized generally as larger supermarkets (1); drug and variety stores (4); gas station/convenience store (5).

Each licensed retail format serves a different consumer shopping need. The large supermarkets in the tract are all traditional full service supermarkets that shoppers tend to do their weekly grocery shopping at. Dollar General is distinctly different from these retailers. The shopping trip to a Dollar General store is significantly different in terms of parking, time and overall convenience than that of a large format supermarket. Customers of the large Supermarkets stores must walk further to enter the store, must spend more time within the store to select their products, and must wait in lines that are much longer than those in Dollar General site. A customer who, for example, imply desired to purchase a few groceries and six-pack of beer could do so without parking in an expansive parking lot, navigating through a large box store, and waiting in long lines next to customers purchasing a weeks' worth of groceries. This would clearly serve the public convenience.

The small convenience/liquor or gas station type stores in the census tract, the shopping experience at the Dollar General is very different from that of convenience store or Liquor store. Liquor and convenience stores traditionally offer a different product mix

than a Dollar General most liquor stores emphasize alcoholic beverages including hard liquor, as well as often have objectionable products such as adult materials, while convenience stores focus on snacks and beverages as opposed to a Dollar General that focus on food, frozen and dairy, health and beauty aids, cleaning supplies, basic apparel, house wares and seasonal items at everyday low prices with beer and wine as important but secondary product line. Moreover, the Dollar General is well lit, has great visibility into the store and is open traditional retail hours and is closed by 11pm. While Liquor/Convenience stores thrive on late night sales and often have signs covering the windows and are not well lit and do not offer the same value pricing that can be found at Dollar General.

In summary, consumers shopping needs vary and their use of different retail store formats to fulfill those needs can be demonstrated by the diversity of retailers found in this retail shopping district. Public Convenience or necessity refers to the character and style of the licensed premises, not just the mere availability of alcoholic beverages and whether the proposed premises will serve a community desire or need. Dollar General absolutely serves the public convenience by offering a carefully edited assortment of the quality private and national branded items that are frequently used and replenished, to customers in one convenient location at everyday low prices which is unmatched by any other store in the census tract.

4. A Good Neighbor:

Dolgen California LLC thinks it is important to be a neighbor. That is why they will be keeping their stores, parking lots, and backyards clean and tidy, and their deliveries will be scheduled to minimize noise and disruption. That means no night deliveries to stores with homes nearby and no driving through school zones during student pickup and drop-off times.

5. Security and Control:

Dolgen California LLC is committed to taking all feasible steps to address law enforcement concerns about the site. In addition, Dollar General recognizes the seriousness of loitering, delinquency, crime, and underage drinking and has an aggressive minor policy which has proven to be successful for their company. They comply with all education/certificate requirements for each state they are in, and conduct internal training and refresher training programs in addition to state required education.

Dollar General Stores are designed to provide a safe environment for patrons and employees. To that end, the following design elements are incorporated into our security plan. The storefront includes a significant number of windows so the interior of the store is visible from the exterior of the building. Additional security measures include; adequate lighting levels both on the interior and exterior of the store, employee supervision of the facility, closed circuit video monitoring system with cameras located strategically throughout the property, and careful window signage and landscaping placement to avoid obstruction of visibility into and out of the facility.

Dollar General understands the importance of maintaining the appearance of a facility to both expanding their customer base and preventing criminal activity. Dolgen California LLC's property maintenance program includes timely graffiti and litter removal, repairs to structures and replacement of dead or diseased plant material, signs and curbs painting to encourage parking in designated parking spaces, and strategic trash receptacle placement.

6. The site will not result in an adverse impact on public health, safety, or welfare:

Dollar General acquisition of this site will have a positive impact on public health, safety, and welfare. In fact, by providing a new, safe, and convenient location to make grocery purchases, public health, safety, and welfare will be advanced by this site. The addition of selling alcoholic beverages will not change this.

7. Community Service and Investment:

At Dolgen California LLC, they believe in promoting a spirit of involvement, and carry their mission to serve deep into the communities they call home.

Dollar General believes literacy is the foundation for improving the quality of life for many Americans. Nationwide, more than 40 million adults can't read well enough to fill out a job application or read a book to their children. Inspired by one of the company's founders, who had only a third-grade education, Dollar General today helps thousands of individuals take their first steps toward literacy, a general education diploma or English proficiency

When you shop Dollar General, you join an effort to make our communities and our world a better place. They are committed to conducting business in a way that promotes healthy families, thriving communities and a cleaner environment. At Dollar General, corporate responsibility is built into their mission to serve others. By providing safe products, supporting our communities and enforcing environmentally-friendly practices, they proudly display the values that make their company great.

CONCLUSION

Dolgen California LLC has been a responsible retailer of alcoholic beverages for over 50 years with 10,000 stores in 40 states. Permitting the sale of alcoholic beverages at this site will not change this, but will allow their concept at this site, providing customers the added convenience to make purchases of alcoholic beverages. Dolgen California LLC by reason of its location, character, manner, and method of operation, merchandise, and potential clientele, will serve the community of Cloverdale. To that end, Dolgen California, LLC respectfully requests that they are granted a finding of Public Convenience for the alcoholic beverage license.

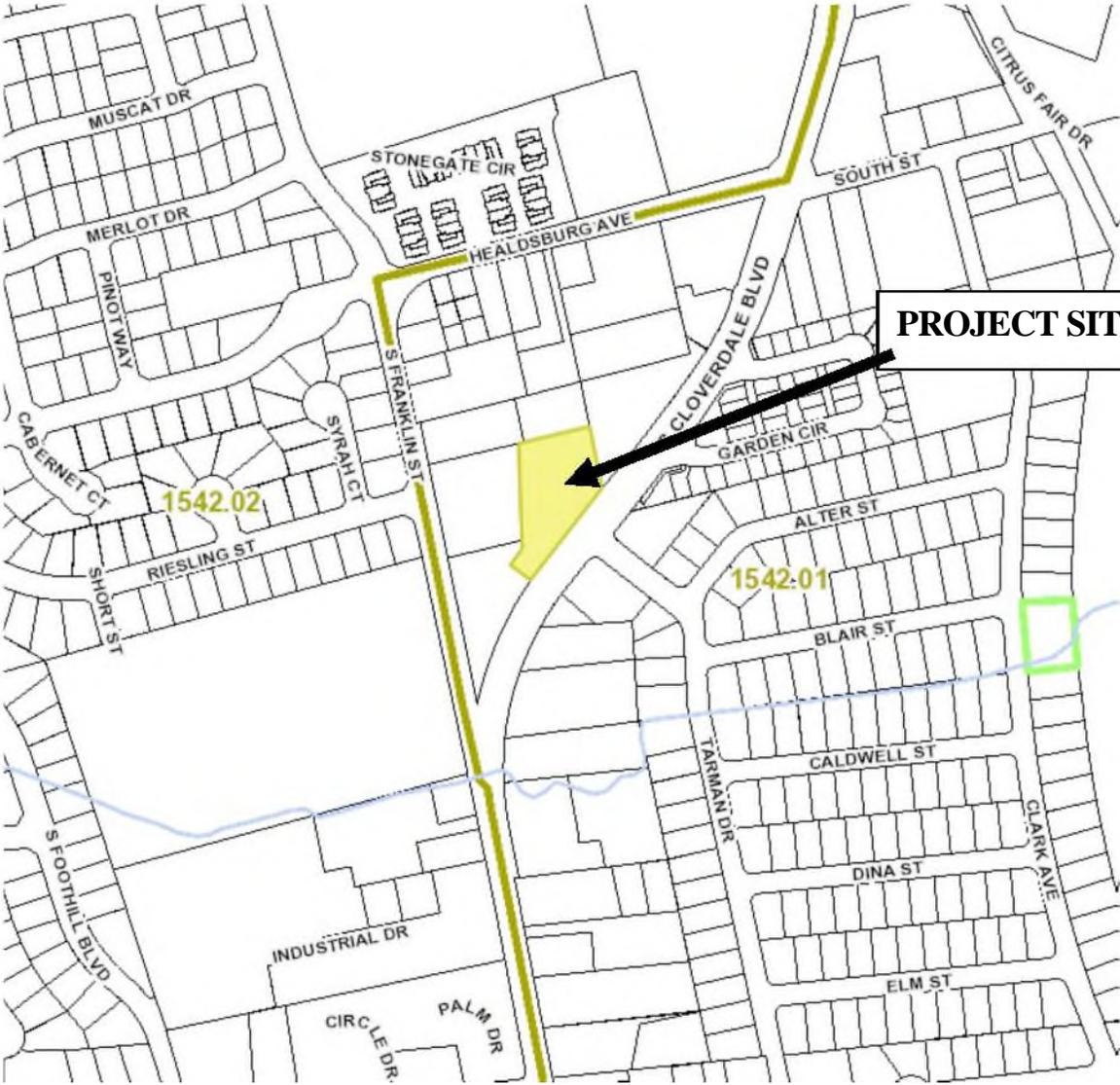
Thank you for your time and consideration if you have any questions or comments please feel free to call me at 951-225-4249.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Jeanette Carvajal', written over the typed name.

Jeanette Carvajal
Alcoholic Beverage Consulting Service

ATTACHMENT 2
Location Map/Census Tracts Map



**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 023-2016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE FINDING AND DETERMINING THAT
THE PUBLIC CONVENIENCE OR NECESSITY WOULD BE SERVED BY THE ISSUANCE OF AN OFF-SALE BEER
AND WINE LICENSE (TYPE-20 ALCOHOLIC BEVERAGE CONTROL LICENSE) FOR THE PREMISES LOCATED
AT 465 S. CLOVERDALE BLVD, CLOVERDALE CALIFORNIA
(DOLGEN CALIFORNIA LLC, DBA DOLLAR GENERAL APN 001-300-006)**

WHEREAS, pursuant to applicable provisions of the Business and Professions Code of the State of California, the Department of Alcoholic Beverage Control (hereinafter the "ABC") is charged with the responsibility of reviewing applications and issuance of licenses ("license") for the sale and/or manufacture of alcoholic beverages in the State of California; and

WHEREAS, Section 23958 of the Business and Professions Code provides that the ABC shall deny an application for a license if issuance of that license would tend to create a law enforcement problem, or if issuance would result in or add to an undue concentration of licenses, except as provided in Section 23958.4 of said Business and Professions Code; and

WHEREAS, Section 23958.4 of the Business and Professions Code provides that, notwithstanding the limitations of Section 23958, the ABC shall issue a license if the applicant shows that public convenience or necessity would be served by the issuance of such license; and

WHEREAS, pursuant to Section 23958.4 of the Business and Professions Code, the local governing body in this case, the "City Council," has the discretion to determine when public convenience or necessity would be served by allowing an alcohol license in an area where there is an over concentration of licenses or where there is high crime; and

WHEREAS, Dolgen California LLC, DBA Dollar General ("Applicant") located at 465 S. Cloverdale Boulevard has petitioned the ABC for Off-Sale Beer and Wine (Type 20) License to augment their primary operations as a General Merchandise Store and Convenience Store; and

WHEREAS, Under state law Section 23790 of the Business and Professions Code, the ABC may not issue a liquor license if it violates an existing local zoning ordinance; and

WHEREAS, The subject site is located in the Service Commercial (S-C) Zoning District on the City's adopted Zoning Map and General Retail uses 1,501 square-feet and larger are an allowed use in the S-C Zoning District subject to approval of a Plot Plan; and

WHEREAS, The ancillary sale of beer and wine at a general retail or grocery store is considered to be an ancillary use to the primary General Retail use of the site; and

WHEREAS, On June 3, 2015, the Planning Commission adopted Resolution No. 004-2015 approving a Major Design Review and Plot Plan to allow for the construction of the new Dollar General retail store at 465 S. Cloverdale Boulevard; and

WHEREAS, the subject business is located in Census Tract 1542.01 with population such that the ABC may permit up to six (6) off-sale licenses before an undue concentration would exist, and there is currently ten (10) off-sale liquor license in Census Tract 1542.01; and

WHEREAS, the request for Determination of Public Convenience or Necessity, hereinafter (“project”) is exempt from California Environmental Quality Act (CEQA) review under §15061(b)(3) of the CEQA Guidelines because a Determination of Public Convenience or Necessity will not with reasonable certainty have any possible effect on the environment; and

WHEREAS, the City of Cloverdale has prepared a Letter of Public Convenience or Necessity provided as EXHIBIT “A” attached hereto.

NOW, THEREFORE, the City Council of the City of Cloverdale resolves as follows:

SECTION 1. The foregoing Recitals are incorporated herein and made a part hereof.

SECTION 2. That the public convenience or necessity would be served by the proposed sale of beer and wine for off-premises consumption in conjunction with the operation of a General Merchandise and Convenience Store.

SECTION 3. The City Council does further find and determine that the use and operation of the site as contemplated will assist in the generation of additional sales and use tax revenues to City, as well as, assist in the creation and maintenance of additional jobs and economic opportunities for the residents of the City.

SECTION 4. The City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon applicant’s successful compliance with the Major Design Review, Plot Plan and Sign Permit application (MDR/PP/SP 011-2015) including each and all of the conditions set forth therein. Should any such conditions, or any part thereof, be declared invalid or unenforceable by the final judgment of any court of competent jurisdiction, or should the applicant fail to maintain compliance with the Major Design Review, Plot Plan and Sign Permit application, then this Resolution, and any approvals herein contained, shall be deemed null and void.

SECTION 5. Pursuant to §15061(b)(3) of the CEQA Guidelines, an activity is covered by the general rule that CEQA only applies to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA review. Making a Determination of Public Convenience or Necessity will not bring about any physical change to the environment. Therefore, in light of the whole record, it can be seen with certainty that the project has no potential to cause a significant effect on the environment. As such, the City finds that the project is exempt from the provisions of CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (“general rule exemption”).

SECTION 6. The request for Public Convenience or Necessity Determination is hereby approved.

SECTION 7. The City Manager and his authorized designees are authorized to transmit Exhibit A to the ABC and take any other necessary actions, sign any other documents or instruments, as may be necessary, to implement, and affect this Resolution on behalf of the City.

It is hereby certified that the foregoing Resolution No. 023-2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on April 12, 2016, by the following roll call vote: (Ayes- ; Noes-).

Ayes:

Noes:

Absent:

Abstain:

APPROVED:

ATTESTED:

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk

Exhibit A - Public Convenience or Necessity Determination Letter



April 13, 2016

Department of Alcoholic Beverage Control
50 D Street, Rm. 130
Santa Rosa, CA 95404

Re: PCN Letter for Dollar General – 465 S. Cloverdale Boulevard (APN 001-300-006)

Dear ABC:

On April 12, 2016 the City Council of the City of Cloverdale voted to approve submittal of this letter regarding the public convenience or necessity to be served to allow for a Type 20 off-sale beer and wine license for the Dollar General located at 465 S. Cloverdale Boulevard (APN 001-300-006) within the Service Commercial (S-C) Zoning District.

The Type 20 off-sale beer and wine license represents a viable economic asset to the community which will contribute tax revenues to the local economy. The retail store is intended to be residential serving and provide the surrounding residential neighborhood with the convenience of a variety of merchandise and/or goods. Beer and wine sales are related to the functionality of the retail establishment. Generally, the customers shop at the store for only a limited number of items, beer and wine are typically among these items.

The proximity of the proposed licensed premises to sensitive land uses and the effect that existing and proposed license may have on such sensitive land uses has been considered. The subject property is located on a portion of South Cloverdale Boulevard that is a peripheral commercial area offset from the downtown commercial core and Furber Ranch Plaza shopping center, both located elsewhere along Cloverdale Boulevard. The First Baptist Church and St. Peters Catholic Church are in the vicinity of the establishment. The store will not have a significant impact on these sensitive land uses or other land uses in the vicinity.

For these reasons, the City Council of the City of Cloverdale supports the issuance of the Type 20 off-sale license for beer and wine for the Dollar General store located at 465 S. Cloverdale Boulevard in the City of Cloverdale.

Sincerely

Paul Cayler
City Manager

X:\Community Development\Applications\2016\Letters\PCN letter for Dollar General - 465 S. Cloverdale Blvd\PCN letter for Dollar General - 465 S. Cloverdale Blvd.docx



**City Council/Successor Agency
Agenda Item Summary**

Agenda Item: 11
Meeting Date: April 12, 2016

Agenda Section Consent	Staff Contact Paul Cayler, City Manager
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Agenda Item Title
Action to approve Resolution No. 024-2016 of the City Council of the City of Cloverdale approving the revised Public Works Director Job Description and Proposed Salary

Summary

This item was presented as in informational, first touch item at the City Council meeting held on March, 22, 2016. Staff is now submitting this item for action.

Background

The City of Cloverdale has been without a Public Works Director/City Engineer since Craig Scott’s departure on October 16, 2015. Through a contract, the City of Healdsburg began the first recruitment on October 10, 2015, and advertised in the Press Democrat, Ukiah Daily Journal, Cloverdale Reveille, Western Cities, Jobs Available, BC Water Jobs, Craigslist, and Municipal Management Association of Northern California. No applications were received from this recruitment. A second recruitment was conducted in-house by the City of Cloverdale beginning December 28, 2016, and was advertised more broadly than the initial effort. This recruitment brought in five applications, but only two applicants were interviewed based upon their consistency with City of Cloverdale’s desired qualifications. A job offer was made to the preferred candidate but he ultimately declined the position.

City staff has concluded that this position will continue to be a challenge to fill due to the engineering licensure requirement and the fact that the salary is not as competitive as some of the neighboring cities. Since this is a critical position to the City of Cloverdale, it was necessary for staff to consider other options. The engineering license greatly reduces the number of qualified applicants; therefore, the removal of this requirement would increase the applicants able to meet the minimum requirements and likely produce a larger applicant pool from which to draw. For this reason, staff is recommending the engineering licensure requirement be removed from the job description. This will necessitate contracting for civil engineering services on an as needed basis. Attached you will find the current job description with engineering requirements lined out.

Although the Public Works Director will still have a wide scope of responsibilities, the removal of the engineering licensure will impact the salary setting for this position. A study was conducted of the Public Works Director position in twelve benchmark cities. The analysis included reviewing the job description and comparing the required duties, minimum requirements and salary ranges for the Public Works Director positions in twelve jurisdictions in our region. Four of the twelve cities do not require the Public Works Director to hold an engineering license. The average salary range for these four Cities is \$47.98 to \$60.56 per hour (99,798 to 125,965 annually). The average salary range for all twelve cities is \$52. 93 to \$67.48 per hour (110,094 to 140,358 annually). The current salary for the Public Works Director is a flat rate of \$61.30 per hour (127,500 annually). Based on the data from this study and the City of Cloverdale’s internal salary structure, staff is recommending a salary of \$53.75 (111,800 annually) per hour for the revised classification of Public Works Director. Attached you will find an organizational chart with the proposed change.

Options

- 1) Adopt Resolution No. 024-2016 approving the revised Public Works Director job description and proposed salary.
- 2) Modify the proposed Public Works Director job description and/or proposed salary.
- 3) Reject the revised job description and salary range as proposed and keep the current job description and salary.

Budget/Financial Impact

The current annual salary for the Public Works Director/City Engineer is \$127,500. The proposed annual salary for the Public Works Director position will be \$111,800, which is a \$15,700 savings in base salary. Additional savings in benefits tied to base salary will also be realized.

Work requiring an engineer's license will be provided on a contract basis as needed. The City is currently paying \$160 per hour for contract engineering services. Coastland Engineering has been providing services since Mr. Scott's departure. The salary savings could provide compensation for close to 100 hours non-reimbursable contract engineering hours (not allocable to a specific project or developer). Engineering services would predominately be for development projects, which will be billed to the developer. The salary for the Public Works Director is funded 15% from the General Fund and 85% from other sources.

Subcommittee Recommendation:

None

Recommended Council Action:

Staff recommends adoption of Resolution No. 024-2016 approving the revised Public Works Director job description and proposed salary.

Attachments:

1. Proposed Public Works Director Job Description.
 2. City of Cloverdale Proposed Organizational Chart
 3. Resolution No. 024-2016 approving the revised Public Works Director job description and proposed salary
-

FLSA: EXEMPT

CITY OF CLOVERDALE
PUBLIC WORKS DIRECTOR/~~CITY ENGINEER~~

Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications may not include all duties performed by individuals within a classification. In addition, specifications are intended to outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.

DEFINITION:

Under administrative direction, plans, manages, oversees, directs and performs professional level work in support of all City public works activities, including the planning, design, construction, and maintenance of City infrastructure in the areas of water, wastewater, storm drains, streets, engineering, facilities, municipal airport, parks, and landscaping & lighting districts; coordinates activities with other City officials, departments, outside agencies, organizations, and the public; provides responsible and complex staff support to the City Manager and the City Council; serves as a technical resource for assigned tasks; performs other related duties as required.

DISTINGUISHING CHARACTERISTICS:

The Public Works Director/~~City Engineer~~ is the administrative management level class which oversees all functions and operations of the Public Works Department. In addition, this position ~~serves as the City Engineer and in this role~~ oversees and ensures the provision of expert professional assistance to City staff by consultants and others in engineering design, public facility construction and review of plans and specifications. Responsibilities include formulating policy, developing goals and objectives, and supervising staff in addition to representing the City in a variety of meetings and contacts with public agencies, private groups, and individual citizens. This classification is distinguished from the next higher class of City Manager in that the latter has overall responsibility for administering the City's operations.

SUPERVISION RECEIVED/EXERCISED:

Receives administrative direction from the City Manager. Exercises direct and indirect supervision over assigned staff.

ESSENTIAL FUNCTIONS (include but are not limited to the following):

- Accepts full responsibility for all Public Works Department activities and services; develops, implements and maintains departmental goals, objectives, policies and procedures.
- Plans, directs and coordinates the Public Works Department's work plan; assigns work activities and responsibilities to appropriate personnel; identifies and resolves problems and/or issues.

- Confers with citizens and City officials on public works-related issues and concerns and assists in the development of innovative strategies to address them.
- Oversees the selection, training and evaluation of Public Works Department personnel; identifies and resolves staff deficiencies; fulfills discipline procedures; reviews the work of department personnel to ensure compliance with applicable federal, state and local laws, codes and regulations.
- Prepares, manages and coordinates the development of the Public Works Department's operating and Capital Improvement Program (CIP) budgets; prepares forecasts of necessary funds for staffing, materials and supplies; presents, justifies and defends programs, projects, operations and activities; monitors and approves expenditures; discusses and resolves budget issues with appropriate staff, and implements adjustments as necessary; manages grant applications and grant administration activities.
- Serves as a resource for public works personnel, City staff, other organizations and the public; coordinates pertinent information, resources and work teams necessary to support a positive, productive and cooperative work environment.
- Directs, through Supervisors and other assigned staff, work crews engaged in water treatment and distribution; wastewater collection and treatment; street repairs and construction activities, including patching streets, repairing curbs and gutters, painting street markings and traffic signs; development and maintenance of parks and lighting & landscaping districts; maintenance of City-owned facilities, structures, and property; and repair and maintenance of automotive and other equipment.
- Plans, directs, supervises, ~~and~~ coordinates, ~~and performs~~ professional engineering work for traffic engineering projects and the design and construction of streets, sidewalks, storm drains, water and wastewater systems, park or recreation facilities, and other public works functional areas.
- Supervises the preparation of plans, project specifications, public works inspections, legal descriptions, surveys and other engineering work performed by staff members or consultants.
- Oversees the review of plans and specifications for the construction of privately-funded public improvements, including streets, sidewalks, water and sewer system improvements, drainage system improvements, and other public facilities.
- ~~Approves and signs~~ Oversees and coordinates, plans for water and wastewater utilities and other improvement projects.
- Serves as project manager for municipal construction and capital improvement projects from the planning and design stage, including requests for bids or proposals, the use of appropriate selection processes, and the preparation and oversight of appropriate construction or other agreements; through the construction and finalization phases, including inspections.
- Coordinates engineering activities and field service programs with other City departments and divisions and with outside agencies.

- Supervises and conducts field inspections of municipal contract construction and repair work.
- Works with developers and private engineering firms to coordinate the construction of new subdivisions and buildings.
- Makes decisions on problems of design, materials, and processes proposed in connection with new construction or major repairs.
- May oversee the building inspection and plan review functions for private development within the City.
- Prepares regular and special oral and written reports for presentation to the City Manager and the City Council.
- Attends and participates in professional and community meetings; stays current on issues relative to the field of public works and service delivery responsibilities; responds to and resolves sensitive and complex community and organizational inquiries, issues and complaints; establishes and maintains a customer service orientation within the Department.
- Performs other duties of a similar nature or level.
- Establishes and maintains positive working relationships with representatives of community organizations, state/local agencies and associations, City management and staff, and the public.

PHYSICAL, MENTAL, AND ENVIRONMENTAL WORKING CONDITIONS:

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, stooping, and squatting, crouching, grasping, making repetitive hand movements and fine coordination in preparing reports using a computer keyboard in the performance of daily duties. The position also requires both near and far vision and acute hearing. The incumbent works in all weather conditions, including wet, hot, and cold. Additionally, the position is required to lift, drag, and push files, paper, documents, tools and equipment weighing in excess of 50 pounds.

Some of these requirements may be accommodated for otherwise qualified individuals requiring and requesting such accommodations.

QUALIFICATIONS (Minimal qualifications necessary for entry into the classification):

Education and/or Experience:

Any combination of education and experience that has provided the knowledge, skills, and abilities necessary for a Public Works Director/~~City Engineer~~. A typical way of obtaining the required qualifications is to possess the equivalent of graduation from an accredited four-year college or university with major coursework in ~~civil engineering or public or business administration, civil engineering or closely related field~~ a field related to the work and ~~EITHER three years of administrative or managerial engineering experience, preferably in a municipal or similar public works setting,; OR five years of professional engineering or related experience, including two years in a supervisory or administrative capacity.~~ Some experience with the planning and/or building inspection functions is desirable.

License/Certificate:

~~Registration in the State of California as a Professional Civil Engineer; registration in the State of California as Land Surveyor is highly desirable, if civil engineering license does not cover land surveying;~~ Possession of, or ability to obtain, a valid Class C California driver's license upon employment.

KNOWLEDGE/ABILITIES/SKILLS: (The following are a representative sample of the KAS's necessary to perform essential duties of the position.)

Knowledge of:

Modern administrative principles, practices and techniques, including goal setting, program development, implementation, and employee supervision; principles and practices of ~~engineering design and~~ construction management; principles and practices of public facility construction and maintenance in municipal setting; applicable federal, state, and local laws and regulations; capital and operating budget development and implementation; funding sources impacting program development; principles of contract negotiation and administration; principles of building inspection and plan review; computer applications related to assigned functions; basic principles and terminology of water production and distribution; principles and terminology of wastewater collection and treatment.

Ability to:

Plan, direct, manage, and coordinate the work of the Public Works Department; supervise and participate in the establishment of Department goals, objectives and methods for evaluating achievement and performance levels; analyze complex public works issues, evaluate alternatives and implement sound solutions; make adjustments to standard operating procedures as necessary to improve organizational effectiveness; facilitate group participation and consensus building; plan, organize, train, evaluate and direct work of assigned staff; negotiate and oversee consultant contracts; estimate time, materials, and equipment needed to complete projects; read and understand plans and specifications; perform mathematical calculations quickly and accurately; interpret, explain, and apply applicable laws, codes and regulations; read, interpret and record data accurately; organize, prioritize, and follow-up on work assignments; work independently and as part of a team; make sound decisions within established guidelines; analyze a complex issue and develop and implement an appropriate response; follow written and oral directions; observe safety principles and work in a safe manner; communicate clearly and concisely, both orally and in writing; establish and maintain effective working relationships.

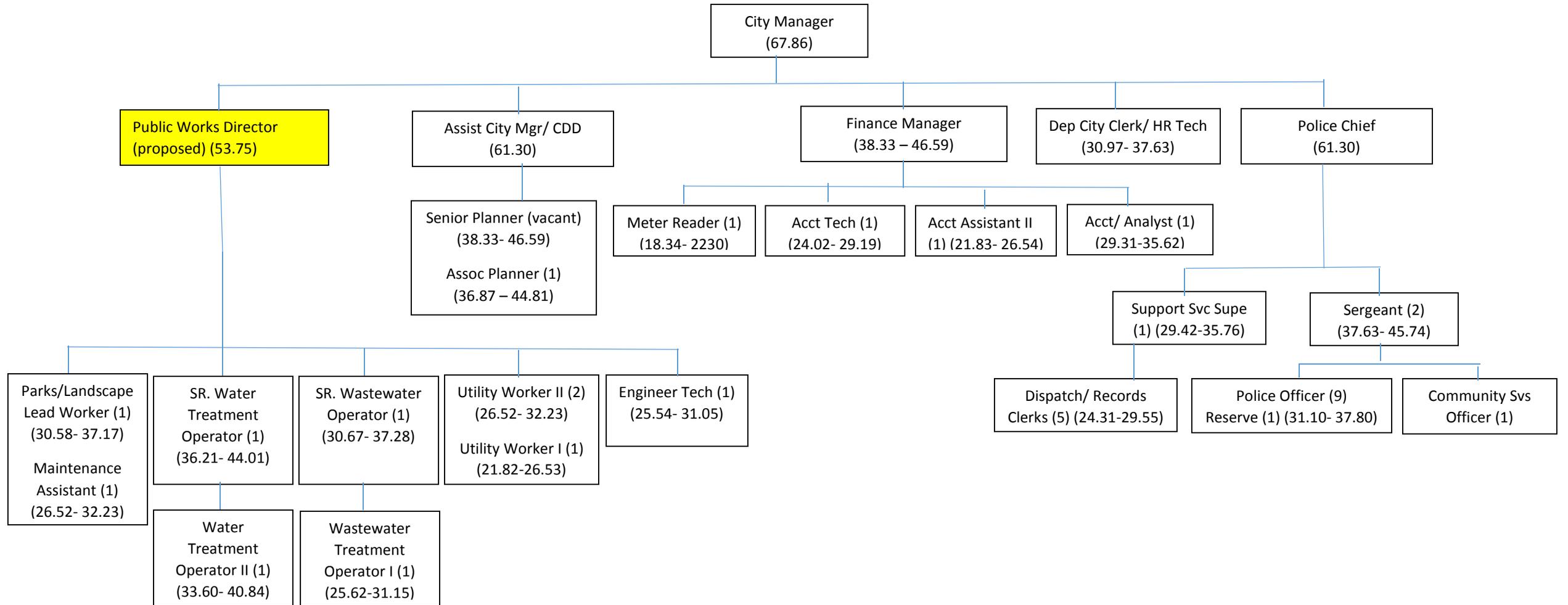
Skill to:

Effectively operate an office computer and a variety of applicable software.



Organization Chart

March 2016



**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 024-2016**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE ADOPTING THE REVISED JOB DESCRIPTION
AND SALARY CHANGE FOR THE PUBLIC WORKS DIRECTOR**

WHEREAS, the City Council recognizes that the Public Work Director serves a crucial role managing the City's Public Works Department, and that the Public Works Department requires a leader in order to operate effectively; and

WHEREAS, the City of Cloverdale's Public Works Director position remains vacant after two lengthy recruitments; and

WHEREAS, the City Council desires that by removing the requirement to be a licensed Civil Engineer, and thus increasing the number of qualified applicants able to apply, the City will be better able to fill the position with a qualified Public Works Director; and

WHEREAS, the City Council understands that the remaining duties and responsibilities of the Public Works Director shall remain the same and the position shall continue to serve as an at-will position at the pleasure of the City Manager; and

WHEREAS, the City Council recognizes that the removal of the licensure requirement will necessitate a salary adjustment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cloverdale as follows:

1. The City Council does hereby adopt the revised job description for the Public Works Director, attached as Exhibit A, removing the engineering licensure requirement and the duties requiring such licensure.
2. The Public Works Director classification shall be compensated and receive benefits in accordance with an individual at-will agreement and the salary schedule approved by the City Council.

It is hereby certified that the foregoing Resolution No. 024-2016 was duly introduced and adopted by the City Council of the City of Cloverdale at its regular meeting held on the 12th day of April, 2016, by the following voice vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Approved:

Attested:

Mary Ann Brigham, Mayor

Linda Moore, Deputy City Clerk



City Council

Gina Belforte
Mayor

Jake Mackenzie
Vice Mayor

Amy O. Ahanotu
Joseph T. Callinan
Pam Stafford
Councilmembers

Darrin Jenkins
City Manager

Don Schwartz
Assistant City Manager

Michelle Marchetta Kenyon
City Attorney

Alexandra M. Barnhill
Assistant City Attorney

JoAnne Buerigler
City Clerk

Betsy Howze
Finance Director

Brian Masterson
Director of Public Safety

John McArthur
*Director of Public Works and
Community Services*

Mary Grace Pawson
*Director of
Development Services*

Victoria Perrault
Human Resources Director

January 26, 2016

City Selection Committee
c/o Darin A. Bartow, Clerk
575 Administration Drive, Room 100A
Santa Rosa, CA 95403

Re: Letter of Interest - Remote Access Network (RAN) Board

Honorable Mayors and Councilmembers,

I am writing to respectfully request your support for my appointment to the Remote Access Network Board (RAN). I am a strong supporter of the principles that guide this statewide network system designed to allow local law enforcement agencies direct access to the California Identification System.

I have great appreciation for the importance of maintaining a comprehensive RAN collaborative here in Sonoma County and I would be honored to serve on this Board. I believe that with my experience serving in local government and my strong commitment to enhancing local law enforcement practices, I would be a productive member of the RAN Board.

Thank you for your consideration of my request for appointment to the RAN Board. Please call me should you have any questions at (707) 888-2724, or feel free to e-mail me at gbelforte@rpcity.org. I appreciate your support.

Sincerely,

CITY OF ROHNERT PARK



Gina Belforte
Mayor

File: Mayors & Councilmembers Association



**City Council/Successor Agency
Agenda Item Summary**

Agenda Item: 13
Meeting Date: April 12, 2016

Agenda Section

New Business

Staff Contact

Paul Cayler, City Manager

Agenda Item Title

Presentation and Discussion of the City of Cloverdale’s Top Ten Goals for Fiscal Year 2016-2017

Summary

On March 1, 2016, the City Council held a joint goal setting workshop with the Planning Commission. As a result of that meeting, a compiled list of 45 goal statements was prioritized down into 32 goal statements. A form to further prioritize the 32 goals to the City’s Top Ten goals for Fiscal Year 2016-2017 was distributed to the City Council. The Top Ten goals are determined using nominal group technique, wherein each Council Member ranked the goals statement from one to 32 with 32 being the highest priority and one being the lowest. The ranking numbers are then summed up and divided by five in order to determine the average score. The goal statements are then arranged from highest score to lowest score to show the Top Ten goals.

The important thing to remember is that the Top Ten goals represents a consensus of the City Council. The objective is to set a list of goals in a priority that City Council can support as a group, even though each individual Council Member may have ranked specific goals differently. In other words, the Top Ten goal list is close enough to satisfy all Council Member’s individual preferences so that the list may be supported by entire group. The Top Ten goals provide a focus to efforts in order that the City may make progress on specific projects.

At the request of Councilmembers, the Top Ten Goals for Fiscal Year 2015-2016 is attached. In addition, a memorandum dated February 29, 2016, which sets forth an evaluation of how the City did in achieving previous goals.

Options

- 1) Accept the Top Ten goal list for Fiscal Year 2016 -2017, or 2) Reject the Top Ten goal list.

Budget/Financial Impact

The Top Ten goal list will be used by the Senior Staff as a guideline to develop the City Manager’s Fiscal Year 2016-2017 proposed budget.

Subcommittee Recommendation

None.

Recommended Council Action

The City Manager recommends that the City Council review and accept the Top Ten goals list for the Fiscal Year 2016-2017.

Attachments:

- 1) Fiscal Year 2016-2017 Goal Setting Results.
- 2) Fiscal Year 2015-2016 Top Ten Goals
- 3) Memorandum from Paul Cayler dated February 29, 2016

cc:

**City of Cloverdale
City Council
Goal Setting Results FY 2016 - 2017**

Rank Order	Depart	Goal Description	Average Score
1	CD	Review all options and develop an action plan for remaining Redevelopment Agency funds. Including uses for the Thyme Square property such as: low to moderate housing and relocating Alexander Valley Healthcare,	28.6
2	Airport	Develop a long term roadmap for the future of the Cloverdale Municipal Airport that includes Federal Aviation Administration mandatory maintenance and upgrades as well as any needed events or business friendly policies.	26
3	CD	Review current code enforcement processes to determine effectiveness and that policies follow Council direction. Under the leadership of the Police Department the program should include a multipronged approach with other community resources such as: Fire District and community volunteers assisting residents with physical or financial need. Implement, as necessary, changes to the Code Enforcement program to become more effective and proactive regarding blighted properties that pose a threat to health and safety.	25.8
4	PW & UT	Budget funding for a Public Works Foreman position in charge of day-to-day coordination of the various tasks among the Water, Sewer, Streets and Parks & Landscape functions that reports to the City Engineer/Public Works Director.	24.2
5	AD & FI	Working with Senior Management Team to implement an effective plan that will help us identify available grant funding opportunities and allow staff to submit required application materials before the due date so that Cloverdale will be considered for funding.	23.8
6	Parks	Make upgrades and maintain City Park including redoing basketball courts, adding pickle ball court, repave parking lot, paint buildings (not Scout Cabin), and add new signs and dog	23.6
7	CD	Work effectively with Alexander Valley Resort developer plus neighboring businesses and stakeholders to realize successful creation of this major project.	23.6
8	CD	Research opportunities resulting from the potential legalization of marijuana, especially economic development, zoning, public safety, City finances, and Cloverdale residents' questions and opinions on the subject.	22.8
9	CD	Implement a plan to review and update city codes recommending changes that will help boost economic development and improve customer satisfaction while reducing redundant and/or unnecessary regulations.	22.8
10	Parks	Develop in cooperation with volunteer groups healthy and free activities for children and youth, especially determine location and funding sources, possibly using Quimby Act funding, for a skate and dog park as well as issues related to the Boys and Girls Club.	21.8

CD= Community Development PW UT = Public Works and Utilities AD FI = Administration and Finance
PD = Police Department

City of Cloverdale
City Council
Goal Setting Results FY 2016 - 2017

Rank Order	Depart	Goal Description	Average Score
11	PD	Continue work toward replacing the Police Station with a new Facility	21.6
12	AD & FI	Set up a "Building/Property Reserve Fund" as a budgeted "line item" for future maintenance on all City owned property, including an assessment of each building's condition and what maintenance items are needed in the next five years.	20.6
13	AD & FI	Improve the Performing Art Center public address and public presentation system including ADA hearing assistance and video systems.	19.8
14	Outreach	In collaboration with key community stakeholders begin designing and instituting a "Cloverdale Marketing and Promotion Program" that establishes the Cloverdale brand while attracting and retaining businesses and local jobs which create economic well-being through increased tourism as well as welcoming new residents in order to cut down on "retail leakage" and encouraging greater community pride. Including upgrading the City's Web site to make it more user friendly.	18
15	Streets	Continue Safe Routes to School project on South Cloverdale Blvd.	17.2
16	CD	Address short term illegal vacation rentals like Airbnb.	16.8
17	AD & FI	Continue efforts with Sonoma County Latino Leaders, Performing Arts Center, Cloverdale Unified School District, the Chamber of Commerce, Cloverdale Library and Alexander Valley Healthcare to improve communications throughout the Latino community.	15.6
18	AD & FI	Develop a tickler system that will remind City staff to review contracts or follow up on other information such as insurance certificates, tax returns and other documents required by the terms of the agreement.	14.8
19	AD & FI	Prepare succession plan for the retirement of the Finance Manager position.	13.6
20	CD	Develop a homeless plan	13.6
21	Parks	Continue development of the Clover Springs Open Space Trail project.	13.4
22	Streets	Identify a street project for repaving within the next 12 months using funding from available funding sources.	13.2
23	PD	Budget funding for a sixth dispatcher	12.8
24	CD	Working with local elected officials and community groups across the County to better cope with rising rents and need for affordable housing to accommodate residents to fill local jobs.	12.8
25	Streets	Improve roadway lane striping, specifically at South Cloverdale Blvd and Citrus Fair Drive (southbound Cloverdale Blvd right lane should be "RIGHT TURN ONLY" onto westbound Citrus Fair Drive), and at South Cloverdale Blvd and Brookside Drive (southbound Cloverdale Blvd right lane should be "RIGHT TURN ONLY" onto westbound Brookside Drive.	12
26	Streets	Prepare and implement a plan to re-stripe City Streets and curb markings.	8.8
27	CD	Implement procedures to ensure complete cost recovery (ie: development pays for itself)	8.4
28	AD & FI	Approve going to system of "action minutes" rather than the detailed type minutes that are presently prepared now as a way of decreasing workload caused by time consuming minute taking at the City Council, Planning Commission and committee meetings.	7.2
29	Outreach	Request that County Supervisor Gore, Assembly Member Wood and State Senator McGuire schedule regular Town Hall meetings in Cloverdale to hear about our local needs and bring residents up-to-date.	6.8
30	AD & FI	Complete outline of options to have City Hall resume Monday through Friday working hours.	6.4
31	Streets	Develop a Hazard Mitigation project for comprehensive repairs to the Downtown storm drain system.	6
32	CD	Pursue public electric vehicle charging stations	5.6

CD= Community Development PW UT = Public Works and Utilities AD FI = Administration and Finance
PD = Police Department

City of Cloverdale Fiscal Year 2015-2016 Top 10 Goals

Top 10	Goal Statements	Ranking
1	Begin redevelopment of Thyme Square and Cherry Creek properties through strategic visioning process and outlining path to construction, including use of remaining funds and action plan.	20.2
2	Working with the City Council and community, prepare a Five Year Strategic Plan to be a road map as the City moves forward.	15.6
3	Establish Building Maintenance Fund as a line item with an assessment of each building's condition so that a five year maintenance plan can be estimated.	15.6
4	Identify and set aside funds necessary to build Emergency Reserve Fund with policy on Council approval to use funds.	15
5	Identify and complete a City park project to upgrade or eliminate hazard and disability accessibility barrier, such as upgrade bathroom, redo basketball court, reconstruction of bathroom, add pickle ball court, replacing signage, paint building, repave parking lot, and add dog station.	14.8
6	Identify and complete street resurfacing project within 12 months by using gas tax money in order to halt or slow the decline of City street conditions.	14.4
7	Complete Clover Springs open space project.	13.8
8	Work with the School District to reopen Boys and Girls club facility and resolve transportation issues, and focus on after school activities for children.	13.6
9	Negotiate two year memorandum of understandings with employee bargaining units which recognize employee sacrifices through a limited salary and benefits adjustment.	12.4
10	Identify CalPERS unfunded liability.	11.6
Ranking Order	Goal Statements	Ranking
11	Prioritize the Corporation Yard master planned improvements over the next five years for regulation compliance and safety, with potential projects including emergency power, improved fueling stations, flooding hazard, internet service, covered	11.4
12	Develop maintenance and repair plan.	10.4
13	In partnership with Chamber and tech savvy volunteers thru an ad hoc committee develop a marketing and public relations campaign to attract and retain businesses tourists and visitors using social and traditional media to market the Downtown's image and appeal, including organizing promotional activities, such as Farmers Market and Friday Night Live.	10.2
14	Review of City signage especially A frame signs, and develop guidelines for local business to improve City's appearance especially at freeway entrances and the Downtown.	10
15	Code enforcement program focused on nuisance abatement, such as triangle building on Blvd, Ranch House Road burnt house, inoperative cars on public and private property, temporary signs taped to street light poles, including possible service agreement with Sonoma County for limited hours.	9.6
16	Find a location for a dog park and/or skate park.	9
17	Upgrade maintenance of Scout Cabin building to be used for community recreation projects by bringing building to code, and develop use policy and administration for building.	8.6
18	Look at repeal of marijuana dispensary moratorium in Cloverdale to include discussion of possible legalization in 2016, realistic examination of possible sales tax revenue, possible structure of dispensary (Co-op, Collective, or private) and possible appropriate locations.	8.2
19	Conduct public hearing to address concerns and determine the future of the Airport, including bilingual FAQ's.	7.2
20	Develop a Downtown restroom facility.	6
21	Upgrade Performing Arts Center's public address system to eliminate distraction of microphone failure and hearing impaired audio system shortcomings.	5.9



Date: February 29, 2016

To: Mayor and City Council Members

From: Paul Cayler, City Manager

Re: Evaluation of Fiscal Year 2015-2016 Top Ten Goal Achievement

The purpose of this memorandum is to list the Top Ten Goals as prioritized by the Cloverdale City Council in the Fiscal Year 2015-2016 budget process, and then provide feedback to the City Council on the achievement of those goals. The Top Ten Goals are set forth below with assessment of achievement for each goal in ***bold italics***.

- 1) Begin redevelopment of Thyme Square and Cherry Creek properties through strategic visioning process and outlining path to construction, including use of remaining funds and action plan.

A professional architect, Mr. Jim Burns, was retained to prepare three conceptual master planning for the Thyme Square parcel. All conceptual plans will include locating the new Alexander Valley Healthcare Wellness Center on the property. The work on the conceptual plans has begun, and staff has completed its first review. Report back to the City Council for community feedback on the conceptual Thyme Square plans is expected in the next 30 days.

- 2) Working with the City Council and community, prepare a Five Year Strategic Plan to be a road map as the City moves forward.

A professional organizational specialist, Ms. Sue Haun, was retained to facilitate meetings with the City Council, City Staff and Community Stakeholders to prepare a strategic plan. As of the writing of this memorandum, the initial meeting with the City Council was completed on February 3, 2016. An employee survey has been completed. Community Stakeholders Group meeting is scheduled for March 24th. A diverse list of community stakeholders has been confirmed through a nomination process by Councilmembers. The project timeline is that the strategic plan will be completed before June 30, 2016.

- 3) Establish Building Maintenance Fund as a line item with an assessment of each building's condition so that a five year maintenance plan can be estimated.

This goal has been challenging. At this time, little progress has been made on a five year maintenance plan primarily due to loss of key management level personnel.

- 4) Identify and set aside funds necessary to build Emergency Reserve Fund with policy on Council approval to use funds.

The Mid-Year Fiscal Report was presented to the City Council on February 23, 2016. The City's fiscal condition appears to be on budget. The final amount that may be able to be set aside in an Emergency Reserve Fund depends on General Fund projected ending balance as of June 30, 2016. The amount of set aside into an Emergency Reserve Fund will be determined through the upcoming Fiscal Year 2016-2017 Budget development process.

- 5) Identify and complete a City park project to upgrade or eliminate hazard and disability accessibility barrier, such as upgrade bathroom, redo basketball court, reconstruction of bathroom, add pickle ball court, replacing signage, paint building, repave parking lot, and add dog station.

An amount of \$60,000 was budgeted in the City's General Fund for the purpose of making upgrades to City Park. At the February 23, 2016, Council meeting, the City Council gave direction for approximately \$40,000 parking lot paving project to be implemented before June 30, 2016. A dog waste station has been added to the City Park. In addition, the City took action to replace the City Park baseball field scoreboard for the upcoming baseball/softball season.

- 6) Identify and complete street resurfacing project within 12 months by using gas tax money in order to halt or slow the decline of City street conditions.

In September 2015, the City completed an approximately \$125,000 slurry seal project on North Cloverdale Blvd using gas tax funding. The project intent was to preserve pavement condition.

- 7) Complete Clover Springs open space project.

The Project Initial Study and Mitigated Negative Declaration document is completed, and has been circulated for public and agency comments. The document is ready for action by the Cloverdale City Council at the March 8, 2016, Council meeting. The next phases of the project will be the preparation of the final construction drawing and the bidding of the project for construction. Proposals for the next project phases have been received. The challenge of this project is that the City Manager is acting at the project manager, and ability to dedicate limited time resources to this project is difficult.

- 8) Work with the School District to reopen Boys and Girls club facility and resolve transportation issues, and focus on after school activities for children.

The Boys and Girls Club is open and operating with transportation being provided to youngsters by the school district. Also, the Cloverdale Shuttle is now on a fixed route schedule which permits for youngsters near Jefferson Elementary School to have alternative public transportation to the Club.

- 9) Negotiate two year memorandum of understandings with employee bargaining units

which recognize employee sacrifices through a limited salary and benefits adjustment.

The City and the Police Officers' Association and the Dispatchers' Association have successfully completed memorandums of understanding (MOU) through June 30, 2017. The MOU call for a 2% cost of living adjustment (COLA) effective July 1, 2015, and a subsequent 2% COLA will be effective July 1, 2016. This COLA was extended to all unaffiliated employees. There is anticipation that an MOU with the Cloverdale Classified Service Employees' Association will be finalized soon for the same term and COLA adjustment.

10) Identify CalPERS unfunded liability.

On July 22, 2015, a report on the City's unfunded pension liability was presented to the Cloverdale City Council. An actuarial consultant, Mr. John Bartel, reported out on the City's California Public Employees Retirement System (CalPERS) is approximately \$5.2 million. A number of methods to pay down this unfunded liability were presented to the Council. The City of Cloverdale has a unique method of financing pension obligations through ad valorem revenue source.



**City Council/Successor Agency
Agenda Item Summary**

Agenda Item: 14
Meeting Date: April 12, 2016

Agenda Section New Business	Staff Contact Paul Cayler, City Manager
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Agenda Item Title

Discussion and Possible Action on the Yorty Creek Recreational Area Directional Signage Project

Summary

The purpose of this agenda item is for City Council to provide oversight on the Yorty Creek Directional Signage project because of a Council Member referral due to citizen complaints. City staff have been working on an economic development project to install new and improved directional signage for the Yorty Creek Recreational Area at Lake Sonoma. The Yorty Creek Recreational Area is operated by the United States Corp of Engineers (USACE) and accessed on Hot Springs Road, which is a roadway mostly in the jurisdiction of Sonoma County. Access to Hot Springs Road comes through Cloverdale city limits on city streets. The new signs will direct drivers from the South Cloverdale Blvd freeway exit into the City, then Treadway Drive onto South Foothill Blvd, and then Hot Springs Road to Yorty Creek. Please find attached photo-markups of each sign location as it will appear to drivers. Each sign depicted for the freeway installation is CalTrans approved and will be located within State highway right-of-way. The City will install one additional sign at the intersection of South Cloverdale Blvd and Treadway Drive. This sign will be part of the new crosswalk safety enhancements at this intersection. Attached is a separate drawing showing how the sign at South Cloverdale Blvd and Treadway Drive will appear to motorists. Currently, directional signage to Yorty Creek begins at the intersection of Treadway Drive and South Foothill Blvd, and this sign has been temporarily removed until it can be replaced. When the project is complete, there will be clear and contiguous directions from the freeway to the Yorty Creek Recreation area. The USACE has already purchased all of the signs and, in addition, purchased the sign pole to be placed at South Cloverdale Blvd and Treadway Drive. The City has obtained the CalTrans Encroachment Permit for the installation of signs in the State right of way. The City has contracted with Bay Area Traffic Systems (BATS) to provide traffic control for freeway sign installation. USACE and City Staff will jointly participate in project installation. The installation of the directional signs does not represent a change in the preferred route to Yorty Creek. This route has been long established by the users of Yorty Creek. It does represent improved clarity for new users of the recreation area, and potentially new visitors to Cloverdale. It is these new visitors that the City wants to encourage to spend time in the City and explore Cloverdale, including the Downtown, the Furber Plaza Shopping Center area and our other businesses. Since the Furber Plaza Shopping Center area is the hub of most of the City's traveler services (fuel, food and lodging) and on the easiest route to Yorty Creek, it makes sense to provide easy directions for visitors to find their way to Yorty Creek from the South Cloverdale freeway exit with improved signs. This project plays into an economic development strategy to promote motorists passing Cloverdale on US101 to stop and enjoy an attraction like Yorty Creek, and hopefully patronize our businesses. This matter was placed on the City Council agenda at the request of Council Member Russell because of citizen concerns related to the potential for increased visitor traffic on the preferred route. Please find attached an email from Mr. John Mook

Options

There are a number of options available to the City Council on this project: 1) Continue the project as designed by City staff and in cooperation with the USACE; 2) Modify the project and provide direction on specific sign installations; and 3) Cancel the project.

Budget/Financial Impact

The budget impact is minimal due to the fact that new signage was purchased by the USACE. The City's costs

for the project are primarily in kind expenses related to sign installation by the City Public Works Department, and the out of pocket expenses for traffic control on the freeway when directional signs are installed in State right of way.

Subcommittee Recommendation

None.

Recommended Council Action

The City Manager recommends that the City Council discuss the Yorty Creek Direction Signage project and hear public comments, then provide project oversight.

Attachments:

- 1) Email dated March 30, 2016, from Mr. John Mook.
 - 2) Project drawings
-
-

cc:

Paul Cayler

From: However that has chaged, we are now looking to be gone <jmook6@aol.com>
Sent: Wednesday, March 30, 2016 9:40 AM
To: Paul Cayler
Subject: yorty creek

Mr. Cayler

As a follow up to my recent email correspondence addressing residents concerns with the City,s plan to increase traffic to Yorty Creek, I submit that Hot Springs Road particularly the stretch from Foothill Blvd. to the water tanks is very dangerous.

The inferior condition of the road surface invites traffic going uphill to use the left side of the road, directly into oncoming traffic. Vehicles traveling in both directions are very close to the edge of the road and traffic going downhill is crowding the sidewalk.

In most cases just inches away from the walkers.

The road itself is 18 feet wide and the sidewalk a little over 4 feet.
I note, A full size truck takes up the entire width of the road and leaves no room for oncoming vehicles.

Residents I have spoken with tell me that they stop walking and wait at the outer edge of the side walk, to let traffic pass.

Increasing traffic on this road without addressing the safety issues is irresponsible.

I reiterate my previous comments on the safety and supervision of the Yorty Creek area.
The area is sparsely supervised and the possibility of trouble and accidents not noticed in a timely fashion is a certainty.

Abuse of alcohol and other substances under these circumstances can not be controlled and will most certainly create dangerous situations.

I urge the Council to consider these observations and I trust that this correspondence will find its place on your agenda for discussion.

Sincerely

John Mook

MAP 1
HIGHWAY SIGNS

SIGN - 2
1,800' north of centerline of
Santana Dr. (overpass)

HWY 101

SB EXIT 519, SOUTH
CLOVERDALE BLVD.

CENTERLINE OF SANTANA DR.
(OVERPASS)

NB EXIT 519, SOUTH
CLOVERDALE BLVD.

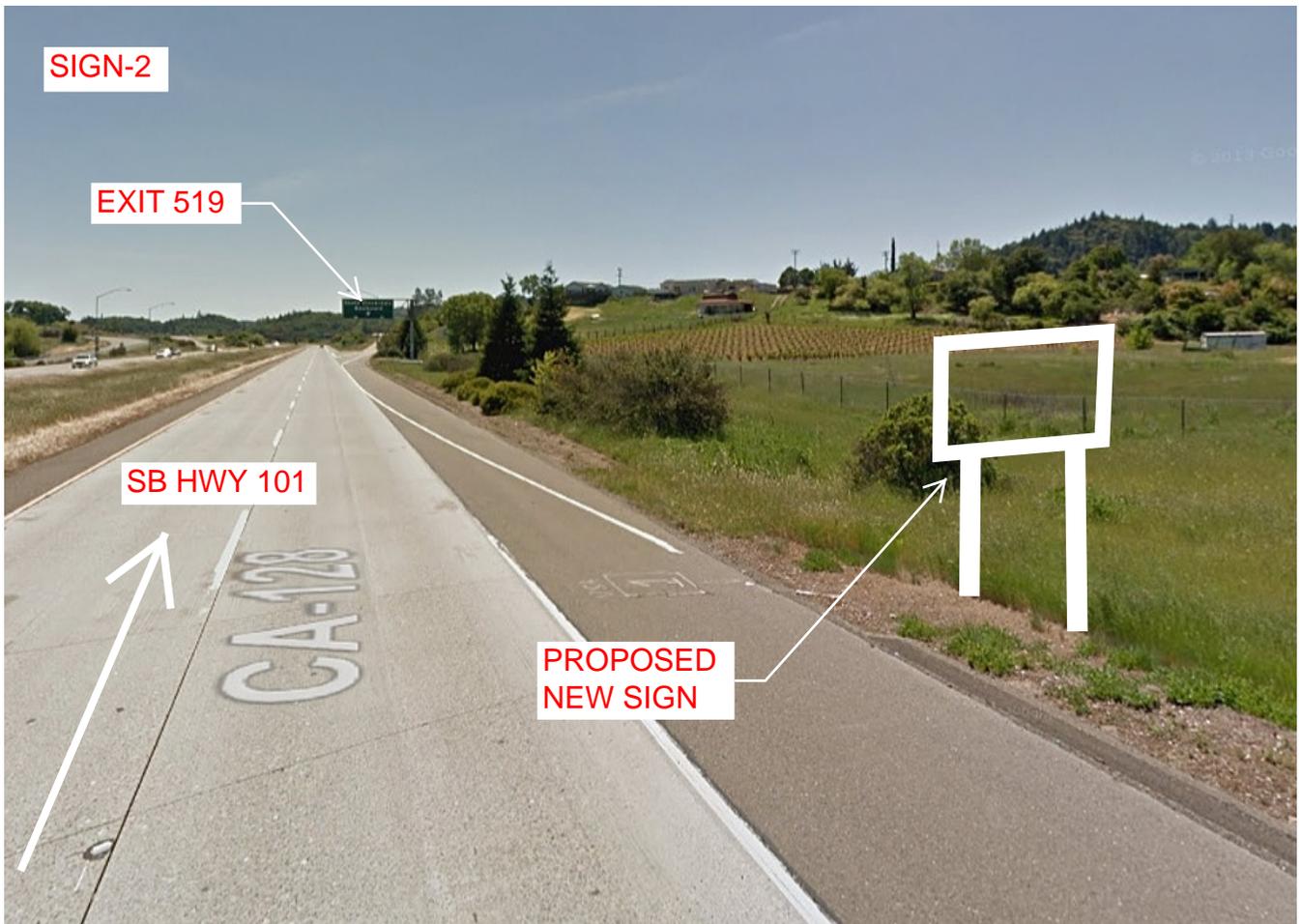
SOUTH CLOVERDALE BLVD.

S Redwood Hwy

Astor Rd



SIGN - 1
1,500' south of centerline of
Santana Dr. (overpass)



**MAP 2
OVERPASS SIGNS**

**SB EXIT 519, SOUTH
CLOVERDALE BLVD.**

HWY 101

**SIGN - 4
140' north of centerline of Santana Dr.
(overpass)**

**CENTERLINE OF SANTANA DR.
(OVERPASS)**

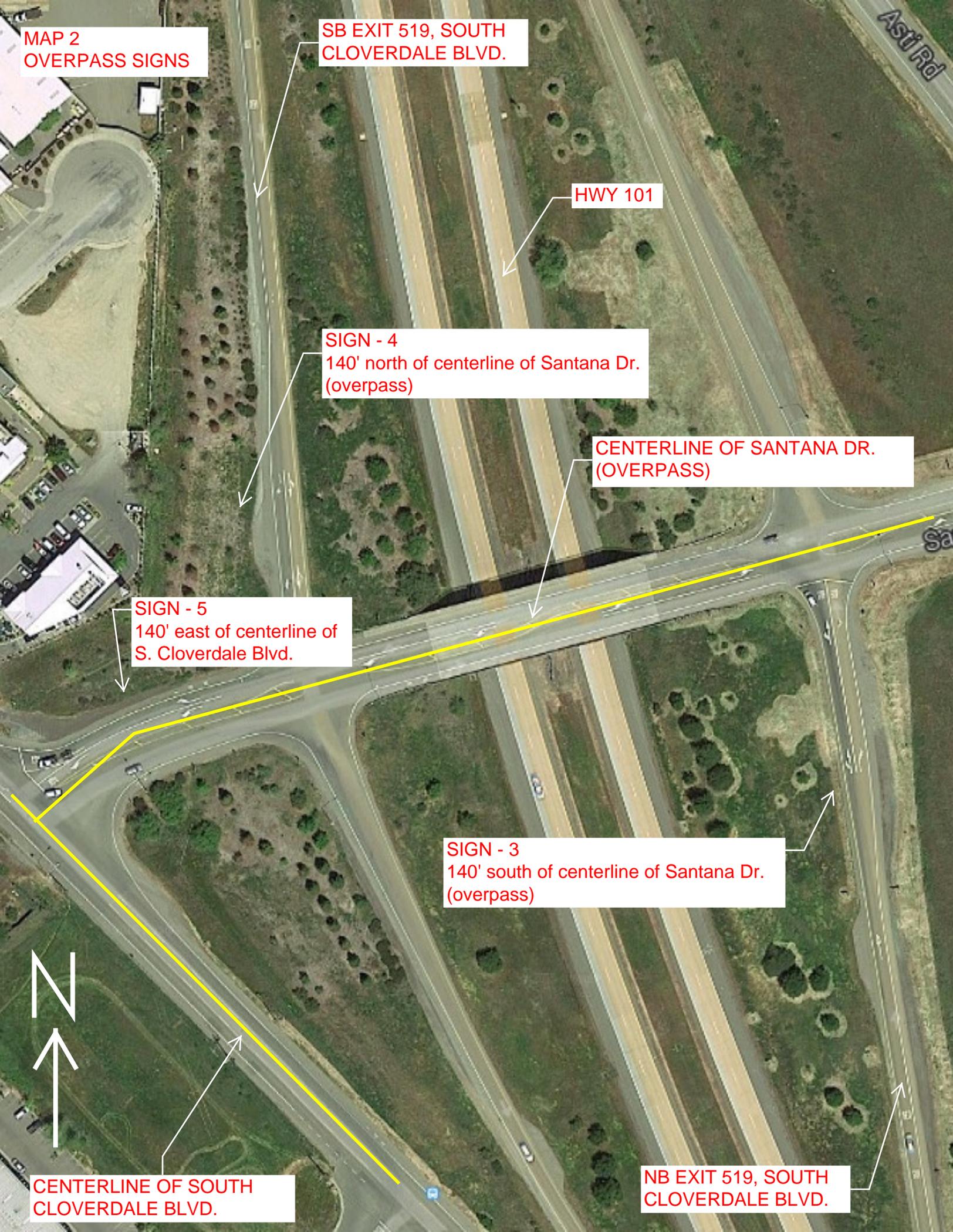
**SIGN - 5
140' east of centerline of
S. Cloverdale Blvd.**

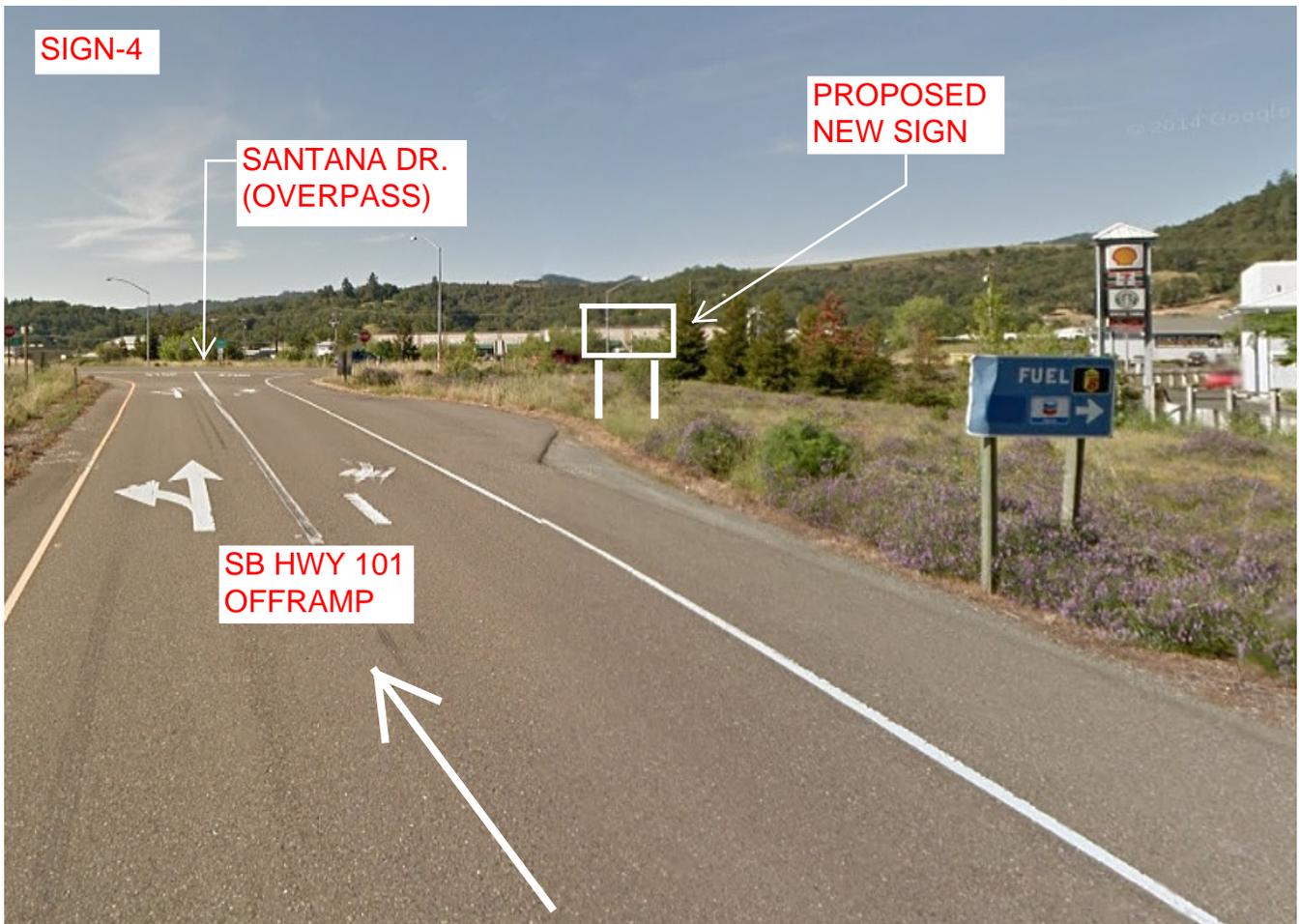
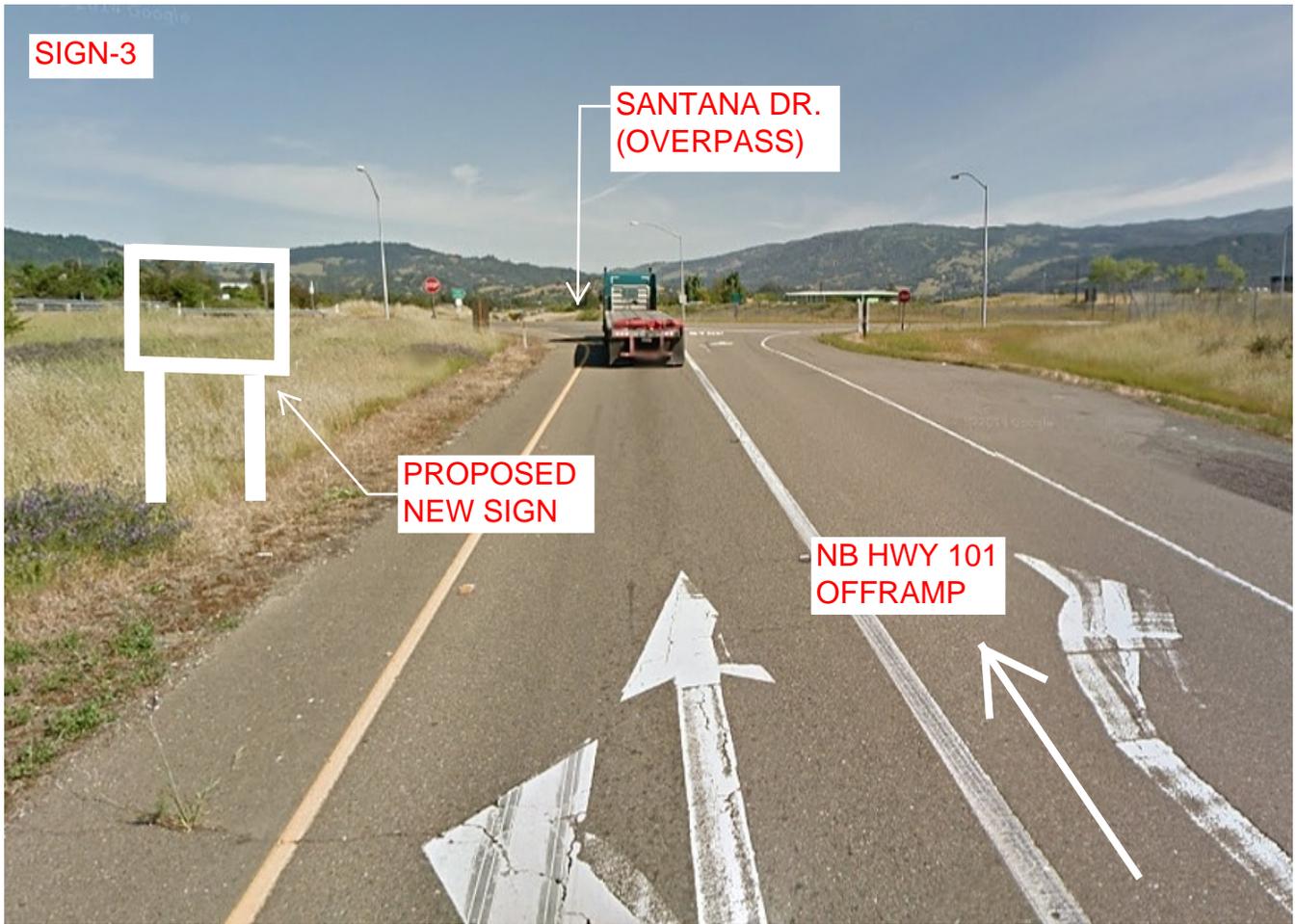
**SIGN - 3
140' south of centerline of Santana Dr.
(overpass)**



**CENTERLINE OF SOUTH
CLOVERDALE BLVD.**

**NB EXIT 519, SOUTH
CLOVERDALE BLVD.**







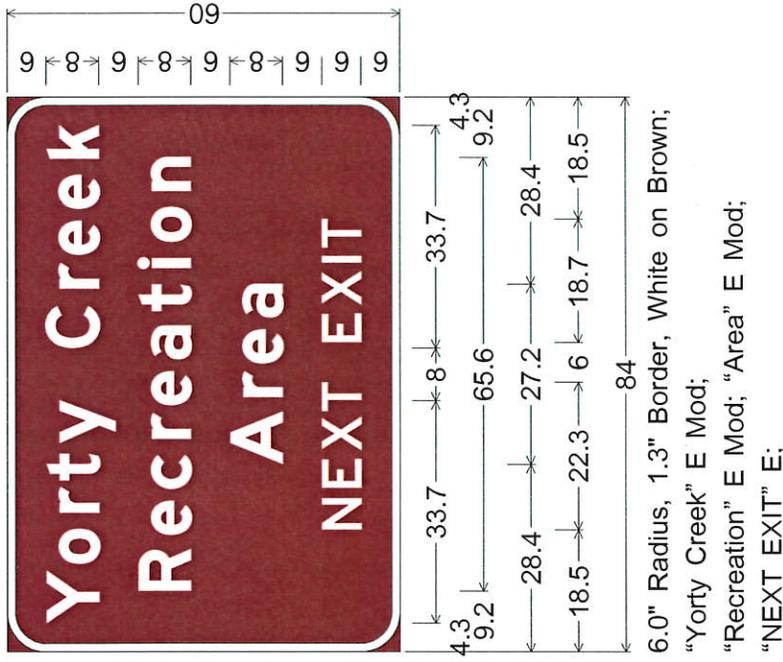
SIGN-5

S. CLOVERDALE BLVD

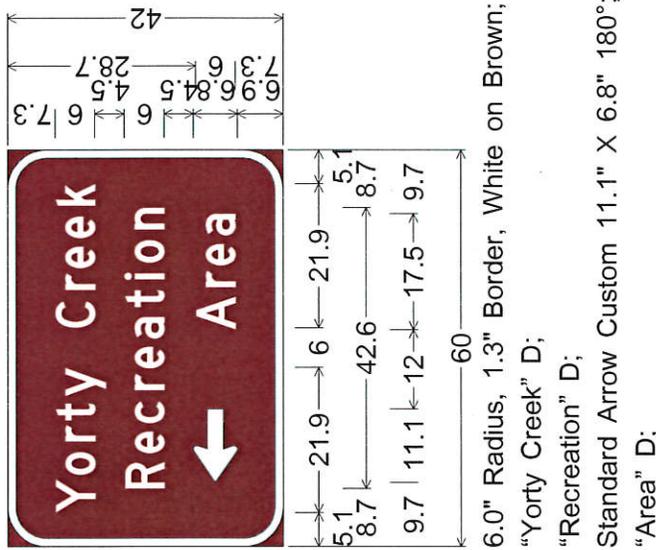
WB SANTANA DR.
(OVERPASS)

PROPOSED
NEW SIGN

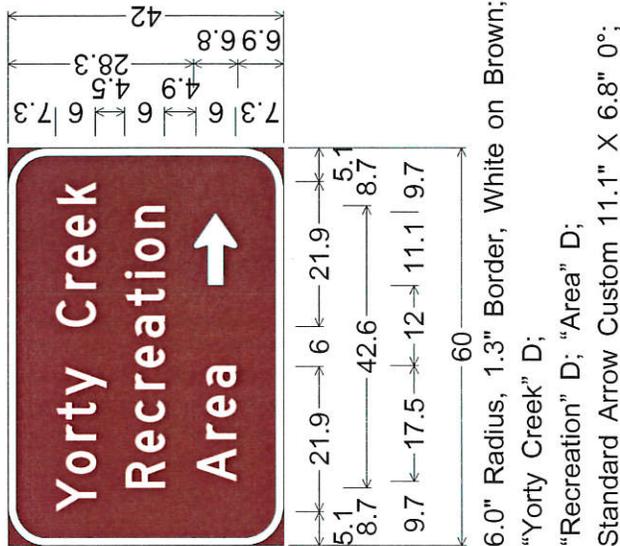
SIGN 1 & 2



SIGN 3

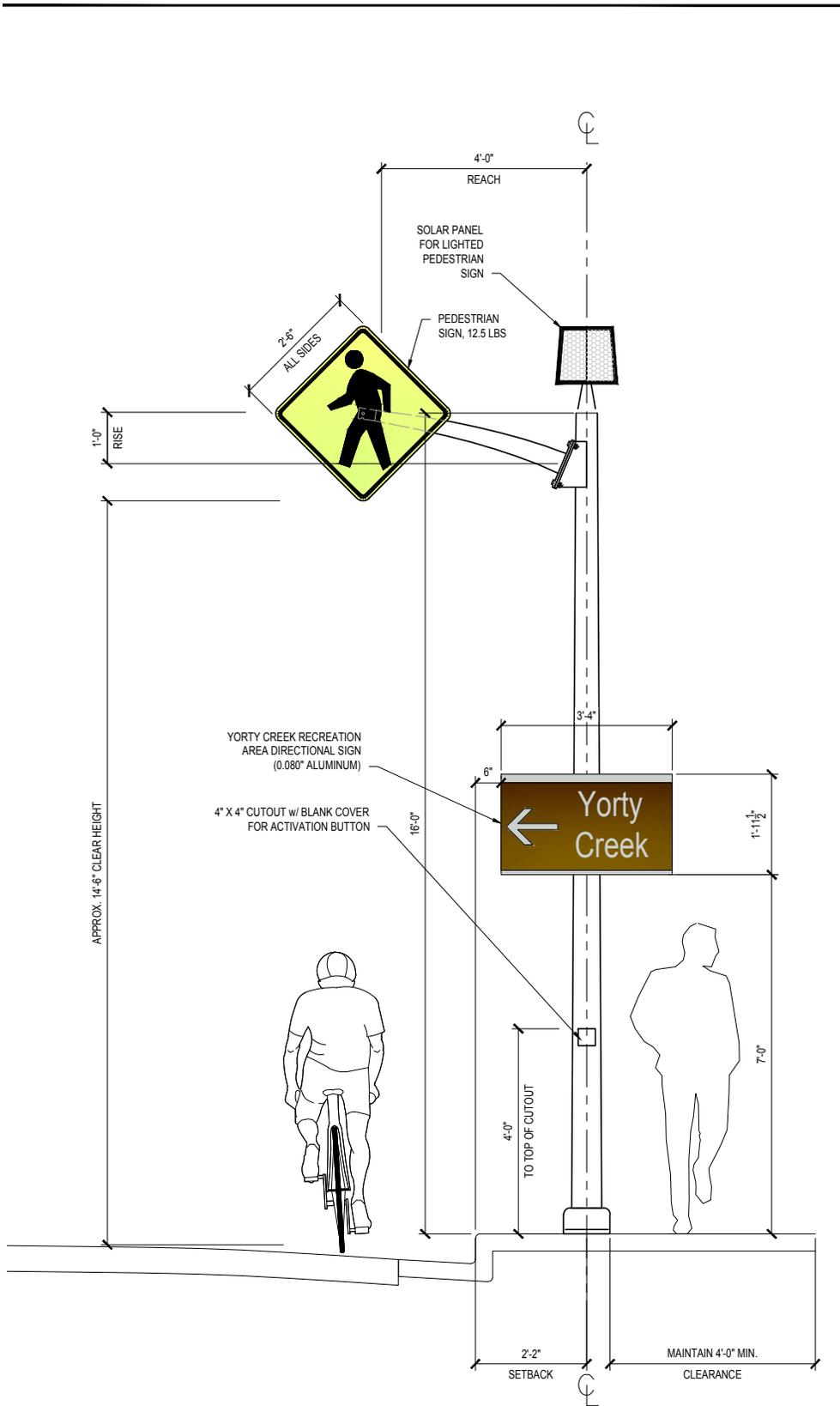


SIGN 4 & 5



Type XI sheeting for background and legend
0.063 inch thick aluminum framed sign panel
two wood posts

↑
Freeway Signs



1 CROSSWALK & YORTY CREEK SIGN ELEVATION DETAIL
 1 3/4"=1'-0"

124 N. CLOVERDALE BLVD
 CLOVERDALE CA 95425
 PHONE: 707 894-2521
 FAX: 707 894-3451

CITY OF CLOVERDALE
City of Cloverdale © 2015

NO.	DATE	BY	REVISION/ISSUE DESCRIPTION

YORTY CREEK & CROSSWALK SIGNS

YORTY CREEK RECREATION AREA SIGNS
 USACE & CITY OF CLOVERDALE
 S. CLOVERDALE BLVD at TREADWAY DRIVE
 CLOVERDALE CA 95425

DRAWN BY: EDJ
 REVIEWED BY: CAS
 DATE: 5/13/2015
 JOB NO:

SHEET
1
 OF 1 SHEETS



City Council
Agenda Item Summary

Agenda Item: 15
Meeting Date: April 12, 2016

Agenda Section	Staff Contact
Subcommittee	Vanessa Apodaca, Interim City Engineer

Agenda Item Title
Consideration of Resolution No. 025-2016, establishing limited parking restrictions at the Senior Center Bus Shelter.

Summary

Sonoma County Transit has expressed concerns with cars parked at the existing Senior Center bus stop shelter. The presence of parked cars requires bus passengers to be picked up and dropped off in the street as opposed to at the curb.

The Senior Center Director has expressed concern with a proposal to paint the bus shelter curb red, stating that a red curb would be too drastic considering current limited parking for the Senior Center. The Director wishes to utilize the space for parking during times that the bus isn't in service.

The Sonoma County Transit Systems Manager has suggested a "No Parking" sign be installed that specifies no parking on weekdays between 9:00 a.m. and 4:00 p.m. The sign would be posted on the bus stop shelter. This would permit parking before 9:00 a.m. and after 4:00 p.m. on weekdays and anytime on the weekend. It would also allow for auto passenger drop offs. Sonoma County Transit is prepared to have the sign made and installed upon the City's concurrence.

-
- Options**
1. Adopt a resolution establishing limited parking restrictions and authorizing City Staff to coordinate placement of the limited "No Parking" sign with Sonoma County Transit
 2. Provide other direction to Staff

Budget/Financial Impact
None

Subcommittee Recommendation
Adopt a resolution establishing limited parking restrictions and authorizing City Staff to coordinate placement of the limited "No Parking" sign with Sonoma County Transit

Recommended Council Action
Adopt a resolution establishing limited parking restrictions and authorizing City Staff to coordinate placement of the limited "No Parking" sign with Sonoma County Transit

Attachments:
Resolution No. 025-2016

**CITY OF CLOVERDALE
CITY COUNCIL
RESOLUTION NO. 025-2016**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE
ADOPTING PARKING RESTRICTIONS AT THE SENIOR CENTER BUS SHELTER**

WHEREAS, Sonoma County transit took over bus services on January 4th 2016; and

WHEREAS, the existing bus stop and shelter at the senior center is now included in the new bus route; and

WHEREAS, Sonoma County Transit has expressed concerns with cars continuing to park in front of the bus stop requiring passengers to be picked up and dropped off in the street away from the curb; and

WHEREAS, the City acknowledges that parking at the senior center is limited and senior center staff would like to maintain as many parking spaces as possible; and

WHEREAS, the City recognizes the safety concerns related to continued parking at the bus stop and shelter; and

WHEREAS, the City therefore, in light of the foregoing benefits and considerations, wishes to install a limited no parking sign specifying "No Parking" on weekdays between 9:00 a.m. and 4:00 p.m.; and

WHEREAS, limited no parking signs would allow for overnight and weekend parking in addition to auto passenger drop offs;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLOVERDALE AS FOLLOWS:

The City hereby adopts limited parking restrictions prohibiting parking at the Senior Center bus stop and shelter on weekdays between the hours of 9:00 a.m. and 4:00 p.m. and authorizes City staff to coordinate placement of the limited "No Parking" sign with Sonoma County Transit.

It is hereby certified that the foregoing Resolution No. 025-2016 was duly introduced and duly adopted by the City Council of the City of Cloverdale at its regular meeting held on the 12 day of April, 2016, by the following vote:

AYES in favor of:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

MaryAnn Brigham, Mayor

Linda Moore, Deputy City Clerk