



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

**TUESDAY, OCTOBER 25, 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**

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

**OPENING:**

- Call to Order: Mayor Brigham called the meeting to order at 6:30 p.m.
- Pledge of Allegiance
- Roll Call: Present-Councilmember Palla, Councilmember Cox, Councilmember Russell, and Mayor Brigham; Absent-Vice Mayor Wolter
- Report out of Closed Session –Actions Taken: No reportable action
- Conflict of Interest Declaration: None
- Agenda Review – Regular Session (Changes and/or Deletions): Agenda items 7-13 were pulled and continued to the November 8, 2016, City Council meeting.

**PUBLIC COMMENTS:**

Jeanne Cox, Cloverdale, voiced approval for Measure Y and urged those present to vote for Measure Y. She emphasized the importance of supporting the library.

Shawn Bovee, Cloverdale, expressed his thanks for the advancement of the skate park and asked for a progress update. City Manager Cayler responded that staff has been working to identify a land surveyor and engineer to begin establishing parcel locations and descriptions, which includes the skate park in the northwest corner of the Thyme Square project.

**PROCLAMATIONS / PRESENTATIONS: None**

**CONSENT CALENDAR:**

1. **Minutes of Previous Meeting October 11, 2016**
2. **Action on Resolution No. 081-2016, awarding a contract for the purchase of one police vehicle to the Ford Store of San Leandro**
3. **Action on Resolution No. 082-2016, approving the rate adjustments for solid waste, composting and recycling, which will decrease by an average of 4.3%**
4. **Review of recent UUT Administrative & Interpretation Rulings**
5. **Action on Resolution No. 083-2016, authorizing the City Manager to submit a letter to the Department of Alcoholic Beverage Control stating that the Public Convenience or Necessity will be served by the Department's issuance of a type 20 off-sale license for the Grocery Outlet retail store located at 111 Treadway Drive**
6. **Action on Resolution No 085-2016, authorizing the execution of a Professional Services Agreement with C&S Companies for the Environmental Assessment to Remove Obstructions at the Cloverdale Municipal Airport as**

Funded by Federal Aviation Administration (FAA) Airport Improvement Grant

7. Waive the second reading and readopt Ordinance No. 700-2015 amending the Cloverdale Municipal Code, Title 15 to add Chapter 15.38, "Solar Energy Systems, Expedited Permitting Process For Small Residential Rooftop Solar Systems" in order to comply with the specific requirements of AB 2188 to streamline the permitting and inspection process for residential rooftop solar energy systems
8. Waive the second reading and readopt Ordinance No. 701-2016 amending the Cloverdale Municipal Code, Title 18 (Zoning Ordinance), Chapter 18.09, to add "Article III Marijuana, Section 18.09.300, Medical Marijuana" and Ordinance No. 702-2016 amending Title 9, Chapter 9.36 "Marijuana" of the Cloverdale Municipal Code Section 9.36.020, "Definitions" and Section 9.36.050 "Outdoor Cultivation of Marijuana Prohibited" to reference the Cloverdale Zoning Ordinance for definitions and regulations related to cultivation of marijuana
9. Waive the second reading and readopt Ordinance No. 703-2016, amending the Cloverdale Municipal Code, Title 18 (Zoning Ordinance), Chapter 18.08.040, changing development standards for the SP-1 (Specific Plan 1) Zoning District and rezoning a 12.3-acre parcel of land located at the southeast corner of Asti Road and Santana Drive (APN 117-050-026) from the "MP-Business Park" District to the "SP-1-Specific Plan 1 District." And, waive the second reading and readopt 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
10. Waive the second reading and readopt Ordinance No. 705-2016 repealing and replacing Cloverdale Municipal Code Chapter 5.24 relating to massage therapy and massage establishments
11. Waive the second reading and readopt Ordinance No. 706-2016, Amending Cloverdale Municipal Code Chapter 8.08 Related to Smoking in Public Places
12. Waive the second reading and readopt Ordinance No. 707-2016 amending Cloverdale Municipal Code, Title 3, Chapter 3.04, "Officers Authorized to Sign - Procedure," Section 3.04.020, adding the Assistant City Manager as an officer authorized to sign on behalf of the City
13. Waive the second reading of Ordinance No. 710-2016, of the City of Cloverdale amending Title 18 "Zoning" of the Cloverdale Municipal Code, rezoning certain properties containing approximately 42.5-acres of land lying east of Asti Road to a combination of General Industrial, Rural Residential, and Public Institutional. and making certain changes to the standards of the general industrial zoning district to add live work units as a conditionally permitted use in the General Industrial Zoning District

**Action:** Motion was made by Councilmember Russell to approve the consent calendar minus items 7-13; seconded by Councilmember Palla. The motion passed by roll call vote: (4-ayes –Councilmember Palla, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes; 1 absent- Vice Mayor Wolter).

**COMMUNICATIONS:** None

**PUBLIC HEARINGS:** None

**NEW BUSINESS:** None

**SUBCOMMITTEE ITEMS:**

14. **Action on Resolution No. 084-2016, approving a revised Reserve Policy and General Fund Surplus Policy**  
Finance Manager, Joanne Cavallari, commented that during the Budget Workshop held in May, Council gave direction that 30% of any surplus, up to \$100,000, be deposited into a new strategic reserve to be used only with the approval of the City Council. She stated that to avoid any conflict with existing policy, and provide clear direction to staff a Reserve Policy and General Fund Surplus Policy was developed. She discussed the details of the policies and recommended adoption of Resolution No. 084-2016, approving a revised Reserve Policy and General Fund Surplus Policy for the City of Cloverdale. Discussion ensued with Council recommending the following edits to the Reserve Policy: add language regarding the emergency reserve fund to denote what would constitute an emergency; include "facility maintenance" along with facility replacement; and add clarification regarding funds to be used for police vehicle replacement.

**PUBLIC COMMENTS:** None

**Action:** Motion was made by Councilmember Palla to approve Resolution No. 084-2016, approving a revised Reserve Policy and General Fund Surplus Policy as amended; seconded by Councilmember Cox. The motion passed by roll call vote: (4-ayes – Councilmember Palla, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes; 1-absent- Vice Mayor Wolter).

**15. Review of General Fund Preliminary Fiscal Year 15/16 Revenues, Expenditures, and Fund Balance, and approve allocation of surplus revenues to reserves**

Finance Manager, Joanne Cavallari, presented a report on the preliminary General Fund revenues and expenses. She reported that the fund numbers for fiscal year 15/16 show a surplus of revenues over expenditures of about \$770,500, noting that these are unaudited numbers. She further stated that this brings the ending fund balance to \$1,650,229, which is 29% of annual expenditures. Ms. Cavallari commented that the utility user tax and property taxes came in higher than expected. She discussed the distribution of funds to various categories. In closing, she recommended the Council receive the report of Preliminary FY 15-16 General Fund Revenues and Expenses and by Minute Order, approve the allocation of surplus revenues to reserves.

**PUBLIC COMMENTS:**

Jeanne Cox, Cloverdale, commented that it is a shame that more Council candidates were not present at the Council meeting and that the press left before this item was discussed, adding that people need to hear this information.

**Action:** Motion was made by Councilmember Palla to approve, by Minute Order, the allocation of surplus revenues to reserves as proposed by staff, with modifications in the Reserve Policy as discussed ; seconded by Councilmember Russell. The motion passed by roll call vote (4-ayes – Councilmember Palla, Councilmember Cox, Councilmember Russell, and Mayor Brigham; 0-noes; 1-absent- Vice Mayor Wolter).

**SUBCOMMITTEE REPORTS:**

- Airport (Chair, Councilmember Cox and Vice Mayor Wolter) - Next Meeting, TBA
- Finance, Administration & Police (Chair, Mayor Brigham and Vice Mayor Wolter) The Committee met and discussed the solid waste rate adjustment, the UUT Administrative Rulings, the General Fund revenues and expenses, and updated policies - Next Meeting: December 8, 2016, 2:00 p.m.
- Planning & Community Development (Chair, Vice Mayor Wolter and Mayor Brigham) – The Committee met and discussed the inclusionary zoning ordinance, in lieu fees, and zoning for new cannabis industry- Next Meeting: December 20, 2016, 4:00 p.m.
- Public Works (Chair, Councilmember Russell and Councilmember Cox) - Next Meeting: November 29, 2016, 10:30 a.m.
- Joint City/Fire District (Chair, Councilmember Palla and Mayor Brigham) - Next Meeting: TBA.
- Joint City/School District (Chair, Councilmember Palla and Councilmember Cox) – Next Meeting: November 28, 2016, 5:00 p.m.

**COUNCIL REPORTS (INCLUDING STUDENT LIAISON):**

The new student liaison, Rose French, introduced herself and provided her report on the activities at the high school, which included senior soccer night, dates of upcoming games, and process for UC applications.

Councilmember Russell provided a Memo from RCPA Board of Directors discussing the case status update on California River Watch vs. County of Sonoma (attached). She also provided the SMART General Manager's Report for October 2016.

Councilmember Cox reported that, at their last meeting, Sonoma Clean Power announced that they have been able to beat PG&E prices since their inception. He provided an update on Sonoma Clean Power activities, including the promotion of electrical cars. Councilmember Cox also discussed waste management and composting issues. He reported that he volunteered at the Harvest Marathon/Vineyard Races.

Councilmember Palla announced the League of Californian Cities' Board of Directors appointed Carolyn Coleman as the Executive Director for the League. He stated that the Redwood Empire Division of the League will have a recognition

dinner for outgoing officers and the installation of new officers, wherein he will be installed as the Division Director and reinstated as the Chair for the Legislative Committee.

**LEGISLATIVE REPORT:**

City Attorney Sanchez commented on the upcoming Special City Council Meeting for a cannabis workshop, noting that it is scheduled for November 28, 2016. He stated that the City Attorneys plan to meet as a group to discuss the Sonoma County Waste Management JPA. City Attorney Sanchez also announced that he was selected by the Sacramento Business Journal to be part of their yearly 40 Under 40 2016 list, which honors individuals under 40 for their outstanding professional accomplishment and community involvement.

**CITY MANAGER/CITY ATTORNEY REPORT:**

City Manager Cayler reminded those present that the next scheduled Council meeting is November 8<sup>th</sup>, which is also election night. He reported that City Hall will be open Monday, November 7<sup>th</sup> through Thursday, November 10<sup>th</sup> and closed on Veteran’s Day, Friday, November 11<sup>th</sup>, which will result in employees taking different days off to accommodate City Hall remaining open on Thursday to serve the public.

**COUNCIL DIRECTION ON FUTURE AGENDA ITEMS:**

Councilmember Russell requested an agenda item for either City Council or subcommittee to request a joint report from the developer of the Cloverdale Family Apartments, City Planning, and the Planning Commission regarding the provision to designate all of the available housing for agricultural workers. Assistant City Manager Kelley suggested a joint workshop with the Planning Commission to discuss this item along with some other important planning and development matters.

Shawn Bovee, Alternate Planning Commissioner, stated that the lack of clear definition of an “agricultural worker” and the housing ratio issue at the Cloverdale Family Apartments is a concern and supported the idea of a joint workshop to discuss the situation.

Councilmember Russell also expressed concern about the phone service at City Hall and recommended this be discussed at an upcoming Council or subcommittee meeting. City Manager Cayler discussed the phone tree at City Hall and reported that staff is working to improve phone service.

**ADJOURNMENT:** Mayor Brigham adjourned the meeting at 7:51 p.m., to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Tuesday, November 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).

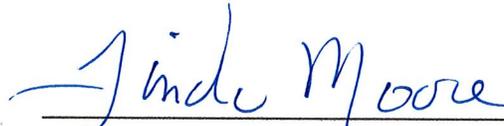
These minutes were approved at the November 8, 2016, City Council meeting by the following voice vote (Ayes-5; Noes-0; Absent-0).

Ayes: Councilmember Palla, Councilmember Russell, Councilmember Cox, Vice Mayor Wolter, and Mayor Brigham  
Noes: None  
Absent: None  
Recuse: None

Approved:

  
Mary Ann Brigham, Mayor

Attested:

  
Linda Moore, Deputy City Clerk

## Memorandum

To: City Managers and County Administrator  
CC: RCPA Board of Directors  
From: Suzanne Smith, Executive Director  
Re: CASE STATUS UPDATE: *California River Watch v. County of Sonoma*, SCV -259242  
Date: October 12, 2016

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As you know, on August 9, 2016, California River Watch filed a CEQA complaint challenging the RCPA Board's adoption of the EIR for *Climate Action 2020*. The RCPA Board has discussed the case and would like to communicate the following:

- The RCPA has great faith in the Plan and associated EIR, and intends to vigorously defend them in court.
- The RCPA is seeking to resolve the legal matter as expeditiously as possible, while continuing to support cities and the County in moving forward with climate action priorities through existing and emerging policy and program opportunities.
- In settlement discussions, River Watch has stated that they support the objectives of the plan and that there is no reason RCPA members should not move forward with implementation. The attached letter was provided in response to our request for them to confirm this in writing.
- The Case Management Conference yielded the following schedule:
  - Nov. 10 – Administrative Record filed
  - Dec. 12 – California River Watch opening brief is due
  - Jan. 12 – RCPA opposition brief is due
  - Jan. 26 – CRW reply is due
  - Feb. 27 – hearing on the merits

Obviously we are disappointed in the delays that the suit has caused regarding *Climate Action 2020* plan adoption and implementation. We will keep you and your staff apprised as we can. Please contact me with any questions; legal inquiries from your City Attorney can be directed to Verne Ball, RCPA legal counsel, at [verne.ball@rcpa.ca.gov](mailto:verne.ball@rcpa.ca.gov).

VERNE BALL (SONOMA-COUNTY.ORG)