

City Council

Mayor Neysa Hinton City Manager
Vice Mayor Diana Rich
Sandra Maurer
Jill McLewis
Stephen Zollman

City Administration

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**CITY COUNCIL MINUTES
MINUTES FOR Regular City Council Meeting of June 6, 2023
As Approved by the City Council at their regular meeting of June 20, 2023**

Please note that minutes of meetings are not meant to be verbatim minutes and are meant to be the City’s record of a summary of actions that took place at the meeting. The vote/action is the required information of the meeting actions that took place. Approved minutes are available on the City Council Meetings page.

<https://www.ci.sebastopol.ca.us/Meeting-Event.aspx>

Meeting was held in Person and Virtual /Remote Participation
Zoom Link used for providing public comment/Live Stream is utilized for viewing only of Meeting

The public is advised that pursuant to Government Code section 54957.5 all writings submitted to the City and City Council are public records and will be made available for review.

6:00 pm City Council Regular Meeting

Call to Order: Mayor Hinton called the Regular Meeting to Order at 6:02 p.m.

Roll Call:

Present: Mayor Neysa Hinton
Vice Mayor Diana Gardner Rich
Councilmember Sandra Maurer
Councilmember Jill McLewis
Councilmember Stephen Zollman

Absent: None

Staff: City Manager/City Attorney Larry McLaughlin
Assistant City Manager/City Clerk Mary Gourley
Administrative Services Director Ana Kwong
Interim Fire Chief Jack Piccinini
GHD Toni Bertolero

SALUTE TO THE FLAG: Mayor Hinton led the salute to the flag.

PROCLAMATIONS/PRESENTATIONS:

The following were presented :

- Reyna Ramirez – 10 years of service
- Proclamation – Juneteenth

- Proclamation – Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex Pride Month

Reference Order Number: 2023-137

STATEMENTS OF CONFLICTS OF INTEREST: Conflicts of interest may arise in situations where a public official deliberating towards a decision, has an actual or potential financial interest in the matter before the Council. In accordance with state law, an actual conflict of interest is one that would be to the private financial benefit of a public official, a relative or a business with which the Councilmember is associated. A potential conflict of interest is one that could be to the private financial benefit of a Councilmember, a relative or a business with which the Councilmember is associated. A Councilmember must publicly announce potential and actual conflicts of interest, and, in the case of actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue and must remove themselves from the dais.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA (FIRST COMMENT PERIOD):

Up to Twenty (20) Minute Time Limit (Two Minutes for up to ten speakers). Additional public comment will be held at the end of the discussion and action items for up to an additional twenty (20) minutes. Mayor has discretion to allow for additional time beyond the 20 minutes allocated for public comment dependent upon the subject matter or number of speakers.

Process for calling on Speakers: Mayor or designee shall ask for public comment as follows: Speakers to be called on in an alternate manner (One speaker in person to be called on first; then one speaker remote to be called on second with additional speakers to be called on in the same manner) based upon the time limit.

Marion McDonald commented as follows:

I live at 7135 Willow Street. I've been denied a permit to create a parking space on my property, and I'm asking for your help. In 2019, I divided my house into two apartments, made a junior ADU fully permitted, and gave the narrow existing driveway to my tenant. I've been parking on the street ever since. My block, Willow Street, has red curb on one side, eight residences, one business and five legal unrestricted parking spaces. My permit for a request for permit was denied because it does not meet standards, such as being 10 feet from the property line, but not a single one of the existing driveways on my block now is 10 feet from the property line. I do understand the building department has to work with the codes as they're written now. I suspect that the ADU standards have been updated. Perhaps the driveway standards have not. Every single one of my neighbors has signed a statement of support for me; it's like let her make the parking space. We all want to have one less car competing for those five legal spaces. So I'm going to close with three questions. Number one, when were those driveway standards last updated? Number two, what value is served by denying a permit that all of my neighbors' support? Number three. What action do I need to take next? I'm going to repeat the most important question, what value is served by denying a permit that every single one of my supports.

Kyle commented as follows:

I want to comment on the last speaker and to state that is really important that our city maintain and update its standards when it takes such radical attempts at increasing our housing by putting in ADU laws, and not necessarily looking at the way that that interfaces with our general plan update, or other things such as driveways. One point I will point out is that our city does actively promote or at least I would hope, non-automobile centric housing. It's my hope that as we increase the density of our housing in our city, that we are not so focused on providing access to vehicle parking at every single residence, that not every single person in our town can be afforded the luxury of an automobile, nor can our health and our environment. But the reason I'm actually stating my public comment is that our last meeting, as all meetings, there is a statement of conflict of interest. At the last meeting, we didn't have any of our Councilmembers state their conflicts of interest, because at that time, typically those Councilmembers would provide some detail as to their conflicts of interest. But then, right prior to an agenda item, our own Mayor quickly excused herself stating a conflict of interest. So it'd be my hope tonight that we get actual details as to that conflict of interest and why, knowing what the agenda items were. Our Mayor chose not to state that conflict of interest at the assigned time at the beginning of the meeting.

Dena commented as follows:

I live in Sebastopol and as an enthusiastic library, user and volunteer I would like to thank you first for your clear and reasoned letter to the library director and library commissioners on behalf of increased staffing the Sebastopol library. Director Erika Thibault reply dismisses the letter. She consistently focuses on the square footage of our library and usage. She says the only way it's about more personnel is square footage, and there appears to be no interest in a creative solution. I would like to ask you to reply to her letter and suggest a meeting of stakeholders, and more importantly, creative minds to arrive at a thoughtful and workable solution for the physical plant we have now.

Linda commented as follows:

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Sebastopol Chamber of Commerce. I am deeply concerned about the Sebastopol Chamber of Commerce not being eligible for the grant funding because we are not a 501 C three, and have never been. I was informed that the city had been doing this incorrectly for many years. Now that we have new Councilmembers who actually read the documents, we are no longer eligible. I would have thought that the committee would have reached out to us and explained the reasons why and given us some options. Steven Zollman commented on the Chamber being affiliated with the National Chamber, which I would like to make very clear that we are not and had never been, and this should have no bearing on the grant request. I would like to know how the city would like us to proceed, especially in regards to Apple Blossom as we have always placed the city logo on all of our printed documents as being a proud sponsor of the city's largest weekend event. I'm not asking for any exceptions, but rather options.

Sarah Gurney commented as follows:

Good evening, Mayor, Vice Mayor and Councilmembers and city staff. I'm here because something happened to you and to our community that has motivated me to come in. On April 3, you received a letter signed by the library director that dismissed your concerns for the staffing at our library adequate staffing at our library and on April 4, she dismissed our branch manager and put him on administrative leave. As a user in support of our library and a past liaison to the library from the Council, I know how much our community loves the library that our branch manager and his staff have created in the last 11 years of his efforts. So I volunteered to seek signatures on the petition for his reinstatement. I'm telling you a personal anecdote here. 100% of the people I asked in the parking lot at the library, signed that petition and then went on with accolades for our library. They love our library. So five or six volunteers a few hours of effort, we attained 102 signatures on a written petition and 301 on an online petition for his reinstatement. The Sebastopol Times picked up that event in our community and within two hours of publishing their article he was offered reinstatement the next Monday. So you might think our work is done. But it's not done because you're there and you've received a letter dismissing your concerns. Our community wants growing services at our library. Our building is inadequate. So I'm here tonight to request to ask for the creation of an ad hoc committee to explore the possibilities for the future of our library and our library services. I have a suggestion for that committee, that it'd be chaired by Stephen Zollman that our Commissioner Fred be involved that I'd be involved as a measure Y committee member we have representatives from city management, public works, Friends of the Library and the Library Board Advisory Board. Please help us get the library that our community deserves.

Kate commented as follows:

My comment is about the four to one decision to approve support of a second home key project at the Horizon Shine lot. Councilmembers voting in favor said that the St. Vincent DePaul home key project was a gift to Sebastopol. How is this project a gift to Sebastopol? Does it increase our tax base? No. Does it provide critical workforce housing for our local businesses or schools? No. Do we need more acutely low income housing? No, we are one of the only cities of our size that even has one home key project. Does it help with our case with the ACLU? No, in fact, it gives a clear timeline and Jack Tibbetts on record saying that he can give no preference to Horizon Shine residents. There's no preference for Sebastopol residents. This means that we'll have his people from anywhere in the county. This project is exactly like the Sebastopol Inn Home Key project where exactly zero residents from Sebastopol were housed. During the same meeting, we received a financial report by paid consultants that outline the dire straits of our city, a \$2.6 million deficit critical to survival or increased sales and TOT revenues. Did any member of Council ask this financial consultancy if another home key project would increase or decrease these two critical pieces of revenue? Did any member of Council explore how this project might hinder future development in the area, specifically Redwood Marketplace? To explore how it might depress development of market rate units in the area. Did you reach out to any local businesses to see what their experiences has been with Horizon Shine or thought about this project in the bigger picture of our financial crisis. I think it was a rash step to take given our current financial situation.

Helena Whistler commented as follows:

I live outside of Sebastopol but am an avid library user. I was a library Commissioner for seven and a half years. The last term was an appointment by the City of Sebastopol. I support what Dena Bliss and Sarah Gurney have stated about our library. I appreciate the support that you as the JPA members to the library can give us in this time. I think the letter from Director was somewhat dismissive. I think that we as a community deserve a little better than that. The public has a right to know how the library's budget is distributed. A question that they've received but not responded to not from you, but from others is how many, how many staff members do each library does each library branch have? That has not been

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responded to and I think it's important that budgets and budget process is to transparent to the community and interested people. You the City Council have every right to inquire and to make requests for our library. So I appreciate that. But also would like to see a discussion with the library to enhance our building, and that this might be a good opportunity to craft a letter that could try to collaborate with them in that process. So thank you for your efforts on behalf of our library. I know most of you also love the library.

Oliver commented as follows:

It was really concerned to hear about the Chamber of Commerce, echoing what the previous speaker said. It's very, very hard to understand what's actually going on in the budget process. It's great that it's actually online, but I've tried to make sense of hours of it, but it's extremely obscure what's going on. Regarding the Chamber, we had a big a meeting in the City of Sebastopol about 10 days ago about the incredible level of retail crime that's going on now. \$2,000 worth of liquor stolen from Redwood Marketplace and I know Sebastopol Hardware. I was talking to somebody there, the weekend of regular shoplifting and so on. You would think given a budget, very, very severe budget crisis we shouldn't be talking about libraries and reinstating librarians and library budgets and so on. We should be talking about getting sales tax in getting TOT tax flowing again, and just basically trying to get the city back onto its feet to try and shrink the enormous deficit we're now dealing with. I'm very unclear what's happening with the Chamber of Commerce. I'm also aware that Michael has just resigned as the head of the Sebastopol Downtown Association as well. So we seem to have very little momentum going on in terms of getting the city moving again financially, which will then generate the sales tax and the funds that we need to provide money for altruism, homeless services, and so on libraries and what have you. So just very concerned, and looking forward to hearing what the budget is actually going to look like when they finished shuffling the paperwork.

Walt commented as follows:

I'm a member of the Sebastopol Library Advisory Board and the Friends of the Sebastopol library. I'd like to emphasize or restate what Sarah said earlier, and emphasize that the library has a lot of connections to the community and to the city. The letter that was sent on April 7 to the Council was I thought dismissive plus, after that was sent the commission the library administration chose to punish rather than reward the library branch manager for being so efficient and so well loved and supported in the community. So again, I think that the I'd like to ask that Council follow up on that letter. Hopefully, we can eventually come to an understanding with the Commission to expand the library space and make greater staff more workable.

A member of the public commented as follows:

Longtime listener. first time caller, just like come before you today, as I stand here with an urgent plea that strikes to the very core to our existence, the purity of our drinking water. We're faced with a crisis that threatens our health and well being of every citizen in this great city. The time for action is now a fixture this. Think of the innocent faces of our children. They drink from contaminated sources, unknowingly, and ingesting toxic substances that work that lead to substances chemical seep into their bodies, poisoning their growth and stealing our future. Is this the legacy that we want to leave for our next generation. But it doesn't stop there. Each day our family and loved ones quench their thirst with dangerous heavy metals, pesticides and harmful bacteria to flow freely. We are being deceived by hidden enemy disguised in the appearance of clarity. It is an invisible mess that undermines our very existence. Imagine waking up one day and finding your body is ravaged by waterborne diseases. The pain and suffering that fear takes hold of our heart is a nightmare we must confront head on. We have a moral duty or responsibility to safeguard the lives of our citizens. We must channel our resources, our intellect, our collective will to provide a solution. Must act decisively for the consequences of inaction are too grave to come complete. Let us summon the strength within us to fight for clean drinking water. Let us be the guardians of health and happiness for our children's our families and for ourselves. Remember that true measure of cities greatness lies not in the Grand Jury but as the well being of our people. I implore you esteemed members of our City Council to prioritize this vital issue. Let us forge a path to future where every sip of water.

Martha commented as follows:

I've had years to reflect on what life in Sebastopol was like before and what it's like now. Here's what I'd like to begin by asking you. Are you living better now than you did 30 years ago? It's worth asking ourselves that sort of question. Are you thriving here with the increased ambient radiation with the devices that have been sold to us that require extremely high

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microwave radiofrequency radiation levels for them to work? We have spent time measuring the new smart, badger water meters, which Syserco sold Dante and Larry and the City. So the City Council despite our asking critical questions about how much more radiation would be added to our city, Syserco told us all that these water meters would transmit only three or four times in 24 hours, we have found that they transmit every 10 to 12 seconds all day every day. Additionally, the Badger water meters that are connected do use the cell towers to read and record their transmissions at very high levels of microwatts per meter squared. We were promised very low level of emissions. It is just not true. The city must hire a building biologist expert in taking these readings who is not on the payroll of Syserco or Telecom in any way, someone who would be acceptable to those of us who have been studying this information and situation for years. We need a commission that citizens can sit in on sit on as well. I suggest that Councilman Maurer chair this commission. The city owes it to its citizens to tell us the truth about why our city is in decline. Are you thriving here? I am not.

Linda commented as follows:

I live three properties from the Horizon Shine the RV village, and I just like to let you know that there's all kinds of stuff going on there that was unexpected; the theft and also at least two fentanyl overdoses by adults. There's just a line of cars parked out there now, many of whom I do not believe are Sebastopol residents. I just like to say that there are apparently cities that have been recognized for their community policing. So Sebastopol should have been one of them. Far be it for me to suggest that our current city leaders don't know what they're doing. But that does seem to be the case. They are leading us into financial biological environmental disaster. They are mis-spending our time and money on policies that are not only not in our own interests but that are directly responsible for preventable disease ill health and early deaths as one current example of this is a \$2.2 million squandered on wireless water meters. These lithium battery powered unrecyclable plastic Chinese made radiation emitting meters are like a gift that keeps on giving and needs to be replaced every five years or so unlike to the brass mechanical meters there last 40 years. That's not counting the \$1.25 million that goes to shyster boys that are being rewarded for foisting this technology on the same way with PG&E with wireless electric and gas meters.

Sidnee commented as follows:

I'm with the EMF Safety Network, and our team sent a letter to the Sebastopol Council about the smart water meters. We thank you for providing the optout for residents and homeowners. However, I do want to say that we did measure the meters and they do transmit every 10 to 12 seconds and we use excellent meters that are internationally recognized and well calibrated. We hope you can appreciate our alarm. If this misrepresentation is going on what else are we not being told or we're being misled about and it's not just us, it's everybody. It's you. We don't know what's really going on. A call to Syserco revealed that the meters do indeed transmit to the local cell towers, which absolutely obviously makes the cell towers in and around Sebastopol more active. While the RFR from the smart water meters shows that they're approaching background levels when you're a number of feet away, we know the signals do travel long distances as the information is carried to the nearby towers. The truth is we have been intentionally kept in the dark about the long term effects of low level radiation. A large body of peer reviewed scientific papers has revealed harmful biological effects at very low levels of RFR. We are in a position of inquiry here. Because there is so much misinformation flooding on media from the wireless industry and companies that use this technology, supposedly for a benefit, we need to know more. So therefore, we are proposing that the Council approve a committee to study the issue of wireless radiation or environment to get answers so we can educate ourselves and the public.

A member of the audience commented as follows:

I just wanted to say first of all, thank you to the City Council. I appreciate everything that you do. I just also want to say from the from the previous speaker, I do love the library as well as. I'd like to see that intact and going. I would just like to piggyback off of the radiation issue. I think that it's a very important issue. It's an important issue that we need to be aware of.

Paul commented as follows:

Sebastopol has historically tried to protect the community from excessive RF exposure as evidenced by the PG&E smart meter moratorium, the previous and current general plan and the adoption of the telecommunications are working and I think to continue so Sebastopol is excellent track record, thanks to excellent track record recognizing the public health and environmental risks posed by RF radiation to here to public health and the environment. Tonight we're making two requests of the Council one is to obtain from Syserco the frequencies generated by the smart water meters, their power

output and the antenna directivity and gain whether isomorphic or omni directional and also to include this information in the ongoing optout that's information that's being distributed to the public.

The Mayor called for a break for staff to address the technology issues.

The Mayor reconvened the meeting after the IT issue was addressed.

Mayor Hinton responded to public comments:

Appeal of driveway issue

City Manager commented will meet with a building official and get to the bottom of what the situation is over there and see what we can do to rectify that situation.

Mayor Hinton responded to public comment.

There also, were a number of speakers about the library. I think we can talk about this at Agenda review. I'm not sure what we can do here. But possibly we can look into some sort of response letter. There was another member of the public that discussed the difference between a 501 C three and a 501. C six, which is the Chamber of Commerce organized as a business association, but also organized not for profit, and comments about former Councilmembers not reading the paperwork. Having been on the Budget Committee and a member of this Council for let's think about it six years, seven years. I guarantee that I read the paperwork and that I know exactly what kind of organization our successful Chamber of Commerce is. So full budget decisions will be coming before all five members of the City Council.

CONSENT CALENDAR: The consent agenda consists of items that are routine in nature and do not require additional discussion by the City Council or have been reviewed by the City Council previously. These items may be approved by one motion without discussion unless a member of the City Council requests that the item be taken off the consent calendar.

The Mayor will read the consent calendar items; ask if a Councilmember wishes to remove one or more items from the consent calendar; and then open public comment to the members of the public in attendance. At this time, a member of the public may speak for up to three minutes on the entire consent calendar and request at that time that an agenda item or items be removed for discussion.

If an item or items are removed from the consent calendar, the item shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tern.

Councilmembers may comment on Consent Calendar items or ask for minor clarifications without the need for pulling the item for separate consideration. Items requiring deliberation should be pulled for separate consideration and shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tern.

Mayor Hinton read the consent calendar.

Mayor Hinton asked if any Councilmember wanted to remove a consent calendar item.

Councilmember's Request(s): There were none for removal of items.

Councilmember Maurer commented as follows:

Regarding Item #5

Is it possible to look into an alternative to the asphalt, for example, a decomposed granite as a part of the application, I don't know what the plan is for the surfacing.

City Manager McLaughlin commented as follows:

We can answer the question without pulling it. But I'm not sure I know the answer. The item is to apply for a grant. I don't know whether the surfacing material for the proposed pathways is an issue in that granted possibly is not. We don't have anybody here from Planning to address that.

Mayor Hinton opened for public comment on consent calendar items only.

Kyle commented as follows:

Specifically regarding the trail extension grant. This is a lot of money in the middle of a budget crisis. While I recognize the value in the 88% match from grant funds, perhaps a detailed accounting of just how much of the measure and money has gone instead to improving roadways, including implementation of bicycle lanes might be worth providing. Have we met

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are earmarked 27% of improving safety, or any grants sought to improve our local alternative transportation networks. While recreational pedestrian trails are important, when we have a city that has horrendous sidewalk apps on the very pedestrian pathways that the city promotes is safe walking to our elementary schools. I think an analysis of the past distribution of these funds should be included before the Council can make an informed decision. Multiple sidewalk gaps within a block of a new housing development that looks to single handedly increase the population of Sebastopol more than it's seen in the last 20 years. Yet within a block of that, we have multiple sidewalk gaps. Speaking of that, rather than looking at fixing sidewalk gaps, we're going to go ahead and focus on supporting a recreational trail in the middle of a floodplain. So speaking of that, would it be better to also include the expected maintenance costs associated with maintaining a trail in the floodplain and how much currently has been spent on maintaining and repairing these trails that exist inside of a floodplain? Secondly, I just want to remind the public that in public comment, I made reference to a stated conflict of interest by our Mayor, who again tonight did not address that in addressing public comment. Just want to remind you of that.

Kate commented as follows:

My public comment is that if you read the Ives Park pathway document, it was initially approved in 2019, to start the pathway upgrade, which is basically a simple ADA compliance issue with the park. It's now to 2023 Four years later, and the pathway has not been upgraded at all. So I'm just wondering what's taking so long? My second question is, if we don't get the grant, does that mean that the pathway won't get upgraded because we don't have money? I would also like to agree with Kyle that I think that we should be focusing more of our pedestrian money and infrastructures in the in-town areas such as Ives, which is a central part of our downtown and around our schools rather than an areas that are much more subject to erosion and the winter elements. They're used and enjoyed by members of the public, but our sidewalks are in terrible conditions, and we just had another huge event in Ives. The pathway still has not been upgraded to ADA compliance. So I would just like to say I think we if we are going to spend \$400,000 on something I think Ives and paths and sidewalks around schools should take priority over pathways that are in floodplains.

Linda commented as follows:

I would like an answer to Sandi's question regarding the composition of the surface material there about the decomposed granite is that's what they use on the Laguna Santa Rosa trail. There was a huge lawsuit. Take a look and see what the consequence of using that that material was on that because there's all kinds of cracks in their cracks throughout the trail in which there's grass and weeds growing. In my previous collection efforts of the over ticks that I collected while I was on the trail, I found ticks in the path on the grass that was coming up out of the cracks from where the decomposed, granite failed, so to speak. So there is that but there's also whenever you're talking about trails, near waterways, you need to have in this area you need to have very prominent, effective science talking about the presence of ticks. Because we are ticks central. That is another health hazard that needs to be prominently noticed and needs to have adequate signage at the trailhead, some people do not take their dogs on that trail or throughout the medulla because you are just feeding the ticks. I must say that we've gotten to a wealth dead sick population, especially after this year, heavy rains, which the exotic Pacific as well. The City Council in their interesting wisdom is failing to protect our population by failing to put signage on those trails. So I hope you will remedy that.

MOTION:

Councilmember Zollman moved and Vice Mayor Rich seconded the motion to approve Consent Calendar Items 1, 2, 3, 4, 5, 6, and 7.

Mayor Hinton called for a roll call vote. City staff conducted a roll call vote.

VOTE:

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton
Noes: None
Absent: None
Abstain: None

1. Approval of Closed Session Meeting Minutes of May 15, 2023 (Responsible Department: City Administration)

City Council Action: Approved Closed Session Meeting Minutes of May 15, 2023

Minute Order Number: 2023-138

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2. Approval of City Council Meeting Minutes for Meeting of May 16, 2023 (Responsible Department: City Administration)

City Council Action: Approved City Council Meeting Minutes for Meeting of May 16, 2023

Minute Order Number: 2023-139

3. Extension of Proclamation Proclaiming the Existence of a Local Homeless Emergency. Government Code Section 8630, requires that the Council review the need for continuing the local emergency at least every 60 days until such local emergency is terminated.
 - o First Proclaimed: November 30, 2021
 - o First Extension was approved January 18, 2022
 - o Second Extension was approved: March 15, 2022
 - o Third Extension was approved: May 3, 2022
 - o Fourth Extension was approved: June 21, 2022
 - o Fifth Extension was approved: August 2, 2022
 - o Sixth Extension was approved: September 20, 2022
 - o Seventh Extension was approved: November 15, 2022
 - o Eighth Extension: January 3, 2023 City Council Meeting
 - o Ninth Extension: February 27, 2023 City Council Meeting
 - o Tenth Extension: April 18, 2023 Council Meeting
 - o Proposed Extension: June 6, 2023
 - o Proposed Next Extension Needed within 60 days or (August 1, 2023)

City Council Action: Approved Resolution for Extension of Proclamation Proclaiming the Existence of a Local Homeless Emergency. Government Code Section 8630, requires that the Council review the need for continuing the local emergency at least every 60 days until such local emergency is terminated.

- o First Proclaimed: November 30, 2021
- o First Extension was approved January 18, 2022
- o Second Extension was approved: March 15, 2022
- o Third Extension was approved: May 3, 2022
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- o Seventh Extension was approved: November 15, 2022
- o Eighth Extension: January 3, 2023 City Council Meeting
- o Ninth Extension: February 27, 2023 City Council Meeting
- o Tenth Extension: April 18, 2023 Council Meeting
- o Proposed Extension: June 6, 2023
- o Proposed Next Extension Needed within 60 days or (August 1, 2023)

Minute Order Number: 2023-140

Resolution Number: 6536-2023

4. Bid Award for the AmeriCorps Trail Extension Zimpher Creek Pedestrian Bridge Project #0411-73.00 and Approval of Budget Amendment and Finding the Project Exempt under CEQA Section 15301, 15302, 15303, 15304, and 15333 (Responsible Department: Engineering/City Engineer)

City Council Action: Approved Bid Award for the AmeriCorps Trail Extension Zimpher Creek Pedestrian Bridge Project #0411-73.00 and Approval of Budget Amendment and Finding the Project Exempt under CEQA Section 15301, 15302, 15303, 15304, and 15333

Minute Order Number: 2023-141

Resolution Number: 6537-2023

5. Approval of a Resolution Authorizing Staff to apply for a State Recreational Trails Program (RTP) Grant to replace portions of the Ives Park trail (Responsible Department: Planning)

City Council Action: Approved Resolution Authorizing Staff to apply for a State Recreational Trails Program (RTP) Grant to replace portions of the Ives Park trail

Minute Order Number: 2023-142

Resolution Number: 6538-2023

6. Receive and File the Abridged Water Shortage Contingency Plan as Required by State Law (Responsible Department: Engineering/City Engineer)

Department: Public Works

City Council Action: Approved for Receipt and File the Abridged Water Shortage Contingency Plan as Required by State Law

Minute Order Number: 2023-143

- 7. Approval of Notice of Completion for the Bodega Avenue Digouts and Repairs Project (Responsible Department: City Engineer)

City Council Action: Approved Notice of Completion for the Bodega Avenue Digouts and Repairs Project

Minute Order Number: 2023-144

INFORMATIONAL ITEMS/PRESENTATIONS: Informational Items or Presentations are items that are informational only and do not require action by the City Council. Presentations shall be scheduled as necessary for the promotion of an event or service or general information items to the Council.

None

PUBLIC HEARING(s):

- 8. Public Hearing: To consider adopting a resolution updating and establishing user and regulatory fees (User Fee Schedule) (Responsible Department: Administrative Services)

Administrative Services Director Kwong presented the agenda item recommending the City Council approve the Resolution updating and establishing user and regulatory fees (User Fee Schedule) and introduced Terry Madsen – Principal, ClearSource Financial Consulting who made a presentation to the City Council.

Mayor Hinton opened for questions from the Council.

Councilmember Zollman commented as follows: Thank you for the presentation. Will these slides be made available in some way so that the members of the public will also have access to them.

City staff commented they will be uploaded immediately.

Vice Mayor Rich commented as follows:

Yeah, thank you for that presentation. I don't know exactly what slide you were on. But I did note that there were a number of fees that staff was recommending not be increased at this time. Given our budgetary situation, I have to ask, why are we not increasing those fees? Are there our have our expenses not gone up enough to justify a fee increase? Are there other reasons that we won't be staff is not recommending those increases.

ClearSource commented as follows:

In these inflationary type adjustments, most of the time, most of the communities we work with, we focus on the fees that are sort of recurring and high volume regulatory fees in nature where most communities do target cost recovery. But there are certain elements of your fee schedule, that are driven by frequently driven by local goals, community values, preferences, like access to community facilities, rentals, access to public spaces for weekend, recreation, those kinds of things for like reserved use, and most often, because those fees are small dollars in nature to begin with, applying like a 3% inflationary adjustment. It just results in some weird rounding rather than a true like magnitude, no adjustment of recovery. So most of the committee's we work with, they take the comprehensive fee study year that three to five year window and make a recalibration of those fees beyond inflation, maybe like \$5,\$10, or \$20 type adjustments, but they do it every few years, rather than a few dollars every year.

Vice Mayor Rich commented as follows: Which were which categories of fees that we are being asked not to increase? You said rentals.

ClearSource commented as follows:

It's primarily your rentals. Some of your limited fee, like many of your police fees are limited by State law and your administrative fees, have some State limitations on them. So for those kinds of fees, State law overrides our ability to annually adjust.

Vice Mayor Rich commented as follows:

I'm just not understanding why we wouldn't be increasing so it may be a policy question that staff could answer for me. But my real question is if there's a category of fees that we that staff is not recommending we increase. Why is that? Is it just a policy decision to support for instance, I expect rentals is probably the community center and the senior center? Or are there other reasons here.

City staff commented in references to rental of parks, special events and facility use fees, these fees were reviewed a couple of years ago and here is no substantial increase to justify a change. In the fee study year, we would make a discrete adjustment on a case by case basis rather than across the board inflationary adjustment each year.

Vice Mayor Rich commented as follows:

Is that is that basically consistent with your understanding of why we have that policy in place? The question is there are recommendations that there be fee increases, there has been certain fees that we've been told, we are not being recommended that we are that are not being recommended be increased? My question is why? I think what we're hearing is that because there are there will be increases, or historically there have been increases, but not every year, just at certain points when it justifies a substantial enough amount has is in play to justify doing that.

Assistant City Manager Gourley commented I don't see a justification to increase that. I think what we are charging right now is what covers staff time for the rentals. A lot of the fee is deposits for times if the park gets damaged or anything like that, then there is a deposit. I believe it was increased either last year, the year before. I do not see a need to increase that this year.

Vice Mayor Rich commented as follows: Thank you for that answer. So that would be that would be the answers to these categories. From your perspective, there really is no justification for increasing these at this time.

Assistant City Manager Gourley commented I would agree, especially since we just did it a year or so ago. I would think another year or two is when we would want to look at that.

Mayor Hinton opened the public hearing for public comment. Updating and establishing user and regulatory fees (User Fee Schedule).

Linda commented as follows:

To be clear on this. You people are expecting to vote on this. You're taking public comment on something that is not accessible. I'm computer free anyway. But the rest of everybody that is on a computer, this information is not available to them. Is that right? You're expecting public input on something that we the public cannot knowledgeably speak to because they don't have it in their on their screen. They don't have it available. So what I'm suggesting is that you postpone this, this vote or whatever is going to happen here to another time when this information is readily accessible by the public. The easy solution to this is not to put out huge, large millions of dollars on projects and policies that are not our own self interests that are self perpetuating, that will just keep costing more money down the line, like the Badger water meters. It's just it is nonsense. Also Mayor I did notice that you did not address the four people on the earlier issue. How do you expect and get away with that.

Kyle commented as follows:

My question is to all of our members of our City Council. I just was hoping that maybe they can confirm that none of them have a conflict of interest on this item. My concern is that our Mayor in our previous meetings set a dangerous precedent that rather than In stating or conflict of interest at the assigned time of the meeting, instead chose to wait until the actual agenda item, where they then make a quick departure without any explanation as to what the conflict of interest was. So just want to make sure that current Councilmembers don't have any conflict of interest on this item, because I don't want that precedent to be set. Secondly, I just want to make sure that Linda and other members of the public know that if they do have concerns about the way that the meeting is operated, specifically, when there's a disruption due to an internet outage, that the correct language to use is a point of order. The Mayor needs to address that point of order. By doing

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that, through Robert's Rules, we can have a much more professional meeting that doesn't get into a bickering match between our Mayor and members of the public over whether or not some sort of concern is disruptive or interrupting.

Calum commented as follows:

I'm the policy director with Generation Housing. I just wanted to address one thing that that had me pause, have some concern. I could be incorrect. But I'd like to get clarification from the consultants on this under the EIR. Previously, or in the existing fees that are proposed, it is I think \$12,000 is the deposit and they're shifting it over to the cost of the consultant and it is like 15% of the administrative fees. My concern is that that might potentially balloon up and result in actually a significantly higher cost. That could be an imposition development. As you all know, we are in a housing crisis and in desperate need to produce more housing units to accommodate our community, folks, from all walks of life, etc. You guys have the power to positively or negatively impact development, both as directly as a practical matter, making it cheaper, and as a matter of developer trust and interest, showing a serious commitment to housing through budgeting consistent with your stated priorities. We just really encourage you to be very, very careful about adding cost development. I know I'm belaboring the point. I've come to you many times before talking about this. Economic or housing development really is a positive economic multiplier, as we all know, and I'm just concerned, we might be nickel and diming ourselves out of future revenue. Can the consultant clarify that and provide maybe an example of a past project, or maybe they explored this where they were able to see what the new fee structure would look like for that prior product or that prior that would be very helpful and kind of illuminating what the costs would be.

Kate commented as follows:

I just have a few questions. I'm not sure if I missed it in the presentation. But how much money is generated by fees? Like for instance, for fiscal year 2021 22? Obviously, we're still in 23, maybe going 2020 2122, approximately how much money was actually generated by these fees? What would the proposed increase of to reflect current inflation bring into the city? Is that 5% increase? Is this a wash, meaning that that money just covers our costs, because our costs have also right, risen in parallel with the fee structure. So I'm just kind of curious about how much money we're actually talking about. In terms of something like Park rentals, how much money does the city make every year from rental fees? Is it \$5,000 or \$10,000 or \$20,000 - \$30,000? So it's hard to kind of address this when there's no actual totals involved.

Oliver commented as follows:

Just a very quick comment that Sebastopol is the second highest tax city in Sonoma County. We're really close to the maximum sales tax and everything else. So I encourage everything we can do to encourage people to put on events. Not have to not increase fees and make it more difficult for things to actually happen in the city would be a really good thing. In my opinion, so far more general comment than the previous ones. I think we need to keep making it as attractive as possible to have more events like the successful Blues Festival in Ives Park, despite the problems with the infrastructure there this weekend. I just want to make another very, very, very quick point, I think people have been being a little disrespectful to our Mayor. Because I know the Council have been meetings for like 10 hours or something insane today, and this is voluntary work. So it's kind of weird to hear people pounding on the Mayor, at this point. I feel really uncomfortable about that.

Hearing no further comments, Mayor Hinton closed the public hearing.

Mayor Hinton responded to public comment.

I want to address the caller who said we should not be voting on this item because the fees were not publicly shown and they are part of our agenda items. So I just want to confirm that the fees were part of our full agenda packet and posted online in advance of this meeting. We've all read them and reviewed them. While the full presentation didn't include them in detail, it is fully transparent and out in the public. We also had a caller that asked about how much our fees generate annually. I think we could probably come up with that number and how much more it's this new structure is anticipated to raise on it. Could you address that? Or maybe the consultants?

ClearSource commented as follows: It varies from year to year. But we could provide a rough estimate of in the neighborhood of about \$500,000. If you inflated \$500,000, roughly by 5.6%, you'd find about \$28,000 new dollars. In terms of the revenue from facility rentals and park rental fees, again, it varies from year to year. But typically the city budgets less than \$5,000 in assumed forecasted revenue for that, that that category of rates and charges.

City Council Discussion and/or Deliberations:

There was no further discussion at this time.

MOTION:

Councilmember Zollman moved and Councilmember Maurer seconded the motion to approve Resolution updating and establishing user and regulatory fees (User Fee Schedule).

Discussion:

Vice Mayor Rich commented as follows:

There was a question presented by Calum weeks of Gen. H and I'd appreciate the opportunity to have our consultant to answer that question it had to do with the EIR fees. His request that you provide an example of how what dollar impact that might have the change in the fees from a flat amount to a 15% plus to the new rate that is being recommended.

ClearSource commented as follows:

We don't anticipate actually any change in that EIR. There should be no impact to your applicants, we were just trying to clarify some fee schedule wording. If you looked at your current fee schedule, it already is for cost recovery for users, and it's intended to represent any consulting costs and any city and administrative support of that consultant. In all what we're doing is just clarifying that the applicants responsible for both of those things. But if you looked in your fee schedule today, and you pieced different pieces of the fee schedule together, you would realize that we were just trying to consolidate it into one line rather than having applicants have to piece things together, but there should be no impact.

Vice Mayor Rich commented as follows: The calculation now and the proposal is consultant cost plus 15%. City administrative fee. Are you saying that prior to these changes, that is exactly what the fee would have been for EIR there is a concern cost.

ClearSource commented as follows:

Yes, that's what the fee is intended to be. If you read the existing fee schedule that's adopted for 22-23 you can see initial deposits like that initial deposit of \$12,000 are just a deposit only. But if something's deposit based, it's intended to recover the city's actual cost. If you use any sort of contract services, you want to capture your city support of those contracts services. So again, it's this idea of in your 22-23 fee schedule, you have to look at several different areas to figure out how am I going to be charged. In the 23-24 fee schedule, we just tried to consolidate it into one line clarifying that for users, we are looking for full cost recovery.

Vice Mayor Rich commented as follows: There was a deposit amount that was the number in the earlier fee schedule. But in essence, even in that situation, the deposit amount would have the consultant cost and the 15% city administrative fee charged against it.

Mayor Hinton called for a roll call vote. City staff conducted a roll call vote.

VOTE:

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton

Noes: None

Absent: None

Abstain: None

City Council Action: Approved Adoption of Resolution updating and establishing user and regulatory fees (User Fee Schedule)

Minute Order Number: 2023-145

Resolution Number: 6539-2023

- 9. Public Hearing – To consider approval of the Sebastopol Solid Waste Collection Services Annual Rate Adjustments by Recology Sonoma Marin. The new monthly rates will be considered by the City Council and if approved, are proposed to be effective 7/1/2023. Also included in the agenda item for consideration is:
 - a. Extension of Contract for One Year for Recology

- b. Creation of Ad Hoc Committee for Negotiations with Recology
- c. Appointment to Ad Hoc Committee for Negotiations with Recology (if created)

City Manager/Attorney McLaughlin presented the agenda item recommending the City Council approve the Resolution Sebastopol Solid Waste Collection Services Annual Rate Adjustments by Recology Sonoma Marin. The new monthly rates will be considered by the City Council and if approved, are proposed to be effective 7/1/2023. Also included in the agenda item for consideration is:

- d. Extension of Contract for One Year for Recology
- e. Creation of Ad Hoc Committee for Negotiations with Recology
- f. Appointment to Ad Hoc Committee for Negotiations with Recology (if created)

Mayor Hinton opened for questions from the Council.

Councilmember Zollman commented as follows:

I'm wondering if anyone could share what was the thought of having an ad hoc committee versus just delegating it back to the staff? Was it the thought that if our general manager were to leave halfway through, which might turn out to be the case in December, but the other members of the committee could just pick it up without there needing to be a lot of sharing of notes, but they had already been part of the process was that the general thinking.

Councilmember Maurer commented as follows:

My question is along that same line, which is how much time might it take to negotiate a contract with Recology and also it says here in the recommendation, it looks like the contract current contract is ending on December 31 2023. So will the one year extension, when will that end?

City Manager McLaughlin commented the one year extension if needed, would commence on January 1, 2024, and last for the following 12 months.

Councilmember Maurer commented so would actually then have a year and a half, is that correct?

City Manager McLaughlin commented as follows:

Yes, we don't anticipate the negotiation of a new franchise agreement, by any process would take nearly that long. In RFP process, which was discussed by the Council in April, would have taken considerably longer. We don't think that in negotiating a new franchise agreement will take nearly so long. However, Recology is a bit more optimistic about the time period involved, then we are, I don't really know how long it will take but it will take as long as it takes. As I mentioned, I think especially given we are Sebastopol that we will definitely want to engage with our ratepayers. Find out what the interest is, in elements that would be in a new franchise agreement. I don't know what it was done in other cities as part of that process. But that can be somewhat time consuming. However, the again, the one year extension, if needed, is to facilitate give us enough time to complete that process. We have committed to work with Recology, solely to arrive at a new franchise agreement if at all possible.

Vice Mayor Rich commented as follows:

I just want confirmation from our engineering consultant, that the that the rates proposed by Recology were in fact reviewed and that what we're seeing in this proposal, our consultant has confirmed is consistent with the contractual agreement. Is that accurate? Can someone answer that question?

City staff stated that this has been reviewed.

Vice Mayor Rich commented: My next question regards to the ad hoc committee, is I just want to confirm that staff is recommending that an ad hoc committee would be useful to this process.

City Manager McLaughlin commented:

I definitely think it would be my primary concern, besides the potential change in staff leadership would be that we need to engage with our public that I think that the decision makers on the City Council are part of a process. So because they

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answer to the directly to the public, and we'll need to be able to say this agreement gives you something that you want, something that you've asked for that we think is useful for you directly. That is the justification for the likely increase in the rates that's going to result from this process. To me, there's a political element of that the people that elected the Council need to hear from the Councilmembers. Yes, this is for your benefit, and worth it.

Vice Mayor Rich commented:

It sounds like you've answered Councilmembers question. It's bridging the change in city manager leadership and also providing a voice for the electorate. It sounds like the ad hoc committee, as proposed would have really two tasks, one would be to negotiate the one year extension, and that would need to happen before the end of December of this year. Then the second task would be to negotiate a new contract with Recology.

City Manager McLaughlin commented:

I believing the one year extension would be on the same terms and conditions as is present that is just needed during the process in the event, we do not conclude the negotiations for the new franchise agreement by December 31. I don't believe there's anything really to negotiating the extension, it is simply to go and negotiate the new replacement franchise agreement.

Vice Mayor Rich commented one of the questions we have here is when what is the obligation going to be of this ad hoc committee and it seems like more of the obligation will be after January one than before? Is that what you're thinking.

City Manager McLaughlin commented:

We would recommend that the ad hoc committee be formed right away and that you commence meetings with Recology right away. For one thing, taking advantage of the fact that I have been here for a lot of years and know the players in the terrain and I think it could be helpful and secondly, we did make a commitment to Recology that we would not drag our heels on this that we would start talking with them immediately about a new franchise agreement.

Mayor Hinton commented we work currently in a 15 year contract, do we have any idea how long the duration would be for new contract?

Recology commented 10-15 years is average.

Mayor Hinton commented we were able to advantage of extremely low rates by signing a 15 year contract.

Mayor Hinton opened the public hearing for public comment. Sebastopol Solid Waste Collection Services Annual Rate Adjustments by Recology Sonoma Marin.

Hearing no public comments, Mayor Hinton closed the public hearing.

City Council Discussion and/or Deliberations:

There was no further discussion.

MOTION:

Councilmember Zollman moved and Councilmember Maurer seconded the motion to approve resolution Sebastopol Solid Waste Collection Services Annual Rate Adjustments by Recology Sonoma Marin. The new monthly rates will be effective 7/1/2023. Also included in the agenda item for consideration is:

- g. Extension of Contract for One Year for Recology
- h. Creation of Ad Hoc Committee for Negotiations with Recology
- i. Appointment to Ad Hoc Committee for Negotiations with Recology (if created)

Discussion:

Vice Mayor Rich commented:

My question is that if we're going to create a committee, hopefully there are people who are going to be willing to be on that committee. So I just want to put that out there. I haven't heard an expression of interest, but it is a factor.

Mayor Hinton commented:

I just want to make some comments. We keep talking about new elements versus rate payer discounts. I don't know anybody that we've heard from our garbage hauler currently that our rates are extremely low. So that to me, says, oh, ding, ding ding it'll be higher rates. I personally haven't heard from many of my neighbors about these extra services. So however, we create the subcommittee, I would weigh in that we need to keep rates down as low as possible. If people want extra services, they can always order them up. I've done that myself. For extra pickups, I don't mind paying for them when I need them. But many people are on a budget. I would weigh in at this time that this is a huge issue. We are a Council that's possibly making a commitment for the next 10 to 15 years for every citizen that has garbage pickup in the city. For me, this is one of the most important things we've done, which is why I'm in favor of a subcommittee. I think everybody's got to get there, sharpen their pencil and get at get to it. We have, I think been really good partners, as I stated before, and Recology has been good to us and we've been good to them by helping finance, truck and etc. So I do think it's important that we assign two Councilmembers to a subcommittee to assist our management in making this gigantic decision that our citizens of our town will have to live with for the next 10 to 15 years. So I don't necessarily have an interest in serving, but I would be happy to if no one else would, because I do think it's a huge decision. I don't want to make it quickly. As I stated, before we discuss this issue. If we don't get what we need, we might have to still put this out. So we do need that extra six months just in case on the table, so we can't procrastinate it because we're going to need to know where that is or if we have to go out for an RFP.

Councilmember Maurer commented:

Last time, we met on the subject of Recology, it was a three to split. Three of all the Councilmembers voted to continue the contract and two Councilmembers voted against it. I would recommend that if we have an ad hoc committee, that one person would be from the three that voted for Recology and one person would be from those who wanted to put up the contract for RFP.

Vice Mayor Rich commented: I fully agree with that suggestion. I think it's always good to have different perspectives working together. I just want to read I want to endorse that idea too and I think that would be excellent.

City staff repeated the motion:

Councilmember Zollman moved and Councilmember Maurer seconded the motion to:

- a. Approve resolution Sebastopol Solid Waste Collection Services Annual Rate Adjustments by Recology Sonoma Marin. The new monthly rates will be effective 7/1/2023.
- b. Authorized Extension of Contract for One Year for Recology
- c. Approval of Creation of Ad Hoc Committee for Negotiations with Recology

Mayor Hinton called for a roll call vote. City staff conducted a roll call vote.

VOTE:

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton
 Noes: None
 Absent: None
 Abstain: None

Mayor Hinton moved and Vice Mayor Rich seconded the appointment of Councilmember Maurer and Councilmember McLewis to the Ad Hoc Committee.

Mayor Hinton called for a roll call vote. City staff conducted a roll call vote.

VOTE:

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton
 Noes: None
 Absent: None
 Abstain: None

City Council Action: Approved Resolution Adopting Sebastopol Solid Waste Collection Services Annual Rate Adjustments by Recology Sonoma Marin. The new monthly rates on the table below will be considered by the City Council and if approved, are proposed to be effective 7/1/2023. Also included in the agenda item for consideration is:

- a. Extension of Contract for One Year for Recology
- b. Creation of Ad Hoc Committee for Negotiations with Recology
- c. Appointment to Ad Hoc Committee for Negotiations with Recology (if created)

Minute Order Number: 2023-146

Resolution Number: 6540-2023

- a. Resolution
- b. Extension of Contract
- c. Establishment of Committee
- d. Council Liaisons (Maurer and McLewis)

10. Public Hearing to Levy and Collect Annual Assessments for FY 2023-2024 for the City of Sebastopol's Lighting Special Assessment District; Resolution Approving the Engineer's Report and Confirming the assessment Diagram and annual assessments and authorize levying of annual assessments for FY 2023-2024 for the City of Sebastopol Landscaping and Lighting Assessment District (Finance Director)

Administrative Services Director Kwong presented the agenda item recommending the City Council approve the Resolution to Levy and Collect Annual Assessments for FY 2023-2024 for the City of Sebastopol's Lighting Special Assessment District; Resolution Approving the Engineer's Report and Confirming the assessment Diagram and annual assessments and authorize levying of annual assessments for FY 2023-2024 for the City of Sebastopol Landscaping and Lighting Assessment District.

Mayor Hinton opened for questions from the Council. There were none at this time.

Mayor Hinton opened the public hearing for public comment. Annual assessments and authorize levying of annual assessments for FY 2023-2024 for the City of Sebastopol Landscaping and Lighting Assessment District.

Kyle commented as follows:

Discussed public engagement and in the name of transparency that what is missing from this report is any sort of historical rate. Looking back, I see, \$31, historically, but then there's also there's a proposed \$25 historically. These numbers, as we saw with interest in terms of the increase of utility and other fees, it would be my hope that if there is an increase, or just a blanket conversation about what the historical rate of these fees have been, might be useful, especially considering that we have now chosen to outsource this process to a consultant as opposed to the in house work that we had done by Mr. Gaffney in the past. So it's my hope that we can provide direction to that consultant to be a little bit more transparent, a little bit more informative to members of our public in the reports they produce each year.

Linda commented as follows:

There needs to be some kind of a task force or a little bit of research into the safety, the biological the health consequences of the lighting. We've got an epidemic of people that are going blind. We've got the lights that are too bright, the streetlights, the headlights, all kinds of the green lights. We need technological decisions. We need to have a review and have somebody do a little bit of research on the safety and the health consequences of the technology that you all are, are just in lockstep in adopting. I'd like to also mention that it makes me uncomfortable when like yesterday, I got a little six year old boy who's got cancer and he is also undergoing chemo in Stanford, in addition to another little 11 year old kid who had a heart transplant, and another guy's got stage four cancer here in my apartment complex. After the deployment and installation of the wireless water meters we are living in a whole new world, and we're being cooked alive. We need to have another entity. Another group, a task force that looks at the safety of all the stuff that you are foisting on us, that the corporations have foisted on and it's killing us. It needs to be stopped. That includes the wireless water meters.

Hearing no further comments, Mayor Hinton closed the public hearing.

Mayor Hinton responded to public comment:

Asked staff to address the recent history about the lighting fee? amounts? We probably have at least the last five years right? How often have we raised it and what do you have increments at your fingertips?

Director Kwong commented I don't have the number for the last five years right now. But I can certainly get back to the public comment person.

Mayor Hinton commented: It says in the report that no assessment shall be imposed on any partial that which exceeds the reasonable costs. What's in there is that time and PG and E, and some audit costs. So it does fluctuate from year to year?

Director Kwong commented: It depends. We have no control of the PGE costs, we can do average. As you can see recently that PGE has increased exponentially. So it's, it's still not a whole lot of increase from year to year. But I can certainly get the last five years and see the fluctuation.

City Council Discussion and/or Deliberations:

Councilmember Maurer commented: Could you tell us where in this report is the costs for PG&E

Director Kwong commented it is on page 11 of 82.

Mayor Hinton commented:

One of the things I noticed is that the assessment doesn't cover the cost. So it is costing \$2847 more than what we're charging. What I've learned from the city managers after talking to them is that you cannot just increase this fee that it would actually have to go be passed by the voters. So the voters would vote on that. There is the reserve fund for streetlighting that has about \$65,000 remaining. So if you have a deficit every year, this reserve fund lasts about nine years before you have to go to the voters.

MOTION:

Councilmember Zollman moved and Councilmember Maurer seconded the motion to approve Resolution to Levy and Collect Annual Assessments for FY 2023-2024 for the City of Sebastopol's Lighting Special Assessment District; Resolution Approving the Engineer's Report and Confirming the assessment Diagram and annual assessments and authorize levying of annual assessments for FY 2023-2024 for the City of Sebastopol Landscaping and Lighting Assessment District.

Mayor Hinton called for a roll call vote. City staff conducted a roll call vote.

VOTE:

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton
Noes: None
Absent: None
Abstain: None

City Council Action: Approved Resolution Adopting Levy and Collection of Annual Assessments for FY 2023-2024 for the City of Sebastopol's Lighting Special Assessment District; Resolution Approving the Engineer's Report and Confirming the assessment Diagram and annual assessments and authorize levying of annual assessments for FY 2023-2024 for the City of Sebastopol Landscaping and Lighting Assessment District

Minute Order Number: 2023-147
Resolution Number: 6541-2023

11. Public Hearing on Abatement of Weeds (Fire Chief)

Interim Fire Chief Piccinini presented the agenda item recommending the City Council approve the Resolution for Abatement of Weeds.

Mayor Hinton opened for questions from the Council.

Mayor Hinton commented: When the fire department takes care of these weeds, we are losing any money, correct?

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Interim Chief Piccinni commented: Correct. That is outlined in the municipal code that provides for provisions for us to basically bill a property owner through their tax assessment.

Mayor Hinton commented: So if they don't take care of the weeds themselves, fire department does and we bill.

Interim Chief Piccinini commented: It is billed by the contractor to the City and then the city bills it back to the owner. Historically speaking, we've not had to do that.

Vice Mayor Rich commented: How do particular addresses end up on this list?

Interim Chief Piccinini commented: We simply survey parcels throughout the city, and basically identify those larger lots that, again, have weeds grass brush that are growing on them. That is how we identify those parcels that are on this list.

Vice Mayor Rich commented: Does that mean that this list changes from year to year or is it always the same list?

Interim Chief Piccinini commented: No, it can change from year to year and in fact, it's a smaller list this year elapsed and those parcels have been removed. So now on parcels that were on lists previously are not because now there is a business commercial building a home or apartment, etcetera. So the list does change.

Vice Mayor Rich commented: Then that must require that the fire department does, in essence, does some sort of drive through town in order to identify those lots.

Interim Chief Piccinini stated that is correct.

Councilmember Maurer commented: I received a complaint about weeds growing in the lot that is next to the Gravenstein. Grill. Correct? Is that on the list?

Interim Chief Piccinini commented yes.

Councilmember McLewis commented: I received a complaint as well, actually, to which I verified one of those on the list. But the other one I'm not sure if we ever determined it was one of the abandoned homes that burned on Petaluma Avenue. I was trying to look it up, but I can't find it on the list

Interim Chief Piccinini commented: You could contact the Fire Department during the business day and we can confirm whether it is not it is on the list. If it's not on the list, we can drive by and do our own survey, and we can include it in the process.

Vice Mayor Rich commented: If members of the public are concerned about particular lots within the City of Sebastopol, it sounds like their, their reporting method would be to contact the fire department and provide the address and the details. Is that correct?

Interim Chief Piccinini commented that is correct and then we go and survey the property.

Vice Mayor Rich commented: What's the phone number of the fire department?

Interim Chief Piccinini commented 707 823 8061.

Mayor Hinton opened the public hearing for public comment. Abatement of Weeds.

Oliver commented as follows:

The burnt out house on Petaluma Avenue. I know that the guy and the people there now and the liquor store on the other side of 116 had been regularly clearing out that garden party because of all the homeless people that are still living there. My other question or comment was on the, the empty lot where the new hotel might be built in the future. Those

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weeds are really, really high at this point., I guess there's a question for the fire chief, how do you how do you deal with kind of after town owners like that?

Kyle commented as follows:

I would like to currently report to the fire department through the presence of the fire chief right now, the addresses of 7716 Bodega Avenue, as well as 7760 Bodega Avenue, more commonly known as the future location of the Woodmark. If you see my virtual backgrounds, as I display them, you'll see that these weeds are in are in fact present despite any sort of development that is happening currently on that property. I would not want to be walking on the sidewalk, especially if I had any sort of allergies, or any sort of irritation as a result of these weeds that are actually encroaching on the ability for anyone to walk on the sidewalk and being so near to both an elementary school pathway that we herald as a pathway in our city, as well as speaking so close to our retirement community that is just north here with Burbank Heights. So you can consider this my reporting to the fire department through the presence of the fire chief who is in attendance at this meeting tonight. The addresses again, are 7716 Bottega Avenue and 7760 Bodega Avenue.

Hearing no further comments, Mayor Hinton closed the public hearing.

Mayor Hinton responded to public comment:

For the second member of the public, the first two addresses on the list respond to the comment. That's part of the agenda tonight. So thank you for that reporting. But it looks like the fire department is all over it. For the first member of the public, talking about out of town owners. I'm sure that many of these is partly why they have weeds as they have out of town owners. I'm sure that there's a process to notify out of town owners.

Interim Chief Piccinini commented: Discussed location of future hotel in regard to weed abatement and stated he would double check that address.

City Council Discussion and/or Deliberations:

There was no further discussion.

MOTION:

Councilmember Zollman moved and Councilmember Maurer seconded the motion to approve Resolution for Abatement of Weeds.

Mayor Hinton called for a roll call vote. City staff conducted a roll call vote.

VOTE:

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton
Noes: None
Absent: None
Abstain: None

City Council Action: Approved Resolution for Abatement of Weeds

Minute Order Number: 2023-148

Resolution Number: 6542-2023

REGULAR CALENDAR AGENDA ITEMS (DISCUSSION AND/OR ACTION): NONE

ADDITIONAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: Three minutes per speaker for up to twenty (20) minutes total for public comments but can be reduced at Mayor's discretion depending upon the number of speakers or Mayor has discretion to allow for additional time beyond the 20 minutes allocated for public comment dependent upon the subject matter or number of speakers.

There was no additional public comment.

CITY COUNCIL/CITY STAFF REPORTS/COMMUNICATIONS/ANNOUNCEMENTS/FUTURE MEETINGS:

12. City Manager-Attorney/City Clerk Reports: (This will be either verbal or written reports provided at or prior to the meeting).

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City staff commented:

- Just wanted to remind the agenda review committee we do have a meeting tomorrow nine o'clock at City Hall.
- The city will be closed Monday June 19 and observance of Juneteenth
- Th City Council met today had an open City Council meeting for the executive firms recruitment interviews and we will be bringing that item back at the next meeting.

13. City Council Reports/Committee/Sub-Committee Meeting Reports: (Reports by Mayor/City Councilmembers Regarding Various Agency Meetings/Committee Meetings/Sub-Committee Meeting /Conferences Attended and Possible Direction to its Representatives (If Needed) on Pending issues before such Boards. (This will be either verbal or written reports provided at the meeting)

Councilmember Maurer reported as follows:

I attended the Zero Waste Sonoma board meeting. I attended the peace pole raising over at the Burbank Heights and Orchards and that was a really sweet event they planted a piece pole right at the corner of the front of their property and there was a preacher there who did a prayer for the circle and unveiled it and it was a process between the residents and the board there was a really sweet event. Last night I met with the local Sierra Club and gave them a short recap on some of the Council environmental actions and I also am in the very beginning stages of looking at creating a rights of nature ordinance with a couple of other people one person from the Climate Action Committee and also an a resident of Sebastopol. That's in the very beginning stages and it is part of a goal for the general plan to create that rights of nature ordinance. I was really inspired by bike month. I wanted to report that I tuned up my bike, went for a pleasure ride. I haven't been on a bike for a really long time. I just wanted to thank the bike community for their inspiration and that proclamation.

Councilmember Zollman reported as follows:

On May 18th I spoke with our library commissioner and former Mayor Sarah Gurney about issues ongoing with our library. On May 18th I attended the ABAG executive committee in San Francisco. On the 19th I attended an all day childcare Planning Council retreat, which was really great can't thank the advocates enough for affordable housing, childcare in our county. On May 22nd I attended a budget hearing on next day and a half I attended an all day strategic planning meeting with our district attorney, putting forward efforts that will happen by way of a strategic plan for the next five years. Housing for the domestic violence survivors and child abuse survivors was definitely high on their list. On the next day meeting with a constituent related to issues at Horizon Shine. On May 30th had a library check in again with our Commissioner about ongoing issues with our library and staff. On May 31st thank you to the Vice Mayor was able to attend a Horizon Shine meeting which was very educational. Attended budget hearing and on the next day was Sonoma County Clean Power and the RRWA meeting, and thank you to Councilmember McLewis for stepping into the very beginning of it. Actually, were laying insight that her teenager had about ways to chart out our future.

Mayor Hinton reported as follows:

On May 19th, I attended and was a speaker for West County Community Services fundraiser. They are partners with both our homeless case manager, and also partner with us on Park village and have for six years and it was announced that night that they are going to be helping manage the home key site, a former location of the downtown hotel, which is now called Elderberry Commons. They're important partner for us. A few of us were there. Vice Mayor Rich, former Councilmember Una Glass who also helps as our representative on Continuum of Care and our supervisor, Linda Hopkins as well as some of our homeless advocates that we know well in our community. I will speak to Sebastopol hosting the Mayor and Councilmembers. It's a rotation and we're up this this month and we'll be hosting on Thursday night. All the reservations are in for the meals but that is public meeting. So the public can we will be it will be a tight seating arrangements because we're going to be hosting it in the workspace at the Livery. We will have a couple of speakers that night. But we're proud to host and I know all the Council will be in attendance as well as our city management.

Vice Mayor Rich reported as follows:

May 17 attended a map your neighborhood and Sebastopol neighborhood communications unit meeting. They are pulling together leadership to kind of do a team building and take that as an opportunity to launch additions of new neighborhoods within the City of Sebastopol for purposes of emergency preparedness. I also attended as well as Mayor

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Hinton did the West County Community Services fundraiser, excellent comments from our Mayor Hinton. We've had a number of meetings with SAVS and also with the leadership at Horizon Shine over the course of the week of May 22nd in order to get a sense of how things were going at Horizon Shine in order to report out, so that was time consuming, but definitely worthwhile and definitely encouraging. The Sebastopol homeless support meeting was on May 31. I attended that, again, very good deep information. Those meetings are attended also by Maria Rico, our Sebastopol homeless outreach coordinator, and also by our police chief and others involved in advocacy in the community. Then, of course, we have the budget meetings that Stephen and I have been participating in. On June 2nd, which I think it was Friday, I went to Burbank Heights and Orchards for their Friday, Farmers Market. I held the mic and answered their questions and what an engaged community. So if anyone here on the Council has the opportunity to be there, to engage with that group, it's definitely worth the effort. On June 5th the Zero Waste working group met to talk about eco stations and metrics, and ways in which we can increase our diversion above the 58, the 48% mark, for our residential and 36% mark for our commercials.

Councilmember McLewis reported as follows:

On May 15th, I attended the fire ad hoc committee with the Mayor, as well. So we're working through that process to and we're going to do that process still have a meeting coming up. On May 18th I attended as the backup for the Chamber meeting. A lot of questions going from different business owners on the north side of town regarding what's happening with the Horizon Shine lot and everything that's happening there. They fielded some questions from businesses with concerns about issues that they've had. Also, as they did tonight expressed concerns about being denied as a 501 C That's an ongoing thing that we need to talk about during the budgeting. ON May 24th I attended the meeting that was held at the community center, again, with the Chamber and SDA and all the business owners. The police chief came and fielded questions regarding the shoplifting, the increase in shoplifting and a lot of the concerns that our business owners have, which is a little disheartening to hear about at all, and they've discussed whether or not they need to have similar to a neighborhood watch but and business watch and how could they better work together to support each other. There were a lot of questions and concerns regarding that, and why we have to have security guards now at some stores. On June 1st Councilmember Zollman mentioned that I attended the RRWA meetings and that was really educational for me. Discussing teens and litter and all of the ongoing videos they have, which were very inspiring. I was really impressed with our next generation.

14. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers). There were none.
15. Future City Meeting Dates/Events (Informational Only): (See City Web Site for Up-to-Date Meeting Dates/Times)

CLOSED SESSION: NONE

ADJOURNMENT OF CITY COUNCIL MEETING

June 6, 2023 Meeting will be adjourned to the Regular City Council Meeting of June 20, 2023 at 6:00 pm (In Person and Remote/Zoom Virtual Meeting Format)

Mayor Hinton adjourned the City Council Meeting of June 6, 2023 at 8:41 pm to the Regular City Council Meeting of June 20, 2023 at 6:00 pm (In Person and Remote/Zoom Virtual Meeting Format).

Respectfully Submitted,

Mary C. Gourley
Assistant City Manager/City Clerk, MMC