

City Council
Mayor Patrick Slayter
Vice Mayor Neysa Hinton
Una Glass
Sarah Glade Gurney
Diana Rich



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City of Sebastopol

CITY COUNCIL MEETING MINUTES MINUTES FOR Meeting of February 15, 2022

As Approved by the City Council at their regular meeting of March 15, 2022

The City Council Regular meeting was held via teleconference pursuant to AB 361. Pursuant to AB 361 (2021), Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting. The City of Sebastopol City Council meeting was not be physically open to the public and all City Council Members teleconferenced into the meeting via Zoom.

Please note that minutes are not meant to be verbatim minutes and are meant to be the City's record of Actions Taken (Approved Motion of Agenda Item).

6:00 pm **Convene City Council Meeting - Meeting Start Time (ZOOM VIRTUAL FORMAT)**

CALL TO ORDER: Mayor Slayter called the regular meeting to order at 6:03 pm.

ROLL CALL:

Present: Mayor Patrick Slayter – By video teleconference
Vice Mayor Neysa Hinton – By video teleconference
Councilmember Una Glass – By video teleconference
Councilmember Sarah Gurney - By video teleconference
Councilmember Diana Gardner Rich - By video teleconference

Absent: None

Staff: City Manager/City Attorney Larry McLaughlin
Assistant City Manager/City Clerk Mary Gourley
Administrative Services Director Kwong
Engineering Consultant Toni Bertolero, GHD
Planning Director Kari Svanstrom
Police Chief Kevin Kilgore
Public Works Superintendent Dante Del Prete

SALUTE TO THE FLAG: Mayor Slayter led the Salute to the Flag.

PROCLAMATIONS/PRESENTATIONS: None

PLEASE NOTE:

- Public Comment on all items listed on the agenda will be limited to two minutes, per person, per item.
- The Public Comment Portion of the Agenda will allow for 20 minutes at the beginning of the meeting and public comment not heard during those 20 minutes will continue at the end of the agenda, following the last calendared item and before Reports.

Council welcomes and encourages additional comments via email. Public Comment Emails can be sent to:
CityCouncil@Cityofsebastopol.org

COUNCIL PROTOCOLS FOR MEETING:

City staff read the protocols for the meeting.

- This meeting is being conducted utilizing virtual settings for teleconferencing and electronic means consistent with State of California Executive Orders regarding the COVID 19 pandemic and AB 361.
- Live stream and zoom is being utilized for this meeting. In case of technical issues, meetings will be uploaded to the City web site as soon as possible after this meeting.
- Members of the public may view and listen to the meeting by use of Zoom and Live Stream as noted on the City's website and as noted on the agenda.
- Members of the public wishing to speak to the City Council may do so during public comment or may comment on agenda items during the discussion of each item and must be logged into Zoom. Live Stream is a viewing only format.
- Anyone using abusive, vulgar, offensive, threatening, or harassing language, personal attacks of any kind or offensive terms that target specific individuals or groups will be muted and removed from the meeting.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA :

Speakers are allowed to speak for a maximum of three minutes so that all speakers have an opportunity to address the City Council.

Power point or visual presentations for public comment shall not be permitted unless approved by the Agenda Review Committee two weeks prior to the requested meeting date.

Speakers may not "yield" a portion of their allotted time to others.

The Mayor has the authority to limit or extend the time allowed for speakers dependent on the number of speakers in attendance.

The Mayor can poll the members of the public for an indication of the number of people wishing to speak, then call on individuals to speak.

It is the goal of the Council to conclude the public comments portion of the agenda within 20 minutes. If the public comment period exceeds twenty minutes, the presiding officer, typically the Mayor, reserves the right to reduce the time per speaker or carry over public comments to after all business items are completed.

The City Clerk will monitor the time for public comments and inform the speakers when the time limitation has been reached.

The Mayor could survey the members of the public, as appropriate, to move agenda items up or back to address the members of the public items of concern.

Public participation is encouraged on all public agenda items.

Council and staff will treat participants and each other with courtesy. Derogatory or sarcastic comments are inappropriate.

The public will likewise be encouraged by the Mayor to maintain meeting decorum.

In Council meetings when citizens are agitated, the Mayor may call a short recess to calm the situation.

If a member of the public is unable to attend the Council meeting, written communications may be sent to the City Clerk by e-mail or by regular mail.

Communications received after distribution of the agenda packet will be made available to the Council at/or as soon after the meeting.

Maraline Olsen commented as follows:

- Consider on Sundays at Farmers Market
- One spot for crossing and crossing guard
- Helps to flow traffic better on Farmers Market days

Linda Berg commented as follows:

- Thanks to Councilmember Gurney on EMF issues
- Discussed exposure to man-made radiation
- Chance to protect population from man-made radiation
- Established ourselves 12 years ago as City that looks behind the narrative between corporate and wireless entities
- Encouraged the Council to look behind the narrative

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. **There were no stated conflicts of interest.**

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 Slayter read the consent calendar.

Mayor Slayter opened for public comment on the consent calendar. The following public comment was received for consent calendar items:

Linda Berg commented as follows:

- What I know about it is any kind of approval or any kind of building that is going on now is approved and constructed without the consideration of exposure to Wi-Fi and wireless radiation 5G, 4G and all of the other kinds of electromagnetic fields
- We need to have a revision to the Building Code the least of which is that all the buildings and the apartments need to have insulation shielding materials in the walls, which is just as cheap and easy as aluminum foil to deflect the incoming radiation that we're all being bombarded by these days and increasingly so.
- We need to take steps to protect ourselves personally with clothing, which I have a lot of, and also in our buildings and in our homes.
- I have a shielded apartment. I've got shielding in the walls and the ceiling to protect me from my neighbors, all their wireless radiation which goes right through the walls and our bodies, causing cancer.
- We need to start acknowledging this is an environmental hazard and we need to take steps to protect ourselves in our buildings and in our lives.
- What I'm looking at is Park Village apartment renovation project.

Mayor Slayter asked if any Councilmember wanted to remove a consent calendar item. Councilmember Glass requested to remove consent calendar item number 10 from the consent calendar.

Councilmember Gurney commented as follows:

- Discussed agenda item number 5 and stated It's informational only and it actually bears a yes or no answer.
- I have a report and update I'd like to make on number nine, which is itself only informational as well
- Provided question to the former budget committee.
- Wondering if the purchase of this fire truck was on that goal list that we created at the end of last June or July?

Vice Mayor Hinton stated yes it was on that list.

Councilmember Rich requested Item Number 5 be pulled from the consent calendar agenda and referred to the Fire Ad Hoc committee who has been tasked to review Fire Department issues for a recommendation.

Mayor Slayter called for a motion.

MOTION:

Councilmember Rich moved and Councilmember Glass seconded the motion to approve Consent Calendar Item(s) Number(s) 1, 2, 3, 4, 6, 7, 8, and 9.

Items 5 and 10 have been removed.

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

VOTE:

Ayes: Councilmembers Glass, Gurney, Rich, Vice Mayor Hinton and Mayor Slayter

Noes: None

Absent: None

Abstain: None

Councilmember Gurney commented on item number 9 as follows:

- Wanted to update the Council in the material of a meeting that was recently held.
- The first meeting happened today with a regional library, our local library, our City staff and myself.
- We had Ann Hammond, the Director, her Deputy Director and her communications expert along with our branch manager, Matthew Rose, and our Commissioner, Fred Engbarth, who is here this evening, thank you, Fred, and our City staff.
- It was convening to move forward collaboratively
- All this from our local persons to our regional people to hopefully create a pilot program in Sebastopol dealing with the issues raised in the resolution and we're very optimistic about working together.
- We will be returning hopefully in a month or so with a further agenda item and a longer report.

1. Approval of the January 26th, 2022 Special City Council Meeting (Responsible Department: City Administration)

City Council Action: Approved January 26th, 2022 Special City Council Meeting

Minute Order Number: 2022-051

2. Approval of the February 1st, 2022 City Council Meeting Minutes (Responsible Department: City Administration)

City Council Action: Approved February 1st, 2022 City Council Meeting Minutes

Minute Order Number: 2022-052

3. Approval of the February 2nd, 2022 Special City Council Meeting Closed Session Minutes (Responsible Department: City Administration)

City Council Action: Approved February 2nd, 2022 Special City Council Meeting Closed Session Minutes

Minute Order Number: 2022-053

4. Approval of the February 2nd, 2022 Special City Council Meeting Closed Session Minutes (Responsible Department: City Administration)

City Council Action: Approved February 2nd, 2022 Special City Council Meeting Closed Session Minutes

Minute Order Number: 2022-054

6. Receipt and Approval of 2022 Fireworks Show: Approval of Request from the Sebastopol Kiwanis Club to Conduct their Annual Fireworks Show on July 3, 2022, located on private property of the West Sonoma County Union High School District, Analy High School, 6950 Analy Avenue, Sebastopol (Responsible Department: Fire Chief)

City Council Action: Approved Notice of Completion for the Park Village Apartment Renovation Project
Minute Order Number: 2022-056

7. Approval of Notice of Completion for the Park Village Apartment Renovation Project (City Engineer)

City Council Action: Approved Notice of Completion for the Park Village Apartment Renovation Project
Minute Order Number: 2022-057

8. Approval of Resolution of Opposition to Initiative 21-0042A1. "Taxpayer Protection and Government Accountability Act," a ballot measure sponsored by the California Business Roundtable (CBRT). Cal Cities, along with a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses, strongly oppose this initiative. (Requestor: Agenda Review Committee)

City Council Action: Approved Resolution of Opposition to Initiative 21-0042A1. "Taxpayer Protection and Government Accountability Act," a ballot measure sponsored by the California Business Roundtable (CBRT). Cal Cities, along with a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses, strongly oppose this initiative.

Minute Order Number: 2022-058

Resolution Number: 6402-2022

9. Resolution of a Public Statement on Racism and Social Equity (Requestor: Councilmember Gurney)

City Council Action: Approved Resolution of a Public Statement on Racism and Social Equity

Minute Order Number: 2022-059

Resolution Number: 6403-2022

10. ~~Approval of Second Reading and Adoption of Ordinance 1136, An Ordinance of the City of Sebastopol Adding Chapter 10.76 Recreational Vehicle Parking Ordinance and Amending Chapter 10.36 of the Sebastopol Municipal Code. (Responsible Department: Police)~~

Item Number 10 pulled from the consent calendar.

Item Number 5 Pulled from Consent:

5. Approve the Purchase of a New Type 3 Wildland Fire Engine to Replace the Existing 1996 International Type 3 Wildland Fire Engine and Adopt Resolution Authorizing an Amendment to the Vehicle Replacement Reserve Fund (Responsible Department: Fire Chief)

Mayor Slayter opened for public comment for item number 5.

Loretta commented as follows:

- Sebastopol is so fortunate to have our volunteer fire department.
- You don't know how much money they save this City.
- Our fire engines are so old that they have to make parts for them because they don't make parts anymore.
- You are putting our firefighters at risk. You are saying that that's not a priority to our City.
- I think it is just criminal. It's awful.
- I would suggest that you approve this and other fire engines. They're all outdated.
- I would hope that you would support our fire department.
- That's what people want in this City. Fire, Police, safety, and that should be our priority.

Linda Berg commented as follows:

- On that subject of course I'm in full agreement.
- We've got a just outstanding volunteer Fire department and our exemplary Police department.
- They are the best. Of course they're deserving of all kinds of support.
- There's so many people that love this town and want to support them.

- I think that Gold Ridge or one of the other fire departments has already set themselves up as a foundation and they're seeking public funding for like donations
- I'm suggesting this is a good way to get the City frankly out of the debt but also to start having some kind of campaign specifically for the fire department
- It shouldn't be any problem at all really to have a campaign to raise money for whatever fire department and our wonderful cops and the City needs.

City Manager/Attorney McLaughlin commented as follows:

- I want to clarify for the members of the public and any Councilmembers who might be confused about where this item is right now.
- The sole question that we wish to take up to the fire committee is whether to pay cash for the vehicle or finance it.
- The vehicle is going to be purchased. It is simply a question of whether to finance it or pay cash.

Vice Mayor Hinton commented as follows:

- We can't approve this agenda item and consider a lease? It would seem like we looked at that before.
- I know Councilmember Glass and I discussed a lease when we looked at this when we were the previous fire committee.
- I'm really going to say that I'm not in favor of pulling this tonight.
- We've gone through two fire seasons not approving this truck.
- We're in a fire season, about to be right now. We're not going to have any rain.
- Considering that it takes 15 to 18 months to order it, I just wanted to share those thoughts.
- We've talked about this fire truck for a long time at this point and we've approved it.
- I am not in favor of pulling it tonight.

Councilmember Rich commented as follows:

- I'd like to move that the financing question regarding the fire truck be referred to our ad hoc committee for the fire department.
- I'd remind the City Council that the task that was assigned to that ad hoc committee had to do with the financial and staffing future of the fire department, so it feels completely appropriate to refer this question to that committee.
- I'd also indicate that we are planning on meeting in the very near future, I think in the next two weeks, so I don't expect that there will be any delay, understanding and accepting the concerns and feeling the same concerns that Councilmember Hinton has expressed.
- So I would move that we refer it to the ad hoc committee.

MOTION:

Councilmember Rich moved and Councilmember Gurney seconded the motion to continue Consent Calendar Item(s) Number(s) 5 and referred the item to the Fire Ad Hoc Committee.

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

VOTE:

Ayes:	Councilmembers Glass, Gurney, Rich and Mayor Slayter
Noes:	Vice Mayor Hinton
Absent:	None
Abstain:	None

City Council Action: Approved motion to continue Consent Calendar Item(s) Number(s) 5 and referred the item to the Fire Ad Hoc Committee.

Minute Order Number: 2022-055

INFORMATIONAL ITEMS/PRESENTATIONS: *(Please Note: Although informational/presentations items are routinely informational in nature, some informational items may contain request for actions such as support, direction to staff, follow up, or receipt of item based on the presentation/information provided.)*

11. Informational Presentation- Grand Jury Presentation by Nancy Dougherty (Requestor: Councilmember Glass)

Councilmember Glass presented the item and introduced Nancy Dougherty from the Sonoma County Grand Jury.

Grand Jury Members Nancy Dougherty and Dohn Glitz provided a presentation on the responsibilities of the Grand Jury and provided information to encourage members of the community to apply to be a member of the Grand Jury.

Mayor Slayter asked for questions of presenters.

Councilmember Glass commented as follows:

- Would like to thank our presenters very much.
- Note that it seems the Grand Jury is sort of like the justice fail-safe of the system.
- If things are being overlooked in other ways, the Grand Jury can bring those issues to light and then inform the public and give ideas about how to rectify them.
- I really appreciate this view of fail-safe. Thank you so much for your work.

Councilmember Gurney commented as follows:

- Thank you to Nancy and Dohn for your presentation.
- I'm wondering what your term of service is and if you can re-up and continue, because I'm thinking there's a learning curve and that might be useful for somebody to continue.
- I'm wondering too how you organize yourself to work.
- Do you do subcommittees like we do? Are your meetings public?

Mr. Glitz commented as follows:

- Everything the Grand Jury does is done in secret.
- If the Grand Jury interviews you, you will hold up your hand and basically say you will not divulge anything that you said to the Grand Jury, et cetera, and we cannot divulge your name, your position, anything like that in our reports.
- The Grand Jury basically serves for a year.
- Typically about three people will hang over and serve on the next jury.
- That has not been true in COVID-land because it's been very difficult to recruit jurors.
- Last year's jury had at least eight or nine holdovers.
- This year's Grand Jury has more than the usual number but it provides some continuity.
- The chairperson of the Grand Jury is inevitably a holdover from previous years.
- Almost everything is done through committees. There will be a committee that deals with a specific topic. The committee ends up writing a report, it comes back to the entire Grand Jury.
- Everybody on the Grand Jury has a word to say about what's in there and what isn't in there.

- It goes back and forth several times and the eventual report from each committee basically has to be affirmed and backed by a super majority of the Grand Jury. There are no dissenting opinions.

Councilmember Rich commented as follows:

- You discuss all this work that you do.
- Is there staff support for this effort

Mr. Glitz commented as follows:

- There is legal support. There is some IT support but other than that, no, we are on our own.
- We write, edit and finalize the entire report by the Grand Jury members
- We bear the responsibility of the report
- There's in-depth training we go through, three-day training where we learn about writing the Grand Jury reports, which are a very specific form and are advised on what constitutes a finding and all those intricacies that very few of us going into this quite get just by reading.

Ms. Dougherty commented as follows:

- I can't recommend it enough if you're interested in the workings of government.
- For me personally, it was a way of being involved in upholding a local democracy.
- I felt that I could contribute that way. I feel it is a very important part of our California institutions that we have.
- California is pretty unique. The only state right now with the standing, has been for many years, with a standing civil Grand Jury.

Mayor Slayter opened for public comment. There was no public comment on this item.

Mayor Slayter commented as follows:

- I have a couple of very close family members who served on a Grand Jury in a county very near ours very recently, and they also found it a very, very busy but fulfilling semi-retirement job.
- So thank you to Nancy and Dohn for being here and giving us this presentation this evening.

City Council Action: None Taken. Informational Only.

Reference Order Number: 2022-061

PUBLIC HEARING(s): NONE

REGULAR CALENDAR AGENDA ITEMS (DISCUSSION AND/OR ACTION):

12. Direction to staff regarding Parklets on Caltrans right-of-way (Responsible Department: City Engineer)

GHD/Engineering Representative Mario Landeros provided the agenda item recommending the City Council discuss the continuing use of Parklets to determine: if the Parklets should remain temporary at this time, and if so which parklet location(s) use should continue; whether any location(s) should be made permanent Parklets and if so, which of the parklet location(s) to include in Caltrans encroachment permit application; and lastly that all design related questions be deferred the Planning Commission for input and recommendations to the Council at a later date.

Mayor Slayter asked for questions of staff/presenter.

Councilmember Gurney commented as follows:

- I'm just wondering, do we have any official data on use of the parklets?
- I know, for instance, there has been a survey and we've seen that.
- Is anyone tracking how many people stop by in a day and stay there?
- I'm interested in the businesses' impressions too, and hopefully they'll speak to that during public comment.
- I'm wondering, do we have any numbers of how used or unused they are and during what times of day, that sort of thing?

Mr. Landeros commented as follows:

- I am not aware of any such studies or anything to that effect.
- I don't know that the City has done those in the prior 15 months.

City Manager/Attorney McLaughlin commented as follows:

- We have only anecdotal evidence.
- We did convene a meeting, as you mentioned, which was attended by most if not all of the business owners near the I'll call it the Screamin Mimi's parklet location and they gave us information about who uses it and who doesn't, but we didn't do anything formal.

Councilmember Glass commented as follows:

- When was that meeting where the anecdotal information was delivered?
- When was the last one?

City Manager/Attorney McLaughlin commented it was in May of 2021 the survey was conducted, but then the following September was the meeting. We heard from all the business owners surrounding that one parklet what their conclusions were as to who used it and who did not. That was just conclusions -- feedback pertaining to that particular parklet. That was the one where I perceived needed a session with all the businesses, so that's why we convened that meeting.

Vice Mayor Hinton commented as follows:

- Discussed some unknowns stated and that they could involve traffic studies to make things permanent.
- I've eaten at the really nice parklets in San Francisco and they really felt like part of the community.
- That would be a great vision. Do we have any idea how much it would cost to make them permanent?
- Traffic study just sounds like it could be a lot.
- Do you have any idea because other cities have done them.

Mr. Landeros commented as follows:

- That question did come up just recently.
- I did inquire with Caltrans actually, it was my starting point since they have been processing these things for other communities.
- The senior permit engineer had no idea. He did reference some that had gone on in San Francisco.
- [I have used one of those parklets and] It does make you feel a little bit separated, in some cases even up above the sidewalk grade and pavement grade so they can be pretty substantial.
- I communicated with some former colleagues at the City of Healdsburg and tried to get a little information on those.
- It's quite different than here in that those are all strictly local streets, no state right of ways so the City is doing something a little differently there.
- The businesses appear to be investing quite a bit into them.

- There were some that were commented on that were basically platforms with wine barrels for a little bit of delineation for maybe a few thousand dollars to some pretty elaborate ones that could get up to \$40,000, \$50,000 quite frankly.
- It depends how high you want to go. They had walls, they had screenings, they had canopy roofs, heaters, running electrical into there, so it got pretty, pretty elaborate.
- I was informed [those parklets] are essentially on, at this point a temporary path, but it's really hard to imagine that those are going to go away any time soon.

Vice Mayor Hinton commented I've been in some of those elaborate ones too in Healdsburg and I did hear they cost like \$40,000. Are those in the public right of way? It's a lot to invest if you lose permission to do it.

Mr. Landeros commented as follows:

- Stated that is correct. The right of way line, particularly in the downtown area, goes to the outside of buildings. Everything is right of way.
- Tables that you see out there before these parklets are all in the right of way.
- They're in there under some kind of license agreement or maybe encroachment permit.
- They're in the right of way.

Councilmember Rich commented as follows:

- Just want to clarify business support or lack of support for each of these three parklets.
- I think what we're hearing is that as to the Sunshine Cafe, Retrograde Coffee Roasters parklet, you heard are only business that support and no business concerns about that parklet.
- Is that correct?

Mr. Landeros commented as follows:

- The comments, if I'm recalling correctly as I go through them, in addition to the support and the benefit of who's providing the business by allowing it, it was also the condition in which that particular park was being kept.
- It was, I think, being attended to quite a bit more and so I think that overall feel of it was that someone cares.
- That's the tone of the support that I got.

Councilmember Rich commented but on that one, it doesn't sound like there were businesses in that area that were opposed to the parklet. Is that accurate?

Mr. Landeros commented that is correct from my read on the letters.

Councilmember Rich commented on the other two, could you give us kind of the summary response.

Mr. Landeros commented as follows:

- From my read on the letters received, concerning the parklet at the People's Music and Sumbody, it seems that the major part of the concerns, if you will, had to do with their lack of use and disrupting the parking.
- There seemed to be congregation of folks not necessarily [for those] businesses but maybe just hanging out there and then, concerning the [parklet] in front of the Screamin Mimi's, that [concern] is very focused on the inconvenience [to] the adjoining business pick-up/drop-offs for their type of service.
- They were feeling [the inconvenience] particularly during the height of COVID.

- They also did apparently make reference to during normal operations, so I'm not sure how that played into it during the pandemic.

City Manager/Attorney McLaughlin commented as follows:

- I was just going to reiterate what Mario Landeros was saying, because I monitored the e-mail for quite a number of months before Mario even was working here for the City.
- I think Mario Landeros is accurate, but we had quite a volume of concern, complaints, whatever you want to call it about the one adjacent to People's Music.
- I would say that there was a lot of negative comments about that particular one, other than from the business immediately adjoining it which likes it in terms of the musical aspects of it.
- The Screamin Mimi's one, we received a number of individual e-mails from other businesses that may not have wanted to express themselves directly in the mediation session I held, and they expressed a number of concerns about the impact of that particular parklet on their particular businesses other than Screamin Mimi's.
- As far as Retrograde and Sunshine Cafe, I've heard nothing but positive comments about that particular parklet and its looks and its usage.

Mayor Slayter opened for public comment.

The following public comment was received:

Danielle, Retrograde Coffee Roasters, commented as follows:

- I'm from Retrograde Coffee Roasters and my husband, Casey, who's also an owner.
- We wanted to come to the Council tonight to speak to everyone about our support not only obviously for the parklet in front of our business and Sunshine Cafe but for all of the parklets in our City of Sebastopol.
- I know that recently the Council has been thinking about their values as a City and the way that we reflect that in our actions.
- After everything that businesses have been through in the COVID-19 pandemic and as individuals and what we've collectively been through as a community, I think we've all learned that outdoor space is vital to us in ways that we previously never were forced to experience before and that's something that's not going to change moving forward.
- Outdoor spaces are really important.
- Through these parklets we are able to provide much-needed outdoor space to our community. That's what they're for.
- They're for the public to be able to use them without the obligation of even going into a business and making a purchase.
- At the same time, parklets do also increase foot traffic.
- They encourage vehicles to slow down on the highway, which the crowds walk in front of Retrograde.
- Unfortunately, we've seen people get hit in that crosswalk before, but that really hasn't happened once since our parklet has been installed.
- It allows more space for strollers, children, pets, bicyclists and disabled people.
- I think we all know that that's a problem with our sidewalks currently that's been acknowledged by Caltrans and the state of California and really they make our town more attractive.
- They make people want to stop and visit, and they provide space for people to do that.
- I really just would love your support in helping us to keep providing this valuable outdoor space to our community and allow us to make our parklets permanent so we can invest in them and make them better.

Ted Luthin commented as follows:

- Thank you so much for considering this, making these parklets permanent.
- I want to stress that we need to do two things. We need to make them permanent and we need to invest in them and make them beautiful.
- We live in a perfect climate for outdoor living. People are spending much more time outdoors.
- We don't have enough pedestrian space in town. Our sidewalks are too narrow.
- Our town is dedicated to cars passing through on state highways.
- Every bit of space we can get for our citizens is better.
- Every space we can get for our businesses is better.
- What I've seen is that the businesses that have engaged the parklets are the businesses in town that are succeeding.
- The businesses that don't like the parklets are the ones who haven't engaged them.
- You have to engage in opportunity.
- These are great opportunities and a lot of people are letting them pass by.
- They don't believe in the power. They don't believe in the things that these public spaces can do for them.
- I encourage businesses to embrace these things, invest in them, make them permanent, make them beautiful, put roofs on them, power them up, put permanent lighting in them.
- Petaluma has got them, Healdsburg has got them. Go down to the corner of Western and Kentucky in Petaluma. It's got lighting, permanent seating, flush floor, it's got a dedication plaque that talks about who designed it, who provided the materials for it. It's beautiful. It's stunning and it's beautiful. We need that here.
- I think the one complaint that I have about the parklets is that they're not beautiful.
- I understand that they're not because they were temporary. But let's make them permanent so the people and the City can invest in them.
- Let's invest in them like we invest in our public parks.
- I say make them permanent, make them beautiful and make more of them.

Kurt commented as follows:

- We own Screamin Mimi's and bring in 3 to 4 million people to Sebastopol on foot to enjoy downtown. All ages, 300 to 1,000 people a day.
- They're predominantly families or other social groups. The kind of people you want to put on display in your town to attract other people to stop and investigate the town.
- We were originally neutral on parklets. We just didn't know whether it was going to be helpful to us or not so we didn't push.
- Since then because of COVID we've been forced to experiment with and deal with having customers outside the shop and found out that it's actually great. Not only for our business, but for people driving through the town, through that intersection that's an otherwise social desert.
- It now appears like there are a lot of people there having fun.
- One of the most common comments we get at the shop is that I saw other people there and it looked interesting. We decided to stop.
- We also believe as Ted Luthin was saying that the way to attract people to the town is with other people, visible other people.
- So whether it's a business, we have a line that's one way of doing it or with the town has vibrance and crowded public spaces and sidewalks filled with people enjoying themselves.
- So far our experience is the response is overwhelmingly positive.

- I sent to the Councilmembers of the results of a survey that we ran were 94% of the comments, a few hundred comments were positive.
- The only thing I want to make sure you understand if this ends up the parklet in front of our shop is a golden opportunity because of the exposure and the number of people that go through that intersection and our ability to fill that location with visible happy people enjoying themselves.
- You can make a park with public space, but if it's not used, it won't be effective.
- This will be particularly effective because we have the ability to fill that park and will be more likely to invest in it like Petaluma and Healdsburg if there's a long time agreement that the parklets can stay.

Jim commented as follows:

- I'm in favor of the parklets. I helped Paul Fritz and those folks to build the first ones.
- I think it's a great opportunity, especially the one in front of Screamin Mimi's to change the grade, make that a really nice place, invest some town money in it to help counter act the giant CVS logo.
- We already have a facade improvement program. A little bit of money would go a long way towards the smaller parklets.
- I know Danielle paid somebody to paint those cement berms, which is great.
- The one in front of People's Music, I think it does need more love and attention. If it's used, great.
- I do also think that there may be some business owners that have legitimate problems, and I would just hope that we could try to work together and solve those problems for that business, because I think the benefits of the town or the parklets outweighs minor inconveniences, especially if we can work together to solve them.

Carrie commented as follows:

- I just wanted to add to the Petaluma and Healdsburg list, and Windsor have some beautiful parklets and our old town before we moved up here, we lived in Fairfax and we went back down there during the pandemic and I felt like I stepped into the land of Oz.
- It was so beautiful what they have done there with parklets.
- I think the benefit to the town of the parklets outweighs minor inconveniences especially if we can work together to solve them.
- It was so beautiful what they've done there with parklets they've managed with not a whole lot of space to create a lot of beauty and the feeling of a European feeling of people eating and festivity and sort of going against the isolation that a lot of people have felt during the pandemic.
- I salute these parklets.
- I'd love to make them more beautiful somehow.
- It also might help the feeling of Sebastopol being a couple lanes whooshing in one direction and make it feel a little more small-towny.

Paul commented as follows:

- There is a silver lining to this pandemic, it is that it's shown us how parklets create a more vibrant downtown.
- People need to be downtown, but the vast amount of space is dedicated to cars.
- The parklets have successfully shown how the public Right-of-Way can be used in an equitable manner.
- But historically most of the public is excluded from this space.
- We have great case study around one designed for maximum car throughput, which is downtown.
- We are social creatures. People attract other people, and nowhere is this more evident in town than the Barlow.
- We need more places like that downtown as we expect it to be successful.

- The current parklets were built relatively quickly and cheaply in response to the pandemic.
- I know because I instigated it.
- It's time to take them to the next level.
- So many people have talked about making them better. There are so many possibilities to make our parklets better.
- Our downtown businesses want to take that next step, and not if they're only temporary.
- They need reassurances that their investment is not going to be wasted.
- I do believe the City should kick into parklets 2.0. Jim mentioned the facade improvement grant. I think that money would be of good use for something like that.
- While I understand there are some business concerns about the parklet, the broader community likes them and thinks they should stay.
- Maybe we need to help those other businesses understand how to best capitalize on the parklet.
- But drawing more people to a public space in front of your business seems like an opportunity and not a problem.
- The temporary installation has been successful and should be continued in a more permanent manner.
- It shows what can happen when we convert places that have been used to convert parking and living.
- It shows a way to create a vibrant, oriented place.
- We must carry the momentum forward and make these transformations permanent.
- We need more places for people downtown, and the parklets provide some of that space.

Trava commented as follows:

- I'm with Vitality Center.
- I don't really have a strong opinion one way or the other.
- I feel like there's a lot of comments about how parklets are helping provide parks for people.
- But we have a park that's not used downtown. It's really neglected.
- I feel like we're not looking at the bigger picture and we're just kind of trying to fix all the problems of parklets, which could be positive if it's used correctly, meaning, shared with other businesses in a peaceful, harmonizing way for everybody to kind of be, like, okay, we have the opportunity to use this parklet as businesses, let's make this feel like it's open to everybody.
- I don't necessarily think that having the People's Music parklet where people aren't going into businesses, I don't see that being a huge benefit.
- I think people can certainly hang out. I'd love to see more people hang out into the current park that we have downtown. But they're not.
- That park is being neglected and people are going to parklets.
- I just feel like it's not solving the bigger picture of public spaces in Sebastopol.

Jennifer commented as follows:

- I have the Vitality Center.
- I've had had the business for 16 years so I'm aware of the area.
- Unfortunately, I don't feel that the parklet in front of my business serves my business well and it negatively impacts doing business for me.
- I'm not opposed to parklets as a whole. I think it's a great idea.
- However, the parklet in front of my street is completely cut off, the street is completely cut off so customers can no longer do drop-offs, pick up pottery, nor drop off their kids for our after-school problem. So this is a problem for us.

- When the tents are put out, and it is unfortunately getting warmer already in February, we have some tents that go out and it blocks all the visibility to the business. So it doesn't matter where the placement is in the parklet. These tents tend to reduce the visibility of my business and my windows.
- I can only speak for my business. Food trash is left daily along the sidewalk unfortunately in front of my business. It's also left at the front of the door and part of the entrance of the store.
- Lastly, I just want to say that I pay a premium on the street. I've been there 16 years and I pay a lot of rent for being on this main street.
- To have it blocked off by the parklet, it's been really negatively impacted.
- I'm grateful that people are enjoying it, but it's completely being monopolized by one business.
- While Screamin Mimi's is closed to the public, they're allowing the public to be the dining room for them without paying their rent or maintaining it.

Loretta commented as follows:

- In general I'm in favor of the parklets.
- I have to agree with Jennifer a little bit that it seems to me that we are choosing five businesses to increase their size at no cost to them and, yet, for other businesses like our business we've been fighting for five years to get our area cleaned up to be ignored.
- It's what businesses do you choose to improve and make better? That part of it bothers me.
- I like the idea of the parklet. I've used the one at Screamin Mimi's a lot. I've used the other two.
- I can understand Jennifer's position. She pays a lot of money for rent. Yet, that's not servicing her.
- When you think about the parklets, I think you need to think about all the businesses in Sebastopol and what can we do to improve all of our businesses.
- That's what we keep shouting for. Help us.

Alex commented as follows:

- We own People's Music. We're coming on 50 years on Main Street.
- I agree with the last caller. I think with the whole side of our street should be a parklet from the beginning of the 100 block to the end then all of the businesses could have space.
- She also mentioned that only a handful of businesses have taken on these parklets.
- I didn't ask for a parklet. The City came to me and suggested that I adopt the parklet because Gypsy Cafe and East West Cafe both declined using a parklet in front of their restaurant, which is a more typical place for a parklet.
- If you look at studies around the world right now, parklets have proven to be an economic benefit to downtown all over the world.
- It's clear that this is something that people, pedestrians need.
- The other comments that I've been hearing is that the people in our parklet don't shop downtown.
- That clearly isn't true. Every single kid that comes by our parklet goes into the parklet, plays the Marimba that we have set up in the parklet for people to play or the piano that people are playing.
- People are standing there checking their e-mails or drinking coffee.
- We're not a restaurant so we're limited in terms of the amount of people sitting there for long periods of time. We're also part of the music festivals, we were a satellite stage last year.
- People use our parklet. They use them all the time and they comment about it constantly.
- How do you even know who's shopping where? They're coming into our store, and they're outside playing the Marimba and enjoying downtown Sebastopol.
- We do have people playing in the parklet. Every time the light turns red, there is about 50 people that roll their windows down and honk and wave and whistle at people that are playing music in the parklet.

Maraline commented as follows:

- I just wanted to point out that when I first moved to Sebastopol, and I wanted to open an ice cream parlor, I did a business plan, and I kept focusing on that corner because it's such a focal point in town.
- I talked to my mentor. He agreed that the traffic count was incredible there.
- Since putting the shop there, I realize that that corner is our welcome to Sebastopol.
- If we don't go with a parklet there, what are we going to say to say welcome to town, we will say welcome to a town of traffic.
- It's so much more inviting to have a parklet with people, alive with people.
- As Ted had said earlier, we can improve it and make it look better.
- It's less dangerous, it looks better, and it's way more appealing for people passing through.
- I would also like to point out that it's my understanding that these are public parks.
- Every business is welcomed to do whatever they can and enjoy the park.
- It's open to all businesses to use, and People's Music is being very creative how they choose to use it.
- It is more conducive to a restaurant or a coffee shop.
- With creativity and some gumption, anyone can make that space very welcome to their customers.
- Just to briefly address Jen's concerns of the tents. The tents haven't been up since October. They got knocked over in a wind storm and we haven't put them back up.
- When she did say it blocked her window, we moved it over and it was in front of Screamin Mimi's.
- Trash, I am picking up the trash three times a week if not more.
- Some of the businesses including Jen's put some trash in the can, which is fine. But that's going to fill the trash cans up more. We need more trash receptacles. We need more care to empty those.

Oliver commented as follows:

- I'm in favor of the parklets. I think they're great.
- But with the caveat that in Europe where we've had outdoor dining and tables and chairs and things outside, Planning Commission for restaurants and things is pretty onerous to the point about parklets blocking visibility of windows and so on.
- This is all very informal, and the parklet thing really kicked off because of the pandemic.
- I was actually eating in a restaurant in San Francisco last week, and they're not there because they're beautiful, they're there so the restaurants can actually stay in business during the pandemic.
- This is a very kind of informal kind of shantytown thing, which some people do really well and some people do really badly.
- I do have a friend who lives in North beach in San Francisco whose life has been ruined because all of the restaurants there have tables outside her bedroom window.
- It's incredibly noisy all evening for her in the City. I know that's a very different City situation.
- But it's something, just like everything else with Planning Commission and so on, that needs to be planned out and thought through as to the impact on other people's businesses and traffic and visibility.
- I know in Europe they're very concerned about fire engines and ambulances and things as well.
- I'm very much in favor of the parklets. I think they add a lot of value to the visibility of the City, but with those caveats.

Mark commented as follows:

- I'm going to say that I work at People's Music, and I'm in favor of the parklet, and I believe that they are a little bit unsightly right now, but I don't think there's anything that can't be mitigated.
- I can't speak for Alex unequivocally, but the restaurant next door, if they wanted to participate in it and felt that it would enhance their business, I believe that they're more than welcome.

- I think the parklets are a great idea. It's too bad we're cursed with being at the intersection of two highways. We're just doing the best we can.

Linda commented as follows:

- I just wanted to point out, speaking of safe outdoor spaces -- the harm and danger of wireless radiation and what we need actually is we need some sanctuaries to protect people from being assaulted.
- We need some spaces where they are not being assaulted from microwave radiation, from cell towers, their own cell phones, the sidewalks, the other cars, and so on and so forth.
- Who ought to pay for them is the telecoms that are making trillions of dollars and the cancer society which is also benefiting greatly from our exposure and the assault on us.
- It's just something that we need to have perhaps an education campaign about the harm and danger of wireless radiation.
- We need to move towards what is in our General Plan, the reduction of it rather than embracing an increasing of it.

Jill commented as follows

- I just wanted to say Loretta's comment really resonates with me about how do you pick and choose as far as businesses? Some parklets are going to help some and not others.
- That resonates with me given the last year that I've suffered through the unilateral decision to convert the inn and the impact it's had on our lack of traffic.
- I think that I too enjoy being able to be outside, having spent so much time in Europe, I think it's a great thing. But I do think that not all parklets are created equal.
- I think everyone, every business owner needs to voice their concerns and need to weigh heavily on this.
- Every business that's impacted by the parklets.
- The other thing is just being a fiscal hawk, I have to wonder how much does this cost, what are the logistics of ADA requirements given all of the issues and the lawsuits that happen in California.
- How many hoops have to be jumped through and how much money from the City has to be spent?
- I like being able to be outside, but at the same time I just have to wonder how much of a financial impact is this going to have on this City, which is already suffering with deficits and reduced tax income, et cetera.
- I just hope that you'll give all businesses equal weight in their feedback as far as the parklets.

City Council Discussion and/or Deliberations:

Mayor Slayter commented as follows:

- My understanding of this item is that it is a high-level decision basically do we like the parklets, do we want to keep the parklets, and how do we proceed in a way that is logical and gets more community conversation about this item underway.
- I would ask my colleagues to frame your comments sort of in that high level
- I think everybody can agree that the aesthetics of our temporary band-aid parklets could be improved.
- We also have a lot of very functional issues that were raised about visual blockage of neighboring businesses or neighboring businesses who don't want them in front of their business.
- I'm not feeling like we have the data or the outreach that would really inform us to make a really carefully considered opinion at this point.
- I think if the Council can provide general high-level opinion, that would be useful for staff in crafting, and I would recommend a staff report for the Planning Commission which is our parks commission and send it to them and let the Planning Commission really get down into the nuts and bolts of what the parklet ordinance should be.

- I think that that would probably be the most useful and most Democratic way to approach this for everyone concerned.
- We've got the three questions that are posed in our staff report.
- My take on the first one, should the parklets remain temporary at this time?
- Should staff pursue an encroachment permit, and if so which of the parklet locations?
- We can ask Caltrans for permission for three parklets on the state routes, and they will say yes or no without needing to know the exact locations?

Mr. Landeros commented as follows:

- If we go to Caltrans with a permanent request and we say we want three parklets along state routes within these blocks, are they going to want to know exactly where?
- Short answer is yes.
- They would want that type of specific because they would also ask for accompanying data to support that request.

Councilmember Rich commented as follows:

- Just as a general observation, I think these parklets were an incredible opportunity at a time when COVID was really severely restricting access to indoor space for our retailers and our restaurants.
- I am feeling that that crisis is, although the pandemic is not over, is certainly resolving itself and that indoor space is more accessible and available to our population.
- I guess my big-picture perspective, which is what you've requested is that we need to look at the benefits of these parklets in terms of all business owners.
- I appreciated Jill's comment about that and recognize that at this point many indoor spaces that did not have that as an option, for instance, Screamin Mimi's now do have that as an option to the extent that it benefits all of our businesses and recognizes all of their needs.
- Then parklets strike me as a wonderful thing. I love being outside.
- But to the extent that we have businesses that are not enjoying the benefits of parklets, for whatever reason, this is a small town, we need to listen to those businesses, too.

Vice Mayor Hinton commented as follows:

- I'm kind of thinking similar to that line. I love the parklets personally. I love sitting out there.
- But with no data, as you mentioned earlier, I think and in feedback, it's really hard to come up with the answer.
- If I were to have to make a decision tonight, I would say I would be in favor of making the one in front of Retrograde permanent because we've had no negative businesses on that end that are not in favor of it.
- We definitely have controversy over the other two.
- Add that to Screamin Mimi's hasn't opened up to the public yet inside their building.
- I feel like we should kick it the Planning Commission, as you said, to study it further, but just weighing in at a high level.
- I'm not interested in supporting and having to choose when neighboring businesses rented their space without parklets and now they don't agree whether it should stay.
- I would be in favor of one permanent location, and that's the one that is down By Retrograde, the businesses seem to be all in favor of.

Councilmember Gurney commented as follows:

- I want to share some information that our civic spark fellow has gathered from our community outreach.
- She was summarizing it for the action committee. I think that was just last week.

- She said, one of the top comments that she's received ahead of any other that's people would like this community to be less car-centric, more pedestrian friendly, more bicycle friendly.
- Some of the suggestions were for a car-free day not once a month but once a week.
- She's seeing, as people are answering questions about climate emergency a real interest in our community, getting out of cars.
- I think that's been a value for quite a long time that people have wanted a downtown
- We would really like to have a safe downtown. We would like to have a quieter downtown. We'd really like to have a place where people can be.
- The committee learned that was tried out in a couple of places and it was very well received.
- Now COVID has given us this opportunity to try them again and try them in new places, particularly highly visible location, a real entrance to town from the East side.
- Looking at the high-level questions, I really like the parklets. I really want us to keep them.
- I think what we should do is be responsible to our businesses and answer the concerns because Jen has raised any number of very reasonable concerns, the garbage, the trash, the people standing out her window.
- Her window's getting dirty, her windows not being visible because there's too much in front, as well as the parking issue of the drop-off and pick-up.
- Other businesses may have been less happy, but I don't think the Council maybe has registered such clear and reasonable concerns.
- From my point of view, I think it would be fun to have this is for the Planning Commission if we refer this to Planning Commission
- I would like to have more parklets, for instance, what about delivery having one on Burnett Street, which is a City street. There it is around the corner from Retrograde.
- We also have a project with Caltrans to improve that crosswalk. It didn't make the shop list for 2022. I just learned that yesterday as CTA. But it remains on the list a crosswalk there and also down at hand line at Feller's Lane.
- I think our situation downtown needs improvement, it needs to be spiffed up, prettied up, cleaned up, made more sparkly so that people who live here enjoy being in town, the more people who go downtown, the better our businesses are.
- The more of the community that we have because we see our friends down there.
- I would like us to deal with the real problems that are there and find some solutions.
- I think the City will need to invest money as well. I don't know the answer to where the source of that money. I think the businesses are going to want to invest as well.
- I think we would do well by our businesses to look to making the parklets permanent and solving the problems that these temporary ones have created and doing it in a responsible way.
- As Jen has said and Loretta has said, to solve the problems that some of our businesses are facing.
- See if we can turn this all to be a really positive element for our community and our visitors.

Councilmember Glass commented as follows:

- I'm in agreement with everyone.
- I think that parklets have been just a real big asset for our downtown. I think that we should make them permanent.
- If we make them permanent, then we can make them more beautiful so we can invest in them.
- However, I do think all of these concerns that have been brought up should be addressed.
- It is the purview of the Planning Commission as well as our DRB to think about things like whether people can have a line of sight to be able to see a business.
- Traffic. It needs to be looked at as a whole.

- I'm feeling like that's certainly something that our Planning Commission should be looking at.
- In light of looking at those concerns, plus doing outreach to the businesses, that they conclude where those permanent locations should be.
- I'm in agreement with one of my colleagues who just said, yes, we should just obviously make the one in front of Retrograde permanent because everybody, there is a consensus that everyone likes that one.
- So, the other two, let's make sure that we're listening to people's concerns, refer this to the Planning Commission to dig down into the weeds, figuring out what issues there might be, and then hopefully moving towards permanent parklets that are beautiful and don't remind you of the K rails, K rails with graffiti.
- We want really nice looking parklets. In the long run I think we can make that happen.

Councilmember Rich commented as follows:

- As we look at some direction to our Planning Commission, I just want to point out two things.
- One is that I think one of the reasons that the parklet in front of Roasters and Sunshine Cafe has been so successful, really two reasons. One is it's used constantly. Second is that it is really, really very attractive.
- That leads me to, in terms of the Planning Commission, when other parklets are being considered, to ask, since I am on the budget committee with Vice Mayor Hinton, and we are going into the budget, and we will have many challenges, to ask that there be some sort of budget request to the extent that these parklets are going to be recommended as continuing into the future. We need to know what cost will be associated.
- I think as Vice Mayor Hinton commented that the process itself, not just beautifying them but the process of pursuing the application, the traffic study, all of that, will definitely cost some money. Knowing that I think is important for all of us.
- I think we need to know if we're going to refer this to the Planning Commission, what's going on with these parklets in the near future because as indicated that February 28th was the expiration, which would suggest that we're going to go forward with the temporary.

Mayor Slayter commented as follows:

- My understanding is that staff has submitted the extension allowing for an additional year of the permits and per the staff report that should've been a two-week process.
- Caltrans is taking twice as long as what they originally said.
- I understand that is in process and the temporary parklets can continue in their current form at a minimum with, I suppose, changes in design and aesthetics, that's up to us, I believe.
- There's no reason why Caltrans cares if there's purple or flowers or sunflowers or whatever painted on the K rails.
- I think we're good for another year under the temporary permit once it's approved, and it looks like it's on a track to be approved.

Councilmember Gurney commented as follows:

- I didn't answer the question about making it permanent. I'm in favor of Retrogrades going permanent.
- While it's Retrograde in Sunshine Cafe and it's great to have that down there, it seems like there are no problems.
- If we have a year extension on the temporaries, then it might take a year to figure out how to do a permanent, and that experience will advise us to the next permanent ones that might go in.
- I'm good with one permanent.

Councilmember Rich commented just to echo those same observations to the extent that that decision is being made tonight, I'm completely in support of permanent consideration for the parklet in front of Retrograde and Sunshine Cafe.

Mayor Slayter commented as follows:

- I think some interesting things that the Planning Commission may want to talk about.
- What about super parklets or park superlets that are sort of like half-sized for businesses that are not restaurants and it's just a wide spot in the sidewalk for people to have a respite.
- Maybe that's another way to approach it. It doesn't have to be all or nothing.
- Maybe it could be a mini, realign parking stalls.
- A couple years ago when we were first experiencing the pandemic, I looked at local communities that had a similar condition with a main street that was a state route.
- Just over the hills to the east is St. Helena. They also have a main street, a very, very vibrant main street, very historic main street that is state route 29.
- I had a couple of long conversations with then mayor of St. Helena. They decided as a Council and as a staff that going the Caltrans route was not worth it for them. They did not see a path to success.
- If any community looked like it would be a good fit for these kind of things, it would be that one.
- Their sidewalks are a little wider, and they also had the benefit of a perpendicular street to Main Street that is mid-block that was a local street and they closed it.
- Now that's kind of their one parklet in town for the downtown district.
- It's interesting how different communities have approached this.
- I think what we have done is we gave a shot with these first three and we've learned an awful lot.
- I think what we've learned is going to be very useful for the Planning Commission to guide the community's conversation about what we want as permanent.
- I would agree with my colleagues that the one on South main on the West face of South main is very, very popular.
- Let's look at making that one a permanent location with a permanent encroachment permit from Caltrans.
- We need equity, we need businesses that may not be relevant for a parklet.
- We heard from a couple this evening business owners. We need to respect their views and come up with something that works for everybody.
- I think the Planning Commission and the planning department have some work to do to do the outreach and get the public input that's needed in order to drive this in a direction that is, , positive for everyone.

Mr. Landeros commented as follows:

- I think it should also just be clarified that as we're going forward with the request on the extension that at this point [we anticipate approval] for temporary [use of] the three existing [parklets].
- I [also] wanted to clarify that we will at least through this point forward continue with that, receive the extension, the three would at least remain temporary until a further direction came from Council.
- Then [applying for] one permanent, that's what I understand is clear direction.
- A formal vote would be best

Mayor Slayter commented with the temporary permit, if we go forward with that and Caltrans approves that permit, can we as a City six months from now say we don't want one of the three and just tell Caltrans it's no longer there and remove it?

Mr. Landeros commented I believe that discretion does fall with the City, as opposed to modifying the existing permit now and saying, hey, we want to change the rules right now and do this.

MOTION:

Vice Mayor Hinton moved and Councilmember Gurney seconded the motion to approve the following:

- Temporary for three existing -Continue with that -Receive the extension
- One permanent for South Main street (Retrograde/Sunshine Café Location)
- Refer to Planning Commission to return to Council

Discussion:

Councilmember Gurney commented as follows:

- Referring a matter the Planning Commission that's going to have a financial component with it.
- Do they have the authority to decide the City's going to invest money or do they just recommend that the City contribute to all or part of the development of parklets?

Mayor Slayter stated they can make a recommendation to the City Council.

Councilmember Gurney commented that is what I was thinking so are we asking that they be so specific as to get into design or materials or anything like that?

Mayor Slayter commented as follows:

- I think that we need to leave some discretion to designer when's it comes to the permanent design.
- I think that there are a wide variety of communities around the country where we can be informed by other ordinances regarding parklets.
- We have some of that work already done that Mr. Fritz did for the City a number of years ago.

Councilmember Gurney commented as follows:

- I really appreciate Mr. Fritz's work.
- If these are public parks, who hires the designer? Who pays for the designer and who pays for the development?
- That's a question we refer the Planning Commission to resolve.
- Can we get some kind of partnership going? Because I'm anticipating, for instance, Retrograde in Sunshine might want to know the answer to that if they're going permanent there.

Mr. Fritz commented as follows:

- I think places do it different ways. Historically, a parklet has been proposed by an individual business.
- The way this started in San Francisco was the sponsoring business, they took the whole thing on.
- They hired the designer, they paid the contractor, they paid for the whole thing.
- It was a public place. But the individual business took it on. I think that's changing.
- I think the pandemic has changed that calculus to some extent.
- I think there's different ways that they become sort of public/private partnerships, in some ways.
- It really depends on how we want to approach it.
- Like I mentioned earlier, we have the facade improvement grant, which is meant to make downtown a better looking place.
- It seems to me that somehow that could also translate to the parklets, the City has some kind of matching grant that would be able to help pay for the parklet.

- I think there's a wide variety. I don't think there's any one right or wrong way to do it, and I think there's a lot of different combinations.
- There's places that have, like we do a downtown association, and a lot of places have downtown associations that have a lot more resources. Those downtown associations also participate in that.
- Other places, and we could do this probably here, too, rotary grants and things like that. I think there's fundraising opportunities. These are public places that benefit all of us.
- I would hope that there is some partnership and this isn't all just put on any one individual business.
- I will say the one exception to that to some extent, , if the one at Mimi's is created is determined to be permanent at some point, if that is the way that we want to go, it is not little - it's not a parking space or two. It's a much bigger endeavor.
- I think that that may be you want to look at that a little bit differently in terms of who funds that.
- That's also going to be a little bit more challenging in that it is Caltrans' right-of-way if we want to make it permanent, like, get rid of the street, rip up the asphalt and make it a plaza, that's going to be a whole different process.
- We're not going to be applying the Caltrans for a parklet there. We're going to be saying, Caltrans, can you please abandon this Right-of-Way and deed it to the City and then we'll have to deal with it then.
- I think there's a lot of different pieces to this so I don't have a one clear-cut answer

Mayor Slayter commented as follows:

- What I'm hearing is there are as many different ways to approach this as there are communities that want parklets.
- Referring it the Planning Commission, letting them work through it with all these questions given the community interest in them and the business community interest in them, both sides of the coin.
- I'm ready, willing, and able to give the Planning Commission latitude to try to answer as many of these questions as we can.
- We just don't have the data this evening to, I think, take it much further than where we have.

MOTION:

Vice Mayor Hinton moved and Councilmember Gurney seconded the motion to approve the following:

- Approval of Continuation of Temporary Parklets for Three Existing Parklets Upon Receipt of Caltrans Extension
- Proceed for One Permanent Parklet for South Main Street Location Area of 130 South Main Street
- Refer Parklets to Planning Commission Review and Return to City Council at a future meeting

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

VOTE:

Ayes: Councilmembers Glass, Gurney, Rich, Vice Mayor Hinton and Mayor Slayter
 Noes: None
 Absent: None
 Abstain: None

City Council Action: Approved the following:

Approval of Continuation of Temporary Parklets for Three Existing Parklets Upon Receipt of Caltrans Extension
Proceed for One Permanent Parklet for South Main Street Location Area of 130 South Main Street
Refer Parklets to Planning Commission Review and Return to City Council at a future meeting
Minute Order Number: 2022-062

Mayor Slayter called for a break at 8:21 pm and reconvened the meeting at 8:32 p.m.

13. Adoption of a Resolution establishing a private sewer lateral grant fund program and authorizing the City Manager to develop the details of the Program. (Responsible Department: Engineering/Public Works/GHD) (Responsible Department: Engineering/Public Works/GHD)

GHD/Engineering Representative Toni Bertolero provided the agenda item recommending the City Council approve Adoption of a Resolution establishing a private sewer lateral grant fund program and authorizing the City Manager to develop the details of the Program.

Mayor Slayter asked for questions of staff/presenter.

Mayor Slayter commented does a grant program satisfy the requirements of the agreement?

City Manager/Attorney McLaughlin commented as follows:

- I think that either it falls within the definition that's in the agreement or we would approach River Watch to get them to agree that a grant program fulfills that condition.
- I'm sure they will because that has been the case other places that have made settlements with River Watch.

Councilmember Gurney commented as follows:

- Do we have to keep the program? Let's say we choose a grant program tonight. Do we have to keep it like in perpetuity and fund it to some amount every year, after year, after year?
- Is that what the settlement compels us to do?

City Manager/Attorney McLaughlin commented I believe it compels you to create a program and fund it with the \$50,000 but not necessarily maintain it in perpetuity.

Councilmember Gurney commented the City does this and our citizens use the \$50,000, we might have satisfied the settlement and could potentially be done?

City Manager/Attorney McLaughlin commented yes.

Toni Bertolero, GHD, commented as follows:

- The settlement agreement refers to a revolving loan fund, in that it would be set at \$50,000 be set aside.
- I believe the idea is that because it's a revolving loan fund it would be in perpetuity the way the agreement is stipulated, because that \$50,000 is supposed to pay for itself.
- There is only an initial investment, the \$50,000.
- When we developed that grant program in Windsor, and when we submitted that to River Watch they accepted it as a grant program. Windsor was in their situation they only had to put in \$30,000.
- Windsor committed the initial \$30,000, and the grant program was accepted and that's all they needed to put in.
- However there is nothing to say that Council can't increase that amount at their discretion.
- The program in Windsor has been around since 2016 and not additionally funded as not many people have been taking advantage of it

City Manager/Attorney McLaughlin commented he concurs with Toni Bertolero and that the City does not need to fund it beyond the initial \$50,000.

Councilmember Rich commented is there anything at any event sale of property or anything that triggers a repair of sewer lateral?

Toni Bertolero commented as follows:

- Not under in program.
- That was the program with the ordinance that Council did not approve. But under this one it's strictly a voluntary program.
- If somebody has a failing sewer line or if it's shown to be a really old line that has demonstrated inflow and infiltration issues they would make application voluntarily.

Councilmember Rich commented do we have any sense of how many damaged sewer laterals there are out there?

Toni Bertolero commented as follow:

- We really don't. That's hard to tell, because you could just base it on the number of sanitary sewer overflows.
- In speaking with the Public Works Superintendent, I asked him about that, do we get that many, and he stated not really.
- That's the good news is that there isn't a lot that's actually polluting our waterways.

Councilmember Rich commented as follows:

- To handle it as a loan program would place a burden on our finance department.
- There an inquiry made into whether the City could make arrangements with another financial institution to manage or handle a loan program?

Toni Bertolero commented as follows:

- At the time when I was in Windsor we actually looked into that. Because, first of all, when you're doing a loan program or grant program which was about \$2,000 for property owner it did not make sense to do a loan for \$2,000
- At that time it was discussed that maybe you should do something for more than \$2,000, because it costs quite a bit more than \$2,000 to repair a sewer line.
- At that time they were thinking it was going to cost about \$4,000 back in 2016.
- They figured that half would be paid for by the property owner and the other half could be loaned out by the City.
- When they talked to banks, just the cost of doing it just did not make sense.
- It would cost probably more than the \$2,000 they were granting out to have a bank actually run the program for them.
- The only way to make it feasible is to actually have City staff do that work and not a private institution.

Councilmember Glass commented as follows:

- Where would the funding for the \$50,000 come from?
- We're talking about creating a revolving fund. What are the origin of those funds?
- Is it from our sewer fund, which is basically funded by rate payers? Are we talking about general fund.

Toni Bertolero commented it would come out of the sewer fund because it benefits the sewer system and is paid for by the sewer customers.

Councilmember Glass commented if we are giving these grants we are justifying these grants, saying they are not a gift of public funds because it benefits the public to not pollute our ground water, right?

Toni Bertolero commented that is correct.

Vice Mayor Hinton commented as follows:

- The way I understand the water fund is that we can't make a profit on it.
- Is Rohnert Park and Petaluma are only offering \$ 2000 but staff recommends three.
- I heard you say staff time and I did do the calculations on the estimated staff time of eight hours.
- At \$2,000 grant that would be about 25 grants. It would be a wash.
- We are such a smaller City, and have much older pipes, I would more be in favor of doing what everyone is doing and stretch the money.
- But was there a specific thinking about why would Sebastopol be higher than our neighboring cities grant amounts.

Toni Bertolero commented as follows:

- When we talked about it, there was discussion as to how much does it actually cost to do the work?
- I believe Windsor came up with their \$2,000 amount back in 2016.
- Because they just haven't had too many applications for it they just haven't changed that dollar amount.
- Whereas with Petaluma, Petaluma started theirs back in 2006. Theirs has been around quite a bit longer.
- Council could choose to use a smaller amount.
- That would obviously make that money go a bit longer.
- That number just came up because we kind of looked at it as to how much would it actually cost to do the work?
- Probably in the order of about \$6000 or \$7,000 to do the work.
- A cost share, half paid by the property other than and the other half could be a grant from the City.
- That was the only reason why.
- Just because of the higher costs since, 2016. But it could definitely be a different amount.

Mayor Slayter opened for public comment.

Linda Berg commented as follows:

- I find this interesting and educational aspect of how things work.
- I'm sure many of us are interested in that.
- I just would like to mention that in going through the 932 pages that I received, communication between company and our Public Works, I found verbiage in there about sewers and of course along with the water issue water meters and so on so forth.
- I called the Public Works superintendent and asked him if the radio transmitters would be going in on sewers.
- Discussed instances of use of transmitters in sewer

City Council Discussion and/or Deliberations:

Councilmember Rich commented as follows:

- Discussed the City having old pipes
- Stated she was leaning towards \$2000
- Stated she could go either way

Vice Mayor Hinton commented as follows:

- Could go either way with amounts
- In light of those comments and my instinct is to arrange things so that we can benefit the greater number of our residents, especially since we do have admittedly old pipes around here.
- I'd be leaning towards a \$2,000 amount currently. I could be persuaded if necessary.

Councilmember Glass commented as follows:

- Having just done a number of repairs on my house and getting the sticker shock associated with that, is there any idea what the inflation that is related to home repairs, plumbing any of that kind ever thing since 2016
- If we look at the 2016 was the latest that another town did it at \$2,000, my sense that another \$1,000 is kind of within the inflation level.
- Getting anything done right now is so expensive.

Toni Bertolero commented as follows:

- I think what's happened since 2016 is COVID.
- The cost of construction has skyrocketed. We have seen it in our capital projects and also there is a supply chain problem. Costs of materials have really gone up.
- If you asked me 2016 versus now, I would say it's probably doubled.
- Will it go down after we are more normalized? I don't know that.
- I hope so but I don't think it will go back to 2016 numbers either.

Councilmember Glass commented as follows

- I'm tending I'm tending to think of the grant program if you want to go with the higher amount because it's so expensive to get stuff fixed now.
- Also the other part in my equation is having Public Works say it's not happening very often.
- If we're not expecting a lot of use of it, having a larger amount to assist the people that do have to do it just seems like it would be more practical.

Toni Bertolero commented as follows:

- \$2,000 is a good amount of money, if you're wanting to repair your sewer line because you've got a broken pipe that you want to get fixed.
- You would apply for the \$2,000 and the Petaluma Council has been putting money into the program every year, because their program was actually successful.
- They liked having those systems fixed because it benefited their treatment plant.
- They operate their own treatment plant. Because of that the less into this system, that means less they have to treat.
- They actually like their program.
- They have consistently been trying to replace their main, their sewer main.
- When they do that they have a program of also trying to repair sewer laterals that are old.
- Because of that people have been taking advantage of that.
- I believe it was last year they ran through \$40,000 grant program.
- Council was very happy to do that because of the fact that as I said, that just means less that goes into the treatment plant. There is a cost to treating that.

Vice Mayor Hinton commented as follows:

- I just wanted to add after hearing that, I mean it sounds to me like Petaluma went through a lot of money because they advertised it.
- Maybe Windsor is not letting as many people know.
- It seems like who is fixing the sewer main is the homeowner and while it's a hard hit if you own a home in this town are lucky enough to you still have equity.
- I continue to lean with advertising it and getting more of them fixed.

Mayor Slayter commented as follows:

- I see both sides of it. It would be interesting to have the data that should be readily available from either building department or Public Works about the number of either building Permits or encroachments permits for this type of work.
- That's historical data that should be available to us.
- I too have a sense that it's not all that many in quantity.
- I'll just split the difference and say if we went with a \$2500 grant, \$50,000 total, that's nice round numbers.
- That's 20 sewer laterals that have assistance.
- It's simple math and it's a compromised down the middle between all the two, the two figures where we are.

Councilmember Gurney commented as follows:

- Someone has that information but we don't have it right tonight.
- I think we're a community who will want in our future to continue funding this program because we're not particularly interested in sending everything to the Laguna. That's our water shed.
- I think we want to repair just sort of on principle when it comes up.
- I can share with you on my street the block my side of the street every house has had the lateral repaired.
- The part that goes from the street out to the main. It's remarkable.
- I don't know if it's because Calder is particularly wet. It seems like we have a spring under us.
- In any event it's happened here and it's happened often. It's involved Public Works as well.
- I think when we look at 16 or 17 houses? Or 25?
- I think the Mayor has come up with a very reasonable compromise.
- I would go with \$2500 if that got us through this topic tonight we'll be successful at that number.
- I'd also go with \$3,000. I think we should move ahead on it.

MOTION:

Mayor Slayter moved and Councilmember Glass seconded the motion to approve Adoption of a Resolution establishing a private sewer lateral grant fund program and authorizing the City Manager to develop the details of the Program with the following recommendations:

\$2500 Grant

\$50,000 total funds

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

VOTE:

Ayes:	Councilmembers Glass, Gurney, Rich, Vice Mayor Hinton and Mayor Slayter
Noes:	None
Absent:	None
Abstain:	None

City Council Action: Approved Adoption of a Resolution establishing a private sewer lateral grant fund program and authorizing the City Manager to develop the details of the Program with the following recommendations:
\$2500 Grant

\$50,000 total funds

Minute Order Number: 2022-063

Resolution Number: 6404-2022

14. Discussion and Consideration of Personnel Staffing Actions for Police Department Staffing : Approve a Resolution to Authorizing the City Manager to Implement a Program Improvement for Police Records and Support Services Effecting Changes to the Classification of Records/ Dispatch Supervisor; Increasing the Police Technician from .75 to 1.0 Full-Time Equivalent; and Authorize the City Manager to make non-substantive changes to classifications, effective March 15, 2022.

(Responsible Department: Deborah Muchmore/RGS (HR consultant)/Police Chief)

Deborah Muchmore, RGS Personnel Consultant, provided the agenda item recommending the City Council approve Adoption of a Resolution Authorizing the City Manager to Implement a Program Improvement for Police Records and Support Services Effecting Changes to the Classification of Records/ Dispatch Supervisor; Increasing the Police Technician from .75 to 1.0 Full-Time Equivalent; and Authorize the City Manager to make non-substantive changes to classifications, effective March 15, 2022.

Mayor Slayter asked for questions of staff/presenter.

Councilmember Rich commented as follows:

- Thank you for that presentation. I appreciate that detail and explanation and the context.
- I want to make sure I understand the cost what's going on in terms of option number three.
- If we have option number three, that retitles the supervisor position and it all also increases the Police tech to full-time from 0.75 time.
- In terms of the cost pieces I want to understand what's happening.
- It looks like there is an \$8500 amount that has to do with increasing the Police tech to full-time plus an additional 5%, because of the added duties outside the current job description.
- Is there on top of that a \$22,000 amount that is for a part time assistant, the line item that shows that in option number one?
- Or is that \$30,500 really just pay that would be going to the Police tech?

Ms. Muchmore commented as follows:

- It's actually a combination of those things. It is the \$8500 for moving it to full-time.
- Then there is also a 5% amount that's spread across the entire salary of the tech for that period of time because it's their temporary upgrade.
- Then an estimate lower than the \$22,000, because likely there is a small period of overlap that we'll need where there may be some temporary help that's needed and there may not be.
- They wanted the authority to be able to make this happen and make it happen while we're going to do it.

Councilmember Rich commented if it would depend on what portion of the additional duties the Police tech is able to take on in order to allow our Police Chief to be able to bring on additional help as needed.

Ms. Muchmore commented as follows:

- It's more related to the length of the recruitment. How fast can we actually get that recruitment launched, get someone in here and get them in time to get them turning.
- That's what it's really related to.
- If there is a few weeks where there is a gap or if there is a few weeks where this person needs orientation, and the current person has already retired and they're not available at that point to come back, then there needs to be someone brought in to help us out.

Councilmember Rich commented can you break that down for us, the \$30,500, the \$8,500 amount that you already designated, the 5% would be approximately what?

Ms. Muchmore commented she would get that information to the Council.

Councilmember Gurney commented as follows:

- I think timing may be essential in that I'd like to understand it a little better
- You recommended the City Manager wait until the staffing study is done.
- You just mentioned too, the recruitment process and bringing someone on line and training them, orienting them and getting them going.
- So I'm wondering if you can give us an estimate of the full time length from when the staffing report comes in as I'm anticipating there will be some Council discussion about that as well.

Ms. Muchmore commented as follows:

- Two separate things. We've got this element of the Police department, and personnel costs related to it and the process of recruiting.
- I'm thinking is this like a six-month process we are talking about starting now or two months, how long would we be looking at this City Manager waiting for that report?
- Then the final decisions being made?
- We recruit for the same position when we truly believe from a class standpoint it's too big for one person.
- That was a non-starter and that didn't come in here.
- Normally you would just say we need this position, we're not waiting for the staff, we're going to go out to recruit for it. That doesn't make sense here.
- That's why you're faced with three options, because we also know that we really haven't wanted to move on anything that we could hold back on because of the staffing study, but these are such critical duties that this world plays and leaving them undone is not possible.
- We have to choose a way to do it.

Vice Mayor Hinton commented what you're saying is part of your recommendation is a temporary, and I think of it as a slush fund, it will be spent or won't be spent depending on how long the recruit takes, but that's not a recurring staff cost like, for example, next year's budget.

Ms. Muchmore commented that is correct and this is actually until June; there is a limit on the recommendation, which is the higher duties would not go beyond June 30 because we expect the staffing assessment and decisions from that will be ready to be implemented by then.

Vice Mayor Hinton commented did you say exactly how much of that is carved out, or we don't have that answer?

Ms. Muchmore commented I know that \$8500 is the cost of three-quarters to full-time. I know that about another \$15,000 has to do with 5% on top of the entire salary, so there isn't a lot left for some part-time assistance.

Councilmember Glass commented as follows:

- The words that you said that really piqued my concern are the overlaps, the notion of having somebody not be able for job training and stuff like that.
- Could you go into that a little bit more?

Ms. Muchmore commented as follows:

- What we're faced with is that if we were to open a recruitment today for the retitled and revised position, we're right now in the middle of February.
- We would have to pull up a bulletin and get it launched, and let's say we could do that by Monday.
- We leave it open for two weeks and hope that we have a good pull within that two weeks.
- Let's say we do. Then we're doing the oral board and the recruitment and things like that - we're going to rush it through.
- We're going to give it two days in the bulletin and get done in February and March.
- Then once we've done that, there has to be a Police background.
- This is really critical information they're having, and that can take a month.
- Now we're a weekend into April, and if they feel really comfortable, they don't have to go through a full post background or not, because depending on that, it can take a little bit longer.

Chief Kilgore commented as follows:

- They need an extensive background because of the information that's being dealt with and it's basically a management position within the Police department that requires the intense background that's done.
- The best-case scenario, we could get them hired by April. That's if everything goes right and it's absolutely perfect.

Ms. Muchmore commented as follows:

- Now, one of the benefits we have is that the person that's retiring will be gone for at least two weeks after they leave and maybe three but has offered to come back and train when they return to the country.
- So that's a blessing we can have that we can do, and we don't have the 180-day wait period, we just have to have a resolution to bring them back because it's safety.
- I didn't want to put all of that in the item, but we're just trying to take everything we know and provide the best possible options to you.

Councilmember Glass commented it is the training for the person that is hired and asked if there is an opportunity to train anybody who is existing that could pass that on to the new hire.

Chief Kilgore commented as follows:

- We have folks who are internal in the department, but there are so many intricacies with records in our world, especially in California with the records act and things like that that we do not have anyone who is trained specifically in that area right now who would be able to help onboard somebody else who would be coming in with no experience.
- I feel like we would have somebody who is coming in with some experience with that, but we still need to cross-train them in the systems that we have within the agency and the things that they need to know.

- This is exactly the reason why we're recommending the cross-training and the increased pay for some of the supportive services from Police technicians.

Councilmember Glass commented the kind of the critical path here is to be able to have somebody trained once a retiring person retires, and questioned when are they retiring, when are they gone?

Ms. Muchmore commented their last day in the Police department for service, not the last day on the payroll, but the last day here, I believe, is the 30th of March.

Councilmember Glass commented as follows:

- No matter what we do, we'll need to have them come back and do some training to get everybody up to speed.
- To me it kind of seems like the most critical factor here is that one thing, that getting people trained and having the person in place to train.
- We need the most critical part of this, because it could end up costing us more if we don't manage this well.

Mayor Slayter commented as follows:

- With this item, City Council should not be the one making staffing decisions.
- That's why we have a City Manager and Assistant City Manager and a Police Chief.
- They're the ones who should be making these kinds of staffing decisions.
- I understand why this is before us. It's not an indictment on this process. I understand why we are here, because it involves budget. The budget informs which choice we go with.
- I just want to make sure that the Police Technician, the current employee who fills the Police technician, that employee is fully backgrounded and vetted.

Ms. Muchmore they are already employed by the City, already employed by the Police department and have already gone through a Police background post as well.

Mayor Slayter opened for public comment. There was no public comment for this item.

City Council Discussion and/or Deliberations:

Mayor Slayter commented as follows:

- To follow up, now that we're in discussion, my sense is that we have staff that is empowered to make these kinds of personnel decisions.
- They came to us with a recommendation for the \$30,500 budget number which is something we are empowered to decide and trusted to decide.
- If our staff, and that includes the department head, I.E., the Police Chief in this case is recommending option 3, then I am inclined to lean on our professional staff's recommendation in this instance, because I don't work at the Police department. I do not hold any of these certifications.

Councilmember Rich commented as follows:

- I think we have had a substantial discussion. I agree completely with the statement you just made consistent with what others just said here.
- A lot of confidence in our Police Chief and our staff and consultant from HR.
- I'd like to move that we support option number 3 as proposed in the staff report and give our Police Chief what he needs in order to move forward.

MOTION:

Councilmember Rich moved and Councilmember Glass seconded the motion to approve Adoption of a Resolution Authorizing the City Manager to Implement a Program Improvement for Police Records and Support Services Effecting Changes to the Classification of Records/ Dispatch Supervisor; Increasing the Police Technician from .75 to 1.0 Full-Time Equivalent; and Authorize the City Manager to make non-substantive changes to classifications, effective March 15, 2022 with approval of Option Number 3:

Retitle and revise the classification of Records/ Dispatch Supervisor to Police Records and Support Services Manager, approve and increase allocation for the Police Technician position from 0.75 full-time equivalent (FTE) to 1.0 FTE with no changes to title or specification and authorize out of class pay for assignment of additional duties related to the administration of property and evidence and the public counter with a not to extend past the date of June 30, 2022. Direct the City Manager to await staffing study results to effect further changes.

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

VOTE:

Ayes: Councilmembers Glass, Gurney, Rich, Vice Mayor Hinton and Mayor Slayter

Noes: None

Absent: None

Abstain: None

City Council Action: Approved Adoption of a Resolution Authorizing the City Manager to Implement a Program Improvement for Police Records and Support Services Effecting Changes to the Classification of Records/ Dispatch Supervisor; Increasing the Police Technician from .75 to 1.0 Full-Time Equivalent; and Authorize the City Manager to make non-substantive changes to classifications, effective March 15, 2022 with approval of Option Number 3: Retitle and revise the classification of Records/ Dispatch Supervisor to Police Records and Support Services Manager, approve and increase allocation for the Police Technician position from 0.75 full-time equivalent (FTE) to 1.0 FTE with no changes to title or specification and authorize out of class pay for assignment of additional duties related to the administration of property and evidence and the public counter with a not to extend past the date of June 30, 2022. Direct the City Manager to await staffing study results to effect further changes.

Minute Order Number: 2022-064

Resolution Number: 6405-2022

15. Discussion of Opt Out Program for City Wide Water Meter Project (Requestor Councilmember Gurney/Responsible Department: Public Works/City Administration)

Public Works Superintendent Dante Del Prete presented the agenda item recommending the City Council Discuss an Opt Out Program for City Wide Water Meter Project.

Mayor Slayter asked for questions of staff/presenter.

Vice Mayor Hinton commented as follows:

- If we implemented that program, it is suggested that we read the meter every month.
- However, I receive my water bill every other month.
- Is there a reason why we couldn't read it every other month?

Superintendent Del Prete commented as follows:

- The desire is to go and actually be reading gallons and not units. A unit of water is 748 gallons.

- If our meter reader reads the meter at a particular time. It could have been 740 gallons and not rolled over to the next 748 gallon unit when we looked, so the answer is to start the automated system that could easily be read monthly in actual gallons.
- We could address any delinquencies of payment more frequently.

Vice Mayor Hinton asked for clarification about the double reading.

Superintendent Del Prete commented as follows:

- We're changing the unit that we currently use.
- That meter doesn't do what we were trying to do which is capture what it is you are using.
- It's more accurate. The water bill should be more consistent.

Councilmember Gurney commented as follows:

- I want to chat about the responsiveness, my six points.
- Superintendent Del Prete has started cutting and pasting, and I know when I read this, I won't really understand the way it was answered.
- I have a responsibility what they're not just the responsiveness but also I like that one, providing the proposal for the opt out.

Councilmember Rich commented I just wanted to get your opinion that the costs associated with these water meter changes and that they do not involve a plan for there's increases for a rate payer.

Superintendent Del Prete commented as follows:

- The 4% cost increase is the historical Electrical/gas rate increase multiplier so the 4% multiplier is the historical index.
- I think the 4 percent is in the wrong context. You have to include the 4% increase on our utility and costs.
- We just got the report today showing the electrical increases are much higher
- We're not looking to increase our water bills to our residents in order to fund basic budgets.
- It's comprehensive including all water meter budgets.
- It needs to be approved by the Councilmembers as well.

Mayor Slayter commented that's a very real thing with delivery charges, and I can report that Sonoma Clean Power is doing everything in its power to keep the rates as low as possible and protect great payers for the portion of the bills we have to go to public title.

Mayor Slayter opened for public comment.

Chris Anderegg commented as follows:

- I think one thing to emphasize in this is we are in a drought.
- It looks like we won't have much rain this year, we are in a multi-year drought and the thing about this system is it helps save water because people can immediately see leaks.
- Right now it's difficult to monitor leaks.
- So people themselves will be able to download an app and they will know if their system is leaking.
- Also it's been shown in other cities that having that kind of feedback results in less consumption of water, and I think as a City, the future is going to hold that we're going to have to be focusing on using less water.
- This is a key system in doing that.

- It also will save staff time that can be used for other things.
- It's been adopted by other cities all over the world.
- I think it's important for us to be a part of this and assume that everything we do from here on out has to be really focused on.
- How do we use water very, very carefully.

Sandi Maurer commented as follows:

- First of all, Kaiser water proposal is based on a 4% increase. Second, what is the result of the 56 test meters?
- We are told they're having trouble with a leaking gasket. There was no report on these test meters.
- What happened behind the scenes is very telling, that the City staff were derogatory toward the sensitive group of EMF in Sebastopol.
- They would say wear a beanie or EMF underwear and they sent out articles with smart meter and cell phone safety.
- We were called anti-EMF people at frequent Council meetings.
- The discrimination that's been shown towards the way the staff created a one-question survey that promoted the meters as a conservation tool for leak detection, and the respondent said they either didn't want them or they were undecided.
- I talked to a lawyer and he said this is a meaningless survey. He didn't take it because he said it was meaningless.
- So much of this project has been completely green-washed. It's deception.
- So now they say they're going to save -- I think it was -- it's about 3%. We broke it down in terms of water conservation -- about 3% savings, supposedly, from these meters, but you're asking for 25% and this is \$2.2 million.
- You didn't do this process right.
- This needs to go to the Planning Commission. This is 3,000 meters. You need to take this to the Planning Commission.

Linda commented as follows:

- We deserve about 20 minutes to give you our side, and the insights of public records that I got.
- In this whole deal, I want to know who "they" are, and I believe "they" are probably one of the identities.
- This whole thing is a fraud with our Public Works cohorts.
- Another incidence of this is three or four times a day emitting. That is meaningless when you've got standard projects.
- The meter reserves the right to change product specifications in systems without notice.
- It goes on to say in the product specification in the warranty that the warranties they will honor at their discretion.
- All this stuff is meaningless and the information I got from Public Works' own employees that these pieces of trash will become trash
- Furthermore, I heard it stated that this is going to cost the City a lot of money.

Paul commented as follows:

- I'm in opposition of this smart meter proposal for several reasons.
- One, the smart meter purchase is in violation of the procedures contained in the 2019 telecommunications ordinance, and also the 2013 1057.
- A project of this size and scope should have been considered by the Planning Commission according to those ordinances.

- To consider whether or not they should adopt or deny a public use for possible defects.
- This report perhaps is a categorical exemption.
- It's a class 1 for this program.
- I would suggest that no action be taken on the proposed water fee increase at this time or no purchase of the water meters.
- The City staff and the City Council need more time to consider this.
- If an increase in water fees is needed to retain the water code in the system and provide justifiable of the same without including the costs.
- I'm still not clear how this would be paid.
- It's the City being indebted.
- We will do nothing to save energy while increasing public exposure to additional microwave radiation that has been shown by many peer reviews.

Leslie commented as follows:

- I'm a homeowner. I've lived here for ten years and owned a home for five.
- My profession is for the last 25 years involved in long-term health care planning.
- I was very saddened by the fact that we considered the first go-round that happened a couple months ago.
- I'm sorry I missed that, where it was voted in.
- I have a concern about the health studies that show EMF exposure, the way it affects people, and I think it's a very easy thing to overlook that because we might not be aware of it or we might not feel it that smart meters and other EMF radiations do not impact our health.
- If there is a financial concern about we need to raise money let's make water more of a special commodity, even if we need to raise rates for people's water.
- My understanding is that the meters don't save energy, they don't reduce greenhouse gases, and I would hope, like the last gentleman just said, that we would revisit this and perhaps start over.
- If we don't have the opportunity to do that, I'd like to see that for sure we have the opt-in program.
- I'm hearing that the meters are flexible to allow for that.
- I think people need a safe place to feel safe in their homes and that there shouldn't be an Across-the-Board consideration where people have no options whatsoever.
- I'm understanding that the batteries would need to be replaced in these new smart meters, so they aren't very Green and environmentally friendly and a shelf life themselves.

Jim commented as follows:

- I haven't watched this as closely as I should, but I'm generally in favor of more data, and I think having a more accurate read will save money and help homeowners find out when they're leaking.
- I'm not very concerned about an extra cell phone call three times a day from my street.
- I'm already surrounded by my neighbor's Wi-Fi.
- I use a cell phone so it's not really a concern to me.
- I do respect other people have other issues or problems with it.
- We opt out of the smart meter. I think we still pay a monthly fee.
- You can consider it extortion or you can consider it the price of feeling differently than what the town Council feels or what the majority of the population feels.
- I am concerned that the technology seems to be a little on the weak side in terms of its longevity, reports of leaking.

- If we go through this process and it turns out the data is all messed up and we're not getting support and it's going to look pretty bad on the town for doing this, I just really hope we're doing our due diligence that way.
- I haven't really seen a great explanation of how this saves us the \$2 million or \$4 million.
- I know we will have deficiencies in the system and I know prices will go up, anyway, but I haven't really thought, hey, is this is such a great idea.
- We should fund this because we're going to make our money back.
- If somebody could explain that, it would be awesome.

Oliver commented as follows:

- I'm opposed to this whole thing.
- Just around some of the issues around this. I have the same concerns a lot of people have.
- Putting data into the cloud and into broad-level contracts and looking after that data could be very expensive in the future.
- That can be held ransom. There's no guarantee it's actually going to work.
- Level of complexity just to do something simple which is water.
- I'm not at all convinced this is actually going to have any use at all and be useful.
- So my public comment pretty much outlines everything, but I think my biggest concern is that another of these things suddenly appears at 11:00 and midnight and now they're just discussing whether they can opt in or not and so forth.
- This is a big problem, I think, with a lot of these projects.

Councilmember Gurney requested additional minutes for Sandi Maurer.

- I was just going to suggest as a courtesy because we've only heard from six speakers when we know that Council has received more e-mail than I have counted on this issue if we could afford to give a person nationally the ten minutes she required.
- What I heard in her ten-minute presentation was some frustration with this two-minute limit and a strong sense of disrespect to her personally and to the group and the people she represents as well, and I don't believe that's the intention of the Council, and I would ask again as a courtesy if we could check in with Sandi and see if she had any remarks that the two minutes did not allow her to make as the leader of that group.

Mayor Slayter commented as follows:

- A request was received for an additional period of time.
- This was a presentation that was being made by our Public Works Superintendent and staff, and the invitation to speak during public comment was extended, and it was received, and it was acted on, and so recognizing that Ms. Mauer was a member of that organization, however, this organization does not have a contract or part of the staff report.
- I'm not inclined to grant that request.
- We have a number of questions we can work through. City staff was taking notes as well.
- The first one was results of the test meters and report of leaking.

Superintendent Del Prete commented as follows:

- I can address that question as far as the leaking.
- The meters that were installed used a carbon fiber gasket, and if the carbon fiber gasket wasn't aligned perfectly on installation, then we did find a few that were leaking.
- I don't know who Linda spoke to from my staff.

- There were a couple of them that were leaking and we went back and fixed them.

Mayor Slayter discussed the question about if this should have gone to the Planning Commission and stated it was his understanding is that it did not need to go appropriately to the Planning Commission which is our land use body, but to the City Council.

City Manager/Attorney McLaughlin commented I don't know of any reason why it would have been required to.

Mayor Slayter asked about the question related about who the parties are in this case. Mayor Slayter commented the parties are the City of Sebastopol and the Public Works Department. Finance has been involved in this project and our consultants Syserco Co who came to us from the private industry world and helped us with these updates. Those are the parties to this contract.

Mayor Slayter asked about the question of how many times do the meters transmit.

Mayor Slayter commented I saw that and that's been a great question that's been raised a number of times. I see it time and again in the manufacturer's literature that was provided in the report from January, and it's also in all the online information that I can find that it is that four times a day, one of them being configurable, or three of them being configurable, I forget which one it was, and now I learn that one of them can be turned off.

Mayor Slayter commented is there an opportunity for these to transmit greater than four times a day? Do you have any knowledge of that?

Superintendent Del Prete stated he was not aware of that and that the information is that standard is four pings a day; One is random and three are configurable. It's information that I was obtained late this afternoon is that they can turn one of them off. They can store up to 42 days of data in 15-minute increments, and if that data gets saved internally in the device and then gets transmitted three or four times a day in bursts that are up to eight seconds each. It's average like 1.4 seconds for a total average of 8 seconds per day. That's with four pings.

Mayor Slayter asked the question from the public if this is in conflict with the telecommunications ordinance.

City Manager/Attorney commented that was also discussed with the Planning Director.

Mayor Slayter asked the question if this project is CEQA exempt.

City Manager/Attorney McLaughlin stated it is exempt.

Mayor Slayter discussed the questions of financing.

Superintendent Del Prete stated he was working from home and did not have that information.

Mayor Slayter read the following information on financing: The total project cost for the 13 or 15 or however many individual line items in the proposal comes in at a cost as the superintendent noted just under \$5 million, and it is funded by a tax-exempt leased purchase agreement that the Council approved a couple of months ago, and the allocation for this lease is scheduled at 25% general fund, which is \$94,000 annually and 75% enterprise fund for roughly \$281,000 annually, and that the payback period, and this is an estimate from the crevices of my memory, is somewhere in the neighborhood of 12 to 14 years where these energy savings will have paid for themselves, and any savings beyond that is 100% savings and the project will then be paid for in full at that point.

Mayor Slayter stated City staff can get you the staff report from the Council's discussion several months ago where we discussed the financing of it in great, great detail.

Mayor Slayter asked the question related raising of water rates.

Mayor Slayter commented no, we are not raising water rates. That, as we described before, we need to go through an entirely separate process if rates were to be proposed to be raised and that includes all matter of studies. That is not any part of this proposal.

Mayor Slayter discussed the question of energy efficiency.

Mayor Slayter commented the reduction of greenhouse gas emissions was covered by the superintendent regarding if we don't need to pump as much water, then we don't need to use as much electricity to run those pumps, however, we also have some energy savings upgrades in that \$5 million total, so we will be saving whatever electricity we're already trying to minimize. It's sort of exponentially being saved electricity, which, therefore, drops the GHG

Mayor Slayter asked about technology longevity.

Mayor Slayter responded, as was stated, the batteries are integral with the units and a couple calls that I made to some folks who know all about battery technology is that these particular batteries are the longest lasting battery style, the chemistry in them, and, 20 years was actually a fairly conservative estimate for something of this variety, at least the 3.6 volts that are in the equipment. It's not uncommon for these to go 40 years. They are integral and they're not necessarily replaceable at this point in time, but the longevity seems to be there longer than the conservative estimate.

Mayor Slayter asked the question of how long is the payback?

Mayor Slayter commented that was answered, 12 to 14 years for the total payback.

Mayor Slayter asked the question regarding cloud storage and does the data go into the cloud, or is it transmitted cellularly and stored on City computer equipment.

Superintendent Del Prete commented it's transmitted and received by City computer equipment but does not know if it is stored in the cloud. However, he stated one of the comments made previously was the City had already purchased the operating software for the system. It was a software upgrade that was needed, anyway, on the billing side and it included this option as part of it.

Mayor Slayter discussed the question of why is this located at the end of the agenda

Mayor Slayter commented anyone who has been in attendance understands we've been hard at work doing the City's business, and the time where it was scheduled on the agenda, the number of the agenda and I apologize. I wish we weren't here at 10:40 talking about this. I wish it had come up earlier. We had consultants presenting other items that were vital City business. That's just the nature of our agendas these days, and I think anybody who has been paying attention understands we have very long meetings and we have a lot of very heavy-duty items we've been discussing, and that's just the way it is.

Ms. Berg asked to clarify and restate her question and stated what was asked is that the Superintendent said that they did a bench test on some of these water meters and made a determination that they are inaccurate, and now they are replacing all of them. She questioned who is they that did this bench testing and made this determination?

Superintendent Del Prete commented it was a testing agency that cited this in the contract and did not have their contract information, but they pulled a representative sample of 66 water meters of varying age to come up with a determination of 11 years.

Mayor Slayter clarified it was an outside consultant independent of the City. Staff stated that is correct.

Councilmember Glass commented as follows:

- I concur with Councilmember Gurney. I'm very concerned to hear about the kind of disrespectful tone in some of the communications.
- This doesn't necessarily mean that I agree with it or whatever, but I am concerned about the disrespectful tone that I'm hearing, which I have not validated, regarding communications that were coming out of our staff.
- That feels really inappropriate to me. Because of that, I would concur with Councilmember Gurney that I think we should give Ms. Mauer an additional five minutes, at least, because she is not a random person, she is an expert and authority, and I know that because she's been quoted and interviewed in energy magazine nationally, and she happens to know about this.

Mayor Slayter commented as follows:

- That comment caught me off guard as well, and I have it here written down to look into tomorrow because I'm not sure that's something that is not this agenda item, and I have concerns about it, but that it's not this agenda item and that's not something that I want to get into in a public forum sans any information that's not appropriate.
- That was heard loud and clear by me, and I'm sure everybody else in attendance. That's topic number one for me with the staff.
- Now we have a couple of Councilmembers who have requested that we grant at least another little bit of time to Ms. Mauer to provide additional information
- Given that that's two out of five, I'll look to my other two colleagues and ask if either of you wishes to provide additional time to Ms. Maurer

Vice Mayor Hinton commented as follows:

- I think I have to side with the Mayor on this.
- I'm a little frustrated tonight because we had another important agenda item to get through and some Councilmembers don't want to extend past 10:30, they want to have another public meeting, which I have a full-time job so that's very difficult to schedule.
- I would love to offer the public extra time, but considering the agenda tonight, I just don't feel like that's appropriate at this stage.

Councilmember Gurney expressed support to provide additional time to Ms. Maurer.

Councilmember Rich commented as follows:

- I have a really important topic for which many people have been sitting in this meeting, the second reading of the parking ordinance, people who have opinions on both sides of this important topic, and apparently we're not going to get to it.
- I stated that I am perfectly willing to stay as long as necessary but I'm not willing to give additional time to this issue when the important issue that Vice Mayor Hinton has already referred to for which there are many people in the public sitting in the room is apparently not going to merit the attention of this full City Council this evening. I am not in support of that decision.
- However, Mr. Mayor, I will, of course, if you want to move forward with respecting that request, I will, of course, sit here, as I said already, for as long as necessary this evening.

Mayor Slayter commented I know that it's my decision and I'm going to lean on what I have heard from my four colleagues and not allow additional public comment for any particular individual or organization.

Councilmember Gurney commented as follows:

- If there is a problem that people are waiting in this meeting for a long time to speak about item number 10, which was put on the consent calendar then a very big agenda item was scheduled inappropriately on consent.
- That doesn't diminish the importance of this item, and it doesn't justify short-cutting this discussion.
- I'd like to read to the Council the memo I submitted, because this discussion is very different from what I asked for.
- I'm reading literally what the agenda review committee received.
- I'm concerned that the Council has not fully discussed and considered alternative measures to a blanket installation of smart water meters by Syserco Co throughout our City.
- This is important to me because the consistency, which the Council has honored and respected for ten years or more, consistently disregard hearing about the legislation for a concern about how thoroughly researched it was by staff.
- I hope to address some of the issues by EMF aware and EMF people, zero waste, purchasing goals, reducing environmental impact and hazards.
- At the same time this is important because of the contractual situation with Syserco Co and the Council's goals regarding climate change in the last discussion of the matter.
- The City Manager McLaughlin stated that the City had a positive relationship with Syserco Co who would likely be willing to, quote, pause, for further Council considerations.
- I see several possibilities. I'm going to read through my possibilities, and they were not recommendations.
- As the Superintendent of Public Works stated on page 2, I did not make these recommendations. I saw possibilities for further consideration of this topic. Number one, pause and see the research.
- Mayor Slayter asked us to run down and assemble, and these quotes are of the Mayor, and all these important questions are quoting the Mayor again. I think that would go to alternative.
- What other items might be possible within the bounds of the contract the City might agree to in answering all the questions and doing our level best to get at the concerns.
- The papers were filed under City Manager/Attorney reports, we know, very late in the evening.
- Paragraph 6 of 6 and whether there is a very brief status report rather than the answers that the Mayor indicated he would make sure his staff provided.
- This would allow the Council to look at claims being made, save water, reduce greenhouse gas emissions.
- It would also take a close look at the new meter. Discussed creating an opt-in decision or an opt-out decision.

- I had indicated, I thought pretty clearly, that I wanted Council to have the meeting rather than be moved by staff.
- The staff is driving at the staff conclusions.
- We saw this routinely on land use matters with our former Planning Director who was writing up conditions that were totally pro development because that's where he was going, and Councilmembers had to do all the work-ups to do the thinking the other way.
- Our staff is hired and designed to advise on all sides of the issues, not just their preference.
- In this case we don't have another point of view.
- The opt-in provision is considered researched and not written up.
- How do we know our staff can't come up with some positive way of doing that? All we know is they didn't.
- We're being, again, moved to a decision that I believe has treated our public, shortchanged our public, and the tenor of this meeting toward the public and the frustrations, the hostility that's been indicated, the shortness of voice is another message that we're not considering their concerns thoroughly or slowly enough or with documentation.
- My whole point was to get it back to the way we used to operate where rather than dismiss people we actually listen to them and treat them with respect where they weren't heard this late at night and they weren't cut back at two minutes when they have a whole lot to say, and we lose them because of how our calendar, how our agendas are mismanaged.
- I have a number of questions that I have for the Superintendent, and now I'm feeling really frustrated by the nature of this process, and my 20 questions, I feel like why should I ask them because you all appear like you've made up your mind and you're closing your ears to someone who wants to speak to you, and you spoke longer on denying her the chance to talk than you would have given her time.
- The Mayor speaks longer than our public speakers.
- I'm doing the very same thing, and you can tell it's because our process has gone awry here.
- We really moved quickly on this. We have a misunderstanding in our public that keeps asking the same questions, getting answers and not integrating that information that's showing our failure to communicate.
- We have other issues that haven't been answered, we have a staff report that is, I don't want to say something dramatic, but it handles my material in a way that I believe was intended to be done with goodwill and professionalism, and I find my points have been misunderstood and the answers are not answers that I can understand
- I feel like I'm in Councilmember Glass' camp now by taking a position on this and wanted to get the information that I did need and particularly the discussion I needed from my colleagues.

Councilmember Rich commented as follows:

- I'm going to completely turn around here.
- I appreciate Councilmember Gurney's comments. I understand the emotional nature of the situation.
- I disagree with a number of observations that she's made.
- I have a lot of faith in staff and we have been dealing with this issue since October.
- It's kind of last-minute. However, the one thing I respect in the midst of all this is something that I think is very important, which is that we have spent a lot of time on this topic tonight, anyway.
- Five minutes is not going to make a difference in terms of our end point.
- If you're willing, I think it would be worthwhile and kind and considerate to allow Sandi Mauer the opportunity for some additional time.
- I think we should allow her a few more minutes to share with us.

Vice Mayor Hinton commented as follows:

- I feel like those comments, many of them were unfair.
- I happen to believe in the justification for the system that I have heard from staff.
- I think this is at least the third meeting we've discussed in public, maybe fourth.
- I'm frankly looking forward to getting water conservation information with three pings from a system that's under the sidewalk out on the street.
- I do believe others in the City, not all, but others believe the same.
- Having sat with the Mayor on agenda review, I think it's really easy to take shots, but we do have a lot of stuff, and this Council likes to talk.
- These meetings go late. They've gone late as long as I can remember, and they go even later now
- I think it's a little unfair for those of us who are tired and working hard, including a really hard-working staff.
- I appreciate Superintendent Del Prete's report. I know that he's trying, and at the end of the day, we all are elected by different people, different constituents, and we represent those people and that's what's called democracy.
- I want to listen to everybody, I'm here to listen, I'm here to go late to clear our calendar.
- I'm not accusing anybody of anything, but I do get a voice and I'm going to go ahead and voice it.
- I think I've done that tonight, thanks.

Mayor Slayter supported the majority of the Council and provided an additional five minutes to Sandi Maurer.

Sandi Maurer commented as follows:

- I have prepared comments that were three minutes, and I also have additional comments.
- This whole discussion on whether or not I can add more comments is quite interesting and confusing.
- I'm going to go with the comments I prepared in my extra time.
- In February of last year, I wrote to the City asking about the 56 water meters they were testing.
- I was told the meters did not have a radio transmitter and they would be read manually.
- I relayed that and e-mails were distributed among staff members.
- I wrote, I just hope we'll continue to read our meters manually and the City has no plans to convert them to wireless.
- But the City has been discussing wireless meters since 2018.
- The treasurer wrote that many customers wanted radio red meters and discussed doing a survey of the pros and cons.
- She sent around what she called useful information which included a surf page of protect your head with a beanie, EMF-proof underwear and protection dependence.
- Also some articles with the assurances of smart meter safety and telephone safety.
- A survey of all water customers would be representative of the Sebastopol residents and not just the opinion of a few anti-EMF voices that frequent the Council meetings.
- The derogatory implications of this useful information and caricature of anti-EMF residents of the few voices that frequent Council meetings toward the EMF aware and injured community.
- Staff then created a one-question survey that promoted cellular water meters as a conservation tool and for leak detection.
- Nearly half the survey respondents were opposed or undecided.
- When this came back to Council, the water meters were in the green washed project.
- They have made this at the benefit of other residents.

- They purchased the software before the meters were approved and purchased the meters before the financing was approved.
- Brene Brown, author of "Actions of the Heart" said the culture of government thinks it's more important to protect those in power than it is to protect human dignity where money and power trump ethics and accountability is dead.
- As a leader of the EMF committee in Sebastopol, I can tell you we feel that betrayal. It is coercion by exemption.
- We shop here. We walk here.
- Discussed an opt-in to a non-transmitting digital meter might fix this, or better yet, cancel the order and send the water meters back.
- The smart water meters were absolutely corporate greenwashed. The majority of the write-ups about these water meters were written by Sysserco Co who stands to make money.
- They have a picture of smart meters. PG&E said that smart meters basically don't save energy after five years, but Sysserco Co is still promoting that.
- Despite the claim that we need these to produce climate change, Sysserco Co showed there was no Green gases irrespective of the water meters. Because I know PG&E and I know how they talk.
- To say that there was -- what did they say -- the energy reductions were scant, small and difficult to detect, that's probably an exaggeration. So for Sysserco Co to say they're going to have these water savings, and meanwhile the test meters that are brand new are leaking.
- That's crazy. That just doesn't make sense. The decision-making process on this was seriously flawed.
- The telecommunications ordinance requires public notice in the Planning Commission.
- These are antenna. These transmit data. These are 3,000 antennae, not just one.
- People are asking for opt-in, so that's the smartest way to go is to have an opt-in policy.

City Manager/Attorney McLaughlin commented as follows:

- I've been opposed to smart meters for quite a period of time.
- I actually did not realize that we were considering meters that would be that way and reassured them on several occasions that I did not think that option was going to be considered by the City.
- When it became apparent that that was going to be part of the Sysserco Co proposal, I then suggested that a survey be created so that we could ask the public viewpoint on it, because as I stated, I thought this would be a very controversial project if we were going to propose meters that print digitally and electronically.
- It seems that I was certainly right about that.
- At that time, as I said, I really did not think the City would be installing these meters.
- I was opposed to it at a staff level because I feared it would be controversial, but I knew then there was a scientific need for them, operational need for Public Works to be able to better utilize their time, and it would be a savings for the City and an energy savings so I suggested a survey.
- I did not prepare the survey. The survey was intended to gain public opinion about transmitting electronics.
- That's all I know on the subject.
- When the pandemic hit, I went paperless, more or less, here at my home office and do not have the advantage of being able to review the tens of thousands of e-mails that I received to figure out exactly what context e-mails may appear that I wouldn't have been inclined to, for example.
- That's the best of my recollection. As I said, I've always been in frequent communication.

City Council Discussion and/or Deliberations:

Councilmember Gurney commented as follows:

- I am coming back with a reasonable voice and reasonable point of view. I value that perspective on it.
- My interest is in making sure that we give our citizens a choice.
- We did that with the PG&E smart meters, and we have a community of opting in and opting out.
- If you want a business license here, you need to opt in and get a business license. If you want a permit, you need to opt in for a building permit.
- They're not necessarily accurate, but I think it is a culture that we have to be cautionary, to give people a choice so that they actually have some agency in how they relate in the community and how they decide in this community about their participation.
- Our staff has recommended an opt-out program, not having an example of an opt-in program to recommend to us tonight.
- If I could limit myself to questions about the opt-in and opt-out program and the other questions I'm just letting go in the interest of time.
- I don't understand how the initial fee of \$50 was calculated or a meter reading fee of \$18.75 a month.
- To me that sounds like PG&E where you get extra charges if you're choosing to leave their system.

Superintendent Del Prete commented as follows:

- We have done some reading with the most accurate cost involved to consistently have staff go out.
- The \$50 capture is a direct set-up fee from finance, and I got that from the Finance Department, so an account set-up fee.
- Then in our user rate study, personnel, one staff member in a pickup truck is set at \$150 an hour, so I divided that by the bare bones minimum of 7.5 minutes.
- That's how I came up with the \$18.17 a month.

Councilmember Gurney questioned would you be willing to tell us who the other agency was from whom you got it?

Superintendent Del Prete commented Carpentaria.

Councilmember Gurney asked if that was City service.

Superintendent Del Prete commented it was a waste district.

Councilmember Rich commented as follows:

- I am very much in support of the water meter project here.
- I have to say that one of my driving forces here as a City Councilmember has to do with my environmental concerns, and I see this move as a major move forward in terms of our climate goals.
- So that's driving my interest, and when I look at the greater day that's going to land on this particular issue, recognizing that we have people in town that are definitely very sensitive to EMFs and have concerns not just for themselves but for others.
- Nevertheless, I vote on the side of climate concerns.
- How might we be able to modify this in some way to accommodate the concerns that we've heard?
- The only points I can come up with are, number one, I think that an opt-out program is more beneficial for us because I think it benefits us in terms of our environmental goals to have it be opt out.
- Secondly, I have to wonder, and I put it out there for discussion, whether, but that's one way I think we can remove a barrier that might be there financially for some who wanted to opt out.
- The other piece that I'm thinking maybe we should consider in terms of just accommodation of concern is reducing the number of pings that seems to be of importance to our EMF-sensitive community.

- If we can reduce them from four to three per day, perhaps that's beneficial to that community, and then finally, related to it is a suggestion we heard from our superintendent at Public Works which is that apparently one or two that could be pinged in the night when there are one or two people out at night, perhaps we can do that.
- Again, if that would be an accommodation to that community, they would feel less exposed to the impact.
- Those are the three areas that I can see where we might be able to without undermining the program and our superintendent of Public Works can correct me on that if I'm wrong, but those three areas seemed like reducing or eliminating the fee, limiting the number of pings, controlling the pings so that they are at nighttime to the extent we can do that.

Councilmember Glass commented as follows:

- I actually agree with some of these suggestions.
- For my own personal. would I be willing to have one of these in my life, I was feeling that I would be okay with having a water smart meter because of the presentation that I was given when we first brought this issue up, and that was the presentation was saying that the devices are out in the street, below grade, and that they were working today for very short amounts of time.
- When we first started considering this, I didn't even get it that we were talking about smart water meters, going way back.
- I think that was a communication mistake by staff, because if staff had said that was what we were starting to consider from the very beginning, it would have gotten my little brain going we need to be careful about how we go about implementing this in the community.
- When we were at the point of making a decision, then I did understand a smart meter, but it was presented as the thing that's low grade, four pings a day.
- I personally don't want a smart meter sitting on the side of a wall in my house because I actually check how much would come out and it's not good.
- I felt it would be okay out in the street. Not everybody feels that way, and certainly a lot of members of our public don't feel that way.
- I feel that they have every right to not have to adopt this technology if they don't want it.
- The other thing that I think, as these planes of technology fill, particularly technologies that are related to I.T., computer and the cloud and this and that, the way the industry has dealt with that is to externalize cost and internalize profit.
- Basically if it's going to save an organization money to inconvenience the public, then the public has to pay more to not be inconvenienced or to not be using a technology they don't want.
- I don't think that's the way we do things in Sebastopol.
- I would tend to think we need to go with an opt-out policy, but I don't think we should be charging people an arm and a leg to opt out.
- That just seems unfair to me because we're telling people they have to have a certain technology, and I just don't think that's the way we do things in Sebastopol.
- We offer people choices.
- What's it going to cost in order to deal with people unhappy with complaints over this issue?
- Let's keep our water users and our town happy and using the technology that they feel comfortable with.

Vice Mayor Hinton commented as follows:

- When I voted for it, they didn't call it a smart water meter, but I knew what we were voting for.
- I felt like staff presented it fairly, but don't remember the word smart being used.
- I'm not sure it's all that smart, to be honest.

- It's not got the technology that my cell phone does that's called smart.
- I thank Superintendent Del Prete for coming up with the solution of getting more information.
- I like the idea of two pings during the night, and one random ping that gets us down to three which is less than eight seconds a day.
- I think that I'm in favor of the opt-out policy.
- I do know having walked for office in this town, it's really hard to spread the word through our town, and I did look up the City that Superintendent Del Prete mentioned.
- They have a little over 13,000 residents that we took this from.
- I would be in favor of waiving the \$50 setup fee for the public that wanted to opt out.
- We all have water bills already and accounts established, so it wouldn't seem like a good solution for the public and it would be also interested when staff used to read the water meters every other month, so maybe we could just have these opt out every other month and waive the setup fee and that would be \$18.75 every other month when you get a water bill.

Mayor Slayter asked how many staff members are devoted to reading meters?

Staff stated about three-quarters of a person. It's about one full-time person, but in the budget it's about three-quarters. It varies depending on the amount of rereads, the amount of service requests, those types of things.

Mayor Slayter asked is there any sense in the administrative service director's absence of staff issues? Staff stated at least one high-level staff member that works on it. Wouldn't say that's the only thing she works on, but I would say a significant amount of time. Would guess over 80% of water meters.

Mayor Slayter commented as follows:

- What I was hearing from my colleagues, and in particular the Vice Mayor, I think we have some agreement in the reduction of the pings, the quality of the data may be ever so slightly degraded, but to go to three pings, to me that seems like a really good way to go with that.
- The \$50 setup fee, well, that's impossible to know what the take rate is going to be on any kind of policy coming from either direction. To me that feels like a logical and responsible approach to waive that \$50 setup fee.
- These are people who already have water accounts
- Not knowing what the down time looks like, but just from fingers on the budget perspective and trying to accommodate folks who wished to opt out.
- I also thought that the suggestion from the Vice Mayor, continue reading manual meters on the current schedule, read them six times a year, and that halves the opt-out fee, but at the same time it rules out the people who are uncomfortable with the technology and acknowledge that savings.
- If you don't have to have your meter read manually, subsidizing others, it doesn't seem like a very equitable situation.
- I thought that was a very clever suggestion for the opt-out fee.
- We heard this the last time we had a report from the climate action committee, and it's something that's been said time and again. We've got a climate emergency, why don't we act like we have one.
- All this data that we have regarding the drought situation, even in the last couple of days, we are in one of the two driest periods in over 1200 years. I can't ignore that.
- The need to get serious about water conservation is very real, and that's also informed by my sitting on the Santa Rosa plain groundwater conserving board, and that's from large areas of our county that is actually starting to sink because the ground is drying up.
- The sponge is being wrung dry and we're not getting rain to fill the sponge back up.

- Because we have had, through good management and good practices by the great majority of our residents in a world where our water meters get read in 748-gallon units and we get that data once every two months, we've done pretty much the right thing and conserved a significant amount of water, and I think there's still more that we could say, and I think this proposal gets us to that position.
- I am also in favor of the opt out rather than the opt in. I think people who are interested in opting out understand it.
- Certainly I think every Councilmember has received enough e-mails that we are aware of our general population's awareness of the situation.
- I think that it's sort of like when Sonoma Clean Power was started and the legislation that came from the state, every person got switched over to summit power and if you wanted to stay with the other utility, that had to be a pro-action rather than the other way. This is sort of the same thing.
- I think that's the right thing to do given the climate emergency, given the historic level of drought that we are experiencing.

Councilmember Gurney commented as follows:

- I just have one for you in the last comments reducing to three pings.
- The suggestion from Councilmember Rich that two of them be overnight when people are out and about.
- I thought that was a clever thing.

Mayor Slayter concurred with that.

Councilmember Gurney commented as follows:

- I also want to mention something else that our City is doing for water conservation.
- We are the first enrollee in the water free safe program.
- At the meeting customer satisfaction is above 95%.
- It's a situation where our water customers have the opportunity for on-bill financing to make improvements to their house inside and they actually use less water every time they draw water.
- So I want to remind folks that that opportunity is available as we look to, as the Mayor said, the worst drought in is it 500 or 1800 years in California?

MOTION:

Vice Mayor Hinton moved and Councilmember Rich seconded the motion to direct staff tonight to return for a final Opt-Out Program and Fee Schedule for Council review and approval with the following recommendations:

Three pings as proposed daily (Two at night - One random)
 Waive proposed \$50 set up fee/No initial sign-up fee
 Read manual meters every other month/6 times a year/\$18.75 every other month

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

VOTE:

Ayes: Councilmembers Glass, Gurney, Rich, Vice Mayor Hinton and Mayor Slayter
 Noes: None
 Absent: None
 Abstain: None

**City Council Action: Approved direct staff tonight to return for a final Opt-Out Program and Fee Schedule for Council review and approval with the following recommendations:
 Three pings as proposed daily (Two at night - One random)**

Waive proposed \$50 set up fee/No initial sign-up fee
Read manual meters every other month/6 times a year/\$18.75 every other month
Minute Order Number: 2022-065

Councilmember Rich commented as follows:

- I simply wanted to take just a minute to thank Superintendent of Public Works for his hard work on this and also other staff.
- I know this has been a really difficult series of meetings and a difficult process, and I'm really impressed by his ability to come back and provide us with additional information and come up with some compromised options for us, still meeting the needs of the program that he so effectively provided us information.
- I continue to feel this is a really wonderful program for us, so thank you, Dante, for all your work.

Mayor Slayter commented it is 11:32, and we will not be proceeding past this minute in time, and we are adjourned.

The question was asked who was not in support of moving forward on the agenda.

Councilmember Glass commented as follows:

- I want to be clear it is me. The reason I say that is there are a number of groups who have been here for a long time who have gradually dropped out who have not been heard on this issue.
- It's not the same people, it is different people and I'm just not okay with them not being heard.

The following items were continued:

16. Direction to Staff on Recruitments/lack of applications for Openings as follows:

- a. Vacancies on the Design Review Board (Responsible Department: Planning/Engineering/City Administration)
Term Ending Dates: December 31, 2021
Lars Langberg Category A
Christine Level Category C
Vacant (Formerly Ron Hari) Category C
Two applications received for three openings:
Christine Level – Category C
Lars Langberg – Category A
- b. Openings for Recruitment on Zero Waste Committee (Engineering)
Commercial Entity Representative
Citizen Representative
Youth Alternate
Two applications received for three openings (applications are for citizen representative seat only)
Deborah Klein – Citizen Rep
Christina Warren – Citizen Rep
- c. Openings for Recruitment on Climate Action Committee (Planning)
Youth Representative (ages 17-23) (One Position)
Environmental justice representative (One Position)
No applications received

- d. City of Sebastopol Citizen Liaison to the SCTA/RCPA Climate Action Advisory Committee to Provide Expert Citizen Input on Implementation of the Climate Action Initiatives.
Despite noticing the opening, no one has expressed interest
- e. Openings for City Planning Commission (Planning)
Two vacancies
Vacant seat of Luke Lindenbusch (Fill term to December 31, 2023) Due to Resignation
Vacant seat of Zac Douch (Fill term to December 31, 2022) Due to Resignation
No applications received

Receipt of the following positions for recruitment:

- f. Sonoma County Library Commission City Representative, Appointed Fred Engbarth as the City Representative on the Sonoma County Library Commission to Fill Vacancy of Remaining Term (Term Ends July 31, 2022).
- g. City of Sebastopol Citizen Liaison to the SCTA/RCPA Climate Action Advisory Committee to Provide Expert Citizen Input on Implementation of the Climate Action Initiatives – Zeno Swijtink – Term Expires: June 30, 2022
- h. Public Arts Committee: Marghe Mills-Thysen, Category 2, June 30, 2022

City Council Action: No action taken. Item Continued

Minute Order Number: 2022-066

- 10. Approval of Second Reading and Adoption of Ordinance 1136, An Ordinance of the City of Sebastopol Adding Chapter 10.76 Recreational Vehicle Parking Ordinance and Amending Chapter 10.36 of the Sebastopol Municipal Code. (Responsible Department: Police)

City Council Action: No action taken. Item continued.

Minute Order Number: 2022-060

CITY COUNCIL REPORTS (ALL ITEMS 17-20 WERE NOT HEARD)

- 17. City Manager-Attorney/City Clerk Reports
- 18. 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)
- 19. Council Communications Received
- 20. Future City Meeting Dates/Events (Informational Only): (See City Web Site for Up-to-Date Meeting Dates/Times)

ADJOURNMENT OF CITY COUNCIL MEETING

February 15, 2022 City Council Regular Meeting will be adjourned to the March 1, 2022 City Council Meeting, 6:00 pm, Zoom Virtual Meeting Format

Mayor Slayter adjourned the City Council meeting at 11:32pm.

Respectfully Submitted:

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