

City Council

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Vice Mayor Diana Rich
Sandra Maurer
Jill McLewis
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City of Sebastopol

**CITY COUNCIL MEETING AGENDA
Meeting of Tuesday – November 7, 2023**

Regular Meeting Start Time: 6:00 pm

Meeting to be held in Person and Virtual /Remote Participation

Zoom Link is to be used for providing public comment/Live Stream is utilized for viewing only of meeting

In Person Location: Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472

Remote/Virtual Zoom Link: (see below Join Meeting Link)

City Council is inviting you to a scheduled Zoom meeting.

Topic: City Council Meeting - November 7, 2023

Time: Nov 7, 2023 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85948777253?pwd=VjZnZndWT2VQdUlKcVR4V0VPWW9Xdz09>

Meeting ID: 859 4877 7253

Passcode: 308368

One tap mobile

+16699006833,,85948777253#,,,,*308368# US (San Jose)

+16694449171,,85948777253#,,,,*308368# US

Dial by your location

+1 669 900 6833 US (San Jose)

+1 669 444 9171 US

+1 719 359 4580 US

Meeting ID: 859 4877 7253

Passcode: 308368

Find your local number: <https://us02web.zoom.us/u/kup3Ou6i8>

The public may also view the meeting by use of Live Stream. Important Notice: The City of Sebastopol shows both live broadcasts and Video Archive of City Council Meetings over the Internet. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice. Videos are available for one year from date of meeting.

- Here is the link: <http://bit.ly/sebcctv> or <https://www.ci.sebastopol.ca.us/City-Meetings-TV>

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

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

Please click on the special Council meeting date. If minutes were approved, they will be listed under that specific Council Meeting date.

As a courtesy, please turn off all cell phones, electronic devices, and pagers during the meeting.

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

6:00 pm City Council Regular Meeting, In Person – Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA/Virtual Format (Zoom) See Link Below

<https://us02web.zoom.us/j/85359710102?pwd=MzFiNjRVRDRJaGxkVURiZ0lyVncxZz09>

Meeting ID: 859 4877 7253

Passcode: 308368

CALL TO ORDER

ROLL CALL

SALUTE TO THE FLAG

PROCLAMATIONS/PRESENTATIONS:

Erik Billing – 10 years

Marc Simpson – 30 years

Mike Simpson – 30 years

Steve Thibodeau – 40 years

Proclamation – United Against Hate Week – November 12-19th 2023

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

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

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

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

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.

CONSENT CALENDAR:

1. Approval of City Council Meeting Minutes for Meeting of October 3, 2023 (Responsible Department: City Administration)
2. Approval of City Council Meeting Minutes for Meeting of October 17, 2023 – Closed Session (Responsible Department: City Administration)

3. Approval of City Council Meeting Minutes for Meeting of October 17, 2023 (Responsible Department: City Administration)
4. Approval of City Council Meeting Minutes of October 20, 2023 – Closed Session (Responsible Department: City Administration)
5. Approval of City Council Meeting Minutes of October 23, 2023 – Closed Session (Responsible Department: City Administration)
6. Approval of City Council Meeting Minutes of October 26, 2023 – Closed Session (Responsible Department: City Administration)
7. Approval of City Council Meeting Minutes of October 30, 2023 – Closed Session (Responsible Department: City Administration)
8. Approval of City Council Meeting Minutes of November 1, 2023 – Closed Session (Responsible Department: City Administration)
9. Extension of Proclamation Proclaiming the Existence of a Local Homeless Emergency. Government Code Section 8630, requires that the Council review the need for continuing the local emergency at least every 60 days until such local emergency is terminated.
 - a. First Proclaimed: November 30, 2021
 - b. First Extension was approved January 18, 2022
 - c. Second Extension was approved: March 15, 2022
 - d. Third Extension was approved: May 3, 2022
 - e. Fourth Extension was approved: June 21, 2022
 - f. Fifth Extension was approved: August 2, 2022
 - g. Sixth Extension was approved: September 20, 2022
 - h. Seventh Extension was approved: November 15, 2022
 - i. Eighth Extension: January 3, 2023 City Council Meeting
 - j. Ninth Extension: February 27, 2023 City Council Meeting
 - k. Tenth Extension: April 18, 2023 Council Meeting
 - l. Eleventh Extension: June 6, 2023
 - m. Twelfth Extension: August 1, 2023
 - n. Thirteenth Extension: September 19, 2023
 - o. Fourteenth Extension: November 7, 2023
 - p. Proposed Extension Needed within 60 days or (January 2, 2024)
10. Amendment of City Council Protocol Meetings for City Council Closed Session Special Meetings and Agenda Review Committee Meetings to allow for in person meetings only (Responsible Department: City Administration)
11. Approval of Amendment of Contract for City Clerk/Assistant City Manager Position (Responsible Department: Agenda Review Committee/Human Resources Consultant)
12. Receipt of Information regarding Caltrans directive to remove the temporary parklet at South Main Street fronting Retrograde Coffee and Sunshine Café and Authorization of Suspension of Enforcement of One Hour Parking During Holiday Season of November 20, 2023 to January 5, 2024 (Responsible department: City Engineer) (Responsible Department: Engineering/Public Works)
13. Approval of Resolution Authorizing Application for Firefighter Property (FFP) Program (Responsible Department: Interim Fire Chief)
14. Adoption of Resolution Approving a Budget Amendment for Bodega Avenue Bike Lanes and Pavement Rehabilitation Phase 1 Project 0513-74.09 and Authorize City Manager to approve contract change orders up to 20% of the contract amount (Responsible Department: City Engineer)

INFORMATIONAL ITEMS/PRESENTATIONS: **None**
PUBLIC HEARING(s): **None**

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

15. Consideration of Budget Committee Report Out Recommendations and Request for Direction to Staff (Responsible Department: Budget Committee/Administrative Services Department)
16. Consideration of Amendments to City Council Committee Assignments – Liaison to Sebastopol Chamber of Commerce (The Annual Committee Assignments where all Committees will be discussed will be at the January 16th 2024 City Council Meeting to allow for applications to be submitted to the Mayor for Recommendation Per the Council Process Established December 2022 (Requestor: Mayor/Responsible Department: City Administration)

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

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

17. City Manager-Attorney/City Clerk Reports: (This will be either verbal or written reports provided at or prior to the meeting).
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. (This will be either verbal or written reports provided at the meeting)
 - a. Committee Report /Housing: Continued from October 17th 2023 City Council Meeting
(Responsible Department: Planning)
19. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)
20. Future City Meeting Dates/Events (Informational Only): (See City Web Site for Up-to-Date Meeting Dates/Times)

CLOSED SESSION: NONE

ADJOURNMENT OF CITY COUNCIL MEETING

November 7, 2023 Meeting will be adjourned to the City Council Meeting of November 21, 2023 at 6:00 pm. (In Person and Remote/Zoom Virtual Meeting Format)

American Disability Act Accommodations/Accessibility: A request can be made orally or in writing, and submitted to the ADA Coordinator by email: building@cityofsebastopol.org or to the City Clerk’s Office so as to avoid delay in reviewing and processing the request. Requests can be made by contacting the ADA Coordinator’s Office at (707) 823-8597, via email at building@cityofsebastopol.org or by mailing such a request to the ADA Coordinator’s Office located at 7425 Bodega Avenue, Sebastopol, CA. Note that if you contact the ADA Coordinators Office, via mail, you need to make the request early enough that a response can be timely provided.

NOTICE: All Resolutions and Ordinances introduced and/or adopted under this agenda are waived of all reading of entire resolution(s) and ordinance(s). The City of Sebastopol is a general law city formed under the laws of the State of California. With respect to adoption of ordinances and resolutions, the City adheres to the requirements set forth in the Government Code. Unless otherwise required, the full reading of the text of standard ordinances and resolutions is waived.

SB 751 Legislative bodies of local agencies must publicly report: (1) any action taken and (2) the vote or abstention on each action taken by each member present for the action at a meeting.

If you have any questions regarding this meeting, please contact the City at Email: info@cityofsebastopol.org or citycouncil@cityofsebastopol.org or please call: 707-823-1153. The public is advised that pursuant to Government Code section 54957.5 all writings submitted to the City Council are public records and will be made available for review. The Sebastopol City Council welcomes you in person or remotely to its meetings that are generally scheduled for the 1st and 3rd Tuesday of every month. Your interest and participation are encouraged and appreciated.

Government Code Section 54953.

(a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

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- Here is the link: <http://bit.ly/sebcctv>

There are times that the City Council open meetings may not be live streamed due to technical issues; if that is the case, the meeting will be video-taped and uploaded as soon as possible to the City Web Site. In the event of a disruption that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

COUNCIL PROTOCOLS FOR MEETING:

This in person and virtual/remote meeting is compliant with the Governor's Executive Order allowing for a deviation of teleconference rules required by the Brown Act. Traditional Brown Act and AB 2449 requirements can be utilized for all City Council meetings as long as required notice and posting is conducted per the Brown Act.

Please Note the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting.

Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive

behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:

(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.

(B) Engaging in behavior that constitutes use of force or a true threat of force.

(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.