

City Council

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



City Manager

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City of Sebastopol

CITY COUNCIL MEETING

SPECIAL MEETING START TIME: 5:30 PM (Planning Commission Interview)

REGULAR MEETING START TIME: 6:00 PM

MEETING OF January 3, 2023

CITY COUNCIL MINUTES

MINUTES FOR Meeting of January 3, 2023

As Approved by the City Council at their regular meeting of January 17, 2023

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 will not be physically open to the public and all City Councilmembers will be teleconferencing into the meeting via Zoom.

COUNCIL PROTOCOLS FOR 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 are being utilized for 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, will be asked to adhere to protocols and /or will be removed from the meeting.

Reminder please leave your microphones on mute until called upon and if you would like to provide your name during public comment you are welcome to do that but do not have to.

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(s)).

5:30 pm Special Meeting Start Time (Interview for Planning Commission Opening)- Zoom Virtual Meeting Format

CALL TO ORDER: Mayor Hinton called the Special Meeting (Interviews) to order at 5:33 pm.

ROLL CALL:

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

Absent: None

Staff: Assistant City Manager/City Clerk Mary Gourley

INTERVIEW(s):

The City Council conducted the following interview:

1. Interview(s) for Vacancy(ies) on the Planning Commission for Term of Dec 2022 through Dec 2026(Responsible Department: Planning/City Administration)

Current Opening/Term Ending Dates: December 31, 2022 - Kathy Oetinger

APPLICATIONS RECEIVED AS OF DEADLINE:

5:30 pm Interview Time _____ Kathy Oetinger

Reference Order Number: 2023-001

ADJOURNMENT OF SPECIAL MEETING (INTERVIEW):

Mayor Hinton adjourned the special meeting at 5:50 p.m.

6:00 pm _____ Convene City Council Meeting (ZOOM VIRTUAL FORMAT)

CALL TO ORDER: Mayor Hinton called the Regular meeting to order at 6:02 pm.

ROLL CALL:

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

Absent: None

Staff: City Manager/City Attorney Larry McLaughlin
 Assistant City Manager/City Clerk Mary Gourley
 GHD/City Engineer Mario Landeros/Toni Bertolero
 Planning Director Kari Svanstrom
 Police Chief Ron Nelson

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

PROCLAMATIONS/PRESENTATIONS:

The following were recognized for City of Sebastopol Years of Service Awards Calendar Year 2022

- Lucas Meyers – 5 years
- Sandi Satyadinata – 5 years
- Bradley Worden – 5 years
- Michael Sansone – 10 years
- Charlie Wong – 10 years
- Rebecca Mansour – 15 years
- Michelle Beckman – 20 years
- Zina Keeran – 20 years
- Louis Castleberry – 30 years
- Tim Leach – 30 years
- James Levy – 30 years
- Larry McLaughlin – 35 years

Mayor Hinton opened for public comment.

Linda Berg commented as follows:

- Discussed recognition of City employees
- Would like to see where everybody would be honored individually throughout the year.
- This does not make me feel warm and fuzzy in our new year.
- Mayor does not know how to pronounce their names let alone what they do.
- These are the people that keep this city running.
- I am requesting that you go back, the city goes back to the way that it used to be where these people would be honored throughout the year.
- This is just one more thing that makes me think that this Mayor and the Vice Mayor are way out with what is going on in the city.

City staff commented as follows:

- Addressed comments for the city is going back to doing the in person years of service awards once the Council makes the determination one will be going back to in person or hybrid meeting.
- This discussion is tentatively scheduled for January 17th.
- Also due to COVID and due to the virtual meetings, it was impossible to do them in person, but we are bringing them back.

Mayor Hinton commented as follows:

- Are these the normal ones that we would've done in person for the end of the year?
- Or are these all grouped together as since COVID, we have done them at the end of the year.

City staff commented as follows:

- We are bringing them back to do them during the month that they earned the service award.
- The last couple years, we have been recognizing them at the end because of the way our meetings have been done virtually.
- But now that if we go back in person or hybrid, they will be recognized and whichever meeting the years of service falls on

Mayor Hinton commented as follows:

- Just like to say as Mayor, since this is my second meeting as Mayor, I tended to agree with the speaker tonight that I would like to see people, whether we are hybrid or Zoom or in person, that we do recognize years of service awards as they come up.
- We can discuss that at agenda review.

Department Directors and Council provided congratulatory comments to the recipients.

Reference Order Number: 2023-002

URGENCY ITEM: REQUEST TO BE ADDED TO AGENDA:

City staff has requested that an urgency item be added to the agenda as it first came to City staff's attention after the posting of the agenda, and requires immediate action. Requires 4/5th vote.

Agenda Title: Resolution of Support for NOFA Application. WCCS and the City will submit a joint Public Services application for \$40,000 to fund fifty percent (50%) of the Sebastopol Outreach Coordinator for FY24. The other 50% will be provided by the City of Sebastopol. The Sebastopol Outreach Coordinator will be an employee of WCCS.

Mayor Hinton opened for questions. There were none.

Mayor Hinton opened for public comment on the addition of the urgency item only.

Kyle Falbo commented as follows:

- So this is an agenda item was just announced by our Mayor. Those words, coming out of the Mayor's mouth.
- Daily pieces of information about this item that the public has access to.
- There is currently nothing on the city website.
- There is nothing currently available to any member of the public to know that this agenda item.
- In addition, it might be useful to explain why the urgency is such that the deadline is so quick and why there wasn't any proper notice prior to this agenda.
- So was there any knowledge of this particular potential agenda item at the last city Council meeting?
- If so, was their specific reason why it was not discussed and added to that agenda item?
- Or to that city Council meeting previously?
- I believe it is really important, especially with controversial or items that are of interest to the public that we are transparent.
- That we are fully communicating with our public in a timely manner.
- So while it is suggested that this is something that only came to light today, there are many hours in the day.
- There are many opportunities to inform the public and be transparent with the public throughout the day, prior to the announcement being made by our Mayor just now.
- So it is my hope that that could be part of the discussion as well as plans for trying to do better in the future.

Linda Berg commented as follows:

- I want to thank Kyle. You are right on the money again. So this is just same old same old BS.
- Nobody knows what they are voting on. The public doesn't know.
- Just like the corporate tyrants that the city was trying to push something against our own interests on us.
- Discussed lack of transparency
- I have to go across the street to pay to have somebody print this because as you know, I am TV free and I hope that there is more clarity in the future and you stop letting other entities come up with the wording that is put on the agenda so that the public and the Councilmembers know what they are voting on.
- Case in point, our Mayor, six months into the issue with the water meters, said that she didn't even know that they were wireless.
- That is because the Mayor was controlled by a shyster and our lying superintendent.

City Manager McLaughlin commented as follows:

- I wanted to remind everyone that the vote is taking place right now to simply add the item to the agenda.
- When the item is called on the agenda, the City will put the documents up on the screen and we will explain it.
- It is not unusual to get items literally last minute.
- That is why the law is written that allows the city to add an item where there is a time constraint and where we have not been advised previously of the need.
- But I have conferred with our Planning Director and she is prepared right now to run down the timing of our knowledge of this item
- This is not the vote for the item.

- This is the vote to add the item to the agenda to discuss it later.

Mayor Hinton commented as follows:

- I don't need to have the Planning Director run down the item.
- I am happy to address when the entire Council learned about this item which was earlier today and pulled up the e-mail at 10:58 A.M.
- This item for the public's information is to help the city apply for possible grants to help cover an already budgeted item.
- That would save us, if we were to receive the grant, \$40,000 in the year is my understanding of this item.
- So it is an urgency item.
- We have added them before.
- This is, we have asked our staff if we haven't already, to be ready to upload this to the Website tonight.
- So appreciate the comments, but I did want to address that.
- If added to the agenda, this would go at the end of our agenda.
- It would be addressed as following public comment for items not on the agenda tonight.
- It would be, renumbered as 10 A.
- It would be right before agenda item 11 which is City Manager attorney and city clerk report.

City Council Discussion and/or Deliberations:

Councilmember McLewis commented as follows:

- I'm reading the agenda item and it is not even clear to me exactly what I am putting on.
- What exactly I'm voting for us to discuss.
- Requested clarity

City Manager/Attorney McLaughlin commented as follows:

- I just wanted to explain, once again, what you are voting on in adding an urgency item to the agenda
- You are making a finding that this item did not come to the staff's attention until after the agenda from tonight's meeting had already been posted and that there is a need for meeting action.
- That is an action prior to the next Council meeting.
- So those are the two findings you need to make and requires a 4/5 vote.
- That requires four votes of the city Council to have the item.

Vice Mayor Rich commented as follows:

- A question following the city attorney comments.
- Are we, are you stating that we need to make those two specific findings
- Or simply that we need to vote on whether we should add this to the agenda

City Manager/Attorney McLaughlin commented as follows:

- I recommend that the motion be that the city Council finds that the need for action this evening first came to the attention of the city after the posting of the agenda for tonight's meeting and the Council further finds that there is a need for immediate action.
- That is an action prior to the next Council meeting.
- Therefore, the motion is to add the item to the agenda.

MOTION:

Mayor Hinton moved and Vice Mayor Rich seconded the motion to approve adding the urgency item as it came to City staff's attention after the posting of the agenda, and requires immediate action, action prior to the next Council meeting.

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

VOTE:

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

Noes: None

Absent: None

Abstain: None

City Council Action: Approved adding the urgency item as it came to City staff's attention after the posting of the agenda, and requires immediate action, action prior to the next Council meeting.

Minute Order Number: 2023-003

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 stated for this meeting by Mayor, Vice Mayor or Councilmembers.

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

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

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

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

Mayor Hinton read the consent calendar.

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

Councilmember McLewis and Councilmember Zollman requested Item Number 7 be removed from the Consent Calendar.

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

Linda Berg commented as follows:

- Discussed item number 7
- Discussed the list of projects
- Discussed that Planning Director's comments regarding adding California Environmental Quality Act - CEQA language and questioned if these projects require CEQA

Mayor Hinton responded to public comment as follows:

- City has heard the question.

- For the member the public, we are going to take that agenda item seven with full, as a full agenda item, following the approval of the consent items two through six.
- I think there will be an opportunity to address that question when we take the agenda item up which will be right after this vote.

Mayor Hinton called for a motion.

MOTION:

Mayor Hinton moved and Councilmember Zollman seconded the motion to approve consent calendar items, 2, 3, 4, 5, and 6.

Item Number 7 has been pulled from the Consent Calendar.

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

VOTE:

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

2. Approval of Minutes of December 20, 2022, City Council Regular Meeting Minutes (Responsible Department: City Administration)

City Council Action: **Approved Minutes of December 20, 2022, City Council Regular Meeting Minutes**
 Minute Order Number: **2023-004**

3. Resolution Authorizing Continued Use of Teleconference Meetings Based on Circumstances of the COVID-19 state of emergency and that the following circumstances exist:

The state of emergency as a result of COVID-19 continues to directly impact the ability of the members of City Council and the members of the City’s subordinate Committee’s, Commission’s, and Boards to meet safely in person; and

The State of California and the City of Sebastopol continue to impose or recommend measures to promote social distancing.

Resolution needs to be submitted to Council every 30 days Continuation of Virtual Meetings:

First Approved: September 21, 2021

Approved for Continuation:

- October 19, 2021
- November 16, 2021
- December 7, 2021
- January 4, 2022
- February 1, 2022
- March 1, 2022
- March 15th, 2022
- April 5, 2022
- May 3, 2022
- May 17, 2022
- June 7, 2022
- July 5, 2022
- August 2, 2022
- August 31, 2022
- October 18, 2022
- November 15, 2022
- December 6, 2022

- Proposed Approval: January 3, 2023
- Next Action: Scheduled for January 17, 2023, City Council Meeting (February 6, 2023 City Council Meeting would be Beyond 30 Day Requirement)

City Council Action: Approved 3. Resolution Authorizing Continued Use of Teleconference Meetings Based on Circumstances of the COVID-19 state of emergency and that the following circumstances exist:

The state of emergency as a result of COVID-19 continues to directly impact the ability of the members of City Council and the members of the City's subordinate Committee's, Commission's, and Boards to meet safely in person; and

The State of California and the City of Sebastopol continue to impose or recommend measures to promote social distancing.

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January 4, 2022

February 1, 2022

March 1, 2022

March 15th, 2022

April 5, 2022

May 3, 2022

May 17, 2022

June 7, 2022

July 5, 2022

August 2, 2022

August 31, 2022

October 18, 2022

November 15, 2022

December 6, 2022

Proposed Approval: January 3, 2023

Next Action: Scheduled for January 17, 2023, City Council Meeting (February 6, 2023 City Council Meeting would be Beyond 30 Day Requirement)

Minute Order Number: 2023-005

Resolution Number: 6498-2023

4. Receipt of Calendar Year 2022 City Council Minute/Reference Orders (Responsible Department: City Administration)

City Council Action: Approved Receipt of Calendar Year 2022 City Council Minute/Reference Orders

Minute Order Number: 2023-006

5. Approval of Calendar Year 2023 City Council Meeting Dates (Responsible Department: City Administration)

City Council Action: Approved Calendar Year 2023 City Council Meeting Dates

Following Meetings were cancelled:

- July 4, 2023
- August 15, 2023

Minute Order Number: 2023-007

Resolution Number: 6499-2023

6. Extension of Proclamation Proclaiming the Existence of a Local Homeless Emergency. Government Code

Section 8630 requires that the Council review the need for continuing the local emergency at least every 60 days until such local emergency is terminated.

- o First Proclaimed: November 30, 2021
- o First Extension was approved January 18, 2022
- o Second Extension was approved: March 15, 2022
- o Third Extension was approved: May 3, 2022
- o Fourth Extension was approved: June 21, 2022
- o Fifth Extension was approved: August 2, 2022
- o Sixth Extension was approved: September 20, 2022
- o Seventh Extension was approved: November 15, 2022
- o Proposed Extension: (January 3, 2023 City Council Meeting)
- o Proposed Next Extension Needed within 60 days or (February 21, 2023 City Council Meeting as March 7, 2023 Council Meeting would be Beyond the Deadline)

City Council Action: Approved 6. Extension of Proclamation Proclaiming the Existence of a Local Homeless Emergency. Government Code Section 8630 requires that the Council review the need for continuing the local emergency at least every 60 days until such local emergency is terminated.

- o First Proclaimed: November 30, 2021
- o First Extension was approved January 18, 2022
- o Second Extension was approved: March 15, 2022
- o Third Extension was approved: May 3, 2022
- o Fourth Extension was approved: June 21, 2022
- o Fifth Extension was approved: August 2, 2022
- o Sixth Extension was approved: September 20, 2022
- o Seventh Extension was approved: November 15, 2022
- o Proposed Extension: (January 3, 2023 City Council Meeting)
- o Proposed Next Extension Needed within 60 days or (February 21, 2023 City Council Meeting as March 7, 2023 Council Meeting would be Beyond the Deadline)

Minute Order Number: 2023-008

Resolution Number: 6500-2023

Item Number 7 (Removed from Consent Calendar)

7. Receipt of 2023 List of Projects and Preliminary Schedule (Responsible Department: GHD)

Toni Bertolero, GHD, presented the agenda item recommending the City Council Consider Receipt of 2023 List of Projects and Preliminary Schedule.

Mayor Hinton opened for questions.

Mayor Hinton commented while each project are in our plans, they will still come before Council for final approval and details, correct

Ms. Bertolero commented that is correct. Even though they are in the capital improvement program, whenever there is any action that is to be taken, whether we get authorization to bid the project, that has to come back to Council for final approval.

Mayor Hinton asked staff to address the member of the public's question on CEQA.

Ms. Bertolero commented as follows:

- When I talk about projects here, these are not projects. These are projects that are more of a generic term when I talk about a capital improvement program project.
- Each one of those, I deem projects.
- Then when it comes to being a project under CEQA that means that Council is going to act on that item
- In other words, if you are going to authorize bidding a particular project, that is deemed to be a project so we have to make a finding stated that it is a project and that there has to be some kind of CEQA action with it.
- Discussed Bodega Avenue Phase I and stated if we come back to Council and we say that we requested authorization to bid the project, that is determined to be a project under CEQA, there needs to be some kind of environmental process with that action.
- With what you are receiving tonight, for the public is simply information from a report of what those projects are.
- When each of those components come before Council, then any CEQA related analysis would be coming at that same time.
- Vice Mayor Rich commented as follows:
Thank you for that presentation
- Very informative.
- I actually really appreciate the summary document.
- Can you help us understand which projects, if any, still remain to be funded?
- Are these all funded projects?
- Or will some of them need funding in the future?

Ms. Bertolero commented as follows:

- I tried to list all of these items that are funded, except for the ones that identified specifically on the list.
- For example, the Phase 2 work that goes to adding the bike lanes from Nelson to Pleasant Hill Road.
- That, we are anticipating, is going for grants.
- So we do not have that project grant yet and identified that under the comments.
- The other one is the flood mitigation master plan.
- That is not yet funded because Council hasn't approved the funding of that master plan using the general fund monies.
- That will also go back to Council to be funded.
- Then the next item after that is the abbreviated contingency plan.
- We were not able to include that in the budget request for fiscal year 22-23 because we didn't know about that item until after the budget was adopted.
- We now know about it and it is due in July.
- So that item will also come back to Council to request funding for that.

Vice Mayor Rich commented since those are in second quarter on your list, is that when Council can expect the seeing a staff report that would include funding requests on those items?

Ms. Bertolero stated that is correct.

Councilmember Stephen Zollman commented as follows

- Thank you for this presentation.
- I think I am a little more clear when I first saw this list.

- Especially for the crossing [at Bodega and Robinson]. It is one of our busiest thoroughfares and with the increased occupancy in the particular units, that was the most concern.
- Not just for the bicycle lane, but for the roads, the smaller roads leading up onto that way.
- As I understand it now, all of the plans will be coming back to us at a future date and so if we have safety concerns, then there is still time to talk about that and have those addressed.
- If we need to have other safety measures, then it sounds like we will still have funding discussions about those as well if we collectively decide that the safety concerns need to take more money .
- That is my current understanding.

Ms. Bertolero commented as follows:

- That is correct.
- Specifically for Bodega, the phase one project, that should be coming back to Council in February.
- We are just waiting to hear from Caltrans on what all of their comments are.
- Once we get there will bring the project back to Council for final approval and authorization to bid.

Councilmember McLewis commented as follows:

- Discussed Ives Park pathway
- If that is actually the entire pathway?
- Are we are anticipating that to be completed in the second quarter?
- Or at least come back and begin work, perhaps, when it has been budgeted and approved through a few cycles?
- I just wanted to clarify that it is the entire pathway?
- Then I saw the parklet guidelines in the first quarter.
- don't recall hearing about this in previous meetings.
- What exactly does that entail?
- The reason I asked that is, I just wonder with the parklet that is remaining, I have to ask if both businesses that utilize the current parklet that is remaining if both want it
- That is coming through some community comments from citizens.
- What is the process if you wanted to advocate for something else?
- The reason I'm asking is because of the pathway in Ives.
- During my campaign, a lot of people expressed concerns to me about the fence that goes along that pathway and how much nicer our park would look if it was read place.
- I'm just curious and would like to learn more about that process somewhere along the line and about how to advocate for something like that as well.

Ms. Bertolero commented as follows:

- The description of the project is really removing and/or replacing the pathway that runs from the southwest picnic area along Calder Creek to though restroom facility in the park so that is the area that is uplifted and is really in disrepair.
- So it is replacing that section of the pathway.
- That is being designed right now.
- In fact, the project has been fully designed and we anticipate going out to bid I would say around March.
- Right now is not a good time to go out to bid.
- It is not a good time to be replacing that pathway.
- The intent is to have the pathway completed before summer.

- The project will not come back to Council until the project has been bid and we award a contract to the lowest bidder.
- The reason why is because of the size of the project.
- It is not a large project, and so it does not need to go back to Council for authorization to bid, only to award the project.

Councilmember McLewis commented as follows:

- Will that bring us into complete ADA compliance with that path?
- I walked it yesterday and it is pretty broken up everywhere, in my opinion.
- Discussed timing of parklets and design of parklets

Ms. Bertolero commented as follows:

- This project was started quite a while ago
- We have three temporary parklets.
- Only one was approved to be turned into permanent parklet.
- The other two are not approved for permanent parklets.
- The entire reason behind the parklet guidelines is to come up with a set of guidelines for not just parklets on the Right-of-Way, but if the city were to decide to have parklets on local streets, particularly on the side streets in the downtown area, what types of features are you looking at?
- That's the purpose of the parklet guidelines.
- We will be bringing that to the Planning Commission because at the time, Council had asked that we work with the Planning Commission to come up with these parklet guidelines.
- Will be doing that first.
- We will be developing those guidelines and bringing it to the design review subcommittee group first so that we can get their feedback.
- We are also working to get feedback and initial input from certain stakeholders but I think they were requested by Council to bring it to the downtown merchants group.
- Also through the chamber of commerce and also, I think it was the relaunch of Sebastopol.
- These are the stakeholders that we are going to be reaching out to.
- We actually asked the business was fronting the one permanent parklet which will be in front of the Retrograde and the Sunshine Cafe on South Main Street.
- Yes, we did reach out to them.
- They would like the parklet to remain.
- That was something that we had talked to them about last year.

Councilmember McLewis commented as follows:

- I appreciate that.
- I know the one business I heard they've been a Council meetings but the other businesses had not been.
- I wanted to make sure that they both had contact with us to make certain.

Ms. Bertolero commented as follows:

- Yes, we did contact them via phone at the time.
- We talked to them about keeping that parklet.
- I think they would like to make sure that the parklet is a nicer looking parklet.
- So that is one of the things we are trying to come up with some guidelines as to what these parklets would look like.
- Obviously, these would have to go through Caltrans as well at least for the ones that are on 116.

Councilmember McLewis commented when will the remaining two be removed.

Ms. Bertolero commented as follows:

- I think public works intends to remove them around the first week of January.
- The public outreach happened already.
- That is to make sure that this isn't a surprise to anyone.
- Especially those people that are interested in the parklets there is quite a campaign going out to make sure that there is public outreach happening before the parklets are actually removed.
- Council discussed advocating for items
- I wanted to mention the city actually has a very good process for that.
- That process is during the capital improvement program budget meetings.
- The earlier we find out what your request is, the better it is for us.
- We can actually try to come up with some reasonable cost estimates as that is always the difficulty.
- We can do a quick guess.
- But that doesn't help anyone because then we end up not guessing properly and then we have to come back and, you know, revise the budget.
- But if you do know what those are, maybe they can go through the city clerk and we can get a list of what those projects are.
- We need to have a better description as to what, you know, a good description as to what they are so we can make sure we understand the project scope and that we can cost it out properly.
- That would be during the budget, the capital improvement budget meetings but I believe those budget meetings, historically, they have been around March is when they start.
- They go from March until about May.

Mayor Hinton commented as follows:

- Discussed the AmeriCorp Trail extension
- Is that still working off the matching grant money that that we received approximately four or five years ago

Ms. Bertolero commented as follows:

- Stated yes
- That is part of that grant project.
- We are actually under design on that one.
- There is an engineering firm called KASL
- They are doing the design right now.
- We are hoping to go out to bid on that project around June or July

Mayor Hinton commented as follows:

- Would that take care of that project?
- Is that the final process
- The bid and then get the project done

Ms. Bertolero stated that is correct.

Mayor Hinton commented as follows:

- That is at the top of the list
- Is the list prioritized in any way or is it just coincidence?
- I do recall that project coming in a lot more expensive than we expected its why some Council is going to take another swipe at it is the first quarter priority project?
- Or it is just coincidence?

Ms. Bertolero commented as follows:

- No, these are not in any order of priority.
- These are just in terms of timing, when we anticipate going to Council for these items.
- On Palm Avenue, we would like to bring that back to Council because we finally got the design engineers estimate of the cost.
- Now we know what the costs are, we wanted to bring this back to Council to let you know what the costs are.
- Because it is coming in more than what was originally anticipated, because of some field conditions that were encountered.
- So we would like to explain all of that to Council and Council can either choose to, you know, add additional funding to its or perhaps reduce the scope.
- So we will have all of that information to you at the Council meeting and we will present that to Council so that you can make an informed decision on that project.

Mayor Hinton commented as follows:

- Councilmember McLewis brought up the chain fence, the old fence at Ives.
- In Council, we saw the whole presentation of the Ives park plan.
- That I believe is rolling through the planning, or Council weighed in on it.
- I think we are trying to get funding for it.
- Can somebody just give a brief update on that plan and where it sits right now?

Planning Director Svanstrom commented as follows:

- In terms of the Ives park capital improvement, we have a portion of the Ives park pathway that is funded.
- There would still be about two thirds of it that need to be funded in future years to complete the upgrade to that project.
- We are doing that in a way that is complementary and in some ways, it, a portion of the Ives park master plan is approved with the public creek concept last fall.
- We are working with the same nonprofit group.
- A different nonprofit is California urban stream partnership.
- They're looking at potentially trying to get us funding for the coastal conservancy and a couple of other places to fund the next steps of the engineering and design for that.
- The fencing of the South would come down and that because the whole bank would be reconstructed in that natural, gentle way.
- We are hoping if we cannot replace the fence just to take it down a few years later because fencing is hugely expensive these days.

Councilmember McLewis commented as follows:

- I just wanted to clarify and understand what we are completing will help us with ADA compliance.
- But there is a still sections will not be in ADA compliance, is that correct?

Director Svanstrom commented as follows:

- That is correct
- The portion on the list tonight goes from the Southwest corner where the stages are and the picnic areas, have to probably, well, will do as much as we can.
- It would probably be up to the existing restroom buildings in the park.
- From the continuation of that over to High Street has not yet been funded.

Councilmember McLewis commented as follows:

- How long can we actually go with being out of ADA compliance and the liabilities that the city incurs?
- Also, the risk for people who are walking in those areas?
- I just walked it yesterday and it is pretty rough.
- Just wondering where that leaves the city and how long we can actually not find of something we know needs to be fixed?

City Manager/Attorney McLaughlin commented as follows:

- Speaking strictly as a lawyer, not looking at the utility of fixing these as soon as possible, which is for sure, obvious.
- We should be doing that.
- These have been in the planning stages for some time.
- We are making progress within our budgetary constraints.
- We are making progress in addressing all of those.
- So I think from a legal standpoint, I am not concerned about challenges for that.
- On the other hand, it would be nice if we were somehow able to fund every improvement needed.
- We have ADA issues in other places.
- I mean, it is a never-ending list but we take them one at a time and try to correct them as fast as we can.

Mayor Hinton opened for public comment. Receipt of 2023 List of Projects and Preliminary Schedule.

Kyle Falbo commented as follows:

- I talked about my concern of the city choosing not to replace its engineering manager when he retired some years ago. Instead, choosing to go with a consulting firm.
- This, the cost of engineering for our city has increased by 60% from the last fiscal year and wish we had an engineering manager, okay.
- What are we getting as a result of going with an outside consultant who doesn't necessarily have the same institutional knowledge and, you know, we heard tonight about numerous, many city employees having, you know, 10, 20 years worth of experience.
- We lose that when we choose to continue to outsource the work.
- The presentation we have tonight, that got pulled from the consent calendar.
- There are many Councilmember questions because the detail of the descriptions was not necessarily sufficient for new Councilmembers who need to be updated.
- So providing more of those details in the description will be helpful.
- It helps uphold the narrative and it helps to know where we are at about Palm Avenue.
- City Council discussed this July 28, 2021 with Joe Gaffney and then Police Chief Kevin Kilgore to make it \$8000 budget request for improvements, modifications to Palm Avenue and South Main.
- The agenda item was very modest. Requesting only to have signage and stripes in the street heading west.
- Public comment suggested that both the condition of the pavement needed repair and if there was an existing sidewalk gap to be filled in this section.

- Considering this, Council just requested improvements and modification as detailed in the staff report.
- The approved the budget adjustment to this item. Yet no actionable modifications as detailed were made nearly 18 months later.
- December 2021 with request for an update on this project was made.
- Not heard back from the inclusion of the sidewalk, including the funding and, on July 5, 2022, during budget discussion, it was confirmation at that time about the cost and the scope of the work.
- Another six months have passed since then. Yet, we still haven't seen any progress but I have to ask again, why are we seeing such long delays in such a simple request
- How does that speak to a pattern of delay that we seem to have a lengthy retirement of engineering and not replacing that position? Changing our engineer twice during this time.
- In addition, it is more egregious delay in the Bodega Avenue repair work, not mentioned here.
- The repair work, which is in preparation for phase one. We need to hear why that is delayed. It was supposed to happen last week or the week for that. No update there.
- Other things that are missing that I want to very quickly mention here is that the phase one project goes to Robinson Street and yet was mentioned tonight to Nelson
- She made a clarification on where this thing is actually ending for phase one and phase two.
- Discussed mention of the budget subcommittee meeting.
- I would like to ask the city to describe this meeting and proper noticing
- How the video recording are made available to the public.

Melissa Hanley commented as follows:

- I wanted to provide some antidotal experience and encourage us to be brought to the head of the priority list but my 75-year-Old Mother-in-Law was working in the park two weeks ago.
- Trip on some pavement, fell, broke her arm.
- This is not an uncommon occurrence in that park .
- People are finding it very difficult to navigate.
- Ives is such a wonderful resource for our community.

Linda Berg commented as follows:

- Just talking about Bodega Avenue.
- Then the comment that this will all come before the city Council before it is actually decided upon something like that.
- But anyway, I just wanted to let you all know, new Councilmembers, and the other ones too, that these agenda items, they are not really well understood.
- They are hazy.
- They are perhaps not popular.
- They oftentimes find themselves, the agendas are late at night, when everybody is tired, and there are very few people on this in call.
- They are pushed through by the profiteers.
- So the point is that you need to ask a question like perhaps maybe a traffic survey that needs to be done on any of these items.
- Like today, the Bodega Avenue.
- That is to put it up front, as soon as you know about it.
- For the trail. I have been down there and it is just, it is an ideal habitat for the Lyme disease for 30 years.
- I am still answering questions of people and I collected over 400 ticks off of one of the trails there.
- But you go ahead and open that up.

- It is full of tics.
- I'm saying this is just what it is, it is another way to make people sick.
- Now to avoid that, and still have then have the Laguna open, there has to be signs throughout that whole Laguna.
- You need to put adequate signage up about Lyme disease.

Mayor Hinton responded to public comments as follows:

- I did want to address one of the speakers tonight talked about the Palm Avenue improvements.
- I was, and have been, and continue to be part of that discussion.
- The Council did not approve the thousand dollar re-stripping and said that back to the investigator to fill sidewalk gaps and consider another plan.
- So that project is being worked on.
- I wanted to address that.
- Also, I think it was stated about the budget meetings having been a member of the budget meetings where Vice Mayor Rich.
- I spent many, many hours of posted meetings that the public and full transparency was invited to attend.
- I will say, every one of those budget meetings, including where all these capital improvement on these projects were discussed, were open to the public, posted for the public, and this has been fully vetted.
- To address that as well.

City Council Discussion and/or Deliberations:

Councilmember McLewis commented as follows:

- I just wanted to comment that I feel like listening to the comments from citizens regarding her mom falling, I feel like we have an ethical obligation to prioritize some of these items that I understand that we have budget constraints, but still, we need to keep that in mind for future with our budgeting for the park.
- We have a very large elder population based on all the reports we have.
- Since the census reports, I feel a lot of empathy and would like just to, you know, I feel we have an ethical obligation to keep that as a top priority moving forward to update the park walkways there.

MOTION:

Vice Mayor Rich moved and Councilmember Maurer seconded the motion to Receive 2023 List of Projects and Preliminary Schedule.

Discussion:

Mayor Hinton commented as follows:

- I welcome our new colleagues to really get in on the items.
- As I stated earlier, these items come before us, again, for final votes and as the item allows, I will just say, there might be a chance to prioritize differently.

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

VOTE:

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

City Council Action: Approved Receipt of 2023 List of Projects and Preliminary Schedule.

Minute Order Number: 2023-009

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

8. Consideration of Appointment to the One Vacancy on the Sebastopol Planning Commission: Term will be for Four Years – Term Ending Date: December 31, 2026. Applicant: Kathy Oetinger (Responsible Department: Planning/City Administration)

City staff presented the agenda item recommending the City Council Consider Appointment to the One Vacancy on the Sebastopol Planning Commission: Term will be for Four Years – Term Ending Date: December 31, 2026.

Mayor Hinton opened for questions. There were none.

Mayor Hinton opened for public comment. Planning Commission appointment for Term Dec 2022 through Dec 2026.

Linda Berg commented as follows:

- Questioned City policy on applications
- Asked if there used to be a policy with the applicant's to have a time for applications well, until you got at least two, two applications?
- For whatever seat is available?
- Am I mistaken on that?

City staff explained the policy regarding applications for Commission, Boards and Committees.

City Council Discussion and/or Deliberations:

Councilmember Maurer commented I think we are lucky to have Kathy Oetinger willing to serve.

MOTION:

Councilmember Maurer moved and Vice Mayor Rich seconded the motion to approve Kathy Oetinger Appointment to the One Vacancy on the Sebastopol Planning Commission: Term will be for Four Years – Term Ending Date: December 31, 2026.

Lives outside City Limits but within the school district boundaries (Sebastopol Union)

Discussion:

Vice Mayor Rich commented as follows:

- I was going to make a complementary comment which I will and also comment that I agree.
- We are very fortunate to have an individual with such a deep commitment and deep experience, both in our community and on the precise subject matter that we need on this particular commission.
- So I am definitely in support of this

Mayor Hinton commented as follows:

- I think that we are really lucky to have Kathy Oetinger on our Planning Commission.
- She has been a member and been very involved with our community for many years.
- I think that she is currently the chairman of the Planning Commission which means she has support from her colleagues to fill that role.
- She is willing to stay in that position which is a volunteer position for another four years.

- I am very happy to support her appointment to that.

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

VOTE:

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

City Council Action: Approved Kathy Oetinger Appointment to the One Vacancy on the Sebastopol Planning Commission: Term will be for Four Years – Term Ending Date: December 31, 2026.

Lives outside City Limits but within the school district boundaries (Sebastopol Union)

Minute Order Number: 2023-010

Mayor Hinton called for a break at 7:30 pm and reconvened the meeting at 7:42 pm.

INFORMATIONAL ITEMS/PRESENTATIONS: NONE

PUBLIC HEARING(s):

9. General Plan Amendment to Adopt the Housing Element Update 2023-2031. The Adopted Element would then be submitted to the State Housing and Community Development (HCD) for review and certification. The Resolution would allow staff to complete any non-substantive edits (for instance, provide additional information on a section or corrections of typos) to achieve certification. (Responsible Department: (Responsible Department: Planning)

PUBLIC HEARING(s):

10. General Plan Amendment to Adopt the Housing Element Update 2023-2031. The Adopted Element would then be submitted to the State Housing and Community Development (HCD) for review and certification. The Resolution would allow staff to complete any non-substantive edits (for instance, provide additional information on a section or corrections of typos) to achieve certification. (Responsible Department: (Responsible Department: Planning)

City staff presented the agenda item recommending the City Council Consider Approval of General Plan Amendment to Adopt the Housing Element Update 2023-2031.

Consultants were in attendance and provided additional information.

- Jane Riley – 4Leaf
- Elliott Pickett – 4Leaf
- Katie Green, Rincon Consulting

Mayor Hinton opened for questions.

Vice Mayor Rich commented as follows:

- Thank you very much for the presentation. We looked at these numbers and you have headings here.
- Could you please translate for the city Council here and for the public?
- What is a very low income?
- What is that number currently in the county?
- What is a low income? What is moderate income? What is above moderate income?

Director Svanstrom commented as follows

- Above moderate is 120% of median income or higher (Generally thought of as 'market rate')
- Low income is 80% or lower and very low income is 60% or lower of median income.
- We have a median income assessed that comes down from the state every year.
- It is posted on the county website.

Vice Mayor Rich commented as follows:

- I can tell you what that is for anyone family, because it depends upon the number of people in the family in terms of the calculation with what those exact dollar amounts are?
- What I was looking for was a reference point, family of four, what would a moderate income in the county be now

Director Svanstrom stated she would get that information.

Mayor Hinton commented I'm just wondering, is there a list of these sites besides on the screen tonight.

Director Svanstrom commented as follows:

- There is a full list of sites in the housing element, yes.
- I'm just going to point out the major ones
- Anyone can review the full list in the documents.

Vice Mayor Rich asked what the process was for tonight, and if there was a timeline, a time crunch.

Director Svanstrom responded:

- We are asking for you to adopt the resolution that would, that is in your packet.
- I believe it is page three or four of your agenda packet.
- That would adopt the Housing Element General Plan Amendment and also to certify the addendum for CEQA
- The reason we are able to do it with a CEQA Addendum, as noted in the staff report, is that there are no significant impacts identified beyond the General Plan EIR.
- It is an update to the housing element that is currently in effect.
- There are no new impacts from the updated Element.
- Any projects would be analyzed for CEQA when someone applies for a project approval.
- The resolution would allow staff to do minor adjustments, but there wouldn't be any adjustments to the main policies or to the map. It may be that we need to provide, say a metric or how many of these do you think you will be able to do throughout the cycle as the State has requested?
- There would be no changes to the map either.
- And then, hopefully, we are looking at having the certified housing element at the end of January.
- That is when the current housing element expires.
- There are a few potential issues if you don't have a certified housing element by January 31st.
- The one I am more concerned about is that you need a certified housing element to be able to apply for a lot of state and federal grant funding.
- I will note, as we go to discussion, I did hear from Councilmember Sandra Maurer.
- Went over this and she did request a change in language and asked that we include the reasonable accommodation would also relate to not only people with disabilities, and/or the special needs, such as sensitivities, severe allergies

- She wanted to be sure it was included in that.
- So that is the one Edit staff is recommending to the document, to the housing document, should the Council concur.

Councilmember Zollman commented as follows:

- Thank you for that presentation.
- Discussed ADUs
- How many are we counting on over the next eight years and usage
- Because people can rent out ADUs to people who are very low income but there is no requirement after that lease ends.
- Saying that in fact, a homeowner has to consistently then release to somebody who is below average income, they can very much just take it off of market and have a relative stay there.
- So what is the monitoring enforcement that comes from the state that would be somehow a constraint on what it is that we do moving forward?

Director Svanstrom commented as follows:

- The state does not have any constraints on who is renting ADU.
- In Sebastopol, we do have a requirements that any ADU created in or after 2017, when fees basically went away and a lot of the setbacks and things were changed, cannot be rented as short-term rentals without a conditional use permit.
- Staff also discourages and wouldn't support ADUs as short term rentals for new units, unless it somehow still had a permanent resident in it.
- Just because it is a rental, doesn't mean that it isn't part of the housing stock in that way.
- For ADU, however, we do look at what we anticipate the rents to be for them.
- And so if it is a larger brand-new detached unit, yes, it is probably going to be a market right unit.
- It is going to be rented for much more than, say, an attached converted garage that is 260 square feet.
- We actually have a lot of those in Sebastopol.
- How we allocate those between the income groups that are very low, moderate, and above moderate, is based on, a survey from ABAG of north bay ADUs and, when we go through it, we look at the housing construction from the perspective of what kind of rent is it likely to be.
- One of the things we are considering doing is just asking a few questions before as someone gets a building permit or as they get it finalized, just to better understand what people are renting units for.

Councilmember McLewis commented as follows:

- Thank you for their presentation.
- I was just wondering, can you refresh my memory on how many units, how many of the ADU units can be used for short-term rentals?
- Also, do you have any idea how many, because I don't know the answers to these questions, being so new, how many people currently have ADUs and are using them as short-term rentals?
- It seems if they become short-term rentals, then that is different

Director Svanstrom commented as follows:

- Any ADU that was created 2017 or newer cannot be used as a short-term rental without a use permit. And, actually, even older ADUs (prior to 2017), you still need a permit issued from the city to do that.
- I don't think we have any that are 2017 or newer that are actually being used as short-term rentals.

- I would say there are probably six to eight ADUs older than 2017 that are being used as short term rentals.
- I have spoken to at least a couple of those when I went through the Planning Commission's policy discussions, and some were on a fixed income and it is part of the retirement income.

Councilmember McLewis commented as follows:

- So we are limiting that?
- So we can expect that what we are looking at, they're not going to end up being vacation?

Director Svanstrom commented as follows:

- Absolutely.
- The city has a very strict policy compared to the county on those.
- You are pretty much guaranteed it is going to be rented for long term - anything longer than 30 days is considered long-term.
- Discussed ADUs being rented to traveling nurses and such.
- So it doesn't include that aspect of rentals.
- But obviously, that is a need within the community as well.

Vice Mayor Rich commented as follows:

- Thank you for that presentation.
- I know that in your presentation, you have been focusing, and I understand why it is super important, on RHNA numbers but I was really interested in the numbers in your report.
- That reflected the number of people in town who are paying much more beyond what we may consider affordable in terms of the percentage of their income that is going through housing.
- When you look at those numbers, clearly, we have many more than 213, which is the RHNA numbers we've been talking about here.
- We have a lot of people, 600 I think I ended up on that page, which are paying way more than might be considered affordable.
- So that leads me to a question about how, what barriers have been removed through this housing element to building of additional residential units?
- Number one, we look at those numbers that are so interesting.
- The data you have collected, which I think would be interesting and useful for many purposes.
- It is an amazing deep dive.
- We also know that increased inventory helps lower housing costs.
- More inventory makes sales prices easier to deal with.
- One of the primary barriers that I have heard much about is that use permits are just going through the process. paying the fees associated with getting a use permits. That is often identified as a challenge.
- Which then raises the obvious question.
- Well, what sort of opportunities have we provided in town for residential by right where an individual would not, developer would not have to come to the city and apply for a use permit and go through that process?
- How have we dealt with that in this policy documents and in a way that balances the interests, the big interest of the city?
- Also, the opportunities to invite developers in, reduce those barriers created by use permits, and hopefully, increase inventory for everyone in town?

Director Svanstrom commented as follows:

- Displayed a chart for discussion
- This does not have the underlying zone on it.
- But most of the sites on this map do not require use permits.
- So we do have a number of areas where that is allowed (residential zones).
- I will say the city venture site will require a use permit as it is in a light industrial zone.
- We have had a couple of those, also, people are concerned about the process.
- The city has recently approved a couple of those - one is the habited for humanity site.
- That project got accolades from the Planning Commission, the city Council, and the DRB. The use permit was not an issue at all for that one.
- One of our big projects at the end of Morris street were the townhomes - that also required a use permit.
- And that was, again, not an issue.
- We do offer a preliminary view, which is a study session with our Planning Commission so that people can get a sense of whether or not, I would like to think we as staff have pretty good eye for what is going to make sense.
- What might go with the Planning Commission to advise you to do that next step.
- So they can get a sense of whether or not is an appropriate site.
- We have a site at Murphy and Healdsburg going in front of the commission next week - They did not require use permit.
- They are doing mixed use with commercial for apartments above and townhomes to the back.
- That is actually commercial and residential.
- As staff, however, we have talked to them about approaching the conversation with the Planning Commission of whether it would be an appropriate place if you wanted to try to just try fully residential.
- Instead of having commercial at the bottom, having residential there.
- They're open to that so we will be discussing that with the Planning Commission next week.
- We have a couple of programs in the housing element to address this potential constraint.
- One is we currently allow 100% affordable housing by right in the commercial zones.
- So if you don't need a use permit if you are doing affordable housing in a commercial zone.
- We do require that for a market rate and we are supporting our downtown of small businesses.
- Making sure we are keeping a walkable downtown neighborhood and keeping our tax base.
- There is a review level of is there an appropriate site or not?
- We are looking at, we are looking at changing out in a couple of different ways with this housing element.
- One is to lower the threshold for that by right housing for 100% affordable to 40% affordable.
- The Planning Commission did discuss this in some detail if any of you have watched that video.
- The whole reason to have it by-right (allowed) for affordable housing is to encourage people to develop affordable housing and to sacrifice some of the commercial benefits to the city in those commercial zones, right?
- You don't get taxes from housing. You get it from commercial venues.
- So that is one way.
- The other is as I discussed earlier is the workforce housing overlay.
- That is looking at really trying to make it easier to do mixed-use in areas like the redwood marketplace where there is potential for of potential for revitalization and redevelopment that includes housing / mixed use.
- I have actually had conversations with the owner up there about that type of concept.
- The workforce housing overlay would potentially cover that in some other sites as well.
- Once we have done a little bit more actual investigation as part of this overhaul of policy documents, onto itself, to look at how it would work.

Vice Mayor Rich commented as follows:

- That is very helpful.
- Because I have great respect for the Planning Commission process, it sounds like this issue, whether there should be an expansion of allowing residential by right in more areas if possible, was discussed at length that the Planning Commission level?
- Is that correct?

Director Svanstrom stated yes.

Vice Mayor Rich commented as follows:

- From what I'm hearing, the reasoning for continuing to require use permit process rather than just going to 100% residential by right is to balance the need for other interests in town.
- Businesses, tax base, that kind of thing.
- Is that basically the rationale?

Director Svanstrom commented as follows:

- Stated yes
- So you looking at, you are talking about, we have two types of zones, actually three types.
- We have commercial zones, residential zones, and industrial zones.
- And the idea behind zoning is to kind of balance those all out so that you don't end up with just a bedroom community and no stores.
- And, you know, we have all been to communities like that.
- Everyone shopping somewhere else -- we really need to be supporting the downtown businesses and having the commercial, small businesses thrive and making sure that there is not, that there is the right involvement and so you have a walkable commercial district. If you were to take a whole block and makes it residential, well, you have kind of changed the dynamic - is that an attractive shopping area and that kind of thing at that point.

Vice Mayor Rich commented as follows:

- Why 40%?
- What is the magic behind 40%.
- I asked that because I know other jurisdictions have a lower threshold.
- So I think that is a significant step down from a higher percent.
- How do we get there?
- This is a potential incentive to developers to partner with a nonprofit if that's how it works -- or some other way provide the housing.
- That is accessible as part of that for housing.
- And not trying to get a broad range of housing not just unmixed development.
- In my mind, that is, yeah.
- And can you tell us, really briefly, I know I'm taking a lot of time here.
- But this housing thing is super important our town.
- Just really briefly, what is involved in getting a use permit?
- What is the cost? How much time is involved? Is it truly a barrier?

Director Svanstrom commented as follows:

- Usually, larger projects also include some other entitlement.

- We process them simultaneously.
- For instance, the townhomes and habitat projects both had subdivisions, so they already needed to go to Planning Commission (and city Council)
- So, It didn't change the amount of time it took at all.
- The city ventures project will be the same way.

Vice Mayor Rich asked in terms of costs.

Director Svanstrom commented as follows:

- Typically about \$3000.
- That is based on the general cost to process those for staff time
- Staff displayed income levels on the screen

Vice Mayor Rich commented affordable would be the low income, correct?

Director Svanstrom commented as follows:

- So all of these are considered as affordable options - any of the categories.
- But you can provide Inclusionary Housing at your choice of income (providing a higher percentage for the moderate and fewer units if more affordable).
- For instance, moderate income requires 15% of the number of units. So city ventures has, they are proposing 80 units total, and they're going with the moderate income level so 15% will be moderate income.

Councilmember McLewis commented as follows:

- I've another just going back to the ADU and the permit required for the short-term rentals.
- Just doing a quick look myself.
- I am able to find a number that are in Airbnb.
- Do you know of any reasonable way to actually understand if people are not applying for those permits?
- I understand it is hard to be and the fact that we don't have a downtown hotel right now.
- We have been waiting for a long time [for the hotel] and we are, we do rely on tourism.
- Do you know other places actually monitor that and ensure that?

Director Svanstrom commented as follows:

- We do have a monitoring company.
- They let us know of any unregistered rental.
- Many of the listings sound like a whole unit or ADU, but often it isn't it's just a suite or guest house.
- It is called a host of rental, that means somebody is living there, we ask them to get permit.
- If it was a non-hosted rental, we have that conditional use permit they would need to get, but as noted earlier that isn't likely for a 'whole house rental (full time short term)' or an ADU.
- On Airbnb there are a heck of a lot of advertising where people make it sound like a full ADU but it is not.
- It is, there are some people who have guesthouse but they don't have kitchens, they are in a guesthouse (and those are considered hosted). They have a microwave or something in it.
- That is the big one that usually the guesthouse that does not have but they will still advertise it also as a form.
- There are also some ADUs that are rented that are just outside the city borders, which we don't control.

Councilmember McLewis commented as follows:

- Can you give us a sense of the staff time. A sense for how much we run into that.
- I see a lot of people in a lot of people constantly looking for places and help the people that live here?

Director Svanstrom commented to do that, yes, using the monitoring to make sure that we are, that we are tracking that and that they are long-term rentals.

Mayor Hinton commented as follows:

- I recall from a previous presentation, recommendations for marketing of ADUs that would actually cost the city money.
- And this is such a long document now.
- I recall the conversation, but I can't find where it's listed.
- I just want to make sure, by proving this document, that we are not approving budgetary items into the future.
- So I am wondering if that is listed still within this?
- I do recall something specific about the ADU units and how that is a free service now and it would cost in the future.
- Is that covered, and if so where
- And the financial support is in item C which is something that the city would only be committing to if the city fell behind its projections of permitting ADUs.
- I scanned through how many ADUs we did in the last eight years.
- Maybe you could review those numbers and how many ADUs you are projecting for the next eight years.
- It seems we are predicting more ADUs in the next eight years than we have produced in the last eight years.
- Is that correct? Do you have those numbers handy?

Director Svanstrom and Consultants commented as follows:

- We are projecting about 7 1/2 ADUs per year for a total of 60 during the planning period.
- We based on what was produced on average in the last four years.
- The new legislation the last few years (fees, parking, etc.) made it possible for people to develop ADUs
- You can't require parking for ADUs anymore.
- You can convert parking that is for the main unit, say, garage but you cannot require a replacement parking.
- So say you have a two foot single-family home that requires two parking spaces would you have a one car garage you can convert that one car garage to a ADU and you do not have to replace it.
- So that has changed greatly.

Mayor Hinton commented as follows:

- So your projection is that we will do more ADUs in the future. Can you answer my original question about committing money.
- So the only thing we have by approving this plan tonight is if we fall behind in our projections, is that we would have to provide it states specifically, this Napa ADU organization that we would support them or join them, I guess.
- Is that the only financial commitments within this?

Director Svanstrom and Consultants commented as follows:

- That is correct
- We also don't state what that funding level would be either to maintain flexibility.

Mayor Hinton commented as follows:

- In maintaining flexibility, are specifically saying, the reason I'm asking, is I am on their mailing list.
- In the recent stuff I have seen, is it really promoting right now is modular's? Like pre-fab houses, not custom builds.
- So does it state that organization specifically?
- Or can we make that more generic and just say that we will do marketing for ADUs if that is the goal?
- A lot can change in an organization in eight years.
- That might not be the best place for our marketing money or they might not exist or I don't really know.

Director Svanstrom and Consultants commented as follows:

- I think it would be appropriate to change to include "or other appropriate nonprofit organizations."
- And we may have already done that. I will have to speak to Elliott to pull that program up.
- I don't think that is a problem, but I think striking the program would be a problem with HCD because what would be adopted would be different.

Mayor Hinton commented as follows:

- I would like to add that language.
- I saw Elliott shake his head that it is not currently included.
- I want to make sure that we are not tying our hands.
- I have no personal knowledge of that organization and what its future may hold.
- So I want to make sure that the city has options.

Jane Riley commented as follows:

- I think that is a good change.
- We have no problem making that change.
- Just for your information.
- My firm also staffs the Napa Sonoma Housing Collaborative and that is funded by ABAG, that is the regional organization, would be putting money toward the Napa Sonoma Center and so the county and the city contributions would be smaller because if they are supporting that organization it would be smaller because of the collaborative support for the organization.
- I think that is why we were referencing that particular organization.

Mayor Hinton commented as follows:

- In the presentation , City staff mentioned that an individual Councilmember had contacted you about a change.
- You quickly verbalized what it was, but I wasn't quick that I could get it.
- That change has not been presented in writing.
- Would like to see that change.
- I think that change should be approved by the full Council, not a change added by an individual.

Director Svanstrom commented as follows:

- This is about code enforcement and reasonable accommodation procedures.
- And so this would be the highlighted area, I can read it. (showed on screen)
- So basically, it says that the fair housing act, the agencies provide reasonable accommodation in the application of zoning laws and other land-use regulations, policies, procedures for persons with disabilities.

- This often applies to things like an ADA ramp that might be in a set back, which we wouldn't normally allow but do to accommodate the disability.
- We do have a policy within our zoning for reasonable accommodations , the request is to change this to include "or other special needs, such as EMF sensitivities, severe allergies, chemical or fragrance sensitivities,

Mayor Hinton commented as follows:

- I want to finish my question here, which is really, I guess maybe to our city attorney.
- I am not understanding, by adding that, obviously, the law provides for ADA compliance.
- Does this mean that if a person that was wanting to rent or build, they have to take into effect someone who says they have an inner sensitivity.
- I'm a little confused by this, can you explain it

City Manager/Attorney McLaughlin commented as follows:

- The reasonable accommodation or special needs language.
- That is whatever the city deems it to be.
- So this is a statement of how our city might view special needs.
- Other examples are the elderly, for example.
- They might specify that they want to encourage housing for those special needs.
- What this language does is just a statement of what our city considers to be special needs that we think are important to accommodate in our housing.
- It's not the same thing as a disability.

Councilmember Maurer commented as follows:

- Just to give some background about why this conversation came about.
- And that is, I found out that this general plan update replaces the previous general plan update that was adopted in 2015 for the 2016 general plan.
- So on page 41 of this document, it says action item D20, to encourage the development of housing designed to accommodate persons with EMF sensitivity.
- So this D 20 has been a part of the general plan, the housing element of the general plan for the last six years, seven years.
- And so if you look on page 41, you will see that in the middle row, it says incomplete and need addressed through reasonable accommodation ordinance.
- And then you go to the next box which is that the action is removed.
- It will be addressed under program D1.2 two ensure code enforcement and reasonable accommodation procedures sufficiently addressing disability and medical needs.
- So the program D-1.2 that was read to you would now included the term EMF sensitivity and other sensitivities to replace that lost d 20.
- So I hope that explains it.

Vice Mayor Rich commented as follows:

- Thank you for the conversation, but I continue to be confused.
- So we have an historical document that included of the city's intent to encourage the accommodation of those with these sensitivities.
- And now we have a document that Councilmember Sandra Maurer is suggesting needs to integrate that historical reference.

- But from what I heard from our Planning Director, it sounds like the new language is not a statement of policy to encourage the accommodation of these sensitivities but it sounded like it was much stronger language.
- Am I missing something?
- If you can help us understand why it is that this language, whether in fact, in this updated housing element.
- What discretion do we have?

Director Svanstrom commented as follows:

- It is up to the Council if you want to include it or not.
- It was not mentioned by name in the current document.
- It is mentioned in that reference, where the last policy is mapped over to the new program.
- Councilmember Sandra Maurer has requested that it be included in their request to settle that language out when we get a chance.

Vice Mayor Rich commented as follows:

- For our City Manager, city attorney, my question will be a follow-up on what Mayor Hinton was trying to ask on what it would place on individuals with our housing element.
- Other individuals, they are attempting to comply with the housing element, would be required to take on in order to accommodate these sensitivities?

City Manager/Attorney McLaughlin commented as follows:

- I understand this would be a statement that the city must demonstrate.
- That it has been encouraging housing opportunities for people with special needs, which the city, if this language was adopted, which the city defines as, including people with EMF sensitivities, et cetera.
- We would have to demonstrate we are encouraging housing of that type.
- I don't think it is specifically putting any obligation on any one developer or person who is proposing a project.
- The obligation is on the city to demonstrate that it has attempted to meet those housing needs and how did we attempt to meet it.
- This statement is , as I understand it, we have the experts on this call.
- Jane Riley and Elliott, they are on this call, and they have more familiarity with that.
- But that is how I understand it.

Vice Mayor Rich commented as follows:

- That allows me to ask the question, because I'm trying to wrap my brain about what this really means in practical terms.
- How we encouraged this accommodation the past?

Jane Riley commented as follows:

- City Manager is correct
- Two kind of parallel things going on here.
- I find the language that is proposed to be added kind of declarative of the city's existing policy and what they are attempting to do.
- If somebody came in and said I'm trying to access this housing unit, but I need to make these improvements to an order for me to be able to live there.
- And those improvements are going to include, you know, putting something out my window.

- I'm just making this up.
- That normally wouldn't be allowed in here.
- The city would say, okay, we consider that as a reasonable accommodation we are going to make so even though it violates our zoning code, so that you can access the housing, and have it approved for that is kind of the thing we are talking about is.
- That is different than saying the city will encourage.
- Although that was a policy in the fifth cycle housing element,, we can't do that anymore in the sixth cycle.
- We cannot say the city will "encourage" unless we come up with a specific program and funding and how we are going to encourage that.
- We can't be that wide open anymore in any of the programs in the housing element.
- And because the city is already doing kind of the intent of this program, we thought, the least harmful way to address this would be putting it in that kind of statement.
- This is what the city considers being covered under this type of regulation.

Director Svanstrom commented as follows:

- Page 71 of packet is the program regarding Reasonable accommodations
- I have done a couple of these, the latest example was reducing parking spaces so they could convert regular units to be ADA they needed more additional ADA parking to accommodate those so they had to reduce the number parking spaces by two or three spaces.
- That was approved by the staff as it was a reasonable accommodation.
- And so this is, the request for reasonable accommodation may include a modification or exception to the zoning rules, standards, practices, for the site and development with the use of housing when those regulations would eliminate regulatory barriers provide the person with a disability or other special needs such EMF sensitivities, severe allergies, chemical or figure sensitivities, the equal opportunity to the housing of their choice.
- That is the proposed change.

Councilmember Maurer commented as follows:

- I just wanted to clarify my thought.
- The difference from the current, the housing element that has been in place since 2016 or 2015.
- It says specifically to accommodate persons with EMF sensitivities.
- So the change is very different .
- The change is to accommodate persons with EMF or other sensitivities, chemical, et cetera.
- So it is basic stating what is law based on fair housing, fair housing laws in California.
- And so I am hoping that's clear.
- I just wanted to have that language in there because it was already in there the last round.
- I didn't want to lose that language.
- So that's that.

Vice Mayor Rich commented as follows:

- I do want to make sure I understand that we are not legally obligated.
- This is a city for our city attorney.
- It is my understanding that there is not a California law that legally obligates us to accommodate the sensitivities that have been listed here.
- We are choosing, as a city, if we support this, as a city Council, to insert this language.
- But if we could have your answer, city attorney, we are not legally obligated to include this, are we?

City Manager/Attorney McLaughlin commented as follows:

- I believe that our housing element would be perfectly legal and defensible if it did not have this language.
- However, there is an argument that has been made with the California housing law may require that you make accommodations for people with these special needs which were just enumerated by the Planning Director.
- But we believe that the housing element as it was drafted and put in the staff report is fully defensible.

Councilmember McLewis commented as follows:

- I just want to understand if we make, if we are making accommodations or, you know, encouraging accommodations and going beyond our zoning regulations, first of all, if that impacts someone was living next door and people request these types of accommodations, where does that leave them?
- What I guess, I'm trying to wrap my head around, you know, if we are going out side of the parameters, how does that impact others and what recourse do they have to that, you know?
- What is the process with that?
- How are they notified?
- How can they have any type of say in any kind of accommodation that goes beyond that zoning that might impact them?

Director Svanstrom commented I believe it would be only for the individual unit.

Councilmember McLewis commented as follows:

- I am wondering like, I think I live like six feet from another house.
- If there's some sort of fragrance or some sort of accommodation in that way, how does that, what recourse do neighbors have if they don't agree with that?
- If it is going beyond the actual zoning and property line?
- Do you know what I mean?

City Manager/Attorney McLaughlin commented as follows:

- I think it has to be considered in the development of property?
- Not already existing property.
- That has been developed and is being occupied presently.

Councilmember McLewis commented as follows:

- What if new neighbors are moving in
- You always wonder how things are going to go.
- That is why, understanding it is in development, that makes sense.
- There is no onus on the city, there is no recourse.
- How do we demonstrate that we are encouraging this?

Director Svanstrom commented as follows:

- So usually, the reasonable accommodation is a case-by-case basis.
- And how exactly this would work for EMF and fragrance is a little hard for me to envision this.
- I know of a couple of folks -- places where Burbank housing has accommodated someone in the town by protecting their units.
- I'm not an expert on this, for sure.
- But those units were being rehabbed at the time.

- They were just redeveloped.
- If that had not occurred, then there would, it would have been a different situation.
- The criteria and the findings for approval of a reasonable accommodation are outlined in the ordinance itself.
- So we are talking about here tonight is just a small part of that.

Mayor Hinton commented as follows:

- So if the responsibility is on the builder or rehab-er, and I just going to use EMF as the basis , the biggest thing I've heard about is smart water meters.
- Would using this language than say to the person applying for the permit, you shouldn't install a smart water meter?
- As I'm trying to figure out how practically this will affect developers or people trying to build housing to accommodate and is that a real thing?
- And my misspeaking here? Can you clarify?

City Manager/Attorney McLaughlin commented as follows:

- There is no encouraging language any longer.
- I just want to put that out there, folks.
- I think you could make an argument because they are assuming that a permit was needed for this development you are discussing.
- I think you could make an argument that the developer of the property would have to accommodate the needs of the person who has expressed their special need when you have it set forth as were talking about in your housing element.

Vice Mayor Rich commented as follows:

- As I see this discussion taking on a much greater scope that I was prepared to encounter today.
- What happens if we do not take action on this item tonight?
- What effect does that have on - Kari Svanstrom, what effect does it have on your timeline in order to complete the housing element?

Director Svanstrom commented as follows:

- We are on a tight timeframe.
- I would encourage if there is a way to approve the resolution tonight, that would be great.
- Our current housing element is certified and valid until January 31st of this year.
- If there is a gap, we may not be able to apply for funding for any grants that come up that are going to, that are going to require a certified housing element.
- That is probably the biggest potential impact.
- There is something called the builder's remedy.
- I think in Southern California and I will ask Jane to describe that one if you want.
- If we don't have a certified element, by June 30th, we still be subject to SB35 which we would otherwise not be subject to at this point.
- So that is a huge one, obviously.
- I don't think we would delay that long
- But there is a potential that we would not qualify.

Vice Mayor Rich commented but if we work at to consider this item at our next meeting or the meeting, the first meeting in February, what that still meet your deadline?

City Manager/Attorney McLaughlin commented no, we will be out of certification as of the day after January 31st.

Jane Riley commented as follows:

- I want to be really clear.
- The city can do things that are not in its housing element.
- You don't have to have this in your housing element in order to do it.
- You can adopt a housing element tonight without the additional language that directs staff to go back and work out a way to put this in and bring it back to you.
- So you can add it at a later date.
- You don't even have to -- like I said, I think what we are trying to put in is declaratory of what the city is doing anyway.
- So you may be able to do it anyway without going back to the housing element review process.
- If you want it to be a policy or procedure program in the housing element you could add later.
- I would encourage you to move forward today to adopt, whichever way you have got the three votes.
- If you need to direct staff to do more later, then you can certainly do that.

Mayor Hinton opened the public hearing. General Plan Amendment to adopt the Housing Element

Calum Weeks commented as follows:

- I am with generation housing with affordable housing.
- This is definitely been a long and arduous road.
- And at this point, this is greater, you know, it is great with the community and we really appreciate that everybody has been engaged and involved.
- Waiting on this very complicated process.
- I would like to touch upon something that Vice Mayor Rich brought up earlier.
- The Planning Commission on December 13th, it was made very clear by Commissioner Fritts who is an architect, who shared his concerns about program a -- of the housing requiring -- eligible for a review process in commercial in downtown.
- Quite frankly, that just isn't realistic to my knowledge, we don't see that anywhere in the community.
- There is really no track record that demonstrates that that will have any success.
- So really, I would ask, if staff can really further provide additional comments as to how they do this to be feasible.
- But frankly, it is not going to have an impact.
- We would be like to create opportunities in the short run.
- What offers 20%.
- This can be offered at a later date.
- I would suggest maybe in the short run, you would consider putting in a sunset clause.
- So for three years, we allow by right commercial and downtown properties until 2025, 2026.
- Try this out and see if the developers would be interested in taking the separately of talk with developers and architects and all of them have said the exact same thing.
- This policy proposes absolutely absurd point no one will take action on it.
- I would really actually encourage, at a minimum, you kind of a loan yourselves with the county.
- The county allows 20% of units, they allow by right process.
- So really, I would ask consideration of that.
- Or if possible, you can consider this date.

- It is concerning that it is set so high.
- I would like to have a greater conversation, if possible, about that.
- Beyond that, we are pretty pleased with the housing element.
- Again, I'd like to thank everyone who was waiting on this process.
- I really appreciate your service.
- A special thanks and note of gratitude to our new Councilmembers for taking on their leadership in the city of Sebastopol.
- With that, thank you and have a great evening.

Margaret DeMatteo commented as follows:

- I am a renter in Sebastopol and I am the housing policy attorney of Legal Aid with Sonoma County.
- I've spent my entire career -- two working group.
- One in Sonoma County and one in the Bay Area at large for that was required for me to wrap my head around housing element lot.
- It is a current confusing and complex issue or series of issues.
- I encourage you to take a little bit of time if possible to fully and adequately consider it.
- Legal aid is a stakeholder in the community.
- We have special needs populations.
- We help seniors in low income tenants facing eviction and a number of issues in their current housing.
- Also help homeless individuals in Sebastopol get around barriers that prevent them from obtaining housing.
- The housing element is required to address the needs of special needs groups.
- These groups are seniors, homeless persons, lessee.
- Female, single held family households.
- Persons with disabilities, large families, and farmworkers.
- As was noted, legally, the Sonoma County chapter for housing applicants in Northern California, the public interest law review the first draft and submitted a letter, making several recommendations.
- It doesn't appear that any of these recommendations have been meaningfully incorporated into the revised draft.
- On the 13th, independent commission to reconsider submitting the amended draft without further amendments.
- I do appreciate that they added tenant issues to the educational outreach program, but educational programs are not going to get us to where we need to be to combat the housing crisis.
- So I would strongly encourage you to consider the fact that more Sebastopol residents rent as opposed to owning their homes.
- That is a fact that doesn't exist in other Sonoma County jurisdictions.
- So we recommend a longer list, any of a laundry list of options, to affirmatively for housing, as it pertains to renters and homeless persons, specifically including, but not limited to rental registry, rent stabilization, reasonable protections for these programs are important because as noted, in the draft, 20% of households spend 50% or more of their income on housing.
- That is considered severely cost burdens -- armor cost burden then owners.
- I could go on and on, but the draft speaks for itself.
- The to review the public input which should be incorporated into the programs of the housing element draft.
- Give this a little more time.

Kyle Falbo commented as follows:

- This process radically departed from the earlier process which had massive community input.
- Had a board of community members as opposed to the current approach of hiring outside consultants and using outside consultants to solicit from the public through means of surveys and other community outreach.
- We first addressed the specific comments from the HCD, including organizations represent lower income and special needs housing.
- I said that.
- So let's dig into this letter from legal aid.
- The housing advocates, public interest law NAACP August 25, 2022.
- That is to be cleared by accessible design techniques and how they will be applied where the geographic focus for people living with disabilities who not only have female-headed households in Sebastopol, but families that struggle to make ends meet.
- Considering 75% of the mill households had renters, more specific and concrete action must be taken to the housing elements to support these families and prevent displacement.
- Were going to use Woodmark and use the EMF it hit our targets.
- Sweet, carry on.
- Here's the problem.
- It is possible for EMF to meet some of the city need for affordable housing but the city needs reliable rental data to verify this as an occupied.
- And many times, EMF are occupied by family members who are rents or little rent at all.
- I will continue on there, but I need to pivot briefly.
- There is a mention of the objective design standards was listed as an ongoing process.
- But please, comment on the progress of this now defunct ad hoc committee which has yet to produce any reporting through the public to Council.
- No I want to jump back to the beginning of the housing element talk about some of the graphics they provide.
- Figure 2 is highly misleading in its attempt by using inconsistent vertical scaling is to suggest that the right of growth of Sebastopol matches that of the growth of Sonoma County.
- In fact, Sebastopol is broken nearly one third of the rate of Sonoma County.
- This of massive drop in population to those younger than 55 in the last 20 years, we have lost schools in our community.
- As a result of the loss of young population in our city.
- There is a severe lack of diversity in choosing last two decades -- actively excluding minority groups.
- Figure 9.
- That highlights how little growth has taken place in Sebastopol housing in the last decade.
- 61 that units have been added in the last decade.
- That is a growth of 1.8% of the total housing.
- Let that and confirming it.
- Despite radical increases the last housing element, Sebastopol can't seem to get developments to build here.

Angela Ford commented as follows:

- Historically, Sebastopol has been so inclusive and so caring about the health and welfare of our community members.

- To look at the general plan of 2016 where we are we were being encouraged to promote a livable environment for people with EMF sensitivities is a strong statement.
- This proposed language is a diminution of that.
- It is a demotion.
- It is a delusion.
- Of the spirit of 2016.
- I just want to speak out and strongly urge you to support the language and vote for the language that creates and continues, at the very least, our inclusive warm, welcoming nature here in Sebastopol, and in caring for the environment and our caring, especially of our city in need.

Linda Berg commented as follows:

- Yes, there is so many do-gooders in this area.
- We need to take care of them, instead of making them sick with radiation.
- We need to recognize the harm and danger of man-made radiation frequency and fields.
- We need to slam the brakes on this.
- With the waterless -- with the water meters but I asked the status last time of what that was.
- I am still hoping for an answer.
- Well, it is been several weeks, so I hope you can give me an answer tonight.
- And what the status of the wireless water meters is.
- The smart meters, the electric and gas meters, they came in, once again, like a bunch of Nazi storm troopers without our knowledge.
- We saw them in our home.
- You know, increasing the toxicity, the radiation which is so making us sick and killing us.
- We need to address the Senate needs to be addressed also in the housing element.
- As you know, I live in a shielded environment.
- Much of that is fenced, just to put shielding on the ceiling -- meters.
- Some of the electrical outlets in order to neutralize the radiation which has picked up in the wires on the walls because they act as antennas.
- But really, it is not that expensive to minimize our exposure to wireless radiation.
- But the big thing is we have got to stop kicking ourselves.
- So anyway, in order for us to all get on the same page with the wireless radiation to it.
- I recommend that everybody on the line take a look at the DVD that came out about 10 years ago or so called tape back your tower.
- That is a good common ground that, you know, it is easy to understand.
- That is take back your power.

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

City Council Discussion and/or Deliberations:

Councilmember Maurer commented as follows:

- I want to thank the public speakers, particularly the leg or perspectives on this.
- I believe that our Planning Director and due diligence in terms of preparation of this housing element.
- I understand there was some on comfortability or contention around the language that I asked to be included around accommodations.
- Frankly, that new language is for accommodations is a watered-down version of what was already in the 2016 housing element.

- But since our Planning Director and our city attorney and the consultants are comfortable with the different, with adding this different language, I ask that the Council accept this language as it is written.
- As it has been added two.

Vice Mayor Rich commented as follows:

- In general, I am very much in support of this housing element.
- I do think that the focus that we have heard from our speakers on the need for increasing our inventory of available properties, homes for rent and for sale in town is really important.
- I am hoping that with the provisions we see in this housing element and with the approach taken by our Planning Director and our Planning Commission, we will see that.
- So given our talent and leadership, I am comfortable in terms of the language in general.
- In terms of the proposed language that Councilmember Sandra Maurer has raised for us, I have concerns.
- There are two concerns, really.
- One is a transparency concern.
- That is something we all share.
- This language was for post was tonight as we were sitting in the city Council meeting.
- I am very uncomfortable in terms of the public and us, as decision-makers, pondering this in the moment , which is how I feel we are doing it.
- I know we could do it if we had to, but I personally am not comfortable with that approach.
- Especially given that we have now heard that we can come back to this issue, if we need to at a later date, and go forward with this housing element.
- Without jeopardizing the proposal that Councilmember Sandra Maurer has brought to us tonight.
- So the one piece of transparency.
- The other piece is, for me, one implications does this language have in terms of our community as a whole?
- Is it the right policy decision?
- Will it, that the Council has supported in the past?
- For instance, wireless water meters, which I support.
- There is just too much for me, personally, to ponder and to balance in the moment here.
- So that's how I see it.
- At this point in the evening, I will look forward to hearing what my other Council and fellow Councilmembers have to say.
- At this point, I am bound to my leaning is to approving it without the language that Councilmember Sandra Maurer has proposed, with the request that that language and issue be brought back to the Council at a later date.
- But I can be persuaded.

Councilmember McLewis commented as follows:

- I do support this language, in general, as well.
- Just from a practical perspective, I do have concerns just about the fact that we need for affordable housing for families, in general, here in Sebastopol.
- It is a concern for me. But in general, I do support this.
- I too have had thoughts about, just having this verbiage with the EMF and the accommodations brought here at the meeting and having to go back and forth about this.
- Not feeling as though I completely understand implications that it could have overall.

- I think it's, I'm just not comfortable with having it just thrown on us at the last minute like this and having to make a decision about a policy and a document , from what I understand, it is lasting for eight years.
- I think it deserves, you know, we all deserve to have a little more time to understand and wrap our Heads around implications it has but at this point, I come as well, I do it right verses, you know, just pushing it through tonight point so just that piece of it, I would be more comfortable, especially knowing we can go back to it, I am open to that, going back to it and having that discussion at a future date.
- But, you know, I'm not comfortable with something just at the last minute.
- That was a long document to read already.
- To wrap my head around it and come up with the questions and then, so at any rate, I'm good with in general, but what I would do is prefer to set that aside.
- That is where I am at this point.

Councilmember Zollman commented as follows:

- I want to thank everybody for bringing that up and protecting the stabbing housing that we have and protecting the renters.
- Moving forward, it would be all of us to put a little bit more effort in protecting renters to make sure that they actually have a solid place to live and if they have problems with their housing, knowing exactly where to turn to resolve grievances.
- There is that.
- I also do share what my other fellow Councilmembers have shared about entertaining the proposed language tonight.
- There are mechanisms.
- If anyone of us have proposed language, my understanding is you can send it to Mayor, and Mayor can send it out.
- We can use Mayor as a vehicle to give all of us advance notice.
- For the particular language we would like to have considered and give us some more time.
- So with that, I'm in favor of passing the general plan amendment and taking Councilmember to 29th language I see your head up, Sandy, but I'm going to go next and say I was interested, specifically, in some of the comments that were made by generation housing.

Mayor Hinton commented as follows:

- Since I have the luxury of being on the city Council previous, we did receive a number of letters from generation housing, including one on August 22nd.
- I pulled that backup to refresh myself.
- You know, generation housing, I think, in many ways, has -- on housing in the county.
- I thought it was really interesting that he brought up to 40% again.
- It has been discussed a number of times .
- And whether that is really doable for us.
- That is referenced on, let me pull up -- the opportunities for buyer right housing.
- He referred to Planning Commissioner Fritz on that.
- The 40% of units affordable and whether that is doable.
- So I think, when we talk about, as my colleagues have, coming back to this, it is not just about the language that was proposed tonight by one of the Councilmembers but it is a number of things that were brought up by our speakers.
- One is rental.
- People that rented our community.
- Two is the 40% threshold and mother that needs to be changed or adjusted.

- And then, as my colleagues have mentioned, the language.
- I frankly wouldn't have been, I would have been open to adding the sentence or other special needs and period.
- And leave it at that, but presented not even in writing to us.
- I was the one who had to ask a second time to understand it.
- And I would be in favor of approving the current document that we are looking at and bringing it back another time in the future for a variety of discussion points.
- I think the rental, the 40% threshold, and possibly, language.

Councilmember Maurer commented as follows:

- I would just like to clarify that I didn't like that sentence that was negotiation between myself have preferred to maintain the original language to develop housing for people with electrical sensitivity.
- I would've preferred to maintain that, but the Planning Director offered to define special needs groups.
- This was her proposal for defining and I agreed that this was okay.
- Although I did suggest using the word chemical for chemical sensitivities.
- So I am not sure if we approve this tonight, that it can come back.
- I'm asking, this is my question to the city attorney, City Manager, and the Planning Director.
- Is it true that we can go back to this proposed language, the accommodation language, at a later date, and that it would still be included in the housing element?

City Manager/Attorney McLaughlin commented I have not researched that specifically, but I am confident that the Jane Riley's advice in that regard would be correct.

Jane Riley commented as follows:

- I want to be clear that I didn't say that you could adopt the housing element and then go back and change the housing element itself without going through another round of review.
- Because if you go back to change the housing element itself, you would need to go through another round of hearings and HCD review with very limited exceptions.
- You could, however, add that language to the part of the code where it was proposed, which is in the reasonable accommodation ordinance .
- That doesn't have to go back to HCD for review.
- You could also make changes in your administrative policies and procedures that would not have to go to be clear on what I said there.

City Manager/Attorney McLaughlin commented as follows:

- I would agree with Jane Riley on that.
- The code she has referenced in the policies does not need HCD review.
- To put in the housing element, it has to go back to HCD.

Vice Mayor Rich commented as follows:

- I am wondering what would be the way to revisit those topics?
- We've heard that a code could include the sensitivity issue raised by Councilmember Sandra Maurer.
- How about the 40% figure?
- I mean, my impression is that the housing element, if it says, if it has a 40% foundation , that is what we have.
- We can't change that.

Director Svanstrom commented as follows:

- So the first, in terms of a rental housing policy, we did add to the education as the first step.
- We have a policy regarding educating the public, staff, and decision-makers on housing law.
- We have actually already been in touch with Margaret coming to the Planning Commission after adoption for that.
- To go to the Planning Commission first to do an education on the tenant rights and concern issues this spring so we can understand.
- There is a long list of potential things you could do.
- Just cause eviction, rent control, rental registries.
- Education on that first, and then from there, we will get into the Planning Commission and potentially counseling programs that you all want to implement.
- And then we go from there in terms of implementing.
- It doesn't need to be an hour housing implement to implement it.
- Just like the RV village that was done is nowhere in our housing element.
- We did it as a city because, you know, it was the in terms of the 40%.
- In my mind, one of those major policies that we have been working on, the workforce housing overlay.
- The 40% doesn't mean that you can't go below that 40%.
- The 20% or 40% whatever the Council might want to do.
- It is until the policies are adopted, they are not in effect, the city needs to develop the policy and regulations.
- We need to actually go forward and create the regulations that have the underlying policies in the zone ordinance which is the implemented measure.
- So the program of workforce housing overlay – this will identify additional opportunities where there may be by right housing with a 20%.
- I would hate to go to 15% or lower, because frankly, that means that anyone developing any housing anywhere with inclusionary can do housing, and so you have absolutely no control.
- And you also have no reason to encourage affordable housing to get that additional incentive.
- They have to do it anyway because of the inclusionary housing.
- The workforce housing is going to look at what policies are needed, where is it preferred to do that.
- That is really for how to do housing and that is more along the by right with the standards.

Vice Mayor Rich commented as follows:

- So just to be clear on this, it sounds like if the city Council wanted to pursue a housing by right policy, and set a 20% threshold or limit for that, this housing element would not prevent that?
- The housing element that was drafted currently, we could, in fact, be more lenient and make that decision later on?

Jane Riley commented as follows:

- The devil is in the details and the details are always work out, right?
- I think what Kari has in mind is when you get to implementing these programs, there'll be sites to let go at a lower level.
- And sites that you really want to preserve the higher level for.
- And that would be flushed out.
- Getting more information, we really dive down and start looking into that.

Vice Mayor Rich commented it sounds like city Council would have discretion to do that.

Staff stated that is correct.

Vice Mayor Rich commented as follows:

- Encouraging renters.
- I think that has been answered too.
- It sounds like the three items that have been raised by Legal Aid and by generation housing, Calum Weeks, and by others, and this discussion, both public and city Council, could be addressed later on, even if we approved the housing element as proposed tonight?

Staff stated that is correct.

MOTION:

Councilmember Zollman moved and Mayor Hinton seconded the motion to approve General Plan Amendment to Adopt the Housing Element Update 2023-2031 by approving a Resolution of the City Council of the City of Sebastopol certifying the general plan environmental impact report addendum for the California Environmental Quality Act (CEQA) and adopting the draft housing element general plan amendment.

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

VOTE:

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

Noes: None

Absent: None

Abstain: None

City Council Action: Approved General Plan Amendment to Adopt the Housing Element Update 2023-2031 by approving a Resolution of the City Council of the City of Sebastopol certifying the general plan environmental impact report addendum for the California Environmental Quality Act (CEQA) and adopting the draft housing element general plan amendment.

Minute Order Number: 2023-011

Resolution Number: 6501-2023

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

11. Designating Voting Delegate and Alternate(s) to Vote in the Mayor's Absence for the 2023 Sonoma County Mayors and Councilmembers City Selection Committee Meetings and Sonoma County Mayors and Councilmembers Board and General Membership Association Meetings (Responsible Department: City Administration)

City staff presented the agenda item recommending the City Council Consider Designating Voting Delegate and Alternate(s) to Vote in the Mayor's Absence for the 2023 Sonoma County Mayors and Councilmembers City Selection Committee Meetings and Sonoma County Mayors and Councilmembers Board and General Membership Association Meetings.

Mayor Hinton opened for questions.

Vice Mayor Rich commented how frequently, in your experience, Mayor Hinton, have we had to dip down below the Mayor and Vice Mayor, for these needs

Mayor Hinton commented as follows:

- In my six years, I do not believe we had to go past the Mayor or Vice Mayor.
- There was always one that has attended.
- Many times, the majority, if not all of the Council, has attended, including the assistant City Manager and City Manager.

Vice Mayor Rich commented where these meetings when they have been in person

Mayor Hinton commented as follows:

- They rotate between the cities. The cities host them on a rotation.
- Sebastopol has hosted previously
- I believe we were lined up to host earlier this year and that meeting was changed to a virtual meeting
- We have not had one in person meeting for some time

Vice Mayor Rich commented are they all within Sonoma County

Mayor Hinton stated yes

Mayor Hinton opened for public comment.

Linda Berg commented as follows:

- Concerning the leadership and representation here, I have a strong hope for new leadership.
- Somehow, they can find a way to let someone else represent this town
- I have zero faith in the Mayor and the Vice Mayor.

Mayor Hinton responded to public comment as follows:

- Just to address the public comment tonight.
- Generally, these votes are pre-discussed and discussed at a regular city Council .
- Just because the Mayor is making the vote, it has already been predetermined in almost every instance, unless something unusual happens on the floor.
- This is not, by the Mayor making the vote, it is generally, as mentioned, always pre-discussed and voted on by a full Council.
- That is been our protocol and Sebastopol in the past and I expect that to be our protocol moving forward.
- So with that said, generally speaking, the Mayor makes the vote, the Vice Mayor backs up, and then we are discussing tonight what order we would ask for a third and a fourth and a fifth backup.
- That might have to do with how often looking at the meetings, they are in the evenings, that you might anticipate attending this.
- Or we could go in Alphabetical order as we do with our vote calls currently.

City Council Discussion and/or Deliberations:

Vice Mayor Rich commented as follows:

- I think that we just to go Alphabetically. That would just be my proposal.
- Either that or we randomly choose virtual straws or something.
- So that's my thought. But I am open to discussion.

Councilmember McLewis commented I was just going to say I'm open to Alphabetical or just asking everyone.

Councilmember Zollman commented I definitely plan on attending so I am definitely interested good by them also happy to Alphabetical. Whatever works easiest.

MOTION:

Mayor Hinton moved and Vice Mayor Rich seconded the motion to approve Designating Voting Delegate and Alternate(s) to Vote in the Mayor's Absence for the 2023 Sonoma County Mayors and Councilmembers City Selection Committee Meetings and Sonoma County Mayors and Councilmembers Board and General Membership Association Meetings in the order as listed below:

1. Mayor Hinton
2. Vice Mayor Rich
3. Maurer
4. McLewis
5. Zollman

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

VOTE:

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

Noes: None

Absent: None

Abstain: None

City Council Action: Approved Designating Voting Delegate and Alternate(s) to Vote in the Mayor's Absence for the 2023 Sonoma County Mayors and Councilmembers City Selection Committee Meetings and Sonoma County Mayors and Councilmembers Board and General Membership Association Meetings in the order as listed below:

1. Mayor Hinton
2. Vice Mayor Rich
3. Maurer
4. McLewis
5. Zollman

Minute Order Number: 2023-012

Mayor Hinton noted she would not be in attendance at the February 9, 2023 Sonoma County Mayors and Councilmembers Association 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.

Angela Ford commented as follows:

- I'm here representing the constituency of people in this community.
- We are 62 and over. We are 24% or 33%. Somewhere in that range.
- We are a significant number of people.
- We are usually in bed. I would be in bed with my book right now.
- There is no way of telling the ends of these meetings.
- I just want to let you know that I think this really needs to go back to its original place.
- It doesn't belong at the end of a long meeting.
- I also consider the young working families, people that have to get up early in the morning, they can't stay to share a concern.
- We are sort of like your forager and the scouts on the ground with issues that are of importance to various groups of people in our community.
- So even though it is sort of a pain in the butt sometimes, I think it is really important that we continue to be a Democratic inclusive community.
- So that's my pitch.
- Let's just continue to be exclusionary unless do this and reverse back to the beginning of the meeting.
- Also, one other point is, any comments that do come in ahead of time before the beginning of the meeting, help to inform the conversation.
- When it is coming here at this point, it is two weeks before anybody's even thinking about what was being said at this hour of the night.
- I am just letting you know, there are a lot of us that really aren't able to participate in this Democratic process without your support and moving it to the beginning.

Kyle Falbo commented as follows:

- I would like to address moving public comment to the end of the agenda
- It manifested itself into what we would've expected and here it is at 10:00 P.M.
- The attendance has dwindled down considerably, considering who was here previously
- The audience is less likely to hear what the public has to say.
- Secondly, I just need to reiterate my question, which is specifically that there was a now defunct ad hoc subcommittee that was tasked with updating the objective standards for our committee.
- But because of late meetings that would continue to ignore their reporting out of ad hoc subcommittees, whenever actually gotten up date from that committee.
- So I would like to know the progress of that ad hoc committee.
- Where we are in terms of updating our objective standards that allows us to not be subject to SB35 as well as other Senate bills that would restrict the ability of our community to regulate appropriate housing in our community.
- Thirdly, the Mayor was quick to try to correct my statement that yes, this Council did vote on July 28 2021 to approve \$8000 for the re-striping and the re-signage of a one-way street on Palm Avenue.
- There was, in addition, a request to bring back further information. But no, the Council, did in fact, vote to approve that budget for that task.
- It was additionally, in the minutes, of our meeting July of this year, 2022, which was very specific in asking that the adjustment to the budget for this Palm Avenue improvement was to include the sidewalk gap filling.

- It was confirmed that yes, this was the scope of the project, including the updating or filling the sidewalk caps. This is the funding and the amount for that.
- It is still not clear to me why in two cases we have clear direction as to this very simple infrastructure improvement and yet we still can't get to these capital improvement projects years later.
- The projects are not being updated.
- That is one way to save money is to just keep pushing these things out.
- You're not spending the money. Then you have more money for capital improvement in the future.

Linda Berg commented as follows:

- First of all, I'm in total agreement with Angela and Kyle
- This public comment needs to be replaced back at the beginning of the meeting where it always has been.
- This is just one more example of the Mayor and the Vice Mayor not wanting to hear us.
- I have the experience of not being heard for years now. It needs to be moved back.
- Also, the accessibility of the city Council. The members need to be accessible
- Going to farmers market you know, the accessibility. It is a wonderful thing.
- It makes me really miss Michael.
- So aside from that, I would just like to remind the City Councilmembers that they are creating an increasingly toxic environment and are more in danger of EMF
- It is almost unbelievable with all of the information that I and the others have provided to the Mayor and the Vice Mayor, that they could still support this \$2.2 million.
- In addition to that, I would also like to point out the idea of building an environmentally safe building is nothing new.
- A building was specifically built to accommodate people who were EMF sensitive and chemical sensitive.
- They are way ahead of us. It needs to be done again.
- Sebastopol, well, they were leading the way until we got these Councilmembers now that are looking for people in other cities to find out what they are doing and following them.
- Not knowing that we are the ones who have been with environmental concerns.
- Anyway, I hope, I hope some of these people will see the light.

Mayor Hinton responded to public comments as follows:

- Just to address the public, as I stated at the last meeting, we are, I've got a number of feedback from the community about trying to stay on schedule and from members of the public that waited for hours for a specific posted agenda item only to have the meeting run so long that that agenda item was never heard, and they were notified at 9:30 or 10:00 at night.
- With this new change, I'm trying to balance the needs of the entire community. I just wanted to state that.
- Requested staff give an update on the Design Guidelines Committee during Committee Report Outs

URGENCY ITEM ADDED:

Agenda Title: Resolution of Support for Notice of Funding Availability (NOFA) Application. WCCS and the City will submit a joint Public Services application for \$\$40,000 to fund fifty percent (50%) of the Sebastopol Outreach Coordinator for FY24. The other 50% will be provided by the City of Sebastopol. The Sebastopol Outreach Coordinator will be an employee of WCCS.

City staff presented the agenda item recommending the City Council Consider approval of Resolution of Support for NOFA Application.

Mayor Hinton opened for questions.

Vice Mayor Rich commented as follows:

- Thank you, Planning Director Kari Svanstrom, for that information, apparently, on very short notice.
- I'm a big supporter of the outreach support coordinator.
- But I want to make sure, because I did hear the answer in your presentation, does this, with pursuing into approving the outreach coordinator for this next fiscal year?
- In other words, does it, in fact, if we pursue this, and request \$40,000, does that effectively obligate the Council to come up with \$40,000 for the outreach coordinator next fiscal year?

Director Svanstrom commented as follows:

- I believe it would.
- If you ask for \$80,000 which would be 100% of the position.
- That is where the alternative suggestion to what West County Community Services is recommending.
- Submitted either way, they feel it will be less competitive.

Vice Mayor Rich commented is West County Community Services willing to submit the application for the full \$80,000

Director Svanstrom commented yes, Tim Miller said that he would

Councilmember Maurer commented as follows:

- Can you clarify for us this \$40,000 that we are being asked to commit at this time.
- Is that above and beyond what the budget of Park Village?
- I know the city does fund an outreach coordinator and funds, in part, at least some of Park Village, around \$60-or \$80,000?
- So I don't know how much of that goes to the outreach coordinator and how much goes to the WCCS.
- Could you clarify what we do already?
- Then how this \$40,000 if it is part of that were not part of that?

City Manager/Attorney McLaughlin commented as follows:

- From the reimbursement that we have been giving West County Services for their services of their outreach.
- Of course, completely separate. Here, we discuss the budget. There is a committee for Park Village.
- They discuss the budget with West County Services and they come up with a budget figure.
- That is completely separate from the outreach.
- The full cost for the Sebastopol outreach coordinator, for that person, is \$80,000 a year.
- Or, I will say \$80,000 for the next fiscal year. That is what West County Community Services is looking at.
- The one advantage you may have in doing, if the city commits to a portion of it, is that that person would be committed to the city of Sebastopol as opposed to Sebastopol and any outlying areas.
- However, you know, again, if it is just north or south of the city, but it is being supported, generally around Sebastopol, I don't know if that would matter to Council?

Mayor Hinton commented as follows:

- I was curious if you know what the pot of money is that is available for these grant applications.

- I am wondering if it might make sense if we consider, if we submitting an application for half of the year, sensibly impact our next year budget? Doing that without committing to the match.
- Our fiscal year runs July 1 through December 31st.
- If they feel like it would be more competitive for the \$40,000 we could just submit an extension of the coordinator we have already funded.
- Do you know how big the pot of money is?

Director Svanstrom commented as follows:

- I do not. I can try to find it, although, when I asked him, he still is still honing in.
- He has several different funds. He is still working with the county as to which particular fund would be the one that they, that the goes under.
- The CDC staff actually kind of redirects funds to those
- I do know in the November round of funding that was done, there was a substantial portion of homeless funding that was not applied for and not granted.
- So that was kind of why we need to submit an application.
- We were told that the outreach position was not eligible for that.
- I am not quite sure what type of services are eligible for that.
- But he was being told that this would be, there is public service funding as opposed to capital, you know, capital improvements that this would fall under.

Councilmember McLewis commented as follows:

- Just to clarify. That's the question I had earlier in the discussion.
- In the paperwork, it says that they will apply for two positions but I just want to clarify that we, Sebastopol, will be responsible.
- We are not adding the position at all. Will not be responsible for that second position at all.
- Secondly, when you mentioned the \$80,000, that would be the complete total for our outreach coordinator and then they would apply for a different amount for what would go to West County and not our responsibility?
- If they did apply for the full amount, does that, I mean, does it matter as far as our budget if they actually awarded that and they received all of that money?
- So then we are not, it is not impacting our budget at all in the future?

Director Svanstrom commented as follows:

- West County Community Services is applying for support for two of these positions in rural West County.
- They are proposing that we apply funds for the Sebastopol personnel as a third person.
- So that is totally separate from the two, the two they are applying for that they would administer in West County themselves.
- So this is only talking to the one position that we currently support. That is like \$72,000 - That is what it has been in the past.

Councilmember McLewis commented then is the \$40,000 to fund half of that or they could apply for funding for all of it and really doesn't impact our budget in the future at all because we are fully funding that position.

Director Svanstrom commented as follows:

- That is correct. The question is, would we be competitive and get any money if we ask for all of it?
- Compared to, hey, were willing to pay for half of this position.

- Be paid for all of our general fund laws two years but never really tight budget, we're still willing to support it, but really needed help.

Councilmember McLewis commented mentioned they could actually fund less of it.

Director Svanstrom commented as follows:

- That is correct. They definitely have in the past but whether it was an overprescribed fund so they have more requests than they can then they have money available.
- What they usually do for that, because this has actually happens from funding they have been entitled, they will talk to the applicant and say, hey, we are considering recommending you for \$60,000 or \$30,000.
- Whatever it is. That's, you know, that's half of what you asked for.
- Would you still be able to do the project with that amount of money is usually what they ask.
- Obviously, they don't want to word to say a capital project.
- But for example, if you were awarded 50% of the ask, but it is still too much of a gap and they can't work the project, then, you know, that money never gets used.
- But with an average position, obviously, there are a lot of options.
- Whether it is, and probably, those questions would come in the city budget discussions.

Vice Mayor Rich commented as follows:

- Who is the decision-making body? Is it the continuum of care?
- Is it the Sonoma County Board of Supervisors?
- Who makes the decisions?

Director Svanstrom commented as follows:

- It is the supervisors.
- The initial recommendation goes to the Sonoma County Community Commission and the city and town advisory committee. That joint meeting.

Vice Mayor Rich commented is the continuum of care board involved in that stream of decision-making at all.

Director Svanstrom commented no, they are separate from that.

Vice Mayor Rich commented as follows:

- That is a relevant question because I have been present at discussions by the supervisors and by the continuum of care where they express their opinion regarding funding that benefits Sebastopol.
- So this allocation would ultimately go to the board of supervisors for approval, is that correct?

Director Svanstrom stated that is correct.

Vice Mayor Rich commented as follows:

- I understand Tim Miller's concern
- Would there be an opportunity, carry, so let's say that we join with West County Community Services to pursue this grant and as proposed by Tim Miller?
- We request partnering with him \$40,000.
- That this would be for fiscal year, not the current fiscal year, but for next fiscal year.
- Then what happens , I hope not, but hypothetically.

- Hypothetically, the City Council then decides to not fund that position.
- The outreach coordinator position.
- If that were the case, couldn't we, as a City Council, simply reject acceptance of that \$40,000?

Director Svanstrom commented you probably could however, it will affect your ability to get grants in the future with that particular organization.

Councilmember McLewis commented as follows:

- One question I have is, if we are concerned about this, is it possible to have discussion with the county to have them take on all three roles for us?
- Is it ever a possibility?

Director Svanstrom commented as follows:

- I'm not sure there would be outreach positions for the county.
- That is not generally how they operate.
- The issue these for nonprofits, usually.
- But I know they do some outreach, but I don't think in this type of work.
- Discussed potential funding and displayed the funds on screen

Councilmember Maurer commented as follows:

- I'm having a hard time wrapping my mind around this money here.
- I didn't receive this item until 5:20.
- Five minutes before I needed to be ready for the Council meeting, so I had no time to really study it or to talk to the City Manager about this.
- My understanding is that the outreach coordinator, Jennifer Lake, is doing a really outstanding job in her position.
- I've heard nothing but good things about the work she does and the work she does in coordination with someone at the police department.
- But so my question is, is this \$40,000 something that is already something that we annually pay?
- Or are we committing to this amount for the future?
- Or is this an additional funding request? Is this over and beyond what the city has already done in the past?

Mayor Hinton commented as follows:

- I'm going to go ahead and jump in as a budget committee member for the last four or five years.
- Maybe I can explain it. So Jennifer Lake Has been funded for the last two years.
- She works, technically, for West County Community Services.
- I believe, as another colleague pointed out tonight, we funded her current cost was for this fiscal year is around \$73,000.
- For the next fiscal year, which would start July 1st of 2023, that position is on the table all over again.
- As this new Council we have not committed to continue her services passed June 30th of 23, because we don't have a new budget yet.
- But this \$40,000 or asking for 100% of the funding, those are our options, would go against continuing her work in the next fiscal year.

Councilmember Maurer commented I don't understand asking for twice that.

Mayor Hinton commented as follows

- So we have two options of how to play it.
- One is, they are likely to grant, as he was on the screen, two small pots of money and a big pot of money.
- West County Community Services is saying they are more likely and our application would be more competitive to ask for a 50/50 match.
- But we could, as was pointed out, ask for the whole amount, and then they might come back to us and say, would you be able to fund her to take less?
- That's what we have to determine.

Mayor Hinton opened for public comment.

Kyle Falbo commented as follows:

- Discussed process
- Our Council continues to strained relationship with the city when it comes to its dialogue regarding homelessness and the decision-making regarding homelessness.
- Decisions have been made in a rushed manner.
- The Council is even admitted it, self admittedly, that they wished they had more time for more public input.
- So here we are in a situation with another decision that is related to homelessness and support services in our community and it is being rushed more so than any other item I've ever seen in terms of lack of the ability for public comment.
- I am not saying whether or not we should be in support or not be in support of this as a result of that.
- I'm just saying that, please, please, look for opportunities to not allow this to happen in the future.
- Of the narrative of our community and decision-makers, when it comes to these, when it comes to this particular topic
- I don't know if that means that we need to be more diligent in seeking out these sources in advance so with the knowledge that there needs to be public input on these types of decisions.
- Or if there needs to be decisions in place that I guess we are going to have to give up on this because we are notifying our citizens in a timely manner about these types of decisions to allow for public comment.
- I hope that you think about that as you continue to make these decisions in these rushed manners.
- Secondly, correct me if I am wrong, but I was under the impression that the funding for this position was coming specifically from TOT dollars that were being provided by the county, historically, over the last two years.
- That was somehow compensating us for the loss of the hotel
- If that is the case, and this funding stream was coming from those TOT dollars, maybe we should be discussing about the TOT dollars in the future., the future of those dollars suggests that we paid for this the last two years, this is an ongoing budget item.
- If not, what are our plans for replenishing those to two dollars in the future?
- Before you make these types of decisions in the continuing 70+ thousand dollars each year.

Linda Berg commented as follows:

- I agree with everything Kyle said. This is the way they do it. They get things right up and everybody is tired. Then they jam it through.
- And this is just routine. This is the way that it works.
- I would also like to remind you, city Councilmembers, you have a say on where public comment goes.
- Like you could suggest to the Mayor that the comment needs to back up in the front of the meeting.
- So also, I want to, don't be shy about asking for clarification on these issues.

- They don't understand what they are doing anyway.
- So it will benefit all of us to ask for clarification with the issues and what is going on.

Arthur George commented as follows:

- West County which is an ad hoc volunteer group.
- I want to welcome the new members of the Council and address the pre-existing Council numerous time.
- It is an ad hoc volunteer organization formed largely from the main churches, service organizations, libraries, and various interested activists but I think it is very important for the Council to make an affirmative step with this request.
- Knowing that this is a commitment for this position, to understand this , it is an outreach position.
- The Council has moved rather episodically, really.
- Over the last year or two, to deal with the homeless issue as it has come up, whether it has been a sweep of the Laguna, the sweep of Morris Street, the creation of the Horizon Shine Village, the existing Park Village
- It is important to understand the outreach coordinator position personally held by Jennifer Lake has been critical in resolving a lot of the on street issues relating to homelessness.
- This position is really critical for the continuing success of Sebastopol in addressing the unfortunate continuing problem of homelessness.
- Horizon Shine was funded just through the end of June with the threat of thousand dollar grant from the county board of supervisors.
- There was criticism from at least one member of the board of supervisors as to what Sebastopol itself was doing before it came to answer the county.
- I think it would be important to show the supervisors what Sebastopol is doing by funding this position and making a commitment to this.
- As the Planning Director said, it would really be a bad appearance if we were to request this money and then go back on the request and not fulfill the commitments that is required here.
- So I would urge the Council to move forward, to do what it needs to do and can do to fund this very important position.

Mayor Hinton responded to public comment as follows:

- I do understand this is short notice as some of these funding things to come up.
- I am sure the holidays might've impacted how this came to us at the last minute.
- But the reality is, it did come to us at the last minute and it is a grant opportunity that would benefit our city.
- So that is partly why I made the motion to put it on the agenda tonight.
- My recollection, regarding the TOT money that was brought up.
- The staff could correct me, but my recollection is usually pretty good.
- We negotiated or requested from our supervisor to help us mitigate the impact of losing the Sebastopol hotel when it was converted and taken over by the county with the home key project.
- We received approximately \$275,000 and a one-time grant that was loosely meant to cover both a homeless coordinator position, which we got in Jennifer lake, and two to three years of tot losses that we would have otherwise had as general in our general revenue accounts.
- I will say that that, I have to give credit where credit is due.
- Our supervisor went to bat for us on that in many other cities but I did hear from other elected officials in other cities.
- They do not get that grant funding, that money, from their supervisors. They were like what makes Sebastopol so special?

- So we were very lucky to get that money to help fund our first year of Jennifer Lake who, by the way, not only does homeless outreach, but also works very closely with our police department.
- In some of these tasks that, a lot of times, they is a lot to handle.
- We had been looking at that position prior to receiving that funding.
- That really helped us get that position going. But if I recall, it was not, there was no contract tied to the money.
- So when the money came to us, the Council had decisions of how to spend that money and it went into our general fund.
- It was a one-time situation that did cover, I believe, three years and the position.

City Council Discussion and/or Deliberations:

Vice Mayor Rich commented as follows:

- I am conflicted on this. The bootstrapping issue always causes me trouble.
- But and that's to the extent that we support this request.
- I think we are hearing pretty clearly from multiple sources that we are committing.
- We need to, in good faith, commit to spending the money for the homeless outreach coordinator for next fiscal year and the budget for next fiscal year has not been determined.
- So that is my hesitation and that causes me to think, well, okay, just don't go for it.
- This is a new city Council and this new city Council needs to be respected.
- In the decision-making needs to be thorough and we all know experience of seeing Jennifer Lake in action for two years and seeing the benefits that she brings to our police department and our community at large.
- In terms of addressing a very Face-to-Face, real level, the issues that we face as a community with the homeless population and our police and city Council and many others know how effective she is.
- That on the outside, also, I know that this position is effective and is cost effective and undoubtedly, has saved us money.
- In addition, on that side of the ledger, being offered, not saying no to grant money that a partner is offering to pursue an advocate for on our behalf, just goes against the grain for me.
- In terms of that, I think, okay, we have got to go for it. In terms of, so on balance, I am thinking we just go for it. My vote would be apply for the grant and embrace it and just do it.
- In terms of the amounts, I sat in on the supervisor's meeting where the most recent amount was allocated to the city of Sebastopol to allow the RV village to operate for the first half of this calendar year.
- There was not all of the supervisors, but there was one very vocal supervisor who said, hey, where's the money? Why is Sebastopol coming to us and asking for money? What are they doing? From a fiscal perspective. What are they committing?
- But that message was very clear in that meeting. I have heard similar messages from other decision-makers at the county level.
- So I think that is where Tim Miller is coming forward with the \$40,000 makes more sense.
- If you really want to get this money and have a good chance, don't go with your hand out again saying, we want money, unless you are going to match it and be willing to show you have a commitment and you are putting your money in.
- So long statement. My feeling is go for the grant. Go for the \$40,000 as Tim Miller has recommended.

Councilmember Zollman commented as follows:

- I have heard of the great effectiveness of Jennifer Lake, so I'm in favor of applying for the grant.
- What I think we have witnessed with Vice Mayor's report, the homeless are part of our citizenship.

- I think that we owe it to them to try to do what we can to make their lives a little bit better but as far as the amount, I have served in different capacities. I think partnerships go a long way.
- Instead of just asking for it, to show that we are going to continue to work in partnership with another entity, and this particular instance with this county, I think this goes a long way to show stability and the fact that we work well, basically, with others.
- I think we should go in with the matching part.

Councilmember McLewis commented as follows:

- I appreciate everyone's feedback. I just have to say that I just can't fund on principal.
- I can't commit public money when there hasn't been enough public outrage.
- I mean, we have no idea what the budget is for next year.
- I know that we have a lot of outstanding financial needs for the fire department, for our staffing, for our parks department.
- Sebastopol has done a lot to serve the homeless community and I just, on a matter of just process, I can't vote for something in the future that the public is to have more input on this.
- Committing to something for the future that nobody has really had the opportunity to comment on and to assume that that is what we will be doing in the future without actually having a budget there.
- I just, I just take public process very seriously and I just can't see voting for something that we don't even have a budget for yet.

Councilmember Maurer commented as follows:

- In general, I would say that I am in favor of having a more fully informed and engaged public.
- There was very little time to process this for myself or for the other Councilmembers. Certainly not the public.
- However, the opportunity to obtain a grant of this size to fund Jennifer Lake's work, which I have heard only good things about, considering the situation with the homeless in our city, I think it's an important opportunity.
- I understand that sometimes these grants just pop up and you don't really, there is not a lot of time to bring it to Council before hand.
- So I think, and I also think about what it is like for this woman who is this outreach coordinator, Jennifer Lake, and I would like to help give her some job security.

Councilmember McLewis commented as follows:

- I just want to say I understand that things pop up but I think this happens a lot when it comes to voting on different services for our homeless services.
- Everything is last-minute. Everything has to be an emergency and those decisions have to be made in that matter.
- I just can't support that. I mean the last minute. This is a pattern.
- With a lot of different grants, I've never seen a grant in an emergency
- I just feel like it is important for me to say I think we need to respect the public and their feedback and their input on the process in general and not predict the future when we haven't even gone through budget process and I think it is important for her to be on record that this just continues to happen with these emergency decisions regarding these types of things.
- I just don't think that we should be voting on something that we don't even have any, have had time to discuss and allow the public to make public comments.

Mayor Hinton commented as follows:

- I'm going to be supporting this application tonight. I'm going to be supporting it for a matching grant.
- Have a lot of experience with County grants.
- I have served on the open space matching grant subcommittee for the last six years.
- I believe for us to be competitive, especially when West County is applying for two full-time outreach, to get a third in Sebastopol, which would be the fifth district, we will have to come up with our share of the funding.
- While it is last-minute, this position is a last-minute point the city is funded it for two years.
- There is no reason for me to think that this position would not continue.
- It is not just about the homeless. Our police department is in support of the position.
- It helps have a person who is qualified to come out when we have emergencies that deal of with more mental illness oriented.
- So this is, as far as I am concerned, this would be very likely to be included in our next budget.
- \$40,000 grant for a small city like ours would be hard for me to say no to.

MOTION:

Mayor Hinton moved and Councilmember Maurer seconded the motion to approve Resolution of Support for West County Community Services application to the Sonoma County Community Development Commission for Funding to support two outreach positions for rural West County, and is proposing that WCCS and the City submit a joint Public Services application for \$40,000 to fund fifty percent (50%) of the Sebastopol Outreach Coordinator for FY 23-24.

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

VOTE:

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

Noes: Councilmember McLewis

Absent: None

Abstain: None

City Council Action: Approved Resolution of Support for West County Community Services application to the Sonoma County Community Development Commission for Funding to support two outreach positions for rural West County, and is proposing that WCCS and the City submit a joint Public Services application for \$40,000 to fund fifty percent (50%) of the Sebastopol Outreach Coordinator for FY 23-24.

Minute Order Number: 2023-013

Resolution Number: 6502-2023

Mayor Hinton called for a break at 11:05 pm and reconvened the meeting at 11:08 pm

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

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

City Manager McLaughlin reported as follows:

- Discussed the weather report and incidents
- Senior staff, including our interim fire chief, have been on the coney operations calls which are also staffed by the weather service.
- So we are keeping closely advised on the potential flooding that is going to happen in the next few days.
- To clarify what you might read of some of the news reports, the actual forecast is the last forecast was that the Russian river may not reach flood stage.

- However, it is at least 50% possible that it will.
- That is the reason why you read in the newspaper headlines, flooding expected.
- That is because there is a 50% chance of the Russian river reaching flood stage, but the actual prediction is not that dire.
- However, we have put the borrower on notice and we have been in communication with the borrower.
- Reminding them to think about their flood preparation and to closely monitor the weather and we will continue to help advise them.
- Also, our interim fire chief has familiarized himself and is ready to respond for an evacuation that may be needed, including at Park Village.
- We hope that won't happen.
- I just wanted to clarify the weather forecast is 50/50 at this point.
- So it is not quite as dire as what the press said, but there is a distinct possibility of flooding, including possibility at The Barlow.

Mayor Hinton questioned the NOA report and it shows a prediction of 35 feet or so. It's was a prediction of the Russian River flooding going beyond its 30 foot flooding stage. Is that different?

City Manager/Attorney McLaughlin commented the prediction that has a 40 to 60% possibility. This morning's meeting, the actual prediction was 32 feet, slightly below.

Councilmember McLewis commented as follows:

- I was just wondering, as a matter of process, should the flooding occur, is there anything that is needed from us?
- I know I've worked in tandem with the community center and all of you in different capacities but in this role, is there anything that is needed from us?
- Or is it just merely information?
- I have been in communication with the community center and Mark and they are all aware of all of the different things to watch.

City Manager/Attorney McLaughlin commented as follows:

- We don't anticipate opening an emergency operation center, even if flooding does occur.
- It would be a limited emergency operation.
- So I don't think that there is necessarily a role for Councilmembers.
- We have a fully staffed operation center. We did not last time.
- During the 2019 flood, we only had a partially opened operation center.

Director Svanstrom commented as follows:

- The subcommittee is not defunct. It is absolutely still operational.
- We sign the contract with optic coast design consultant to help us develop those objective design standards. They started their work this fall.
- We had one in December and we have another one scheduled for Thursday at 12:00.
- They're kind of doing the peace and steps, the first was to do an sort of an existing analysis of here's the existing with forms in context.
- The committee has signed off on that in finalizing that.
- When that is done, we can certainly have that come to Council

Mayor Hinton commented as follows:

- Former Councilmember/Mayor Patrick Slayter set on that because I think he was invited because of his occupation.
- Are you looking to replace them with a Councilmember on that as a liaison?
- Are you guys fine just moving it forward with design review and Planning Commission and staff?

Director Svanstrom commented as follows:

- That is a very good question. It is a very technical committee.
- I think it is helpful don't know if it needs to be on the design subcommittee though.
- Frankly, I hadn't thought about that. I was sort of hoping there was a way to keep Patrick on that committee. But I don't know what that would entail.
- He has perspective from the Council perspective piece of it but he also has the very technical nature that the committee doesn't require, but it is certainly hope will.

Mayor Hinton commented as follows:

- I'm to suggest is we are doing committee assignments in two weeks, that you might want to think about that.
- I don't know if we would have a volunteer person, but if you think it is helpful or if you think it is not necessary, I will probably be asking you that in two weeks.
- There are lots of technical committees and working committees.
- We don't always have to have Councilmembers on those committees.

Vice Mayor Rich commented as follows:

- On the same topic, I would encourage you to coordinate with Larry McLaughlin if the ad hoc committee is interested in engaging him later.
- I am sure the City Manager could help you figure that out.

Director Svanstrom commented as follows:

- I do know the committee at its last meeting, that was what they expressed. That he could continue.
- I can talk with the City Manager on that.

City Staff announced the City Council Meeting Closed Session for Tuesday January 10th 2023 at 9:00 am as well as Agenda Review Committee Meeting for Wednesday January 4, 2023.

13. City Council Reports/Committee/Sub-Committee Meeting Reports: (Reports by Mayor/City Councilmembers Regarding Various Agency Meetings/Committee Meetings/Sub-Committee Meeting /Conferences Attended and Possible Direction to its Representatives (If Needed) on Pending issues before such Boards)

(This will be either verbal or written reports provided at the meeting)

Councilmember McLewis asked about the status of the Fire Services Delivery Report.

City Staff commented we are going to release it to the full city Council and the next very few days. Then it will be we are going to recommend that it be discussed at an upcoming study session which topic we are bringing to agenda setting tomorrow morning.

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

CLOSED SESSION: NONE

ADJOURNMENT OF CITY COUNCIL MEETING

January 3, 2023 City Council Regular Meeting will be adjourned to the Special City Council Meeting Closed Session to be conducted Tuesday January 10, 2023. City Council Closed Session Meeting of January 10, 2023 will be adjourned to the Regular City Council Meeting to be held January 17, 2023 at 6:00 pm.

Mayor Hinton adjourned the January 3, 2023 City Council Regular Meeting at 11:20 p.m. to the next regular City Council Meeting to be held January 10, 2023 Special City Council Meeting Closed Session at 9:00 am. Zoom Virtual Meeting Format.

Respectfully Submitted,



Mary Gourley
Assistant City Manager/Attorney/City Clerk