

City Council

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Vice Mayor Diana Rich
Sandra Maurer
Jill McLewis
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City of Sebastopol

CITY COUNCIL MEETING AGENDA

Meeting of March 21, 2023

Meeting Start Time: 6:00 pm

Meeting to be held in Person and Virtual /Remote Participation

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

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

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

Topic: City Council Meeting - March 21, 2023

Time: Mar 21, 2023 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/88334802516?pwd=dStQT1h4N0llZUgrSmxqcVlWckVZQT09>

Meeting ID: 883 3480 2516

Passcode: 832544

One tap mobile

+16694449171,,88334802516#,,,,*832544# US

+16699006833,,88334802516#,,,,*832544# US (San Jose)

Dial by your location

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 883 3480 2516

Passcode: 832544

Find your local number: <https://us02web.zoom.us/j/88334802516?pwd=dStQT1h4N0llZUgrSmxqcVlWckVZQT09>

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

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

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

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

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

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

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

6:00 pm City Council Regular Meeting

- In Person Location: Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472
- Remote/Virtual Zoom Link:
<https://us02web.zoom.us/j/88334802516?pwd=dStQT1h4N0llZUgrSmxqcVlWckVZQT09>

Meeting ID: 883 3480 2516

Passcode: 832544

CALL TO ORDER

ROLL CALL

SALUTE TO THE FLAG

PROCLAMATIONS/PRESENTATIONS:

- Proclaiming and Recognizing March 30, 2023 as International Day of Zero Waste 2023

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

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

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

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

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

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

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

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

1. Approval of City Council Special Meeting Minutes Closed Session for Meeting of March 6, 2023 (Responsible Department: City Administration)
2. Approval of City Council Meeting Minutes for Meeting of March 7, 2023 (Responsible Department: City Administration)
3. Resolution for AB 1234 Reporting Requirements Adopting Implementation of Measures for Non-Compliance with AB 1234 Ethics Training. This policy will formalize an Ethics policy for those required per

Government Code, City's Conflict of Interest Code, as well as Require City's Committees that are not listed in the City's Conflict of Interest Code to Take Ethics Training; and approve that language be included in all Commission, Board, and Committee applications "A person holding a position on a Commission, Board or Committee must obtain formal AB 1234 Ethics Training within 30 days of appointment and bi-annually thereafter" so that applicants are aware of the requirement during the application process. (Responsible Department: City Administration)

4. Approval of Letter of Support from the City Council to the Sonoma County Library Commission for Advocacy of Library Positions by use of surplus Measure Y Funds. (Requestor: Councilmember Zollman/ Council's Liaison to the Library)
5. Approval of Contract to Muchmore than Consulting, LLC (MTC) For Human Resources Personnel Services (Responsible Department: Administrative Services Director)
6. Approval of a Resolution Authorizing staff to submit a Grant Application to the Metropolitan Transportation Commission (MTC) for a Priority Development Area (PDA) Grant for Workforce Housing Overlay/Flex Zoning project (Responsible Department: Planning)

INFORMATIONAL ITEMS/PRESENTATIONS: NONE

PUBLIC HEARING(s):

7. Consideration of an application for zoning ordinance amendment request from the applicant 421 Group on behalf of Regen West, an existing cannabis manufacturing business located on Morris Street, to amend the City of Sebastopol's Cannabis Ordinance to allow "Cannabis Retail Delivery" within the Industrial (M) districts of Sebastopol as a permitted use where it is currently not allowed. The amendment will update the Cannabis Ordinance Section 17.360 to include the changes recommended by staff and the Planning Commission on this item and Finding This Item is Exempt Pursuant to CEQA Guidelines Section 15061(b) (3) (Responsible Department: Planning)

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

8. Discussion and Consideration of approval of Work Plan for Fire Services as Recommended by the Ad Hoc Fire Committee (Requestor: Ad Hoc Fire Committee/Responsible Department: Interim Fire Chief)

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

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

9. City Manager-Attorney/City Clerk Reports: (This will be either verbal or written reports provided at or prior to the meeting).
10. 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)
 - i. (This will be either verbal or written reports provided at the meeting)
11. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)
12. 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

March 21, 2023 Meeting will be adjourned to the City Council Meeting to be held April 4, 2023 at 6:00 pm. (In Person and Remote/Zoom Virtual Meeting Format)

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

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

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

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

Government Code Section 54953.

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

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

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

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

There are times that the City Council open meetings may not be live streamed due to technical issues; if that is the case, the meeting will be video-taped and uploaded as soon as possible to the City Web Site. In the event of a

disruption in the broadcast of the meeting or a disruption within the local agency's control that prevents members of the public from offering public comments in live time such as via a call-in or internet-based service option, the legislative body shall take no further action until public access via call-in or internet-based service is restored.

COUNCIL PROTOCOLS FOR MEETING:

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

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

Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).

(b) As used in this section:

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

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

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

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