

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 AGENDA

SPECIAL CITY COUNCIL MEETING START TIME: 4:00 PM
Interviews for Design Review Board and Climate Action Committee
Followed By
REGULAR AGENDA MEETING START TIME: 6:30 PM

The City Council Regular meeting will be 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 Council Members will be teleconferencing into the meeting via Zoom.

Please note that minutes are not meant to be verbatim minutes and are meant to be the City's record of a summary of actions that took place at the meeting.

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Topic: City Council Meeting - February 7, 2023
Time: Feb 7, 2023 **04:00 PM** Pacific Time (US and Canada)
Join Zoom Meeting
<https://us02web.zoom.us/j/84337986875?pwd=aW53VkoXSnIEbDFPbU5UL3hzWVBqQT09>
Meeting ID: 843 3798 6875
Passcode: 883029
One tap mobile
+16699006833,,84337986875#,,,,*883029# US (San Jose)
+16694449171,,84337986875#,,,,*883029# US
Dial by your location
+1 669 900 6833 US (San Jose)
+1 669 444 9171 US
+1 346 248 7799 US (Houston)
+1 719 359 4580 US
+1 253 215 8782 US (Tacoma)
Meeting ID: 843 3798 6875
Passcode: 883029
Find your local number: <https://us02web.zoom.us/j/84337986875?pwd=aW53VkoXSnIEbDFPbU5UL3hzWVBqQT09>

4:00 PM Special City Council Meeting Start Time for Design Review Board and Climate Action

Committee Interviews

CALL TO ORDER

ROLL CALL

INTERVIEW(S) for Vacancy(ies);

1. Interview(s) for Vacancies on the Design Review Board (Responsible Department: Planning/City

Administration)

Current Term Ending Dates: December 31, 2022

| | |
|----------------|------------|
| Ted Luthin | Category B |
| Marshall Balfe | Category D |
| Cary Bush | Category A |

| <i>Interview time</i> | <i>Name of Applicant</i> | <i>Category Applied For</i> |
|-----------------------|--------------------------|-----------------------------|
| 4:00 pm | Marshall Balfe | Category D |
| 4:20 pm | Lynn Deedler | Category C |
| 4:40 pm | Cary Bush | Category A |

2. Interview(s) for Vacancies on the Climate Action Committee (Responsible Department: Planning/City Administration)

Current Term Ending Dates: December 31, 2022

| | |
|-----------------------|---|
| Josho Somine | (Ecological background) |
| Woody Hastings | (Climate Action or other climate group) |
| Alex Goodman | (Climate Action or other climate group) |
| Gerry Glaser | (Climate/sustainability background) |
| Vacant Youth Position | (1 of 2 youth positions) |

| <u>Time of Interview</u> | <u>Name of Applicant</u> | |
|--------------------------|--------------------------|---------------------------------------|
| 5:00 pm | Emmett Hopkins | Climate background |
| 5:20 pm | Zeno Swijtink | Climate Action or other climate group |
| 5:40 pm | Josho Sominee | Climate Action or other climate group |
| 6:00 pm | Alex Goodman | Ecological background |

6:30 pm Regular Portion of the Agenda Start Time

CALL TO ORDER

ROLL CALL

SALUTE TO THE FLAG

PROCLAMATIONS/PRESENTATIONS: NONE

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.

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.

3. Approval of Minutes of January 17, 2023 City Council Regular Meeting Minutes (Responsible Department: City Administration)
4. 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
 - January 3, 2023
 - January 17, 2023
 - Proposed Action: February 7, 2023 City Council Meeting
5. Approval and Adoption of Resolution Approving Amendments to Sebastopol Little League for Use of City Ballfields and Finding this Action Exempt from the California Environmental Quality Act (CEQA) Under Section 15301, Class 1 (Responsible Department: Planning)
6. Adoption of Resolution authorizing the closure of Main Street during the 2023 Apple Blossom Parade, Saturday, April 29, 2029, the use of the South High Street Parking Lot for the Apple Blossom Festival and suspending section 201 of ordinance no. 696 during the 2023 Apple Blossom Festival, Saturday, April 29 and Sunday, April 30, 2023 and Finding this Action Exempt from the California Environmental Quality Act (CEQA) Under Section 15304(e). (Responsible Department: Police)
7. Approval of Sebastopol Rotary Club Sponsorship Request (Sebastopol Rotary Club Application Music Event Concert at Ives Park June 3, 2023) (Responsible Department: Administrative Services Director/Public Works)

INFORMATIONAL ITEMS/PRESENTATIONS: NONE

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

8. Consideration of Appointment to Vacancies on the Design Review Board (Responsible

- Department: Planning/City Administration); New term ending Date: December 31, 2024
9. Consideration of Appointment to Vacancies on the Climate Action Committee (Responsible Department: Planning/City Administration) New Term Ending Dates: December 31, 2024

PUBLIC HEARING(s): NONE

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

10. Public Art Committee Update to Council and approval of Site for New Art Commission and Finding this Action Exempt from the California Environmental Quality Act (CEQA) Under Section 15303(e) and 15311 Class 11 (Responsible Department: Planning)
11. Discussion and Consideration of Amendment to City Council Meeting Protocols (*Public Comment For Items Not On the Agenda Item Only*). This item is to provide direction to staff on Public Comment for Items Not On the Agenda Location on the Agenda and direct staff to include the preferred option when City staff returns with amendments to the City Council Protocols at a future City Council meeting. (Requestor: Councilmember Maurer/Agenda Review Committee/Responsible Department: City Administration)
12. Discussion of In Person or Hybrid City Meetings and Direction to Staff for Amendment to Council Protocols. This item is to provide direction to staff for In person or Hybrid (in person and remote) meeting accommodations following the Declaration from the State of California Governor to rescind the statewide emergency declaration on February 28, 2023. (Responsible Department: City Administration)
13. Discussion and Consideration of Amendment to City Council and City Staff Committee and Liaison Appointments, and Finding this Action Exempt from the California Environmental Quality Act (CEQA) Under Section 15320, as follows:
 - a) Amendment to Climate Action Committee Make Up of Members and Consideration of City Council Liaison to Climate Action Committee. This would be to amend the City Council appointee as follows:
 - One City Council Appointed Representative from SCTA/RCPA or Zero Waste; and
 - One Open Position for Appointment of City Council
 - b) Receipt of Staff recommendation for City Staff Representative to the Zero Waste Sonoma SB 1383 Technical Group. This would be to amend the assignment from GHD to Planning.
 - c) Amendment to Committee Appointment for Ad Hoc Committee for Recruitment of City Manager. This item is for Councilmember appointment to the Committee based upon withdrawal of Committee member (Mayor Hinton)
14. Consideration and Direction to Mayor or his/her Designated Representative for Voting for Various Boards and Committee Vacancies at the February 2023 City Selection Committee and Sonoma County Mayors and Councilmembers Association Meeting (Responsible Department: Mayor/City Administration)

Board of Directors

1. **ABAG Executive Board: Alternate** (to fill seat vacated by Dennis Pockay, Petaluma, term expires June 2023.)
1 letter of interest received: Stephen Zollman – Sebastopol
1. **Sonoma County Agricultural Preservation and Open Space District Citizens Advisory Committee: 1 seat** (to fill seat vacated by former Council Member Osvaldo Jimenez, Healdsburg, term expires February 2024)

2 letters of interest received: Todd Lands – Cloverdale

Mark Stapp – Santa Rosa

2. **North Bay Division, LOCC, Executive Board: 1 seat** (to fill seat vacated by former Council Member John Sawyer, Santa Rosa, term expires two years from appointment)

1 letter of interest received: Jackie Elward, Rohnert Park

3. **Child Care Planning Council of Sonoma County: 1 seat** (currently held by Council Member Victoria Fleming, Santa Rosa, term expires three years from appointment)

1 letter of interest received: Stephen Zollman – Sebastopol

4. **Sonoma Marin Area Rail Transit Commission: 2 seats** (currently held by Council Member Melanie Bagby, Cloverdale, term expires February 2023 and Council Member Chris Rogers, Santa Rosa, term expires February 2023.

2 letters of interest received: Melanie Bagby – Cloverdale

Chris Rogers – Santa Rosa

City Selection Committee

Local Agency Formation Commission (LAFCO): 2 seats + alternate (to fill seat vacated by former Council Member Pam Stafford, Rohnert Park and Mark Landman, Cotati and the alternate seat vacated by former Council Member Patrick Slayter, Sebastopol term expires 4-years from appointment)

4 letters of interest received: Sandra Lowe – Sonoma

Susan Harvey – Cotati

Jeff Okrepkie – Santa Rosa

Stephen Zollman – Sebastopol

1. **Sonoma County Oversight Board Committee: alternate** (to fill seat vacated by former Councilmember Osvaldo Jimenez, Healdsburg, unspecified term)
2. **Remote Access Network (RAN) Board: 1 seat (must be a Mayor)** (to fill seat vacated by former Council Member Mark Landman, Cotati)
3. **Bay Area Air Quality Management District Board: 1 seat** (to fill seat vacated by former Council Member Teresa Barrett, Petaluma, 2-year term)

1 letter of interest received: Brian Barnacle - Petaluma

15. Consideration of Creation of Ad Hoc Committee / Follow up to Fire Services and Delivery Study Presentation (Requestor: Mayor Hinton/Responsible Department: City Administration/Interim Fire Chief)

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.

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

16. City Manager-Attorney/City Clerk Reports: (This will be either verbal or written reports provided at or prior to the meeting).
17. 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)
GC section 53232.3 (d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the body. A report out will be provided by those who attended the League of CA Cities/CAL Cities Conference Attendees: Mayor Hinton; Vice Mayor Rich; Councilmember Maurer and Councilmember Zollman
18. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)
19. 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

February 7, 2023 Meeting will be adjourned to the City Council Meeting to be held February 21, 2023 at 6:00 pm.

American Disability Act Accommodations/Accessibility: If requested, staff will make the agenda and backup materials available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) Section 202 and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid or service by contacting the City Clerk's Office at info@cityofsebastopol.org or by telephone at (707) 823-1153 who will contact the ADA Coordinator. The ADA Coordinator will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.
Notification: 72-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Please note that minutes 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.

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 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 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.

City Council Regular Meetings are available in real time and archived on Livestream. 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.

- 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 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:

City staff read the protocols for the meeting.

- This meeting is being conducted utilizing virtual settings for teleconferencing and electronic means consistent with State of California Executive Orders regarding the COVID-19 pandemic and AB 361.
- Live stream and zoom is being utilized for this meeting.
- Members of the public may view and listen to the meeting by use of Zoom as noted on the City's website and as noted on the agenda.
- Members of the public wishing to speak to the City Council may do so during public comment or may comment on agenda items during the discussion of each item and must be logged into Zoom. Live Stream is a viewing only format.

- Anyone using abusive, vulgar, offensive, threatening, or harassing language, personal attacks of any kind or offensive terms that target specific individuals or groups will be muted and removed from the meeting.

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.