

**City Council**

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



**City Manager**

Don Schwartz

[dschwartz@Cityofsebastopol.gov](mailto:dschwartz@Cityofsebastopol.gov)

**Assistant City Manager/City Clerk, MMC**

Mary Gourley

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**City of Sebastopol**

**CITY COUNCIL MEETING AGENDA**

**Meeting of Tuesday – October 15, 2024**

**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**

City Council is inviting you to a scheduled Zoom meeting.

**Topic: City Council Meeting - October 15, 2024**

**Time: Oct 15, 2024 06:00 PM Pacific Time (US and Canada)**

Join Zoom Meeting

<https://us02web.zoom.us/j/86505967145?pwd=YXJMMm94anF3NEJuMFY0VnBQQ2RnZz09>

Meeting ID: 865 0596 7145

Passcode: 696372

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One tap mobile

+16699006833,,86505967145#,,,,\*696372# US (San Jose)

+16694449171,,86505967145#,,,,\*696372# US

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Dial by your location

• +1 669 900 6833 US (San Jose)

• +1 669 444 9171 US

• +1 719 359 4580 US

• +1 253 205 0468 US

Meeting ID: 865 0596 7145

Passcode: 696372

Find your local number: <https://us02web.zoom.us/u/ktfa2nG6f>

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO THE FLAG**

**REMOTE PARTICIPATION :**

Vice Mayor Zollman and Councilmember McLewis will be utilizing AB 2449 Just Cause: Travelling for business of the legislative body or another state or local agency. Will be using the “just cause” provisions that permit legislative body members to participate in a meeting remotely without identifying their remote location or permitting the public to participate from that location requires, among other things, permitting remote participation by members of the public.

**PROCLAMATIONS/PRESENTATIONS/INTRODUCTIONS: 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.

**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 Minutes of Regular City Council Meeting of October 1, 2024 Responsible Department: City Clerk)
2. Approval of City Council Policies as Listed Below (Responsible Department: Ad Hoc Committee on Council Protocols/City Clerk)
  - a. Policy Number 1 Selection of Mayor
  - b. Policy Number 2 Selection of Vice Mayor
  - c. Policy Number 3 Roles of Mayor and Vice Mayor
  - d. Policy Number 4 Seating Selection
  - e. Policy Number 5 Trainings
3. Authorize Solid Waste Ad Hoc Committee and Evaluation Panel to Select a Top Ranked Proposer and Authorized Staff to Proceed into Negotiations (Responsible Department: Ad Hoc Committee for Garbage Delivery Services/Assistant City Manager City Clerk)
4. Approval and Receipt of Upcoming Vacancy(ies)on the Public Arts Committee for term of Dec 31, 2024, through Dec 31, 2028. (Responsible Department: Planning/City Administration)
  - a. One Vacancy
    - i. Vacant Category 2: *Persons with experience in the public art field as either an artist, installer or designer.*
5. Approval and Receipt of Upcoming Opening (ies)on the Planning Commission for term of Dec 2024 through Dec 2028 (Responsible Department: Planning/City Administration)
  - a. Two Upcoming Openings term ending Dec 31, 2024:
    - i. Deborah Burnes
    - ii. Paul Fritz

*The members of the Commission shall be from among residents of the City of Sebastopol or shall be the owner of a business within the City of Sebastopol and a resident of one of the following school districts: Twin Hills, Sebastopol Union, and Gravenstein Union, and up to one person who is not in one of the above categories, but*

who is a resident of the area served by one of the following school districts: Twin Hills, Sebastopol Union, and Gravenstein Union, may also be appointed. Members shall be appointed by a majority of the members of the City Council. A majority of the members the Planning Commission shall be residents from within the City limits at all times.

6. Approval and Receipt of Upcoming Opening(ies) on the Design Review Board for term of Dec 31, 2024, through Dec 31, 2026. (Responsible Department: Planning/City Administration)
  - a. Three Upcoming Openings term ending Dec 31, 2024
    - i. Cary Bush Category: Category A
    - ii. Lynn Deedler Category: Category B
    - iii. Marshall Balfe Category: Category D (alternate)
7. Approval to Delay Recruitment for Vacancy(ies) and Upcoming Opening(ies) on the Climate Action Committee. (Responsible Department: Planning/City Administration)

**INFORMATIONAL ITEMS/PRESENTATIONS:** Informational Items or Presentations are items that are informational only and do not require action by the City Council. Presentations shall be scheduled as necessary for the promotion of an event or service or general information items to the Council and should be limited to ten (10) minutes total in length of item (total length includes questions of Council to presenter and public comment).

8. Presentation: Status of Water Supply/City Water Wells/Infrastructure Issues. This informative presentation of the City Water Supply, City Water Wells, and Infrastructure is intended to provide a basic holistic understanding of the current status of the municipal water system. (Responsible Department: Public Works Superintendent)

**PUBLIC HEARING(s):** NONE

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

9. Consideration of Adoption of Resolution for First Amendment to Contract with 4 Leaf for Planning Services. The current terms of the contract is from October 15, 2024 to December 31, 2024. Item is to increase the contract amount by \$42,760 resulting in a new not-to-exceed amount of \$92,760. This will not require a budget amendment as funding is available in the Planning Department from Salary Savings from the currently vacant Community Development Director (CDD) position. (Responsible Department: City Manager/Administrative Services)
10. Direction to Voting Delegate for the proposed resolutions to be heard at the CAL Cities League of CA Cities Annual Conference, October 16-18, 2024. The Council will consider Resolution(s) proposed and determine a City position for direction to the Voting Delegate (Vice Mayor Zollman); and Alternate (Councilmember McLewis)
  - i. A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR THE CALIFORNIA LEGISLATURE TO ENACT LAWS THAT ENSURE THAT "WHAT APPLIES TO ONE, APPLIES TO ALL" IN THE FAIR AND EQUAL TREATMENT OF ALL GOVERNMENTAL OFFICIALS AT ALL LEVELS IN THE STATE OF CALIFORNIA
  - ii. The General Assembly of the League of California Cities objects to the practice of the California Legislature of imposing rules limiting authority or regulating the conduct of local municipal officials that do not also apply to elected officials of the State of California; and examples of such rules or regulations that apply to local city elected officials that do not otherwise apply to the elected officials of the State of California

**ADDITIONAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:** Two 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:**

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

**CLOSED SESSION: NONE**

**ADJOURNMENT OF CITY COUNCIL MEETING**

October 15, 2024 City Council Regular Meeting will be adjourned to the City Council Special Meeting Closed Session of Monday October 21, 2024 at 6:00 pm at City of Sebastopol City Hall, 7120 Bodega Avenue, Sebastopol, CA.

The Special City Council Meeting, Closed Session, Meeting of Monday, October 21, 2024 will be adjourned to the City Council Regular Meeting of Tuesday, November 5, 2024 at 6:00 pm, Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA.

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](mailto: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](mailto: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](mailto:info@cityofsebastopol.org) or [citycouncil@cityofsebastopol.org](mailto: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.

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

**COUNCIL PROTOCOLS FOR MEETING:**

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

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

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

*(b) As used in this section:*

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

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

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

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

*How can I provide Public Comment on Zoom?*

*The Mayor will request public comment during the Public Comment period on the agenda and during each Public Hearing and Regular Calendar Item. Once the Mayor has announced the public comment period, please do one of the following.*

*USING A COMPUTER OR SMART PHONE:*

- Click on the “Raise Hand” feature in the webinar controls. This will notify City staff that you have raised your hand and you would like to speak.*
- City staff will unmute your microphone when it is your turn to provide public comment.*
- A prompt will appear to confirm you would like to be unmuted. Once you accept the prompt, you will have two minutes to provide public comment.*
- Once your public comment has ended, you will be muted again.*

*USING A REGULAR PHONE:*

- Dial \*9 (star 9), this will notify City staff that you have “raised your hand” for public comment.*
  - City staff will unmute your microphone when it is your turn to provide public comment. \*6 (star 6) is used to mute/unmute.*
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- You will hear “you are unmuted” and then you will have two minutes to provide public comment.*
  - Once your public comment has ended, you will be muted again*