



City of Sebastopol
CITY COUNCIL MEETING AGENDA
Regular Meeting of Tuesday, August 4, 2026
6:00 pm Start Time

As Approved by the City Council at their regular meeting of September 1, 2026.

CALL TO ORDER: Mayor McLewis called the meeting to order 6:03 p.m.

ROLL CALL:

Present: Mayor Jill McLewis
Vice Mayor Sandra Maurer
Councilmember Phill Carter
Councilmember Stephen Zollman
Councilmember Neysa Hinton

Absent:

Staff: Mary Gourley, City Manager
Alex Mog, City Attorney, Redwood Public Law
Administrative Services Director Kwong
Police Chief McDonagh

REMOTE PARTICIPATION: None

SALUTE TO THE FLAG Mayor McLewis led the salute to the flag.

LAND ACKNOWLEDGEMENT: The City of Sebastopol acknowledges that we live and work within the unceded ancestral homelands of the Southern Pomo and the Coast Miwok people. We pay our respect to the past, present, and future generations of these peoples, including the Federated Indians of Graton Rancheria.

REMEMBERING THE HISTORY OF SEBASTOPOL: The Mayor presented information on the history of Sebastopol.

PROCLAMATIONS/PRESENTATIONS/INTRODUCTIONS:

The following was presented:

- Proclamation- Proclaiming August Ukraine's Independence Day

Minute Order Number: 2026-212

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.

The following member(s) of the public spoke during public comment for items not on the agenda:

Steve Sebastopol World Friends
 Bianca Small business advocacy; keep Sebastopol local campaign; grocery outlet
 Member of the Public Proclamation/Status of Women
 Kate Grand Jury report/City reply
 Lisa Relocation of library
 Steve Relocation of Library
 Kyle City Management/City Administration/Election

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 aloud the title of each consent item (either full agenda title or a simplified version of the agenda title), and 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 two (2) minutes on the entire consent calendar and request at that time that an item or items 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. Council Members 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.

Mayor McLewis read the consent calendar.
 Mayor McLewis asked if any Councilmember wanted to remove a consent calendar item
 Mayor McLewis requested Item Number 3 be removed for vote only.

Mayor McLewis opened for public comment. The following member(s) of the public spoke during public comment:

Kyle Millions of Dollars/TOT for new hotel
 Bianca Support Barlow/what buying with public investment
 Steve Hotel TOT
 Kate: Was room for negotiations

Mayor McLewis called for a motion.

MOTION:

Vice Mayor Maurer moved and Councilmember Zollman seconded the motion to approve consent calendar items 1, 2, 4, and 5. Item number 3 has been removed for a separate vote.

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

VOTE:

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

1. Approval of City Council Meeting Minutes for Regular Meeting of July 21, 2026

Responsible Department: City Manager

Fiscal Impact: Staff time required to prepare the minutes is covered within existing budgeted salaries.

Additional Fiscal Impact: None

City Council Action: Approved City Council Meeting Minutes for Regular Meeting of July 21, 2026.

Minute Order Number: 2026-213

2. **Approval of Waiving of Second Reading and Adoption of Ordinance to Amend Sebastopol Municipal Code Section. Under the City's Municipal Code, the City Manager possesses the authority to appoint, remove, promote, and demote any and all officers and employees of the City of Sebastopol, except the City Clerk, City Attorney, and City Treasurer. This amendment changes the requirement to include the City Clerk under the City Manager hiring authority. (2.12.100 Power of appointment, etc.)**
Responsible Department: City Attorney/City Manager
Fiscal Impact: Staff time required to prepare the agenda item is covered within existing budgeted salaries.
Additional Fiscal Impact: None
Ordinance Number: 1168
City Council Action: Approved Waiving of Second Reading and Adoption of Ordinance 1168 to Amend Sebastopol Municipal Code to include the City Clerk under the City Manager's hiring authority.
Minute Order Number: 2026-214
- ~~3. **Approval of ordinance authorizing an amendment to the development agreement for the Barlow Hotel to approve a TOT sharing arrangement: Section 7.5.5. Uniform Transient Occupancy Tax Rebate. In exchange for all of the benefits provided by this Development Agreement and the Project to the City, the City shall rebate a portion of the Uniform Transient Occupancy Tax collected from the Project. The City shall rebate 50% of the 12% tax that is levied through the Uniform Transient Occupancy Tax and provided to the City. In the event that the City increases the Uniform Transient Occupancy Tax, the City shall have no obligation to rebate any amount attributable to the portion of the Uniform Transient Occupancy Tax greater than the 12% tax rate. The rebate will commence upon occupancy of the hotel and continue for a period of 10 years. The Uniform Transient Occupancy Tax will be levied and submitted to the City and the City shall remit 50% of the 12% of the tax to the payee of the tax. The payee of the tax and/or the Developer or its Successor shall use the remitted tax funds for advertisement of tourism in the City of Sebastopol, including the Barlow Hotel as a destination in the City of Sebastopol. The City may request, and payee of tax shall provide, at least annually, documentation of how the remitted tax funds were spent for such purposes, but the City shall have no authority to direct such spending.**~~
4. **Approval of Voting Delegates and Alternates, League of California Cities Annual Conference & Expo —, Anaheim CA September 23-24-25, 2026; A voting delegated must be registered for the conference to be a voting delegate. Mayor McLewis is registered for the conference and will be attending conference.**
Responsible Department: City Manager
Fiscal Impact: Staff time required to prepare the agenda item is covered within existing budgeted salaries.
Additional Fiscal Impact: None; Each Councilmember has a travel budget of \$2000 allocated in the FY 26 27 City Budget.
City Council Action: Approved Voting Delegates and Alternates for League of California Cities Annual Conference & Expo – Anaheim, CA – September 23, 24, and 25, 2026.
Minute Order Number: 2026-215
5. **Approval of Amendment to Contract for 8th Wave (Robin Stefani) for Continuation of Monitoring of Gravenstein Commons for Compliance with HUD and City Requirements.**
Responsible Department: City Manager
Fiscal Impact: None
Additional Fiscal Impact: There is no fiscal impact to the City for approval of the continuation of this contract. SVDP to fund the continuation of the contract in the amount of \$10,000 for payment of continued services of 8th Wave for monitoring of Gravenstein Commons.
City Council Action: Approved Amendment to Contract for 8th Wave for Continuation of Monitoring of Gravenstein Commons for Compliance with HUD and City Requirements.
Minute Order Number: 2026-216

Councilmember Hinton requested item number 3 be pulled for further discussion. Item three was moved to the end of the agenda.

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). NONE*

PUBLIC HEARING(s): NONE

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

6. **Discussion and Action of Ordinance Related to Newspaper Racks** *(This item was scheduled for the July 21st City Council Meeting; but was not heard due to adjournment of the meeting per Council protocols)*
Responsible Department: Mayor McLewis/City Attorney
Fiscal Impact: Staff time required to prepare the agenda report is covered within existing budgeted salaries.
Additional Fiscal Impact: The exact amount of staff time involved with enforcement of the Ordinance is unknown and will depend significantly on the number and severity of violations.

Mayor McLewis and City Attorney Mog presented the Agenda item.

Mayor McLewis opened for questions of staff. The Council asked various questions of City staff.

Mayor McLewis opened the public comment period. The following member(s) of the public spoke during the public comment period:

Kyle
Kate
Oliver
Laura
Member of the public

City Council Discussion/Deliberations/Comments:

Council continued discussion of the item.

Mayor McLewis called for a motion.

MOTION:

Councilmember Hinton moved and Mayor McLewis seconded the motion to approve the introduction and waiving of the first reading of an ordinance to add Chapter 5.66, "Newsrack Regulations," to the Sebastopol Municipal Code.

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

VOTE:

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

Ordinance Number: 1169

City Council Action: Approved Waiving of First Reading and Introduction of Ordinance to add Chapter 5.66, "Newsrack Regulations" to the Sebastopol Municipal Code.

Minute Order Number: 2026-217

Mayor McLewis had to depart the meeting at 7:09 pm and returned at 7:14 pm.

7. Consideration of Reimbursement of \$350,354 in City Attorney Budget Allocation to the Water and Sewer Enterprise Funds

Requestor: Mayor McLewis

Responsible Department: City Attorney

Fiscal Impact: Staff time required to prepare the agenda item is covered within existing budgeted salaries.

Additional Fiscal Impact: Budget Amendment to transfer Funding from General Fund Reserves to the Water and Sewer Enterprise Funds

Mayor McLewis and City Attorney Mog presented the Agenda item.

Mayor McLewis opened for questions of staff. The Council asked various questions of City staff.

Mayor McLewis opened the public comment period. The following member(s) of the public spoke during the public comment period:

Kyle
Kate
Oliver

City Council Discussion/Deliberations/Comments:

Council continued discussion of the item.

Mayor McLewis called for a motion.

MOTION:

Mayor McLewis moved and Councilmember Carter seconded the motion to approve:

1. Reimbursement of \$350,354 in City Attorney Budget Allocation to the Water and Sewer Enterprise Funds:
Water Enterprise Fund: \$130,867
Sewer Enterprise Fund: \$219,487; and
2. Approve a Budget Amendment to transfer \$350,354 from General Fund Reserves to the Water and Sewer Enterprise Funds as allocated above; and
3. Direct continued review of the broader Enterprise Fund Oversight Committee (EFOC) recommendations such as EFOC Recommendations related to the City Manager Department Budget due to vacancy of position. This should be reviewed once the City Audit has been completed for the FY 25 26 Budget for actual costs and should be returned to Council for review.

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

VOTE:

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

Noes: None

Absent: None

Abstain: None

Resolution Number: 6792-2026

City Council Action: Approved Reimbursement of \$130,867 to the Water Enterprise Fund, and \$219,487 to the Sewer Enterprise Fund.

Minute Order Number: 2026-218

8. Introduction and Waiving of First Reading of an Ordinance Amending Sebastopol Municipal Code Chapter 12.24 (Obstruction of Streets, Sidewalks or Public Places) to Add Provisions Prohibiting Sitting or Lying on Public Sidewalks During Certain Hours

Requestor: Mayor McLewis

Responsible Department: City Attorney

Fiscal Impact: Staff time required to prepare the agenda item is covered within existing budgeted salaries.

Additional Fiscal Impact: There is no direct fiscal impact associated with the introduction of this Ordinance.

Enforcement activities are expected to be absorbed within existing budget.

Mayor McLewis and City Attorney Mog presented the Agenda item.

Mayor McLewis opened for questions of staff. The Council asked various questions of City staff.

Mayor McLewis opened the public comment period. The following member(s) of the public spoke during the public comment period:

Member of the audience

Kate

Oliver

Kyle

City Council Discussion/Deliberations/Comments:

Council continued discussion of the item.

Mayor McLewis called for a motion.

MOTION:

Mayor McLewis moved to approve introduction and waiving of full reading of the attached proposed Ordinance amending Chapter 12.24 of the Sebastopol Municipal Code to add Section 12.24.060, "Sitting or Lying on Public Sidewalks," prohibiting sitting or lying upon a public sidewalk between the hours of 7:00 a.m. and 11:00 p.m., with specified exceptions, and schedule the second reading and adoption for the Regular City Council Meeting of September 1, 2026.

NO SECOND: Motion Fails Due to Lack of Second

City Council Action: No Action Taken Due to Failure to Obtain a Second.

Minute Order Number: 2026-219

9. Request for Approval of Hours for City Attorney Research on Legal Options on Response to Community Concerns of Graffiti and Racial Mockery Associated with the Safeway Area

Councilmember Zollman presented the Agenda item.

Mayor McLewis opened for questions of staff. The Council asked various questions of City staff.

Mayor McLewis opened the public comment period. The following member(s) of the public spoke during the public comment period:

Kyle

Member of the public

Oliver

Laura

City Council Discussion/Deliberations/Comments:

Council continued discussion of the item.

Mayor McLewis called for a motion.

MOTION:

Councilmember Zollman moved and Councilmember Carter seconded the motion to approve 10 Hours for City Attorney Research on Legal Options on Response to Community Concerns of Graffiti and Racial Mockery Associated with the Safeway Area focusing on restorative justice model and return this item to the September 1st City Council Meeting.

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

VOTE:

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

City Council Action: Approved 10 Hours for City Attorney Research on Legal Options on Response to Community Concerns of Graffiti and Racial Mockery Associated with the Safeway Area focusing on restorative justice model and return this item to the September 1, 2026 City Council Meeting.

Minute Order Number: 2026-220

10. Consideration of Contribution of Formation of EIFD and next steps.

Requestors: Councilmember Carter/Councilmember Hinton

Responsible Department: Planning Department

Fiscal Impact: Staff time required to prepare the agenda report is covered within existing budgeted salaries.

Additional Fiscal Impact: \$75,000 has been set aside in the FY 26 27 Budget for consultant services. The cost of the proposed Agreement is \$40,000 for professional services (hourly) at Kosmont's standard billing rates, plus reimbursement for approved out-of-pocket expenses and a 4% administrative services fee. Invoices will be submitted monthly. There will also be additional costs of \$35,000 for surveying consultant services. These one-time formation costs are expected to be reimbursable from future EIFD tax increment revenues once the district is formed and begins generating increment (typically within the first few years)

Councilmembers Carter and Hinton presented the Agenda item.

Mayor McLewis opened for questions of staff. The Council asked various questions of City staff.

Mayor McLewis opened the public comment period. The following member(s) of the public spoke during the public comment period:

Lee
 Oliver

City Council Discussion/Deliberations/Comments:

Council continued discussion of the item.

Mayor McLewis called for a motion.

MOTION:

Councilmember Hinton moved and Councilmember Carter seconded the motion to:

1. Approve the Agreement with Kosmont Companies for Financing District Formation Advisory Services in an amount not to exceed \$40,000; and

2. Authorize the City Manager to execute the Agreement with Kosmont Companies; and
3. **Optional/Add On 1** — Authorize an additional \$10,000 - \$15,000 Budget Amendment Increase for Optional Task 4: Boundary Evaluation and Map Revision, to evaluate growth areas within City limits currently outside the proposed corridor boundary before the boundary is fixed at formation. This would increase the Not to Exceed amount to \$50,000 - \$55,000 for Kosmont. (This optional task does not expand the EIFD beyond City limits.)
4. **Optional/Add On 2** - Authorize an additional \$20,000 Budget Amendment Increase to add areas outside of the City. This was not originally included but is a recommendation from this committee. This would not assume additional costs for the surveying work, since surveying work has not started and a surveyor would be starting fresh only once a final boundary is agreed upon.

Total Budget Adjustment: \$35,000.

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

VOTE:

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

Resolution Number: 6793-2026

City Council Action: Approved: Agreement with Kosmont Companies for Financing District Formation Advisory Services; to Authorize the City Manager to execute the agreement; to add the Option 1 add-on for \$15,000; and the Option 2 add-on budget amendment for \$20,000.

Minute Order Number: 2026-221

Mayor McLewis recused herself for item number 3 and departed the Council chamber.

3. Approval of ordinance authorizing an amendment to the development agreement for the Barlow Hotel to approve a TOT sharing arrangement: Section 7.5.5. Uniform Transient Occupancy Tax Rebate. In exchange for all of the benefits provided by this Development Agreement and the Project to the City, the City shall rebate a portion of the Uniform Transient Occupancy Tax collected from the Project. The City shall rebate 50% of the 12% tax that is levied through the Uniform Transient Occupancy Tax and provided to the City. In the event that the City increases the Uniform Transient Occupancy Tax, the City shall have no obligation to rebate any amount attributable to the portion of the Uniform Transient Occupancy Tax greater than the 12% tax rate. The rebate will commence upon occupancy of the hotel and continue for a period of 10 years. The Uniform Transient Occupancy Tax will be levied and submitted to the City and the City shall remit 50% of the 12% of the tax to the payee of the tax. The payee of the tax and/or the Developer or its Successor shall use the remitted tax funds for advertisement of tourism in the City of Sebastopol, including the Barlow Hotel as a destination in the City of Sebastopol. The City may request, and payee of tax shall provide, at least annually, documentation of how the remitted tax funds were spent for such purposes, but the City shall have no authority to direct such spending.

Responsible Department: Planning/City Attorney

Fiscal Impact: Staff time required to prepare the agenda item is covered within existing budgeted salaries.

Additional Fiscal Impact: None

Vice Mayor Maurer opened the item and asked for questions of Councilmember Hinton who removed the item.

Vice Mayor Maurer opened the public comment period. The following member(s) of the public spoke during the public comment period:

Kyle

Bianca
Member of the public spoke

City Council Discussion/Deliberations/Comments:
Council continued discussion of the item.

Vice Mayor Maurer called for a motion.

MOTION:

Councilmember Hinton moved and Councilmember Zollman seconded the motion to approve ordinance authorizing an amendment to the development agreement for the Barlow Hotel to approve a TOT sharing arrangement: Section 7.5.5. Uniform Transient Occupancy Tax Rebate.

Item Number 3 as amended:

Directed staff to create a City policy to be returned to the City Council requiring that City staff shall annually by March of each year formally request the annual report from the hotel owner the annual report of marketing for the City to be presented to the City Council by June of each year.

Vice Mayor Maurer called for a roll call vote. City staff conducted a roll call vote.

VOTE:

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

Ordinance Number 1167

City Council Action: Approved Ordinance 1167 authorizing an amendment to the development agreement for the Barlow Hotel to approve a TOT sharing arrangement: Section 7.5.5. Uniform Transient Occupancy Tax Rebate.
Minute Order Number: 2026-222

Mayor McLewis returned to the dais.

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.

None

COUNCILMEMBER(S) REQUESTS FOR FUTURE CITY COUNCIL AGENDA ITEMS:

Discussion of City Council Cost Allocations to Enterprise Fund (Vice Mayor Maurer/Councilmember Zollman)

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)
 - Associate Planner hired; on board mid August
 - Conducted Interviews with proposers who submitted Planning Consultant Services Proposals
 - Interviewing additional candidates for permanent Planning Director position

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). The following members provided reports:
 - a. Councilmember Zollman
 - b. Councilmember Hinton
13. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)
Vice Mayor Maurer discussed receiving communications/questions related to an application submittal from Crown Castle

CLOSED SESSION: NONE

ADJOURNMENT OF CITY COUNCIL MEETING

August 4, 2026 City Council Regular Meeting was adjourned by Mayor McLewis at 10:03 pm the next Regular City Council Meeting of Tuesday, Sept 1, 2026 at **6:00 pm**, Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA. The regularly scheduled City Council Meeting of August 18, 2026 has been cancelled.

Respectfully submitted:

Mary C. Gourley
City Manager

Attachment 1: ZOOM Raw Minutes
Attachment 2: VITAC Real Time Transcription Minutes

WEBVTT

1

00:00:04.059 --> 00:00:05.360

Sebastopol Community Cultural Center: Absolutely.

2

00:00:08.790 --> 00:00:18.180

Sebastopol Community Cultural Center: Yeah.

3

00:00:46.210 --> 00:00:48.290

Sebastopol Community Cultural Center: I'll assign this to the north level.

4

00:00:49.660 --> 00:00:50.470

Sebastopol Community Cultural Center: Let's see.

5

00:00:51.720 --> 00:00:52.450

Sebastopol Community Cultural Center: Come on.

6

00:00:56.350 --> 00:00:57.210

Sebastopol Community Cultural Center: Pretty good.

7

00:00:57.970 --> 00:00:59.840

Sebastopol Community Cultural Center: Oh, instead of cleaning hotel.

8

00:01:12.970 --> 00:01:15.900

Sebastopol Community Cultural Center: Are you ready, or...

9

00:01:18.240 --> 00:01:20.399

Sebastopol Community Cultural Center: I'm sorry, did you say... okay.

10

00:01:49.730 --> 00:01:52.389

Sebastopol Community Cultural Center: Everyone ready? Cody, we good?

11

00:01:52.820 --> 00:01:54.060

Sebastopol Community Cultural Center: Yep, okay.

12

00:01:55.030 --> 00:02:08.209

Sebastopol Community Cultural Center: All right, everyone, welcome this evening to our meeting. Let's see, we're gonna go ahead and get started, and we're at 6.03, we're calling to order, if you'd like to do roll call, Mary. Thank you, Mayor. Councilmember Carter?

13

00:02:08.860 --> 00:02:26.169

Sebastopol Community Cultural Center: Here. Councilmember Hinton? Here. Councilmember Zolman? Present. Vice Mayor Maurer? Here. Mayor McLewis? Here. Please note, all Councilmembers are present. All right, thank you. Let's see, so now we're gonna go ahead and, do Salute to the flag, since we have no remote participation.

14

00:02:29.490 --> 00:02:31.740

Sebastopol Community Cultural Center: By the United States.

15

00:02:32.610 --> 00:02:33.779

Sebastopol Community Cultural Center: to the republic.

16

00:02:34.240 --> 00:02:40.359

Sebastopol Community Cultural Center: indivisible, liberty, and justice all.

17

00:02:42.610 --> 00:02:44.519

Sebastopol Community Cultural Center: Oh, sorry.

18

00:02:45.680 --> 00:02:46.759

Sebastopol Community Cultural Center: Don't hurt again.

19

00:02:46.930 --> 00:02:51.459

Sebastopol Community Cultural Center: What was that? What was that?

20

00:02:52.990 --> 00:02:57.910

Sebastopol Community Cultural Center: Is everything okay before we... well, we have to make sure all the electronics...

21

00:03:02.050 --> 00:03:04.550

Sebastopol Community Cultural Center: Sure, go ahead.

22

00:03:19.620 --> 00:03:20.710

Sebastopol Community Cultural Center: We're good?

23

00:03:24.410 --> 00:03:44.270

Sebastopol Community Cultural Center: Okay, all right. So, at every meeting, we read a land acknowledgement. The City of Sebastopol acknowledges that we live and work within the unceded ancestral homelands of the Southern Pomo and Coast Miwok people. We pay our respect to the past, present, and future generations of these peoples, including the Federated Indians of Great and Rancheria.

24

00:03:45.000 --> 00:03:54.770

Sebastopol Community Cultural Center: And the next step is, as mayor, I like to remember the history of Sebastopol. Again, this was, with the help of Teresa Raimondo and our West County

25

00:03:54.770 --> 00:04:18.679

Sebastopol Community Cultural Center: Museum. This week, we're just looking at, at the different theaters that we've had here in Sebastopol. I didn't realize that we had so many, so she kindly gave us some pictures and the names. We had early... we had early theaters in vaudeville in the early mid-20th century. Movies were a major attraction in Sebastopol. We actually had Starlin theater at 175 North Main Street, which opened in 1912.

26

00:04:18.720 --> 00:04:26.980

Sebastopol Community Cultural Center: And closed in 1932. And then, then it briefly opened again in the 1930s. And then we had Ana Lee Theater.

27

00:04:26.980 --> 00:04:41.829

Sebastopol Community Cultural Center: That's the next one, and it was built in 1948 and was actually at the 3... at 364 North Main Street, and it was the key downtown venue. It was in operation until 1974, until it was demolished, to make way for the Safeway parking lot.

28

00:04:42.220 --> 00:04:53.119

Sebastopol Community Cultural Center: The El Rey Theater is... was located at 226 South Main Street, and it began as the Royal Theater and opened in 1927 with,

29

00:04:53.120 --> 00:05:06.609

Sebastopol Community Cultural Center: a movie, Swim, Girl, Swim, but it closed in 1931, and reopened as the El Rey Theater in 1932, and again, it was closed again in 1949, when the Ana Lee Theater actually opened.

30

00:05:06.760 --> 00:05:26.589

Sebastopol Community Cultural Center: And then they had... there were some later developments. The Ana Lee Theater's closure marked a shift in our downtown entertainment, and in the 1990s, Sebastopol's cultural scene saw a revival in interest in theater history. So most... more recently, we have the Rialto Cinemas, which opened in, 2012 at its current location.

31

00:05:26.630 --> 00:05:40.789

Sebastopol Community Cultural Center: And then we also had, some legacy theaters. Let's see, I'm looking at them all here. I think this is...

that's pretty much the gist of it, but Mary, had some pictures there if people were interested in looking at, what we had here.

32

00:05:41.360 --> 00:05:59.630

Sebastopol Community Cultural Center: So, just a little trivia history for everybody, and then I am going to move on to proclamations, and we have one proclamation tonight, and it is for, it is proclaiming August 24th, 2026, as Ukraine's Independence Day.

33

00:05:59.870 --> 00:06:24.270

Sebastopol Community Cultural Center: Whereas for centuries, the Ukrainian people have courageously fought for their freedom, self-governance, and national identity, overcoming challenges and preserving their rich cultural heritage. And whereas on August 24th, 1991, Ukraine achieved independence from the Soviet Union, marking a historic milestone in the Ukrainian people's journey towards freedom, democracy, and self-determination.

34

00:06:24.420 --> 00:06:36.409

Sebastopol Community Cultural Center: And whereas the City of Sebastopol recognizes the importance of promoting cultural diversity, fostering international understanding, and supporting the aspirations of all nations towards freedom, justice, and independence.

35

00:06:36.410 --> 00:06:47.140

Sebastopol Community Cultural Center: And whereas in 1993, to further the goal of supporting citizen diplomacy, the City of Sebastopol entered into a sister city agreement with the city of Chirvan, Ukraine.

36

00:06:47.140 --> 00:07:08.269

Sebastopol Community Cultural Center: And whereas for the past 33 years, through the efforts of Sebastopol World Friends, the Sebastopol community has developed deep and lasting relationships with the Chirvan community by way of education and cultural exchanges. And whereas the City of Sebastopol desires to show its solidarity with the Ukrainian people in their pursuit of peace, sovereignty, and territorial integrity.

37

00:07:08.320 --> 00:07:18.560

Sebastopol Community Cultural Center: Now, therefore, it be resolved that I, Jill McLewis, Mayor of the City of Sebastopol, on behalf of the City Council, do hereby proclaim August 24th, 2026, as Ukraine's

38

00:07:18.560 --> 00:07:33.489

Sebastopol Community Cultural Center: Independence Day in the City of Sebastopol, and call upon all residents to join in commemorating this significant occasion to honor our Ukrainian sister city, and to recognize

the Ukrainian people's enduring spirit and ongoing struggle for freedom and self-governance.

39

00:07:33.810 --> 00:07:41.949

Sebastopol Community Cultural Center: So, I know we... we have, oh, there's... we have some... we have, you're just coming up to accept? Yeah, yeah, totally.

40

00:07:42.160 --> 00:07:43.640

Sebastopol Community Cultural Center: We're gonna hand you this.

41

00:07:44.030 --> 00:07:45.460

Sebastopol Community Cultural Center: Apologies for folks.

42

00:07:49.690 --> 00:07:53.200

Sebastopol Community Cultural Center: Thank you very much.

43

00:07:59.990 --> 00:08:07.569

Sebastopol Community Cultural Center: All right, and then I just needed to find out if there are any statements or conflicts of interest tonight.

44

00:08:07.820 --> 00:08:13.450

Sebastopol Community Cultural Center: Nope. Okay. All right, so Mary, can we go to public comment for items not on the agenda?

45

00:08:14.070 --> 00:08:30.200

Sebastopol Community Cultural Center: Thank you, Mayor. So, as you stated, this is for public comment for items that are not on the agenda. It is a 20-minute time limit, it is 2 minutes per person. We do in chambers first, and then go out to Zoom, and then come back into chambers. So, if there's anyone in chambers that would like to make a public comment.

46

00:08:33.360 --> 00:08:34.950

Sebastopol Community Cultural Center: You can, you can just go there.

47

00:08:35.190 --> 00:08:42.529

Sebastopol Community Cultural Center: Good evening, everyone. It's, I'm Steve Levenberg. I'm here representing Sebastopol World Friends, and it's,

48

00:08:42.830 --> 00:08:48.439

Sebastopol Community Cultural Center: My pleasure to follow along after the proclamation. We really appreciate that.

49

00:08:48.570 --> 00:08:58.019

Sebastopol Community Cultural Center: And the people in Chicron, the people in Ukraine really appreciate any show of solidarity. It just...

50

00:08:58.340 --> 00:09:00.899

Sebastopol Community Cultural Center: Makes them not feel so alone.

51

00:09:01.310 --> 00:09:19.690

Sebastopol Community Cultural Center: Sebastopol World Friends has been a strong supporter of Chikarin and has raised funds since 2022 to benefit humanitarian projects in and around Chikarin, the most recent one being that of renovation of a dormitory.

52

00:09:19.810 --> 00:09:27.850

Sebastopol Community Cultural Center: That's housing internally displaced people who've lost their homes and often lost their cities as a result of the war.

53

00:09:28.300 --> 00:09:40.339

Sebastopol Community Cultural Center: It's very exciting tonight to, announce that Sister City International just recently awarded Sebastopol World Friends their

54

00:09:40.360 --> 00:09:52.200

Sebastopol Community Cultural Center: Award for Innovation in Humanitarian Assistance at their most recent meeting, and that was presented... Meg Mizutani was there at the meeting to

55

00:09:52.360 --> 00:09:53.810

Sebastopol Community Cultural Center: To receive this.

56

00:09:54.020 --> 00:10:01.849

Sebastopol Community Cultural Center: It's very exciting, and it's nice to have, you know, our hard work represented. It's all past that.

57

00:10:04.730 --> 00:10:14.980

Sebastopol Community Cultural Center: We continue to raise funds for that project, and an exciting, event that occurred recently was that

58

00:10:14.990 --> 00:10:32.019

Sebastopol Community Cultural Center: In collaboration with Sebastopol Rotary and Rotary of Cher Cassie. If you have about 20 seconds. Okay, Chaircase of Santa Rosa's sister city. Rotary received an international

grant for \$140,000 that will help to facilitate the completion of that project.

59

00:10:33.810 --> 00:10:41.070

Sebastopol Community Cultural Center: And October 4th, we invite everyone to join us for a fundraising event.

60

00:10:41.280 --> 00:10:55.219

Sebastopol Community Cultural Center: to support that Shashleek and beer at Regal Ranch Park from 1 to 4 p.m. Thank you. Thank you for your public comment. I will go out to... I'm going to go out to Zoom real quick, and then I'll come right back.

61

00:10:56.290 --> 00:11:01.510

Sebastopol Community Cultural Center: So again, this is for public comment for items not on the agenda. Bianca, can you unmute yourself, please?

62

00:11:03.310 --> 00:11:17.579

Bianca Blomquist: Hey there, thank you so much. Good evening, Mayor and Council Members. My name is Bianca Blomquist. My background is in small business advocacy and economic policy, and I just wanted to recognize

63

00:11:17.680 --> 00:11:33.099

Bianca Blomquist: the work that the Keep Sebastopol Local campaign is doing, how important it is that the City Council sticks to its general plan, and the Keep Sebastopol Local campaign's doing a great job of reminding folks of what that general plan is.

64

00:11:33.100 --> 00:11:40.329

Bianca Blomquist: But we just really encourage the City Council to continue to evaluate how the grocery outlet proposal

65

00:11:40.330 --> 00:11:48.289

Bianca Blomquist: will impact our workers and the small business owners and the small grocers and independent grocers that already exist in Sebastopol.

66

00:11:48.490 --> 00:11:53.019

Bianca Blomquist: Economists like to call this the local multiplier effect.

67

00:11:53.050 --> 00:12:07.689

Bianca Blomquist: that for every \$100 spent at a locally owned business, it generates about \$68 in local economic activity. And this is compared with just \$43 at a national chain, and the reason for that is because

68

00:12:07.690 --> 00:12:14.010

Bianca Blomquist: Independent business owners are more likely to hire a local accountant. Shout out to Haley's Tax Service.

69

00:12:14.010 --> 00:12:17.199

Bianca Blomquist: An attorney, a printer, like...

70

00:12:17.200 --> 00:12:29.009

Bianca Blomquist: Sprint Copy Center, banks, other local businesses, they donate to local nonprofits and spend their profits in the community. And while Grocery Outlet has a hybrid model, it's not like

71

00:12:29.030 --> 00:12:33.050

Bianca Blomquist: A full-blown franchise model, but kind of quasi-one.

72

00:12:33.050 --> 00:12:55.620

Bianca Blomquist: The individual stores are operated by local entrepreneurs, but they still remain part of a publicly traded national company with a centralized brand and a supply chain system. And so, as the, the famous economist says, Michael Shoman says, the more times and the faster a dollar passes between hands without leakage.

73

00:12:55.620 --> 00:13:01.780

Bianca Blomquist: the more income, wealth, and jobs in a community. So, thank you so much for hearing my public comment.

74

00:13:02.320 --> 00:13:18.640

Sebastopol Community Cultural Center: Thank you, Bianca, for your public comment. Next, I'll come into Chambers. Good evening, my name is Lori Ogg, and I'm representing the Sonoma County Commission on the Status of Women, and tonight I would like to present a resolution proclaiming August 26, 2026, as Women's Equality Day in Sonoma County.

75

00:13:18.680 --> 00:13:33.340

Sebastopol Community Cultural Center: So, if I may read the resolution, whereas on August 26, 2026, we mark the 106th anniversary of the enactment of the 19th Amendment to the United States Constitution, which secured the right to vote for women.

76

00:13:33.340 --> 00:13:51.079

Sebastopol Community Cultural Center: And whereas to secure this right, women were forced to conduct 56 referendum campaigns, 480 campaigns to get legislatures to submit suffrage amendments, 277 campaigns to state party conventions, 19 campaigns to 19 successive congresses, and get the

77

00:13:51.080 --> 00:14:03.989

Sebastopol Community Cultural Center: Consent of the 36 states and more, and whereas today, women constitute nearly 50% of our workforce, the majority of the students in our colleges and graduate schools, and an increasing number of primary breadwinners.

78

00:14:04.110 --> 00:14:16.150

Sebastopol Community Cultural Center: And whereas, over the past 3 years, women's incomes have declined, and as of mid-2026, women working full-time earned 81% of what men earned, down from 85% in 2023.

79

00:14:16.250 --> 00:14:27.440

Sebastopol Community Cultural Center: And whereas, even with the gains women had made, women's role as equal members of our society and their rights are being challenged and reversed in multiple arenas, including the fundamental right to vote.

80

00:14:27.480 --> 00:14:32.939

Sebastopol Community Cultural Center: Access to reproductive healthcare, and protection from being the subject of personal violence.

81

00:14:32.940 --> 00:14:47.510

Sebastopol Community Cultural Center: And whereas, here in Sonoma County, the Board of Supervisors in 1976 established the Commission on the Status of Women with the express purpose of working to ensure equal rights and opportunities that enhance the quality of life for all women and girls.

82

00:14:47.510 --> 00:14:53.299

Sebastopol Community Cultural Center: and address the issues of discrimination and prejudice that negatively affect women in Sonoma County.

83

00:14:53.370 --> 00:15:08.000

Sebastopol Community Cultural Center: And whereas more work remains to be done in many areas that directly impact equal pay for equal work, including access to quality, affordable childcare, affordable housing, comprehensive healthcare for women, and mental health care.

84

00:15:08.000 --> 00:15:15.540

Sebastopol Community Cultural Center: Now, therefore, be it resolved, the Board of Supervisors proclaims August 26, 2026,

85

00:15:15.820 --> 00:15:33.129

Sebastopol Community Cultural Center: as Women's Equality Day, marking the 106th anniversary of the enactment of the 19th Amendment, celebrating the achievements of women and recommitting to gender equality in Sonoma County and all women's fundamental rights. Okay. Thank you.

86

00:15:33.390 --> 00:15:36.880

Sebastopol Community Cultural Center: Next, I will go out to Zoom. Kate, can you unmute yourself, please?

87

00:15:37.590 --> 00:15:38.800

kate: I can, thank you.

88

00:15:38.800 --> 00:15:40.449

Sebastopol Community Cultural Center: Thank you. Can you see the timer?

89

00:15:40.450 --> 00:15:41.240

kate: I can't think.

90

00:15:41.240 --> 00:15:42.309

Sebastopol Community Cultural Center: Sure, go ahead, please.

91

00:15:42.590 --> 00:15:52.980

kate: I am here to ask why the Council and City did not respond to the financial documents produced by the EFOC in the City's grand jury reply.

92

00:15:52.980 --> 00:16:03.950

kate: The EFC has at least 50 pages of financial documentation based on actual city budgets. Why was this not included in the grand jury reply?

93

00:16:03.950 --> 00:16:26.940

kate: When the Council says they want to research more to determine a dollar amount owed to the enterprise funds, why don't they respond to all the financial analysis the EFOC has provided? The city organized the EFOC. The ratepayers pay probably \$1,500 or more for each meeting as staff is paid to prepare for and attend the meetings.

94

00:16:26.940 --> 00:16:28.130

kate: Why is...

95

00:16:29.160 --> 00:16:41.749

kate: Why is there no response to the fact that the finance administration costs tripled in 9 years to almost \$1 million, even though the number of accounts and services remained steady?

96

00:16:41.750 --> 00:16:54.070

kate: How come there's no response to the fact that the cost allocation plan wasn't adjusted after doubling the size of the finance department, which most likely accounts for the fact that expenses tripled?

97

00:16:54.070 --> 00:16:59.320

kate: How come there's no response to the fact that current councils allotted to

98

00:16:59.510 --> 00:17:14.870

kate: the enterprise funds for over 50% of their entire budget, even though we all know this is not a true allocation. The EFOC has recommended efficiencies in the finance department. Why hasn't Council responded?

99

00:17:14.950 --> 00:17:33.960

kate: The EFOC has recommended getting bids for third-party vendors for billing to reduce cost to ratepayers. Why hasn't the Council responded? Why are ratepayers paying for the EFOC if the Council is not going to address the issues with which the EFOC is presented?

100

00:17:36.570 --> 00:17:38.010

kate: why it...

101

00:17:38.420 --> 00:17:51.880

kate: Is there no response to the counsel from valid work that has been done? One of the EFOC's recommendations is for an forensic accountant. I hope that that's too many facts on this. Thank you.

102

00:17:52.250 --> 00:17:56.270

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I will come into chambers, if there's anyone in chambers.

103

00:17:56.900 --> 00:17:59.360

Sebastopol Community Cultural Center: Seeing none, I will go back out to Zoom.

104

00:17:59.910 --> 00:18:02.060

Sebastopol Community Cultural Center: Steve, can you unmute yourself, please?

105

00:18:05.540 --> 00:18:15.980

Steve Pierce: Yes, hi, this is actually Lisa Pierce. I'm... we're hoping that Steve can also speak for us on a separate time, with the same hand raise.

106

00:18:15.980 --> 00:18:18.029

Sebastopol Community Cultural Center: Go ahead. Can you see the timer, Lisa?

107

00:18:18.200 --> 00:18:19.360

Steve Pierce: Yes, I can, thank you.

108

00:18:19.360 --> 00:18:20.329

Sebastopol Community Cultural Center: Go ahead, please.

109

00:18:20.750 --> 00:18:23.700

Steve Pierce: Yeah, good evening, Mayor and Council.

110

00:18:24.010 --> 00:18:35.529

Steve Pierce: I, wanted to say a bit about the big decision that will be coming before you soon, the option of relocating our library, senior center, and community center in City Hall.

111

00:18:35.960 --> 00:18:40.450

Steve Pierce: I'm mostly concerned about moving our library out of downtown.

112

00:18:40.700 --> 00:18:48.020

Steve Pierce: The Building the Commons Committee has assumed that the library, the Senior Center, City Hall, and the Community Center

113

00:18:48.250 --> 00:18:53.490

Steve Pierce: or senior center, I don't know if I repeated that, should be together under one roof.

114

00:18:53.700 --> 00:18:58.969

Steve Pierce: As far as I know, they have only explored location options with that goal.

115

00:18:58.990 --> 00:19:09.459

Steve Pierce: One problem with having them all under one roof is that they have very different requirements. The library should be central and easily accessed by students and pedestrians in town.

116

00:19:09.480 --> 00:19:23.009

Steve Pierce: While the community center, which hosts events with hundreds of people, requires ample and available parking by the event space. These two needs don't lend themselves to being under the same roof.

117

00:19:23.280 --> 00:19:32.400

Steve Pierce: Whatever happens with the Senior Center and the Community Center and City Hall, I sincerely hope that the library can remain downtown. Thank you.

118

00:19:32.780 --> 00:19:48.749

Steve Pierce: And I'll just follow that up. Oh, no, she has to go to... No, it's still 46 seconds, I got it. So, there's an option that really hasn't been explored yet. We've looked at the O'Reilly space, but there's an option there where we can

119

00:19:48.840 --> 00:19:59.220

Steve Pierce: Rebuild City Hall with two stories. It's currently 4,000 square feet, so that could be 8,000. The current library is 9,400 square feet.

120

00:19:59.220 --> 00:20:10.859

Steve Pierce: The space between the two buildings is 5,000 square feet. Add those all together, and you can provide the space that the library is saying they need at 22,000 square feet.

121

00:20:10.940 --> 00:20:17.189

Steve Pierce: The ramp could go down to a lower level at the new...

122

00:20:17.310 --> 00:20:27.689

Steve Pierce: City Hall, and a ramp going to the upper level, so it can... we don't have to have an expensive elevator or stairs, it can be accommodated at the existing site. Thank you.

123

00:20:28.680 --> 00:20:32.059

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I would come back into chambers. Kyle?

124

00:20:32.290 --> 00:20:41.389

Sebastopol Community Cultural Center: Since you're not going to get answers tonight from any of these council members, any of the city officials about why there isn't a response to the EFOC, I'm going to go ahead and answer it for you.

125

00:20:41.510 --> 00:20:49.150

Sebastopol Community Cultural Center: None of these council members are actually representatives that are representing the needs or the interests of the residents of the city of

126

00:20:49.150 --> 00:21:12.419

Sebastopol Community Cultural Center: Sebastopol. These council members here are serving the interests of the city employees and city management. They are under the direction of city attorney, who has advised them for some strange reason to not respond to public comment, to not engage with public comment, and so you will see that pattern happen tonight. We're currently in election cycle, and so, hopefully.

127

00:21:12.420 --> 00:21:22.109

Sebastopol Community Cultural Center: these candidates that are not currently on this council, that are running, are here tonight in the attendance, either in person or in Zoom, because what they need to understand is that

128

00:21:22.110 --> 00:21:40.630

Sebastopol Community Cultural Center: This issue of not having the interest of the city residents be met by the elected officials has been going on for so long that I don't even think that it is outside of the norm of their thinking any longer. The idea that they will go and represent

129

00:21:41.020 --> 00:21:51.949

Sebastopol Community Cultural Center: City union, union membership in terms of negotiations, the interests of the city attorney, the recommendations of the city attorney, and never question those

130

00:21:52.010 --> 00:22:11.610

Sebastopol Community Cultural Center: those, those recommendations. Never am I hearing council question the recommendations of the city manager. In fact, it's just constant praise for the city manager, despite the decisions that have been made over the last number of years, despite the number of city managers that we've had over the last number of years. Never am I seeing any sort of

131

00:22:11.610 --> 00:22:17.649

Sebastopol Community Cultural Center: Retroactive action taking place against poor decision-making by our finance director.

132

00:22:17.650 --> 00:22:27.719

Sebastopol Community Cultural Center: incorrect information that's happening as a result of our finance director, and never am I hearing any questioning that's happening of our city attorney or the recommendations of our city attorney.

133

00:22:27.930 --> 00:22:47.000

Sebastopol Community Cultural Center: This is a huge problem. Kyle, you have 5 seconds. We need electeds that serve our residents and the interests of our residents, and are not just puppets for the city administration. Thank you for your public comment. Next, I will go out to Zoom. If there's anyone on Zoom that would like to make a public comment, to please raise your hand virtually.

134

00:22:48.300 --> 00:22:51.599

Sebastopol Community Cultural Center: Seeing none, it will come back into chambers, if there's anyone in chambers.

135

00:22:51.850 --> 00:22:53.930

Sebastopol Community Cultural Center: Seeing none, public comment is closed.

136

00:22:55.040 --> 00:22:59.329

Sebastopol Community Cultural Center: Oh, go ahead. So, I'd like to respond to that last public comment.

137

00:22:59.590 --> 00:23:00.710

Sebastopol Community Cultural Center: Is that okay?

138

00:23:01.330 --> 00:23:13.619

Sebastopol Community Cultural Center: and I'm going to be saying this to the speaker, but also to the public, that we cannot dialogue with public commenters because it's not agendized, and that would be a violation of the Brown Act.

139

00:23:13.930 --> 00:23:19.929

Sebastopol Community Cultural Center: So, I understand it's frustrating, and it looks like we're not... we don't listen, the residents, but...

140

00:23:20.240 --> 00:23:24.639

Sebastopol Community Cultural Center: We cannot engage in dialogue on your comments.

141

00:23:25.300 --> 00:23:30.709

Sebastopol Community Cultural Center: Because it violates the Brown Act. I mean, I'm just saying it very...

142

00:23:30.840 --> 00:23:33.510

Sebastopol Community Cultural Center: Shortly, right? Can you make a comment, please?

143

00:23:33.770 --> 00:23:37.330

Sebastopol Community Cultural Center: That's correct. Excuse me, on items that are not...

144

00:23:37.620 --> 00:23:42.009

Sebastopol Community Cultural Center: Excuse me, of course items that are not...

145

00:23:43.410 --> 00:23:48.189

Sebastopol Community Cultural Center: Four items that are not on the Brown Act, that are not listed on the agenda.

146

00:23:49.740 --> 00:24:01.429

Sebastopol Community Cultural Center: there cannot be a discussion because the item's not agendized. Council members can make brief comments. For public comments, for agendized items, then, you know, the council can engage with those, comments.

147

00:24:02.820 --> 00:24:04.200

Sebastopol Community Cultural Center: Okay.

148

00:24:06.400 --> 00:24:14.659

Sebastopol Community Cultural Center: Okay to go forward? I just want to make... we're all finished, right? Okay, we are going to go to the consent calendar, but before we do that, I,

149

00:24:14.810 --> 00:24:25.520

Sebastopol Community Cultural Center: I skipped over, I meant to mention, I... I actually do have a conflict with one item that is on the agenda, on the consent calendar, and that's, item number 3, so,

150

00:24:25.650 --> 00:24:43.879

Sebastopol Community Cultural Center: I was just gonna go through the consent calendar, and then I will recuse myself from voting on that one item, so... And it's my understanding I don't need to leave the room if it's not discussed. Correct. We need to pull that item and vote on that separately. Okay, so I'll just... can I read all the items, and then... okay.

151

00:24:43.960 --> 00:24:46.460

Sebastopol Community Cultural Center: Alright, so on the consent calendar...

152

00:24:46.740 --> 00:25:03.969

Sebastopol Community Cultural Center: Number one, approval of City Council meeting minutes for regular Meeting of July 21, 2026. Number two, approval of waiving of second reading and adoption of ordinance to amend Sebastopol Municipal Codes section. Under the City's Municipal Code, the City Manager possesses the authority to appoint, remove.

153

00:25:03.970 --> 00:25:17.539

Sebastopol Community Cultural Center: Promote and demote any and all officers and employees of the City of Sebastopol, except the City Clerk, City Attorney, and City Treasurer. This amendment changes the requirement to include the City Clerk under the City Manager Hiring Authority 2.

154

00:25:17.720 --> 00:25:21.090

Sebastopol Community Cultural Center: 2.12.100, power of appointment.

155

00:25:21.430 --> 00:25:41.409

Sebastopol Community Cultural Center: Number 3, approval of ordinance authorizing an amendment to the development agreement for the Barlow Hotel to approve a TOT sharing arrangement, section 7.5. Uniform Transient Occupancy Tax Rebate in exchange for all the benefits provided, by this development agreement and the project to the City.

156

00:25:42.370 --> 00:25:51.349

Sebastopol Community Cultural Center: To the city shall rebate a portion of the uniform transient occupancy tax collected from the project. Do I need to read this whole statement?

157

00:25:51.660 --> 00:26:05.420

Sebastopol Community Cultural Center: Can I ask real quick? Okay, I just want to be clear. Okay, so number 4, approval of voting delegates and alternates, League of California Cities Annual Conference and Expo, Anaheim, California, September 23 to 24, 25.

158

00:26:05.420 --> 00:26:16.250

Sebastopol Community Cultural Center: 2026. A voting delegate... a voting delegate must be registered for the conference to be a voting delegate. Mayor McLeus is registered for the conference and will be attending the conference.

159

00:26:16.370 --> 00:26:34.020

Sebastopol Community Cultural Center: Number 5, approval amendment to contract for 8th Way for continuation monitoring of Gravenstein Commons

for compliance with HUD and city requirements. So I'm asking if anyone else would like to pull anything. We already have to pull number 3 for my conflict, so if there's anyone else...

160

00:26:35.420 --> 00:26:36.170

Sebastopol Community Cultural Center: Nope.

161

00:26:36.290 --> 00:26:37.190

Sebastopol Community Cultural Center: Okay.

162

00:26:37.690 --> 00:26:39.820

Sebastopol Community Cultural Center: Alright, so do we have,

163

00:26:40.260 --> 00:26:51.069

Sebastopol Community Cultural Center: Mary, we need to go up for public comment. No, I know, yeah. Do you want to... Yes, thank you. So this is for public comment on the consent calendar items. If you would like to make a public comment, I come into chambers first. Kyle?

164

00:26:52.090 --> 00:27:11.510

Sebastopol Community Cultural Center: So I just want to remind everybody that maybe hasn't read the entire consent calendar, what they're about to do tonight is hand over millions of dollars, actually half of the TOT for a new hotel over the next 10 years. They are handing that over to a private owner.

165

00:27:11.510 --> 00:27:23.389

Sebastopol Community Cultural Center: And that is money that has... that would go to the city general fund to pay for things, if a council would actually approve, things that would support our community.

166

00:27:23.390 --> 00:27:41.000

Sebastopol Community Cultural Center: But instead, they are allowing a developer, under this kind of political theater claim that they've been strong-armed, that the hotel wouldn't get made if this decision wasn't legit. Instead, they're allowing that developer to take half of all of the TOT over the next 10 years.

167

00:27:41.140 --> 00:28:00.200

Sebastopol Community Cultural Center: and pocket it. And there's this very loose claim that somehow that money's gonna get used for promoting tourism Sebastopol, but yet this council did nothing to solidify what those actual claims would be, what those actual dollars would get spent on doing. Instead, that money is going to go to supporting

168

00:28:00.250 --> 00:28:15.889

Sebastopol Community Cultural Center: maybe businesses in the Barlow, oh yeah, that could be considered tourism. Or the individual hotel, oh yeah, that could be considered as tourism. And there's nothing actually in there that suggests that it's going to go to money, that supports tourism, that it supports all of Sebastopol.

169

00:28:15.890 --> 00:28:23.190

Sebastopol Community Cultural Center: Half of all of the TOT for the next 10 years is going to a private individual, a private company.

170

00:28:23.190 --> 00:28:25.819

Sebastopol Community Cultural Center: For that one hotel that could get developed.

171

00:28:26.370 --> 00:28:28.109

Sebastopol Community Cultural Center: That's what's happening right now.

172

00:28:28.490 --> 00:28:39.300

Sebastopol Community Cultural Center: And there's no response that's gonna happen at this moment. They're just gonna go ahead and approve it, and move on to the general, agenda for the rest of the meeting. There's not gonna be any discussion.

173

00:28:39.300 --> 00:28:51.039

Sebastopol Community Cultural Center: There's not gonna be any concerns that get brought up, there's not gonna be any reiteration of public comment, public concerns about this decision at all. They're just gonna blanketly approve it, unanimously, and move on.

174

00:28:52.130 --> 00:28:56.939

Sebastopol Community Cultural Center: Thank you, Kyle, for your public comment. Next, I will go out to Zoom. Bianca, can you unmute yourself, please?

175

00:28:56.940 --> 00:28:58.249

Bianca Blomquist: Yes, ma'am, can you hear me?

176

00:28:58.250 --> 00:29:00.310

Sebastopol Community Cultural Center: I can. Can you see the timer?

177

00:29:00.310 --> 00:29:19.510

Bianca Blomquist: Hi, Ken, thank you. Good evening, Mayor and Council Members. I... I do think I support the Barlow Hotel, because Sebastopol, you know, needs more overnight visitors, but I also think it's important

to ask, like, what we're buying with this massive public investment. So, like, just a few weeks ago.

178

00:29:19.510 --> 00:29:25.710

Bianca Blomquist: The developer explained that the project was no longer feasible without rebating half of the city's

179

00:29:25.710 --> 00:29:45.630

Bianca Blomquist: 12% TOT over 10 years. Under this agreement, the city would rebate roughly \$450,000 to \$775,000 per year, which is roughly 4-7% of Sebastopol's current general fund.

180

00:29:46.230 --> 00:29:57.589

Bianca Blomquist: as I understand it, the original development agreement did not include a TOT rebate at all. That provision was introduced later as an amendment, and it still isn't backed up by any apparent

181

00:29:58.250 --> 00:30:08.909

Bianca Blomquist: well, I shouldn't say apparent, but is not justified in writing in any way. It just seems not prudent to throw this in at the 11th hour.

182

00:30:08.910 --> 00:30:33.889

Bianca Blomquist: Second, has the city considered any safeguards on this, such as a minimum annual TOT guarantee, or perhaps a cap on the total rebate that we actually give to this private developer? Those kinds of provisions help the city protect its finances during times of economic downturn, which I think we all believe we're already in, or about to go in. So when tourism declines, the city is under a great amount

183

00:30:33.890 --> 00:30:38.269

Bianca Blomquist: of pressure. You need to be able to control what you do with those funds.

184

00:30:38.700 --> 00:30:39.710

Bianca Blomquist: Finally.

185

00:30:39.970 --> 00:30:55.430

Bianca Blomquist: They also preserve the city's ability to invest in broader economic development priorities. I know that this council has discussed the California Main Street program before as a potential investment. Those are the kinds of programs that I would hope that those dollars would be used

186

00:30:55.430 --> 00:31:06.569

Bianca Blomquist: For. And finally, if the city is making this public investment, I hope that it actually takes advantage of the data that partnering with this hotel could provide. I would ask you.

187

00:31:06.570 --> 00:31:08.030

Sebastopol Community Cultural Center: Bianca, that's 2 minutes.

188

00:31:08.030 --> 00:31:11.919

Bianca Blomquist: Require you to take more data from the hotel to inform.

189

00:31:11.920 --> 00:31:21.500

Sebastopol Community Cultural Center: I'm sorry. Thank you. Thank you for your public comment. Next, I will come into chambers, if there's anyone in chambers that would like to make a public comment.

190

00:31:21.900 --> 00:31:25.470

Sebastopol Community Cultural Center: Seeing none, I will go back out to Zoom. Steve, can you unmute yourself, please?

191

00:31:27.550 --> 00:31:38.739

Steve Pierce: Yes, thank you. It was pretty clear in the last meeting that there were certainly votes for doing negotiation between the developer and the city.

192

00:31:39.060 --> 00:31:50.519

Steve Pierce: Unfortunately, the city really doesn't have a lot of capacity to figure these things out, and it really depends on the council providing clarity

193

00:31:50.790 --> 00:32:01.809

Steve Pierce: to both staff and to the Planning Commission. If we really wanted to negotiate, we should have been clear up front, that's what we wanted to do. We should have either told staff.

194

00:32:02.560 --> 00:32:13.000

Steve Pierce: give us some parameters of negotiation that we can work with Barlow on, or even the Planning Commission. Planning Commission spent about an hour and a half

195

00:32:13.310 --> 00:32:18.799

Steve Pierce: talking about this subject. And then the city council basically didn't really

196

00:32:19.050 --> 00:32:38.949

Steve Pierce: bring it up or consider what they had spent an hour and a half talking about and deciding on. So, I hope this is a lesson that we actually take the time to be very clear what we want from both staff and the Planning Commission when it comes to these kind of negotiations with a developer.

197

00:32:39.000 --> 00:32:52.520

Steve Pierce: We could have easily said we need a threshold for when this money goes to the developer. They said in the Planning Commission, the developer said that if it was only a \$350 a night

198

00:32:52.520 --> 00:33:00.500

Steve Pierce: hotel that they could charge, they would have a very difficult time making this work financially. Probably wouldn't work.

199

00:33:01.220 --> 00:33:17.160

Steve Pierce: So, that should have been a key there. We need a threshold when this kicks in. How about we... certain amount of revenue, then they get their tax rebate. But no, there was interest in it, but you need to be clear from the front.

200

00:33:17.380 --> 00:33:21.240

Steve Pierce: How do you want to approach a developer? Who does the work?

201

00:33:21.600 --> 00:33:22.540

Steve Pierce: Thank you.

202

00:33:23.080 --> 00:33:27.700

Sebastopol Community Cultural Center: Thank you, Steve, for your public comment. Next, I will come back into chambers, if there's anyone in chambers.

203

00:33:28.120 --> 00:33:31.749

Sebastopol Community Cultural Center: Seeing then, I will go back out to Zoom. Kate, can you unmute yourself, please?

204

00:33:33.680 --> 00:33:34.910

kate: Yes, thank you.

205

00:33:35.370 --> 00:33:48.699

kate: I just want to echo what Steve Pierce said, which is that there was probably room for negotiation, but the city wasn't clear about that, and

206

00:33:48.760 --> 00:33:56.909

kate: And from a financing standpoint, I'm sure that there's flexibility there on Barney's side, but

207

00:33:57.870 --> 00:34:19.159

kate: financing opportunities change, especially as enviro... like, the economic environment changes over time. So, if you're going to want to negotiate something, you have to be pretty straightforward about that from the beginning, so that the person that you're negotiating with knows that there could be changes to their proposal.

208

00:34:19.520 --> 00:34:37.819

kate: Barney's basically going out to private equity people and saying that this is the return he's gonna give, and so he needs to know if the return's based on meeting first the city's benchmarks and whatever would be above and beyond that, which would probably not actually be that,

209

00:34:37.840 --> 00:34:42.990

kate: materially, appealing to finance

210

00:34:43.020 --> 00:34:59.479

kate: for people who are lending him the money to do the project. So, once again, I just feel that there's something within the city's organization where there's a lot of siloing of information that actually puts the council at a disadvantage a lot of times.

211

00:34:59.480 --> 00:35:06.420

kate: Because as Steve said, the, you know, the Planning Commission spent a long time talking about this.

212

00:35:06.420 --> 00:35:23.660

kate: That was, once again, funded by taxpayers. They fund those meetings, so they're paying to have this commission run, but are we necessarily getting the benefit from that because the information's not being integrated into a broader perspective? Thank you.

213

00:35:24.450 --> 00:35:30.190

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I will come back into Zoom, if there's... I'm sorry, into chambers, if there's anyone in chambers.

214

00:35:30.310 --> 00:35:37.800

Sebastopol Community Cultural Center: Seeing none, I will go back out to Zoom. If there's anyone on Zoom that would like to make a public comment on the consent calendar item, to please raise your hand virtually.

215

00:35:38.210 --> 00:35:52.850

Sebastopol Community Cultural Center: Seeing none, public comment is closed. All right, thank you very much. So, we're gonna pull item number 3, so do we have a motion for items 1, 2, 4, and 5, or does anyone want to pull an item before we move on?

216

00:35:53.030 --> 00:35:56.010

Sebastopol Community Cultural Center: Any other? So moved. Seconded.

217

00:35:56.760 --> 00:36:07.419

Sebastopol Community Cultural Center: Thank you. So, so moved by Vice Mayor Maurer and seconded by Councilmember Zolman to approve consent calendar items 1, 2, 4, and 5. Item 3 has been pulled for a separate vote. Councilmember Carter?

218

00:36:07.810 --> 00:36:22.409

Sebastopol Community Cultural Center: Yes. Councilmember Hinton? Aye. Councilmember Zolman? Yes. Vice Mayor Maurer? Yes. Mayor McLewis? Yes. Motion passes unanimously. Okay. And now, item number 3, if you all want to discuss it, then I'll need to leave the room, so just let me know if you're...

219

00:36:22.990 --> 00:36:27.039

Sebastopol Community Cultural Center: I have a simple question. So, Alex, I'll have you guide.

220

00:36:28.200 --> 00:36:39.809

Sebastopol Community Cultural Center: Yeah, that's okay. I can stay, is that okay? I'm just looking at the ordinance 1167 that's attached to the, gender report, and...

221

00:36:40.210 --> 00:36:59.279

Sebastopol Community Cultural Center: One of the things we agreed to was annual reporting of how the TOT was spent on marketing money from the developer. And I do not see that, and it appears it should be in the second to the last paragraph on page 4 of the agenda item.

222

00:36:59.590 --> 00:37:10.329

Sebastopol Community Cultural Center: And I know we clearly requested that to have some teeth in this thing, and I'm not seeing it, and I believe it should be part of this ordinance if we're to approve it tonight.

223

00:37:10.980 --> 00:37:22.419

Sebastopol Community Cultural Center: So the... the language that's attached to the ordinance says the city may request, and the payee of the

tax shall provide, at least annually, documentation of how the remitted tax funds were spent for such purposes.

224

00:37:23.130 --> 00:37:25.230

Sebastopol Community Cultural Center: So that's an Exhibit A.

225

00:37:25.880 --> 00:37:28.010

Sebastopol Community Cultural Center: Can we get rid of the May request?

226

00:37:28.450 --> 00:37:29.130

Sebastopol Community Cultural Center: Z...

227

00:37:29.250 --> 00:37:35.889

Sebastopol Community Cultural Center: So this language was what was read in the motion already in the first reading of the ordinance.

228

00:37:37.710 --> 00:37:47.999

Sebastopol Community Cultural Center: what was read out loud, and that was with the motion that was made at the time. So we'd have to, if we want to make that change, we'd have to reintroduce the ordinance for first reading.

229

00:37:48.120 --> 00:37:53.630

Sebastopol Community Cultural Center: I mean, may request just changes the... doesn't change their obligation.

230

00:37:53.790 --> 00:37:59.930

Sebastopol Community Cultural Center: So the, you know, city will just have to ask for it each year.

231

00:38:00.070 --> 00:38:01.990

Sebastopol Community Cultural Center: And they will have to provide them.

232

00:38:05.880 --> 00:38:09.160

Sebastopol Community Cultural Center: I mean... If... if we have to ask

233

00:38:09.350 --> 00:38:13.039

Sebastopol Community Cultural Center: The mayor leave the room to ask more of this question.

234

00:38:13.190 --> 00:38:24.030

Sebastopol Community Cultural Center: I'm comfortable with her leaving the room, it's an important decision. Yeah, well, if we are gonna discuss

it, the city's policy is to pull it off the agenda and then put it at the end of the...

235

00:38:25.960 --> 00:38:27.160

Sebastopol Community Cultural Center: I'm gonna pull it.

236

00:38:29.920 --> 00:38:38.780

Sebastopol Community Cultural Center: Alright, so, what we typically do is when we pull it off, then it goes to the end of the agenda, so, that's where we'll... we'll do that.

237

00:38:39.300 --> 00:38:43.410

Sebastopol Community Cultural Center: Okay, so... Alright, let's...

238

00:38:44.490 --> 00:39:02.989

Sebastopol Community Cultural Center: On here, we have no informational item presentations tonight, no informational items or presentations, no public hearings. We are just going to our regular discussion and action items. The first one, number 6, is discussion and action of ordinance related to newspaper racks, and this is brought

239

00:39:02.990 --> 00:39:07.310

Sebastopol Community Cultural Center: By me and our city attorney, so I don't know if you wanna...

240

00:39:07.350 --> 00:39:12.029

Sebastopol Community Cultural Center: Kick it off? Yeah, I can kick it off. Good evening, Council.

241

00:39:12.550 --> 00:39:19.160

Sebastopol Community Cultural Center: So, I don't know, a few months ago, the mayor requested a future agenda item about newspaper racks.

242

00:39:19.400 --> 00:39:32.169

Sebastopol Community Cultural Center: And establishing regulations for newspaper racks, and this is the proposed ordinance before you, modeled after a number of cities who have similar ordinances, and it really does,

243

00:39:32.920 --> 00:39:37.250

Sebastopol Community Cultural Center: three things. One, it establishes location requirements.

244

00:39:38.520 --> 00:39:48.469

Sebastopol Community Cultural Center: It establishes location requirements. So, for example, you know, they can't be within 100 feet of each other, there's a limit of 3 per block.

245

00:39:48.610 --> 00:39:56.949

Sebastopol Community Cultural Center: In downtown, there are, other requirements about separation from driveways and fire hydrants and,

246

00:39:59.020 --> 00:40:03.760

Sebastopol Community Cultural Center: things like that. So, it establishes those requirements in existing

247

00:40:04.090 --> 00:40:13.170

Sebastopol Community Cultural Center: Newspaper racks have 6 months to comply with that, because some of them may be in locations that... that violate that right now, so they have 6 months to get into compliance.

248

00:40:13.790 --> 00:40:28.499

Sebastopol Community Cultural Center: The second main element, which would go into effect immediately, are maintenance standards. So, for example, it requires them to be free of graffiti, it requires, you know, the glass or plastic that they have to be free of cracks and not broken.

249

00:40:29.030 --> 00:40:35.890

Sebastopol Community Cultural Center: And to also have posted, contact information for who the owner is on the box, so they can be...

250

00:40:36.010 --> 00:40:44.149

Sebastopol Community Cultural Center: Contacted for... for issues. There's also a permitting requirement for new...

251

00:40:45.470 --> 00:41:01.709

Sebastopol Community Cultural Center: newspaper racks. This is not a discretionary permit process, and there are very strict deadlines and ordinance for staff to act. It's really just to make sure that the new location meets the requirements of the ordinance.

252

00:41:01.970 --> 00:41:20.320

Sebastopol Community Cultural Center: There's also a requirement that, a provision that a newspaper accident or abandoned for 60 days, can be removed. And then for enforcement of all of these requirements, the ordinance establishes noticing requirements of, you know, before the state takes action, they will notice the owner.

253

00:41:20.320 --> 00:41:22.570

Sebastopol Community Cultural Center: Of the newspaper rack.

254

00:41:22.750 --> 00:41:24.850

Sebastopol Community Cultural Center: They have the right to appeal.

255

00:41:25.050 --> 00:41:36.770

Sebastopol Community Cultural Center: And then, you know, if they don't appeal, or, you know, they lose their appeal, then the city could go ahead and take action to remove the box that violates these requirements.

256

00:41:37.090 --> 00:41:57.789

Sebastopol Community Cultural Center: So with that, I'll toss it over to the... And you have pictures too, right, if you need to remind people, or someone does, Mary does. And the reason this came about is, if you recall, when we were considering trash cans, and I was going around photographing the trash cans, and then I noticed those boxes, and that there were so many in disrepair, so I came back to the,

257

00:41:57.790 --> 00:41:59.060

Sebastopol Community Cultural Center: to our...

258

00:41:59.380 --> 00:42:14.380

Sebastopol Community Cultural Center: public works department in the city and said, what can we do about a lot of these ones that are really in disrepair and need a... they need, you know, they're... clearly, I mean, they're yellow page boxes and a variety of different, boxes that have been there for a very long time, and I was told that we...

259

00:42:14.530 --> 00:42:23.539

Sebastopol Community Cultural Center: They couldn't do any... nothing could be done with them, because we have no process or... no... no process for... as far as how we manage them or how we notify, so...

260

00:42:23.540 --> 00:42:42.629

Sebastopol Community Cultural Center: they said... I was told that in order for us to be able to take care of that issue, that... that I needed to bring forth something like this, so that's... that's, you know... and then we brought it to you all a few months ago, so I just wanted to remind everyone how this came about. And I did go around, and there are still quite a few. I noticed that some,

261

00:42:42.630 --> 00:42:45.169

Sebastopol Community Cultural Center: You know, some of the newspapers who have gone out of...

262

00:42:45.190 --> 00:42:50.799

Sebastopol Community Cultural Center: Business or whatever, have picked up some of their boxes, but there's still quite a few,

263

00:42:51.570 --> 00:42:58.279

Sebastopol Community Cultural Center: broken down boxes all over the place, so that's... that's all I have to say, and I know... I believe Mary might have the PowerPoint.

264

00:43:00.280 --> 00:43:10.850

Sebastopol Community Cultural Center: I believe the photos are also attached to the... Oh, they're in the iAgenda item, too, yeah, so, toward the back, so I don't know if anyone has any questions. I've looked at these so many times.

265

00:43:11.090 --> 00:43:11.889

Sebastopol Community Cultural Center: Go ahead.

266

00:43:12.240 --> 00:43:19.910

Sebastopol Community Cultural Center: So, right downtown, there is a rack of 8 in one.

267

00:43:20.090 --> 00:43:23.450

Sebastopol Community Cultural Center: So is that considered 8 or 1?

268

00:43:25.650 --> 00:43:32.440

Sebastopol Community Cultural Center: It's considered 8. Okay, so in that rack of 8, there's a little library.

269

00:43:32.440 --> 00:43:48.290

Sebastopol Community Cultural Center: There's the Community Voice, there's La Prensa, which is Spanish news, and there's the Bohemian. So, were any of these papers reached... did anybody reach out to them to ask them their opinion of removing the wreck?

270

00:43:49.400 --> 00:44:02.170

Sebastopol Community Cultural Center: No. So were any stakeholders, whether they be realtors or whoever put those there, was anybody reached out to to find out what their opinion is regarding the removal of the rack?

271

00:44:02.880 --> 00:44:08.450

Sebastopol Community Cultural Center: So, who owns that 8... newspaper rack.

272

00:44:10.060 --> 00:44:22.170

Sebastopol Community Cultural Center: Can't say. Nobody knows who owns it. I've looked all over, I don't know. Did Public Works... was Public Works asked who owns that? Because there's also Wall Street, there's, like, a lot of other, like.

273

00:44:22.280 --> 00:44:38.900

Sebastopol Community Cultural Center: one-off papers that are in there. I think there was, like, a Wall Street Journal someone stuffed in there. I don't know, I have a variety of pictures, so I don't a library, too. Pardon me? There's a little library... No, I'm aware of that. I was just adding to what you had mentioned. There's more stuff in there than what you mentioned, so... Well, somebody had taken the time to paint it.

274

00:44:39.290 --> 00:44:47.150

Sebastopol Community Cultural Center: And, but anyway, so what you're saying is that this ordinance would... Require...

275

00:44:47.390 --> 00:45:04.050

Sebastopol Community Cultural Center: removal, but if you don't know who owns it, then how would you warn anybody that it was gonna... because my concern is the... is that this is a freedom of press, and this is an outlet for people to, you know, distribute their magazines, and so...

276

00:45:05.010 --> 00:45:22.419

Sebastopol Community Cultural Center: what might be the unintended consequences of removing them without knowing who owns them, or taking something away from the press without even talking to them? We largely don't know who owns many of these, because they've never been required to

277

00:45:22.470 --> 00:45:29.380

Sebastopol Community Cultural Center: submit that information to the city. So the ordinance does say that where that information hasn't been posted.

278

00:45:29.520 --> 00:45:32.799

Sebastopol Community Cultural Center: On the webpage that... excuse me, on the...

279

00:45:33.550 --> 00:45:40.880

Sebastopol Community Cultural Center: Where the owner information hasn't been provided to the city knows... is provided by posting it on the news rack itself.

280

00:45:44.790 --> 00:45:49.179

Sebastopol Community Cultural Center: Can you explain that a little bit better? So, since we don't have a...

281

00:45:49.560 --> 00:45:56.160

Sebastopol Community Cultural Center: address to send the notice to. It is posted on the news rack itself.

282

00:45:56.480 --> 00:46:04.469

Sebastopol Community Cultural Center: For the owner, who is presumably, you know, putting things in there from time to time, would then see it when it goes to put

283

00:46:05.100 --> 00:46:11.079

Sebastopol Community Cultural Center: you know, new newspapers or whatever into the news rack, they would see the posted notice on that.

284

00:46:12.400 --> 00:46:19.199

Sebastopol Community Cultural Center: Well, do you know how old that one particular rack is that... 8 newspaper racks in one.

285

00:46:20.460 --> 00:46:21.200

Sebastopol Community Cultural Center: No.

286

00:46:21.240 --> 00:46:28.359

Sebastopol Community Cultural Center: Okay. No, we don't. We asked... I did ask Public Works to research any records for permitting or anything like that, and they do not have

287

00:46:28.360 --> 00:46:46.269

Sebastopol Community Cultural Center: any permitting on file for any of the news racks. I did have them go out, though, to check the news racks that are out there, and the information that I received was, that for the location on 280 South Main Street, there's 1, 2, there's 5 of them down there, 3 of them are completely empty.

288

00:46:46.310 --> 00:46:59.569

Sebastopol Community Cultural Center: three of them do not have any identification on them as to who is owned by them. One is owned by Ed Worktre, there's emails that are on there, homemagazines.com and REReaders.com.

289

00:46:59.570 --> 00:47:07.830

Sebastopol Community Cultural Center: So those... we will be reaching out to them if this goes. But there's no permitting that they have on file. On McKinley Street, it was the same owners.

290

00:47:07.900 --> 00:47:20.739

Sebastopol Community Cultural Center: Of the real, rereader.com, thehomemagazines.com. There's also two that are down there that's Open Exchange and Sonoma County Gazette. Of those 6,

291

00:47:21.160 --> 00:47:27.590

Sebastopol Community Cultural Center: 5 of them were empty. There was only one that had, information in there, or anything in them.

292

00:47:27.730 --> 00:47:38.249

Sebastopol Community Cultural Center: There's, two across the street from North Main Street. One is empty, one is stocked, and the one that is stocked belongs to TheRealEstateBook.com.

293

00:47:38.370 --> 00:47:51.299

Sebastopol Community Cultural Center: And then on Sebastopol Avenue, there's one... that one has a handful of the Bohemian, and then there's one on North Main Street by the West America Bank, and that one also has the Gazette. Those are the ones that they were able to get information on today.

294

00:47:54.270 --> 00:48:10.839

Sebastopol Community Cultural Center: And, I mean, part of this was just part of our desire to, have a vibrant downtown, and having all these... there are several of them, I even looked today, that are especially done by the bus stop and everything. They're just full... some of them are, like, all cracked and broken and full of trash, but go ahead.

295

00:48:11.950 --> 00:48:18.140

Sebastopol Community Cultural Center: You mentioned that if we don't know who owns it, we would post it. How much time are we giving them to respond?

296

00:48:20.940 --> 00:48:24.440

Sebastopol Community Cultural Center: I guess it... It's months. No, it's...

297

00:48:24.870 --> 00:48:34.119

Sebastopol Community Cultural Center: I thought it was, sorry, trying to remember what we said. And are we posting it, like, with a paper that could veins?

298

00:48:35.250 --> 00:48:37.149

Sebastopol Community Cultural Center: Fly away, float away.

299

00:48:37.420 --> 00:48:54.610

Sebastopol Community Cultural Center: Anyway, that's a question. They have 6 months to come in compliance with it, so that if they go to put their magazines there, they can see, right? Yeah. For the location requirements, they have 10 months to come... excuse me, 6 months to come into compliance.

300

00:48:54.610 --> 00:48:58.260

Sebastopol Community Cultural Center: In the future, if there are violations regarding

301

00:48:58.260 --> 00:49:07.700

Sebastopol Community Cultural Center: you know, maintenance standards and things like that, and we send the notes or post the notes that have 10 days. But, so that posting will remain on there for 6 months?

302

00:49:08.530 --> 00:49:09.710

Sebastopol Community Cultural Center: See what I mean?

303

00:49:09.960 --> 00:49:13.000

Sebastopol Community Cultural Center: Because they might not go there all the time.

304

00:49:13.700 --> 00:49:29.670

Sebastopol Community Cultural Center: we're gonna repost, I guess. I can tell you, I have pictures from last fall and now, and there's still some of the same things in there. I was comparing pictures, like, what I was talking about, and some of them. Some of the same things are, like, stuck in the front. Yeah, I just want to know, as part of our

305

00:49:29.930 --> 00:49:33.650

Sebastopol Community Cultural Center: this ordinance, we have a posting obligation, right? Yeah, but that is not...

306

00:49:33.900 --> 00:49:37.269

Sebastopol Community Cultural Center: a requirement, but if the Council wants, we could add that

307

00:49:37.840 --> 00:49:48.129

Sebastopol Community Cultural Center: we will post on it multiple times over the 6-month period of this is coming. Yeah, I mean, I'd feel more comfortable about that. And then, this is kind of funny question.

308

00:49:48.130 --> 00:50:00.590

Sebastopol Community Cultural Center: We have a local resident who is, with a newspaper that has a stand right out in front of her yard. Does this ordinance mean she needs to get rid of it? This is only means... this is only downtown.

309

00:50:00.590 --> 00:50:04.189

Sebastopol Community Cultural Center: It said surrounding areas, I thought. This applies...

310

00:50:04.190 --> 00:50:22.370

Sebastopol Community Cultural Center: Citywide. Oh, I'm sorry, I thought you meant it's not just downtown. It's in a front yard, though. I know what you're talking about. Yeah, I just was curious. Is that... does this ordinance cover that? This is only in, this is on public right-of-way. Okay, all right, great. Okay, those were my questions.

311

00:50:24.650 --> 00:50:25.550

Sebastopol Community Cultural Center: Question.

312

00:50:26.050 --> 00:50:26.980

Sebastopol Community Cultural Center: Go ahead.

313

00:50:27.340 --> 00:50:33.279

Sebastopol Community Cultural Center: So, but because that one large, newspaper rack with the 8,

314

00:50:33.360 --> 00:50:47.360

Sebastopol Community Cultural Center: If we adopt this ordinance, that RAC immediately goes away. It has to, because it doesn't comply with the ordinance. Is that correct? Well, it would have 6 months to... to comply.

315

00:50:47.670 --> 00:51:07.239

Sebastopol Community Cultural Center: Well, it's... I mean, since it's 6... it's 8 racks and not 1, it wouldn't... I mean, I can see what you're saying, but you still have to get rid of it. It would have to be removed, and so probably would be the ones over in front of the Fairfield Inn, because those are a certain number, there's 4 or 5 in front of that.

316

00:51:10.000 --> 00:51:19.929

Sebastopol Community Cultural Center: Yeah, anyway, could you tell us the locations of all these? Like, where are they? Multiple racks, that's all I'm interested in, is the multiple racks. There's only two of them.

317

00:51:20.530 --> 00:51:21.780

Sebastopol Community Cultural Center: That I'm aware of.

318

00:51:22.120 --> 00:51:33.390

Sebastopol Community Cultural Center: The one you said? Fairfield. One in front of the Fairfield Inn. That I've... that I... I mean, I went around all over the place taking pictures. Those are the only two that I recall were those.

319

00:51:33.560 --> 00:51:37.130

Sebastopol Community Cultural Center: I... I could be wrong, but I mean, I drove all over.

320

00:51:38.010 --> 00:51:39.559

Sebastopol Community Cultural Center: Taking pictures.

321

00:51:42.820 --> 00:51:45.500

Sebastopol Community Cultural Center: So, okay. Any other questions?

322

00:51:46.170 --> 00:51:48.219

Sebastopol Community Cultural Center: We can go out to public comment.

323

00:51:48.460 --> 00:51:56.930

Sebastopol Community Cultural Center: Thank you, Mayor. So this is for public comment on the news rack ordinance. If you would like to make a public comment, again, I go to Chambers first, and then out to Zoom. Kyle?

324

00:51:57.180 --> 00:51:58.450

Sebastopol Community Cultural Center: So...

325

00:51:58.970 --> 00:52:10.710

Sebastopol Community Cultural Center: What we're seeing again tonight is a repeated effort by a particular council member to address blight, but under the guise of some of the other actual interests of

326

00:52:10.710 --> 00:52:16.720

Sebastopol Community Cultural Center: Newspaper rack regulation, which would be about accessibility, about,

327

00:52:16.720 --> 00:52:41.139

Sebastopol Community Cultural Center: you know, making sure that these things are not physically harming other people by being in way. And really, I think there's an approach that you could take here, using an amendment to sidewalk regulation, which would be about things like obstruction of sidewalks, right? Like, we haven't even started to talk

about the fact that we've got a bunch of A-frames that are regularly out of reg... or out of compliance.

328

00:52:41.140 --> 00:52:51.459

Sebastopol Community Cultural Center: And there's zero enforcement on A-frame, you know, compliance in the city, but those don't constitute the kind of blight that our mayor is concerned about, which is

329

00:52:51.870 --> 00:53:00.580

Sebastopol Community Cultural Center: these newspaper boxes not looking as clean and tidy as she would prefer them to be. And so this is what we have in terms of the ordinance tonight.

330

00:53:00.580 --> 00:53:12.520

Sebastopol Community Cultural Center: Look at amending the current regulations you have on sidewalk accessibility, and be doing so in a way that maybe makes reference to abandoned property.

331

00:53:12.520 --> 00:53:24.810

Sebastopol Community Cultural Center: The idea that somehow we're gonna go ahead and regulate to remove a bunch of newspaper racks as the method of getting folks to come into compliance, when you can take another approach to this.

332

00:53:24.810 --> 00:53:42.719

Sebastopol Community Cultural Center: That would not basically go this blight ordinance route, where we're somehow regulating the appearance of things in our society and community. And really, it should be more about public safety and about impeding, impeding pedestrian traffic or vehicle safety.

333

00:53:43.760 --> 00:53:48.200

Sebastopol Community Cultural Center: Thank you, Kyle, for your public comment. Next, I'll go out to Zoom. Gabe, can you unmute yourself, please?

334

00:53:49.740 --> 00:53:56.240

kate: Yeah, my only comment is, you know, if it is just abandoned property.

335

00:53:56.340 --> 00:54:13.560

kate: I'm just wondering how much all of this is gonna cost to, like, notice and re-notice and, go back and forth on many of these boxes. I, too, have seen over the last 4 years, and they're completely shot and abandoned.

336

00:54:13.560 --> 00:54:22.920

kate: And they look like garbage standing on the street. So it's just like, are you, you know, the attorney time, public works time?

337

00:54:22.920 --> 00:54:33.839

kate: Trying to contact people that have no contact information listed on their own pieces of property. I'm just wondering if the, you know,

338

00:54:33.840 --> 00:54:51.059

kate: how to make this less costly to the city, which, as we know, is in, you know, extreme financial debt and can't seem to fix the roads and, like, you know, replace the well. I think, maybe getting caught up in the weeds, over the newspaper...

339

00:54:51.180 --> 00:54:51.990

kate: you know.

340

00:54:52.420 --> 00:55:02.480

kate: rack. It almost seems if it's not in use for, like, 3 months, that it should just get picked up and put into the garbage. That's my comment. Thank you.

341

00:55:02.680 --> 00:55:08.220

Sebastopol Community Cultural Center: Thank you, Kate, for your public comment. Next, I'll come into Chambers. Thank you.

342

00:55:08.340 --> 00:55:15.670

Sebastopol Community Cultural Center: I was wondering about the liability, because, as Kate just said, there's a lot of, basically abandoned stuff. This is basically...

343

00:55:15.880 --> 00:55:32.290

Sebastopol Community Cultural Center: old, what used to be coin-operated newspaper racks from the last century, and a whole bunch of, kind of, plastic boxes that real estate magazines used to be put into, but everybody uses the internet now, obviously. I mean, if I look at the bohemian, I go online, I don't pick up a newspaper.

344

00:55:32.500 --> 00:55:51.259

Sebastopol Community Cultural Center: But this may be a liability issue, because some of those, abandoned news racks could easily be thrown into the road. I mean, we got... that's a really busy road, and with some of the other stuff that's going on with the unhoused right now, a newspaper rack could do a lot of damage to a car or a truck or something that's going by.

345

00:55:51.460 --> 00:55:52.670

Sebastopol Community Cultural Center: So...

346

00:55:52.900 --> 00:56:09.870

Sebastopol Community Cultural Center: there's a very compelling reason to know exactly who owns these things if they assist in wanting to, distribute newspapers or whatever in these things, in the event that something bad like that happens, because otherwise the city might be liable if it's abandoned property just lying around.

347

00:56:09.870 --> 00:56:15.309

Sebastopol Community Cultural Center: I mean, frankly, most of the newspaper racks have got, like, half a burrito in it, and a newspaper from...

348

00:56:15.310 --> 00:56:23.009

Sebastopol Community Cultural Center: three years ago, and a whole bunch of other stuff you don't even want to look at. So it's definitely a blight problem. That's my comment.

349

00:56:24.500 --> 00:56:34.770

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I will go out to Zoom. If there's anyone on Zoom that would like to make a public comment, to please raise your hand virtually. Seeing none, I will come back into chambers.

350

00:56:37.300 --> 00:56:45.139

Sebastopol Community Cultural Center: Hi there, Laura from the Sebastopol Times. There are very few print papers left, Maybe just...

351

00:56:45.480 --> 00:57:01.910

Sebastopol Community Cultural Center: I don't know, 1 to 3? Has anyone just tried calling them up? They have distribution services, so I suggest that someone in the city just call the Press Democrat, which actually owns La Prensa and a couple of the other papers, and just say, we're considering this...

352

00:57:02.530 --> 00:57:08.469

Sebastopol Community Cultural Center: What are your thoughts on it, and how can we fix this? Help us fix this problem?

353

00:57:10.110 --> 00:57:16.719

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I'll go out to Zoom. If there's anyone on Zoom to make a public comment, please raise your hand virtually.

354

00:57:16.890 --> 00:57:18.980

Sebastopol Community Cultural Center: Seeing none, I will come back into chambers.

355

00:57:21.160 --> 00:57:23.750

Sebastopol Community Cultural Center: Go ahead.

356

00:57:27.780 --> 00:57:41.900

Sebastopol Community Cultural Center: Sorry. Hi. I, liberated this, sorry, I didn't know the police would be here, from the post office, because everybody seems to be moving these away from downtown, and I don't agree with...

357

00:57:42.130 --> 00:57:53.630

Sebastopol Community Cultural Center: moving away, their blight wherever they are. This is horrible. There's trash below. This is a two-story. Nobody wants this.

358

00:57:53.680 --> 00:58:08.909

Sebastopol Community Cultural Center: And so I did a little survey of downtown, too, me and my dog, and so my question remains, is this news? You keep referring to these as news racks. Is this news? That's my question.

359

00:58:09.500 --> 00:58:13.990

Sebastopol Community Cultural Center: Would anybody answer that? Is this real estate supplement news?

360

00:58:14.210 --> 00:58:30.049

Sebastopol Community Cultural Center: These were the only newspapers I found. I didn't go down your way, sorry. The Bohemian and La Trenza were the only newspapers. I think that row of eight was made by some artists years ago, because I knew one of the people who helped me paint that.

361

00:58:30.490 --> 00:58:37.390

Sebastopol Community Cultural Center: So, I surveyed business owners,

362

00:58:37.490 --> 00:58:52.279

Sebastopol Community Cultural Center: And between 3 and 4.30 today, and no one knew about this ordinance. And they weren't happy about these

racks, and they didn't like them being pushed downtown. And if you look at Whole Foods, that's just a dangerous row of 4 right by a crosswalk.

363

00:58:52.320 --> 00:59:01.259

Sebastopol Community Cultural Center: Think about having a stroller, a wheelchair, a walker. That's a really dangerous area. There's two by a crosswalk right by the old Rite Aid.

364

00:59:01.960 --> 00:59:20.989

Sebastopol Community Cultural Center: Which is less than 10 feet now. So they were really happy to exclude these non-news racks from our area. So I really want the definition of news rack to be rewritten, because I don't think that includes those.

365

00:59:21.350 --> 00:59:26.550

Sebastopol Community Cultural Center: The word ADA is not included in the ordinance. You have 10 seconds?

366

00:59:26.780 --> 00:59:27.600

Sebastopol Community Cultural Center: Oh, man.

367

00:59:28.360 --> 00:59:31.200

Sebastopol Community Cultural Center: And there's no evidence for this 100-foot spacing.

368

00:59:31.350 --> 00:59:41.610

Sebastopol Community Cultural Center: There's nothing that says that. We need objective standards for permits, and that's 2 minutes. Oh, darn. Thank you for your public comment.

369

00:59:42.630 --> 00:59:44.979

Sebastopol Community Cultural Center: Next, I'll go out to...

370

00:59:45.260 --> 00:59:51.349

Sebastopol Community Cultural Center: Zoom, if there's anyone on Zoom that would like to make a public comment on this item, to please raise your hand virtually.

371

00:59:52.040 --> 00:59:54.199

Sebastopol Community Cultural Center: Seeing that, it'll come back into chambers.

372

00:59:55.160 --> 00:59:57.140

Sebastopol Community Cultural Center: CNN public comment is closed.

373

00:59:57.390 --> 01:00:06.860

Sebastopol Community Cultural Center: All right, thank you. We're back here at the dais for comments. I, of course, have a few, but I want to let my colleagues go first, if anyone has any?

374

01:00:08.550 --> 01:00:18.269

Sebastopol Community Cultural Center: No? Oh, Steve? Councilmember Zolan? Yeah, I definitely appreciate all the effort, to try to address

375

01:00:18.650 --> 01:00:27.970

Sebastopol Community Cultural Center: situation. For me, it is about the hazardousness of it. I mean, being the liaison to our insurance, I mean.

376

01:00:28.280 --> 01:00:36.379

Sebastopol Community Cultural Center: They're rough, and all you need is a child to get pushed into, or fall into one of them, then it's gonna be like, who is responsible for

377

01:00:36.490 --> 01:00:49.859

Sebastopol Community Cultural Center: the overall maintenance or lack of maintenance that contributed to that child's harm. So, that I'm concerned about. This approach and the next agenda item, addressing blight, I have

378

01:00:50.000 --> 01:01:00.699

Sebastopol Community Cultural Center: a combination of just concerns, whether this is the right approach. And to the public commenter, we are in a state, ongoing state of fiscal emergency, and

379

01:01:00.700 --> 01:01:11.339

Sebastopol Community Cultural Center: I'm concerned about the amount of money it's going to take to effectuate this, to monitor it, and I'm also concerned about the person that we always defer to as far as

380

01:01:11.340 --> 01:01:22.169

Sebastopol Community Cultural Center: enforcement of these things is our law enforcement, and the discretion that's always given to them. So, for that reason, I'm not supporting this in this... in this form. Thank you.

381

01:01:24.080 --> 01:01:32.680

Sebastopol Community Cultural Center: Can I ask you a question? It's my understanding it's not the police that will be enforcing any of this with these boxes, is that correct?

382

01:01:32.830 --> 01:01:40.559

Sebastopol Community Cultural Center: This type of ordinance is generally enforced in the city by planning or the building official for this particular ordinance.

383

01:01:40.750 --> 01:01:47.389

Sebastopol Community Cultural Center: That was my understanding as well. And as far as the, the definition of news rack, does it include...

384

01:01:48.190 --> 01:01:54.840

Sebastopol Community Cultural Center: I... it was my understanding when we talked that it did, but... It includes... yeah, the definition of news rack includes any publication.

385

01:01:55.020 --> 01:01:58.920

Sebastopol Community Cultural Center: Used to distribute any publication. Okay, go ahead.

386

01:02:00.870 --> 01:02:04.930

Sebastopol Community Cultural Center: I... I mean, whew.

387

01:02:05.090 --> 01:02:21.259

Sebastopol Community Cultural Center: I see a ton of them abandoned, and... and yes, having worked in media for quite some time, there is rare... a small group of newspapers, and their distribution does not just rely on these racks, like,

388

01:02:21.950 --> 01:02:38.659

Sebastopol Community Cultural Center: like the Bohemian, it relies also on bringing it, because they brought it to my place of business and leaving it for people. So, I think I'm going to be supporting this ordinance tonight, and, I think giving people 6 months' notice, if they need to take apart

389

01:02:38.660 --> 01:02:53.589

Sebastopol Community Cultural Center: to save a few racks and maintain them of what we are calling the artist racks that are multi. I do seem to remember when people painted those as well, then so be it. But, they need to be maintained, and I'm going to be supporting it tonight.

390

01:02:54.840 --> 01:02:57.280

Sebastopol Community Cultural Center: Okay, any other comments?

391

01:02:58.220 --> 01:02:58.950

Sebastopol Community Cultural Center: Nope.

392

01:02:59.170 --> 01:03:01.880

Sebastopol Community Cultural Center: I guess I'll make a comment.

393

01:03:03.000 --> 01:03:08.240

Sebastopol Community Cultural Center: I guess I'm uncomfortable with the fact that the...

394

01:03:08.580 --> 01:03:17.199

Sebastopol Community Cultural Center: the Bohemian, the Community Voice, La Prensa, they have not been reached out to, and... and I have a feeling that whoever painted that ate

395

01:03:17.860 --> 01:03:28.889

Sebastopol Community Cultural Center: newspaper rack thing, and put the little library in there, would be pretty disappointed having that removed, but I also know that,

396

01:03:29.000 --> 01:03:46.310

Sebastopol Community Cultural Center: as I walked on one side of the street there, down at Main Street, that there was a realtor, an empty realtor, bright yellow realtor rack, and then right next to it was one, I believe it had a bohemian sticker on it, and it was filled with compost.

397

01:03:46.650 --> 01:03:51.950

Sebastopol Community Cultural Center: So, that, you know, that is a blight. That, that's,

398

01:03:52.420 --> 01:03:56.589

Sebastopol Community Cultural Center: But at the same time, I have concerns with the cost.

399

01:03:56.960 --> 01:04:15.849

Sebastopol Community Cultural Center: to monitor this and to be removing things. I mean, I'm wondering if the city couldn't just... if the council couldn't direct the city to remove any of the realtor racks that are empty and, kind of leave the free speech racks open. I don't know. For me, I'm not...

400

01:04:16.800 --> 01:04:25.370

Sebastopol Community Cultural Center: that's why this item is here, just so you know. I asked them to do that, and I was told we could not unless I brought an ordinance forward, so... So, we could, you know, if...

401

01:04:25.720 --> 01:04:35.739

Sebastopol Community Cultural Center: I don't know that this is what the Council wants to do, but we could change it so we only deal with abandoned ones, and not any of the maintenance standards for non-abandoned ones.

402

01:04:35.940 --> 01:04:49.980

Sebastopol Community Cultural Center: I don't know that that stresses all that. It is diff... you know, commercial speech is also protected by the First Amendment. It doesn't have the exact same protections, but it does have protections.

403

01:04:50.180 --> 01:04:53.270

Sebastopol Community Cultural Center: As well, and so...

404

01:04:54.060 --> 01:05:03.879

Sebastopol Community Cultural Center: you know, we'd have to look into whether we could address just certain types of these news racks. I am concerned that then becomes a content-based

405

01:05:04.060 --> 01:05:09.000

Sebastopol Community Cultural Center: Regulation, because we're targeting just certain types of... publication.

406

01:05:09.290 --> 01:05:10.890

Sebastopol Community Cultural Center: Councilmember Hinton.

407

01:05:12.720 --> 01:05:28.370

Sebastopol Community Cultural Center: Yeah, again, having worked in this industry, I know that if it's important to them, they will come out within the 6 months and make corrections. So with that, I'm going to move this ordinance and, I think introduce and waive the first reading.

408

01:05:28.620 --> 01:05:36.849

Sebastopol Community Cultural Center: of the ordinance to add Chapter 5.66, News RAC regulations to the Sebastopol Municipal Code.

409

01:05:37.050 --> 01:05:38.560

Sebastopol Community Cultural Center: And I'll second that.

410

01:05:41.820 --> 01:05:57.900

Sebastopol Community Cultural Center: Thank you. So moved by Councilmember Hinton, and seconded by Mayor McLewis to approve the introduction and waiving of the first reading of an ordinance to add

Chapter 5.66 New Rest Regulations to Spousal Municipal Code. Can we... can we still make a little comment on that motion?

411

01:05:59.610 --> 01:06:02.209

Sebastopol Community Cultural Center: Rather than... can we still comment on it?

412

01:06:02.730 --> 01:06:03.500

Sebastopol Community Cultural Center: Yeah.

413

01:06:04.890 --> 01:06:15.420

Sebastopol Community Cultural Center: I think, or do we need to finish? Oh, okay. I just can't support it as it's written, because I think there'll be unintended consequences of that, and

414

01:06:15.940 --> 01:06:17.919

Sebastopol Community Cultural Center: I think it should be modified.

415

01:06:18.240 --> 01:06:22.759

Sebastopol Community Cultural Center: And I'm not willing to modify, I mean, so we already have a second, so...

416

01:06:23.260 --> 01:06:26.280

Sebastopol Community Cultural Center: We'll just go through the process and see where we land.

417

01:06:28.970 --> 01:06:43.459

Sebastopol Community Cultural Center: to just make sure there's no more discussion on this before I call the vote. I'm done, yeah. Councilmember Hinton moved, and Mayor McLewis seconded in the motion to approve the introduction and waiving of the first reading of the ordinance to add Chapter 5.66 to the New SAC regulations to the Sebastopol Municipal Code.

418

01:06:43.510 --> 01:06:49.980

Sebastopol Community Cultural Center: Councilmember Carter? Yes. Councilmember Hinton? Aye. Councilmember Zolman? No.

419

01:06:50.420 --> 01:07:01.480

Sebastopol Community Cultural Center: Vice Mayor Maurer? No. Mayor McLewis? Yes. The motion is 3 to 1, with Councilmembers Carter, Hinton and Mayor McLewis in support, and Councilmember Zolman and Vice Mayor Maurer in opposition.

420

01:07:02.480 --> 01:07:08.520

Sebastopol Community Cultural Center: All right, thank you very much. We'll get back to here. Just a clarification, that should be 3 to 2.

421

01:07:08.720 --> 01:07:11.089

Sebastopol Community Cultural Center: Yeah. I'm sorry, you're correct, 3 to 2.

422

01:07:12.000 --> 01:07:13.110

Sebastopol Community Cultural Center: Rated 2.

423

01:07:14.590 --> 01:07:20.280

Sebastopol Community Cultural Center: Can... can I just pause for a second? I...

424

01:07:30.550 --> 01:07:34.119

Sebastopol Community Cultural Center: It's not even good. I just...

425

01:07:39.200 --> 01:07:51.149

Sebastopol Community Cultural Center: Vice Mayor Maurer, can you take over for a moment? I have an emergency at home that I need to call home about. I'm sorry, my son keeps sending me emergency texts, so if you could just start it, and I'll be right back. I'm not sure...

426

01:08:06.810 --> 01:08:10.439

Sebastopol Community Cultural Center: Getting my bearings here. Okay, so,

427

01:08:11.840 --> 01:08:21.830

Sebastopol Community Cultural Center: This is consideration of reimbursement of \$350,354 in city attorney budget allocation. Am I on the right one?

428

01:08:22.500 --> 01:08:23.310

Sebastopol Community Cultural Center: Yeah.

429

01:08:23.500 --> 01:08:43.059

Sebastopol Community Cultural Center: to the water and sewer enterprise funds. Yeah, Council, I'm just wondering if we should take items out of order. This was the mayor's item, and maybe it makes sense to do the Barlow item now, just the mayor. Maybe we could just take a quick break? That... that works as well. Take a 5-minute break.

430

01:08:43.520 --> 01:08:44.810

Sebastopol Community Cultural Center: Is that okay? Okay.

431

01:08:49.270 --> 01:08:50.510

Sebastopol Community Cultural Center: Weird.

432

01:08:51.590 --> 01:08:53.140

Sebastopol Community Cultural Center: Is it okay to start?

433

01:08:54.140 --> 01:08:55.000

Sebastopol Community Cultural Center: Okay.

434

01:08:55.130 --> 01:09:13.670

Sebastopol Community Cultural Center: Thanks, everyone. Sorry for that break. We're gonna now go to item number 7, Consideration of reimbursement of \$350,354 in City Attorney Budget Allocation to the Water and Sewer Enterprise Funds, and I'm the requester of this, and, our city attorney is going to

435

01:09:13.670 --> 01:09:19.790

Sebastopol Community Cultural Center: Yeah, Mayor, I can kick it off and then turn it, back over to you. So, as the Council knows, the...

436

01:09:22.029 --> 01:09:34.229

Sebastopol Community Cultural Center: City has a cost allocation plan to reimburse the general fund for the services it provides to the water and sewer enterprise funds.

437

01:09:34.350 --> 01:09:40.119

Sebastopol Community Cultural Center: You know, there's a plan, and then it bases allocations off the budgeted amounts.

438

01:09:40.350 --> 01:09:47.069

Sebastopol Community Cultural Center: And so, in the past, you know, for, past 2 years, they're budgeted based on the budgeted city attorney.

439

01:09:47.310 --> 01:09:54.619

Sebastopol Community Cultural Center: amount, and applied through the cost allocation plans. The general fund charged for the enterprise

440

01:09:54.770 --> 01:10:03.329

Sebastopol Community Cultural Center: funds for, city attorney time, certain amounts. Those are... those are referenced in the...

441

01:10:03.540 --> 01:10:16.209

Sebastopol Community Cultural Center: staff report, the EFOC has identified that this is an overcharge, and the Council has, taken steps to address this by doing some, direct billing in the future.

442

01:10:16.260 --> 01:10:25.260

Sebastopol Community Cultural Center: And one of the EFOX recommendations was to refund... have the general fund refund the...

443

01:10:25.700 --> 01:10:28.930

Sebastopol Community Cultural Center: the Sewer and Water Enterprise Funds,

444

01:10:29.080 --> 01:10:36.730

Sebastopol Community Cultural Center: for this amount, and the amount of, the Water Enterprise Fund would be \$130,867.

445

01:10:36.950 --> 01:10:40.240

Sebastopol Community Cultural Center: The Sewer Enterprise Fund would be \$219.

446

01:10:40.490 --> 01:10:43.920

Sebastopol Community Cultural Center: \$1,487, and...

447

01:10:43.930 --> 01:11:00.540

Sebastopol Community Cultural Center: And with that, I'll turn it over to the mayor so she can, provide more information. Sure. So, I brought this forward because, for a variety of reasons. The EFOC committee had been recommending this. It seemed to me that it, it...

448

01:11:00.610 --> 01:11:11.139

Sebastopol Community Cultural Center: made a lot of sense to me, given all the different... all the background that we have with this. It's an immediately... immediate actionable item that I think that we could take

449

01:11:11.260 --> 01:11:25.419

Sebastopol Community Cultural Center: Tonight, in addition, it also restores some of the funds, that, you know, are going to be, not missing, but are not, not put into our, you know, with us, freezing the rates and the...

450

01:11:25.420 --> 01:11:38.469

Sebastopol Community Cultural Center: and dealing with those different things that are going to take away from the fund, I saw this as another way of actually, rightfully reimbursing, the fund, and maybe offsetting some of that, so that it could actually

451

01:11:38.820 --> 01:11:52.990

Sebastopol Community Cultural Center: perhaps, you know, when they're looking at the, I think it says in here about the, you know, when we go out for the loan and everything, it shows that we do have more, funds in there for, repairing the well. So those are just my, my general.

452

01:11:53.010 --> 01:12:08.859

Sebastopol Community Cultural Center: thoughts on it and reasonings for bringing it forward. I just think that, you know, the community in general, we've had, obviously, even tonight, you know, more discussion and comments on... on this, water situation and the... all of the different, and the...

453

01:12:09.240 --> 01:12:18.060

Sebastopol Community Cultural Center: Grand jury report, and to me, this just seemed to be, an item that we could just, you know, in my mind, you know,

454

01:12:18.240 --> 01:12:34.670

Sebastopol Community Cultural Center: passing good conscience, and I understand that there may be different opinions about it, but I do believe that we owe it to the community to start looking at all of these different items that were brought forth, and that's why, you know, there were some other ones that I considered, but it's my understanding that, you know, there needs to be,

455

01:12:34.670 --> 01:12:48.870

Sebastopol Community Cultural Center: some more analysis, regarding some of the numbers, and I understand that even this number may not be exactly the number, but when I inquired about, well, how do we get to the exact number, you know, and when it was described to me, the different,

456

01:12:49.450 --> 01:13:02.389

Sebastopol Community Cultural Center: processes that needed to take place in order for that to happen. I'm like, well, how much would that cost? And by the time we get to that point, have we already expended whatever money we might have... if it is a lower number, we might have expended, you know.

457

01:13:02.450 --> 01:13:14.920

Sebastopol Community Cultural Center: Beyond that. So, to me, it was just, this is the number that came forward, and when I talked to, you know, the staff and everything, this just seemed like it made the most sense in my mind, so I'm here asking.

458

01:13:15.190 --> 01:13:22.739

Sebastopol Community Cultural Center: you know, my colleagues here to consider putting this back... reimbursing this back to the Enterprise Fund, so...

459

01:13:23.000 --> 01:13:28.710

Sebastopol Community Cultural Center: And, anyway, that's where I'm at. It just seems like an easy ask for me, but go ahead, Councilmember Hinton.

460

01:13:29.270 --> 01:13:36.429

Sebastopol Community Cultural Center: So, I just have a question. So, we're just taking 100% of the funds we allocated

461

01:13:36.670 --> 01:13:45.739

Sebastopol Community Cultural Center: On the allocation that, of course, consultants told us we should do, back from the city attorney line, and we're putting that

462

01:13:46.120 --> 01:13:49.679

Sebastopol Community Cultural Center: 100% into... back into the fund.

463

01:13:49.800 --> 01:13:51.840

Sebastopol Community Cultural Center: And... I'm just...

464

01:13:52.160 --> 01:14:02.790

Sebastopol Community Cultural Center: I'm just... there's no way to tell how much time our city attorney spent, because we weren't time tracking during those years. I just want to verify.

465

01:14:03.000 --> 01:14:14.480

Sebastopol Community Cultural Center: because probably you spent some time on these funds, but we're just taking those and depositing them in good faith. So, it is not 100%, because there are... we were able to pull out

466

01:14:14.520 --> 01:14:34.400

Sebastopol Community Cultural Center: the Well4 time, there was a request back in March, for the EFOC for certain billing to find out the exact billing for, items. So, Well4, which is handled by an outside, a separate law firm, we have those invoices, through March of

467

01:14:34.670 --> 01:14:38.710

Sebastopol Community Cultural Center: of 2026. So last fiscal year and this fiscal... well...

468

01:14:39.140 --> 01:14:48.039

Sebastopol Community Cultural Center: 24, 25, and then 25, 26 through, February. And then, we also went through...

469

01:14:48.200 --> 01:14:53.700

Sebastopol Community Cultural Center: My law firm's invoices for 24-25,

470

01:14:53.830 --> 01:15:03.150

Sebastopol Community Cultural Center: and 25-26 through February, and took out the items that were specifically, you know.

471

01:15:03.680 --> 01:15:09.750

Sebastopol Community Cultural Center: Tied to water and sewer-related things, you know, 100% to them.

472

01:15:09.870 --> 01:15:16.050

Sebastopol Community Cultural Center: And so those were part of the number. That's how, using that information that was provided to the EFOC,

473

01:15:16.220 --> 01:15:24.989

Sebastopol Community Cultural Center: That's how they, came up with that amount. I... I am gonna get the exact number wrong here, but the...

474

01:15:25.190 --> 01:15:31.949

Sebastopol Community Cultural Center: It's probably, \$20,000 off of what the full allocation was.

475

01:15:32.050 --> 01:15:45.329

Sebastopol Community Cultural Center: So we're... this would be refunding them less that \$20,000. You took the big things that you could justify out, and all the little stuff that now we're probably accounting for with time tracking.

476

01:15:45.600 --> 01:16:05.219

Sebastopol Community Cultural Center: So, yeah, so some of that stuff we're, tracking for... Like, my time, we are time tracking now for most of those things individually. The City Council, as you know, has a separate labor and personnel attorney. None of that time is being recovered right now.

477

01:16:05.430 --> 01:16:08.030

Sebastopol Community Cultural Center: So let me just ask one question.

478

01:16:08.330 --> 01:16:10.639

Sebastopol Community Cultural Center: We're on this agenda item right now.

479

01:16:11.310 --> 01:16:23.909

Sebastopol Community Cultural Center: your time tracking right now, but in these years, we are not able to capture this kind of level of detail of time tracking, so you just grab the big things, is my understanding, right? Correct. Okay, thanks.

480

01:16:25.220 --> 01:16:34.290

Sebastopol Community Cultural Center: And it was my understanding, like, some of the overhead, right? Isn't that how you describe it, Mary? Is that... or someone who's... I don't know if it was Alex or Mary that just...

481

01:16:34.740 --> 01:16:35.719

Sebastopol Community Cultural Center: Go ahead.

482

01:16:36.750 --> 01:16:52.850

Sebastopol Community Cultural Center: I think what you're referring to is indirect charges. Yeah, I'm sorry, yes, that's... So yeah, we would... without having the detailed time tracking, we would not... and the cost allocation, we would not be able to have those, what those numbers are, so... Right. We agree this is the best option moving forward. Yeah, yeah, and...

483

01:16:53.170 --> 01:17:01.139

Sebastopol Community Cultural Center: Did anyone else go ahead, Councilmember Mao? I mean, Vice Mayor Mao. So, just to be clear, what you're saying is you're forgiving any indirect cost.

484

01:17:03.920 --> 01:17:17.649

Sebastopol Community Cultural Center: That is correct. What you're seeing is going back is what was part of the cost allocation, and part of that was indirect cost, so this is... we were funding everything as requested by the EFOC, and we will... we agreed that the numbers are pretty similar. Okay.

485

01:17:17.760 --> 01:17:25.080

Sebastopol Community Cultural Center: So I have a couple questions. How will this, deficit affect our reserve percentage?

486

01:17:32.070 --> 01:17:44.379

Sebastopol Community Cultural Center: It would take it out of reserve, and it would reduce your reserve by \$350,354. I understand, but... so how will it affect the reserve percentage? Oh, I don't have that number.

487

01:17:44.850 --> 01:17:47.070

Sebastopol Community Cultural Center: What, what is our percentage right now?

488

01:17:51.820 --> 01:17:57.359

Sebastopol Community Cultural Center: Thanks, isn't it 25? Yeah, yeah, you miss it. So we'll still be over 20.

489

01:17:57.840 --> 01:18:08.960

Sebastopol Community Cultural Center: you will be over... you will still be over 20. Over 20. Can you do the math for us? Is that in one year, if we pull it all one year, or what would it be if we did the two-year option?

490

01:18:14.430 --> 01:18:21.700

Sebastopol Community Cultural Center: And just to answer the earlier question, I think that Amount total is \$23,501.

491

01:18:22.060 --> 01:18:32.790

Sebastopol Community Cultural Center: So, it's 100% of the allocation is being refunded, minus the \$23,501. That accounts for those... those large items we discussed.

492

01:18:36.300 --> 01:18:49.330

Sebastopol Community Cultural Center: So, prior to the 350, the, reserve percentage is 26.6. Okay. And when we include this, it'll go down to 24 even.

493

01:18:49.340 --> 01:19:00.659

Sebastopol Community Cultural Center: 24 even, okay. So, a couple questions. Can the total amount be given just to the water fund?

494

01:19:01.440 --> 01:19:02.730

Sebastopol Community Cultural Center: That's just a question.

495

01:19:05.920 --> 01:19:21.629

Sebastopol Community Cultural Center: So you are not re... the general fund can make a contribution to either fund if it wants to, but you're not refunding an amount if you're giving it not back to the... each fund in the amounts it was allocated in the first place. Okay.

496

01:19:21.870 --> 01:19:33.040

Sebastopol Community Cultural Center: So, also, my other question is, so this issue does not address the...

497

01:19:34.270 --> 01:19:46.099

Sebastopol Community Cultural Center: the allocation, the cost allocation for the Council's time. Excuse me. And that's not something we can discuss right now, because that wasn't specifically agendaized, is that correct?

498

01:19:47.460 --> 01:19:54.199

Sebastopol Community Cultural Center: That's correct. Okay. Because we can certainly, if the Council wants as a future agenda item, bring that forward. Okay.

499

01:19:54.470 --> 01:20:04.449

Sebastopol Community Cultural Center: And then lastly, I would like to hear from Councilmember Phil Garter, because he's on the EFOC committee. I'd just like to hear his perspective. Thank you.

500

01:20:06.790 --> 01:20:16.890

Sebastopol Community Cultural Center: This is one of the more accurate and attainable numbers to give back, and we have to remember that this is going back... it's still city monies, but it's going into, money...

501

01:20:17.070 --> 01:20:25.599

Sebastopol Community Cultural Center: That was originally from the ratepayers, so it's going into infrastructure and helping our city where it's needed, so it's...

502

01:20:25.860 --> 01:20:27.230

Sebastopol Community Cultural Center: A great... a good thing.

503

01:20:29.640 --> 01:20:30.870

Sebastopol Community Cultural Center: Any other?

504

01:20:32.010 --> 01:20:34.239

Sebastopol Community Cultural Center: Okay, we'll go out to public comment then.

505

01:20:35.200 --> 01:20:50.239

Sebastopol Community Cultural Center: Thank you, Mayor. So, this is for public comment for the consideration of the return of the cost allocation to the Water Sewer Enterprise for City Attorney budget allocation in the

amount of \$350,000. I will do Chambers first. Kyle? So, let's do this really quick, because he's time tracking, and...

506

01:20:50.240 --> 01:20:59.200

Sebastopol Community Cultural Center: what I'm hearing also is that there's interest in having more discussion about reimbursement as a result of misallocation.

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01:20:59.300 --> 01:21:22.800

Sebastopol Community Cultural Center: I would hope that Council can give better direction to staff on the development of agenda items that would allow for broader discussion, and not letting your city attorney hamstring you from having deeper conversations about the reimbursement of misallocated funds that are closer to the tune of \$5.5 million. Just thinking about Alex's misallocation.

508

01:21:22.800 --> 01:21:29.300

Sebastopol Community Cultural Center: We're talking about \$350,000 of misallocated funds.

509

01:21:29.480 --> 01:21:42.930

Sebastopol Community Cultural Center: To which 20-something thousand dollars was the actual cost, minus some other indirect charges, what have you. Massive amounts of money that you're talking about that were misallocated.

510

01:21:42.930 --> 01:21:57.489

Sebastopol Community Cultural Center: And that is not even money we should be considering about some reserves, because it was never your reserve money to begin with. So why question about the reserve money? Because it wasn't yours. You took it incorrectly.

511

01:21:57.670 --> 01:22:15.659

Sebastopol Community Cultural Center: you're doing the right thing by giving it back, and we know he's been tracking time, and we know that it's a simple thing for him to do, and I would love to hear how far we are away from actually tracking the time that you indicated would happen.

512

01:22:15.660 --> 01:22:40.540

Sebastopol Community Cultural Center: But that Mary tried to push back out in another 6 months, and that you reworded your agenda item to say, we will consider time tracking, we will investigate time tracking, and you didn't say that you would do time tracking. So I would expect that since time tracking for Alex is part of the agendized item, that there is an open discussion that could be had about time tracking more generally.

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01:22:40.540 --> 01:22:46.610

Sebastopol Community Cultural Center: generally, that would be in the scope of this agenda item, and if your attorney says otherwise, ignore him.

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01:22:46.610 --> 01:22:48.060

Sebastopol Community Cultural Center: Just ignore him!

515

01:22:48.780 --> 01:22:53.640

Sebastopol Community Cultural Center: Thank you, Kyle, for your public comments. Next, I will go out to Zoom. Kate, can you mute yourself, please?

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01:22:54.870 --> 01:22:56.080

kate: Thank you, Mary.

517

01:22:56.470 --> 01:22:58.199

Sebastopol Community Cultural Center: Thank you, can you see the timer still?

518

01:22:58.200 --> 01:22:59.140

kate: Yes, I can.

519

01:22:59.140 --> 01:23:00.309

Sebastopol Community Cultural Center: Great, go ahead, please.

520

01:23:00.310 --> 01:23:24.570

kate: I thank the Mayor for bringing this forward and support the restitution of the \$350... \$354 and the legal's attorney's fees. Once again, this is necessary because it is illegal to charge the enterprise funds for fees that you do not have invoices for. If Alex cannot produce invoices, then the enterprise funds should not be charged.

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01:23:24.570 --> 01:23:47.350

kate: Alex bills by 6-minute increments. There are invoices. They just do not amount to what was charged to ratepayers. Consultants do not have overhead paid by the cities. Consultants include their overhead in their rates, which is why they are never in the cost allocation plan. To Councilmember Hinton.

522

01:23:47.350 --> 01:23:52.760

kate: Ratepayers should not pay for legal time, such as tonight, spent

523

01:23:52.760 --> 01:24:17.690

kate: on the city defending itself against its own illegal behavior. The reserves, as Kyle said, that the city's has belong to the ratepayers, as your reserves are based on the fact that the city has illegally been taking money from people who've been paying their water bills in good faith for over 20 years. This action is not enough to offset the loss

524

01:24:17.690 --> 01:24:42.240

kate: of revenue produced by the Council's July 7th decision to freeze water rates and remove tiers. Once again, I am submitting for Council, and for the public, the rate freeze analysis, which the City and Council have not responded to, even though it outlies the fiscal impact of the Council's decision on the Water Fund and its ability to fund infrastructure.

525

01:24:42.240 --> 01:25:02.809

kate: If you don't respond to my document, you should have your financial person, Ana, produce a document, and you should also give a public presentation that shows what this impact will have on the city's ability to finance well for and the Pleasant Hill Loop. Thank you.

526

01:25:03.640 --> 01:25:15.469

Sebastopol Community Cultural Center: Thank you, Kate, for your public comment. Next, I'll come into Chambers. I'm on the Enterprise Oversight Committee, but this is me speaking personally. I think this is a really good step in the right direction. I mean, it's the first step, I think.

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01:25:15.700 --> 01:25:34.399

Sebastopol Community Cultural Center: Councilmember Carter articulated very well where we are on this. I mean, we're reallocating ratepayer money to the right place. It's a first step in the right direction, in my opinion. We've finally got the time tracking going, and hopefully we can pick up some momentum and get things moving.

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01:25:34.430 --> 01:25:52.610

Sebastopol Community Cultural Center: with the bigger numbers and so on in the future. But, I mean, I just wanted to say as well that a lot of this has come about from past city, managers and past councils not actually managing things properly. So, I mean, there are some sort of green shoots with this current council, and hopefully the next one as well.

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01:25:52.720 --> 01:25:59.230

Sebastopol Community Cultural Center: That, that the council and the city management will be more responsible. Thank you.

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01:25:59.870 --> 01:26:07.890

Sebastopol Community Cultural Center: Thank you, Oliver, for your public comment. Next, I will go out to Zoom. If there's anyone on Zoom that would like to make a public comment, to please raise your hand virtually.

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01:26:08.320 --> 01:26:17.880

Sebastopol Community Cultural Center: Seeing none, I will come back into chambers if there's anyone in chambers. Seeing none, public comment is closed. All right, thank you. We're back at the dais for comments. Go ahead, Councilmember Zolman.

532

01:26:18.160 --> 01:26:36.510

Sebastopol Community Cultural Center: First, I just want to thank the Mayor, for bringing this forward, and to the public, I just apologize that it's taken us this long to even get to this, but I'm fully in support of this. As I stated to our consultant, we need to start making amends, and we need to make amends as quickly as possible. So even if this does affect

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01:26:36.510 --> 01:26:42.449

Sebastopol Community Cultural Center: the general fund, the reserves, whatever. We need to start doing what's right, and acknowledging the fact that

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01:26:42.720 --> 01:26:58.359

Sebastopol Community Cultural Center: it's probably true, past councils probably did defer to staff, you know? Like, why shouldn't we? I mean, this is the major issue. We're not experts in this. We pay staff to deliver the best advice that they can, and then

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01:26:58.730 --> 01:27:08.820

Sebastopol Community Cultural Center: we try to do the best that we can with this, and clearly that's what happened with prior councils. And so, now we know better, we should do better, so I'm fully in support of this.

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01:27:10.990 --> 01:27:11.980

Sebastopol Community Cultural Center: Go ahead.

537

01:27:16.130 --> 01:27:34.509

Sebastopol Community Cultural Center: So I'm lucky enough to have, like, a little bit of a background in this, and so I kind of understand. But I also kind of want to defend our current staff, and the illegality of what's kind of happening is really kind of a function of, like, how our cost allocation plan was

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01:27:34.660 --> 01:27:50.410

Sebastopol Community Cultural Center: formed and done in the past couple of years. He does time track in small increments, and we can use that, but the consultant that we had a few years ago made this choice.

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01:27:50.530 --> 01:27:58.100

Sebastopol Community Cultural Center: And recommended it, and you know, we were following that, which has... You know, it's... it's...

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01:27:58.110 --> 01:28:16.529

Sebastopol Community Cultural Center: it's substantiated in ways, but it's not necessarily the right cost allocation, you know, plan, and that's why we're reviewing it and looking it over. But I just kind of want to defend staff just a little bit, because it wasn't, like, a choice to overbuild bill,

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01:28:17.040 --> 01:28:25.769

Sebastopol Community Cultural Center: The enterprise funds, it was a function of the cost allocation plan that we all adopted a few years ago.

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01:28:26.830 --> 01:28:29.330

Sebastopol Community Cultural Center: Okay, any other comments?

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01:28:30.360 --> 01:28:46.979

Sebastopol Community Cultural Center: Okay, I just wanted to say there were a few other items. I mean, I'm obviously fully supportive of this. There were a few other items I wanted to bring forward, but I was informed that it would be a better one, you know, as we do this time tracking, and have a better... and can do a look back or whatever, that we could have a clearer picture for some other

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01:28:47.180 --> 01:28:51.900

Sebastopol Community Cultural Center: items that have been brought forth. So, at any rate, I just want to make a motion,

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01:28:52.250 --> 01:28:56.719

Sebastopol Community Cultural Center: To... let's see, what exactly is the wording here for it?

546

01:28:57.830 --> 01:29:12.329

Sebastopol Community Cultural Center: make a motion to authorize the reimbursement of City Attorney budget allocation to the Enterprise Funds as follows, Water Enterprise Fund, \$130,867, and the Sewer Enterprise Fund, \$219.40.

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01:29:12.330 --> 01:29:20.209

Sebastopol Community Cultural Center: \$219,487. What else do you need me to include in there to...

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01:29:20.840 --> 01:29:36.729

Sebastopol Community Cultural Center: You'll need to approve the budget amendment to transfer the \$350,000,354 to the General Fund, and then directing staff to continue the... Broader review of the... broader review of the Enterprise Fund Oversight Committee recommendations, such as EFOC recommendations.

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01:29:36.730 --> 01:29:49.189

Sebastopol Community Cultural Center: Related to the City Manager Department budget due to the vacancy of the position. This should be reviewed once the city audit has been completed for the fiscal year 25-26 budget for the actual cost, and should be returned to Council for review.

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01:29:49.340 --> 01:29:51.160

Sebastopol Community Cultural Center: Second. Second.

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01:29:52.540 --> 01:29:56.580

Sebastopol Community Cultural Center: Thank you, so moved by Mayor McLewis and seconded by Councilmember Carter.

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01:29:56.620 --> 01:30:03.710

Sebastopol Community Cultural Center: to allocate the water price fund... cost allocation for the City Attorney back to the water enterprise fund of \$130...

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01:30:03.710 --> 01:30:27.369

Sebastopol Community Cultural Center: \$30,867, and to the Sewer Enterprise Fund 219.47, approving the budget amendment to transfer those funds of \$350,354 from the General Fund Reserves to the Water and Sewer Enterprise Funds as allocated, and directing staff to continue review of the Enterprise Fund Committee EFOC recommendations, such as the recommendations related to the City Manager Department budget due to the vacancy of this position.

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01:30:29.070 --> 01:30:31.540

Sebastopol Community Cultural Center: Councilmember Carter? Yes.

555

01:30:32.950 --> 01:30:34.859

Sebastopol Community Cultural Center: Councilmember Hinton? Aye.

556

01:30:35.260 --> 01:30:37.000

Sebastopol Community Cultural Center: Councilmember Zolman? Yes.

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01:30:37.180 --> 01:30:42.910

Sebastopol Community Cultural Center: Vice Mayor Maurer? Yes. Mayor McLewis? Yes. Motion passes unanimously.

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01:30:43.480 --> 01:30:45.720

Sebastopol Community Cultural Center: Alright, thank you very much.

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01:30:46.400 --> 01:30:49.310

Sebastopol Community Cultural Center: Thank you to my colleagues, appreciate it.

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01:30:49.350 --> 01:30:56.019

Sebastopol Community Cultural Center: Let's see, number 8. Introduction and waiving a first reading of an ordinance amending

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01:30:56.020 --> 01:31:20.999

Sebastopol Community Cultural Center: Sebastopol Municipal Code Chapter 12.24, Obstruction of Straits, sidewalks, or public places to add provisions prohibiting sitting or lying on the public sidewalk during certain hours. And did you want to speak to this first, Alex, and the, you know, the background, and where this came from, and yeah. So this came, thank you, Mayor, and excuse me, I... We all have frogs in our throats.

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01:31:21.000 --> 01:31:27.050

Sebastopol Community Cultural Center: beginning of the muting and when I start talking. But, the ordinance,

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01:31:27.670 --> 01:31:33.240

Sebastopol Community Cultural Center: This came forward from a request for a future agenda item from the mayor,

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01:31:33.810 --> 01:31:39.060

Sebastopol Community Cultural Center: Probably 6 months ago or so, or a while ago, to address,

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01:31:40.320 --> 01:31:48.410

Sebastopol Community Cultural Center: you know, this type of conduct in city spaces. And what the proposed ordinance would do would prohibit

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01:31:48.410 --> 01:32:07.089

Sebastopol Community Cultural Center: sitting or lying on city sidewalks during daylight hours. It doesn't apply to any of the city's parks, just

the sidewalk. And part of that reason is, you know, there are existing rules on blocking the sidewalk under state law and our ordinance.

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01:32:07.130 --> 01:32:24.210

Sebastopol Community Cultural Center: But, you know, even if, someone isn't physically blocking 100% of the path of travel, you know, they still may dissuade people from using the sidewalk if someone's sitting or lying on it. So, this prohibits,

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01:32:24.690 --> 01:32:32.290

Sebastopol Community Cultural Center: sitting down or lying on the sidewalk during daytime hours, there are some exceptions. You know, it doesn't apply if you're...

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01:32:33.490 --> 01:32:51.919

Sebastopol Community Cultural Center: having a medical emergency, if you're using, you know, a wheelchair, that doesn't count as sitting on the sidewalk. If you're operating, like, something that has been issued, the permit, you know, some sort of commercial activity that's been issued a permit from the city.

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01:32:53.500 --> 01:33:02.659

Sebastopol Community Cultural Center: Using a bench, or a seat that's provided as part of a commercial business that has a permit, or a public bench,

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01:33:02.890 --> 01:33:10.149

Sebastopol Community Cultural Center: and a few other ones that are in there. The ordinance requires that a warning be issued before there can be any,

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01:33:10.780 --> 01:33:27.010

Sebastopol Community Cultural Center: enforcement. And, with that, I'll turn it back over to... And where did this... but... and... and this... didn't it originate from San Francisco? Yeah, San Francisco has... a number... a few other cities have... have similar ones that,

573

01:33:27.690 --> 01:33:37.030

Sebastopol Community Cultural Center: a map, they may only apply in certain neighborhoods, but there are other states that have very similar ordinances to list, including San Francisco's that apply citywide.

574

01:33:38.580 --> 01:33:50.990

Sebastopol Community Cultural Center: And, you know, there was a period of time where San Francisco's ordinance was subject to an injunction, but that was later removed following, you know, Supreme Court decisions.

575

01:33:51.550 --> 01:33:53.450

Sebastopol Community Cultural Center: And, and...

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01:33:54.480 --> 01:34:08.800

Sebastopol Community Cultural Center: the reason I brought this forward is, and I consulted with our police chief about this, and I'm gonna have him come up too, but the reason I brought this forward is just a couple things. One.

577

01:34:09.300 --> 01:34:14.780

Sebastopol Community Cultural Center: businesses downtown frequently in the mornings.

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01:34:15.210 --> 01:34:20.269

Sebastopol Community Cultural Center: when they come to their businesses, and I'm telling this from firsthand from them, you know.

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01:34:20.270 --> 01:34:38.630

Sebastopol Community Cultural Center: calling... I hear... I hear it on the scanner, calling into the police that they have someone... a coffee shop downtown, you know, just a couple days ago, whatever. They're calling and saying, we have someone that's laying in front of our business, and we can't... they won't leave, and we can't open the doors. And... and I hear these things on the scanner quite a bit.

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01:34:38.630 --> 01:34:43.720

Sebastopol Community Cultural Center: And I've witnessed it myself at my own business, them sleeping on the stoop, and you know, and then...

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01:34:43.720 --> 01:35:01.570

Sebastopol Community Cultural Center: you know, it's just this whole thing, this whole process of... you can't get anybody to leave, and so I came to the police chief and asked him, like, what options do we have? What do we do? I mean, we're trying to help our businesses. I mean, it's not... it's, you know, on all of our priorities and trying to, you know.

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01:35:01.870 --> 01:35:20.269

Sebastopol Community Cultural Center: for economic development and supporting our businesses, but if we don't have any ways for our police to actually help people move along when they've decided to, you know, to sleep or lie right in front of the businesses on their sidewalks, this is what came up. So, this is, and then I spoke with,

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01:35:20.290 --> 01:35:26.170

Sebastopol Community Cultural Center: with Alex, our city attorney, about it, and like, what are the options? You know, has this been vetted in other places? Has...

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01:35:26.170 --> 01:35:44.260

Sebastopol Community Cultural Center: Has it brought on lawsuits, you know, and all that, and all of that has pretty much happened in other places, so I don't know if our police chief would like to come up at all, if there's anything that you want to say, as far as the calls that you're getting, but I mean, I can just speak anecdotally from just the things that I've heard and that I've seen myself.

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01:35:51.520 --> 01:35:56.320

Sebastopol Community Cultural Center: I don't have any, actual data that... I could...

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01:35:57.100 --> 01:36:05.319

Sebastopol Community Cultural Center: provide to you that specifically addresses a sitting or a lying? Because we'd have to search by an actual search word in our database.

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01:36:05.760 --> 01:36:12.370

Sebastopol Community Cultural Center: So that would require the person calling us to specifically mention sitting or lying, and for the dispatcher to actually

588

01:36:12.510 --> 01:36:18.540

Sebastopol Community Cultural Center: you know, verbatim type that word into our ad system. So there's...

589

01:36:18.920 --> 01:36:25.439

Sebastopol Community Cultural Center: Incidents there that we'll have sitting on line causing the problem, but they're not actually captured because they weren't written down.

590

01:36:25.580 --> 01:36:29.369

Sebastopol Community Cultural Center: Specifically, in the information that was put out to officers.

591

01:36:29.870 --> 01:36:42.189

Sebastopol Community Cultural Center: But from a public safety perspective, I just see this as a tool that can assist officers in addressing behaviours that impact public safety, and the community's ability to use those public spaces.

592

01:36:44.910 --> 01:36:58.599

Sebastopol Community Cultural Center: as Alex suggested, if this were to be approved by Council, we would begin with warnings, and we do that for pretty much everything anyway. We prefer to seek voluntary compliance than enforcement options.

593

01:36:59.220 --> 01:37:02.859

Sebastopol Community Cultural Center: So I'd like to certainly make that known to the Council.

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01:37:03.740 --> 01:37:08.370

Sebastopol Community Cultural Center: The department would maintain, you know, our ability to

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01:37:08.540 --> 01:37:12.200

Sebastopol Community Cultural Center: Treat every individual with dignity and respect, regardless of

596

01:37:12.520 --> 01:37:15.020

Sebastopol Community Cultural Center: Whether they are transient or other.

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01:37:15.870 --> 01:37:23.740

Sebastopol Community Cultural Center: I think any... Any success of something like this?

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01:37:23.930 --> 01:37:43.850

Sebastopol Community Cultural Center: if it was approved by Council, would be measured by increased use of public spaces, fewer calls for service, and reduced unlawful activity, and improved perceptions of safety, which is a huge factor, I think, in the development of this ordinance, or suggested ordinance, because we want people to want to use our public spaces

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01:37:44.010 --> 01:38:03.749

Sebastopol Community Cultural Center: to want to walk down the sidewalk and visit our businesses, and as the Mayor suggested, if there's someone laying across the door of a coffee shop, I know my family would walk right past that. So, from my perspective as the police chief, and wanting the very best for our citizens and our community and our businesses, I could see this being an advantageous move by the council.

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01:38:04.200 --> 01:38:06.380

Sebastopol Community Cultural Center: I don't know if you have any questions that I can help you with?

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01:38:07.520 --> 01:38:08.420

Sebastopol Community Cultural Center: Go ahead.

602

01:38:09.370 --> 01:38:16.710

Sebastopol Community Cultural Center: So I'm not... I'm not sure you can answer this, but, how many times have you come across someone

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01:38:17.560 --> 01:38:23.540

Sebastopol Community Cultural Center: Lying or sitting in a business or on a public sidewalk.

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01:38:23.960 --> 01:38:27.020

Sebastopol Community Cultural Center: This year? How many times has happened?

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01:38:27.820 --> 01:38:29.870

Sebastopol Community Cultural Center: I can say I've personally dealt with

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01:38:30.150 --> 01:38:34.620

Sebastopol Community Cultural Center: quite a number of them, but I don't have any data that I can show

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01:38:35.760 --> 01:38:50.759

Sebastopol Community Cultural Center: the council, where that is a specific mention in the call, which is really the data I'd like to be able to provide you, is, you know, that exact feature of the call. But I know for a fact I've personally attended quite a number of incidents like that. I know our officers do as well.

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01:38:50.910 --> 01:38:58.110

Sebastopol Community Cultural Center: So, could you describe the situation? For example, You have certain...

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01:38:58.260 --> 01:39:16.059

Sebastopol Community Cultural Center: laws right now that can tell you what you can and cannot do. So this ordinance is trying to give you a little bit more power to do something else, but I don't know what you can do now compared to what this ordinance is trying to give you to do. So could you explain that for me?

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01:39:16.460 --> 01:39:23.390

Sebastopol Community Cultural Center: Yeah, I think this just tightens up the availability of enforcement options for us, where rather than us

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01:39:24.020 --> 01:39:39.169

Sebastopol Community Cultural Center: having more of a grey area on what we can do with it, we can really come in and actually have that conversation with a person and say, you need to move. We'd like you to vacate the front of this business so they can open and commit serving their patrons, rather than

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01:39:39.530 --> 01:39:42.999

Sebastopol Community Cultural Center: Just having words of encouragement that are not followed through.

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01:39:43.190 --> 01:39:56.750

Sebastopol Community Cultural Center: If that makes sense. Could you break it down for me? Like, right now, if you're, you know, let's say it was earlier in the day, and there was somebody laying in this... in the front of a store business, how would you deal with that situation now?

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01:39:57.640 --> 01:40:02.279

Sebastopol Community Cultural Center: We really have to look at the state law to see if the elements of that particular

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01:40:02.560 --> 01:40:03.999

Sebastopol Community Cultural Center: Penal code omit.

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01:40:04.200 --> 01:40:10.140

Sebastopol Community Cultural Center: In each individual circumstance, which we do for anything that we... we respond to. We can't just blanket

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01:40:10.230 --> 01:40:25.459

Sebastopol Community Cultural Center: you're laying down, you need to move. So in that particular instance, we'd have to look at the penal code and see if what they're doing is a violation of the penal code. Of course, we start with words of encouragement, say, hey, come on, you know, people would like to open their business, could you please move, maybe lie somewhere different?

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01:40:25.760 --> 01:40:32.400

Sebastopol Community Cultural Center: And that's what we would seek in respect to voluntary compliance, but...

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01:40:32.810 --> 01:40:35.209

Sebastopol Community Cultural Center: This would enable us to have

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01:40:35.770 --> 01:40:39.820

Sebastopol Community Cultural Center: A guaranteed discussion with the person that what you are doing is unlawful.

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01:40:40.090 --> 01:40:42.520

Sebastopol Community Cultural Center: So I... we really need you to move.

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01:40:43.710 --> 01:41:01.450

Sebastopol Community Cultural Center: So, is it possible there could be some unintended consequences of this? For example, there were two teenage girls sitting over at City Hall, and they were on their cell phones, and they're just, you know, they're sitting there, and let's just pretend, for example, they might have been right downtown.

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01:41:01.480 --> 01:41:05.800

Sebastopol Community Cultural Center: on, you know, sitting in front of the store, on their cell phones. So.

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01:41:06.120 --> 01:41:10.140

Sebastopol Community Cultural Center: If you, like, didn't tell them to move.

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01:41:10.740 --> 01:41:20.299

Sebastopol Community Cultural Center: One day, just say... because, you know, they probably weren't hurt anything, but if somebody else is lying on the street, then maybe you might... or lying on the same area.

626

01:41:20.400 --> 01:41:40.160

Sebastopol Community Cultural Center: And you might address that. So, couldn't that potentially set us up for lawsuit if there was discrimination? And let me just give you one more example. In my block, we have block parties, and we sit on the sidewalk, we sit on the street, we sit, you know, people sit on the curb. So, if this ordinance passes, all of that would be illegal.

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01:41:41.110 --> 01:41:44.979

Sebastopol Community Cultural Center: To sit... to use the sidewalk, which is a public...

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01:41:45.310 --> 01:41:51.399

Sebastopol Community Cultural Center: property for everybody. I mean, to me, it just seems like there's unintended consequences.

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01:41:52.400 --> 01:41:54.420

Sebastopol Community Cultural Center: I mean, I see what you're saying,

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01:41:54.590 --> 01:42:02.920

Sebastopol Community Cultural Center: In any law, there's... there's a possibility of that. If... if there's not a fair and equitable delivery of...

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01:42:03.320 --> 01:42:10.070

Sebastopol Community Cultural Center: Any discretion or enforcement action that's supplied by public safety agencies, so...

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01:42:10.450 --> 01:42:14.800

Sebastopol Community Cultural Center: That's all I can speak to with that, is I think that can be applied to anything. Thank you.

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01:42:16.200 --> 01:42:17.030

Sebastopol Community Cultural Center: Pounce.

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01:42:18.010 --> 01:42:19.950

Sebastopol Community Cultural Center: Councilmember Hinton's had her hand up.

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01:42:21.110 --> 01:42:22.830

Sebastopol Community Cultural Center: Thanks.

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01:42:24.570 --> 01:42:38.460

Sebastopol Community Cultural Center: Yeah, so the way I read... well, I have big concerns about targeting particular groups, and I guess that goes to what Councilmember Marrow was saying. But also, as I read the agenda report, it says...

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01:42:40.040 --> 01:42:54.780

Sebastopol Community Cultural Center: no citation will be issued unless the individual's been warned. Okay, so I assume you warn somebody, it goes into your system. Then all of a sudden, they get a fine between \$100 and \$500. And...

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01:42:55.420 --> 01:43:10.610

Sebastopol Community Cultural Center: correct me if I'm wrong, but if you're a teenager on a cell phone, or if you're a homeless person, now we're finding people, and these are punishable by community service, up to 10 days in jail, and

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01:43:10.830 --> 01:43:15.190

Sebastopol Community Cultural Center: It would seem like we'd be finding kind of the same people, so I just...

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01:43:15.420 --> 01:43:24.909

Sebastopol Community Cultural Center: think that that does line us up for targeting, possibly, same group, and maybe I should be asking this to the attorney, because,

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01:43:25.470 --> 01:43:44.319

Sebastopol Community Cultural Center: same group is out there laying on the sidewalks that's homeless, and does that line us up? I mean, what... because I'm... I'm really concerned about this. So, enforcing ordinances differently, you know, based on someone's protected class, you know, certainly could be.

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01:43:45.540 --> 01:43:57.780

Sebastopol Community Cultural Center: you know, there... there could be justification for why people are being treated different, right? The location of where this is happening could matter, right? You might be less concerned about someone sitting on a sidewalk

643

01:43:57.870 --> 01:44:16.909

Sebastopol Community Cultural Center: in a, neighborhood. Because less people are using that sidewalk, and so, you know, police are using their discretion not to enforce in that situation. Certainly, it could be a problem if they're two different people in the exact same circumstances are being treated differently.

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01:44:18.880 --> 01:44:24.500

Sebastopol Community Cultural Center: But, you know, the police department uses its discretion to inform... you know, sometimes you get a...

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01:44:24.640 --> 01:44:30.660

Sebastopol Community Cultural Center: Warning when you get pulled over for speeding, and sometimes you get a ticket, and those should not be reflecting

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01:44:31.650 --> 01:44:40.309

Sebastopol Community Cultural Center: that should be reflecting appropriate discretion and not treating people different because of a protected class characteristic.

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01:44:42.350 --> 01:44:47.539

Sebastopol Community Cultural Center: I think you're annexed, and then... Bonsai? Yeah,

648

01:44:48.130 --> 01:45:04.930

Sebastopol Community Cultural Center: Same concerns, unattended consequences, selective enforcement. To try to deal with this and do my homework, I did send Alex an email. In addition to selective enforcement, I'm very concerned, similar to my comments about the

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01:45:05.570 --> 01:45:12.110

Sebastopol Community Cultural Center: Newspaper, newspaper boxes, the implications for free speech and assembly.

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01:45:12.550 --> 01:45:37.520

Sebastopol Community Cultural Center: I specifically asked him the question, and Alex, you can tell me if I'm not reading this right. It says, your response was, the ordinance does not have a blanket exception for acts of protest to civil disobedience. Although the ordinance does not apply to someone standing on a sidewalk while protesting, an individual lying on sidewalks in an act of civil disobedience could be punished under the law. Does that sound right? Okay, further, I ask, is it... is this going to be another thing

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01:45:37.520 --> 01:45:55.640

Sebastopol Community Cultural Center: where we just give more money to police, and police are going to solve all of our problems. They would be the responsible enforcing agency, correct? That's correct. And similar to what you just identified, this is going to be solely within their discretion, similar to whether it's young girls on a cell phone or somebody who looks like they need a shower.

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01:45:55.640 --> 01:45:56.360

Sebastopol Community Cultural Center: Right?

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01:45:56.420 --> 01:46:02.310

Sebastopol Community Cultural Center: Okay, so I just want to make sure that I'm clear, ask the questions, put that out for the public. Thanks.

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01:46:03.180 --> 01:46:04.650

Sebastopol Community Cultural Center: Councilmember Carter?

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01:46:07.760 --> 01:46:20.870

Sebastopol Community Cultural Center: So I'm wondering what kind of guardrails could be around this? Like, is this in a specific area? Must it be in front... I mean, could it be just only in front of businesses, or something like that? Because, you know.

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01:46:20.880 --> 01:46:39.639

Sebastopol Community Cultural Center: People do have a right to be in public spaces, but there is a problem when it interferes with businesses.

Certainly the Council, if that's the direction from the Council, could limit where this ordinance applies, whether it's just downtown or some other more specific area.

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01:46:39.640 --> 01:46:47.479

Sebastopol Community Cultural Center: It's up to the council. And I will say, the spirit of this is, I don't know about you all, but I'm downtown at, like, 10, 10.30 at night, often.

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01:46:48.500 --> 01:46:51.129

Sebastopol Community Cultural Center: And, you know, there are people that are...

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01:46:51.250 --> 01:47:04.350

Sebastopol Community Cultural Center: on the sidewalks, laying across them, and in the mornings. I mean, I don't know how... because I live downtown, so it's a little different than if you're not downtown, so I'm always walking around downtown, and I can tell you frequently.

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01:47:04.510 --> 01:47:18.600

Sebastopol Community Cultural Center: I don't want to name their names, because I even know the transients' names, who, you know, all the different people who live on our streets, and that they're literally laying in front of businesses, you know, so, I mean, that's the spirit of this, and that's why

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01:47:18.600 --> 01:47:38.219

Sebastopol Community Cultural Center: I just believe that, you know, we've prioritized public safety, we've prioritized, you know, a vibrant downtown, and all these things, and I recognize that there can be unintended consequences, and I don't have all the data, but in my research, I mean, San Francisco has had great success with this, with the businesses, and the businesses have been great, you know, so...

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01:47:38.230 --> 01:47:46.260

Sebastopol Community Cultural Center: I just... the spirit of it is just, you know, acknowledging, you know, a challenge that we have, and if you're not aware of it, I...

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01:47:46.400 --> 01:48:05.150

Sebastopol Community Cultural Center: I, I, you know, I ask you to start coming downtown about, you know, different hours, when you can see where people take up, the space and lay across the sidewalks, because I see it all the time. So, and then I've heard, you know, and then again, the businesses, are dealing with it. So, anyway, that was the spirit of it.

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01:48:05.580 --> 01:48:09.960

Sebastopol Community Cultural Center: Not to be, you know, not to be,

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01:48:10.210 --> 01:48:26.170

Sebastopol Community Cultural Center: punishing someone who's doing civil disobedience or anything like that, but it's... it's our job to balance the pros and cons of all of that, in my opinion. And in my opinion right now, we have a bigger problem than... I mean, I've lived here only 12 years, but I see it as a bigger problem now than I've ever seen it.

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01:48:26.170 --> 01:48:31.300

Sebastopol Community Cultural Center: And businesses are becoming frustrated, I'm becoming frustrated, and, you know.

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01:48:31.430 --> 01:48:45.139

Sebastopol Community Cultural Center: we need to give the tools to our, you know, to the... to our public safety officers to actually, you know, be able to... to help us out here, so that was the spirit of it. I mean, it's just an unfortunate circumstance, but it is what it is.

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01:48:45.830 --> 01:48:53.690

Sebastopol Community Cultural Center: So, I don't know. You look like you had something to say, I didn't know. Revised Mara's point about the young girls that you referred to, I mean.

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01:48:54.610 --> 01:49:00.350

Sebastopol Community Cultural Center: I look at it from the perspective that our public spaces are for everybody in the city, not just for a select few that choose to

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01:49:00.550 --> 01:49:05.530

Sebastopol Community Cultural Center: Monopolize them, And their conduct be that

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01:49:05.680 --> 01:49:23.449

Sebastopol Community Cultural Center: of the type that prevents those young ladies from being able to enjoy our public space, because they're fearful of their own safety. So that's... that's my concern. Anytime that we would typically deal with any of these, it's a reactive situation where we've received a complaint or a call for service from somebody anyway. We're not just going to willy-nilly be

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01:49:23.620 --> 01:49:28.980

Sebastopol Community Cultural Center: Driving around looking to, You know, to prosecute young girls sitting on the sidewalk.

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01:49:29.320 --> 01:49:37.939

Sebastopol Community Cultural Center: or a transit person that's sitting on the sidewalk not bothering anybody either. It's... it's equitable and fair, distribution and enforcement.

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01:49:38.110 --> 01:49:39.030

Sebastopol Community Cultural Center: Action.

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01:49:39.170 --> 01:49:41.159

Sebastopol Community Cultural Center: And that's the same for any law that we have.

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01:49:41.390 --> 01:49:43.220

Sebastopol Community Cultural Center: Of which we have thousands.

677

01:49:44.870 --> 01:49:58.149

Sebastopol Community Cultural Center: Oh, I'm sorry. Just a follow-up question. Are there any other ways to address specifically what the... what the problem might be other than this? Like, like if somebody's, say, passed out?

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01:49:58.270 --> 01:49:59.529

Sebastopol Community Cultural Center: In front of a...

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01:50:00.680 --> 01:50:09.269

Sebastopol Community Cultural Center: inebriated, kind of, like, not in a good place in front of a business. Is there another tool that we have to be able to deal with that? Yes.

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01:50:09.840 --> 01:50:14.970

Sebastopol Community Cultural Center: Yeah, there's ping wall codes for that. We have 647F of the ping wall code for

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01:50:15.140 --> 01:50:17.990

Sebastopol Community Cultural Center: Somebody that's, you know, unable to take care of themselves because of...

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01:50:18.350 --> 01:50:21.070

Sebastopol Community Cultural Center: The effects of a drug or alcohol, so,

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01:50:21.640 --> 01:50:23.719

Sebastopol Community Cultural Center: We did that this morning at Safeway.

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01:50:24.450 --> 01:50:26.499

Sebastopol Community Cultural Center: It's... it's commonly used.

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01:50:27.670 --> 01:50:34.190

Sebastopol Community Cultural Center: But if that... can I ask you a question? If that were actually working, then we still have these problems. Yeah, oh...

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01:50:34.530 --> 01:50:45.500

Sebastopol Community Cultural Center: A lot of our issues can also be traced back to the fact that two hours after we take these people to jail, if that's where they end up needing to go, they're back in our department requesting their property back because they've been released already.

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01:50:45.880 --> 01:50:49.460

Sebastopol Community Cultural Center: So, that's a problem that we find challenging.

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01:50:51.790 --> 01:50:56.860

Sebastopol Community Cultural Center: The consequences do not deter Their conduct, sometimes.

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01:50:58.090 --> 01:51:07.279

Sebastopol Community Cultural Center: Any other questions? So, how would finding these people benefit the situation

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01:51:08.160 --> 01:51:11.079

Sebastopol Community Cultural Center: I think that's just an option,

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01:51:11.870 --> 01:51:15.910

Sebastopol Community Cultural Center: I think a lot of the time, these... Types of ordinances they...

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01:51:16.010 --> 01:51:18.679

Sebastopol Community Cultural Center: They provide us with a tool to be able to

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01:51:18.910 --> 01:51:22.520

Sebastopol Community Cultural Center: have... and I use the word loosely, I don't want it to sound like I'm being...

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01:51:22.940 --> 01:51:32.970

Sebastopol Community Cultural Center: forceful, that it gives us the power to be able to interact with somebody and... and have that conversation with them, rather than it being a consensual conversation. We can be saying, your conduct is

695

01:51:33.560 --> 01:51:43.169

Sebastopol Community Cultural Center: causing a problem, we've received a complaint. What you're doing is unlawful, we'd need you to move. And we would much prefer to do that, because we have many, many other things to take care of in this city.

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01:51:43.320 --> 01:51:49.520

Sebastopol Community Cultural Center: but obviously, things can go south, sideways, there's a million different directions things can go in, but...

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01:51:49.800 --> 01:51:54.629

Sebastopol Community Cultural Center: I can't really give you a blanket, this is how it would always work, but we always start with

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01:51:56.460 --> 01:51:59.950

Sebastopol Community Cultural Center: Voluntary compliance is what we... what we seek for everything.

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01:52:01.820 --> 01:52:10.250

Sebastopol Community Cultural Center: And we really do have a very compassionate and professional staff of police here at the moment that we've worked really hard to build, and

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01:52:10.390 --> 01:52:18.379

Sebastopol Community Cultural Center: I'm really proud of the way they police. It's... honestly, it's the proudest police department I've ever worked for, as far as how they treat people with dignity.

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01:52:19.820 --> 01:52:21.450

Sebastopol Community Cultural Center: Go ahead, Councillor Brown.

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01:52:21.770 --> 01:52:29.980

Sebastopol Community Cultural Center: One last question. Isn't there already a law in place about obstructing a public walkway, and...

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01:52:30.090 --> 01:52:32.610

Sebastopol Community Cultural Center: Doesn't that cover this?

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01:52:32.830 --> 01:52:43.140

Sebastopol Community Cultural Center: I don't have that in front of me right now, so I... I couldn't... Because I've just pulled... 647C. Yeah, and like I said, this is...

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01:52:43.540 --> 01:52:55.269

Sebastopol Community Cultural Center: there are rules in our municipal code as well about obstructing the sidewalk. So, you know, someone who's laying across, you know, perpendicular to your sidewalk, there are

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01:52:55.700 --> 01:52:57.689

Sebastopol Community Cultural Center: existing things...

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01:52:58.060 --> 01:53:15.140

Sebastopol Community Cultural Center: Can I chime in? What... what... and I asked about that before, and what I was told was that if they, you know, if they roll over out of the way, and they say, well, now I'm out of the way, but they still lay there, but they're not obstructing the sidewalk because a person can walk down, so they're still laying there, but they're not

708

01:53:15.140 --> 01:53:20.620

Sebastopol Community Cultural Center: obstructing, you know what I mean? And we have a lot of people here who actually, you know, are very...

709

01:53:21.470 --> 01:53:23.279

Sebastopol Community Cultural Center: Adept at that, so...

710

01:53:23.950 --> 01:53:30.460

Sebastopol Community Cultural Center: That's... that was the question I asked, as far as the, you know, what we had already in existence, which is why

711

01:53:30.610 --> 01:53:44.760

Sebastopol Community Cultural Center: We're here now, so... This is definitely not the answer to all of our problems, it's just another tool that may assist us in providing a public space for our citizens that's... that's more attractive, that might benefit our businesses and our citizens.

712

01:53:45.960 --> 01:53:47.479

Sebastopol Community Cultural Center: Any other questions?

713

01:53:48.150 --> 01:53:54.059

Sebastopol Community Cultural Center: Okay, we'll go out to... thank you, Chief. Mary, if you want to go out to public comment?

714

01:53:54.240 --> 01:54:02.479

Sebastopol Community Cultural Center: Thank you, Mayor. So this is public comment for the ordinance on... the proposed ordinance, sorry, on sit and lie, if you'd like to make a public comment, I will do

715

01:54:02.760 --> 01:54:04.960

Sebastopol Community Cultural Center: Chambers first, and they go out to Zoom, please.

716

01:54:08.860 --> 01:54:09.800

Sebastopol Community Cultural Center: Okay.

717

01:54:10.500 --> 01:54:25.809

Sebastopol Community Cultural Center: represent the community, and the folks that are most vulnerable. Make sure your mic is on, just so the public... Oh, is it? I don't know, you can't hear. Test, test, test. It's just the people on Zoom can't hear if it doesn't go through the microphone. Check, check, check. Yep.

718

01:54:26.320 --> 01:54:32.350

Sebastopol Community Cultural Center: You represent the entire community. The ones most at risk are unsheltered.

719

01:54:32.690 --> 01:54:33.960

Sebastopol Community Cultural Center: for dying.

720

01:54:34.180 --> 01:54:35.549

Sebastopol Community Cultural Center: being injured.

721

01:54:36.030 --> 01:54:38.029

Sebastopol Community Cultural Center: Being too cold, too hot.

722

01:54:39.130 --> 01:54:40.750

Sebastopol Community Cultural Center: being disrespected.

723

01:54:41.310 --> 01:54:43.270

Sebastopol Community Cultural Center: Not just downtown.

724

01:54:44.840 --> 01:54:47.269

Sebastopol Community Cultural Center: Tonight, when I was walking.

725

01:54:47.820 --> 01:54:52.019

Sebastopol Community Cultural Center: there are folks on the West County Trail. It is not patrolled by the police.

726

01:54:52.740 --> 01:54:57.789

Sebastopol Community Cultural Center: That when they get kicked out from downtown, they go to the trails.

727

01:54:58.700 --> 01:55:00.470

Sebastopol Community Cultural Center: That's not safe for them.

728

01:55:00.900 --> 01:55:02.470

Sebastopol Community Cultural Center: Many, many ways.

729

01:55:02.980 --> 01:55:08.330

Sebastopol Community Cultural Center: to be in the bushes. It's better for them in many ways, to be in a more public area.

730

01:55:09.540 --> 01:55:16.279

Sebastopol Community Cultural Center: So, you know, I want to get off this downtown needs this and that. I walk early mornings in downtown.

731

01:55:16.420 --> 01:55:22.250

Sebastopol Community Cultural Center: I don't see high numbers. We need some evidence. Let's do evidence-based ordinance.

732

01:55:22.380 --> 01:55:26.339

Sebastopol Community Cultural Center: We don't have that. Anecdotal doesn't work. Please look at me.

733

01:55:27.060 --> 01:55:28.840

Sebastopol Community Cultural Center: Anecdotal doesn't work.

734

01:55:29.300 --> 01:55:31.189

Sebastopol Community Cultural Center: This is a big ordinance.

735

01:55:31.740 --> 01:55:35.540

Sebastopol Community Cultural Center: And it... the evidence just isn't there.

736

01:55:36.700 --> 01:55:44.019

Sebastopol Community Cultural Center: When I see folks in rough conditions, I ask if they need a cup of coffee and a baked good, sometimes orange juice.

737

01:55:44.470 --> 01:55:49.860

Sebastopol Community Cultural Center: We have the ability to be compassionate. We're not San Francisco. Let's not go for that.

738

01:55:51.920 --> 01:55:55.240

Sebastopol Community Cultural Center: I'm frustrated even hearing this conversation.

739

01:55:55.380 --> 01:55:57.189

Sebastopol Community Cultural Center: We can do better than this.

740

01:55:58.740 --> 01:56:03.580

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I will go out to Zoom. Kate, can you unmute yourself, please?

741

01:56:04.550 --> 01:56:06.039

kate: I am unmuted, thank you.

742

01:56:06.040 --> 01:56:07.380

Sebastopol Community Cultural Center: Thank you. Go ahead.

743

01:56:07.650 --> 01:56:16.389

kate: I would just, one, like to reply to the person who just spoke.

Sebastopol actually has the most...

744

01:56:16.450 --> 01:56:27.499

kate: Probably the most support services for unhoused people in the entire Sonoma County. A homeless person can get a free meal, a shower.

745

01:56:27.500 --> 01:56:52.459

kate: We have the most, permanent supportive housing beds per capita of any city in Sonoma County. So, Sebastopol's actually pulling, like, 3 or, like, maybe even 10 times its weight when it comes to homeless services. And as the commenter said, the Council represents the entire community, which means business owners who are working really hard to make

746

01:56:52.460 --> 01:56:58.789

kate: their businesses survive, and also hopefully generating some sales tax revenue for the city.

747

01:56:58.870 --> 01:57:21.369

kate: And people who want to use their downtown sidewalks... I'm downtown a lot. There are a lot of people who are using public spaces in pretty selfish ways, I would say. You can't privatize a public sidewalk by turning it into your bedroom. You know, you can't privatize a public park by turning it into your apartment.

748

01:57:21.370 --> 01:57:22.830

kate: So, I...

749

01:57:23.200 --> 01:57:48.189

kate: In terms of unintended consequences, the American Disabilities Act, which is funded by public tax dollars, because we all want people with disabilities to have access to the sidewalk, says that you have to have a minimum of 36 inches, which is 3 feet. I doubt that if someone's laying on the sidewalk, that that provides ample clearance when you include street lights and other

750

01:57:48.190 --> 01:57:58.749

kate: amenities that naturally exist on a sidewalk. So, I would say that Sebastopol's actually done a fantastic job. We have Park Village.

751

01:57:58.750 --> 01:58:10.690

kate: We have Elderberry Commons, we have another permanent supportive housing facility on the way. Let's make the city for everyone, including residents that want to use the sidewalk and business owners. Thank you.

752

01:58:11.100 --> 01:58:23.629

Sebastopol Community Cultural Center: Thank you, Kate, for your public comment. Next, I'll come into Chambers. Thank you. Yeah, so I moved up here from San Francisco in 2013, and in 20... I remember this, in 2010, what was it? It was, a measure...

753

01:58:23.780 --> 01:58:36.650

Sebastopol Community Cultural Center: Measure L, to basically have a sit-lie ordinance in San Francisco. And I remember it well, because it was getting really out of control there. I used to live in the Castro. And Santa Rosa has a similar ordinance now.

754

01:58:36.750 --> 01:58:40.339

Sebastopol Community Cultural Center: The net effect of this is if we don't have

755

01:58:40.510 --> 01:58:44.419

Sebastopol Community Cultural Center: What everybody else has, then everybody's gonna come here, basically.

756

01:58:44.450 --> 01:59:00.370

Sebastopol Community Cultural Center: So, as the previous speaker just said, this is probably the kindest city in Sonoma County, and the most helpful to homeless people, which is great, but it's also incredibly liberal as to whether you can lie in front of a coffee shop and then not move

757

01:59:00.370 --> 01:59:10.950

Sebastopol Community Cultural Center: when the business owners come to open up in the morning, that's a big problem. And you're far more likely to come to the city of Sebastopol to lie around in front of a coffee shop than Santa Rosa.

758

01:59:11.040 --> 01:59:22.499

Sebastopol Community Cultural Center: Where you will be reprimanded by the police using these kind of laws. So, unfortunately, again, this is the weakest link problem that we have a lot in Sebastopol.

759

01:59:22.500 --> 01:59:38.139

Sebastopol Community Cultural Center: The more you put out the kind of the welcome shingle for people who are unhoused, disadvantaged, mentally ill, whatever it is, the more people will come here, and then that's more and more expensive to the city, more and more of the police's time, and it just doesn't work.

760

01:59:38.170 --> 01:59:41.519

Sebastopol Community Cultural Center: So, yeah, I approve of this, this measure, absolutely. Thank you.

761

01:59:41.840 --> 01:59:49.829

Sebastopol Community Cultural Center: Thank you for your public comment. I will go back out to Zoom. If there's anyone on Zoom that would like to make a public comment on the proposed ordinance, please raise your hand virtually.

762

01:59:51.280 --> 02:00:11.120

Sebastopol Community Cultural Center: Seeing none, I will come back into chambers. Kyle? Jill, I'm not offended if you don't look at me when I give public comment. I'm used to it at this point. This ordinance is not narrowly written to prevent sidewalk destruction. It's a law against poverty. It would make it illegal to sit or lie on public sidewalks anywhere responsible from 11 to 7... 7 a.m. to 11 p.m., even when no one is blocking pedestrian access.

763

02:00:11.120 --> 02:00:28.950

Sebastopol Community Cultural Center: That distinction tells us what this ordinance is really regulating. It's not obstruction, but poverty, and the public visibility of poor people. The agenda report cites City of Grants Pass v. Johnson from 2024, but it does not meaningfully address the long history of litigation

764

02:00:29.140 --> 02:00:52.560

Sebastopol Community Cultural Center: Over similar laws, including Tobe v. Santa Ana 1995, Roulette v. Seattle, 96, Jones v. City of Los Angeles, 2006, Martin v. City of Boise, 2018 and 2019, Atkinson, City of Aberdeen, 2020, and the Coalition on Homeless vs. the City and County of San Francisco, filed in 2022, settled in 2025. That's 3 years.

765

02:00:52.560 --> 02:00:53.560

Sebastopol Community Cultural Center: litigation.

766

02:00:53.670 --> 02:00:57.940

Sebastopol Community Cultural Center: Why are these cases not identified, or analyzed in the agenda report? Hmm.

767

02:00:58.040 --> 02:01:22.999

Sebastopol Community Cultural Center: Why does the report offer counsel a legal conclusion without discussing the litigation risks involving disability rights, selective enforcement, excessive fines, due process, free expression, the difference between actual obstruction and merely existing in public? Sebastopol should already understand this risk. The city has only recently come through the ACLU-supported federal challenge to its RV

768

02:01:23.000 --> 02:01:23.740

Sebastopol Community Cultural Center: ordinance.

769

02:01:23.740 --> 02:01:34.259

Sebastopol Community Cultural Center: And although the city prevailed in summary judgment, the lawsuit raised 14 causes of action and still required the city to devote public resources. Money! Money! Actual money!

770

02:01:34.270 --> 02:01:36.040

Sebastopol Community Cultural Center: to federal litigation.

771

02:01:36.770 --> 02:01:39.660

Sebastopol Community Cultural Center: Are we that... like...

772

02:01:39.810 --> 02:01:58.100

Sebastopol Community Cultural Center: amnesiac here, that we don't understand, that when we try to do laws against poverty, we're gonna get sued, and if, even if we think that we can rely on Johnson and Grant's pass as some decision, that we're not gonna spend hundreds of thousands of dollars to Alex.

773

02:01:58.390 --> 02:02:00.550

Sebastopol Community Cultural Center: Is that what you want? That's 2 minutes.

774

02:02:00.860 --> 02:02:02.580

Sebastopol Community Cultural Center: Thank you for your public comment.

775

02:02:02.830 --> 02:02:09.559

Sebastopol Community Cultural Center: Next, I'll go back out to Zoom. If there's anyone on Zoom that would like to make a public comment on the proposed ordinance, please raise your hand virtually.

776

02:02:10.590 --> 02:02:13.809

Sebastopol Community Cultural Center: Seeing none, I will come back into chambers, if there's anyone in chambers.

777

02:02:14.270 --> 02:02:20.609

Sebastopol Community Cultural Center: CNN is back at the Council. All right, back here at the diaspora comments. Councilmember Hinton had her hand up first.

778

02:02:23.670 --> 02:02:31.069

Sebastopol Community Cultural Center: Yeah, there's just no way I'm supporting this, and I just want to say, I walk...

779

02:02:31.210 --> 02:02:38.899

Sebastopol Community Cultural Center: in the mornings, frequently, with my friend. She has a little dog, Bilson, that's very famous. All the dog walkers know everybody, and

780

02:02:39.220 --> 02:02:48.350

Sebastopol Community Cultural Center: Yes, I can't think of once, and maybe they're... Maybe I... once, okay, up behind City Hall or something, but...

781

02:02:48.350 --> 02:02:59.469

Sebastopol Community Cultural Center: I do not see people laying on the sidewalk, blocking the front doors of business, and I would say having, at one time probably in my life.

782

02:03:00.120 --> 02:03:04.149

Sebastopol Community Cultural Center: Visited a business where maybe somebody was sleeping in front when you ask them to move.

783

02:03:04.280 --> 02:03:07.630

Sebastopol Community Cultural Center: they've moved. We are Peac Town.

784

02:03:08.310 --> 02:03:15.670

Sebastopol Community Cultural Center: I take that... I get we're a liberal town, I think, but we're peaceful, and we appreciate people

785

02:03:16.140 --> 02:03:24.280

Sebastopol Community Cultural Center: all people, and... and I... there's just no way. Not to mention the possibilities for litigation.

786

02:03:24.560 --> 02:03:29.899

Sebastopol Community Cultural Center: which are real. And, I'm just, I...

787

02:03:30.250 --> 02:03:35.260

Sebastopol Community Cultural Center: can appreciate that we all get to bring agenda items up, but I just feel very strongly on this one.

788

02:03:36.980 --> 02:03:47.630

Sebastopol Community Cultural Center: I'm sorry, go ahead, Councilmember Zamel. Yeah, same, ditto, for the comments that I made when I was questioning Alex.

789

02:03:49.720 --> 02:04:04.910

Sebastopol Community Cultural Center: just the implications as a whole from a legal point of view of selective, prosecution. And again, our sole blocking of that is our police discretion. I'm not... I'm not okay with that. I'm not okay with it.

790

02:04:04.950 --> 02:04:14.250

Sebastopol Community Cultural Center: being implemented that way, and I'm also not comfortable having that level of risk come to the city in passing something like this. And also.

791

02:04:14.610 --> 02:04:29.209

Sebastopol Community Cultural Center: We are a peaceful city, and we're also very vocal, and I do have huge concerns about how this will be implemented, when more and more of our residents come out exercising their free speech and freedom of assembly. So, I'm not supporting this at all.

792

02:04:30.270 --> 02:04:31.689

Sebastopol Community Cultural Center: Go ahead, Vice Mayor.

793

02:04:31.830 --> 02:04:33.330

Sebastopol Community Cultural Center: So...

794

02:04:33.690 --> 02:04:40.040

Sebastopol Community Cultural Center: It's hard to... it's hard to know what the experience of the police department is. I'm not on the police staff.

795

02:04:40.200 --> 02:04:54.800

Sebastopol Community Cultural Center: I'm not a small business owner downtown. I think it's unfortunate that we didn't hear from any of the small business owners who are having these... I mean, we heard from one. Our mayor owns a small business downtown, but that's the only small business owner we've heard.

796

02:04:55.020 --> 02:05:03.280

Sebastopol Community Cultural Center: So it's hard for me to wrap my mind around the need for something when it's not my... I just don't get it, you know? And I...

797

02:05:03.530 --> 02:05:08.129

Sebastopol Community Cultural Center: I have really big concerns with the idea of selective enforcement.

798

02:05:08.760 --> 02:05:16.969

Sebastopol Community Cultural Center: the idea that it's really pretty much targeting a specific group, and I'm not comfortable with that at all.

799

02:05:17.090 --> 02:05:22.110

Sebastopol Community Cultural Center: And I think there's big unintended consequences with it.

800

02:05:22.900 --> 02:05:27.639

Sebastopol Community Cultural Center: The legal risk, and then the idea of

801

02:05:27.760 --> 02:05:46.110

Sebastopol Community Cultural Center: if you are exercising your First Amendment free speech right, you're doing a civil disobedience, and you sit on a sidewalk, and everybody's sitting on that sidewalk, that they would get fined for sitting on the sidewalk. And that really bothers me. So, I'm not supporting that signal.

802

02:05:48.260 --> 02:05:50.830

Sebastopol Community Cultural Center: Okay, any other? Did you have any comments?

803

02:05:51.870 --> 02:05:53.560

Sebastopol Community Cultural Center: No comments? Becca?

804

02:05:53.970 --> 02:06:08.900

Sebastopol Community Cultural Center: Well, it doesn't sound like we have support, but I do have a few comments, and one is the next time... I just want to say, first of all, I just implore my colleagues to pull your head out of the sand, and look at what's happening to our downtown, and as a business owner.

805

02:06:08.900 --> 02:06:18.050

Sebastopol Community Cultural Center: I don't know what to tell you. I see this all the time. I have businesses complain to me, so I will be referring them all to you, and I'll be giving them your names when they have trouble.

806

02:06:18.230 --> 02:06:32.400

Sebastopol Community Cultural Center: And then just... I implore you to come up with some other solutions to help deal with the challenges that are downtown. As someone, like I said, who's down there, I called 911 a few weeks ago because of some issues, so I just...

807

02:06:33.060 --> 02:06:49.269

Sebastopol Community Cultural Center: I just think that some people like to have their head in the sand, and I'm sorry for that, and I just brought this forth because I... seriously, you know, our police officers have said that they need some type of tool to deal with the challenges that they're facing and that the businesses are, so,

808

02:06:49.270 --> 02:07:01.070

Sebastopol Community Cultural Center: I'm gonna make a motion and enforce everybody to say no. So, I'd just like to make a motion to pass this. If I get a second, great. If not, but I'm just taking a stance with this, so...

809

02:07:01.110 --> 02:07:04.550

Sebastopol Community Cultural Center: I'm gonna make a motion to actually,

810

02:07:05.030 --> 02:07:18.969

Sebastopol Community Cultural Center: Where is it at? To pass, you know, the municipal Code Chapter 12.24, obstruction of street sidewalks or public places to add provisions prohibiting sitting or lying on the public sidewalks during certain hours.

811

02:07:19.660 --> 02:07:23.379

Sebastopol Community Cultural Center: So, I'm making a motion, and if we don't get it, then that's fine, but...

812

02:07:24.210 --> 02:07:26.509

Sebastopol Community Cultural Center: Oh, I'm sorry, go ahead, I didn't see your hand.

813

02:07:27.700 --> 02:07:34.430

Sebastopol Community Cultural Center: So I just want to respond in comments, not to second the motion. I... I... I feel...

814

02:07:34.610 --> 02:07:42.410

Sebastopol Community Cultural Center: as I said in my comments, we all have the right to bring these items forward, but I also feel like I'm willing to address... lived here

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02:07:42.410 --> 02:07:59.849

Sebastopol Community Cultural Center: a very long time, and I don't have my head in the sand. In fact, I also called 911 the other day when there was somebody across from the post office on private property in front of a house, and screaming, and I believe the police did respond. And that, to me, is an actionable item. This...

816

02:08:00.000 --> 02:08:01.260

Sebastopol Community Cultural Center: Ordinance.

817

02:08:02.320 --> 02:08:09.869

Sebastopol Community Cultural Center: is a blanket ordinance, and again, I wouldn't support a blanket ordinance.

818

02:08:10.170 --> 02:08:11.270

Sebastopol Community Cultural Center: In any way.

819

02:08:14.280 --> 02:08:38.260

Sebastopol Community Cultural Center: I'm sorry, go ahead. Yeah, and I also feel, an obligation to respond, to the head in the sand, and I wish that people will come up with alternates. I don't really know how many alternates that we could not have brought forth. We brought forth HEART, some of us have pushed for, Citizens Academy to get more of our citizens who volunteer, want to volunteer their time to address and to help our police.

820

02:08:38.260 --> 02:09:03.050

Sebastopol Community Cultural Center: So, yeah, I do take that as an offense, and the fact of, like, get your head out of your head. Like, some of us have been doing a lot on the Homeless Coalition Board to address and help our police, and pushing police, who seem to be very reluctant to even entertain a Citizens Academy. So, yeah, that was problematic. Well, and I've been told that the heart would not respond, could not respond. I've asked all the right questions, and you and I both know we're both on the same committees.

821

02:09:03.150 --> 02:09:08.010

Sebastopol Community Cultural Center: and attend that, and I... and I... I hear you, and I've asked all those questions, and this was...

822

02:09:08.010 --> 02:09:23.280

Sebastopol Community Cultural Center: the final solution that was handed to me because of heart's not able to respond, the other mental health teams, they're not able to respond from Santa Rosa. I've asked all the questions, I've been there, I mean, I don't know what else to do, so I just tried to work with our

823

02:09:23.280 --> 02:09:39.970

Sebastopol Community Cultural Center: chief of police, who is head of... head of our public safety to come up with a solution, and our attorney, and find something that's already been vetted and is not a litigation issue, because it's already been vetted. But at any rate, I just... I just want our, you know, our businesses to know that

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02:09:40.620 --> 02:09:43.240

Sebastopol Community Cultural Center: I'm trying. So, at any rate,

825

02:09:43.550 --> 02:09:49.159

Sebastopol Community Cultural Center: At this point, we don't have, anything, so can we just move on? Okay.

826

02:09:49.810 --> 02:09:53.660

Sebastopol Community Cultural Center: Alright, so let's go to item number...

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02:09:53.790 --> 02:09:57.250

Sebastopol Community Cultural Center: 9, right? Am I on the right number here?

828

02:09:58.440 --> 02:10:02.590

Sebastopol Community Cultural Center: But I want to do a quick check. Are you all okay with continuing, or do you need a break?

829

02:10:03.050 --> 02:10:08.859

Sebastopol Community Cultural Center: You want a break? Okay, I just realized it's, like, 8.15, so... So, like, 8.20.

830

02:10:10.350 --> 02:10:13.539

Sebastopol Community Cultural Center: I'm sorry, is that enough? Okay. Cool.

831

02:10:19.480 --> 02:10:21.909

Sebastopol Community Cultural Center: Okay, alright, we are back.

832

02:10:22.120 --> 02:10:38.990

Sebastopol Community Cultural Center: From our break, and we are at item number 9. Let's see, request for approval of hours for City Attorney research on legal options on response to community concerns of graffiti and racial mockery associated with the Safeway area.

833

02:10:39.030 --> 02:10:50.649

Sebastopol Community Cultural Center: And this... I just want to comment before I turn this over to, Councilmember Zolman. The, police chief, City Manager, and I met with the,

834

02:10:50.650 --> 02:11:06.669

Sebastopol Community Cultural Center: the residents today who requested... who were at our last meeting, and they actually requested that this item be delayed so that they could all be present, but I want to turn this over to Councilmember Zolman, because this is his item, and it's his decision on where he would like to go with it.

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02:11:08.070 --> 02:11:10.980

Sebastopol Community Cultural Center: I think you're nicer. So, thank you, Madam Mayor.

836

02:11:11.180 --> 02:11:13.250

Sebastopol Community Cultural Center: Yes,

837

02:11:17.850 --> 02:11:36.319

Sebastopol Community Cultural Center: the reason why I brought this through a gender review, was because, from what I sensed without Brown acting with the mayor on this issue, was that we had different approaches to this. As you... the public has probably gotten a sense from my comments tonight.

838

02:11:36.320 --> 02:11:46.079

Sebastopol Community Cultural Center: The police are not everything in our city. We set policy, and I disagreed with the approach that when community members have concerns.

839

02:11:46.080 --> 02:11:55.170

Sebastopol Community Cultural Center: That it's somehow just lumped together as a public safety concern, and therefore, police would be the final say, and the need to have a meeting with them.

840

02:11:55.170 --> 02:12:07.320

Sebastopol Community Cultural Center: I disagreed when I overheard that general perspective and approach to this. Also, I had problems with the fact that I understood through various emails, again, not Brown Act with the mayor.

841

02:12:07.440 --> 02:12:09.960

Sebastopol Community Cultural Center: That the poli- there was...

842

02:12:09.980 --> 02:12:23.760

Sebastopol Community Cultural Center: Finally, all the residents could come together, and at the last minute, our police chief could not make themselves available. And apparently, our general manager, who oversees, our city manager, who oversees this particular staff member.

843

02:12:23.760 --> 02:12:32.789

Sebastopol Community Cultural Center: was like, well, I don't know, I guess we just can't have the meeting. So that, to me, was concerning, and the reason why I pushed this forward to have this hurt.

844

02:12:32.830 --> 02:12:42.930

Sebastopol Community Cultural Center: I also got a sense from being CC'd, on various emails from members of the public, and they don't understand the Brown Act,

845

02:12:43.020 --> 02:12:59.760

Sebastopol Community Cultural Center: that apparently a lot of my colleagues have been approached on this issue. I didn't respond back, I did to a core group, saying the fact that I heard your concerns at the last council meeting, and I'm bringing forth this agenda item, and I think I CC'd Mary on one of them, that it's going to be on this date.

846

02:12:59.850 --> 02:13:17.070

Sebastopol Community Cultural Center: But since my colleagues have all apparently been approached by various people, too, and apparently since we have no one from the community here, I guess they left the meeting earlier today with the idea that they could just postpone this. And I totally get this.

847

02:13:17.070 --> 02:13:29.029

Sebastopol Community Cultural Center: Because they all want to collectively be here. For me, I'm interested in hearing my colleagues, now that we're all together, what they would want to see happen with this issue. For me, I think it would be great to

848

02:13:29.060 --> 02:13:31.639

Sebastopol Community Cultural Center: to go ahead and discuss.

849

02:13:31.670 --> 02:13:46.850

Sebastopol Community Cultural Center: the substance of the request, which is to get from Alex, through allocation of time, what are the full legal avenues that we have, short of the police? Because if the police were able to solve this problem.

850

02:13:46.850 --> 02:14:06.750

Sebastopol Community Cultural Center: with their mockery and everything else, they would have already been locked up. They would have been trashed down, locked up, and probably on their way to prison, right? It's not a criminal, necessarily, enforcement action. So for me, if we defer this, I would like the ability for my colleagues to have time

851

02:14:06.750 --> 02:14:18.669

Sebastopol Community Cultural Center: through ALEKS to do some research so that we have a fully fleshed-out staff report when this does get continued. So that's the reason why, when I overheard from Mary and from our mayor.

852

02:14:18.670 --> 02:14:29.170

Sebastopol Community Cultural Center: that it just seemed like it was a foregone conclusion when I sat down here tonight that the public wants this to be taken off, so I'm just gonna, like, roll over and just take it off. I'm like, no, I'm gonna make my comments.

853

02:14:29.170 --> 02:14:35.159

Sebastopol Community Cultural Center: And, of course, listen to staff, listen to my colleagues. If they want to roll this over, because

854

02:14:35.160 --> 02:14:53.649

Sebastopol Community Cultural Center: they want the full public here, that's great, but I also would like my colleagues to give thought about how well prepared do we want to be when this hits the next agenda item, which unfortunately is not till the beginning of September, which is an entire month from now, because we're not meeting again in August. So those are my comments, so I'm open to

855

02:14:53.650 --> 02:15:01.589

Sebastopol Community Cultural Center: staff's comments, colleagues' comments, what to do with the item? Well, I can just share the meeting today, and

856

02:15:02.410 --> 02:15:09.829

Sebastopol Community Cultural Center: and having the police chief there, and that is because the police chief and the city manager and I

857

02:15:09.830 --> 02:15:25.940

Sebastopol Community Cultural Center: it was... it was explained to us that these were... there were challenges with, as they termed it, Annalee students, and it was Safeway, and the way... the reason I got pulled into it is because the police chief, myself, and the city manager meet regularly... have been meeting regularly with those

858

02:15:25.940 --> 02:15:34.299

Sebastopol Community Cultural Center: stakeholders for... for months about, you know, different things that are going on at Safeway, so that's how I got pulled into that, and that's the only reason, like, today we had

859

02:15:34.800 --> 02:15:47.009

Sebastopol Community Cultural Center: discussions around, you know, what we've done already, and discussions that we've had, and who could we, you know, bring in later, based on just all the different people that we know through those meetings that we've had. So that's kind of how that

860

02:15:47.200 --> 02:16:03.450

Sebastopol Community Cultural Center: how I got pulled into that and also got the email, so, I don't know who wants to, you know... And by way of just a response to that, yes, I was privy to the fact that, you know, each of us can do informally what they want to do, but for me, in the back of my mind was, one of us do not speak.

861

02:16:03.900 --> 02:16:21.159

Sebastopol Community Cultural Center: on behalf of any one issue. So I was willing to just sort of let it roll until we weren't getting any action at all with one request. People showing up in public, and then emails. That, to me, was like, I think we need to go through the process of having

862

02:16:21.300 --> 02:16:34.570

Sebastopol Community Cultural Center: a discussion about who's responding as a body, one person, that's the reason why. And I will say, I am recognizing, I will say today we had that discussion about, you know, because they were saying they didn't feel like that

863

02:16:34.680 --> 02:16:51.090

Sebastopol Community Cultural Center: you know, they've talked to... they've talked to the city, and people weren't doing anything, but it turns out they've been talking to so many different people, and we can't all talk, and they didn't understand that, and so that's why, you know, anyway, so there's just a lot of, like, you know.

864

02:16:51.090 --> 02:17:03.420

Sebastopol Community Cultural Center: there's a lot of people that live there who are talking, and then they're all reaching out to different people with us, and different people at the city, and all the different, you know, reasons that preclude us from talking. So, anyway, go ahead, Councilmember Hinton.

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02:17:05.150 --> 02:17:24.399

Sebastopol Community Cultural Center: I mean, I think we should take it tonight, because we can move it forward, and again, as has been pointed out, a lot of times the public doesn't realize Brown Act and all the rules. Councilmember Zolman, after they showed up last time, put it on agenda. I don't want to hijack his agenda item, and we are...

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02:17:24.770 --> 02:17:32.599

Sebastopol Community Cultural Center: an equal body. The mayor is, takes lead, but as... for communication purposes, but...

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02:17:32.639 --> 02:17:46.989

Sebastopol Community Cultural Center: I think we should take this up tonight, and it will probably continue on to a future agenda item, possibly, depending on the discussions and decisions tonight. And I just want to tell you, just based on... because we asked them 3 different times, and they said they...

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02:17:47.290 --> 02:18:10.809

Sebastopol Community Cultural Center: did not want it on tonight because they said they felt like they needed to have everybody here with a voice, and I'm not advocating either way, I'm just being the communicator as far as what was said at the meeting, so that everyone's aware of, like, what they were saying to us. So, however you decide to proceed is fine. I just want to make sure that I at least communicate what was communicated to us. That's great, and I appreciate that, and also my other comments,

869

02:18:10.809 --> 02:18:19.529

Sebastopol Community Cultural Center: have comments from my other colleagues, yes, I would like to proceed with the substance of this, which is, again, to ask this body if they're willing to give

870

02:18:19.799 --> 02:18:27.620

Sebastopol Community Cultural Center: a certain amount of hours, Alex, I don't remember what you said, to give us a full legal perspective of our various options.

871

02:18:27.620 --> 02:18:46.469

Sebastopol Community Cultural Center: dealing with a commercial private entity, one that we do have limited jurisdiction over. Is it 5 hours of your time to come prepared with a thorough staff report? Like, thorough. If we give you 5 hours of expecting some magic and a staff report when this comes back at the beginning of September. Is that how much it's going to take?

872

02:18:49.309 --> 02:18:55.330

Sebastopol Community Cultural Center: I would imagine more than 5 hours. I think 10 is probably reasonable.

873

02:18:55.450 --> 02:19:09.479

Sebastopol Community Cultural Center: And why so? Because we have not discussed this outside of just what a... Mary was gracious enough to help me pull together by way of an agenda. Explain to us why it would take 10 hours. What will you be doing? Yeah, well...

874

02:19:10.010 --> 02:19:28.499

Sebastopol Community Cultural Center: So there's a whole lot of different areas. So we clearly have the ability to adopt, you know, a graffiti, abatement ordinance, you know, and adopt that. That's clear. We could do that and set requirements to hold a property owner responsible for graffiti, you know, if it's not cleaned up within a certain amount of time.

875

02:19:30.240 --> 02:19:34.860

Sebastopol Community Cultural Center: Other things, I know there's been a request for...

876

02:19:35.930 --> 02:19:38.580

Sebastopol Community Cultural Center: You know, can we make them have a... install a fence?

877

02:19:38.969 --> 02:19:40.969

Sebastopol Community Cultural Center: generally.

878

02:19:41.250 --> 02:19:52.119

Sebastopol Community Cultural Center: that's not an option for an existing business, that doesn't need any approvals from the city. They're not coming to the city for a use permit or design review.

879

02:19:52.210 --> 02:20:07.339

Sebastopol Community Cultural Center: But we'd be researching to see whether, you know, maybe there's some method. Also, looking into whether the city could bring some sort of nuisance claim against the business. Those can be hard.

880

02:20:07.440 --> 02:20:12.400

Sebastopol Community Cultural Center: Especially when the nuisances are coming from, sort of.

881

02:20:12.510 --> 02:20:17.350

Sebastopol Community Cultural Center: Third part, not from the entity itself, but from third parties.

882

02:20:17.520 --> 02:20:21.340

Sebastopol Community Cultural Center: Who just happened to be doing it on their property.

883

02:20:21.610 --> 02:20:25.940

Sebastopol Community Cultural Center: But looking into whether that might be a, option.

884

02:20:26.210 --> 02:20:28.329

Sebastopol Community Cultural Center: Well, and the biggest request was they...

885

02:20:28.830 --> 02:20:33.030

Sebastopol Community Cultural Center: They said that they want, the city to install cameras there.

886

02:20:33.200 --> 02:20:38.440

Sebastopol Community Cultural Center: Either makes way or the city install cameras ourself, and that was one of the big...

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02:20:38.920 --> 02:20:43.230

Sebastopol Community Cultural Center: request. Right, so... Like, that's a...

888

02:20:43.570 --> 02:20:50.439

Sebastopol Community Cultural Center: the fence is the same thing as the cameras. We can't require property... private property owners to... to...

889

02:20:50.550 --> 02:21:00.820

Sebastopol Community Cultural Center: do things unless there's a nexus to what they're requesting from the city. So, you know, when a business comes for a use permit or a

890

02:21:01.390 --> 02:21:07.180

Sebastopol Community Cultural Center: Design review, you know, then we have the ability, because they're seeking a permit from us.

891

02:21:07.500 --> 02:21:14.730

Sebastopol Community Cultural Center: When it's an existing establishment, that's harder. Just like we couldn't go up to,

892

02:21:14.990 --> 02:21:19.869

Sebastopol Community Cultural Center: Existing homeowner and say, we don't like the, you know.

893

02:21:21.080 --> 02:21:29.809

Sebastopol Community Cultural Center: you know, the design of your house, change that. You know, when they come with a proposal to build a new house, then we might have it at that period of time.

894

02:21:30.690 --> 02:21:42.730

Sebastopol Community Cultural Center: And of course, as the Council knows, for the city to install our own cameras, if we're installing them on their property, we need their permission, and even if we're installing them on our

895

02:21:43.370 --> 02:21:53.330

Sebastopol Community Cultural Center: property that would require a change in our surveillance ordinance to authorize those cameras in that particular location.

896

02:21:55.530 --> 02:22:10.460

Sebastopol Community Cultural Center: Can Safeway install cameras in that city? Sure, they could voluntarily, install cameras. They could voluntarily install a fence if that's what they want to do. It's just a question of what the city can,

897

02:22:10.540 --> 02:22:26.990

Sebastopol Community Cultural Center: impose or force them to... Can we request that they install cameras, since there's problems there right now? But, I mean, there could be other people who might not want cameras in that section, too. You know, there could be unintended consequences of having cameras there, but...

898

02:22:27.030 --> 02:22:44.259

Sebastopol Community Cultural Center: So, my interest in this is, was there were juveniles involved. There were 3 juveniles involved, I remember this, and I had written to the police chief about wanting to know the next steps. Could restorative justice be done?

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02:22:44.300 --> 02:22:58.219

Sebastopol Community Cultural Center: And I was told that, well, it's in the hands of the juvenile system, and so there wasn't any... I don't... I don't know what happened, and whether or not that we could... could the city require something like restorative justice?

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02:22:59.950 --> 02:23:06.980

Sebastopol Community Cultural Center: So the city, I mean, the only way the city could require that is if the city was...

901

02:23:07.190 --> 02:23:14.610

Sebastopol Community Cultural Center: creating a... and enforcing something, and then the quote-unquote punishment is restorative justice. We can't...

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02:23:14.770 --> 02:23:21.780

Sebastopol Community Cultural Center: force individuals to attend meetings or do anything like that.

903

02:23:22.190 --> 02:23:35.129

Sebastopol Community Cultural Center: Well, Certive Justice is a program that people have to go through when they... and they learn from their experience what it's like for the other people. We can't force people to do things. We can't go to someone and say.

904

02:23:35.130 --> 02:23:42.549

Sebastopol Community Cultural Center: you're... you have to go the restorative justice. The juvenile court system could do that as part of a criminal

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02:23:42.550 --> 02:23:44.130

Sebastopol Community Cultural Center: Horsemen are in lieu of.

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02:23:44.300 --> 02:23:50.050

Sebastopol Community Cultural Center: But the city doesn't have any... unless we make... An ordinance and say.

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02:23:50.670 --> 02:23:53.860

Sebastopol Community Cultural Center: You have to do this thing, we... we...

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02:23:54.860 --> 02:24:10.510

Sebastopol Community Cultural Center: Okay, but we could make an ordinance that required restorative justice. We'd have... I'd have to look into that. Okay. And we have... I just want to say before I recognize you here, I know that the police chief spoke to something that, I mean, to the incident and the...

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02:24:10.510 --> 02:24:15.689

Sebastopol Community Cultural Center: in the subsequent consequences or whatever, I don't know if that's of interest for you to...

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02:24:16.060 --> 02:24:32.850

Sebastopol Community Cultural Center: mention at some point, but go ahead, Councilmember Solung. Yeah, but I mean, getting to my main point earlier, we set policy, so, Alex, could we not direct the Chief? Because I know the Chief's made comments in the past about, like, I've increased arrest rates, and this and this and that.

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02:24:32.850 --> 02:24:40.490

Sebastopol Community Cultural Center: Without, like, getting into something that's off-topic, there would be a future agenda item about the implications of just arresting willy-nilly people

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02:24:40.490 --> 02:24:51.080

Sebastopol Community Cultural Center: including juveniles, could we not direct, through Mary to her subordinate, that restorative justice be pursued

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02:24:51.230 --> 02:24:56.939

Sebastopol Community Cultural Center: should these people be identified, right? I get you're sort of addressing the fact that

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02:24:57.270 --> 02:25:10.539

Sebastopol Community Cultural Center: You know, only courts, when they come before a judge, can decide if that's something that the court's willing to do, which is to give a juvenile offender the opportunity to participate in juvenile justice

915

02:25:10.790 --> 02:25:17.010

Sebastopol Community Cultural Center: so that they don't end up with a record, right? But could we not, if we decided to do this short of an ordinance.

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02:25:17.470 --> 02:25:22.440

Sebastopol Community Cultural Center: through Mary, direct our chief to pursue restorative justice

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02:25:23.560 --> 02:25:27.950

Sebastopol Community Cultural Center: As the first beginning point with dealing with juveniles, right?

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02:25:28.080 --> 02:25:34.310

Sebastopol Community Cultural Center: So the council could adopt a policy

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02:25:34.490 --> 02:25:42.970

Sebastopol Community Cultural Center: In general, of, you know, we... the police department should pursue restorative justice,

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02:25:44.330 --> 02:25:49.119

Sebastopol Community Cultural Center: you know, in lieu of making arrests or something. I, I,

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02:25:49.450 --> 02:25:56.930

Sebastopol Community Cultural Center: Have to think through how that might play out in practice.

922

02:25:58.560 --> 02:26:03.300

Sebastopol Community Cultural Center: you know, I guess, are you just... when you see an incident, they are...

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02:26:03.940 --> 02:26:13.029

Sebastopol Community Cultural Center: And something occurring, just telling these individuals, here's a restorative justice, we hope you come to participate in it.

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02:26:14.290 --> 02:26:19.790

Sebastopol Community Cultural Center: And if you don't, we're gonna, like... How are we getting that...

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02:26:19.960 --> 02:26:39.820

Sebastopol Community Cultural Center: juveniles to participate in the restorative... Right, and my answer to this briefly is, through being a former juvenile public defender, like, if we're going to allow you to do 10 hours, contact the presiding judge of the juvenile branch and figure out what policies they have, because having represented youth, that is an option.

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02:26:39.980 --> 02:26:45.600

Sebastopol Community Cultural Center: you bring the parents in and go, listen, little Johnny has been accused of X, Y, and Z, here's what's gonna happen.

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02:26:45.750 --> 02:26:50.909

Sebastopol Community Cultural Center: Here's an option to do restorative justice, or our place can haul them away

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02:26:50.910 --> 02:27:09.629

Sebastopol Community Cultural Center: two fingerprints, which will be locked in the system for how many ever years, probably the rest of their life, and they're going to look at jail time, right? There are policies in other municipalities, and so I'm hoping that if the council does approve 10 hours, one of them is... is for you to actually go, not do

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02:27:10.000 --> 02:27:23.420

Sebastopol Community Cultural Center: individual work, but still as best practices from other jurisdictions, which one of them would be... But are you talking about other jurisdiction court systems have policies, or cities...

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02:27:23.420 --> 02:27:33.569

Sebastopol Community Cultural Center: No. Individual police departments have policies... That city... that the city electeds have blessed be the policy for how juvenile

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02:27:33.570 --> 02:27:49.720

Sebastopol Community Cultural Center: are handled and addressed. Do you have an example that might point me in the right? No, because this is not

my job. Yes, but... This is your job. Yes, and I'm saying I'm not aware of a single local municipal authority, because what it seems you're implying is that

932

02:27:49.810 --> 02:27:58.909

Sebastopol Community Cultural Center: This interaction on the street, or wherever this occurs, before someone is arrested or cited, this offer should be made.

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02:27:58.990 --> 02:28:16.429

Sebastopol Community Cultural Center: Of course, they'll be cited, right? They'll be cited, and then you have the policy saying these are your options. You either participate in community justice, or you could go to the... We're not the prosecuting agency to make those decisions. Okay, never mind. I'm exhausted. Just leave it at that.

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02:28:19.220 --> 02:28:24.119

Sebastopol Community Cultural Center: Okay, go ahead, Vice Mayor. Let's see, bring it back.

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02:28:24.370 --> 02:28:30.730

Sebastopol Community Cultural Center: So, my... I'm afraid I'm getting into more into discussion and not questions, but I think that...

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02:28:30.960 --> 02:28:42.939

Sebastopol Community Cultural Center: The juveniles were arrested for what they did, and my interest was in How can the city enforce

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02:28:43.970 --> 02:28:49.410

Sebastopol Community Cultural Center: After arrest, enforce restorative justice in this case.

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02:28:50.180 --> 02:28:52.220

Sebastopol Community Cultural Center: So that they're learning.

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02:28:53.440 --> 02:29:00.939

Sebastopol Community Cultural Center: you know, they... there's got to be some learning here. And so, is it possible to enforce restorative justice

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02:29:01.230 --> 02:29:03.629

Sebastopol Community Cultural Center: In the case of racism.

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02:29:05.910 --> 02:29:15.199

Sebastopol Community Cultural Center: In the city. I'll get... see if I can find a way to do that and get back to you in those 10 hours. We have Councilmember Hinton who has a question.

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02:29:17.050 --> 02:29:27.899

Sebastopol Community Cultural Center: Yeah, and I... I don't know if Mary might remember, but, I do know when my son was in high school, he'd gotten a little something and got...

943

02:29:28.040 --> 02:29:41.170

Sebastopol Community Cultural Center: a ticket, and, we went to a program that was funded and over, down from the hospital, and I thought it was partially funded through the Sebastopol Police Department by a grant.

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02:29:41.370 --> 02:29:51.460

Sebastopol Community Cultural Center: And I can't recall the agency, but I do remember we went with a bunch of other high school kids and parents for restorative justice. We had to attend.

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02:29:51.530 --> 02:30:10.360

Sebastopol Community Cultural Center: And for that, our... the ticket got waived. But I do believe it was a very specialized grant program. I think it existed for a couple years, would have been around 2015, and I don't think we were forced to do that. We could either pay, but we, of course, bought

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02:30:10.430 --> 02:30:18.019

Sebastopol Community Cultural Center: well, this is gonna be more punishment. We're gonna attend. And we attended it right here in Sebastopol. But that was a long time ago.

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02:30:18.200 --> 02:30:33.890

Sebastopol Community Cultural Center: And I would suspect that we can't force people to do that. Of course, we could pass a policy that we encourage, but I'm just offering that there did used to be one, and the Sebastopol Police was aware of it, because they recommended it to us.

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02:30:35.940 --> 02:30:45.660

Sebastopol Community Cultural Center: Can I ask you, Alex, based on all of this... these questions and everything, what would be your best guesstimate of the amount of time

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02:30:46.420 --> 02:30:56.959

Sebastopol Community Cultural Center: That would be needed allocated for such a topic? I think we're... seems like we're... the 10 hours will work. It

seems like we're... the Council's focused really on the restorative justice.

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02:30:57.220 --> 02:31:04.640

Sebastopol Community Cultural Center: elements. Can't hear you. 10 hours, I think, will be fine to... to do this. It seems like the Council has narrowed

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02:31:04.800 --> 02:31:09.220

Sebastopol Community Cultural Center: The interest and what it wants to look at, just to list restorative justice.

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02:31:09.400 --> 02:31:10.720

Sebastopol Community Cultural Center: Peace.

953

02:31:12.960 --> 02:31:13.960

Sebastopol Community Cultural Center: Okay.

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02:31:14.240 --> 02:31:16.850

Sebastopol Community Cultural Center: Any other questions?

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02:31:17.200 --> 02:31:18.540

Sebastopol Community Cultural Center: Mary... oh.

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02:31:18.690 --> 02:31:21.430

Sebastopol Community Cultural Center: Well, and a graffiti policy.

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02:31:21.890 --> 02:31:28.669

Sebastopol Community Cultural Center: That, I mean, that is very clear, we can do that. Yeah, and a graffiti policy. So, I mean...

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02:31:30.330 --> 02:31:43.430

Sebastopol Community Cultural Center: I would think somebody like Safeway... They asked if we had a blight ordinance, because they said that it's so dirty back there all the time. That was another thing that came up at the discussion. They said, don't we have a blight ordinance?

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02:31:45.020 --> 02:31:56.059

Sebastopol Community Cultural Center: And... and because they said there's so much trash back there, I mean, Marion, our chief, can attest to that. That was one of their big things they were asking about.

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02:31:56.320 --> 02:31:57.230

Sebastopol Community Cultural Center: Go ahead.

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02:31:58.590 --> 02:32:06.350

Sebastopol Community Cultural Center: Weren't we working on a blight ordinance? We... a draft ordinance was presented to the Council, and the Council voted not to adopt it.

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02:32:09.830 --> 02:32:17.549

Sebastopol Community Cultural Center: I let them know that, but that was one of the first things they asked for, is don't we have a blight ordinance to force them to clean up?

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02:32:17.950 --> 02:32:27.350

Sebastopol Community Cultural Center: I remember that, and it had to do with inside people's backyards. So, just want to be clear, it wasn't just about public spaces.

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02:32:27.990 --> 02:32:34.760

Sebastopol Community Cultural Center: I recall that now, it went a little bit... yeah, no, no, no, I get it, but...

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02:32:34.940 --> 02:32:38.649

Sebastopol Community Cultural Center: Maybe at some point, we could revisit that in a different way.

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02:32:39.560 --> 02:32:42.319

Sebastopol Community Cultural Center: Okay, so do you want to go about public comment?

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02:32:44.830 --> 02:33:00.519

Sebastopol Community Cultural Center: Yes, thank you, Mayor. So this is on the agenda item for discussing the City Attorney to research legal options on responding to the community concerns for the graffiti and racial mockery associated at Safeway. I will go into chambers first, and then Zoom, if there's anyone in chambers.

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02:33:01.260 --> 02:33:02.120

Sebastopol Community Cultural Center: Kyle?

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02:33:08.320 --> 02:33:30.970

Sebastopol Community Cultural Center: All right, I really just want to address the unequal urgency that this Council has shown towards different forms of hateful conduct. On March 7th, 2023, Councilmember Rick Lewis brought forward an anti-hate resolution inspired by anti-police graffiti on the Bank of America building, and although the Council ultimately

asked that the resolution be revised, the incident was serious enough at that time to receive a formal agenda item and a proposed city-wise statement.

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02:33:30.970 --> 02:33:39.489

Sebastopol Community Cultural Center: Now, months after residents have reported racist conduct directed at children of color, the city is only now beginning to consider what it might do.

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02:33:39.580 --> 02:33:47.989

Sebastopol Community Cultural Center: That difference matters. Police officers have a department, legal protections, representation, the institutional power of government behind them. Children of color do not.

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02:33:47.990 --> 02:34:01.599

Sebastopol Community Cultural Center: Yet, offensive political graffiti directed at police generated a proposed anti-hate resolution, while dehumanizing racial harassment directed at a child has produced further research, future meetings, and no firm timetable for action.

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02:34:01.600 --> 02:34:16.250

Sebastopol Community Cultural Center: I'm not arguing that vandalism or hostility towards police should be ignored. I'm asking why racist conduct against children has not received at least the same urgency and agenda-setting attention. Private property may limit some enforcement options, but it doesn't justify delay.

974

02:34:16.350 --> 02:34:27.789

Sebastopol Community Cultural Center: The city can immediately contact Safeway, support the affected families, document the incidents, hold the neighborhood meeting, assign a responsible staff liaison, require legal recommendations by a specific date.

975

02:34:28.130 --> 02:34:33.029

Sebastopol Community Cultural Center: Do more than just authorize an open-ended process. Set deadlines.

976

02:34:33.300 --> 02:34:34.969

Sebastopol Community Cultural Center: Sign responsibility.

977

02:34:35.270 --> 02:34:43.320

Sebastopol Community Cultural Center: require follow-through. In 2023, Mayor McLewis said that democracy works only when policies and laws include everyone, and I agree.

978

02:34:43.470 --> 02:34:52.949

Sebastopol Community Cultural Center: That principle must include African American children, whose dignity and safety deserves at least the same public concern that this city showed when police were the target.

979

02:34:55.150 --> 02:35:02.559

Sebastopol Community Cultural Center: Thank you, Kyle, for your public comment. Next, I will go out to Zoom. If there's anyone on Zoom that would like to make a public comment, please raise your hand virtually.

980

02:35:04.330 --> 02:35:06.740

Sebastopol Community Cultural Center: Seeing none, I will come back into chambers.

981

02:35:11.430 --> 02:35:14.089

Sebastopol Community Cultural Center: I just wanted to say you're using... can you hear me?

982

02:35:14.490 --> 02:35:20.970

Sebastopol Community Cultural Center: You're using the term blight, I walk past that pit avenue quite a lot, and there's drug paraphernalia.

983

02:35:21.380 --> 02:35:24.579

Sebastopol Community Cultural Center: There's needles, not just vape.

984

02:35:24.710 --> 02:35:38.209

Sebastopol Community Cultural Center: Partridges, but there's needles. I use my little dog bag and pick them up. If you want me to take pictures, I will. But to me, it's a very critical intersect between juveniles and some pretty heavy drug use.

985

02:35:40.100 --> 02:35:46.570

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I'll go back out to Zoom. If there's anyone on Zoom that would like to make a public comment, to please raise your hand.

986

02:35:47.090 --> 02:35:53.340

Sebastopol Community Cultural Center: Seeing none, it'll come back into chambers. Well, that was really embarrassing. We had, first of all.

987

02:35:53.610 --> 02:36:00.519

Sebastopol Community Cultural Center: the council flailing around trying to understand, getting a tool for certain lie ordinance, which is kind of a...

988

02:36:00.720 --> 02:36:10.229

Sebastopol Community Cultural Center: just a tool that the police can use with their discretion for, you know, if they really need to. And now we've had a lot of flailing around with the council, failing to understand

989

02:36:10.470 --> 02:36:16.060

Sebastopol Community Cultural Center: pretty much anything about this, and this kind of obsession. You'd think...

990

02:36:16.630 --> 02:36:33.329

Sebastopol Community Cultural Center: from the previous sit and lie ordinance conversation, this would be just part of the everyday stuff that goes on in the city and let it go, you know? I mean, bit of drug dealing, bit of graffiti, no problem, really. You know, there might be marginalized, disadvantaged people.

991

02:36:33.400 --> 02:36:40.360

Sebastopol Community Cultural Center: You know, so it just kind of comes with the territory, that's who we are, but, you know, part of the community.

992

02:36:40.570 --> 02:36:42.739

Sebastopol Community Cultural Center: So I'm just wondering,

993

02:36:43.380 --> 02:37:00.400

Sebastopol Community Cultural Center: kind of where we're going to go with this, because we seem to be burning a huge amount of time and energy and money with Alex and so on, to sort of flail around and try and figure out if you can reinvent the, the justice system around the city of Sebastopol or some members of the City of Sebastopol Council.

994

02:37:02.030 --> 02:37:14.660

Sebastopol Community Cultural Center: don't really need the police, apparently. They're not very good, according to Councilmember Zalman. So maybe, you know, just have a few local people come out and do the job themselves. It's kind of...

995

02:37:14.820 --> 02:37:17.620

Sebastopol Community Cultural Center: Pretty embarrassing stuff.

996

02:37:18.010 --> 02:37:25.880

Sebastopol Community Cultural Center: And fairly typical of the way the council just kind of goes round around the houses, talks endlessly about this stuff, and then nothing really happens.

997

02:37:26.300 --> 02:37:27.370

Sebastopol Community Cultural Center: So...

998

02:37:27.490 --> 02:37:42.219

Sebastopol Community Cultural Center: embarrassing, you know? Let's focus, and let's not spend a ton of money on exploring ways that the city could possibly do things differently, how everybody else does it, because we're different, or something. Doesn't make a lot of sense.

999

02:37:43.620 --> 02:37:51.080

Sebastopol Community Cultural Center: Thank you, Oliver, for your public comment. Next, I'll go back out to Zoom. If there's anyone on Zoom that would like to make a public comment, to please raise your hand virtually.

1000

02:37:52.190 --> 02:37:55.310

Sebastopol Community Cultural Center: Seeing none, I'll come back into chambers, if there's anyone in chambers.

1001

02:37:57.780 --> 02:38:06.329

Sebastopol Community Cultural Center: I'm wondering if we can get a comment from the Chief, because I think there's some misinformation, regarding the initial graffiti thing.

1002

02:38:06.490 --> 02:38:15.070

Sebastopol Community Cultural Center: the people who did it were actually arrested. They're now, I think, in the juvenile justice system in some way.

1003

02:38:15.970 --> 02:38:18.709

Sebastopol Community Cultural Center: Information would be useful.

1004

02:38:20.200 --> 02:38:26.800

Sebastopol Community Cultural Center: Thank you, Laura, for your public comment. Next, I'll go back out to Zoom. If there's anyone on Zoom that would like to make a public comment, please raise your hand.

1005

02:38:27.710 --> 02:38:29.949

Sebastopol Community Cultural Center: Seeing none, we'll come back into chambers?

1006

02:38:30.430 --> 02:38:41.990

Sebastopol Community Cultural Center: Seeing none, public comment is closed. All right, thank you. We're back at the dais, and I alluded to

this earlier, but Chief, can you... can you at least speak to what happened with, you know, what we talked about with today?

1007

02:38:42.190 --> 02:38:45.309

Sebastopol Community Cultural Center: And provide that. What information you can.

1008

02:38:47.710 --> 02:38:52.570

Sebastopol Community Cultural Center: In relation to the, graffiti that was deemed to be

1009

02:38:53.580 --> 02:38:56.640

Sebastopol Community Cultural Center: The causal factor for this agenda item.

1010

02:38:56.840 --> 02:39:02.890

Sebastopol Community Cultural Center: There were 4 juveniles that were Apprehended in... within 24 hours.

1011

02:39:03.170 --> 02:39:07.780

Sebastopol Community Cultural Center: And they were all cited, which is technically an arrest, because they were all charged.

1012

02:39:08.250 --> 02:39:12.599

Sebastopol Community Cultural Center: And then... That then begins a process

1013

02:39:13.090 --> 02:39:18.939

Sebastopol Community Cultural Center: as I understand it, into the county's judicial system, which we have zero control over.

1014

02:39:19.050 --> 02:39:24.140

Sebastopol Community Cultural Center: Where they enter the juvenile probation system. And then from there.

1015

02:39:24.360 --> 02:39:29.439

Sebastopol Community Cultural Center: It's dictated what route they take, whether that be some sort of restorative justice, or...

1016

02:39:29.580 --> 02:39:36.140

Sebastopol Community Cultural Center: Or whether they get a trial, or whatever it's deemed to be, and there's certain qualifying crimes that meet

1017

02:39:36.320 --> 02:39:37.960

Sebastopol Community Cultural Center: a restorative justice

1018

02:39:38.380 --> 02:39:44.730

Sebastopol Community Cultural Center: guidelines. And you... and you said that, you know, the question was, tell us more, and you had said.

1019

02:39:44.840 --> 02:39:55.719

Sebastopol Community Cultural Center: you know, they're juveniles, you can't tell much more, I mean, right. Probing questions, and I really cannot share any information, any specifics, because they're juveniles, and that's... that's law.

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02:39:56.480 --> 02:40:05.960

Sebastopol Community Cultural Center: Right, so, I mean, just for anyone who needed clarity on... on... on that piece of it, because that was, discussed today, too. Tried to explain that

1021

02:40:06.240 --> 02:40:17.449

Sebastopol Community Cultural Center: Yeah, so, okay, are there any other comments, or... I, I personally, I mean, I don't mind attributing sub-hours to this, I would like

1022

02:40:17.520 --> 02:40:31.819

Sebastopol Community Cultural Center: hope that it would be more like 5 hours in this, but that's kind of where I'm at with that, because that's a general agenda item that we typically, you know, bring forward, so that's where I'm sitting with it. I don't know where my colleagues are at, but...

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02:40:32.010 --> 02:40:37.260

Sebastopol Community Cultural Center: Those are my comments, if anyone else has any.

1024

02:40:39.230 --> 02:40:40.689

Sebastopol Community Cultural Center: Go ahead, Vice Mayor.

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02:40:40.830 --> 02:40:49.110

Sebastopol Community Cultural Center: I'd like to see how... These things can be prevented in the first place.

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02:40:49.700 --> 02:40:53.019

Sebastopol Community Cultural Center: So we don't have the problem, you know. So...

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02:40:53.590 --> 02:40:56.729

Sebastopol Community Cultural Center: I know that's a big leap, but...

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02:40:58.650 --> 02:41:01.379

Sebastopol Community Cultural Center: That's why I like the restorative justice model.

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02:41:01.510 --> 02:41:04.470

Sebastopol Community Cultural Center: Because I think it can really help.

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02:41:09.410 --> 02:41:12.590

Sebastopol Community Cultural Center: Yeah, and I... and I... actually, I did have a question.

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02:41:12.810 --> 02:41:16.830

Sebastopol Community Cultural Center: For our city manager, and maybe the police chief, too.

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02:41:17.100 --> 02:41:24.000

Sebastopol Community Cultural Center: How many times have you met with Safeway on the specific issue of racism?

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02:41:26.820 --> 02:41:41.050

Sebastopol Community Cultural Center: We have not met with them on this specific issue, and I wanted to address a comment from, Councilmember Zolman. When we did cancel that meeting, they had specifically asked that the Chief be there, so that was the reason why we canceled that meeting. It wasn't...

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02:41:41.220 --> 02:41:47.799

Sebastopol Community Cultural Center: because I chose to cancel it, it was because it was a specific ask for them. So, that was why that meeting got canceled.

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02:41:47.900 --> 02:41:54.980

Sebastopol Community Cultural Center: I have reached out to... so we have been meeting with Safeway to discuss the issues as far as the front of the...

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02:41:55.000 --> 02:42:12.260

Sebastopol Community Cultural Center: the issues with the kids hanging out, there's a lot of people in the front of the store that were concerned. Safeway reached out to us. We've had Safeway, Annalie, the

police chief, and then the mayor, and so we were meeting... we were meeting with them regularly, like, once a month, to see what we could do to try to deter that.

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02:42:12.570 --> 02:42:15.509

Sebastopol Community Cultural Center: The kids hanging out in the front, that was...

1038

02:42:15.760 --> 02:42:30.489

Sebastopol Community Cultural Center: they were... they were claiming that, you know, they were intimidating, and so we've been working with Annalie, again, with the police chief, and again with Safeway. We had been meeting with monthly. We have not been meeting over the summer, because we requested not to meet over the summer because school was not in session.

1039

02:42:30.970 --> 02:42:45.029

Sebastopol Community Cultural Center: So I have not met the... today was the first day that we met. I met with the neighbors. I'm not... I know that the chief has been in contact with them, and trying to keep them informed of what's going on, so we have not met on the racism issue.

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02:42:45.170 --> 02:43:01.599

Sebastopol Community Cultural Center: with Safeway, but you... you have met with the neighbors. Today was the first day that I met with the neighbors. 2 o'clock. And you too, yeah. Yeah, and it was because they had reached out, and not knowing what, you know, a whole lot about this topic.

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02:43:01.720 --> 02:43:08.449

Sebastopol Community Cultural Center: I knew that we had been meeting with Safeway, about these other issues, and they said they wanted Safeway there, which

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02:43:08.570 --> 02:43:11.050

Sebastopol Community Cultural Center: It turns out the Safeway manager

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02:43:11.200 --> 02:43:13.480

Sebastopol Community Cultural Center: They have a new one again, so...

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02:43:13.560 --> 02:43:20.700

Sebastopol Community Cultural Center: there's a disconnect there, but the thought was that we could bring them all together, because we had been already working with Safeway, but then, yeah, so...

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02:43:20.700 --> 02:43:35.369

Sebastopol Community Cultural Center: Can you make that a priority? So, I've already reached out today. Yeah, we've... Safeway. To Safeway. Bring this issue into the discussion? To try to have the community discussion with the neighbors, with Safeway, and with Annalie. So, I have already reached out.

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02:43:36.320 --> 02:43:42.519

Sebastopol Community Cultural Center: Yeah, good. Yeah, and we... and we have contacts with the, the folks who manage all the, like, the...

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02:43:43.400 --> 02:43:52.109

Sebastopol Community Cultural Center: the... I don't know, what's the word? The asset guy, that I brought up? Asset protection? Yeah, asset protection, and like, you know, and they're out in East Bay, and anyways, we have

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02:43:52.130 --> 02:44:08.030

Sebastopol Community Cultural Center: a rapport with him because he's worked with us in Annalie, which we've had a lot of success with them, so I'm... I... we met today because they specifically asked to, like, bring Safeway to the table, and I'm like, well, we've been meeting with them all this time, but it turns out the manager that we've been meeting with is

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02:44:08.660 --> 02:44:15.080

Sebastopol Community Cultural Center: you know, moved on to a different store. So anyways, there were just some disconnects there as far as that stuff, but that's what we did today and why.

1050

02:44:15.330 --> 02:44:22.409

Sebastopol Community Cultural Center: Mayor McLewis, if I could speak to Vice Mayor Maurer's comment about racism and whether we discussed it with Safeway.

1051

02:44:23.240 --> 02:44:30.560

Sebastopol Community Cultural Center: Can I clarify if you mean, did we discuss racism as... as in, did we discuss racism, or did we discuss the hate crime graffiti with them?

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02:44:33.830 --> 02:44:37.899

Sebastopol Community Cultural Center: All of it. The graffiti was absolutely disgust with them.

1053

02:44:38.180 --> 02:44:44.769

Sebastopol Community Cultural Center: So I guess that could be morphed into racism as a definition, but yeah, we definitely discussed that as a collective group.

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02:44:45.040 --> 02:44:50.660

Sebastopol Community Cultural Center: Because it was a very concerning incident for us, our community, and for the, the victims.

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02:44:50.840 --> 02:44:54.390

Sebastopol Community Cultural Center: Who saw that and were offended by it? Were the neighbors there?

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02:44:54.500 --> 02:44:57.400

Sebastopol Community Cultural Center: They were not, because this is a pre-existing meeting.

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02:44:57.630 --> 02:45:00.719

Sebastopol Community Cultural Center: That actually addresses the issues that they were...

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02:45:00.860 --> 02:45:14.150

Sebastopol Community Cultural Center: Having concern with, anyway. You mean the neighbor? You mean some of the people that were here before? Is that what you meant? I'm asking if the victims were there. No, they weren't part of that particular meeting, because this was a pre-existing, long-existing,

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02:45:14.500 --> 02:45:21.390

Sebastopol Community Cultural Center: monthly meet that we're having, and we're addressing concerns as they come up from month to month. We review the previous month, look at incidents.

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02:45:21.680 --> 02:45:30.529

Sebastopol Community Cultural Center: Any causal factors that we can, trace back, and how we can prevent further things from occurring. And that was obviously a very important incident, and...

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02:45:30.880 --> 02:45:40.199

Sebastopol Community Cultural Center: part of that topic was how quickly can we get Safeway to cover up any graffiti, because it's offensive and it's also unsightly, if nothing else.

1062

02:45:40.690 --> 02:45:48.239

Sebastopol Community Cultural Center: So we had... we had some traction with that, and they... they came back and said that they'll endeavor to clean up any graffiti that occurs there within 24 hours, which...

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02:45:48.350 --> 02:46:00.550

Sebastopol Community Cultural Center: It's actually what the people we met with today, the victims of it, were asking for, so that already exists. So who was at this meeting? It was the police department, Safeway, and Annalee as well?

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02:46:00.550 --> 02:46:09.020

Sebastopol Community Cultural Center: Yes, and you're referring to today, or the pre-existing... The one you're just describing? Okay, yeah, we have the Mayor, myself.

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02:46:09.070 --> 02:46:11.119

Sebastopol Community Cultural Center: I believe our city manager?

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02:46:11.260 --> 02:46:16.699

Sebastopol Community Cultural Center: The superintendent from... The school district, the principal of Annelie.

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02:46:17.110 --> 02:46:25.289

Sebastopol Community Cultural Center: And then a variety of representat- representatives, rather, from Safeway, loss prevention, to regional managers, local managers.

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02:46:25.980 --> 02:46:30.609

Sebastopol Community Cultural Center: I think that there are a lot of resources that were brought in to try and

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02:46:31.010 --> 02:46:42.490

Sebastopol Community Cultural Center: meet the community expectations. And can I just say, according to the... just so you know, the... according to the neighbors that were there today, when we asked them how long the graffiti was on the building, they said, like, 4 to 5 hours.

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02:46:42.610 --> 02:46:59.540

Sebastopol Community Cultural Center: Because we were trying to figure out if Safeway was holding up their end of the bargain, because they said they would, you know, try to take care of it within that time frame, and then the neighbors, they actually said it was 4 to 5 hours that it was there. So... So, have you communicated that these steps have already been taken?

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02:46:59.620 --> 02:47:04.780

Sebastopol Community Cultural Center: To the neighbors, was this communicated to them so they are aware of what's being done?

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02:47:04.990 --> 02:47:06.669

Sebastopol Community Cultural Center: what's been done with Safeway?

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02:47:07.060 --> 02:47:17.450

Sebastopol Community Cultural Center: the meeting you just described, did you communicate that to the neighbors so they were aware of what's been done? Yes, and that was actually communicated to them

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02:47:18.770 --> 02:47:21.689

Sebastopol Community Cultural Center: after I received the first email correspondence from

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02:47:21.960 --> 02:47:28.839

Sebastopol Community Cultural Center: one of the involved parties today on the 3rd of June. She had a reply, a very comprehensive and detailed reply.

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02:47:29.150 --> 02:47:31.600

Sebastopol Community Cultural Center: Within 3 hours of her email.

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02:47:31.930 --> 02:47:38.789

Sebastopol Community Cultural Center: Do you remember the date of the incident when this happened? I don't off the top of my head, but it was probably in May, I'm guessing.

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02:47:39.060 --> 02:47:39.800

Sebastopol Community Cultural Center: Okay.

1079

02:47:40.730 --> 02:47:43.800

Sebastopol Community Cultural Center: By the time it filtered through and became

1080

02:47:44.220 --> 02:47:48.470

Sebastopol Community Cultural Center: an issue for them where they wanted to voice some concern. I think it was later in May, perhaps?

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02:47:52.290 --> 02:47:53.680

Sebastopol Community Cultural Center: Anyone else?

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02:47:55.370 --> 02:48:14.689

Sebastopol Community Cultural Center: No, I'll go ahead and make the motion to allocate, time for our city attorney to research, the options that we have to deal with the situation, and as Alex sort of said, we seem to have narrowed it down to, restorative op... restorative justice, and

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02:48:15.160 --> 02:48:31.730

Sebastopol Community Cultural Center: having that research presented, when this is next back on the agenda, which I don't know what agenda a review committee is doing. I'm assuming that they have already allocated time for this at the beginning of September, which I think that's when the residents are thinking.

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02:48:31.730 --> 02:48:36.230

Sebastopol Community Cultural Center: this is happening back. Can anybody speak to when this is coming back?

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02:48:38.780 --> 02:48:45.290

Sebastopol Community Cultural Center: We spoke that this item, per the meeting today with the neighbors, they wanted this back on the 1st or the 15th.

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02:48:45.590 --> 02:48:54.559

Sebastopol Community Cultural Center: to bring back a fully vetted staff report with all the options, I'm gonna have to rely on Alex to tell me what date he thinks that's going to be.

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02:48:54.940 --> 02:49:11.370

Sebastopol Community Cultural Center: Of September? Okay, they would be September 1st. Okay. So we'll need to look at the agenda, though, because the September 1st is packed right now. Because we have all those, st. Vincent de Paul, we have all those different items that are all on there, and it's already

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02:49:11.660 --> 02:49:20.039

Sebastopol Community Cultural Center: Well, to the point where we may... it may not all get heard, so just understand that that might bump one of those items, if that's the priority.

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02:49:22.750 --> 02:49:30.520

Sebastopol Community Cultural Center: Yeah, and I... How many hours are we... I heard it was going to take you, Alex, 10 hours, even though we narrowed the issues down.

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02:49:30.700 --> 02:49:38.309

Sebastopol Community Cultural Center: Yeah, I mean, you have to do the research and then write the staff report. So, together, I think those would go over 5 hours.

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02:49:38.420 --> 02:49:42.119

Sebastopol Community Cultural Center: And so that's why... Okay, so that's the motion for the 10 hours?

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02:49:46.620 --> 02:50:04.179

Sebastopol Community Cultural Center: Is anybody else awake? Are my colleagues to second it, or we're not seconding it? I don't know. Second. Okay, I'm sorry, that was a little, like, blunt, but I was looking at... There's some blunt moments tonight. I'm really finding it a rough, evening. Head in the sand, and is anybody awake? So...

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02:50:05.040 --> 02:50:20.079

Sebastopol Community Cultural Center: I just... Fair, fair point. That's all, like, and I was yelled at earlier... I gotta tell you that. I had this side of the table over here. I just didn't want to second it. And just to overshare, yeah, I was yelled at earlier, before this even started, so, yeah.

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02:50:20.360 --> 02:50:21.560

Sebastopol Community Cultural Center: I'm over it.

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02:50:24.570 --> 02:50:27.309

Sebastopol Community Cultural Center: If there's no further, I will go ahead and call the motion.

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02:50:27.450 --> 02:50:40.000

Sebastopol Community Cultural Center: Councilmember Zullman moved, and Councilmember Carter second the motion to approve 10 hours for City Attorney time to research legal options in response to the community concerns of the graffiti and the racial mockery associated with the Safeway area.

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02:50:40.000 --> 02:50:47.639

Sebastopol Community Cultural Center: Focusing on the restorative justice model and returning this item to the September 1st City Council meeting. Councilmember Carter? Yes.

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02:50:47.640 --> 02:50:49.040

Sebastopol Community Cultural Center: Councilmember Hinton?

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02:50:49.260 --> 02:50:50.120

Sebastopol Community Cultural Center: No.

1100

02:50:54.170 --> 02:50:57.840

Sebastopol Community Cultural Center: Councilmember Zolman? Yes. Vice Mayor Maurer? Yes.

1101

02:50:58.300 --> 02:51:00.199

Sebastopol Community Cultural Center: Mayor McLewis? No.

1102

02:51:04.870 --> 02:51:12.370

Sebastopol Community Cultural Center: Motion passes 3-2, with Councilmembers Carter, Zolman, and Vice Mayor Maurer in support, Councilmember Hinton and Mayor McLewis in opposition.

1103

02:51:14.730 --> 02:51:23.359

Sebastopol Community Cultural Center: Okay, we are moving... Are we not... can I ask... are we not allowed to make a comment after the fact, or...

1104

02:51:24.360 --> 02:51:34.109

Sebastopol Community Cultural Center: Yeah, I'm sorry, yeah, I think so. I just want to say, I want to clarify, I voted no on this item because I didn't agree with the 10 hours, and I didn't agree with the date of September 1st.

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02:51:35.820 --> 02:51:36.900

Sebastopol Community Cultural Center: Thanks, Bing.

1106

02:51:37.830 --> 02:51:40.620

Sebastopol Community Cultural Center: Moving on to number 10...

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02:51:40.960 --> 02:51:43.880

Sebastopol Community Cultural Center: Pardon me, consideration of contribution of

1108

02:51:44.050 --> 02:51:48.260

Sebastopol Community Cultural Center: Contribution of formation of EIFD and next steps.

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02:51:48.850 --> 02:51:58.579

Sebastopol Community Cultural Center: And that would be... It was requested by Councilmember Carter and Councilmember Hinton, and then responsible department is planning. Do we have them on...

1110

02:51:59.180 --> 02:52:00.440

Sebastopol Community Cultural Center: Zoom, or...

1111

02:52:00.810 --> 02:52:12.920

Sebastopol Community Cultural Center: We do not have them on Zoom tonight, so we're going to go ahead and have the two council members from the ad hoc present it. We also have Joe, Kosmont in here in attendance as well to answer the questions. Oh, okay. All right.

1112

02:52:13.300 --> 02:52:14.090

Sebastopol Community Cultural Center: So...

1113

02:52:19.550 --> 02:52:28.529

Sebastopol Community Cultural Center: One of the primary reasons to support the EFID, especially right now, is given that we have a lot of infrastructure issues to

1114

02:52:28.650 --> 02:52:30.980

Sebastopol Community Cultural Center: To, to address.

1115

02:52:31.280 --> 02:52:41.030

Sebastopol Community Cultural Center: We can allocate money towards infrastructure right now, and a lot of our citizens are saying, like, hey, can the county contribute?

1116

02:52:42.030 --> 02:52:46.240

Sebastopol Community Cultural Center: This is the way, this is the mechanism that makes that possible.

1117

02:52:46.370 --> 02:52:57.200

Sebastopol Community Cultural Center: So, we can go ahead and address our infrastructure issues with the help of the county through this. And I think that's one of the strongest things. Basically, the match doubles.

1118

02:52:57.390 --> 02:53:02.460

Sebastopol Community Cultural Center: And, we have a few needs that we need to address.

1119

02:53:02.800 --> 02:53:06.300

Sebastopol Community Cultural Center: But this will not impact our general fund.

1120

02:53:07.900 --> 02:53:09.929

Sebastopol Community Cultural Center: Or, or, like, spec...

1121

02:53:10.580 --> 02:53:17.819

Sebastopol Community Cultural Center: Specifically, it, you know, we will... we will pay a little bit out of our general fund, but, from, from the...

1122

02:53:18.280 --> 02:53:27.969

Sebastopol Community Cultural Center: allocation of funds. We can either get it back, or we can, you know, recapture money that, the staff time is paying for.

1123

02:53:28.730 --> 02:53:30.820

Sebastopol Community Cultural Center: That was a bunch of garbage.

1124

02:53:31.650 --> 02:53:41.200

Sebastopol Community Cultural Center: the general fund is going to take a very light impact for some of the, the loans that we would take out, or the bonds that we take out for infrastructure. The cost

1125

02:53:41.800 --> 02:53:44.700

Sebastopol Community Cultural Center: Of this process is going to hit the general fund.

1126

02:53:48.030 --> 02:53:56.539

Sebastopol Community Cultural Center: I'll just say that this replaces, in many ways, the old money cities used to get that was called redevelopment funds.

1127

02:53:56.640 --> 02:54:15.050

Sebastopol Community Cultural Center: So, it allows us to, as Phil said, not impact our general fund at a high level. It allows us to draw a map boundary, specifically, and we were moving this process along when I sat on this committee previously with

1128

02:54:15.270 --> 02:54:22.530

Sebastopol Community Cultural Center: Councilmember Zullman, but we, put a halt to it for our city of Sebastopol.

1129

02:54:22.550 --> 02:54:40.430

Sebastopol Community Cultural Center: Because we had to focus on our sales tax measure, and so the rest of the 5th District went ahead with an EIFD, and we decided to come back and do our own, and that way we would have discretion over the project that we picked.

1130

02:54:41.220 --> 02:54:58.969

Sebastopol Community Cultural Center: and not be in competition, basically, with the entire 5th District and different projects that involve that. By creating our own EIFD, we get, as long as the Board of Supervisors would pass it, we get a match. It's a long-term project.

1131

02:54:59.270 --> 02:55:06.449

Sebastopol Community Cultural Center: And, it helps us, pay for big infrastructure projects. So,

1132

02:55:06.860 --> 02:55:16.580

Sebastopol Community Cultural Center: We're happy to take questions. We're also happy to have Joe, who's the expert at it, and has done a number of these for other,

1133

02:55:16.780 --> 02:55:29.870

Sebastopol Community Cultural Center: other sections, without... within the county, including Santa Rosa, the... the rest of the 5th is moving forward. I think there's something happening in a district out by...

1134

02:55:30.290 --> 02:55:37.490

Sebastopol Community Cultural Center: Sonoma, City of Sonoma, in that district. And so there's a number of these, and we would like to create one for Sebastopol.

1135

02:55:42.430 --> 02:55:43.390

Sebastopol Community Cultural Center: Is that...

1136

02:55:44.540 --> 02:55:53.099

Sebastopol Community Cultural Center: Okay, go ahead, Vice Mayor. Question, the match is... by the county is not guaranteed. They have to vote on it, is that correct?

1137

02:55:53.900 --> 02:56:13.880

Sebastopol Community Cultural Center: That is correct, but however, everyone that they've been passing, they have been approving. That's been brought to them at this point. So the odds of them approving it, I believe, are high. Is our supervisor, Linda Hopkins, supportive of this? Yes, she is. We've met with her. You're burden of that? We're so.

1138

02:56:13.970 --> 02:56:14.870

Sebastopol Community Cultural Center: Okay.

1139

02:56:15.510 --> 02:56:21.470

Sebastopol Community Cultural Center: So in the past, when this was discussed the last time, I remember...

1140

02:56:21.660 --> 02:56:37.679

Sebastopol Community Cultural Center: the, consultant saying that this would take very little staff time, it was going to be an annual meeting, or something like it was going to require two council members, but that... it really wouldn't require a lot of staff time. But now, it seems like it's a different story.

1141

02:56:37.680 --> 02:56:43.710

Sebastopol Community Cultural Center: That it will be requiring staff time, and maybe even that staff would like to be reimbursed.

1142

02:56:43.970 --> 02:56:49.640

Sebastopol Community Cultural Center: So, this... that part of it has me concerned, so can you address that, please?

1143

02:56:51.020 --> 02:56:59.989

Sebastopol Community Cultural Center: Mary, could you address that part? I do believe the change slightly has to do with that we're not part of the entire 5th District project anymore.

1144

02:56:59.990 --> 02:57:16.609

Sebastopol Community Cultural Center: now this is our own EIFD, but could you elaborate? That is my understanding. With the 8 to 10 hours that have been... I've... from the, consultant, he has indicated it's about 8 to 10 hours a week to have city staff doing this. We did have help from the county before, when it was a joint

1145

02:57:16.610 --> 02:57:18.110

Sebastopol Community Cultural Center: County City Venture?

1146

02:57:18.200 --> 02:57:23.809

Sebastopol Community Cultural Center: But staff would be now responsible for helping to oversee. So my understanding is about a quarter

1147

02:57:24.250 --> 02:57:27.179

Sebastopol Community Cultural Center: About a quarter, time of a staff person.

1148

02:57:29.490 --> 02:57:34.680

Sebastopol Community Cultural Center: So if... through the... it's through the, PFAS as well.

1149

02:57:34.890 --> 02:57:40.460

Sebastopol Community Cultural Center: So if the EFID had to pay it back, is the county going to be okay with that?

1150

02:57:42.350 --> 02:58:01.720

Sebastopol Community Cultural Center: I have not spoken to the county, so I have not been in the conversations with the supervisor, so... The county's not reimbursing us for this expense to organize and to manage it. The county is only matching our dollar spent. Okay, but do they... are they aware that there may be a request for staff time to pay...

1151

02:58:01.720 --> 02:58:04.160

Sebastopol Community Cultural Center: To come... that would come out of that.

1152

02:58:04.380 --> 02:58:08.200

Sebastopol Community Cultural Center: Because that would affect the... Hot, right?

1153

02:58:08.460 --> 02:58:26.780

Sebastopol Community Cultural Center: Not... not to the extent that it's, because it's an insignificant amount towards the bond amount, like, say, if we can borrow, like, \$28 million, \$230,000 is... is rather negligible.

1154

02:58:27.610 --> 02:58:37.500

Sebastopol Community Cultural Center: So they are not going to weigh in on that particular aspect, and it's not going to be a critical part of their choice. The county is not paying us back.

1155

02:58:37.850 --> 02:58:43.690

Sebastopol Community Cultural Center: for... coming for staff time or organizing an EIFD.

1156

02:58:43.850 --> 02:59:01.639

Sebastopol Community Cultural Center: So, but if you... if you think about... I really want to get the numbers on this, because my understanding from working with Bob Leland is that we would be giving away saving, right? Maybe \$20,000, \$25,000 a year. That incremental part of the property tax would go into this

1157

02:59:01.640 --> 02:59:11.330

Sebastopol Community Cultural Center: savings account, right? And then the county would match it, so that's \$50,000. But what is the cost of a quarter-time staff person

1158

02:59:12.000 --> 02:59:14.659

Sebastopol Community Cultural Center: Because if they're gonna get reimbursed.

1159

02:59:15.660 --> 02:59:24.779

Sebastopol Community Cultural Center: you know, that we're gonna be... it's gonna cost... I need to know this. This is... this is only during the formation, not ongoing.

1160

02:59:25.410 --> 02:59:29.679

Sebastopol Community Cultural Center: Okay, so how, how, how many weeks is... Say that again?

1161

02:59:30.080 --> 02:59:44.819

Sebastopol Community Cultural Center: My understanding is it includes the formation, but also the PFAS, the public financing, to get that up and running as well. Right, so do you have an estimate for how long? Because I'd like to ask that question, too. I'd like to have an opportunity.

1162

02:59:44.820 --> 02:59:50.769

Sebastopol Community Cultural Center: Because it's my understanding it was more time, like, to what you had said, Mary. Joe, can you... can you hear us okay?

1163

02:59:50.900 --> 02:59:52.849

Joe Dieguez, Kosmont Companies: Hear you, great. Thank you.

1164

02:59:54.080 --> 02:59:58.879

Joe Dieguez, Kosmont Companies: Yeah, good evening, Mayor and members of the City Council.

1165

02:59:59.550 --> 03:00:07.709

Joe Dieguez, Kosmont Companies: So, the revenues increase annually as assessed values grow. It was that first year...

1166

03:00:07.710 --> 03:00:16.589

Sebastopol Community Cultural Center: a specific question about how much it would cost on staff time, just to save us some time. I don't want you to go through all the steps. I'm not sure if you actually... did you hear the question?

1167

03:00:16.590 --> 03:00:24.900

Joe Dieguez, Kosmont Companies: I believe so. Yeah, so that we say we're estimating conservatively, meaning conservatively high, 8 to 10 hours of staff time.

1168

03:00:25.270 --> 03:00:28.600

Joe Dieguez, Kosmont Companies: weekly, in our other world.

1169

03:00:28.940 --> 03:00:29.760

Joe Dieguez, Kosmont Companies: the state?

1170

03:00:31.610 --> 03:00:32.250

Sebastopol Community Cultural Center: Momo.

1171

03:00:32.840 --> 03:00:43.769

Joe Dieguez, Kosmont Companies: the, it's sort of hot and heavy for about 6 months. That's the time that it takes to do all the formation meetings and hearings, and the required noticing.

1172

03:00:43.770 --> 03:00:46.580

Sebastopol Community Cultural Center: And that's the 8 to 10 hours, the hot and heavy time?

1173

03:00:46.580 --> 03:01:03.250

Joe Dieguez, Kosmont Companies: That's correct. And then... and then once formed, that's when things go easy, and maybe that was the point of confusion. It's heavier up front, front-loaded, and then on an ongoing basis, it's typically one meeting annually of this public financing authority and some staff time.

1174

03:01:03.480 --> 03:01:10.140

Joe Dieguez, Kosmont Companies: To prepare an agenda and a staff report for that annual meeting, so that number drops down to, like, a quarter of that,

1175

03:01:10.550 --> 03:01:13.060

Joe Dieguez, Kosmont Companies: You know, when you look at it on an annual basis.

1176

03:01:14.670 --> 03:01:31.320

Joe Dieguez, Kosmont Companies: The reality is, this can be done without a consultant, like Kosmont, in which circumstance, yeah, of course, it would take a little bit more of a staff person, and in scenarios where firms like ours are involved, the ongoing annual is probably almost negligible for a staff person.

1177

03:01:31.490 --> 03:01:40.710

Joe Dieguez, Kosmont Companies: So it's just a policy decision for the future, if this thing gets done, if you want to keep it internally managed, or sort of outsource that to a firm like ours.

1178

03:01:43.640 --> 03:01:45.979

Sebastopol Community Cultural Center: Okay, thank you. Go ahead, yeah.

1179

03:01:46.140 --> 03:01:53.470

Sebastopol Community Cultural Center: So, what would... what would it cost to have a staff person, salary and benefits? What does that cost?

1180

03:01:53.670 --> 03:01:58.110

Sebastopol Community Cultural Center: In terms of if this EIFD is going to reimburse staff.

1181

03:01:59.030 --> 03:02:14.150

Sebastopol Community Cultural Center: That would be dependent on which staff person we do, and if we have a consultant on board still, we are in the process right now, it's the planning department is the one that would be the responsible department. We are... we have just hired an associate planner, so they would be...

1182

03:02:14.340 --> 03:02:16.590

Sebastopol Community Cultural Center: You know, their costs would be a lot less, whether

1183

03:02:16.730 --> 03:02:19.899

Sebastopol Community Cultural Center: Rather than if we had the consultant do it, but I will say...

1184

03:02:20.800 --> 03:02:30.030

Sebastopol Community Cultural Center: the associate planner is a new planner, so I'm not sure I would put them into that position, to manage this at this point. I'm sure that they would come up to speed very quickly.

1185

03:02:32.180 --> 03:02:40.629

Sebastopol Community Cultural Center: But if we're looking at consultant time, if I have to have a planning director to oversee it for, like, the first few months, they charge about \$200 an hour.

1186

03:02:41.320 --> 03:02:47.779

Sebastopol Community Cultural Center: So, the associate planner would be probably close to \$80 an hour, and that's without benefits.

1187

03:02:52.450 --> 03:03:00.830

Sebastopol Community Cultural Center: So, Joe, can you clarify, if we did, just out of curiosity, if we did have to hire a consultant until we got permanent staff on.

1188

03:03:01.350 --> 03:03:04.110

Sebastopol Community Cultural Center: that could be reimbursed from the EIFD.

1189

03:03:04.530 --> 03:03:05.970

Sebastopol Community Cultural Center: Is that correct or not?

1190

03:03:09.680 --> 03:03:10.840

Sebastopol Community Cultural Center: Joe, can you...

1191

03:03:14.420 --> 03:03:15.860

Sebastopol Community Cultural Center: Joe, can you hear us?

1192

03:03:16.400 --> 03:03:21.080

Joe Dieguez, Kosmont Companies: I can. For some reason, I was not able to unmute, and now I am able to unmute.

1193

03:03:21.260 --> 03:03:39.459

Joe Dieguez, Kosmont Companies: That... that is correct. Consulting time... consulting time is reimbursable. I will tell you, because we're in the middle of the conversations on Santa Rosa. It's a different discussion when it's about reimbursing staff time, whether that's the city's time or the county staff for doing their part of this.

1194

03:03:39.580 --> 03:03:51.359

Joe Dieguez, Kosmont Companies: So far, staff time has been left out of the reimbursement discussions, whereas consulting time is sort of easily in play for those reimbursement conversations.

1195

03:03:54.590 --> 03:03:58.189

Sebastopol Community Cultural Center: Right. So, basically, what we're being asked to do is commit

1196

03:03:58.380 --> 03:04:07.850

Sebastopol Community Cultural Center: this 260 hours of staff time at the... at the top, right? 8 to 10 hours for 26 weeks.

1197

03:04:08.690 --> 03:04:12.989

Sebastopol Community Cultural Center: is... \$52,000 at \$200 an hour.

1198

03:04:13.550 --> 03:04:18.330

Sebastopol Community Cultural Center: And that is pretty much as much as we've set aside.

1199

03:04:18.460 --> 03:04:21.570

Sebastopol Community Cultural Center: for the whole EIFD, including the county part.

1200

03:04:22.950 --> 03:04:32.400

Sebastopol Community Cultural Center: Right? Am I missing something here? Because that... are you... are you just expecting that staff with time would not be reimbursed? That we would be committing

1201

03:04:32.520 --> 03:04:39.000

Sebastopol Community Cultural Center: 260 hours of staff time to the EIFD, because that's a big... Commitment.

1202

03:04:40.290 --> 03:04:43.760

Sebastopol Community Cultural Center: I think Joseph stated that staff time would not be reimbursed.

1203

03:04:44.640 --> 03:04:58.300

Sebastopol Community Cultural Center: And what I heard Mary say is we just hired an associate planner, and they could easily get up to speed, so I wouldn't expect we would pay a consultant for 6 months. I would hope not, if we just hired someone.

1204

03:04:58.430 --> 03:05:15.729

Sebastopol Community Cultural Center: No, what I was saying is that... so, yes, we have an associate planner coming on. Can he get up to speed? Yes, I have no doubt about that. How fast can he get up to speed if he's never done an EIFD before, or a PFAS and all that? So it is going to take a little bit of, you know, getting him on board. We may have to pay

1205

03:05:15.730 --> 03:05:22.129

Sebastopol Community Cultural Center: Depending who the planning consultant is at that time, some hours to cover that until such time that he is brought

1206

03:05:22.130 --> 03:05:31.289

Sebastopol Community Cultural Center: that person is brought up to board. My point is, not all the hours would be covered by a consultant, you're saying it would be a combination. That is correct. It would be a combination at this point right now.

1207

03:05:32.640 --> 03:05:51.690

Sebastopol Community Cultural Center: So, if the associate planner makes \$80 an hour, does that include the benefits and everything? No, that does not. That doesn't include their benefits or anything like that, and so let me pull up what the estimate is. It depends on, you know, again, their medical, if they have a family, don't have a family, so let me pull that up.

1208

03:05:52.930 --> 03:06:05.219

Sebastopol Community Cultural Center: And I just kind of want to mention that because of the county's contribution, this is actually paid for, and we're getting a lot of infrastructure work paid for.

1209

03:06:05.420 --> 03:06:09.429

Sebastopol Community Cultural Center: So, when we go out to get a larger bond.

1210

03:06:09.490 --> 03:06:26.019

Sebastopol Community Cultural Center: We're now doing front-loaded work, yeah, our budget's gonna take it now, but as we do these other projects, then we don't have those expenses going out for a bond. We can't get... like, going out for a vote for a bond is expensive. That takes loads of hours.

1211

03:06:26.020 --> 03:06:37.469

Sebastopol Community Cultural Center: So there are a lot of efficiencies in this, and that it's really kind of covered in all the projects that we'll go do... doing forward. So we're just putting that work here, but we're gonna get it back.

1212

03:06:40.310 --> 03:06:52.869

Sebastopol Community Cultural Center: But when will we get that back? How long is it gonna take to... In every project that we do, we won't have to deal with... No, I'm just asking for, like, a time frame, like, if we... if we do this, at what point...

1213

03:06:53.090 --> 03:07:07.850

Sebastopol Community Cultural Center: how many years before we actually are able to, like, you know... It's all outlined in the staff report. No, I know, but I'm just asking to... It'll be commonly absorbed after year 5, like, through... through... through the... but it'll really be absorbed when we...

1214

03:07:07.880 --> 03:07:23.840

Sebastopol Community Cultural Center: have projects done and start doing them. As we... as we just put money aside, that's not really doing us the same favor as doing the projects will. I mean, this is... this is with the intention of doing projects.

1215

03:07:23.840 --> 03:07:41.390

Sebastopol Community Cultural Center: It's not with the intentions of putting money aside. This is the intention of, hey, we want to invest in our city, and these things should have a return on investment, and they should make our city grow, and they should bring in sales tax, and if we don't do those things, we're not going to get the sales taxes that we think we might.

1216

03:07:41.710 --> 03:07:57.529

Sebastopol Community Cultural Center: And so this is the only way that we can get this money lump sum up front without going into a special bank situation, which costs money. Loans cost, you know, more going through a regular bank. So, we were... we become...

1217

03:07:57.660 --> 03:08:00.469

Sebastopol Community Cultural Center: You know, vulnerable to just having to do

1218

03:08:00.600 --> 03:08:04.850

Sebastopol Community Cultural Center: You know, small projects that we can afford.

1219

03:08:05.310 --> 03:08:07.620

Sebastopol Community Cultural Center: Like, basically at a cap...

1220

03:08:10.010 --> 03:08:14.249

Sebastopol Community Cultural Center: Go ahead. So how many council members are required to sit on this board?

1221

03:08:16.620 --> 03:08:22.459

Sebastopol Community Cultural Center: I believe it's two. Okay, and do we have two council members here that will volunteer to be on that board?

1222

03:08:25.480 --> 03:08:26.270

Sebastopol Community Cultural Center: Okay.

1223

03:08:28.020 --> 03:08:28.910

Sebastopol Community Cultural Center: Thank you.

1224

03:08:29.630 --> 03:08:31.300

Sebastopol Community Cultural Center: Any other questions?

1225

03:08:31.900 --> 03:08:38.650

Sebastopol Community Cultural Center: We can go to public comment. So, I do want to clarify the 80 does cover benefits and everything. That is all included per hour.

1226

03:08:39.010 --> 03:08:44.839

Sebastopol Community Cultural Center: So just to answer another question, you can... in the staff report on page 8, there's a graph showing

1227

03:08:45.160 --> 03:08:53.740

Sebastopol Community Cultural Center: the cumulative revenue, and you, you know, after 2 years, it's a little under \$90,000 cumulative, half of which is from the county, so...

1228

03:08:54.050 --> 03:08:54.890

Sebastopol Community Cultural Center: you know.

1229

03:08:56.300 --> 03:08:57.570

Sebastopol Community Cultural Center: As a point of reference.

1230

03:08:59.820 --> 03:09:02.329

Sebastopol Community Cultural Center: Okay, you want to go out to public comment?

1231

03:09:03.230 --> 03:09:13.499

Sebastopol Community Cultural Center: Thank you, Mayor. So this is public comment for the, EIFD moving forward. If you would like to make a public comment, now is your opportunity. It's a two-minute public comment. I will come to chambers first.

1232

03:09:13.690 --> 03:09:15.479

Sebastopol Community Cultural Center: Seeing none, I will go out.

1233

03:09:16.250 --> 03:09:18.809

Sebastopol Community Cultural Center: Out to Zoom. Lee, can you unmute yourself, please?

1234

03:09:22.810 --> 03:09:23.470

Lee: Oops.

1235

03:09:23.750 --> 03:09:26.439

Sebastopol Community Cultural Center: There you go. Can you... I can hear you. Can you see the timer?

1236

03:09:26.900 --> 03:09:28.210

Lee: Yes.

1237

03:09:29.000 --> 03:09:30.919

Sebastopol Community Cultural Center: Great, go ahead with your public comment, please.

1238

03:09:31.470 --> 03:09:46.730

Lee: Yeah, I just submitted a fairly lengthy one. You guys can just read it. It got... I didn't get to it till later today, so you may not have seen it, but a couple of thoughts. Number one, I'm pretty sure in the staff report it says it's three council people and 2 public... members of the public, or make up the commission.

1239

03:09:46.910 --> 03:09:51.290

Lee: If that's wrong, then the staff report needs to be corrected.

1240

03:09:51.430 --> 03:10:05.650

Lee: I think you all are getting some of the issues here. I think that the numbers that have been presented, you all actually extended the Kosmont contract amount to get a full financial accounting, and I don't think you ever got it.

1241

03:10:05.650 --> 03:10:15.050

Lee: I don't think that the revenue numbers that they're showing in the staff report are real numbers. I think it's an illustration of what it might look like.

1242

03:10:15.310 --> 03:10:31.590

Lee: I showed a graph of what real property tax revenues look like year over year, the increases look like year over year. They're very uneven, and they don't steadily grow over an 8- or 10-year period. So...

1243

03:10:31.810 --> 03:10:40.270

Lee: I don't know if you've seen real numbers yet for revenue. You haven't seen any numbers for cost, other than what's in the staff report, about just, like, a hundred and...

1244

03:10:40.340 --> 03:10:46.809

Lee: \$110,000 for the upfront, plus the staff time, which you guys have been discussing, which I think is probably going to come out around \$50,000.

1245

03:10:46.820 --> 03:10:53.190

Lee: So, you know, you're probably \$150,000, \$160,000 up front, and then once you get this thing established.

1246

03:10:53.190 --> 03:11:15.159

Lee: I don't understand why it would be one meeting a year and no time spent. I guess it's just collecting money, but you don't have any agreement yet on what projects are you going to do? How are you going to make that decision? If you look at the Commons project that Mayor Zolman's been leading, or, I'm sorry, Councilmember Zolman's been leading, it's a huge, huge effort to

1247

03:11:15.160 --> 03:11:25.509

Lee: narrow down what it is you want to do with this money. And a lot of that work is going to require consultants, because you don't have the people on staff to do that kind of work.

1248

03:11:25.510 --> 03:11:40.629

Lee: You're committing a quarter of a staff person. You did that for Gravenstein Commons, too, and it turns out every time this council votes to commit a quarter of a staff person, they don't hire another quarter of a staff person, and there's no money in the budget to pay for another quarter of a staff budget.

1249

03:11:40.860 --> 03:11:45.820

Lee: Lastly, Look, is it... did I eat it all up? I'm sorry, okay, good enough, thanks.

1250

03:11:45.820 --> 03:11:57.909

Sebastopol Community Cultural Center: Thank you for your public comment. I will come into Chamber. Yeah, just very quickly, I'd like to see some guarantees the county is actually going to have some money in a couple of years' time, because we could... the city could burn through a lot of money.

1251

03:11:58.190 --> 03:12:12.680

Sebastopol Community Cultural Center: chasing the EFID dream, but then the way the economy is at the moment, you know, there may be no money in the bank for the county in two years' time, because I know the county are really struggling at the moment. So some kind of guarantees before you dive headfirst into this and spend a lot of money.

1252

03:12:12.890 --> 03:12:25.239

Sebastopol Community Cultural Center: It would be really good to have some cast iron guarantees that the county are actually going to be good for moving forward on this. I mean, I'm pretty leery about it anyway, but that seems to be super important to me. Thank you.

1253

03:12:25.240 --> 03:12:26.289

Lee: A lot of easy ways to...

1254

03:12:26.290 --> 03:12:35.590

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I will go back out to... whoops... Zoom. If there's anyone on Zoom that would like to make a public comment, to please raise your hand virtually.

1255

03:12:36.750 --> 03:12:38.949

Sebastopol Community Cultural Center: Seeing none, I will come back into chambers.

1256

03:12:40.070 --> 03:12:46.460

Sebastopol Community Cultural Center: Seeing none, public comment is closed. I do... can I just make a correction, though, to a member of the... so...

1257

03:12:46.460 --> 03:13:04.120

Sebastopol Community Cultural Center: If it's city only, it is three council members. If the county is involved, it is two city... two council... so if the county of Sonoma and the city participate together, then it is two members of the city council, one board of supervisors, and then one member of the public appointed by the council, one member appointed by the Board of Supervisors.

1258

03:13:04.120 --> 03:13:07.120

Sebastopol Community Cultural Center: Okay. So, it would be 3 if it was city only.

1259

03:13:07.140 --> 03:13:11.490

Sebastopol Community Cultural Center: Okay, alright. Well, we're back here at the dais, and I'm... I'm just gonna...

1260

03:13:12.060 --> 03:13:27.400

Sebastopol Community Cultural Center: I'm gonna say what I need to say. I, all along, have been skeptical of this, and I spent a great deal of time speaking with Mr. Leland about this, and the pros and cons of, you know, help me figure out how to get to a yes with this, because I've been a no all along.

1261

03:13:27.470 --> 03:13:44.610

Sebastopol Community Cultural Center: And after that long conversation about the pros and cons, and the timing of this, and the pros and cons for our small city, who does have a lot of infrastructure issues, and it makes sense to think about, like, we should be saving for infrastructure issues for the future.

1262

03:13:44.670 --> 03:13:53.679

Sebastopol Community Cultural Center: But we also have a lot of infrastructure issues right now, and, you know, and skimming off the top of any increases that we might have, the pros and cons and all of that.

1263

03:13:53.710 --> 03:14:13.220

Sebastopol Community Cultural Center: And based on all of the... that discussion and everything that I have learned, and the amount of time that it takes for the staff, and the lack of guarantee, and all of the issues, I'm still a no, so I'm not supporting this tonight. It's no shock to anyone, because I haven't supported all along, so I'm just... that's my comment for the night, and go ahead. Councilmember Zolman, go ahead.

1264

03:14:13.830 --> 03:14:30.719

Sebastopol Community Cultural Center: Yeah, I want to thank, Councilmember Hinton and Carter, even though I was abruptly for us earlier. Apologies again, for picking up the pieces from when Councilmember Hinton and I were doing it, and then

1265

03:14:30.900 --> 03:14:34.409

Sebastopol Community Cultural Center: former mayor Rich and I were doing it.

1266

03:14:34.880 --> 03:14:39.740

Sebastopol Community Cultural Center: It is complex, but thank you for working with staff to

1267

03:14:39.880 --> 03:14:45.500

Sebastopol Community Cultural Center: hone it all in, into the staff report. I'm in the same boat in the fact that, you know.

1268

03:14:47.100 --> 03:15:02.149

Sebastopol Community Cultural Center: we do need to take some calculated risks, because financially, we are still in a mess moving forward, and we need solid revenue streams. I have reminiscent, now that we have to deal with the Barlow after this.

1269

03:15:02.150 --> 03:15:09.879

Sebastopol Community Cultural Center: like the Barlow. Like, we need to take calculated risks to bring in more revenue, otherwise the city is never going to be able to

1270

03:15:09.950 --> 03:15:25.759

Sebastopol Community Cultural Center: pay the staff that apparently we need in order to do the projects. We can't just keep the status quo at all. And I'm firmly of the camp, and this is no big surprise, that the county really does need to step up. As I said before in my comments, we have been subsidizing the county

1271

03:15:25.890 --> 03:15:27.000

Sebastopol Community Cultural Center: for...

1272

03:15:27.020 --> 03:15:49.609

Sebastopol Community Cultural Center: years with our pool, and the library, and the roads, and if this is an opportunity for the county to step up, which it does sound like, you know, Supervisor Hopkins is on board, she needs to do her job and get her other colleagues to get on board with this, too. We either are the commercial hub, as she referred to when she was at the podium, telling this to us

1273

03:15:49.610 --> 03:15:54.360

Sebastopol Community Cultural Center: 3 years ago, we either are the commercial hub of the West County, or we are not.

1274

03:15:54.440 --> 03:15:57.540

Sebastopol Community Cultural Center: So, I'm banking on her

1275

03:15:58.220 --> 03:16:11.700

Sebastopol Community Cultural Center: saying what she said to apparently the two of you, she's on board, and positioning it so she can get her other Board of Supervisors to vote also for this EIFD. All that said, I am supportive and will be voting yes.

1276

03:16:14.010 --> 03:16:17.229

Sebastopol Community Cultural Center: I'm sorry, you were for a second, Councilmember Hinton.

1277

03:16:17.920 --> 03:16:28.719

Sebastopol Community Cultural Center: I want to point out that not only is she supportive, we've been in touch with her office, because there's an option here, if you notice in the agenda report, to evaluate

1278

03:16:28.720 --> 03:16:38.069

Sebastopol Community Cultural Center: the areas outside our city limits into the county for future development that are poised for future development.

1279

03:16:38.150 --> 03:16:49.119

Sebastopol Community Cultural Center: And she has given us the green light on that, because they don't impact the rest of the EIFD that is being pursued in the rest of the 5th District. I wanted to point that out there.

1280

03:16:50.020 --> 03:16:59.720

Sebastopol Community Cultural Center: For me, I always want to save for the future. I remember what property costs, that my parents bought homes here in the 70s and 80s.

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03:16:59.780 --> 03:17:02.730

Sebastopol Community Cultural Center: And what those properties cost now.

1282

03:17:02.750 --> 03:17:20.459

Sebastopol Community Cultural Center: Property taxes are gonna go up, and as I've said earlier, this is what cities are using to replace our redevelopment funds that went away years ago, and those redevelopment funds are the only way we got these big projects done. So, it doesn't pay off for us, and yes, we're spending money up front.

1283

03:17:22.200 --> 03:17:30.879

Sebastopol Community Cultural Center: to evaluate it, but it's a risk that I believe we have to take for the longevity of when my kids are living here. So, we're...

1284

03:17:30.880 --> 03:17:44.430

Sebastopol Community Cultural Center: We've got to put the pennies in the piggy bank, and it's... we can borrow against it, and it can pay off down the road for us, to grow our community. So, we've spent a lot of time on this. I feel good about it, and I think the timing's right. I'll be supporting.

1285

03:17:47.880 --> 03:18:01.780

Sebastopol Community Cultural Center: Go ahead. And it should be noticed that this is coming from property taxes, and we're going to recoup some of the county's property tax take, which is some of the most stable and reliable income there is before it gets distributed.

1286

03:18:01.980 --> 03:18:21.620

Sebastopol Community Cultural Center: So, when we, assign the map to the area, we're only taking a 25% of a certain map, too, so we'll still have plenty of money, for our general fund. So, it's reallocating it from..

1287

03:18:21.850 --> 03:18:35.100

Sebastopol Community Cultural Center: being able to spend it on, say, random things, and we're appropriating it now to infrastructure right now. And that's one of the most important investments that we can make.

1288

03:18:36.570 --> 03:18:38.830

Sebastopol Community Cultural Center: Go ahead, Vice Mayor.

1289

03:18:40.810 --> 03:18:47.239

Sebastopol Community Cultural Center: This is a hard one for me, because, well, we've been talking about this for probably 2 years, I think.

1290

03:18:48.020 --> 03:18:49.450

Sebastopol Community Cultural Center: And,

1291

03:18:50.880 --> 03:19:02.190

Sebastopol Community Cultural Center: So, I'm really happy that the county will contribute, and I trust that Linda Hopkins supports it. I trust you on that. I understand that sometimes you need to spend money to make money.

1292

03:19:02.390 --> 03:19:07.470

Sebastopol Community Cultural Center: And that it's... I'm concerned with the amount of staff time.

1293

03:19:07.980 --> 03:19:12.979

Sebastopol Community Cultural Center: And if the staff... if... I think I'm...

1294

03:19:14.470 --> 03:19:19.990

Sebastopol Community Cultural Center: I think we need to really think about, you know, are we going to be allocating that time?

1295

03:19:20.730 --> 03:19:38.129

Sebastopol Community Cultural Center: 21... 21 to \$52,000 for the EFID. I mean, that's a major, major investment and project, I think, for the EFID, especially considering that he, we... I remember we were told that it wouldn't take hardly any staff time.

1296

03:19:38.780 --> 03:19:42.450

Sebastopol Community Cultural Center: So, I think that it probably...

1297

03:19:42.840 --> 03:19:47.939

Sebastopol Community Cultural Center: If we go into this, we should not reimburse staff time, otherwise you're going to be emptying that

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03:19:48.130 --> 03:19:55.829

Sebastopol Community Cultural Center: that bank account every year, if you're reimbursing staff time, because I think that's how much staff time it's going to actually take.

1299

03:19:56.150 --> 03:20:03.719

Sebastopol Community Cultural Center: I understand it's just up front, but every meeting, like an earlier comment, was made that it's \$1,500 every meeting.

1300

03:20:03.920 --> 03:20:14.510

Sebastopol Community Cultural Center: So, how many meetings is this going to require? The other thing I really don't like is that, this is an end run. Also, it's an end run around going through the voters for a bond.

1301

03:20:14.740 --> 03:20:20.799

Sebastopol Community Cultural Center: And that part bothers me. So, I am very conflicted about this.

1302

03:20:22.160 --> 03:20:23.460

Sebastopol Community Cultural Center: And...

1303

03:20:26.580 --> 03:20:30.730

Sebastopol Community Cultural Center: It feels very complicated, and I really don't like

1304

03:20:30.980 --> 03:20:40.180

Sebastopol Community Cultural Center: the fact that we were told it wouldn't take very much staff time, and now it's going to be taking quite a lot of staff time. So that bothers me. Yeah.

1305

03:20:40.540 --> 03:20:55.119

Sebastopol Community Cultural Center: I just want to speak to the end run around the bond issue. Yeah, we'll be appropriating a large amount of money at once, but because this isn't adding, if you pay property taxes and you have a bond.

1306

03:20:55.300 --> 03:20:57.869

Sebastopol Community Cultural Center: You know, if you pay \$230,

1307

03:20:58.140 --> 03:21:06.550

Sebastopol Community Cultural Center: Or whatever, now it's \$275 if you go out for a bond that's voted for. This doesn't happen. Your property taxes stay the same rate.

1308

03:21:06.860 --> 03:21:09.330

Sebastopol Community Cultural Center: This is just pre-allocating the money.

1309

03:21:10.850 --> 03:21:21.170

Sebastopol Community Cultural Center: So, I did talk to Bob Leland about this, and I had him run a forecast on it, and for me, it didn't seem like it, it didn't really affect our bottom line that much.

1310

03:21:21.470 --> 03:21:31.219

Sebastopol Community Cultural Center: In terms of running... doing the EFID, I didn't think that was a problem. The problem I have is the staff time and the meetings that it's going to take to get this going and maintain it.

1311

03:21:34.690 --> 03:21:41.020

Sebastopol Community Cultural Center: Especially in light of the fact that we were told that it wouldn't... it would be negligible to get it going.

1312

03:21:41.620 --> 03:21:44.030

Sebastopol Community Cultural Center: So,

1313

03:21:48.750 --> 03:21:51.429

Sebastopol Community Cultural Center: Yeah. Well, I think you're... there's already...

1314

03:21:51.540 --> 03:21:56.680

Sebastopol Community Cultural Center: 3. I know, yeah. I mean, unless you have more that you want to...

1315

03:21:57.090 --> 03:22:05.489

Sebastopol Community Cultural Center: No, I just didn't know if you wanted... if you had anything more to say, or if you're... I'm just really conflicted, and I'd like to,

1316

03:22:06.880 --> 03:22:17.490

Sebastopol Community Cultural Center: I'd like to support my colleagues who believe in this. They've done the deeper dive, I have not. I've only asked questions, and read about it, and blah blah blah. This always seems really complicated.

1317

03:22:18.140 --> 03:22:25.500

Sebastopol Community Cultural Center: And... So, I do wanna... I do wanna hear from my colleagues about the idea of staff time, because...

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03:22:25.910 --> 03:22:28.990

Sebastopol Community Cultural Center: Whether or not they would be reimbursed.

1319

03:22:29.550 --> 03:22:35.990

Sebastopol Community Cultural Center: from the EFID, or are we just going to expect staff to just give this?

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03:22:36.950 --> 03:22:55.779

Sebastopol Community Cultural Center: So that's my question for my colleagues. I mean, my belief at this time is it sounds like we just hired someone, and that sounds great, and so we've got some staff coming on. And I think that some of these decisions, we're gonna have to go through this process and then decide

1321

03:22:55.780 --> 03:23:07.790

Sebastopol Community Cultural Center: What money... once the district is drawn, we'll have a better idea about what money is actually going to come to us, and that might be a discussion about whether we're reimbursing staff time or not.

1322

03:23:07.970 --> 03:23:15.559

Sebastopol Community Cultural Center: later. But, for now, again, for me, it's just an investment in the future, and...

1323

03:23:15.910 --> 03:23:25.480

Sebastopol Community Cultural Center: We have to take some of these steps, and other cities are moving in the same direction, so we're not alone. We're not going out on a limb here, we're doing a proven

1324

03:23:25.570 --> 03:23:32.360

Sebastopol Community Cultural Center: thing that many, many cities are doing. So, I'm going to go ahead and make the motion that we improve

1325

03:23:32.360 --> 03:23:50.469

Sebastopol Community Cultural Center: the Enhanced Infrastructure Financing District, or the EIFD, Next Steps, which is approval of an agreement with Kosmont Companies for Financing District Formation Advisory Services, and authorization for the City Manager to execute the agreement as indicated

1326

03:23:50.550 --> 03:23:59.710

Sebastopol Community Cultural Center: On page, further on in the staff report for the full amount, ranging from \$100,000 to \$110,000.

1327

03:24:02.540 --> 03:24:20.169

Sebastopol Community Cultural Center: I'll second it. I just want to clarify that you're also authorizing a budget amendment, because this is above the \$75,000 that was allocated, so are you going up to the option... I just want to make sure we're clear. Option 2, which is the add-on of the 20, so that's going to be a total of \$110,000. That's correct, that's my motion.

1328

03:24:24.850 --> 03:24:26.799

Sebastopol Community Cultural Center: My second agrees with that.

1329

03:24:28.390 --> 03:24:37.230

Sebastopol Community Cultural Center: Okay, any further discussion before I call the motion? So, the motion moved by Councilmember Hinton and seconded by Councilmember Carter.

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03:24:37.710 --> 03:24:51.400

Sebastopol Community Cultural Center: is to approve the agreement with Kosmont for Kosmont for the Financing District Formation Advisory Services, to authorize the City Manager to execute the agreement, to add the Option 1 add-on, authorizing the additional budget amendment increase.

1331

03:24:51.400 --> 03:25:01.179

Sebastopol Community Cultural Center: For the boundary evaluation and map revision, and authorizing the option of the option 2 of the budget amendment for \$20,000 to increase the areas outside the city limits.

1332

03:25:01.670 --> 03:25:03.640

Sebastopol Community Cultural Center: Councilmember Carter?

1333

03:25:04.090 --> 03:25:05.000

Sebastopol Community Cultural Center: Yes.

1334

03:25:05.390 --> 03:25:07.389

Sebastopol Community Cultural Center: Councilmember Hinton? Aye.

1335

03:25:10.070 --> 03:25:12.069

Sebastopol Community Cultural Center: Councilmember Zolman? Yes.

1336

03:25:12.670 --> 03:25:22.900

Sebastopol Community Cultural Center: Vice Mayor Maurer? No. Mayor McLewis? No. Motion passes 3-2, with Council Members Carter, Hinton, and Zolman in support, Vice Mayor Maurer, Mayor McLewis in opposition.

1337

03:25:23.490 --> 03:25:24.520

Sebastopol Community Cultural Center: Okay.

1338

03:25:24.780 --> 03:25:28.560

Sebastopol Community Cultural Center: So now we have the item, numbers.

1339

03:25:28.850 --> 03:25:36.490

Sebastopol Community Cultural Center: 3, right? Item number 3, that was pulled, and so now I need to... Excuse myself.

1340

03:25:36.610 --> 03:25:40.570

Sebastopol Community Cultural Center: And then, Vice Mayor, you'll take over for me.

1341

03:26:02.730 --> 03:26:05.750

Sebastopol Community Cultural Center: Mary, can you tell me what number that one is?

1342

03:26:06.870 --> 03:26:12.039

Sebastopol Community Cultural Center: That was number 3. It was pulled from the consent calendar.

1343

03:26:12.340 --> 03:26:27.600

Sebastopol Community Cultural Center: So, this is item number 3, approval of waiving, second reading, and adoption of ordinance to amend Sebastopol Municipal Code Section 2.12.100, Power of Appointment, etc.

1344

03:26:28.930 --> 03:26:30.080

Sebastopol Community Cultural Center: Questions?

1345

03:26:45.850 --> 03:26:46.670

Sebastopol Community Cultural Center: Oops.

1346

03:26:47.080 --> 03:26:48.590

Sebastopol Community Cultural Center: Sorry.

1347

03:26:50.380 --> 03:26:51.180

Sebastopol Community Cultural Center: Okay.

1348

03:26:53.300 --> 03:27:11.180

Sebastopol Community Cultural Center: Approval of... so, Agenda item 3, take 2. Approval of waiving second reading and adoption of Ordinance 1167, an ordinance of the City Council of the City of Sebastopol, approving an amendment to the development agreement for the Barlow Hotel development to establish

1349

03:27:11.180 --> 03:27:14.080

Sebastopol Community Cultural Center: a TOT tax rebate program.

1350

03:27:14.580 --> 03:27:17.919

Sebastopol Community Cultural Center: And this was pulled by Councilmember Hinton.

1351

03:27:19.190 --> 03:27:38.110

Sebastopol Community Cultural Center: So, I want to repeat, maybe you can read it for us, and we can just have a discussion with my colleagues, the actual wording, because, I've had feedback from the public that, that we are giving this, and I have assured,

1352

03:27:38.530 --> 03:27:53.199

Sebastopol Community Cultural Center: I guess I'll just, the members of the public that have questioned me that the TOT rebate we are giving this developer is not something that could just be put in their pocket, that this is specifically to promote

1353

03:27:53.350 --> 03:27:59.109

Sebastopol Community Cultural Center: as stated, I think, where I read it, for marketing of

1354

03:27:59.350 --> 03:28:05.050

Sebastopol Community Cultural Center: This as a regional destination, for the hotel.

1355

03:28:05.490 --> 03:28:11.919

Sebastopol Community Cultural Center: For the city in general, and that we would not just be able to

1356

03:28:12.000 --> 03:28:28.060

Sebastopol Community Cultural Center: requests, but I would like to have a report annually. I would like to have those... that proof submitted to the city. And I'm probably not going to be sitting here for the next 10 years, so I want to make sure it happens, you know, and doesn't fall through the cracks.

1357

03:28:28.060 --> 03:28:32.329

Sebastopol Community Cultural Center: So, I just don't know if we said that strongly enough.

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03:28:32.430 --> 03:28:42.139

Sebastopol Community Cultural Center: And I'm curious what my colleagues think, and I'm comfortable, if everybody else is comfortable with this, probably agreeing, but I want to make sure

1359

03:28:42.810 --> 03:28:50.639

Sebastopol Community Cultural Center: That the city will have something in place so that we can make sure that that rebate is going to marketing

1360

03:28:51.670 --> 03:28:52.550

Sebastopol Community Cultural Center: efforts.

1361

03:28:53.500 --> 03:28:56.840

Sebastopol Community Cultural Center: And lots of people have questioned that, and I've...

1362

03:28:57.060 --> 03:29:02.690

Sebastopol Community Cultural Center: I want to make sure that our agreement is tight in that. So the agreement says... excuse me again.

1363

03:29:02.730 --> 03:29:17.510

Sebastopol Community Cultural Center: that the payee of the tax and or the developer or successor shall use the remitted tax funds for advertisement of tourism in the city of Sebastopol, including the Barlow Hotel, as a destination in the city of Sebastopol.

1364

03:29:17.510 --> 03:29:30.460

Sebastopol Community Cultural Center: The City may request, and the payee of the tax shall provide, at least annually, documentation of how the remitted tax funds were spent for such purposes, but the City shall have no authority to direct such spending.

1365

03:29:30.720 --> 03:29:31.640

Sebastopol Community Cultural Center: Okay.

1366

03:29:33.240 --> 03:29:41.930

Sebastopol Community Cultural Center: So the language in here does say that the city may request that they are required to provide that if we ask.

1367

03:29:42.060 --> 03:29:48.530

Sebastopol Community Cultural Center: Rather than change the language in the ordinance,

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03:29:48.850 --> 03:30:06.980

Sebastopol Community Cultural Center: because that would require reintroduction. The Council could provide direction to staff that this should be an annual request made, you know, at the end of each fiscal year or something, and if the Council wants, we could even bring back, you know, a resolution to put that, you know, formally into a policy.

1369

03:30:08.290 --> 03:30:17.340

Sebastopol Community Cultural Center: you know, so it's memorialized someplace, you know, for a future city manager and a future city council to know. And let me just ask, what...

1370

03:30:17.820 --> 03:30:22.200

Sebastopol Community Cultural Center: what would happen if they didn't comply? I mean...

1371

03:30:22.670 --> 03:30:30.019

Sebastopol Community Cultural Center: Because... do we have a stick there? I mean, we could terminate the agreement. Okay, so if they don't agree, we could terminate. Okay.

1372

03:30:30.540 --> 03:30:31.320

Sebastopol Community Cultural Center: Boom.

1373

03:30:32.260 --> 03:30:34.620

Sebastopol Community Cultural Center: Just a reminder that we're still in questions.

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03:30:34.920 --> 03:30:36.180

Sebastopol Community Cultural Center: Councilmember Zolman?

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03:30:37.000 --> 03:30:50.130

Sebastopol Community Cultural Center: Yeah, I'm glad that we did pull it, because my recollection of where we were was that Vice Mayor and I had concerns about what we just passed, whether the marketing was for everybody.

1376

03:30:50.130 --> 03:30:59.380

Sebastopol Community Cultural Center: And not just the Flo. So there was a motion to reconsider a motion, and my recollection is that there was opposition to that. So now, when Alex just read it back.

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03:30:59.410 --> 03:31:00.930

Sebastopol Community Cultural Center: Correct me if I'm wrong.

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03:31:01.130 --> 03:31:10.420

Sebastopol Community Cultural Center: It does clearly state, with what you just said, that the waiver for the marketing is for everybody

1379

03:31:10.970 --> 03:31:25.700

Sebastopol Community Cultural Center: citywide, to include downtown businesses, etc, etc, and not just for the Barlow. Is that not just what you read? It says for the advertisement of tourism in the city, including the Barlow Hotel, as a destination. So...

1380

03:31:27.370 --> 03:31:28.300

Sebastopol Community Cultural Center: Okay.

1381

03:31:28.560 --> 03:31:47.739

Sebastopol Community Cultural Center: And thank you, Councilmember Hinton, for pulling it, because around this May thing, but then, Alex, you did say that upon request, they shall... I heard the word shall. Shall as an order. Right, they must. They don't have the option. The May applies to the city making the request, but the... Okay, got it.

1382

03:31:49.220 --> 03:31:50.240

Sebastopol Community Cultural Center: Okay.

1383

03:31:50.480 --> 03:31:56.219

Sebastopol Community Cultural Center: I mean, I don't know, I... Any other questions? I don't have any other questions. Okay, so we can go out to public comment?

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03:31:57.810 --> 03:32:08.829

Sebastopol Community Cultural Center: Thank you, Vice Mayor. So this is public comment on the discussion of introducing the, ordinance for the

Barley Hotel for the TOT sharing arrangement. I will come into chambers first. Kyle?

1385

03:32:08.990 --> 03:32:23.200

Sebastopol Community Cultural Center: So, yeah, there's nothing in terms of teeth, in terms of this marketing. There's nothing in here that suggests that the marketing will do anything for anyone other than just the hotel. Because it has, in phrase.

1386

03:32:23.200 --> 03:32:37.609

Sebastopol Community Cultural Center: including the hotel, that if I spend 100% of my dollars on the hotel, I am still within the language that... how it's written. So, it's an interesting opinion to suggest that it could be

1387

03:32:37.610 --> 03:32:50.800

Sebastopol Community Cultural Center: more than just the hotel, and that you have any sort of oversight, because the very last closet here says you have no oversight as to what the direction of the funding being spent is. So.

1388

03:32:51.240 --> 03:33:02.290

Sebastopol Community Cultural Center: Hi, I'm the Barlow. I just spent 100% of those dollars on marketing my hotel, of which I have taken 50% of the TOT dollars from your city.

1389

03:33:02.300 --> 03:33:18.080

Sebastopol Community Cultural Center: And you got nothing that you can do about it. Thanks for asking about it. I'll come back next year and tell you that I did the exact same thing. And you'll do nothing about it, because I'm within the contracted statement that you are about to approve tonight.

1390

03:33:19.910 --> 03:33:22.560

Sebastopol Community Cultural Center: Nothing you will be able to do.

1391

03:33:22.900 --> 03:33:29.599

Sebastopol Community Cultural Center: But I look forward to lots of media ads for the Barlow Hotel. It's gonna be... great.

1392

03:33:31.120 --> 03:33:39.659

Sebastopol Community Cultural Center: Thank you, Kyle, for your public comment. Next, I'll go out to Zoom, if there's anyone on Zoom that would like to make a public comment on the Hotel TOT rebate ordinance.

1393

03:33:39.860 --> 03:33:41.780

Sebastopol Community Cultural Center: Please raise your hand virtually.

1394

03:33:43.490 --> 03:33:45.480

Sebastopol Community Cultural Center: Bianca, can you unmute yourself, please?

1395

03:33:47.650 --> 03:34:05.920

Bianca Blomquist: Hey there, good evening. My name is Bianca Blomquist, and I just wanted to let you know that I oppose this measure. I don't think it has been discussed enough. I don't think it has enough teeth. As the gentleman who was speaking just before.

1396

03:34:06.070 --> 03:34:12.500

Bianca Blomquist: They have no incentive. The developer has no incentive to market

1397

03:34:12.650 --> 03:34:18.739

Bianca Blomquist: other businesses, and I just, I think that that is a shame.

1398

03:34:19.050 --> 03:34:22.180

Bianca Blomquist: So thank you very much. Have a good night.

1399

03:34:22.620 --> 03:34:25.430

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I will come into chambers.

1400

03:34:32.480 --> 03:34:35.749

Sebastopol Community Cultural Center: A little off track, but can you hear me?

1401

03:34:36.090 --> 03:34:49.110

Sebastopol Community Cultural Center: Two years ago, a lot of people filled this room about a historic tree, the Bunya Bunya, that this business owner wanted to cut down, although he had purchased the land

1402

03:34:49.550 --> 03:34:55.069

Sebastopol Community Cultural Center: Of this tree, and... which was guaranteed not to be cut down.

1403

03:34:56.490 --> 03:35:08.479

Sebastopol Community Cultural Center: And there were over a hundred and not... over 75 people who'd written letters and showed up to save this tree, which was agreed upon, that he would not cut it down.

1404

03:35:09.690 --> 03:35:18.050

Sebastopol Community Cultural Center: Which was interesting for me, that during the meeting, he actually texted the mayor backing down.

1405

03:35:18.400 --> 03:35:27.639

Sebastopol Community Cultural Center: It was my first experience seeing the power and privilege And how that access to a mayor.

1406

03:35:28.820 --> 03:35:31.529

Sebastopol Community Cultural Center: Kind of was pretty influential.

1407

03:35:31.840 --> 03:35:34.580

Sebastopol Community Cultural Center: That a major businessman would text.

1408

03:35:35.870 --> 03:35:38.519

Sebastopol Community Cultural Center: You know, somebody in governance during a meeting.

1409

03:35:38.970 --> 03:35:45.579

Sebastopol Community Cultural Center: I have a mortgage that has very strict rules that I have to follow.

1410

03:35:46.790 --> 03:35:50.009

Sebastopol Community Cultural Center: Does this agreement have those same rules?

1411

03:35:52.550 --> 03:36:00.249

Sebastopol Community Cultural Center: Thank you for your public comment. Next, I'll go back out to Zoom. If there's anyone on Zoom that would like to make a public comment on this item, to please raise your hand virtually.

1412

03:36:01.190 --> 03:36:04.659

Sebastopol Community Cultural Center: Seeing none, I will come back into chambers, if there's anyone in chambers.

1413

03:36:04.990 --> 03:36:07.400

Sebastopol Community Cultural Center: CNN, public comment is closed on this item.

1414

03:36:12.930 --> 03:36:14.270

Sebastopol Community Cultural Center: Councilmember Hinton.

1415

03:36:15.250 --> 03:36:28.700

Sebastopol Community Cultural Center: So I pulled this item to verify, because I wanted to make sure I understood it before I voted a second time. I'm still in favor of this item. I think that for all the discussion points we talked about last time.

1416

03:36:28.800 --> 03:36:44.250

Sebastopol Community Cultural Center: We have to take a risk, and again, I stated last time, I'll state it again, the biggest item was the Hotel Sebastopol when I got elected in 2016, and here we are 10 years later, and we still don't have a hotel.

1417

03:36:44.500 --> 03:36:52.529

Sebastopol Community Cultural Center: So, for the same reasons I supported it last time, I'm gonna support it again tonight, but I do think it's a big...

1418

03:36:52.820 --> 03:36:58.669

Sebastopol Community Cultural Center: vote, and... I wanted to pull it off consent calendar so we could revisit

1419

03:36:59.020 --> 03:37:18.160

Sebastopol Community Cultural Center: these terms, which, talk about promoting the hotel, but as a destination and the city's Sebastopol. I don't think you can promote a hotel and not promote where it is, and the reasons to visit that city. So, I'm comfortable with our language. I think it...

1420

03:37:18.750 --> 03:37:27.210

Sebastopol Community Cultural Center: does what we want it to do, and I would be interested, maybe, as the City Manager recommended, in bringing back something that

1421

03:37:27.330 --> 03:37:44.990

Sebastopol Community Cultural Center: says our staff should be asking for this report every year for this 10-year period, because I don't know that any of us will be sitting here, and I want to make sure that doesn't get missed by staff, because it's a very important part of the agreement for me. So... Thank you.

1422

03:37:45.410 --> 03:38:03.020

Sebastopol Community Cultural Center: So I... I have a concern after that last vote. I went home and I felt... my heart really felt heavy around agreeing with this decision, and started thinking about how much money was actually going to be going to advertising Sebastopol.

1423

03:38:03.030 --> 03:38:09.260

Sebastopol Community Cultural Center: And what that might do in terms of Hurting the city with...

1424

03:38:09.700 --> 03:38:23.599

Sebastopol Community Cultural Center: getting overrun with tourists. So, right, a million dollar budget for advertising, and we didn't cap it, it was just this open-ended, you know, amount of money, and then we're gonna have... the piazza's gonna come after us now and want

1425

03:38:23.930 --> 03:38:36.799

Sebastopol Community Cultural Center: want the same thing, so whatever we do, the Piazza's gonna want the same. So, \$2 million towards, advertising, are we comfortable with that? How will that affect our little city here?

1426

03:38:37.000 --> 03:38:38.379

Sebastopol Community Cultural Center: And,

1427

03:38:38.600 --> 03:38:45.390

Sebastopol Community Cultural Center: That's a lot of money to be putting toward advertising, so I would be in favor of bringing it back.

1428

03:38:45.620 --> 03:38:47.169

Sebastopol Community Cultural Center: Because I know we can't...

1429

03:38:47.480 --> 03:38:59.350

Sebastopol Community Cultural Center: vote on that part, but... but capping it at... I would be comfortable capping it at 500, so 50% or \$500,000 would be a cap, so that way we would be pitching in

1430

03:38:59.420 --> 03:39:17.560

Sebastopol Community Cultural Center: at least half of what they want to do, but not going over that. At least it would put some limit on it. I would be comfortable doing that, especially considering that the Piazza's going to come back and probably want the same. Whatever we do for the Barlow, we're going to have to do for Piazza, so that...

1431

03:39:18.300 --> 03:39:20.850

Sebastopol Community Cultural Center: Would be my request.

1432

03:39:23.920 --> 03:39:30.120

Sebastopol Community Cultural Center: You're assuming Piazza's gonna come back after the last 10 years when they proposed the first project.

1433

03:39:30.370 --> 03:39:33.830

Sebastopol Community Cultural Center: I... I don't know that they... Well, so...

1434

03:39:34.100 --> 03:39:36.880

Sebastopol Community Cultural Center: Just saying. They haven't performed yet in 10 years.

1435

03:39:40.680 --> 03:39:54.530

Sebastopol Community Cultural Center: I just wanna say, like, I don't care how much they advertise. Like, they can advertise nothing for a Sebastopol. If they get built, everybody's gonna benefit, and we're gonna find ways to manage bringing people to the town.

1436

03:39:55.590 --> 03:40:01.709

Sebastopol Community Cultural Center: And it still astounds me that we would cause, you know, a developer that's struggling

1437

03:40:03.200 --> 03:40:11.640

Sebastopol Community Cultural Center: More grief in how to develop and how to spend their money when we're dependent on them in so many different ways.

1438

03:40:11.740 --> 03:40:15.310

Sebastopol Community Cultural Center: For the amount of money that they might bring in.

1439

03:40:15.630 --> 03:40:25.939

Sebastopol Community Cultural Center: If they come... we've already decided they're coming in, so it's kind of a moot point now, but they could literally spend nothing on the city, and if the hotel gets built, we benefit.

1440

03:40:25.970 --> 03:40:43.010

Sebastopol Community Cultural Center: If they... if we get overrun like a tourist town, that's not great, you know? But I don't know that that will be, like, an issue. I don't want, personally, this has nothing to do with this, but I don't want to be a tourism town. I'd love there to be different kinds of industries here.

1441

03:40:44.000 --> 03:40:53.849

Sebastopol Community Cultural Center: But as far as, like, our projections go, every time we see a projection, it has some bit of TOT tax, and we really just need to make this simple.

1442

03:40:57.870 --> 03:41:05.750

Sebastopol Community Cultural Center: Any other comments, Councilmember Hinton? I'll go ahead and move the item. I feel, I understand the...

1443

03:41:05.910 --> 03:41:19.150

Sebastopol Community Cultural Center: wanted to rehear what Alex read, and I feel comfortable with it, so I'm going to make a motion to approve the waiving of the second reading and adoption of Ordinance 1167, an ordinance of the City of Sebastopol

1444

03:41:19.160 --> 03:41:29.390

Sebastopol Community Cultural Center: of the City Council of the City of Sebastopol approving an amendment to the development agreement from the Barlow Hotel Development to establish a TOT tax rebate program. I'll second.

1445

03:41:29.920 --> 03:41:47.020

Sebastopol Community Cultural Center: And just to clarify, did you also want to include direction to staff to bring back that policy? Please, and direction to staff to bring back that policy as recommended by the city manager for future city councils to make sure that we get an annual report. Yeah, that's good for the seconder as well.

1446

03:41:48.840 --> 03:42:06.290

Sebastopol Community Cultural Center: Thank you, so moved by Councilmember Hinton and seconded by Councilmember Zolman to approve the ordinance authorizing an amendment to the development agreement to the Barlow Hotel to approve the TOT sharing arrangement, as amended to direct city staff to create a city policy to return to the City Council.

1447

03:42:06.290 --> 03:42:09.040

Sebastopol Community Cultural Center: Requiring that city staff shall annually

1448

03:42:09.810 --> 03:42:19.830

Sebastopol Community Cultural Center: and I'm gonna add, so you can tell me if you like it, by March of each year to formally request from the owner the annual report of marketing for the City to be presented to the City Council by June of each year.

1449

03:42:20.150 --> 03:42:21.410

Sebastopol Community Cultural Center: Is that acceptable?

1450

03:42:22.860 --> 03:42:30.150

Sebastopol Community Cultural Center: Councilmember Carter? Yes.

Councilmember Hinton? Aye. Councilmember Zolman? Yes. Vice Mayor Maurer? No.

1451

03:42:33.950 --> 03:42:43.639

Sebastopol Community Cultural Center: And Mayor McLewis is absent, so the motion passes 3-1-1, with Councilmembers Carter, Hinton, and Zolman in support, Vice Mayor Maurer in opposition, and Mayor McLewis absent.

1452

03:43:34.790 --> 03:43:41.409

Sebastopol Community Cultural Center: Okay, so we're... back, and I think we're at, public comment again, am I correct, Mary?

1453

03:43:42.080 --> 03:43:59.419

Sebastopol Community Cultural Center: We are at additional public comment. Oh, sorry, yeah, go ahead. No call. Yeah, sorry, I thought you were going to say something else. I thought I made a mistake. Go ahead. No, we are at the additional public comment for items not on the agenda. If you did not speak during the first public comment period, now is the opportunity to speak at this public comment.

1454

03:44:00.370 --> 03:44:02.329

Sebastopol Community Cultural Center: I will come to Chambers first.

1455

03:44:02.990 --> 03:44:11.060

Sebastopol Community Cultural Center: Seeing none, I will go out to Zoom, if there's anyone on Zoom that would like to make a public comment for an item not on the agenda, and you did not speak during the first public comment.

1456

03:44:11.730 --> 03:44:13.699

Sebastopol Community Cultural Center: Seeing none, there's no public comment.

1457

03:44:14.280 --> 03:44:18.790

Sebastopol Community Cultural Center: Alright, and then I believe, the next thing is, are there any,

1458

03:44:19.140 --> 03:44:22.290

Sebastopol Community Cultural Center: Items that council members would like to bring forth.

1459

03:44:23.570 --> 03:44:25.810

Sebastopol Community Cultural Center: Okay.

1460

03:44:27.220 --> 03:44:41.209

Sebastopol Community Cultural Center: I have a question. The issue of the council member cost allocation, part of the... how much is being allocated, is that due to come back based on our earlier, motion? And...

1461

03:44:41.940 --> 03:44:43.979

Sebastopol Community Cultural Center: That was part of emotion.

1462

03:44:44.290 --> 03:44:50.190

Sebastopol Community Cultural Center: the... that was not part of a motion. What the part of the motion was that it was to be directed to work with EFOC.

1463

03:44:50.450 --> 03:45:07.700

Sebastopol Community Cultural Center: On the remaining... there are some items that would be coming back, so we will be working with them. We have done time tracking, so once we have... I have gone back and done research for the last two years, doing an average of how much, just for meeting time, the Council has done that, so that will help as far as moving forward with

1464

03:45:07.700 --> 03:45:13.209

Sebastopol Community Cultural Center: giving information to the EFOC, as well as the cost allocation, so... I'd like to bring that portion back.

1465

03:45:13.370 --> 03:45:17.240

Sebastopol Community Cultural Center: the council allocation. I'll second that.

1466

03:45:28.100 --> 03:45:29.130

Sebastopol Community Cultural Center: Okay.

1467

03:45:29.720 --> 03:45:49.310

Sebastopol Community Cultural Center: All right, anyone else? Anything? Now we'll just go to a city update, or city manager, city attorney updates. Thank you. So, as I mentioned earlier, we did send a conditional offer letter. It has been received. The individual has passed background. We anticipate that individual coming on board for the planning staff.

1468

03:45:49.310 --> 03:45:50.959

Sebastopol Community Cultural Center: August 15th.

1469

03:45:51.030 --> 03:46:03.910

Sebastopol Community Cultural Center: We did, on Friday, do interviews for proposals received for Planning Consultant Services, as well as we are doing an interview, probably within the next week or two for Planning Director.

1470

03:46:04.120 --> 03:46:14.480

Sebastopol Community Cultural Center: a full, you know, permanent staff, so we have both... both going at the same time. Now that the ordinance was adopted tonight, we'll be sending out the city clerk recruitment that will be going out

1471

03:46:14.850 --> 03:46:18.409

Sebastopol Community Cultural Center: And, that is all I have for tonight.

1472

03:46:20.770 --> 03:46:24.160

Sebastopol Community Cultural Center: Okay. Any council members want to do updates?

1473

03:46:24.320 --> 03:46:33.619

Sebastopol Community Cultural Center: just briefly, a lot of Coalition on the Unhoused, both board meetings and subcommittee meetings. I've sat on the permanent supportive housing

1474

03:46:33.760 --> 03:46:40.049

Sebastopol Community Cultural Center: guidelines subcommittee with folks from Burbank, St. Francis de Paul.

1475

03:46:40.180 --> 03:46:58.289

Sebastopol Community Cultural Center: the palms, etc, they're about done. So it's out for final review from the subcommittee, and it should be brought forward to the Coalition board for approval, hopefully either at the end of August or the very

1476

03:46:58.570 --> 03:47:01.369

Sebastopol Community Cultural Center: Or the September meeting, so that's that.

1477

03:47:02.160 --> 03:47:02.910

Sebastopol Community Cultural Center: Okay?

1478

03:47:03.260 --> 03:47:04.200

Sebastopol Community Cultural Center: Go ahead.

1479

03:47:04.310 --> 03:47:12.220

Sebastopol Community Cultural Center: So, I've received some communication about an application that I think it's T-Mobile has submitted

1480

03:47:12.220 --> 03:47:28.230

Sebastopol Community Cultural Center: for, they want to extend the downtown cell tower up about 20 feet. Vice Mayor, can I just interrupt really quick? Yeah. So, the item that we're on right now is just committee reports. Oh, you want me to wait until... Yeah, until we get to the communications, that would be awesome.

1481

03:47:29.360 --> 03:47:35.940

Sebastopol Community Cultural Center: So, this is for committee meetings, anything intended by City Council? Correct. Any... go ahead.

1482

03:47:37.210 --> 03:47:47.369

Sebastopol Community Cultural Center: Sctca was on hold in July, but the meeting will be coming up on

1483

03:47:48.050 --> 03:47:56.909

Sebastopol Community Cultural Center: the 10th again for this month, so I'll be attending that. And then, I just wanted to put a shout out to the Sonoma County Fair.

1484

03:47:57.100 --> 03:48:02.599

Sebastopol Community Cultural Center: I sit on that, board of directors, and it will be starting.

1485

03:48:02.600 --> 03:48:19.579

Sebastopol Community Cultural Center: Well, there's a flower show preview to benefit the Scholarship Foundation for Ag Scholarships, and it's sold out on the night of the 6th, and the first day of the fair is on the 7th, and that is also the Junior Livestock Auction Lambs, for lambs, so...

1486

03:48:19.760 --> 03:48:23.379

Sebastopol Community Cultural Center: Feel free, everybody's got tickets, and hopefully I'll see you at the fair.

1487

03:48:23.650 --> 03:48:25.770

Sebastopol Community Cultural Center: Is there a Sebastopol Day?

1488

03:48:26.090 --> 03:48:42.359

Sebastopol Community Cultural Center: That used to be when they were running racehorses, which they no longer do. So there, is not the city days that there used to be, and because this year's fair was pushed back, and now, of course, is in conflict with the Grab

1489

03:48:42.450 --> 03:48:50.480

Sebastopol Community Cultural Center: Apple Fair, that has to do with the state fair that set their dates, and then all the little fairs run after. Next year.

1490

03:48:51.320 --> 03:49:07.970

Sebastopol Community Cultural Center: So kids go back to school when the fair's happening, so the fair is gonna be struggling this year, and next year it's going to move to the end of July for the first time in many, many years, because we no longer run horses. So, anyway, there's a lot of background on that, but...

1491

03:49:08.810 --> 03:49:15.110

Sebastopol Community Cultural Center: Okay. Anyone else? I don't have any updates other than agenda review meetings, so,

1492

03:49:15.710 --> 03:49:18.750

Sebastopol Community Cultural Center: No? Okay. Well, then I guess our meeting's adjourned.

1493

03:49:19.000 --> 03:49:20.710

Sebastopol Community Cultural Center: Oh, oh.

1494

03:49:21.080 --> 03:49:30.960

Sebastopol Community Cultural Center: There's a communicate... the... Oh, Communicate... Council's communications? About communications. I'm sorry. So, it's about that there was an application for a cell tower expansion.

1495

03:49:31.160 --> 03:49:49.470

Sebastopol Community Cultural Center: So, should I just defer to our city attorney to explain that, or do you want me to say a little bit about it? Yeah, you were mentioning you received questions about that from, residents, so... I received those questions, and then they were forwarded to the council. So...

1496

03:49:49.470 --> 03:50:00.400

Sebastopol Community Cultural Center: So the city has, received what's a preliminary application, or interest from Crown Castle to make modifications to the downtown cell tower.

1497

03:50:00.700 --> 03:50:02.579

Sebastopol Community Cultural Center: Including...

1498

03:50:03.240 --> 03:50:12.470

Sebastopol Community Cultural Center: increase in height, but also, expansion of the ground area that's part of the lease in order to add more cabinets, so...

1499

03:50:12.580 --> 03:50:20.250

Sebastopol Community Cultural Center: This would require both a CUP and a, amendment to the lease. So...

1500

03:50:20.640 --> 03:50:31.040

Sebastopol Community Cultural Center: before the application moves forward, this is going to be coming to the Council, so the Council has an opportunity to provide some direction and ask, questions of the applicant.

1501

03:50:31.240 --> 03:50:32.470

Sebastopol Community Cultural Center: S...

1502

03:50:33.060 --> 03:50:39.020

Sebastopol Community Cultural Center: The exact date is not yet known, but likely, you know, perhaps the second meeting in September, or thereabout.

1503

03:50:39.220 --> 03:50:49.439

Sebastopol Community Cultural Center: And there will certainly be more information made available during the, you know, the staff report and during that meeting about the exact application that's being proposed.

1504

03:50:49.660 --> 03:51:09.629

Sebastopol Community Cultural Center: the city's authority and all those other related topics. Can you explain why it's coming to Council for our approval rather than going to planning? Because the city, they want a lease modification, and the city council is the only body with authority to lease city property.

1505

03:51:10.440 --> 03:51:11.460

Sebastopol Community Cultural Center: Okay, thank you.

1506

03:51:12.360 --> 03:51:27.549

Sebastopol Community Cultural Center: they need both, and so rather than them go to a CUP and potentially get a CUP from the Planning Commission, and then go to the Council to get a lease modification, maybe the Council says, no, we want to bring this forward to the Council

1507

03:51:27.770 --> 03:51:29.420

Sebastopol Community Cultural Center: Early, so they could get...

1508

03:51:29.840 --> 03:51:35.410

Sebastopol Community Cultural Center: And hear from the Council of the Council's general thoughts before going through this long process.

1509

03:51:36.520 --> 03:51:37.560

Sebastopol Community Cultural Center: Got it.

1510

03:51:38.740 --> 03:51:46.590

Sebastopol Community Cultural Center: Okay, anything else? Anyone else? Is there anything else? I don't have the agenda in front of me, Mary, so if there's anything else... okay, then we're adjourned.

ALL RIGHT, EVERYONE. WELCOME, THIS EVENING, TO OUR MEETING. LET'S SEE. WE'RE GOING TO GO AHEAD AND GET START. 6:03, WE'RE CALLING TO ORDER IF YOU'D LIKE TO DO ROLE CALL, MARY?

COUNCILMEMBER CARTER?

HERE.

COUNCILMEMBER HINTON?

HERE.

ZOLLMAN?

PRESENT.

VICE MAYOR?

HERE.

MAC LOU BUSINESS?

HERE.

ALL COUNCILMEMBERS ARE PRESENT.

WE'RE GOING TO GO AHEAD AND DO SALUTE TO THE FLAG SINCE WE HAVE NO REMOTE PARTICIPATION. [PLEDGE RECITED]

WHAT WAS THAT? IS EVERYTHING OKAY BEFORE WE -- WE HAVE TO MAKE SURE ALL THE ELECTRONICS -- SURE, GO AHEAD. AT EVERY MEETING WE READ A LAND ACKNOWLEDGEMENT. THE CITY OF SEBASTOPOL ACKNOWLEDGES THAT WE LIVE AND WORK WITHIN THE UNCEDED ANCESTRAL HOMELANDS OF THE MIWOK PEOPLE. MIWOK WE PAY OUR RESPECT TO THE PAST, PRESENT, AND FUTURE GENERATIONS OF THESE PEOPLES, INCLUDING THE FEDERATED INDIANS OF OF TON RANCHERIA. AS MAYOR, I LIKE TO REMEMBER THE HISTORY OF SEBASTOPOL. AGAIN, THIS WAS WITH THE HELP OF TRUCE ARMANDO AND OUR WEST COUNTY MUSEUM LOOKING AT THE DIFFERENT THEATERS WE'VE HAD IN SEBASTOPOL. I DIDN'T REALIZE WE HAD SO MANY. SO SHE KIND OF GAVE US SOME PICTURES AND THE NAMES. WE HAD EARLY THEATERS AND VAUDEVILLE IN THE EARLY TO MID 20th CENTURY. MOVIES WERE A MAJOR ATTRACTION IN SEBASTOPOL. WE HAD STARLIN THEATER AT 175 NORTH MAIN STREET WHICH OPENED IN 1912 AND CLOSED IN 1932. AND THEN IT BRIEFLY OPENED AGAIN IN THE

1930s. WE HAD ANA LEE THEATER. BUILT IN 1948 AT 364 NORTH MAIN. IT WAS THE KEY DOWNTOWN VENUE. IT WAS IN OPERATION UNTIL 1974, UNTIL IT WAS DEMOLISHED TO MAKE WAY FOR THE SAFEWAY PARKING LOT. THE EL REY THEATRE WAS LOCATED AT 226 SOUTH MAIN STREET, AND IT BEGAN AS THE ROYAL THEATER AND OPENED IN 1927 WITH A MOVIE "SWIM, GIRL, SWIM." IT CLOSED IN 1931 AND OPENED AS EL REY IN 1932. IT WAS CLOSED IN 1939 WHEN THE ANA LEE THEATER, MARKING A SHIFT IN DOWNTOWN ENTERTAINMENT. IN THE 1990s, SEBASTOPOL'S CULTURAL SCENE SAW A REVIVAL AND INTEREST IN THEATER HISTORY. SO MORE RECENTLY WE HAD THE RIALTO CINEMAS IN 2012 AT ITS CURRENT LOCATION. WE HAD LEGACY THEATERS. LET'S SEE. I'M LOOKING AT THEM ALL HERE. I THINK THIS IS PRETTY MUCH THE GIST OF IT. MARY HAD SOME PICTURES THERE IF PEOPLE ARE INTERESTED IN LOOKING AT WHAT WE HAD HERE. SO JUST A LITTLE TRIVIA HISTORY FOR EVERYBODY. AND THEN I AM GOING TO MOVE ON TO PROCLAMATIONS. WE HAVE ONE PROCLAMATION TONIGHT, AND IT IS FOR -- PROCLAIMING AUGUST 24th, 2026, AS UKRAINE'S INDEPENDENCE DAY. WHEREAS FOR CENTURIES THE UKRAINIAN PEOPLE HAVE COURAGEOUSLY FOUGHT FOR THEIR FREEDOM, SELF-GOVERNANCE, AND NATIONAL IDENTITY, OVERCOMING CHALLENGES AND PRESERVING THEIR RICH CULTURAL HERITAGE. AND WHEREAS ON AUGUST 24th, 1991, UKRAINE ACHIEVED INDEPENDENCE FROM THE SOVIET UNION, MARKING A HISTORIC MILESTONE IN THE UKRAINIAN PEOPLE'S JOURNEY TOWARD FREEDOM, DEMOCRACY, AND SELF-DETERMINATION. WHEREAS THE CITY OF SEBASTOPOL RECOGNIZES THE IMPORTANCE OF PROMOTING CULTURAL DIVERSITY, FOSTERING INTERNATIONAL UNDERSTANDING, AND SUPPORTING THE ASPIRATIONS OF ALL NATIONS TOWARDS FREEDOM, JUSTICE, AND INDEPENDENCE. AND WHEREAS IN 1993, TO FURTHER THE GOALS SUPPORTING CITIZEN DIPLOMACY THE CITY OF SEBASTOPOL ENTERED INTO A SISTER CITY AGREEMENT WITH THE CITY OF CHERIN, UKRAINE. WHEREAS FOR THE PAST 33 YEARS YEARS THROUGH THE EFFORTS OF SEBASTOPOL WORLD FRIENDS, THE SEBASTOPOL COMMUNITY HAS DEVELOPED DEEP AND LASTING RELATIONSHIPS WITH THE CHERIN COMMUNITY BY WAY OF EDUCATION AND CULTURAL EXCHANGES. AND WHEREAS THE CITY OF SEBASTOPOL DESIRES TO SHOW SOLIDARITY WITH THE UKRAINIAN PEOPLE IN THEIR PURSUIT OF PEACE, SOVEREIGNTY, AND TERRITORIAL INTEGRITY, NOW THEREFORE BE IT RESOLVED THAT I, JIM McLEWIS, MAYOR OF THE CITYCITY OF SEBASTOPOL, ON BEHALF OF THE CITY COUNCIL, HEREBY PROCLAIM AUGUST 24th, 2026 AS UKRAINE'S INDEPENDENCE DAY IN THE CITY OF SEBASTOPOL AND CALL UPON ALL RESIDENTS TO JOIN IN COMMEMORATING THIS SIGNIFICANT OCCASION TO HONOR OUR UKRAINIAN SISTER CITY AND RECOGNIZE THE UKRAINIAN PEOPLE'S ENDURING SPIRIT AND ONGOING STRUGGLE FOR FREEDOM AND SELF GOVERNANCE. I KNOW WE HAVE SOME -- WE HAVE -- WERE YOU JUST COMING UP TO ACCEPT -- YEAH, YEAH, TOTALLY. WE'RE GOING TO HAND YOU THIS. THANK YOU VERY MUCH. ALL RIGHT. AND THEN I JUST NEEDED TO FIND OUT IF THERE ARE ANY STATEMENTS OR CONFLICTS OF INTEREST TONIGHT? NO? OKAY. MARY, CAN WE GO TO PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA?

THANK YOU, MAYOR. IS YOU STATED, THIS IS FOR ITEMS NOT ON THE AGENDA. IT AS 20-MINUTE TIME LIMIT. IT IS TWO MINUTES PER PERSON. WE DO IN CHAMBERS FIRST THEN

GO TO ZOOM THEN COME BACK INTO CHAMBERS. IF THERE'S ANYONE IN CHAMBERS THAT WOULD LIKE TO MAKE A PUBLIC COMMENT? YOU CAN JUST GO WHEN.

GOOD EVENING, EVERYONE. I'M STEVE LEVENBERG REPRESENTING SEBASTOPOL WORLD FRIENDS. AND IT'S MY PLEASURE TO FOLLOW ALONG AFTER THE PROCLAMATION. WE REALLY APPRECIATE THAT. AND THE PEOPLE IN UKRAINE REALLY APPRECIATE ANY SHOW OF SOLIDARITY. IT JUST MAKES THEM NOT FEEL SO ALONE. SEBASTOPOL WORLD FRIENDS HAS BEEN A STRONG SUPPORTER OF CHERIN AND HAS RAISED FUNDS SINCE 2022 TO BENEFIT HUMANITARIAN PROJECTS IN AND AROUND CHEGURIN. THE MOST RECENT RENOVATION OF A DORMITORY THAT'S HOUSING INTERNALLY DISPLACED PEOPLE WHO HAVE LOST THEIR HOMES AND OFTEN LOST THEIR CITIES AS A RESULT OF THE WAR. IT'S VERY EXCITING TONIGHT TO ANNOUNCE THAT SISTER CITY INTERNATIONAL JUST RECENTLY AWARDED SEBASTOPOL WORLD FRIENDS THEIR AWARD FOR INNOVATION IN HUMANITARIAN ASSISTANCE AT THEIR MOST RECENT MEETING. AND THAT WAS PRESENTED -- MEG MIZATANI WAS THERE AT THE MEETING TO RECEIVE THIS. IT'S VERY EXCITING, AND IT'S NICE TO HAVE, YOU KNOW, HARD WORK REPRESENTED. I'LL PASS THIS ALONG. WE CONTINUE TO RAISE FUNDS FOR THAT PROJECT, AND AN EXCITING EVENT THAT OCCURRED RECENTLY WAS IN COLLABORATION WITH SEBASTOPOL ROTARY AND ROTARY OF --

20 SECONDS.

SANTA ROSA, SISTER CITY, ROTARY RECEIVED AN INTERNATIONAL GRANT FOR \$140,000 THAT WILL HELP TO FACILITATE THE COMPLETION OF THAT PROJECT. AND OCTOBER 4th, WE INVITE EVERYONE TO JOIN US FOR A FUND-RAISING EVENT TO SUPPORT THAT SHASHLEEK AND BEER AT REAGAN PARK.

THANK YOU FOR YOUR PUBLIC COMMENT. I'M GOING TO GO TO ZOOM THEN COME RIGHT BACK. AGAIN, THIS IS FOR PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA. BIANCA, CAN YOU UNMUTE YOURSELF, PLEASE?

HEY, THERE, THANK YOU SO MUCH. MY NAME IS BIANCA BLOOMQUIST AND MY BACKGROUND IS IN SMALL BUSINESS ADVOCACY AND ECONOMIC POLICY. AND I JUST WANTED TO RECOGNIZE THE WORK THAT THE KEEP SEBASTOPOL LOCAL CAMPAIGN IS DOING. HOW IMPORTANT IT IS THAT THE CITY COUNCIL STICKS TO ITS GENERAL PLAN AND THE KEEP SEBASTOPOL LOCAL CAMPAIGN IS DOING A GREAT JOB OF REMINDING FOLKS OF WHAT THAT GENERAL PLAN IS. BUT WE JUST REALLY ENCOURAGE THE CITY COUNCIL TO CONTINUE TO EVALUATE HOW THE GROCERY OUTLET PROPOSAL WILL IMPACT OUR WORKERS AND THE SMALL BUSINESS OWNERS AND THE SMALL GROCERS, INDEPENDENT GROCERS THAT ALREADY EXIST IN SEBASTOPOL. ECONOMISTS LIKE TO CALL THIS THE LOCAL MULTIPLIER EFFECT, THAT FOR EVERY \$100 SPENT AT A LOCALLY OWNED BUSINESS, IT GENERATES ABOUT \$68 IN LOCAL ECONOMIC ACTIVITY. AND THIS IS COMPARED WITH \$43 AT A NATIONAL CHAIN. AND THE REASON FOR THAT IS BECAUSE INDEPENDENT BUSINESS OWNERS ARE MORE LIKELY TO HIRE A LOCAL ACCOUNTANT,

SHOUT-OUT TO HALEY'S TAX SERVICE. AN ATTORNEY, A PRINTER. LIKE SPRINT COPY CENTER. BANKS. OTHER LOCAL BUSINESSES. THEY DONATE TO LOCAL NONPROFITS AND SPEND THEIR PROFITS IN THE COMMUNITY. WHILE GROCERY OUTLET HAS A HYBRID MODEL, IT'S NOT LIKE A FULL-BLOWN FRANCHISE MODEL, BUT KIND OF QUASI ONE. THE INDIVIDUAL STORES ARE OPERATED BY LOCAL ENTREPRENEURS, BUT THEY STILL REMAIN PART OF A PUBLICLY TRADED NATIONAL COMPANY WITH A CENTRALIZED BRAND. AND SUPPLY CHAIN SYSTEM. AND SO AS THE FAMOUS ECONOMIST SAYS, MICHAEL SCHUMAN SAYS, THE MORE TIMES AND FASTER THE DOLLAR PASSES BETWEEN HANDS WITHOUT LEAKAGE, THE MORE INCOME AND JOBS IN A COMMUNITY. THANK YOU FOR HEARING MY PUBLIC COMMENT.

THANK YOU FOR YOUR PUBLIC COMMENT.

I'M LAURIE OGG REPRESENTING THE SONOMA COUNTY COMMISSION ON THE STATUS OF WOMEN, AND TONIGHT I WOULD LIKE TO PRESENT A RESOLUTION PROCLAIMING AUGUST 26th, 2026, AS WOMEN'S EQUALITY DAY IN SONOMA COUNTY. SO IF I MAY READ THE RESOLUTION, WHEREAS ON AUGUST 26th, 2026, WE MARK THE 106th ANNIVERSARY OF THE ENACTMENT OF THE 19th AMENDMENT TO THE UNITED STATES CONSTITUTION WHICH SECURED THE RIGHT TO VOTE FOR WOMEN. AND WHEREAS TO SECURE THIS RIGHT, WOMEN WERE FORCED TO CONDUCT 56 REFERENDUM CAMPAIGNS, 480 CAMPAIGNS TO GET LEGISLATURES TO SUBMIT SUFFRAGE AMENDMENTS, 277 CAMPAIGNS TO STATE PARTY CONVENTIONS, 19 CAMPAIGNS TO 19 SUCCESSIVE CONGRESSES, AND GET THE CONSENT OF THE 36 STATES AND MORE. AND WHEREAS TODAY WOMEN CONSTITUTE NEARLY 50% OF OUR WORKFORCE, THE MAJORITY OF THE STUDENTS IN OUR COLLEGES AND GRADUATE SCHOOLS, AND AN INCREASING NUMBER OF PRIMARY BREAD WINNERS. AND WHEREAS OVER THE PAST THREE YEARS, WOMEN'S INCOMES HAVE DECLINED AND AS OF MID- 2020, WOMEN WORKING FULL-TIME EARNED 81% OF WHAT MEN EARNED, DOWN FROM 85% IN 2023. AND WHERE YAS EVEN WITH THE GAINS WOMEN HAD MADE, WOMEN'S ROLE AS EQUAL MEMBERS OF OUR SOCIETY AND THEIR RIGHTS ARE BEING CHALLENGED AND REVERSED IN MULTIPLE ARENAS, INCLUDING THE FUNDAMENTAL RIGHT TO VOTE, ACCESS TO REPRODUCTIVE HEALTH CARE, AND PROTECTION FROM BEING THE SUBJECT OF PERSONAL VIOLENCE. AND WHEREAS HERE IN SONOMA COUNTY, THE BOARD OF SUPERVISORS IN 1976 ESTABLISHED A COMMISSION ON THE STATUS OF WOMEN WITH THE EXPRESS PURPOSE OF WORKING TO ENSURE EQUAL RIGHTS AND OPPORTUNITIES THAT ENHANCE THE QUALITY OF LIFE FOR ALL WOMEN AND GIRLS AND S ADDRESS THE ISSUES OF PREJUDICE THAT AFFECT WOMEN IN SONOMA COUNTY. WHEREAS MORE WORK REMAINS TO BE DONE IN MANY AREAS THAT DIRECTLY IMPACT EQUAL PAY FOR EQUAL WORK, INCLUDING ACCESS TO QUALITY AFFORDABLE CHILDCARE, AFFORDABLE HOUSING, COMPREHENSIVE HEALTH CARE FOR WOMEN, AND MENTAL HEALTH CARE. NOW, THEREFORE, BE IT RESOLVED THE BOARD OF SUPERVISORS PROCLAIMS AUGUST 26th, 2026, AS WOMEN'S EQUALITY DAY, MARKING THE 106th ANNIVERSARY OF THE ENACTMENT OF THE 19th AMENDMENT CELEBRATING THE ACHIEVEMENTS OF WOMEN

AND RECOMMITTING TO GENDER EQUALITY IN SONOMA COUNTY AND ALL WOMEN'S FUNDAMENTAL RIGHTS.

OKAY, THANK YOU.

THANK YOU.

NEXT I WILL GO OUT TO ZOOM. KATE, CAN YOU UNMUTE YOURSELF, PLEASE?

I CAN, THANK YOU.

THANK YOU. CAN YOU SEE THE TIMER?

I CAN, THANK YOU.

GO AHEAD, PLEASE.

I AM HERE TO ASK WHY THE COUNCIL AND CITY DID NOT RESPOND TO THE FINANCIAL DOCUMENTS PRODUCED BY THE EFOC IN THE CITY'S GRAND JURY REPLY. THE EFOC HAS AT LEAST 50 PAGES OF FINANCIAL DOCUMENTATION BASED ON ACTUAL CITY BUDGETS. WHY WAS THIS NOT INCLUDED IN THE GRAND JURY REPLY? WHEN THE COUNCIL SAYS THEY WANT TO RESEARCH MORE TO DETERMINE A DOLLAR AMOUNT OWED TO THE ENTERPRISE FUND, WHY DIDN'T THEY RESPOND TO ALL THE FINANCIAL ANALYSIS THE EFOC HAS PROVIDED? THE CITY ORGANIZED THE EFOC. THE RATEPAYERS PAY \$1,500 EACH MEETING AS STAFF IS PAID TO PREPARE FOR AND ATTEND THE MEETINGS. WHY IS THERE NO RESPONSE TO THE FACT THAT THE FINANCE ADMINISTRATION COSTS TRIPLED IN NINE YEARS TO ALMOST \$1 MILLION EVEN THOUGH THE NUMBER OF ACCOUNT ANT SERVICES REMAIN STEADY? WHY NO RESPONSE TO THE ALLOCATION PLAN WAS ADJUSTED AFTER DOUBLING THE SIZE OF THE FINANCE DEPARTMENT WHICH MOST LIKELY ACCOUNTS FOR THE FACT THAT EXPENSES TRIPLED? HOW COME THERE'S NO RESPONSE TO THE FACT THAT CURRENT COUNCILS ALLOTTED TO THE ENTERPRISE FUNDS FOR OVER 50% OF THEIR ENTIRE BUDGET EVEN THOUGH WE ALL KNOW THIS IS NOT A TRUE ALLOCATION? THE EFOC HAS RECOMMENDED EFFICIENCIES IN THE FINANCE DEPARTMENT. WHY HASN'T COUNCIL RESPONDED? THE EFOC HAS RECOMMENDED GETTING BIDS FOR THIRD PARTY VENDORS FOR BILLING TO REDUCE COST TO RATEPAYERS. WHY HASN'T THE COUNCIL RESPONDED? WHY ARE RATEPAYERS PAYING FOR THE EFOC IF THE COUNCIL'S NOT GOING TO ADDRESS THE ISSUES WHICH THE EFOC IS PRESENTED? WHY IS THERE NO RESPONSE TO THE COUNCIL FROM VALID WORK THAT HAS BEEN DONE? ONE OF THE EFOC's RECOMMENDATIONS IS FOR A FORENSIC ACCOUNTANT. I HOPE THAT THE COUNCIL ACTS ON THIS, THANK YOU.

THANK YOU. NEXT INTO CHAMBERS, ANYONE IN CHAMBERS? SEEING NONE, I WILL GO BACK OUT TO ZOOM. STEVE, CAN YOU UNMUTE YOURSELF, PLEASE?

THIS IS LISA PIERCE. WE'RE HOPING THAT STEVE CAN ALSO SPEAK ON A SEPARATE TIME WITH THE SAME HAND RAISE.

YES, CAN YOU SEE THE TIME EVER, LISA?

YES, I CAN, THANK YOU.

GO AHEAD, PLEASE.

GOOD EVENING, MAYOR AND COUNCIL. I WANTED TO SAY A BIT ABOUT THE BIG DECISION THAT WILL BE COMING BEFORE YOU SOON. THE OPTION OF RELOCATING OUR LIBRARY, SENIOR CENTER, AND COMMUNITY CENTER AND CITY HALL. I'M MOSTLY CONCERNED ABOUT MOVING OUR LIBRARY OUT OF DOWNTOWN. THE BUILDING THE COMMONS ECONOMY HAS ASSUMED THE LIBRARY, SENIOR CENTER, CITY HALL, AND THE COMMUNITY CENTER OR SENIOR CENTER -- I DON'T KNOW IF I REPEATED THAT -- SHOULD BE TOGETHER UNDER ONE ROOF. AS FAR AS I KNOW, THEY HAVE ONLY EXPLORED LOCATION OPTIONS WITH THAT GOAL. ONE PROBLEM WITH HAVING THEM ALL UNDER ONE ROOF IS THAT THEY HAVE VERY DIFFERENT REQUIREMENTS. THE LIBRARY SHOULD BE CENTRAL AND EASILY ACCESSED BY STUDENTS AND PEDESTRIANS IN TOWN, WHILE THE COMMUNITY CENTER, WHICH HOSTS HUNDREDS OF PEOPLE, REQUIRES AMPLE AND AVAILABLE PARKING BY THE EVENT SPACE. THESE TWO NEEDS DON'T LEND THEMSELVES TO BEING UNDER THE SAME ROOF. WHATEVER HAPPENS WITH THE SENIOR CENTER AND THE COMMUNITY CENTER AND CITY HALL, I SINCERELY HOPE THAT THE LIBRARY CAN REMAIN DOWNTOWN. THANK YOU.

AND I'LL JUST FOLLOW THAT UP --

NO, SHE HAS TO GO --

46 SECONDS STILL. THERE'S AN OPTION THAT HASN'T BEEN EXPLORED YET. WE'VE LOOKED AT THE O'REILLY SPACE. BUT THERE'S AN OPTION THERE WHERE WE CAN REBUILD CITY HALL WITH TWO STORIES. IT'S CURRENTLY 4,000 SQUARE FEET. SO THAT COULD BE 8,000. THE CURRENT LIBRARY IS 9,400 SQUARE FEET. THE SPACE BETWEEN THE TWO BUILDINGS IS 5,000 SQUARE FEET. ADD THOSE ALL TOGETHER, AND YOU CAN PROVIDE THE SPACE THAT THE LIBRARY IS SAYING THEY NEED AT 22,000 SQUARE FEET. THE RAMP COULD GO DOWN TO A LOWER LEVEL ATAT NEW CITY HALL. AND A RAMP GOING TO THE UPPER LEVEL. SO WE DON'T HAVE TO HAVE AN EXPENSIVE ELEVATOR OR STAIRS. IT CAN BE ACCOMMODATED AT THE EXISTING SITE. THANK YOU.

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT, I WOULD COME BACK INTO CHAMBERS. KYLE?

SINCE YOU'RE NOT GOING TO GET ANSWERS TONIGHT FROM ANY OF THESE COUNCILMEMBERS, ANY OF THE CITY OFFICIALS, ABOUT WHY THERE ISN'T A RESPONSE TO EFOC, I'M GOING TO ANSWER IT FOR YOU. NONE OF THESE COUNCILMEMBERS ARE ACTUALLY REPRESENTATIVES THAT ARE REPRESENTING THE NEEDS OR THE INTERESTS OF THE RESIDENTS OF THE CITY OF SEBASTOPOL. THESE COUNCILMEMBERS HERE ARE SERVING THE INTERESTS OF THE CITY EMPLOYEES AND CITY MANAGEMENT. THEY ARE UNDER THE DIRECTION OF CITY ATTORNEY WHO HAS ADVISED THEM FOR SOME STRANGE REASON TO NOT RESPOND TO PUBLIC COMMENT, TO NOT ENGAGE WITH PUBLIC COMMENT. SO YOU WILL SEE THAT PATTERN HAPPEN TONIGHT. WE'RE CURRENTLY IN ELECTION CYCLE. AND SO HOPEFULLY THESE CANDIDATES THAT ARE NOT CURRENTLY ON THIS COUNCIL, THAT ARE RUNNING, ARE HERE TONIGHT IN THE ATTENDANCE, EITHER IN PERSON OR IN ZOOM. BECAUSE WHAT THEY NEED TO UNDERSTAND IS THAT THIS ISSUE OF NOT HAVING THE INTERESTS OF THE CITY RESIDENTS BE MET BY THE ELECTED OFFICIALS HAS BEEN GOING ON FOR SO LONG THAT I DON'T EVEN THINK THAT IT IS OUTSIDE OF THE NORM OF THEIR THINKING ANY LONGER. THE IDEA THAT THEY WILL GO AND REPRESENT CITY UNION, UNION MEMBERSHIP IN TERMS OF NEGOTIATIONS, THE INTERESTS OF THE CITY ATTORNEY, THE RECOMMENDATIONS OF THE CITY ATTORNEY, AND NEVER QUESTION THOSE RECOMMENDATIONS. NEVER AM I HEARING COUNCIL QUESTION THE RECOMMENDATIONS OF THE CITY MANAGER. IN FACT, IT'S JUST CONSTANT PRAISE FOR THE CITY MANAGER DESPITE THE DECISIONS MADE OVER THE LAST NUMBER OF YEARS, DESPITE THE NUMBER OF CITY MANAGERS WE'VE HAD THE LAST NUMBER OF YEARS. NEVER AM I SEEING ANY SORT OF RETROACTIVE ACTION TAKING PLACE AGAINST POOR DECISION-MAKING BY OUR FINANCE DIRECTOR. INCORRECT INFORMATION THAT'S HAPPENING AS A RESULT OF OUR FINANCE DIRECTOR. AND NEVER AM I HEARING ANY QUESTIONING THAT'S HAPPENING OF OUR CITY ATTORNEY OR THE RECOMMENDATIONS OF OUR CITY ATTORNEY. THIS IS A HUGE PROBLEM --

5 SECONDS.

WE NEED ELECTEDS THAT SERVE OUR RESIDENTS AND THE INTEREST OF OUR RESIDENTS AND ARE NOT JUST PUPPETS FOR THE CITY ADMINISTRATION.

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT, I WILL GO OUT TO ZOOM. IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE ZOOM MAKE A PUBLIC COMMENT, PLEASE RAISE YOUR HAND VIRTUALLY. SEEING NONE, I WILL COME BACK INTO CHAMBERS. IF THERE'S ANYONE IN CHAMBERS? SEEING NONE, PUBLIC COMMENT IS CLOSED.

GO AHEAD.

SO I'D LIKE TO RESPOND TO THAT LAST PUBLIC COMMENT. IS THAT OKAY? AND I'M GOING TO BE SAYING THIS TO THE SPEAKER BUT ALSO TO THE PUBLIC. THAT WE CANNOT DIALOGUE DIALOGUE PUBLIC COMMENTERS BECAUSE IT'S NOT AGENDIZED AND THAT WOULD BE A VIOLATION OF THE BROWN ACT. SO I UNDERSTAND IT'S

FRUSTRATING AND IT LOOKS LIKE WE DON'T LISTEN TO RESIDENTS. BUT WE CANNOT ENGAGE IN DIALOGUE ON YOUR COMMENTS BECAUSE IT VIOLATES THE BROWN ACT. I MEAN, I'M JUST SAYING IT VERY SHORTLY, RIGHT? CAN YOU MAKE A COMMENT, PLEASE?

THAT'S CORRECT. ON ITEMS THAT ARE NOT -- CORE ITEMS THAT ARE NOT -- FOR ITEMS THAT ARE NOT ON THE BROWN ACT -- THAT ARE NOT LISTED ON THE AGENDA, THERE CANNOT BE A DISCUSSION. BECAUSE THE ITEM IS NOT AGENDIZED. THE COUNCILMEMBERS CAN MAKE BRIEF COMMENTS. PUBLIC COMMENTS FOR AGENDIZED ITEMS, THE COUNCIL CAN ENGAGE WITH THOSE COMMENTS.

OKAY.

ARE YOU OKAY TO GO FORWARD? OKAY. WE ARE GOING TO GO TO THE CONSENT CALENDAR. BEFORE WE DO THAT, I ACTUALLY DO HAVE A CONFLICT WITH ONE ITEM THAT IS ON THE AGENDA, ON THE CONCEPT CALENDAR. THAT'S ITEM NUMBER 3. SO I WAS JUST GOING TO GO THROUGH THE CONSENT CALENDAR, AND THEN I WILL RECUSE MYSELF FROM VOTING ON THAT ONE ITEM. IT'S MY UNDERSTANDING I DON'T NEED TO LEAVE THE ROOM IF IT'S NOT DISCUSSED?

CORRECT. WE NEED TO PULL THAT ITEM AND VOTE ON THAT SEPARATELY.

OKAY. CAN I READ ALL THE ITEMS? OKAY. ALL RIGHT. SO ON THE CONSENT CALENDAR, NUMBER ONE, APPROVAL OF CITY COUNCIL MEETING MINUTES FOR REGULAR MEETING OF JULY 1, 2026. NUMBER 2, APPROVAL OF WAIVING OF SECOND READING AND ADOPTION OF ORDINANCE TO AMEND SEBASTOPOL MUNICIPAL CODE SECTION UNDER THE CITY'S MUNS CALL CODE, THE CITY MANAGER POSSESSES IS AUTHORITY TO APPOINT, REMOVE, PROMOTE, AND DO ANY AND ALL OFFICERS AND EMPLOYEES OF THE CITY OF SEBASTOPOL EXCEPT THE CITY CLERK, CITY ATTORNEY, AND CITY TREASURER. THIS AMENDMENT CHANGES THE REQUIREMENT TO INCLUDING THE CITY CLERK UNDER THE CITY MANAGER HIRING AUTHORITY 2.12.100 POWER OF APPOINTMENT. NUMBER 3, APPROVAL OF ORDINANCE AUTHORIZING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE BARLOW HOTEL TO APPROVE A T.O.T. SHARING ARRANGEMENT. SECTION 7.5] 5 UNIFORM TRANSIENT OCCUPANCY TAX REBATE IN EXCHANGE FOR ALL THE BENEFITS PROVIDED BY THIS DEVELOPMENT AGREEMENT AND THE PROJECT TO THE CITY -- THE CITY SHALL REBATE A PORTION OF THE UNIFORM TRANSIENT OCCUPANCY TAX COLLECTED FROM THE PROJECT -- DO I NEED TO READ THIS WHOLE STATEMENT?

NO.

OKAY, I WANT TO BE CLEAR. OKAY. SO NUMBER 4, APPROVAL OF VOTING DELEGATES AND ALTERNATES, LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND EXPO, ANAHEIM, CALIFORNIA, SEPTEMBER 20, 24, 25, 2026. A VOTING DELEGATE DELEGATE MUST REGISTERED FOR THE CONFERENCE TO BE A VOTING DELEGATE. MAYOR McLEWIS

IS REGISTERED FOR THE CONFERENCE AND WILL BE ATTENDING THE CONFERENCE. NUMBER 5, APPROVAL OF AMENDMENT TO CONTRACT FOR 8th WAIVE FOR CONTINUATION OF MONITORING OF GRAVENSTEIN COMMONS FOR COMPLIANCE WITH HUD AND CITY REQUIREMENTS. WE HAVE TO PUG NUMBER 3 FOR MY CONFLICT. IF THERE'S ANYONE ELSE? NO? OKAY. ALL RIGHT. SO DO WE HAVE -- MARY?

WE NEED TO GO OUT FOR PUBLIC COMMENT.

YES, THANK YOU. THIS IS FOR PUBLIC COMMENT ON THE CONSENT CALENDAR ITEMS. IF YOU ALTHOUGH LIKE TO MAKE A PUBLIC COMMENT, KYLE?

I WANT TO REMIND EVERYBODY, WHAT THEY'RE ABOUT TO DO TONIGHT IS HAND OVER MILLIONS OF DOLLARS -- ACTUALLY, HALF OF THE T.O.T. FOR A NEW HOTEL OVER THE NEXT TEN YEARS. THEY ARE HANDING THAT OVER TO A PRIVATE OWNER, AND THAT IS MONEY THAT WOULD GO TO THE CITY GENERAL FUND TO PAY FOR THINGS, IF THE COUNCIL WOULD ACTUALLY APPROVE PROVE BEFORE, THINGS THAT WOULD SUPPORT OUR COMMUNITY. INSTEAD, THEY'RE ALLOWING A DEVELOP UNDER THIS POLITICAL THEATER CLAIM THAT THEY'VE BEEN STRONG-ARMED THAT, THE HOTEL WOULDN'T GET MADE IF THIS DECISION WASN'T REG LEGIT. INSTEAD THEY'RE ALLOWING THAT DEVELOPER TO TAKE HALF OF ALL OF THE T.O.T. OVER THE NEXT TEN YEARS AND POCKET IT. AND THERE'S THIS VERY LOOSE CLAIM THAT SOMEHOW, THAT MONEY IS GOING TO GET USED FOR PROMOTING TOURISM OF SEBASTOPOL. YET THIS COUNCIL DID NOTHING TO SOLIDIFY WHAT THOSE ACTUAL CLAIMS WOULD BE. WHAT THOSE ACTUAL DOLLARS WOULD GET SPENT ON DOING. INSTEAD, THAT MONEY IS GOING TO GO TO SUPPORTING MAYBE BUSINESSES IN THE BARLOW. OH, YEAH, THAT COULD BE CONSIDERED TOURISM. OR THE INDIVIDUAL HOTEL. OH, YEAH, THAT COULD BE CONSIDERED AS TOURISM. THERE'S NOTHING ACTUALLY IN THERE THAT SUGGESTS IT'S GOING TO GO TO MONEY THAT SUPPORTS TOURISM, THAT SUPPORTS ALL OF SEBASTOPOL. HALF OF ALL OF THE T.O.T. FOR THE NEXT 10 YEARS IS GOING TO A PRIVATE INDIVIDUAL, A PRIVATE COMPANY FOR THAT ONE HOTEL THAT COULD GET DEVELOPED. THAT'S WHAT'S HAPPENING RIGHT NOW. AND THERE'S NO RESPONSE THAT'S GOING TO HAPPEN AT THIS MOMENT. THEY'RE JUST GOING TO GO AHEAD AND APPROVE IT AND MOVE ON TO THE GENERAL AGENDA FOR THE REST OF THE MEETING. THERE'S NOT GOING TO BE ANY DISCUSSION. THERE'S NOT GOING TO BE ANY CONCERNS THAT GET BROUGHT UP. THERE'S NOT GOING TO BE ANY REITERATION OF PUBLIC COMMENT, PUBLIC CONCERNS ABOUT THIS DECISION AT ALL. THEY'RE JUST GOING TO BLANKETLY APPROVE IT UNANIMOUSLY AND MOVE ON.

THANK YOU, KYLE, FOR YOUR PUBLIC COMMENT. NEXT, I WILL GO OUT TO ZOOM. BIANCA, CAN YOU UNMUTE YOURSELF, PLEASE?

YES, MA'AM. CAN YOU HEAR ME?

I CAN. CAN YOU SEE THE TIMER?

I CAN. THANK YOU. GOOD EVENING, MAYOR AND COUNCILMEMBERS. I DO THINK I SUPPORT THE BARLOW HOTEL, BECAUSE SEBASTOPOL, YOU KNOW, NEEDS MORE OVERNIGHT VISITORS. BUT I ALSO THINK IT'S IMPORTANT TO ASK, LIKE, WHAT WE'RE BUYING WITH THIS MASSIVE PUBLIC INVESTMENT. SO LIKE, JUST A FEW WEEKS AGO, THE DEVELOPER EXPLAINED THAT THE PROJECT WAS NO LONGER FEASIBLE WITHOUT REBATING HALF OF THE CITY'S 12% T.O.T. OVER TEN YEARS. UNDER THIS AGREEMENT, THE CITY WOULD REBATE ROUGHLY \$450,000 TO \$775,000 PER YEAR, WHICH IS ROUGHLY 4 TO 7% OF SEBASTOPOL'S CURRENT GENERAL FUND. AS I UNDERSTAND IT, THE ORIGINAL DEVELOPMENT AGREEMENT DID NOT INCLUDE A T.O.T. REBATE AT ALL. THAT PROVISION WAS INTRODUCED LATER AS AN AMENDMENT, AND IT STILL ISN'T BACKED UP BY ANY APPARENT -- WELL, I SHOULDN'T SAY APPARENT ALREADY IS NOT JUSTIFIED IN WRITING IN ANY WAY. IT JUST SEEMS NOT PRUDENT TO THROW THIS IN AT THE 11th HOUR. SECOND, HAS THE CITY CONSIDERED ANY SAFEGUARDS ON THIS? SUCH AS A MINIMUM ANNUAL T.O.T. GUARANTEE? OR PERHAPS A CAP ON THE TOTAL REBATE THAT WE ACTUALLY GIVE TO THIS PRIVATE DEVELOPER? THOSE KINDS OF PROVISIONS HELP THE CITY PROTECT ITS FINANCES DURING TIMES OF ECONOMIC DOWNTURN, WHICH WE BELIEVE WE'RE IN OR ABOUT TO GO IN. THE CITY IS UNDER A GREAT AMOUNT OF PRESSURE. YOU NEED TO BE ABLE TO CONTROL WHAT YOU DO WITH THOSE FUNDS. FINALLY, THEY ALSO PRESERVE THE CITY'S ABILITY TO INVEST IN BROADER ECONOMIC DEVELOPMENT PRIORITIES. I KNOW THAT THIS COUNCIL HAS DISCUSSED THE CALIFORNIA MAIN STREET PROGRAM BEFORE AS A POTENTIAL INVESTMENT. THOSE ARE THE KINDS OF PROGRAMS I WOULD HOPE THOSE DOLLARS WOULD BE USED FOR. IF THE CITY IS MAKING THIS PUBLIC INVESTMENT, I HOPE IT TAKES ADVANTAGE OF THE DATA THAT PARTNERING WITH THIS HOTEL COULD PROVIDE. I WOULD ASK YOU --

THAT'S TWO MINUTES.

REQUIRE YOU TO TAKE MORE DATA FROM THE HOTEL TO INFORM --

I'M SORRY. YOU'VE REACHED YOUR TWO MINUTES.

THANK YOU.

THANK YOU FOR YOUR PUBLIC COMMENT. IN CHAMBERS, ANYONE IN CHAMBERS? SEEING NONE, BACK TO ZOOM. STEVE, CAN YOU UNMUTE YOURSELF, PLEASE?

YES. THANK YOU. IT WAS PRETTY CLEAR IN THE LAST MEETING THAT THERE WERE CERTAINLY VOTES FOR DOING NEGOTIATION BETWEEN THE DEVELOPER AND THE CITY. UNFORTUNATELY, THE CITY REALLY DOESN'T HAVE A LOT OF CAPACITY TO FIGURE THESE THINGS OUT. AND IT REALLY DEPENDS ON THE COUNCIL PROVIDING CLARITY TO BOTH STAFF AND TO THE PLANNING COMMISSION. IF WE REALLY WANTED TO NEGOTIATE, WE SHOULD HAVE BEEN CLEAR UP FRONT, THAT'S WHAT WE WANTED TO

DO. WE SHOULD HAVE EITHER TOLD STAFF, GIVE US SOME PARAMETERS OF NEGOTIATION THAT WE CAN WORK WITH BARLOW ON. OR EVEN THE PLANNING COMMISSION. PLANNING COMMISSION SPENT ABOUT AN HOUR AND A HALF TALKING ABOUT THIS SUBJECT, AND THEN THE CITY COUNCIL BASICALLY DIDN'T REALLY BRING IT UP OR CONSIDER WHAT THEY HAD SPENT AN HOUR AND A HALF TALKING ABOUT AND DECIDING ON. SO I HOPE THIS IS A LESSON THAT THAT ACTUALLY TAKE THE TIME TO BE VERY CLEAR WHAT WE WANT FROM BOTH STAFF AND THE PLANNING COMMISSION WHEN IT COMES TO THESE KIND OF NEGOTIATIONS WITH A DEVELOPER. WE COULD HAVE EASILY SAID WE NEED A THRESHOLD FOR WHEN THIS MONEY GOES TO THE DEVELOPER. THEY SAID IN THE PLANNING COMMISSION, THE DEVELOPER SAID THAT IF IT WAS ONLY A \$350 A NIGHT HOTEL THAT THEY COULD CHARGE, THEY WOULD HAVE A VERY DIFFICULT TIME MAKING THIS WORK FINANCIALLY. PROBABLY WOULDN'T WORK. SO THAT SHOULD HAVE BEEN A KEY THERE. WE NEED A THRESHOLD WHEN THIS KICKS IN. HOW ABOUT WE -- CERTAIN AMOUNT OF REVENUE, THEN THEY GET THEIR TAX REBATE. BUT NO. THERE WAS INTEREST IN IT, BUT YOU NEED TO BE CLEAR FROM THE FRONT. HOW DO YOU WANT TO APPROACH A DEVELOPER? WHO DOES THE WORK? THANK YOU.

THANK YOU, STEVE, FOR YOUR PUBLIC COMMENT. NEXT, CHAMBERS, IF THERE'S ANYONE IN CHAMBERS? SEEING NONE, I WILL GO BACK OUT TO ZOOM. KATE, CAN YOU UNMUTE YOURSELF, PLEASE?

YES, THANK YOU. I JUST WANT TO ECHO WHAT STEVE PIERCE SAID, WHICH IS THAT THERE PROBABLY WAS ROOM FOR NEGOTIATION BUT THE CITY WASN'T CLEAR ABOUT THAT. AND FROM A FINANCING STANDPOINT, I'M SURE THAT THERE'S FLEXIBILITY ON BARNEY'S SIDE BUT FINANCING OPPORTUNITIES CHANGE, ESPECIALLY AS LIKE THE ECONOMIC ENVIRONMENT CHANGES OVER TIME. SO IF YOU'RE GOING TO WANT TO NEGOTIATE SOMETHING, YOU HAVE TO BE PRETTY STRAIGHTFORWARD ABOUT THAT FROM THE BEGINNING SO THAT THE PERSON THAT YOU'RE NEGOTIATING WITH KNOWS THAT THERE COULD BE CHANGES TO THEIR PROPOSAL. BARGAINING IS BASICALLY GOING TO PRIVATE EQUITY PEOPLE AND SAYING, THIS IS THE RETURN HE'S GOING TO GIVE SO HE NEEDS TO KNOW IF THE RETURN'S BASED ON MEETING FIRST THE CITY'S BENCHMARKS AND WHATEVER WOULD BE ABOVE AND BEYOND THAT, WHICH WOULD PROBABLY NOT ACTUALLY BE THAT MATERIALLY APPEALING TO FINANCE FOR PEOPLE WHO ARE LENDING HIM THE MONEY TO DO THE PROJECT. SO ONCE AGAIN, I JUST FEEL THAT THERE'S SOMETHING WITHIN THE CITY'S ORGANIZATION EXERCISE THERE'S A LOT OF SILOING OF INFORMATION THAT ACTUALLY PUTS THE COUNCIL AT A DISADVANTAGE A LOT OF TIMES. BECAUSE AS STEVE SAID, YOU KNOW, THE PLANNING COMMISSION SPENT A LONG TIME TALKING ABOUT THIS. THAT WAS ONCE AGAIN FUNDED BY TAXPAYERS. THEY FUND THOSE MEETINGS. SO THEY'RE PAYING TO HAVE THIS COMMISSION RUN. BUT ARE WE NECESSARILY GETTING THE BENEFIT FROM THAT? BECAUSE INFORMATION'S NOT BEING INTEGRATED INTO A BROADER PERSPECTIVE. THANK YOU.

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT, I WILL COME BACK INTO ZOOM.
SORRY, INTO CHAMBERS. ANYONE IN CHAMBERS? SEEING NONE, I WILL GO BACK OUT
TO ZOOM. IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE TO MAKE A PUBLIC
COMMENT ON THE CONSENT CALENDAR ITEM, PLEASE RAISE YOUR HAN VIRTUALLY.
SEEING NONE, PUBLIC COMMENT IS CLOSED.

THANK YOU VERY MUCH. SO WE'RE GOING TO PULL NUMBER 3. DO WE HAVE A MOTION
FOR ITEMS 1, 2, 4, 5? OR DOES ANYONE WANT TO PULL ANAN ITEM BEFORE WE MOVE
ON?

SO MOVED.

SECONDED.

THANK YOU. SO MOVED BY VICE MAYOR MAUERER, SECONDED BY COUNCILMEMBER
ZOLLMAN, APPROVING 1, 2, 4, 5. ITEM 3 IS PULLED FOR A SEPARATE VOTE. CARTER.

YES.

HINTON.

AYE.

ZOLLMAN.

YES.

MAUERER.

YES.

McLEWIS.

YES.

MOTION PASSES UNANIMOUSLY.

ITEM NUMBER 3, IF YOU WANT TO DISCUSS IT, I'LL NEED TO LEAVE LEAVE ROOM SO LET
ME KNOW.

I HAVE A SIMPLE QUESTION.

THAT'S OKAY.

I CAN STAY? OKAY.

I'M LOOKING AT THE ORDINANCE, 1167, ATTACHED TO THE GENDER REPORT. AND ONE OF THE THINGS WE AGREED TO WAS ANNUAL REPORTING OF THE T.O.T. WAS SPENT ON MARKETING MONEY FROM THE DEVELOPER. AND I DO NOT SEE THAT, AND IT APPEARS IT SHOULD BE IN THE SECOND TO THE LAST PARAGRAPH ON PAGE 4 OF THE AGENDA AGENDA ITEM. AND I KNOW WE CLEARLY REQUESTED THAT TO HAVE SOME TEETH IN THIS THING. AND I'M NOT SEEING IT. AND I BELIEVE IT SHOULD BE PART OF THIS ORDINANCE IF WE'RE TO APPROVE IT TONIGHT.

SO THAT THE LANGUAGE THAT'S ATTACHED TO THE ORDINANCE SAYS THE CITY MAY REQUEST AND AND PAYEE SHOULD SUPPLY DOCUMENTATION OF HOW SUCH FUNDS WERE SPENT FOR SUCH PURPOSES. THAT'S EXHIBIT "A."

CAN WE GET RID OF THE MAY REQUEST?

SO THIS LANGUAGE WAS WHAT WAS READ IN THE MOTION ALREADY IN THE FIRST READING OF THE ORDINANCE. WHAT WAS READ OUT LOUD, THAT WAS THE MOTION THAT WAS MADE AT THE TIME. SO WE'D HAVE TO -- IF WE WANT TO MAKE THAT CHANGE, WE HAVE TO REINTRODUCE THE ORDINANCE FOR FIRST READING. I MEAN, MAY REQUEST JUST CHANGES THE -- DOESN'T CHANGE THEIR OBLIGATION. SOO SO THE CITY WILL JUST HAVE TO ASK FOR IT EACH YEAR, AND THEY

I MEAN -- IF WE HAVE TO ASK THE MAYOR LEAVE THE ROOM TO ASK MORE OF THIS QUESTION, I'M COMFORTABLE WITH HER LEAVING THE ROOM. IT'S AN IMPORTANT DECISION.

YEAH, IF WE ARE GOING TO DISCUSS IT, THE CITY'S POLICY IS TO PULL IT OFF THE AGENDA AND THEN PUT IT AT THE END OF THE --

I'M GOING TO PULL IT.

ALL RIGHT. SO WHAT WE TYPICALLY DO WHEN IS WE PULL IT OFF, THEN IT GOES TO THE END OF OF THE AGENDA. THAT'S WHERE WE'LL DO THAT. OKAY. ALL RIGHT. WE HAVE NO INFORMATIONAL ITEM PRESENTATIONS TONIGHT. NO PUBLIC HEARINGS. WE'RE GOING TO REGULAR DISCUSSION AND ACTION ITEMS. NUMBER 6, DISCUSSION AND ACTION OF ORDINANCE RELATED TO NEWSPAPER RACKS. THIS IS BROUGHT BY ME AND OUR CITY ATTORNEY. SO I DON'T KNOW IF YOU WANT TO KICK IT OFF?

YEAH, I CAN KICK IT OFF. GOOD EVENING, COUNCIL. SO I DON'T KNOW, A FEW MONTHS AGO THE MAYOR REQUESTED A FUTURE AGENDA ITEM ABOUT NEWSPAPER RACKS AND ESTABLISHING REGULATIONS FOR NEWSPAPER RACKS. AND THIS IS THE PROPOSED ORDINANCE BEFORE YOU MODELED AFTER A NUMBER OF CITIES WHO HAVE SIMILAR ORDINANCES. AND IT REALLY DOES THREE THINGS. ONE, IT ESTABLISHES LOCATION

REQUIREMENTS. IT ESTABLISHES LOCATION REQUIREMENTS, SO FOR EXAMPLE, YOU KNOW, THEY CAN'T BE WITHIN 100 FEET OF EACH OTHER. THERE'S A LIMIT OF THREE PER BLOCK IN DOWNTOWN. THERE ARE OTHER REQUIREMENTS ABOUT SEPARATION FROM DRIVEWAYS AND FIRE HYDRANTS AND THINGS LIKE THAT. SO IT ESTABLISHES THOSE REQUIREMENTS. AN EXISTING NEWSPAPER RACKS HAVE SIX MONTHS TO COMPLY WITH THAT. BECAUSE SOME OF THEM MAY BE IN LOCATIONS THAT VIOLATE THAT RIGHT NOW, SO THEY HAVE SIX MONTHS TO COMPLIANCE. THE SECOND MAIN ELEMENT WHICH WOULD GO INTO EFFECT IMMEDIATELY ARE MAINTENANCE STANDARDS. SO FOR EXAMPLE, IT REQUIRES THEM TO BE FREE OF GRAFFITI. IT REQUIRES THE GLASS OR PLASTIC THAT THEY HAVE TO BE FREE OF CRACKS AND NOT BROKEN. AND TO ALSO HAVE POSTED CONTACT INFORMATION FOR WHO THE OWNER IS ON THE BOX SO THEY CAN BE CONTACTED FOR ISSUES. THERE'S ALSO PERMITTING REQUIREMENT FOR NEW NEWSPAPER RACKS. THIS IS NOT A DISCRETIONARY PERMIT PROCESS AND ARE VERY STRICT GUIDELINES FOR STAFF TO ACT. IT'S TO MAKE SURE THE NEW LOCATION MEETS THE REQUIREMENTS OF THE ORDINANCE. THERE'S ALSO REQUIREMENT THAT A PROVISION THAT NEWSPAPER RACKS ARE ABANDONED FOR 60 DAYS, CAN BE REMOVED. AND THEN FOR ENFORCEMENT OF ALL OF THESE REQUIREMENTS, THE ORDINANCE ESTABLISHES SAME REQUIREMENTS, BEFORE THE STATE TAKES ACTION, THEY WILL NOTICE THE OWNER OF THE NEWSPAPER RACK. THEY HAVE THE RIGHT TO APPEAL. AND THEN IF THEY DON'T APPEAL OR THEY LOSE THEIR APPEAL, THEN THE CITY COULD GO AHEAD AND TAKE ACTION TO REMOVE THE BOX THAT VIOLATES THESE REQUIREMENTS. SO WITH THAT, I'LL TOSS IT OVER TO --

PICTURES TOO, RIGHT? IF YOU NEED TO REMIND PEOPLE, OR SOMEONE DOES. THE REASON THIS CAME ABOUT IS, IF YOU RECALL WHEN WE WERE TRASH CANS, I WAS PHOTOGRAPHING TRASH CANS. THEN I NOTICED THOSE BOXES AND THERE WERE SO MANY IN DISREPAIR. SO I CAME BACK TO OUR PUBLIC WORKS DEPARTMENT AND THE CITY AND SAID, WHAT CAN WE DO ABOUT A LOT OF THESE ONES THAT ARE REALLY IN DISREPAIR? THEY'RE CLEARLY YELLOW PAGE BOXES AND A VARIETY OF DIFFERENT BOXES THAT HAVE BEEN THERE FOR A VERY LONG TIME. I WAS TOLD THAT THEY COULDN'T DO -- NOTHING COULD BE DONE BECAUSE WE HAVE NO PROCESS OR NO PROCESS FOR AS FAR AS HOW WE MANAGE THEM OR HOW WE NOTIFY. SO I WAS TOLD THAT IN ORDER FOR US TO BE ABLE TO TAKE CARE OF THAT ISSUE, THAT I NEEDED TO BRING FORTH SOMETHING LIKE THIS. SO THAT'S -- YOU KNOW, THEN WE BROUGHT IT TO YOU ALL A FEW MONTHS AGO. SO I JUST WANTED TO REMIND EVERYONE HOW THIS CAME ABOUT. I DID GO AROUND, AND THERE ARE STILL QUITE A FEW. I NOTICE THAT SOME, YOU KNOW -- SOME OF THE NEWSPAPERS WHO HAVE GONE OUT OF BUSINESS OR WHATEVER HAVE PICKED UP SOME OF THEIR BOXES. BUT THERE'S STILL QUITE A FEW BROKEN DOWN BOXES ALL OVER THE PLACE. I BELIEVE MARY MIGHT HAVE THE POWERPOINT.

I BELIEVE ALSO ATTACHED --

THE AGENDA ITEM TOO, YEAH. TOWARD THE BACK. I DON'T KNOW IF ANYONE HAS ANY QUESTIONS. I'VE LOOKED AT THESE SO MANY TIMES.

GO AHEAD.

SO RIGHT DOWNTOWN, THERE IS A RACK OF EIGHT IN ONE. SO IS THAT CONSIDERED EIGHT? OR ONE?

IT'S CONSIDERED EIGHT.

OKAY. SO IN THAT RACK OF EIGHT, THERE'S A LITTLE LIBRARY. THERE'S THE COMMUNITY VOICE. THERE'S LA PRENCE, WHICH IS SPANISH NEWS. AND THE BOHEMIAN. SO WERE ANY OF THESE PAPERS REACHED? DID ANYBODY REACH OUT TO THEM TO ASK THEM THEIR OPINION OF REMOVING THE RACK?

NO.

SO WERE ANY STAKEHOLDERS , WHETHER THEY BE REALTORS OR WHOEVER PUT THOSE THERE, WAS ANYBODY REACHED OUT TO, TO FIND OUT WHAT THEIR OPINION IS REGARDING THE REMOVAL OF THE RACK? SO WHO OWNS THAT EIGHT NEWSPAPER RACK?

I CAN'T SAY.

NOBODY KNOWS WHO OWNS IT?

I'VE LOOKED, I DON'T KNOW.

THE PUBLIC WORKS -- WAS PUBLIC WORKS ASKED WHO OWNS THAT?

THERE'S ALSO WALL STREET, THERE'S A LOT OF OTHER ONE-OFF PAPERS. I THINK A "WALL STREET JOURNAL" SOMEONE STUFFED IN THERE. I DON'T KNOW. I HAVE A VARIETY OF PICK DOES. I DON'T KNOW.

THERE'S A LITTLE LIBRARY TOO --

NO, I'M AWARE OF THAT. I JUST ADDING TO WHAT YOU HAD MENTIONED. THERE'S MORE STUFF IN THERE THAN WHAT YOU MENTIONED.

SOMEBODY HAD TAKEN THE TIME TO PAINT IT. BUT ANYWAY, WHAT YOU'RE SAYING IS THIS ORDINANCE WOULD REQUIRE REMOVAL, BUT IF YOU DON'T KNOW WHO OWNS IT, THEN HOW WOULD YOU WARN ANYBODY THAT IT WAS GOING -- MY CONCERN IS THAT THIS IS A FREEDOM OF PRESS. THIS IS A OUTLET FOR PEOPLE TO, YOU KNOW, DISTRIBUTE THEIR MAGAZINES. AND ON WHAT MIGHT BE THE UNINTENDED

CONSEQUENCES OF REMOVING THEM WITHOUT KNOWING WHO OWNS THEM OR TAKING SOMETHING AWAY FROM THE PRESS WITHOUT EVEN TALKING TO THEM?

WE LARGELY DON'T KNOW WHO OWNS MANY OF THESE BECAUSE THEY'VE NEVER BEEN REQUIRED TO SUBMIT THAT INFORMATION TO THE CITY. SO THAT ORDINANCE DOES SAY THAT WHERE THAT INFORMATION HASN'T BEEN POSTED ON THE WEB PAGE, EXCUSE ME, ON THE -- WHERE THAT OWNER INFORMATION HASN'T BEEN PROVIDED TO THE CITY, IS PROVIDED BY POSTING IT ON THE NEWS RACK ITSELF.

CAN YOU EXPLAIN THAT?

SINCE WE DON'T HAVE A ADDRESS TO SEND THE NOTICE TO, IT IS POSTED ON THE NEWS RACK ITSELF. THE OWNER WHO IS PRESUMABLY PUTTING THINGS IN THERE FROM TIME TO TIME WOULD THEN SEE IT WHEN IT GOES TO PUT NEW NEWSPAPERS OR WHATEVER INTO THE NEWS RACK. THEY WOULD SEE THE POSTED NOTICE ON THAT.

DO YOU KNOW HOW FULL THAT ONE PARTICULAR RACK IS? THAT EIGHT NEWSPAPER RACKS IN ONE? NO? OKAY.

NO, WE DON'T. I DID ASK PUBLIC WORKS TO RESEARCH NEW RECORDS FOR PERMITTING OR ANYTHING LIKE THAT, AND THEY DO NOT HAVE ANY PERMITTING ON FILE FOR ANY OF THE NEWS RACKS. I DID HAVE THEM GO OUT TO CHECK THE NEWS RACKS AND THE INFORMATION THAT I RECEIVED WAS FOR THE LOCATION, 280 SOUTH MAIN STREET, THERE'S FIVE OF THEM DOWN THERE. THREE OF THEM ARE COMPLETELY EMPTY. THREE OF THEM DO NOT HAVE ANY IDENTIFICATION ON THEM AS TO WHO IS OWNED BY THEM. ONE IS OWNED BY ED WARBLELY. WE'LL BE REACHING OUT TO THEM IF THIS GOES. BUT THERE'S NO PERMITTING THAT THEY HAVE ON FILE. ON MCKINLEY STREET, IT WAS THE SAME OWNERS OF THE REAL READ READER.COM, HOME MAGAZINES.COM. THERE'S TWO THAT'S OPEN EXCHANGE AND SONOMA COUNTY GAZETTE. OF THOSE SIX, FIVE WERE EMPTY. THERE WAS ONLY ONE THAT HAD INFORMATION OR ANYTHING IN THEM. THERE'S TWO ACROSS THE STREET FROM NORTH MAIN STREET. ONE IS EMPTY, ONE IS STOCKED. THE ONE THAT IS STOCKED BELONGS TO THE REAL ESTATE BOOK.COM. THEN ON SEBASTOPOL AVENUE, THAT ONE HAS A HANDFUL OF THE BOHEMIAN. THEN THERE'S ONE ON NORTH MAIN STREET BY THE WEST AMERICA BANK. THAT ONE ALSO HAS THE GAZETTE. THOSE ARE THE ONES THEY WERE ABLE TO GET INFORMATION ON ON TODAY.

AND I MEAN, PART OF THIS WAS JUST PART OF OUR DESIRE TO HAVE A VIBRANT DOWNTOWN. HAVING ALL THESE -- THERE ARE SEVERAL OF THEM, I EVEN LOOKED TODAY, THAT ARE ESPECIALLY DOWN BY THE BUS STOP AND EVERYTHING, THEY'RE JUST -- SOME OF THEM ARE ALL CRACKED AND BROKEN AND FULLFULL OF TRASH. GO AHEAD.

YOU MENTIONED IF WE DON'T KNOW WHO OWNS IT, WE WOULD POST IT. HOW MUCH TIME ARE WE GIVING THEM TO RESPOND SOME? LIKE, IS IT A MONTH?

MONTHS. I THOUGHT IT WAS -- SORRY. TRYING TO REMEMBER WHAT WE SAID.

WE'RE POSTING IT, LIKE, WITH A PAPER? SOMETHING THAT COULD FLY AWAY, FLOAT AWAY? ANYWAY, THAT'S A QUESTION.

THEY HAVE SIX MONTHS TO COME IN COMPLIANCE, SAYS RIGHT HERE.

FOR POSTING IT, SO THAT IF THEY PUT THEIR MAGAZINES THERE, THEY CAN SEE --

RIGHT, YEAH.

FOR THE LOCATION REQUIREMENTS THEY HAVE TEN MONTHS -- EXCUSE ME, SIX MONTHS TO COME INTO COMPLIANCE. IN THE FUTURE, IF THERE ARE VIOLATIONS REGARDING MAINTENANCE STANDARDS, THINGS LIKE THAT, AND WE SEND THE NOTICE OR POST THE NOTICE, THEY HAVE TEN DAYS.

CORRECT. SO THAT POSTING WILL REMAIN ON THERE FOR SIX MONTHS? SEE WHAT I MEAN? BECAUSE THEY MIGHT NOT GO THERE ALL THE TIME.

WE'RE GOING TO REPOST, I GUESS.

I HAVE PICTURES FROM LAST FALL AND NOW, AND THERE'S STILL SOME OF THE SAME THINGS IN THERE. I WAS COMPARING PICTURES, WHAT I WAS TALKING ABOUT. SOME OF THE SAME THINGS. THEY'RE LIKE STUCK IN THE FRONT --

AS PART OF OUR -- THIS ORDINANCE, WE HAVE A POSTING OBLIGATION.

THAT IS NOT A REQUIREMENT. BUT IF THE COUNCIL WANTS, WE COULD ADD THAT, WE WILL POST ON MULTIPLE TIMES OVER A SIX- MONTH OF THIS --

YEAH, I'D FEEL MORE COMFORTABLE ABOUT THAT. AND THEN THIS IS A KIND OF FUNNY QUESTION. WE HAVE A LOCAL RESIDENT WHO IS -- WE HAVE A NEWSPAPER THAT HAS A STAND RIGHT IN FRONT OF HER YARD DOES THIS ORDINANCE MEANS SHE NEEDS TO GET RID OF IT?

THIS IS ONLY DOWNTOWN.

IT SAID SURROUNDING AREAS, I THOUGHT.

THIS APPLIES CITY-WIDE.

OH, I'M SORRY. I THOUGHT YOU MEANT JUST DOWNTOWN.

IT'S IN A FRONT YARD, THOUGH. I KNOW WHAT YOU'RE TALKING ABOUT.

YEAH. I JUST WAS CURIOUS. DOES THIS ORDINANCE COVER THAT?

THIS IS ONLY IN --

THIS IS ON PUBLIC RIGHT-OF-WAY? ALL RIGHT, GREAT, THOSE ARE MY QUESTIONS.

QUESTION.

GO AHEAD.

SO -- BUT BECAUSE THAT ONE LARGE NEWSPAPER RACK WITH THE EIGHT, IF WE ADOPT THIS ORDINANCE, THAT RACK IMMEDIATELY GOES AWAY. IT HAS TO. BECAUSE IT DOESN'T COMPLY WITH THE ORDINANCE. IS THAT CORRECT?

WELL, IT WOULD HAVE SIX MONTHS TO COMPLY.

WELL -- IT'S -- I MEAN, SINCE IT'S -- IT'S EIGHT RACKS AND NOT ONE. IT WOULDN'T -- I MEAN, I CAN SEE WHAT YOU'RE SAYING, BUT YOU STILL HAVE TO GET RID OF IT. IT WOULD HAVE TO BE REMOVED. AND SO PROBABLY WOULD BE THE ONES OVER IN FRONT OF THE FAIRFIELD INN? BECAUSE THOSE ARE A CERTAIN NUMBER, FOUR OR FIVE IN FRONT OF THAT. ANYWAY, COULD YOU TELL US THE LOCATIONS OF ALL THESE? LIKE, WHERE ARE THEY? MULTIPLE RACKS. THAT'S ALL I'M INTERESTED IN IS THE MULTIPLE ONES.

THERE'S ONLY TWO OF THEM THAT I'M AWARE OF. THE ONES YOU SAID.

FAIRFIELD -- THE ONE IN FRONT OF THE FAIRFIELD INN --

I WENT AROUND ALL OVER THE PLACE, TAKING PICTURES. THOSE ARE THE ONLY TWO THAT I RECALL, WERE THOSE -- I COULD BE WRONG, BUT I MEAN, I DROVE ALL OVER. TAKING PICTURES.

OKAY, ANY OTHER QUESTIONS? WE CAN GO OUT TO PUBLIC COMMENT.

THANK YOU, MAYOR. THIS IS PUBLIC COMMENT ON THE NEWS RACK ORDINANCE. IF YOU'D LIKE TO MAKE A PUBLIC COMMENT, I GO TO CHAMBERS FIRST, THEN OUT TO ZOOM. KYLE?

SO WHAT WE'RE SEEING AGAIN TONIGHT IS A REPEATED EFFORT BY A PARTICULAR COUNCILMEMBER TOTO BLIGHT. BUT UNDER THE GUISE OF SOME OF THE OTHER

ACTUAL INTERESTS OF NEWSPAPER RACK REGULATION, WHICH WOULD BE ABOUT ACCESSIBILITY, ABOUT MAKING SURE THAT THESE THINGS ARE NOT PHYSICALLY HARMING OTHER PEOPLE BY BEING IN THE WAY. AND REALLY, I THINK THERE'S AN APPROACH YOU COULD TAKE HERE USING AN AMENDMENT TO SIDEWALK REGULATION, WHICH WOULD BE ABOUT THINGS LIKE OBSTRUCTION OF SIDEWALKS. WE HAVEN'T EVEN STARTED TO TALK ABOUT THE FACT THAT WE'VE GOT A BUNCH OF A-FRAMES THAT ARE REGULARLY OUT OF COMPLIANCE AND THERE'S ZERO ENFORCEMENT ON A-FRAME COMPLIANCE IN THE CITY. BUT THOSE DON'T CONSTITUTE THE KIND OF BLIGHT THAT OUR MAYOR IS CONCERNED ABOUT, WHICH IS THESE NEWSPAPER BOXES NOT LOOKING AS CLEAN AND TIDY AS SHE WOULD PREFER THEM TO BE. AND SO THIS IS WHAT WE HAVE IN TERMS OF THE ORDINANCE TONIGHT. LOOK AT AMENDING THE CURRENT REGULATIONS YOU HAVE ON SIDEWALK ACCESSIBILITY AND DOING SO IN A WAY THAT MAYBE MAKES REFERENCE TO ABANDONED PROPERTY. THE IDEA THAT SOMEHOW WE'RE GOING TO GO AHEAD AND REGULATE TO REMOVE A BUNCH OF NEWSPAPER RACKS AS A METHOD OF GETTING FOLKS TO COME INTO COMPLIANCE WHEN YOU CAN TAKE ON APPROACH TO THIS THAT WOULD NOT BASICALLY GO THIS BLIGHT ORDINANCE ROUTE WHERE WE'RE SOMEHOW REGULATING THE APPEARANCE OF THINGS IN OUR SOCIETY AND COMMUNITY AND REALLY IT SHOULD BE MORE ABOUT PUBLIC SAFETY AND ABOUT IMPEDING PEDESTRIAN TRAFFIC OR VEHICLE SAFETY.

THANK YOU, KYLE. NEXT, I WILL GO TO ZOOM. GABE, CAN YOU UNMUTE YOURSELF, PLEASE?

YEAH, MY ONLY COMMENT IS, YOU KNOW, IF IT IS JUST ABANDONED PROPERTY, I'M JUST WONDERING HOW MUCH ALL OF THIS IS GOING TO COST TO, LIKE, NOTICE AND RENOTICE AND GO BACK AND FORTH ON. MANY OF THESE BOXES I TOO HAVE SEEN OVER THE LAST FOUR YEARS, AND THEY'RE COMPLETELY SHOT AND ABANDONED. AND THEY LOOK LIKE GARBAGE STANDING ON THE STREET. SO IT'S JUST LIKE, ARE YOU -- THE ATTORNEY TIME, PUBLIC WORKS TIME, TRYING TO CONTACT PEOPLE THAT HAVE NO CONTACT INFORMATION LISTED ON THEIR OWN PIECES OF PROPERTY -- I'M JUST WONDERING IF, YOU KNOW -- HOW TO MAKE THIS LESS COSTLY TO THE CITY, WHICH AS WE KNOW IS IN EXTREME FINANCIAL DEBT AND CAN'T SEEM TO FIX THE ROADS, AND YOU KNOW, REPLACE THE WELL. I THINK MAYBE GETTING CAUGHT UP IN THE WEEDS OVER THE NEWSPAPER, YOU KNOW, RACK -- THIS JUST SEEMS -- IF IT'S NOT IN USE FOR THREE MONTHS, THEN IT SHOULD JUST GET PICKED UP AND PUT INTO THE GARBAGE. THAT'S MY COMMENT. THANK YOU.

THANK YOU, KATE, FOR YOUR CHUB COMMENT. NEXT I'LL COME INTO CHAMBERS.

THANK YOU. I WAS WONDERING ABOUT THE LIABILITY. AS KATE JUST SAID, THERE'S A LOT OF BASICALLY ABANDONED STUFF. THIS IS BASICALLY OLD WHAT USED TO BE COIN-OPERATED NEWSPAPER RACKS FROM THE LAST CENTURY AND A WHOLE BUNCH OF KIND OF PLASTIC POSITIONS THAT REAL ESTATE MAGAZINES USED TO BE PUT INTO. BUT EVERYBODY USES THE INTERNET NOW, OBVIOUSLY. IF I LOOK AT THE BOHEMIAN, I

GO ONLINE. I DON'T PICK UP A NEWSPAPER. BUT THERE'S MAYBE A LIABILITY ISSUE. BECAUSE SOME OF THOSE ABANDONED NEWS RACKS COULD EASILY BE THROWN INTO THE ROAD. THAT'S A REALLY BUSY ROAD. WITH SOME OF THE OTHER STUFF THAT'S GOING ON RIGHT NOW, A NEWSPAPER RACK COULD DO A LOT OF DAMAGE TO A CAR OR A TRUCK OR SOMETHING THAT'S GOING BY. SO THERE'S A VERY COMPELLING REASON TO KNOW EXACTLY WHO OWNS THESE THINGS, IF THEY PERSIST IN WANTING TO DISTRIBUTE NEWSPAPERS OR WHATEVER IN THESE THINGS, IN THE EVENT THAT SOMETHING BAD LIKE THAT HAPPENS. BECAUSE OTHERWISE, THE CITY MIGHT BE LIABLE. IF IT'S ABANDONED PROPERTY JUST LYING AROUND -- FRANKLY, MOST OF THE NEWSPAPER RACKS HAVE GOT HALF A BURRITO IN IT, A NEWSPAPER FROM THREE YEARS AGO, A BUNCH OF OTHER STUFF YOU DON'T EVEN WANT TO LOOK AT. SO THERE'S DEFINITELY A BLIGHT PROBLEM. THAT'S MY COMMENT.

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT I WILL GO OUT TO ZOOM. IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE TO MAKE A PUBLIC COMMENT, PLEASE RAISE YOUR HAND VIRTUALLY. SEEING DONE, BACK INTO CHAMBERS.

LAURA FROM "THE SEBASTOPOL TIMES." THERE ARE FEW PRINT PAPERS LEFT. MAYBE JUST, I DON'T KNOW, ONE TO THREE. HAS ANYONE JUST TRIED CALLING THEM UP? THEY HAVE DISTRIBUTION SERVICES. SO I UGT THAT SOMEONE IN THE CITY CALL "THE PRESS DEMOCRAT" WHICH OWNS LA PRENCA AND A UP CONFIDANT PAPERS AND SAY, WE'RE CONSIDERING THIS, WHAT IS YOUR THOUGHTS ON IT? HOW CAN WE FIX THIS? HELP US FIX THIS PROBLEM.

THANK YOU FOR YOUR PUBLIC COMMENT. OUT TO ZOOM, IF THERE'S ANYONE ON ZOOM, RAISE YOUR HAND VIRTUALLY. SEEING NONE, BACK INTO CHAMBERS.

I LIBERATED THIS. DIDN'T KNOW THE POLICE WOULD BE HERE. FROM THE POST OFFICE. BECAUSE EVERYBODY SEEMS TO BE MOVING THESE AWAY FROM DOWNTOWN. AND I DON'T AGREE WITH MOVING AWAY. THEY'RE BLIGHT WHEREVER THEY ARE. THIS IS HORRIBLE. THERE'S TRASH BELOW. THIS IS A TWO-STORY. NOBODY WANTS THIS. AND SO I DID A LITTLE SURVEY OF DOWNTOWN, ME AND MY DOG. AND SO MY QUESTION REMAINS. THIS IS NEWS? YOU KEEP REFERRING TO THESE AS NEWS RACKS. IS THIS NEWS? THAT'S MY QUESTION. CAN ANYBODY ANSWER THAT? IS THIS REAL ESTATE SUPPLEMENT NEWS? THESE ARE THE ONLY NEWSPAPERS I FOUND. I DID GO AROUND. THE BOHEMIAN AND LA PRENCA WERE THE ONLY NEWS. I THINK THAT ROW OF EIGHT WAS MADE BY SOME ARTIST YEARS AGO. I KNEW ONE OF THE PEOPLE THAT HELPED MAKE THAT. SO I SURVEYED BUSINESS OWNERS. AND BETWEEN 3:00 AND 4:30 TODAY. AND NO ONE KNEW ABOUT THIS ORDINANCE. AND THEY WEREN'T HAPPY ABOUT THESE RACKS AND THEY DIDN'T LIKE THEM BEING PUSHED DOWNTOWN. IF YOU LOOK AT WHOLE FOODS, THAT'S JUST A DANGEROUS ROW OF FOUR RIGHT BY A CROSSWALK. THINK ABOUT HAVING A STROLLER, A WHEELCHAIR, A WALKER. THAT'S A REALLY DANGEROUS AREA. THERE'S TWO BY A CROSSWALK RIGHT BY THE OLD RITE AID WHICH IS LESS THAN TEN FEET NOW. SO THEY WERE REALLY HAPPY TO EXCONCLUDE THESE

NONNEWS RACKS FROM OUR AREA. SO I REALLY WANT THE DEFINITION OF NEWS RACK TO BE REWRITTEN. BECAUSE I DON'T THINK THAT INCLUDES THOSE. THE WORD --

YOU HAVE TEN SECONDS.

OH, MAN. THERE'S NO EVIDENCE FOR THIS 100-FOOT SPACING. THERE'S NOTHING THAT SAYS THAT. WE NEED OBJECTIVE STANDARDS FOR PERMITS --

THAT'S TWO MINUTES.

DARN.

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT, I WILL GO OUT TO ZOOM. IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE TO MAKE A PUBLICPUBLIC ON THIS ITEM, PLEASE RAISE YOUR HAND VIRTUALLY. SEEING NONE, I WILL COME BACK INTO CHAMBERS. SEEING NONE, PUBLIC COMMENT IS CLOSED.

ALL RIGHT, THANK YOU. WE'RE BACK HERE AT THE DAIS FOR COMMENTS. I, OF COURSE, HAVE A FEW. I WANT TO LET MY COLLEAGUES GO FIRST. IF ANYONE HAS ANY? COUNCILMEMBER ZOLLMAN?

YEAH, I DEFINITELY APPRECIATE ALL THE EFFORT TO TRY TO ADDRESS A SITUATION. FOR ME, IT IS ABOUT THE HAZARDNESS OF IT. BEING THE LIAISON TO OUR INSURANCE, THEY'RE ROUGH. ALL YOU NEED IS A CHILD TO GET PUSHED INTO OR FALL INTO ONE OF THEM, THEN IT'S GOING TO BE, WHO IS RESPONSIBLE FOR THE OVERALL MAINTENANCE OR LACK OF MAINTENANCE THAT CONTRIBUTED TO THAT CHILD'S HARM? SO THAT I'M CONCERNED ABOUT. THIS APPROACH AND THE NEXT AGENDA ITEM ADDRESSING BLIGHT, I HAVE A COMBINATION OF JUST CONCERNS. WHETHER THIS IS THE RIGHT APPROACH, AND TO THE PUBLIC COMMENTER, WE ARE IN A STATE, ONGOING STATE OF FISCAL EMERGENCY. AND I'M CONCERNED ABOUT THE AMOUNT OF MONEY IT'S GOING TO TAKE TO EFFECTUATE THIS, TO MONITOR IT. AND I'M ALSO CONCERN ABOUT THE PERSON THAT WE ALWAYS DEFER TO AS FAR AS ENFORCEMENT OF THESE THINGS IS OUR LAW ENFORCEMENT. AND THE DISCRETION THAT'S ALWAYS GIVEN TO THEM. SO FOR THAT REASON, I'M NOT SUPPORTING THIS IN THIS FORM. THANK YOU.

CAN I ASK YOU A QUESTION? IT'S MY UNDERSTANDING, IT'S NOT THE POLICE THAT WILL BE ENFORCING ANY OF THIS WITH THESE BOXES. IS THAT CORRECT?

THIS TYPE OF ORDINANCE IS GENERALLY ENFORCED IN THE CITY BY PLANNING OR THE BUILDING OFFICIAL FOR THIS PARTICULAR ORDINANCE.

RIGHT. THAT WAS MY UNDERSTANDING AS WELL. AND AS FAR AS THE DEFINITION OF NEWS RACK, DOES IT INCLUDE -- IT WAS MY UNDERSTANDING WHEN WE TALKED THAT IT DID BUT --

YEAH, THE DEFINITION OF NEWS RACK INCLUDES ANY PUBLICATION. USED TO DISTRIBUTE ANY PUBLICATION.

OKAY. GO AHEAD.

I MEAN, I SEE A TON OF THEM ABANDONED. AND YES, HAVING WORKED IN MEDIA FOR QUITE SOME TIME, THERE IS RARE -- A SMALL GROUP OF NEWSPAPERS. AND THEIR DISTRIBUTION DOES NOT JUST RELY ON THESE RACKS. LIKE THE BOHEMIAN. IT RELIES ALSO ON BRINGING IT -- BECAUSE THEY BROUGHT IT TO MY PLACE OF BUSINESS AND LEAVING IT FOR PEOPLE. SO I THINK I'M GOING TO BE SUPPORTING THIS ORDINANCE TONIGHT. AND I THINK GIVING PEOPLE SIX MONTHS' NOTICE, IF THEY NEED TO TAKE A PART TO SAVE A FEW RACKS AND MAINTAIN THEM, WHAT WE'RE CALLING THE ARTIST RACKS THAT ARE MULTI -- I SEEM TO REMEMBER WHEN PEOPLE PAINTED THOSE AS WELL -- THEN SO BE IT. BUT THEY NEED TO BE MAINTAINED. I'M GOING TO BE SUPPORTING IT TONIGHT.

OKAY. ANY OTHER COMMENTS? NO?

I GUESS I'LL MAKE A COMMENT. I GUESS I'M UNCOMFORTABLE WITH THE FACT THAT THE BOHEMIAN, THE COMMUNITY VOICE, LA PRENCA, THEY HAVE NOT BEEN REACHED OUT TO. AND I HAVE A FEELING THAT WHOEVER PAINTED THAT EIGHT NEWSPAPER RACK THING AND PUT THE LITTLE LIBRARY IN THERE WILL BE PRETTY DISAPPOINTED HAVING THAT REMOVED. BUT I ALSO KNOW THAT AS I WALKED ON ONE SIDE OF THE STREET THERE DOWN AT MAIN STREET THAT THERE WAS A REALTOR, AN EMPTY REALTOR, BRIGHT YELLOW REALTOR RACK. AND THEN RIGHT NEXT TO IT WAS ONE -- I BELIEVE IT HAD A BOHEMIAN STICKER ON IT. IT WAS FILLED WITH COMPOST. THAT IS A BLIGHT. BUT AT THE SAME TIME, I HAVE CONCERNS WITH THE COST TO MONITOR THIS AND TO BE REMOVING THINGS. I'M WONDERING IF THE CITY COULDN'T JUST -- IF THE COUNCIL COULDN'T DIRECT THE CITY TO REMOVE ANY OF THE REALTOR TO RACKS THAT ARE EMPTY AND KIND OF LEAVE THE FREE SPEECH RACKS OPEN. I DON'T KNOW. FOR ME, I'M NOT --

THAT'S WHY THIS ITEM IS HERE, JUST SO YOU KNOW. I ASKED THEM TO DO THAT, AND I WAS TOLD WE COULD NOT UNLESS WE BROUGHT AN ORDINANCE FOR IT. GO AHEAD.

SO WE COULD, YOU KNOW -- I DON'T KNOW THAT THIS IS WHAT THE COUNCIL WANTS TO DO, BUT WE COULD CHANGE IT TO, WE ONLY DEAL WITH ABANDONED ONES AND NOT ANY OF THE MAINTENANCE STANDARDS FOR NONABANDONED ONES. I DON'T KNOW THAT THAT ADDRESSES ALL THAT. IT IS -- YOU KNOW, COMMERCIAL SPEECH IS ALSO PROTECTED BY THE FIRST AMENDMENT. IT DOESN'T HAVE THE EXACT SAME PROTECTIONS BUT IT DOES HAVE PROTECTIONS AS WELL. AND SO -- YOU KNOW. WE'D HAVE TO LOOK INTO WHETHER WE COULD ADDRESS JUST CERTAIN TYPES OF THESE

NEWS RACKS. I'M CONCERNED THIS THEN BECOMES A CONTENT-BASED REGULATION BECAUSE WE'RE TARGETING JUST CERTAIN TYPES OF PUBLICATIONS.

COUNCILMEMBER HINSON?

AGAIN, HAVING WORKED IN THIS INDUSTRY, I KNOW IF IT'S IMPORTANT TO THEM, THEY WILL COME OUT WITHIN THE SIX MONTHS AND MAKE CORRECTIONS. I'D ADD CHAPTER 5.66 NEWS RACK REGULATION TO THE SEBASTOPOL MUNICIPAL CODE.

I'LL SECOND THAT.

THANK YOU. SO MOVED BY COUNCILMEMBER HINTON. AND SECONDED BY MAYOR McLEWIS. McLEWIS APPROVE THE INTRODUCTION AND WAIVING OF THE FIRST READING OF AN ORDINANCE TO ADD CHAPTER 5.6.6 TO MUNICIPAL CODE --

CAN WE MAKE A COMMENT ON THAT MOTION? RATHER THAN -- CAN WE STILL COMMENT ON IT?

YEAH. I THINK. OR DO WE NEED TO FINISH --

I CAN'T SUPPORT IT AS IT'S WRITTEN BECAUSE I THINK THERE WILL BE UNINTENDED CONSEQUENCES OF THAT. AND I THINK IT SHOULD BE MODIFIED.

I'M NOT WILLING TO MODIFY. WE ALREADY HAVE A SECOND. WE'LL JUST GO THROUGH THE PROCESS AND SEE WHERE WE LAND.

TO MAKE SURE THERE'S NO MORE DISCUSSION ON THIS?

I'M DONE.

COUNCILMEMBER HINTON MOVED AND MAYOR McLEWIS SECONDED, WAIVING FIRST READING OF THE ORDINANCE TO ADD CHAPTER 5. 66 TO THE MUNICIPAL CODE. COUNCILMEMBER CARTER?

YES.

HINTON?

AYE.

ZOLLMAN?

NO.

MAUERER?

NO.

McLEWIS?

YES.

THE MOTION IS 3-1 WITH COUNCILMEMBERS CARTER, HINTON, HOOK LEWIS IN SUPPORT, ZOLLMAN AND MAUERER IN OPPOSITION.

ALL RIGHT, THANK YOU VERY MUCH.

JUST A CLARIFICATION, THAT SHOULD BE 3-2.

YOU'RE CORRECT, 3-2.

3-2. CAN I PAUSE FOR A SECOND? VICE MAYOR MAUER, CAN YOU TAKE OVER FOR A MOMENT? I HAVE AN EMERGENCY AT HOME THAT I NEED TO CALL HOME ABOUT. I'M SORRY. MY SON KEEPS SENDING ME EMERGENCY TEXTS ARE IF YOU CAN START IT, AND I'LL BE RIGHT BACK, I'M NOT SURE --

SO THIS IS CONSIDERATION OF REIMBURSEMENT OF \$350,354 IN CITY ATTORNEYING ABOUT THE ALLOCATION? AM I ON THE RIGHT ONE? TO THE WATER AND SEWER ENTERPRISE FUNDS.

I'M WONDERING IF WE SHOULD TAKE ITEMS OUT OF ORDER. THIS WAS THE MAYOR'S ITEM. MAYBE IT MAKES SENSE TO DO THE BARLOW ITEM NOW SINCE THE MAYOR --

MAYBE WE COULD TAKE A QUICK BREAK?

SURE. THAT WORKS AS WELL.

TAKE A FIVE-MINUTE BREAK. THAT OKAY? OKAY. [ADJOURNED 7:09 P.M. PDT]

IS IT OKAY TO START? THANKS, EVERYONE. [RESUMED 7:13 P.M.] ITEM 7, CONSIDERATION OF REIMBURSEMENT OF \$350,354 IN CITY BUDGET ALLOCATION TO THE WATER AND SEWER ENTERPRISE FUNDS. I'M THE REQUESTER OF THIS. OUR CITY ATTORNEY IS GOING TO --

MAYOR, I CAN KICK IT OFF THEN TURN IT BACK OVER TO YOU. AS COUNCIL KNOWS, THE CITY HAS A COST ALLOCATION PLAN TO REIMBURSE THE GENERAL FUND FOR THE SERVICES IT PROVIDES TO THE WATER AND SEWER ENTERPRISE COULD TAKE TONIGHT. IN ADDITION, IT ALSO RESTORES SOME OF THE FUNDS THAT, YOU KNOW, ARE GOING TO

BE -- NOT MISSING, OR NOT PUT INTO OUR -- WITH US FREEZING THE RATES AND DEALING WITH THOSE DIFFERENT THINGS THAT ARE GOING TO TAKE AWAY FROM THE FUND. I SAW THIS AS ANOTHER WAY OF ACTUALLY RIGHTFULLY REIMBURSING THE FUND AND MAYBE OFFSETTING SOME OF THAT SO THAT IT COULD ACTUALLY PERHAPS, YOU KNOW, IN LOOKING AT THE -- I THINK IT SAYS IN HERE ABOUT THE, YOU KNOW -- WHEN WE GO OUT FOR THE LOAN AND EVERYTHING, IT SHOWS THAT WE DO HAVE MORE FUNDS IN THERE FOR REPAIRING THE WELL. SO THOSE ARE JUST MY GENERAL THOUGHTS ON IT. AND REASONINGS FOR BRINGING IT FORWARD. I JUST THINK THAT, YOU KNOW, THE COMMUNITY IN GENERAL, WE'VE HAD OBVIOUSLY EVEN TONIGHT, YOU KNOW, MORE DISCUSSION AND COMMENTS ON THIS WATER SITUATION AND ALL OF THE DIFFERENT -- IN THE GRAND JURY REPORT. TO ME, THAT JUST SEEMED TO BE AN ITEM THAT WE COULD JUST, YOU KNOW, IN MY MIND, YOU KNOW, PASS IN GOOD CONSCIENCE. AND I UNDERSTAND THAT THERE MAY BE DIFFERENT OPINIONS ABOUT IT, BUT I DO BELIEVE THAT WE OWE IT TO THE COMMUNITY TO START LOOKING AT ALL OF THESE DIFFERENT ITEMS THAT WERE BROUGHT FORTH. AND THAT'S WHY THERE WERE SOME OTHER ONES THAT I CONSIDERED. BUT IT'S MY UNDERSTANDING THAT, YOU KNOW, THERE NEEDS TO BE SOME MORE ANALYSIS REGARDING SOME OF THE NUMBERS. AND I UNDERSTAND THAT EVEN THIS NUMBER MAY NOT BE EXACTLY THE NUMBER. BUT WHEN I INQUIRED ABOUT, WELL, HOW DO WE GET TO THE EXACT NUMBER? YOU KNOW, WHEN IT WAS DESCRIBED TO ME THE DIFFERENT PROCESSES THAT NEEDED TO TAKE PLACE IN ORDER FOR THAT TO HAPPEN, HOW MUCH WILL THAT COST? BY THE TIME WE GET TO THAT POINT, HAVE WE ALREADY EXTENDED WHATEVER MONEY, IF IT AS LOWER MONEY, WE MIGHT HAVE EXPENDED BEYOND THAT? SO TO ME IT WAS JUST, THIS IS THE NUMBER THAT CAME FORWARD. AND WHEN I TALKED TO, YOU KNOW, THE STAFF AND EVERYTHING, THIS JUST SEEMED LIKE IT MADE THE MOST SENSE, IN MY MIND. SO I'M HERE ASKING, YOU KNOW, MY COLLEAGUES HERE TO CONSIDER PUTTING THIS BACK. REIMBURSING THIS BACK TO A PRICE FUND. ANYWAY, THAT'S WHERE I'M AT. IT JUST SEEMS LIKE AN EASY ASK FOR ME. GO AHEAD, COUNCILMEMBER HINTON.

SO I JUST HAVE A QUESTION. SO WE'RE JUST TAKING 100% OF THE FUNDS WE ALLOCATED ON THE ALLOCATION THAT CONSULTANTS TOLD US WE SHOULD DO BACK FROM THE CITY ATTORNEY LINE, AND WE'RE PUTTING THAT 100% INTO -- BACK INTO THE FUND. AND I'M JUST -- THERE'S NO WAY TO TELL HOW MUCH TIME OUR CITY ATTORNEY SPENT, BECAUSE WE WEREN'T TIME TRACKING DURING THOSE YEARS. I JUST WANT TO VERIFY BECAUSE PROBABLY HE SPENT SOME TIME ON THESE FUNDS ARE BUT WE'RE JUST TAKING THOSE AND DEPOSITING THEM IN GOOD FAITH?

SO IT IS NOT 100%. BECAUSE THERE ARE -- WE WERE TO PULL OUT THE WELL FOUR TIME. THERE WAS A REQUEST BACK IN MARCH FOR THE EFOC FOR CERTAIN BILLING TO FIND OUT THE EXACT BILLING FOR ITEMS. SO WELL FOUR, WHICH IS HANDLED BY AN OUTSIDE SEPARATE LAW FIRM, WE HAVE THOSE INVOICES THROUGH MARCH OF 2026. '24-'25, THEN '25-'26 THROUGH FEBRUARY. WE ALSO WENT THROUGH MY LAW FIRM'S INVOICES FOR '24-'25 AND '25-'26 THROUGH FEBRUARY. AND TOOK OUT THE ITEMS

THAT WERE SPECIFICALLY, YOU KNOW, TIED TO WATER AND SEWER-RELATED THINGS, 100% TO THEM. SO THOSE WERE PART OF THE NUMBER. THAT'S HOW -- USING THAT INFORMATION THAT WAS PROVIDED TO THE EFOC, THAT'S HOW THEY CAME UP WITH THAT AMOUNT. I AM GOING TO GET THE EXACT NUMBER WRONG HERE, BUT IT'S PROBABLY \$20,000 OFF OF WHAT THE FULL ALLOCATION WAS.

SO THIS WOULD BE REFUNDING LESS THAT \$20,000.

YOU TOOK THE BIG THINGS THAT YOU COULD JUSTIFY OUT.

RIGHT.

AND ALL THE LITTLE STUFF THAT NOW WE'RE PROBABLY ACCOUNTING FOR WITH TIME TRACKING, WE'RE JUST --

SO SOME STUFF WE'RE TRACKING FOR -- LIKE MY TIME, WE ARE TIME TRACKING NOW FOR MOST OF THOSE THINGS INDIVIDUALLY. THE CITY COUNCIL, AS YOU KNOW, HAS A SEPARATE LABOR AND PERSONNEL ATTORNEY. NONE OF THAT TIME IS BEING RECOVERED RIGHT NOW.

LET ME ASK ONE QUESTION. WE'RE ON THIS AGENDA ITEM RIGHT NOW. YOU'RE TIME TRACKING RIGHT NOW. BUT IN THESE YEARS, WE ARE NOT ABLE TO CAPTURE THIS KIND OF LEVEL OF DETAIL OF TIME TRACKING. SO YOU JUST GRABBED THE BIG THINGS IS MY UNDERSTANDING, RIGHT?

CORRECT.

OKAY, THANKS.

IT WAS MY UNDERSTANDING, LIKE SOME OF THE OVERHEAD, RIGHT, ISN'T THAT HOW YOU DESCRIBED IT, MARY? OR WHO'S -- I DON'T KNOW IF IT WAS ALEX OR MARY. JUST -- GO AHEAD.

I THINK WHAT YOU'RE REFERRING TO IS INDIRECT CHARGES.

YEAH, I'M SORRY, YES. THAT'S -- YEAH.

WITHOUT HAVING THE DETAIL TIME TRACK IS, WE WOULD NOT -- AND THE COST ALLOCATION, WE WOULD NOT BE ABLE TO HAVE WHAT THOSE NUMBERS ARE. WE AGREED THIS WOULD BE THE BEST OPTION MOVING FORWARD.

DOES ANYONE ELSE -- GO AHEAD, COUNCILMEMBER -- VICE MAYOR MAURER.

YOU'RE FORGIVING ANY INDIRECT COSTS?

THAT IS CORRECT. WHAT YOU'RE SEEING IS GOING BACK, IS WHAT WAS PART OF THE COST ALLOCATION. PART OF THAT WAS INDIRECT COSTS. THIS IS REFUNDING EVERYTHING AS REQUESTED BY THE EFOC. AND WE AGREE THAT THE NUMBERS ARE PRETTY SIMILAR.

OKAY. SO I HAVE A COUPLE QUESTIONS. HOW WILL THIS DEFICIT AFFECT OUR RESERVE PERCENTAGE?

IT WOULD TAKE IT OUT OF RESERVE, AND IT WOULD REDUCE YOUR RESERVE BY 350,354.

I UNDERSTAND. HOW WOULD IT AFFECT THE RESERVE PERCENTAGE?

I DON'T HAVE THAT NUMBER.

WHAT IS OUR PERCENTAGE RIGHT NOW?

ISN'T IT 25?

YEAH.

LET ME SEE.

SO WE'LL STILL BE OVER 20?

YOU WILL BE OVER -- YOU WILL STILL BE OVER 20.

CAN YOU DO THE MATH FOR US?

IS THAT IN ONE YEAR? IF WE PULL IT ALL ONE YEAR? OR WOULD IT BE IF WE DID THE TWO-YEAR OPTION?

JUST TO ANSWER THE EARLIER QUESTION, I THINK THAT AMOUNT TOTAL IS \$23,501. SO IT'S 100% OF ALLOCATION IS BEING REFUNDED MINUS THE \$23,501. THAT ACCOUNTS FOR THOSE LARGER ITEMS.

SO PRIOR TO THE \$350,000, THE RESERVE PERCENTAGE IS 26.6.

OKAY.

WHEN WE INCLUDE THIS, IT WILL GO DOWN TO 24.0 EVEN.

24.0 EVEN, OKAY. SO -- A COUPLE QUESTIONS. CAN THE TOTAL AMOUNT BE GIVEN JUST TO THE WATER FUND? THIS IS A QUESTION.

THE GENERAL FUND CAN MAKE A CONTRIBUTION TO EITHER FUND BUT YOU'RE NOT REFUNDING AN AMOUNT IF YOU'RE GIVING IT NOT BACK TO EACH FUND IN THE AMOUNTS IT WAS ALLOCATED IN THE FIRST PLACE.

OKAY. SO ALSO, MY OTHER QUESTION IS, SO THIS ISSUE DOES NOT ADDRESS THE ALLOCATION, THE COST ALLOCATION, FOR THE COUNCIL'S TIME. AND THAT'S NOT SOMETHING WE CAN DISCUSS RIGHT NOW BECAUSE THAT WASN'T SPECIFICALLY AGENDIZED, IS THAT CORRECT?

THAT'S CORRECT.

OKAY.

IF THE COUNCIL WANTS AS A FUTURE AGENDA ITEM.

OKAY. LASTLY, I WOULD LIKE TO HEAR FROM COUNCILMEMBER PHILL CARTER. BECAUSE HE'S ON THE EFOC COMMITTEE. I'D LIKE TO HEAR HIS PERSPECTIVE. THANK YOU.

THIS IS ONE OF THE ACCURATE TABLE NUMBERS TO GIVE BACK. WE HAVE TO REMEMBER THIS IS GOING BACK. IT'S STILL CITY MONIES, BUT IT'S GOING INTO MONEY THAT WAS ORIGINALLY FROM THE RATEPAYERS. SO IT'S GOING INTO INFRASTRUCTURE AND HELPING OUR CITY WHERE IT'S NEEDED. SO IT'S A GOOD THING.

ANY OTHER? OKAY, WE'LL GO OUT TO PUBLIC COMMENT, THEN.

THANK YOU, MAYOR. THIS IS PUBLIC COMMENT FOR THE CONSIDERATION, OF THE RETURN OF THE COST ALLOCATION TO THE WATER SEWER SUPER PRICE FOR CITY ATTORNEY BUDGET ALLOCATION \$350,000. CHAMBERS FIRST. KYLE?

LET'S DO THIS REALLY QUICK. HE'S TIME TRACKING. AND WHAT I'M HEARING ALSO IS THAT THERE IS INTEREST IN HAVING MORE DISCUSSION ABOUT REIMBURSEMENT AS A RESULT OF MISALLOCATION. I WOULD HOPE THAT COUNCIL CAN GIVE BETTER DIRECTION TO STAFF ON THE DEVELOPMENT OF AGENDA ITEMS SO THAT WOULD ALLOW FOR BROADER DISCUSSION AND NOT LETTING YOUR CITY ATTORNEY HAMSTRING YOU FROM HAVING DEEPER CONVERSATIONS ABOUT THE REIMBURSEMENT OF MISALLOCATED FUNDS THAT ARE CLOSER TO THE TUNE OF \$5.5 MILLION. JUST THINKING ABOUT ALEX'S MISALLOCATION, WE'RE TALKING ABOUT \$350,000 OF MISALLOCATED FUNDS TO WHICH 20 SOMETHING THOUSAND DOLLARS WAS THE ACTUAL COST MINUS SOME OTHER INDIRECT CHARGES, WHAT HAVE YOU. MASSIVE AMOUNTS OF MONEY THAT YOU'RE TALKING ABOUT THAT WERE MISALLOCATED , AND THAT IS NOT EVEN MONEY WE SHOULD BE CONSIDERING ABOUT SOME RESERVES ARE BECAUSE IT WAS NEVER YOUR RESERVE MONEY TO BEGIN WITH.

SO WHY QUESTION ABOUT THE RESERVE MONEY? BECAUSE IT WASN'T YOURS. YOU TOOK IT INCORRECTLY. YOU'RE DOING THE RIGHT THING BY GIVING IT BACK. AND WE KNOW HE'S BEEN TRACKING TIME. AND WE KNOW THAT IT'S A SIMPLE THING FOR HIM TO COMPANY. TO DO. I WOULD LOVE TO HEAR HOW FAR AWAY WE ARE FROM ACTUALLY TRACKING THE TIME YOU INDICATED WOULD HAPPEN BUT THAT MARY TRIED TO PUSHBACK OUT ANOTHER SIX MONTHS AND YOU REWORDED YOUR AGENDA ITEM TO SAY, WE WILL CONSIDER TIME TRACKING. WE WILL INVESTIGATE TIME TRACKING. AND YOU DIDN'T SAY THAT YOU WOULD DO TIME TRACKING. SO I WOULD EXPECT THAT SINCE TIME TRACKING FOR ALEX IS PART OF THE AGENDIZED ITEM, THAT THERE IS A OPEN DISCUSSION THAT COULD BE HAD ABOUT TIME TRACKING MORE GENERALLY THAT WOULD BE IN THE SCOPE OF THIS AGENDA ITEM. IF YOUR ATTORNEY SAYS OTHERWISE, IGNORE HIM. JUST IGNORE HIM.

THANK YOU, KYLE. NEXT TO ZOOM, KATE, CAN YOU UNMUTE YOURSELF, PLEASE?

THANK YOU, MARY.

CAN YOU SEE THE TIMER STILL?

YES, I CAN.

GO AHEAD, PLEASE.

I THANK THE MAYOR FOR BRINGING THIS FORWARD AND SUPPORT THE REST RUGS OF THE \$350,354 IN ATTORNEYS FEES. THIS IS NECESSARY BECAUSE IT IS ILLEGAL TO CHARGE THE ENTERPRISE FUNDS FOR FEES THAT YOU DO NOT HAVE VOIS FOR. IF ALEX CANNOT PRODUCE INVOICES, THEN THE ENTERPRISE FUND SHOULD NOT BE CHARGED. ALEX BILLS BY SIX-MINUTE INCREMENTS. THERE ARE INVOICES. THEY JUST DO NOT AMOUNT TO WHAT WAS CHARGED TO RATEPAYERS. CONSULTANTS DO NOT HAVE OVERHEAD PAID BY THE CITIES. CONSULTANTS INCLUDE THEIR OVERHEAD IN THEIR RATES, WHICH IS WHY THEY ARE NEVER IN THE COST ALLOCATION PLAN. TO COUNCILMEMBER HINTON. RATEPAYERS SHOULD NOT PAY FOR LEGAL TIME, SUCH AS TONIGHT, SPENT ON THE CITY DEFENDING ITSELF AGAINST ITS OWN ILLEGAL BEHAVIOR. THE RESERVES, AS KYLE SAID, THAT THE CITIES HAS BELONG TO THE RATEPAYERS AS YOUR RESERVES ARE BASED ON THE FACT THAT THE CITY HAS ILLEGALLY BEEN TAKING MONEY FROM PEOPLE WHO HAVE BEEN PAYING THEIR WATER BILLS IN GOOD FAITH FOR OVER 20 YEARS. THIS ACTION IS NOT ENOUGH TO OFFSET THE LOSS OF REVENUE PRODUCED BY THE COUNCIL'S JULY 7th DECISION TO FREEZE WATER RATES AND REMOVE PEERS. ONCE AGAIN, I AM SUBMITTING FOR COUNCIL AND FOR THE PUBLIC THE RATE FREEZE ANALYSIS WHICH THE CITY AND COUNCIL HAVE NOT RESPONDED TO, EVEN THOUGH IT OUTLINES THE FISCAL IMPACT OF THE COUNCIL'S DECISION ON THE WATER FUND AND ITS ABILITY TO FUND INFRASTRUCTURE. IF YOU DON'T RESPOND TO MY DOCUMENT, YOU SHOULD HAVE YOUR FINANCIAL PERSON, ANA, PRODUCE A DOCUMENT. AND YOU SHOULD ALSO GIVE A PUBLIC PRESENTATION THAT SHOWS

WHAT THIS IMPACT WILL HAVE ON THE CITY'S ABILITY TO FINANCE WELL FOUR IN THE PLEASANT HILL LOOP. THANK YOU.

THANK YOU, KATE, FOR YOUR PUBLIC COMMENT. NEXT, CHAMBERS?

I'M ON THE ENTERPRISE OVERSIGHT COMMITTEE. BUT THIS IS ME SPEAKING PERSONALLY. THIS IS A REALLY GOOD STEP IN THE RIGHT DIRECTION. IT'S THE FIRST STEP I THINK COUNCILMEMBER CARTER ARTICULATED VERY WELL WHERE WE ARE ON THIS. I MEAN, WE'RE REALLOCATING RATE PAYER MONEY TO THE RIGHT PLACE. IT'S A FIRST STEP IN THE RIGHT DIRECTION, IN MY OPINION. WE'VE FINALLY GOT THE TIME TRACKING GOING, AND HOPEFULLY WE CAN PICK UP SOME MOMENTUM AND GET THINGS MOVING FOR THE BIGGER NUMBERS AND SO ON IN THE FUTURE. I JUST WANTED TO SAY A LOT OF THIS HAS COME ABOUT FROM PAST CITY MANAGERS AND PAST COUNCILS, NOT ACTUALLY MANAGING THINGS PROPERLY. SO THERE IS SOME SORT OF GREEN SHOOTS WITH THIS CURRENT COUNCIL AND THE NEXT ONE AS WELL THAT, THE COUNTY AND CITY MANAGEMENT WILL BE MORE RESPONSIBLE. THANK YOU.

THANK YOU, OLIVER, FOR YOUR PUBLIC COMMENT. NEXT OUT TO ZOOM, IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE TO MAKE A PUBLIC COMMENT, PLEASE RAISE YOUR HAND VIRTUALLY. SEEING NONE, I WILL COME BACK INTO CHAMBERS, IF THERE'S ANYONE IN CHAMBERS. SEEING NONE, PUBLIC COMMENT IS CLOSED.

THANK YOU. WE'RE BACK AT THE DAIS FOR COMMENTS. COUNCILMAN ZOLLMAN?

I THANK THE MAYOR FOR BRINGING THIS FORWARD. TO THE PUBLIC, I APOLOGIZE IT'S TAKEN US THIS LONG TO GET TO THIS. I'M FULLY IN SUPPORT OF THIS. AS I STATED TO OUR CONSULTANT, WE NEED TO START MAKING AMENDS AND WE NEED TO MAKE AMENDS AS QUICKLY AS POSSIBLE. EVEN IF THIS DOES AFFECT THE GENERAL FUND, THE RESERVES, WHATEVER, WE NEED TO START DOING WHAT'S RIGHT IN ACKNOWLEDGING THE FACT THAT IT'S PROBABLY TRUE. PAST COUNCILS PROBABLY DID DEFER TO STAFF. WHY SHOULDN'T WE? THIS IS THE MAJOR ISSUE. WE'RE NOT EXPERTS IN THIS. WE PAY STAFF STAFF TO DELIVER THE BEST ADVICE THEY CAN. AND THEN WE TRY TO DO THE BEST WE CAN WITH THIS. CLEARLY THAT HAPPENED WITH PRIOR COUNCILS. NOW WE KNOW BETTER, WE SHOULD DO BETTER, SO I'M FULLY IN SUPPORT OF THIS.

GO AHEAD.

SO I'M LUCKY ENOUGH TO HAVE LIKE A LITTLE BIT OF A BACKGROUND IN THIS. SO I KIND OF UNDERSTAND. BUT ALSO KIND OF WANT TO DEFEND OUR CURRENT STAFF IN THE ILLEGALITY OF WHAT'S HAPPENING, IS REALLY KIND OF A FUNCTION OF LIKE HOW OUR COST ALLOCATION PLAN WAS FORMED AND DONE IN THE PAST COUPLE OF YEARS. HE DOES TIME TRACK IN SMALL INCREMENTS, AND WE CAN USE THAT. BUT THE CONSULTANT THAT WE HAD A FEW YEARS AGO MADE THIS CHOICE AND

RECOMMENDED IT. AND WE WERE FOLLOWING THAT, WHICH HAS, YOU KNOW -- IT'S SUBSTANTIATED IN WAYS BUT IT'S NOT NECESSARILY THE RIGHT COST ALLOCATION PLAN. AND THAT'S WHY WE'RE REVIEWING IT AND LOOKING IT OVER. BUT I JUST KIND OF WANT TO DEFEND STAFF JUST A LITTLE BIT, BECAUSE IT WASN'T LIKE A CHOICE TO OVERBILL, TO BILL THE ENTERPRISE FUNDS. IT WAS A FUNCTION OF THE COST ALLOCATION PLAN THAT WE ALL ADOPTED A FEW YEARS AGO.

OKAY. ANY OTHER COMMENTS? OKAY. I JUST WANT TO SAY THERE WERE A FEW OTHER ITEMS. OBVIOUSLY POLICE ARE PART OF THIS. A FEW OTHER ITEMS I WANT TO BRING FORWARD. I WAS INFORMED IT WOULD BE BETTER AS WE DO THIS TIME TRACKING AND HAVE A BETTER -- CAN DO A LITTLE BACK OR WHATEVER THAT WE COULD HAVE A CLEARER PICTURE FOR SOME OTHER ITEMS THAT HAVE BEEN BROUGHT FORTH. AT ANY RATE, I WANT TO MAKE A MOTION TO -- LET'S SEE WHAT EXACTLY IS THE WORDING HERE FOR IT. MAKE A MOTION TO AUTHORIZE THE REIMBURSEMENT OF CITY ATTORNEY BUDGET ALLOCATION TO THE ENTERPRISE FUNDS AS FOLLOWS. WATER ENTERPRISE FUND \$130,867. AND \$219,487. WHAT ELSE DO YOU NEED ME TO INCLUDE IN THERE?

YOU'LL NEED TO APPROVE THE BUDGET AMENDMENT TO TRANSFER, AND DIRECTING STAFF TO CONTINUE THE BROADER REVIEW.

BROADER REVIEW OF THE ENTERPRISE FUND OVERSIGHT RECOMMENDATIONS SUCH AS EFOC RECOMMENDATIONS RELATED TO THE CITY MANAGER DUE TO THE VACANCY OF POSITION. THIS SHOULD BE REVIEWED ONCE THE CITY AUDIT IS COMPLETED FOR THE 25-26 BUDGET FOR THE ACTUAL COSTS AND RETURNED TO COUNCIL FOR REVIEW.

SECOND?

SECOND.

THANK YOU. SO MOVED BY MAYOR McLEWIS, SECONDED BY COUNCILMEMBER CARTER, TO ALLOCATE THE WATER PRICE FUND COST ALLOCATION FOR THE CITY ATTORNEY BACK TO THE ENTERPRISE FUND OF \$137,867, \$219,047. APPROVING THE BUDGET AMENDMENT OF \$350,354 TO THE WATER AND SEWER ENTERPRISE FUNDS AS ALLOCATED. DIRECTING STAFF TO CONTINUE REVIEW OF THE ENTERPRISE FUND COMMUNITY, EFOC RECOMMENDATIONS, SUCH AS THE RECOMMENDATIONS RELATED TO THE CITY MANAGER DEPARTMENT DUE TO THE VACANCY OF THIS POSITION. COUNCILMEMBER CARTER?

YES.

COUNCILMEMBER HINTON?

AYE.

COUNCILMEMBER ZOLLMAN?

YES.

VICE MAYOR MAUERER?

YES.

MAYER McLEWIS?

YES.

MOTION PASSES UNANIMOUSLY.

ALL RIGHT. THANK YOU VERY MUCH. THANK YOU SO MY COLLEAGUES. APPRECIATE IT. LET'S SEE. NUMBER 8, INTRODUCTION AND WAIVING OF FIRST READING OF AN ORDINANCE AMENDING SEBASTOPOL MUNICIPAL CODE CHAPTER 12.24, OBSTRUCTION OF STREETS, SIDEWALKS OR PUBLIC PLACES, TO ADD PROVISIONS PROHIBITING SITTING OR LYING ON THE PUBLIC SIDEWALK DURING CERTAIN HOURS. DID YOU WANT TO SPEAK TO THIS FIRST, ALEX? YOU KNOW THE BACKGROUND AND WHERE THIS CAME FROM.

THANK YOU, MAYOR.

WE ALL HAVE FROGS IN OUR THROATS TONIGHT.

THE ORDINANCE, THIS CAME FORWARD FROM A REQUEST FOR FUTURE AGENDA ITEM FROM THE MAYOR. PROCEDURAL SIX MONTHS AGO OR SO, AWHILE AGO. TO ADDRESS THIS TYPE OF CONDUCT IN THESE SPACES. WHAT THE PROPOSED ORDINANCE WOULD DO WOULD PROHIBIT SITTING OR LYING ON CITY SIDEWALKS DURING DAYLIGHT HOURS. IT DOESN'T APPLY TO ANY OF THE CITY'S PARKS. JUST THE SIDEWALK. AND PART OF THAT REASON IS THERE ARE EXISTING RULES ON BLOCKING THE SIDEWALK UNDER STATE LAW AND OUR ORDINANCE. BUT EVEN IF SOMEONE ISN'T PHYSICALLY BLOCKING 100% OF THE PATH OF TRAVEL, THEY STILL MAY DISSUADE PEOPLE FROM USING THE SIDEWALK IF SOMEONE'S SITTING OR LYING ON IT. THIS PROHIBITS SITTING DOWN OR LYING ON THE SIDEWALK DURING DAYTIME HOURS. THERE ARE SOME EXCEPTIONS. IT DOESN'T APPLY IF YOU'RE HAVING A MEDICAL EMERGENCY. IF YOU'RE USING A WHEELCHAIR, DOESN'T COUNT AS SITTING ON THE SIDEWALK. IF YOU'RE OPERATING SOMETHING THAT HAS BEEN ISSUED, A PERMIT USE, SOME SORT OF COMMERCIAL ACTIVITY THAT'S BEEN ISSUED A PERMIT FROM THE CITY. USING A BENCH OR A SEAT THAT'S PROVIDED AS PART OF A COMMERCIAL BUSINESS THAT HAS A PERMIT OR A PUBLIC BENCH. AND A FEW OTHER ONES THAT ARE IN THERE. THE ORDINANCE REQUIRES A WARNING BE ISSUED BEFORE THERE CAN BE ANY ENFORCEMENT. AND WITH THAT I'LL TURN IT BACK OVER.

AND THIS, DIDN'T IT ORIGINATE FROM SAN FRANCISCO?

YEAH, SAN FRANCISCO.

VETTED THROUGH --

A FEW OTHER CITIES HAVE SIMILAR ONES THAT -- THEY MAY ONLY APPLY IN CERTAIN NEIGHBORHOODS, BUT THERE ARE OTHER CITIES THAT HAVE VERY SIMILAR ORDINANCES, INCLUDING SAN FRANCISCO, PROBABLY CITY-WIDE. AND YOU KNOW, THERE WAS A PERIOD OF TIME WHERE SAN FRANCISCO'S ORDINANCE WAS SUBJECT TO AN INJUNCTION, BUT THAT WAS LATER REMOVED FOLLOWING SUPREME COURT DECISIONS.

AND THE REASON I BROUGHT THIS FORWARD IS -- AND I CONSULTED WITH OUR POLICE CHIEF ABOUT THIS, AND I'M GOING TO HAVE HIM COME UP, TOO. BUT THE REASON I BROUGHT THIS FORWARD IS JUST A COUPLE THINGS. ONE, BUSINESSES DOWNTOWN FREQUENTLY IN THE MORNINGS WHEN THEY COME TO THEIR BUSINESSES -- AND I'M TELLING THIS FROM FIRSTHAND FROM THEM, YOU KNOW. I HEAR IT ON THE SCANNER, CALLING IN TO THE POLICE THAT THEY HAVE SOMEONE -- A COFFEE SHOP DOWNTOWN JUST A COUPLE OF DAYS AGO, WHATEVER, THEY'RE CALLING AND SAYING, WE HAVE SOMEONE THAT'S LAYING IN FRONT OF OUR BUSINESS, AND THEY WON'T LEAVE, AND WE CAN'T OPEN THE DOORS. AND I HEAR THESE THINGS ON THE SCANNER QUITE A BIT. AND I WITNESSED IT MYSELF AT MY OWN BUSINESS. SLEEPING ON THE STOOP AND THEN, YOU KNOW -- IT'S JUST THIS WHOLE THING, THIS WHOLE PROCESS THAT YOU CAN'T GET ANYBODY TO LEAVE. AND SO I CAME TO THE POLICE CHIEF AND ASKED HIM, WHAT OPTIONS DO WE HAVE? WHAT DO WE DO? WE'RE TRYING TO HELP OUR BUSINESSES. IT'S NOT -- YOU KNOW, IN ALL OUR PRIORITIES TO TRYING TO, YOU KNOW, FOR ECONOMIC DEVELOPMENT, SUPPORTING OUR BUSINESSES. BUT IF WE DON'T HAVE ANY WAYS FOR OUR POLICE TO ACTUALLY HELP PEOPLE MOVE ALONG WHEN THEY'VE DECIDED TO, YOU KNOW, SLEEP OR LIE RIGHT IN FRONT OF THE BUSINESSES ON THEIR SIDEWALKS, THIS IS WHAT CAME UP. SO THIS IS -- AND THEN I SPOKE WITH ALEX, OUR CITY ATTORNEY, ABOUT IT. WHAT ARE THE OPTIONS? YOU KNOW. HAS THIS BEEN VETTED IN OTHER PLACES? HAS IT BROUGHT ON LAWSUITS? ALL OF THAT. AND ALL OF THAT HAS PRETTY MUCH HAPPENED IN OTHER PLACES. SO I DON'T KNOW IF OUR POLICE CHIEF WOULD LIKE TO COME UP AT ALL, IF THERE'S ANYTHING THAT YOU WANT TO SAY AS FAR AS THE CALLS THAT YOU'RE GETTING? I CAN SPEAK ORGANICALLY FROM THE THINGS THAT I'VE HEARD AND SEEN MYSELF.

I DON'T HAVE ANY ACTUAL DATA I COULD PROVIDE TO YOU THAT HAS SPECIFICALLY ADDRESSED SITTING OR LYING. BECAUSE WE'D HAVE TO SEARCH BY A SEARCH WORD IN OUR DATABASE. SO THAT WOULD REQUIRE THE PERSON CALLING US TO SPECIFICALLY MENTION SITTING OR LYING AND FOR DISPATCHER TO ACTUALLY VERBATIM TYPE THAT WORD INTO OUR SYSTEM. SO THERE'S INCIDENTS THERE THAT

WILL HAVE SITTING OR LYING CAWING THE PROBLEM BUT THEY'RE NOT CAPTURED BECAUSE THEY WEREN'T WRITTEN DOWN SPECIFICALLY IN THE INFORMATION THAT WAS PUT OUT TO OFFICERS. BUT FROM A PUBLIC SAFETY PERSPECTIVE, I'D JUST SAY THIS IS A TOOL THAT CAN ASSIST OFFICERS IN ADDRESSING BEHAVIORS THAT IMPACT PUBLIC SAFETY. AND THE COMMUNITY'S ABILITY TO USE THOSE PUBLIC SPACES. AS ALEX SUGGESTED, IF THIS WERE TO BE APPROVED BY COUNCIL, WE WOULD BEGIN WITH WARNINGS. WE'D DO THAT FOR PRETTY MUCH ANYTHING, ANYWAY. WE PREFER TO SEEK VOLUNTARY COMPLIANCE THAN ENFORCEMENT OPTIONS. SO I'D LIKE TO CERTAINLY MAKE THAT KNOWN TO THE COUNCIL. THE DEPARTMENT WOULD MAINTAIN OUR ABILITY TO TREAT EVERY INDIVIDUAL WITH DIGNITY AND RESPECT REGARDLESS OF WHETHER THEY ARE TRANSIENT OR OTHER. I THINK ANY SUCCESS OF SOMETHING LIKE THIS, IF IT WAS APPROVED BY COUNCIL, WOULD BE MEASURED BY ANY INCREASED USE OF PUBLIC SPACES. FEWER CALLS FOR SERVICE. AND REDUCED UNLAWFUL ACTIVITY. AND IMPROVED PERCEPTIONS OF SAFETY, WHICH IS A HUGE FACTOR, I THINK, IN THE DEVELOPMENT OF THIS ORDINANCE OR SUGGESTED ORDINANCE. BECAUSE WE WANT PEOPLE TO WANT TO USE OUR PUBLIC SPACES, TO WANT TO WALK DOWN THE SIDEWALK AND VISIT OUR BUSINESSES. AS THE MAYOR SUGGESTED, IF THERE'S SOMEONE LAYING ACROSS THE DOOR OF A COFFEE SHOP, I KNOW MY FAMILY WOULD WALK RIGHT PAST THAT. FROM MY PERSPECTIVE AS THE POLICE CHIEF AND WANTING THE VERY BEST FOR OUR CITIZENS AND OUR COMMUNITY AND OUR BUSINESSES, I CAN SEE THIS BEING AN ED ADVANTAGEOUS MOVE BY THE COUNCIL. IF YOU HAVE ANY QUESTIONS I CAN HELP YOU WITH.

GO AHEAD.

SO I'M NOT SURE YOU CAN ANSWER THIS. BUT HOW MANY TIMES HAVE YOU COME ACROSS SOMEONE LYING OR SITTING IN A BUSINESS OR ON A PUBLIC SIDEWALK THIS YEAR? HOW MANY TIMES HAS IT HAPPENED?

I CAN SAY I PERSONALLY DEALT WITH QUITE A NUMBER OF THEM. BUT I DON'T HAVE ANY DATA THAT I CAN SHOW THE COUNCIL WHERE THAT IS A SPECIFIC MENTION IN A CALL, WHICH IS REALLY THE DATA I'D LIKE TO BE ABLE TO PROVIDE YOU, THAT EXACT FEATURE OF THE CALL. BUT I KNOW FOR A FACT I'VE PERSONALLY ATTENDED QUITE A NUMBER OF INCIDENTS LIKE THAT. I KNOW OUR OFFICERS DO, AS WELL.

SO COULD YOU DESCRIBE THIS SITUATION? FOR EXAMPLE, YOU HAVE CERTAIN LAWS RIGHT NOW THAT CAN TELL YOU WHAT YOU CAN AND CANNOT DO. SO THIS ORDINANCE IS TRYING TO GIVE YOU A LITTLE BIT MORE POWER TO DO SOMETHING ELSE. BUT I DON'T KNOW WHAT YOU CAN DO NOW COMPARED TO WHAT IN ORDINANCE IS TRYING TO GIVE YOU TO DO. SO COULD YOU EXPLAIN THAT FOR ME?

YEAH, I THINK THIS JUST TIGHTENS UP THE AVAILABILITY OF ENFORCEMENT OPTIONS FOR US, WHERE RATHER THAN US HAVING A MORE OF A GRAY AREA ON WHAT WE CAN DO WITH IT, WE CAN REALLY COME IN AND ACTUALLY HAVE THAT CONVERSATION WITH

A PERSON AND SAY, YOU NEED TO MOVE, WE'D LIKE YOU TO VACATE THE FRONT OF THIS BUSINESS SO THEY CAN OPEN AND COMMENCE SERVING ARE IN PATRONS, RATHER THAN JUST HAVING WORDS OF ENCOURAGEMENT THAT ARE NOT FOLLOWED THROUGH. IF THAT MAKES SENSE.

COULD YOU BREAK IT DOWN FOR ME? RIGHT NOW, IF YOU'RE -- SAY IT WAS EARLIER IN THE DAY AND THERE WAS SOMEBODY LAYING IN THE FRONT OF A STORE, BUSINESS. HOW WOULD YOU DEAL WITH THAT SITUATION NOW?

WE REALLY HAVE TO LOOK AT THE STATE LAW TO SEE IF THE ELEMENTS OF THAT PARTICULAR ARE MET IN ANY INDIVIDUAL CIRCUMSTANCE, WHICH WE DO WITH ANYTHING WE RESPOND TO. REWE CAN'T JUST BLANKET, YOU'RE LAYING DOWN, YOU NEED TO MOVE. IN THAT INSTANCE WE'D HAVE TO LOOK AT THE PENAL CODE AND SEE IF WHAT THEY'RE DOING IS VIOLATION OF THE PENAL CODE. OF COURSE WE START WITH WORDS OF ENCOURAGEMENT. HEY, COME ON, PEOPLE WOULD LIKE TO OPEN FOR BUSINESS, COULD YOU MOVE SOMEWHERE DIFFERENT? THAT'S WHAT WE WOULD SEEK IN RESPECT TO VOLUNTARY COMPLIANCE. BUT THIS WOULD -- WE REALLY NEED YOU TO MOVE.

IS THERE POSSIBLE THERE COULD BE UNINTEND CONSEQUENCES OF THIS? FOR EXAMPLE, TWO TEENAGE GIRLS SITTING OVER AT CITY HALL, THEY WERE ON THEIR CELL PHONES. THEY'RE JUST SITTING THERE. AND LET'S JUST PRETEND, FOR EXAMPLE, THEY MIGHT HAVE BEEN RIGHT DOWNTOWN ON -- SITTING IN FRONT OF THE STORE, ON THEIR CELL PHONES. SO IF YOU, LIKE, DIDN'T TELL THEM TO MOVE ONE DAY, JUST SAY -- BECAUSE YOU KNOW, THEY PROBABLY WEREN'T HURTING ANYTHING. BUT IF SOMEBODY ELSE IS LYING ON THE STREET, THEN MAYBE YOU MIGHT -- LYING ON THE SAME AREA, YOU MIGHT ADDRESS THAT. SO COULDN'T THAT POTENTIALLY SET US UP FOR A LAWSUIT IF THERE WAS DISCRIMINATION? AND LET ME JUST GIVE YOU ONE MORE EXAMPLE. IN MY BLOCK WE HAVE BLOCK PARTIES. AND WE SIT ON THE SIDEWALK. WE SIT ON THE STREET. WE SIT -- PEOPLE SIT ON THE CURB. IF THIS ORDINANCE PASSES, ALL OF THAT WOULD BE ILLEGAL.

YEAH.

TO USE THE SIDEWALK, WHICH IS A PUBLIC PROPERTY FOR EVERYBODY. I MEAN, TO ME, IT JUST SEEMS LIKE THERE'S UNINTENDED CONSEQUENCES.

I MEAN, I SEE WHAT YOU'RE SAYING. ANY LAW, THERE'S A POSSIBILITY OF THAT. IF THERE'S NOT A FAIR AND EQUITABLE DELIVERY OF ANY DISCRETIONARY OR ENFORCEMENT ACTION APPLIED BY PUBLIC SAFE AGENCIES. SO -- THAT'S ALL I CAN SPEAK TO WITH THAT IS, THAT CAN BE APPLIED TO ANYTHING.

THANK YOU.

COUNCILMEMBER HINTON'S HAD HER HAND UP.

THANKS. YEAH, SO THE WAY I READ -- WELL, I HAVE BIG CONCERNS ABOUT TARGETING PARTICULAR GROUPS. AND I GUESS THAT GOES TO WHAT COUNCILMEMBER MAURER WAS SAYING. ALSO, AS I READ THE AGENDA REPORT, IT SAYS, NO CITATION WILL BE ISSUED UNLESS THE INDIVIDUAL'S BEEN WARNED. OKAY, SO I ASSUME YOU WARN SOMEBODY. IT GOES INTO YOUR SYSTEM. THEN ALL OF A SUDDEN THEY GET A FINE BETWEEN \$100 AND \$500. AND CORRECT ME IF I'M WRONG, IF YOU'RE A TEEN ON A CELL PHONE OR A HOMELESS PERSON, NOW WE'RE FINING PEOPLE AND THESE ARE PUNISHABLE BY COMMUNITY SERVICE, UP TO TEN DAYS IN JAIL. IT WOULD SEEM LIKE WE'D BE FINING KIND OF THE SAME PEOPLE. SO I JUST THINK THAT THAT DOES LINE US UP FOR TARGETING, POSSIBLY, THE SAME GROUP. MAYBE I SHOULD BE ASKING THIS TO THE ATTORNEY. BECAUSE SAME GROUP IS OUT THERE LAYING ON THE SIDEWALKS THAT'S HOMELESS. DOES THAT LINE US UP? I MEAN, WHAT -- BECAUSE I'M REALLY CONCERNED ABOUT THIS.

SO, ENFORCING ORDINANCE DIFFERENTLY BASED ON SOMEONE'S PROTECTED CLASS, YOU KNOW, CERTAINLY COULD BE. YOU KNOW, THERE COULD BE JUSTIFICATION FOR WHY PEOPLE ARE BEING TREATED DIFFERENT. THE LOCATION OF WHERE THIS IS HAPPENING COULD MATTER, RIGHT? YOU MIGHT BE LESS CONCERNED ABOUT SOMEONE SITTING ON A SIDEWALK IN A NEIGHBORHOOD --

CUL-DE-SAC.

BECAUSE LESS PEOPLE ARE USING THAT SIDEWALK. SO POLICE ARE USING THEIR DISCRETION NOT TO ENFORCE IN THAT SITUATION. CERTAINLY IT COULD BE A PROBLEM IF THERE ARE TWO DIFFERENT PEOPLE IN EXACT SAME CIRCUMSTANCES BEING TREATED DIFFERENTLY. BUT YOU KNOW, THE POLICE DEPARTMENT USES ITS DISCRETION TO -- YOU KNOW, SOMETIMES YOU GET A WARNING WHEN YOU GET PULLED OVER FOR SPEEDING, SOMETIMES YOU GET A TICKET. THOSE SHOULD NOT BE REFLECTING -- THAT SHOULD BE REFLECTING APPROPRIATE DISCRETION AND NOT TREATING PEOPLE DIFFERENT BECAUSE OF A PROTECTED CLASS CHARACTERISTIC.

I THINK YOU'RE NEXT AND THEN --

YEAH. SAME CONCERNS. UNINTENDED CONSEQUENCES. SELECTIVE ENFORCEMENT. I DID SEND ALEX AN EMAIL IN ADDITION TO SELECTIVE ENFORCEMENT. I'M VERY CONCERNED SIMILAR TO MY COMMENTS ABOUT THE NEWSPAPER, NEWSPAPER BOXES. THE IMPLICATIONS FOR FREE SPEECH AND ASSEMBLY. I SPECIFICALLY ASKED HIM THE QUESTION -- ALEX, YOU CAN TELL ME IF I'M NOT READING THIS RIGHT. YOUR RESPONSE WAS, THE ORDINANCE DOES NOT HAVE A BLANKET EXCEPTION FOR ACTS OF PROTEST OF CIVIL DISOBEDIENCE, ALTHOUGH THE ORDINANCE DOES NOT APPLY TO SOMEONE STANDING ON A SIDEWALK WHILE PROTESTING, AN INDIVIDUAL LYING ON SIDEWALKS IN AN ACT OF CIVIL DISOBEDIENCE COULD BE PUNISHED UNDER THE LAW. DOES THAT

SOUND RIGHT? OKAY, FURTHER I ASK, IS THIS GOING TO BE ANOTHER THING WHERE WE JUST GIVE MORE MONEY TO POLICE AND POLICE ARE GOING TO SOLVE ALL OF OUR PROBLEMS? THEY WOULD BE THE RESPONSIBLE ENFORCING AGENCY, CORRECT?

THAT IS CORRECT.

SIMILARLY, THIS IS SOLELY WITHIN THEIR DISCRETION SIMILAR TO WHETHER IT'S YOUNG GIRLS ON A CELL PHONE OR SOMEBODY WHO LOOKS LIKE THEY NEED A SHOWER, RIGHT? OKAY, SO I JUST WANT TO MAKE SURE THAT I'M CLEAR. THAT'S THE QUESTIONS. PUT THAT OUT FOR THE PUBLIC. THANKS.

COUNCILMEMBER CARTER?

SO I'M WONDERING WHAT KIND OF GUARDRAILS COULD BE AROUND THIS. LIKE, IS THIS IN A SPECIFIC AREA? MUST IT BE IN FRONT OF -- COULD IT BE JUST ONLY IN FRONT OF BUSINESSES? OR SOMETHING LIKE THAT? BECAUSE, YOU KNOW, PEOPLE DO HAVE A RIGHT TO BE IN PUBLIC SPACES. BUT THERE IS A PROBLEM WHEN IT INTERFERES WITH BUSINESSES.

CERTAINLY, IF THAT'S THE DIRECTION, COUNCIL COULD LIMIT WHERE THIS ORDINANCE APPLIES. WHETHER IT'S JUST DOWNTOWN OR SOME OTHER MORE SPECIFIC AREA. THAT'S UP TO THE COUNCIL.

AND I WILL SAY THE SPIRIT OF THIS IS, I DON'T KNOW ABOUT YOU ALL, BUT I'M DOWNTOWN AT 10:00, 10:30 AT NIGHT OFTEN. AND, YOU KNOW, THERE ARE PEOPLE THAT ARE ON THE SIDEWALKS, LAYING ACROSS THEM. AND IN THE MORNINGS. I DON'T KNOW HOW -- I LIVE DOWNTOWN. SO IT'S A LITTLE DIFFERENT THAN IF YOU'RE NOT DOWNTOWN. I'M ALWAYS WALKING AROUND DOWNTOWN. I CAN TELL YOU, FREQUENTLY -- I DON'T WANT TO NAME THEIR NAMES BECAUSE I EVEN KNOW THE TRANSIENTS' NAMES, ALL THE DIFFERENT PEOPLE WHO LIVE ON OUR STREETS -- THAT THEY'RE LITERALLY LAYING IN FRONT OF BUSINESSES. YOU KNOW. SO -- I MEAN, THAT'S THE SPIRIT OF THIS, AND THAT'S WHY I JUST BELIEVE THAT, YOU KNOW, WE'VE PRIORITIZED PUBLIC SAFETY, WE'VE PRIORITIZED A VIBRANT DOWNTOWN, ALL THESE THINGS. I RECOGNIZE THAT THERE CAN BE UNINTENDED CONSEQUENCES. I DON'T HAVE ALL THE DATA, BUT IN MY RESEARCH, SAN FRANCISCO'S HAD GREAT SUCCESS WITH THIS WITH THE BUSINESSES, AND THE BUSINESSES HAVE BEEN GREAT. THE SPIRIT OF IT IS JUST ACKNOWLEDGING, YOU KNOW, A CHALLENGE THAT WE HAVE. IF YOU'RE NOT AWARE OF IT, I -- YOU KNOW, I ASK YOU TO START COMING DOWNTOWN ABOUT, YOU KNOW, DIFFERENT HOURS WHEN YOU CAN SEE WHERE PEOPLE TAKE UP THE SPACE AND LAY ACROSS THE SIDEWALKS. I SEE IT ALL THE TIME. THEN I'VE HEARD -- THEN AGAIN, THE BUSINESSES ARE DEALING WITH IT. ANYWAY, THAT WAS THE SPIRIT OF IT. NOT TO BE, YOU KNOW -- NOT TO BE PUNISHING SOMEONE WHO'S DOING CIVIL DISOBEDIENCE, BUT IT'S OUR JOB TO BALANCE THE PROS AND CONS OF ALL OF THAT, IN MY OPINION. IN MY OPINION RIGHT NOW, WE HAVE A BIGGER PROBLEM -- I

MEAN, I'VE LIVED HERE ONLY 12 YEARS, BUT I SEE IT AS A BIGGER PROBLEM NOW THAN I'VE EVER SEEN IT. AND BUSINESSES ARE BECOMING FRUSTRATED. I'M BECOMING FRUSTRATED. YOU KNOW, WE NEED TO GIVE THE TOOLS TO OUR PUBLIC SAFETY OFFICERS TO ACTUALLY, YOU KNOW, BE ABLE TO HELP US OUT HERE. SO THAT WAS THE SPIRIT OF IT. I MEAN, IT'S JUST AN UNFORTUNATE CIRCUMSTANCE, BUT IT IS WHAT IT IS. SO I DON'T KNOW. YOU LOOK LIKE YOU HAD SOMETHING TO SAY, I DON'T KNOW.

THE MAYOR'S POINT ABOUT THE YOUNG GIRLS YOU REFERRED TO. I MEAN, I LOOK AT IT FROM THE PERSPECTIVE OF, THERE ARE PUBLIC SPACES FOR EVERYBODY IN THE CITY, NOT JUST FOR A SELECT FEW THAT CHOOSE TO MONOPOLIZE THEM AND THEIR CONDUCT BEING THAT OF THE TYPE THAT PREVENTS THOSE YOUNG LADIES FROM BEING ABLE TO ENJOY A PUBLIC SPACE BECAUSE THEY'RE FEARFUL OF THEIR OWN SAFETY. SO THAT'S MY CONCERN. ANY TIME WE WOULD TYPICALLY DEAL WITH ANY OF THESE, IT'S A REACTIVE SITUATION WHERE WE'VE RECEIVED A COMPLAINT OR A CALL FOR SERVICE FROM SOMEBODY ANYWAY. WE'RE NOT GOING TO WILLY-NILLY BE DRIVING AROUND, LOOKING TO, YOU KNOW, TO PROSECUTE YOUNG GIRLS SITTING ON THE SIDEWALK. OR A TRANSIENT PERSON SITTING ON THE SIDEWALK, NOT BOTHERING ANYBODY, EITHER. IT'S EQUITABLE AND FAIR DISTRIBUTION AND ENFORCEMENT ACTION. THAT'S THE SAME FOR ANY LAW WE HAVE, OF WHICH WE HAVE THOUSANDS.

JUST A FOLLOW-UP QUESTION. ARE THERE ANY OTHER WAYS TO ADDRESS SPECIFICALLY WHAT THE ROOT OF THE PROBLEM MIGHT BE, OTHER THAN THIS? LIKE, IF SOMEBODY'S, SAY, PASSEDOUT IN FRONT OF A INEBRIATED, KIND OF NOT IN A GOOD PLACE IN FRONT OF A BUSINESS. IS THERE ANOTHER TOOL THAT WE HAVE TO BE ABLE TO DEAL WITH THAT?

YES. YEAH, THERE'S PENAL CODES FOR THAT. 647-F, PENAL CODE FOR SOMEBODY THAT'S UNABLE TO TAKE CARE OF THEMSELVES BECAUSE OF THE EFFECTS OF DRUG OR ALCOHOL. WE DID THAT THIS MORNING AT SAFEWAY. IT'S COMMONLY USED.

BUT IF THAT -- CAN I ASK YOU A QUESTION? IF THAT WERE ACTUALLY WORKING, THEN WE STILL HAVE THESE PROBLEMS.

YEAH. A LOT OF OUR ISSUES CAN ALSO BE TRACED BACK TO THE FACT THAT TWO HOURS AFTER WE TAKE THESE PEOPLE TO JAIL, IF THAT'S WHERE THEY END UP NEEDING TO GO, THEY'RE BACK IN OUR DEPARTMENT, REQUESTING THEIR PROPERTY BACK, BECAUSE THEY'VE BEEN RELEASED ALREADY. SO THAT'S A PROBLEM WE FIND CHALLENGING. THE CONSEQUENCES DO NOT DETER THEIR CONDUCT, SOMETIMES.

ANY OTHER QUESTION? GO AHEAD.

SO HOW WOULD FINING THESE PEOPLE BENEFIT THE SITUATION?

I THINK THAT'S JUST AN OPTION. ALL THE TIME THESE TYPES OF ORDINANCES, THEY PROVIDE US WITH A TOOL TO BE ABLE TO -- I USE THE WORD LOOSELY. IT GIVES US THE POWER TO INTERACT WITH SOMEBODY AND HAVE THAT CONVERSATION RATHER THAN IT BEING A CONSENSUAL CONVERSATION. WE CAN BE SAYING, YOUR CONDUCT IS CAUSING A PROBLEM, WE'VE RECEIVED A COMPLAINT, WHAT YOU'RE DOING IS UNLAWFUL, WE NEED YOU TO MOVE. WE WOULD MUCH PREFER TO DO THAT, BECAUSE WE HAVE MANY, MANY OTHER THINGS TO TAKE CARE OF THIS THE CITY. THINGS CAN GO SIDEWAYS. THERE'S A MILL DIFFERENT DIRECTIONS THINGS CAN GO IN. I CAN'T GIVE YOU A BLANKET, THIS IS HOW IT WOULD ALWAYS WORK. WE ALWAYS START WITH VOLUNTARY COMPLIANCE. WHAT WE SEEK FOR EVERYTHING. WE REALLY DO HAVE A VERY COMPASSIONATE AND PROFESSIONAL STAFF OF POLICE HERE AT THE MOMENT THAT WE'VE WORKED REALLY HARD TO BUILD. I'M REALLY PROUD OF THE POLICE. HONESTLY, IT'S THE PROUDEST POLICE DEPARTMENT I'VE EVER WORKED FOR AS FAR AS HOW THEY TREAT PEOPLE WITH DIGNITY.

GO AHEAD, COUNCILMEMBER.

ONE LAST QUESTION. ISN'T THERE ALREADY A LAW IN PLACE ABOUT OBSTRUCTING A PUBLIC WALKWAY? DOESN'T THAT COVER THIS?

I DON'T HAVE THAT IN FRONT OF ME RIGHT NOW, SO I COULDN'T --

I JUST PULLED PENAL CODE 647-C.

YEAH. AND THAT GOES TO -- THIS IS -- THERE ARE RULES IN OUR MUNICIPAL CODE AS WELL ABOUT OBSTRUCTING THE SIDEWALK. SO, YOU KNOW, SOMEONE WHO'S LAYING ACROSS, YOU KNOW, PERSON TO THE SIDEWALK, THERE ARE EXISTING THINGS --

CAN I CHIME IN? AND I ASKED ABOUT THAT BEFORE. AND WHAT I WAS TOLD WAS THAT IF THEY, YOU KNOW -- IF THEY ROLL OVER OUT OF THE WAY AND THEY SAY, NOW I'M OUT OF WAY, BUT THEY STILL LAY THERE, BUT THEY'RE NOT OBSTRUCTING THE SIDEWALK BECAUSE A PERSON CAN WALK DOWN -- SO THEY'RE STILL LAYING THERE BUT THEY'RE NOT OBSTRUCTING. YOU KNOW WHAT I MEAN? WE HAVE A LOT OF PEOPLE HERE WHO ACTUALLY, YOU KNOW, ARE VERY ADEPT AT THAT. SO THAT WAS THE QUESTION I ASKED AS FAR AS THE, YOU KNOW, WHAT WE HAD ALREADY IN EXISTENCE, WHICH IS WHY WE'RE HERE NOW.

THIS IS DEFINITELY NOT THE ANSWER TO ALL OF OUR PROBLEMS. IT'S JUST ANOTHER TOOL THAT MAY ASSIST US IN PROVIDING PROVIDING SPACE FOR OUR CITIZENS THAT'S MORE ATTRACTIVE, THAT MIGHT BENEFIT OUR BUSINESSES AND OUR CITIZENS.

ANY OTHER QUESTIONS?

THIS IS PUBLIC COMMENT ON THE PROPOSED ORDINANCE. WE WILL GO IN CHAMBERS FIRST AND THEN OUT TO ZOOM.

OKAY, REPRESENT THE COMMUNITY. FOLKS THAT ARE MOST VULNERABLE --

MAKE SURE YOUR MICROPHONE IS ON. OH, IS IT? IT'S JUST, THE PEOPLE ON ZOOM CAN'T HEAR IF IT'S NOT INTO THE MICROPHONE.

CHECK, CHECK, CHECK?

WE REPRESENT THE ONES, THE ONES MOST AT RISK ARE DYING, BEING TOO COLD, TOO HOT, BEING DISRESPECTED. NOT JUST DOWNTOWN. TONIGHT, WHEN I WAS WALKING, THERE WERE FOLKS ON THE WEST COUNTY TRAIL, NOT CONTROLLED BY THE POLICE. WHEN THEY GET KICKED OUT FROM DOWNTOWN, THEY GO TO THE TRAILS. THAT'S NOT SAFE FOR THEM, IN MANY WAYS, TO BE IN THE BUSHES. IT IS BETTER FOR THEM, IN MANY WAYS, TO BE IN A MORE PUBLIC AREA. SO YOU KNOW, I WANT TO GET OFF OF THIS DOWNTOWN THIS AND THAT, I WALK EARLY MORNINGS IN DOWNTOWN, I DON'T SEE HIGH NUMBERS. WE NEED SOME EVIDENCE. LET'S DO EVIDENCE-BASED ORDINANCE. WE DON'T HAVE THAT. ANNA GODEL DOESN'T -- PLEASE LOOK AT ME. ANECDOTAL DOESN'T WORK. PLEASE LOOK AT ME. THE EVIDENCE JUST ISN'T THERE. WHEN I SEE FOLKS IN ROUGH CONDITIONS, I ASK IF THEY NEED A CUP OF COFFEE AND A BAGEL. SOMETIMES ORANGE JUICE. WE HAVE THE ABILITY TO BE COMPASSIONATE. WE ARE NOT SAN FRANCISCO. LET'S NOT GO FOR THAT. I AM FRUSTRATED EVEN HEARING THIS CONVERSATION. WE CAN DO BETTER THAN THIS.

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT, OUT TO ZOOM. KATE, CAN YOU UNMUTE YOURSELF?

I AM UNMUTE IT. THANK YOU.

THANK YOU, GO AHEAD.

I WOULD JUST LIKE TO REPLY TO THE PERSON WHO JUST SPOKE. SEBASTOPOL ACTUALLY HAS THE MOST SUPPORT SERVICES FOR UNHOUSED PEOPLE IN THE ENTIRE SONOMA COUNTY. A HOMELESS PERSON CAN GET A FREE MEAL, AND SHOWER, WE HAVE THE MOST PERMANENT SUPPORTIVE HOUSING BEDS PER CAPITA OF ANY CITY IN SONOMA COUNTY. SEBASTOPOL IS ACTUALLY PULLING THREE TIMES OR 10 TIMES ITS WEIGHT WHEN IT COMES TO HOMELESS SERVICES. AS THE COMMENT SAID, THE COUNCIL REPRESENTS THE ENTIRE COMMUNITY, WHICH MEANS BUSINESS OWNERS WHO ARE WORKING REALLY HARD TO MAKE THEIR BUSINESSES SURVIVE, AND ALSO HOPEFULLY GENERATING SOME SALES TAX REVENUE FOR THE CITY. PEOPLE WHO WANT TO USE DOWNTOWN SIDEWALKS, I AM DOWNTOWN A LOT, THERE ARE A LOT OF PEOPLE WHO ARE USING PUBLIC SPACES IN PRETTY SELFISH WAYS, I WOULD SAY. YOU CANNOT PRIVATIZE A PUBLIC SIDEWALK BY TURNING IT INTO YOUR BEDROOM. YOU

KNOW? YOU CAN'T PRIVATIZE A PARK BY TURNING IT INTO YOUR APARTMENT. IN TERMS OF UNINTENDED CONSEQUENCES, THE AMERICANS WITH DISABILITIES ACT, WHICH IS FUNDED BY PUBLIC TAX DOLLARS, BECAUSE WE ALL WANT PEOPLE WITH DISABILITIES TO HAVE ACCESS TO THE SIDEWALK, SAYS THAT YOU HAVE TO HAVE A MINIMUM OF 36 INCHES, THREE FEET. I DOUBT THAT IF SOMEONE IS LAYING ON THE SIDEWALK THAT PROVIDES AMPLE CLEARANCE WHEN YOU INCLUDE STREETLIGHTS AND OTHER AMENITIES THAT NATURALLY EXIST ON THE SIDEWALK. SO, I WOULD SAY THAT SEBASTOPOL HAS ACTUALLY DONE A FANTASTIC JOB, WE HAVE PARK VILLAGE, WE HAVE ELDERBERRY COMMONS, WE HAVE ANOTHER PERMANENT SUPPORTIVE HOUSING FACILITY ON THE WAY. LET'S MAKE THE CITY FOR EVERYONE, INCLUDING RESIDENTS WHO WANT TO USE THE SIDEWALK, AND BUSINESS OWNERS. THANK YOU.

THANK YOU, KATE. NEXT COMMENTOR IN CHAMBERS?

THANK YOU. I MOVED UP HERE FROM SENTENCES GO IN 2013, AND I REMEMBER THIS, IN 2010, -- WHAT WAS IT, IT WAS MEASURE L, TO HAVE AN ORDINANCE IN SENTENCES GO. IT WAS GETTING OUT OF CONTROL IN THE CASTRO. SANTA ROSA HAS A SIMILAR ORDINANCE NOW. THE NET EFFECT OF THIS IS THAT IF YOU DON'T HAVE WHAT EVERYONE ELSE HAS BEEN EVERYONE WILL COME HERE. SO, LIKE THE PREVIOUS SPEAKER JUST SAID THIS IS PROBABLY THE KINDEST CITY IN SONOMA COUNTY AND THE MOST HELPFUL TO HOMELESS PEOPLE, WHICH IS GREAT. BUT IT'S ALSO INCREDIBLY LIBERAL AS TO WHETHER YOU CAN LIE IN FRONT OF THE COFFEE SHOP AND NOT MOVE WHEN THE BUSINESS OWNERS COME TO OPEN UP IN THE MORNING. THAT'S A BIG PROBLEM. YOU ARE FAR MORE LIKELY TO COME TO THE CITY OF SEBASTOPOL TO LIE AROUND IN FRONT OF A COFFEE SHOP IN SANTA ROSA, WHERE YOU WILL BE REPRIMANDED BY THE POLICE USING THESE KINDS OF LAWS UNFORTUNATELY, AGAIN, THIS IS A WEAKEST LINK PROBLEM. THE MORE THAT YOU PUT OUT THE WELCOME SHINGLE FOR PEOPLE WHO ARE UNHOUSED, DISADVANTAGED, MENTALLY ILL, WHATEVER IT IS, THE MORE PEOPLE COME HERE. THAT IS BEEN MORE AND MORE EXPENSIVE FOR THE CITY, MORE OF THE POLICES TIME, SO I APPROVE OF THIS MEASURE.

THANK YOU FOR THE PUBLIC COMMENT. I WILL GO BACK OUT TO ZOOM, IF THERE IS ANYONE ON ZOOM WHO WOULD LIKE TO COMMENT VIRTUALLY, PLEASE RAISE YOUR HAND. CNN, BACK INTO CHAMBERS. KYLE?

I'M NOT OFFENDED IF YOU DON'T LOOK AT ME WHEN I GIVE PUBLIC COMMENT. THIS ORDINANCE IS NOT NARROWLY WRITTEN TO PREVENT SIDEWALK OBSTRUCTION, IT IS A AGAINST POVERTY. IT WOULD MAKE IT ILLEGAL TO LIE ON SIDEWALKS FROM 7:00 TO 11:00 P.M., EVEN WHEN NO ONE IS BLOCKING PEDESTRIAN ACCESS. THAT DISTINCTION TELLS US WHAT THE ORDINANCE IS REGULATING. NOT OBSTRUCTION, BUT POVERTY. THE PUBLIC VISIBILITY OF POOR PEOPLE. THE AGENDA REPORTS SITES THE CITY OF GRANTS PASS VERSUS JOHNSON FROM 2024, BUT IT DOES NOT MEANINGFULLY ADDRESS THE LONG HISTORY OF LITIGATION OVER SIMILAR LAWS. CITY OF SANTA ANA

IN 1995, SEATTLE IN 1996, JONES VERSUS LOS ANGELES IN 2006, ATKINSON, CITY OF ABERDEEN IN 2020, AND THE COALITION OF HOMER HOMELESSNESS VERSUS THE CITY AND COUNTY OF SENTENCES GO SETTLED IN 2025. FILED IN 2022. THAT'S THREE YEARS OF LITIGATION. WHY ARE THESE CASES NOT ANALYZED IN THE REPORT? WHY DOES THE REPORT GIVE A LEGAL CONCLUSION WITHOUT DISCUSSING THE LITIGATION RISKS INVOLVING EXCESSIVE FINES, DUE PROCESS, OR FREE EXPRESSION? THE DIFFERENCE BETWEEN ACTUAL OBSTRUCTION AND MERELY EXISTING IN PUBLIC. SEBASTOPOL SHOULD ALREADY UNDERSTAND THIS RISK. THE CITY HAS ONLY RECENTLY COME THROUGH THE ACLU SUPPORTED FEDERAL CHALLENGE TO ITS RV ORDINANCE. WHILE THE CITY PREVAILED, THE SUMMARY JUDGMENT LAWSUIT FACED 14 CAUSES OF ACTION AND STILL REQUIRED THE CITY TO SPEND PUBLIC RESOURCES, ACTUAL MONEY, ON LITIGATION. ARE WE THAT AMNESIAC, HERE CAP, THAT WHEN WE DON'T UNDERSTAND THAT WHEN WE IMPLEMENT LAWS AGAINST POVERTY WE ARE GOING TO GET SUED? EVEN IF WE THINK WE CAN RELY ON JOHNSON AND GRANTS PASS AS A DECISION, THAT WE WILL NOT SPEND HUNDREDS OF THOUSANDS OF DOLLARS TO ALEX? IS THAT WHAT YOU WANT?

THAT'S TWO MINUTES. THANK YOU FOR YOUR PUBLIC COMMENT. GOING BACK OUT TO ZOOM, IF THERE IS ANYONE ON ZOOM WHO WOULD LIKE TO MAKE IT PUBLIC COMMENT, PLEASE RAISE YOUR HAND VIRTUALLY. CNN, BACK INTO CHAMBERS. IF THERE IS ANYONE IN CHAMBERS? SEEING NONE, IT IS BACK TO COUNCIL.

BACK TO THE DAIS FOR COMMENTS.

YEAH, THERE IS NO WAY I AM SUPPORTING THIS. I JUST WANT TO SAY, I WALK IN THE MORNINGS FREQUENTLY WITH MY FRIEND, SHE HAS A LITTLE DOG, WILSON, WHO IS VERY FAMOUS. ALL THE LOCAL DOG WALKERS KNOW EVERYBODY. I CANNOT THINK OF ONCE, WELL, MAYBE ONCE UP BEHIND CITY HALL OR SOMETHING, BUT I DO NOT SEE PEOPLE LAYING IN THE SIDEWALK, BLOCKING THE FRONT DOORS OF BUSINESSES. I WOULD SAY, HAVING ONE TIME IN MY LIFE VISITING A BUSINESS WHERE SOMEONE WAS SLEEPING IN FRONT, AND I ASKED THEM TO MOVE, THEY HAVE MOVED. WE ARE A PIECE TOWN. I GET THAT WE ARE A LIBERAL TOWN, WE ARE PEACEFUL, AND WE APPRECIATE PEOPLE, ALL PEOPLE, AND THERE IS JUST NO WAY. NOT TO MENTION THE POSSIBILITIES FOR LITIGATION WHICH ARE REAL. I CAN APPRECIATE THAT WE ALL GET TO BRING UP AGENDA ITEMS, THAT I FEEL VERY STRONGLY ON THIS ONE.

COUNCIL MEMBER ZOLLMAN?

SAME. FOR THE COMMENTS I MADE WHEN I WAS QUESTIONING ALEX, THE IMPLICATIONS AS A WHOLE FROM A LEGAL POINT OF VIEW OF SELECTIVE PROSECUTION COMMAND AGAIN, OUR SOUL BLOCKING OF THAT AT POLICE DISCRETION, I AM NOT OKAY WITH THAT. I AM NOT OKAY WITH IT BEING IMPLEMENTED THAT WAY, I AM ALSO NOT COMFORTABLE PASSING SOMETHING LIKE THIS. WE ARE A PEACEFUL CITY AND ALSO VERY VOCAL, AND I HAVE HUGE CONCERNS OVER HOW THIS WILL BE

IMPLEMENTED WHEN MORE OF OUR RESIDENTS COME OUT, ACCIDENT EXERCISING FREE SPEECH AND FREEDOM OF ASSEMBLY. I AM NOT SUPPORTING THIS AT ALL.

VICE MAYOR?

SO, IT IS HARD TO KNOW WHAT THE EXPERIENCE OF THE POLICE DEPARTMENT IS. I AM NOT ON THE POLICE STAFF, I AM NOT A SMALL BUSINESS OWNER DOWNTOWN. I THINK IT IS UNFORTUNATE THAT WE DID NOT HEAR FROM ANY OF THE SMALL BUSINESS OWNERS WHO WERE HAVING -- WE HEARD FROM ONE. OUR MAYOR OWNS A SMALL BUSINESS DOWNTOWN, BUT THAT IS THE ONLY SMALL BUSINESS OWNER WE HAVE HEARD. IT IS HARD FOR ME TO WRAP MY MIND AROUND THE NEED FOR SOMETHING. I JUST DON'T GET IT. I HAVE REALLY BIG CONCERNS WITH THE IDEA OF SELECTIVE ENFORCEMENT. THE IDEA THAT IT IS REALLY PRETTY MUCH TARGETED AT A SPECIFIC GROUP, AND I AM NOT COMFORTABLE WITH THAT, AT ALL. I THINK THERE ARE BIG UNINTENDED CONSEQUENCES WITH IT. THE LEGAL RISK, AND THE IDEA OF, IF YOU ARE EXERCISING YOUR FIRST AMENDMENT, FREE-SPEECH RIGHT, YOU ARE DOING CIVIL DISOBEDIENCE AND YOU SIT ON THE SIDEWALK, AND EVERYBODY SITTING ON THE SIDEWALKS, THEY WOULD GET FINED FOR SITTING ON THE FIGHT SIDEWALK. THAT REALLY BOTHERS ME. AND I AM NOT SUPPORTING THIS.

ANY OTHER COMMENTS? OKAY. WELL, IT DOESN'T SOUND LIKE WE HAVE SUPPORT, BUT I DO HAVE A FEW COMMENTS. I JUST WANT TO SAY FIRST OF ALL, I IMPLORE MY COLLEAGUES TO PULL YOUR HEAD OUT OF THE SAND AND LOOK AT WHAT IS HAPPENING TO OUR DOWNTOWN. AS A BUSINESS OWNER, I DON'T KNOW WHAT TO TELL YOU. I SEE THIS ALL THE TIME. I WILL BE REFERRING BUSINESS COMPLAINTS TO YOU AND I WILL BE GIVING THEM YOUR NAMES WHEN THEY HAVE TROUBLE. AND I IMPLORE YOU TO COME UP WITH SOME OTHER SOLUTIONS TO HELP DEAL WITH THE CHALLENGES THAT OUR DOWNTOWN, AS SOMEONE WHO IS DOWN THERE, I CALLED 911 A FEW WEEKS AGO BECAUSE OF SOME ISSUES. SO, I JUST THINK THAT SOME PEOPLE LIKE TO HAVE THEIR HEAD IN THE SAND AND I AM SORRY FOR THAT. I BROUGHT THIS FORTH BECAUSE OUR POLICE OFFICERS HAVE SAID THAT THEY NEED SOME TYPE OF TOOL TO DEAL WITH THE CHALLENGES THEY ARE FACING WITH WHERE THE BUSINESSES ARE. I WILL MAKE A MOTION AND FORCE EVERYONE TO SAY NO. I WOULD LIKE TO MAKE A MOTION TO PASS THIS. IF I GET A SECOND, GREAT. IF NOT, I AM JUST TAKING A STANCE WITH THIS. I WILL MAKE A MOTION TO ACTUALLY PASS THE MUNICIPAL CODE, CHAPTER 12.-- WHAT? 12.24. PROVISION PROHIBITING LYING ON PUBLIC SIDEWALKS DURING DAYTIME HOURS.

I JUST WANT TO RESPOND IN COMMENTS, NOT TO SECOND THE MOTION. I FEEL, AS I SAID IN MY COMMENTS, WE ALL HAVE THE RIGHT TO BRING THESE ITEMS FORWARD, BUT I FEEL LIKE I AM WILLING TO ADDRESS -- I HAVE LIVED HERE FOR A VERY LONG TIME AND I DON'T HAVE MY HEAD IN THE SAND BUT I CALLED 911 AND THE OTHER DAY WHEN SOMEONE WAS ON PRIVATE PROPERTY, SCREAMING, AND I BELIEVE THE POLICE DID

RESPOND. TO ME, THAT IS AN ACTIONABLE ITEM. THIS ORDINANCE IS A BLANKET ORDINANCE, AND I WOULDN'T SUPPORT A BLANKET ORDINANCE IN ANY WAY.

GO AHEAD.

I ALSO FEEL AN OBLIGATION TO RESPOND TO THE HEAD IN THE SAND. I DON'T KNOW HOW MANY ALTERNATES WE COULD NOT HAVE BROUGHT FORTH. WE BROUGHT FORTH HEART, SOME OF US HAVE PUSHED FOR CITIZENS ACADEMY TO GET CITIZENS WHO VOLUNTEER, WHO WANT TO VOLUNTEER THEIR TIME TO ADDRESS AND HELP OUR POLICE. I DO TAKE THAT AS A FACT OF LIFE, GET YOUR HEAD OUT OF THE SAND. SOME OF US HAVE BEEN DOING A LOT ON THE HOMELESS COALITION BOARD TO ADDRESS AND HELP OUR POLICE AND PUSH OUR POLICE, WHO SEEM TO BE VERY RELUCTANT TO EVEN ENTERTAIN A CITIZENS ACADEMY. SO, THAT WAS CORRECTIONS BUT I HAVE BEEN TOLD THAT PART WOULD NOT RESPOND. I HAVE ASKED ALL THE SAME QUESTIONS, YOU AND I ARE ON THE SAME COMMITTEES. I HEAR YOU AND I HAVE ASKED THOSE QUESTIONS AND THIS WAS THE FINAL SOLUTION THAT WAS HANDED TO ME BECAUSE OF, HEART IS NOT ABLE TO RESPOND, THE OTHER MENTAL HEALTH TEAMS, THEY ARE NOT ABLE TO RESPOND FROM SANTA ROSA, HAVE ASKED ALL THE QUESTIONS, I HAVE BEEN THERE. I DON'T KNOW WHAT ELSE TO DO. I JUST TRIED TO WORK WITH OUR CHIEF OF POLICE, WHO IS THE HEAD OF OUR PUBLIC SAFETY TO COME UP WITH A SOLUTION WITH OUR ATTORNEY, AND FIND SOMETHING THAT HAS ALREADY BEEN VETTED AND IS NOT A LITIGATION ISSUE, BECAUSE IT HAS ALREADY BEEN VETTED. AT ANY RATE, I JUST WANT OUR BUSINESSES TO KNOW THAT I TRIED. ANY RATE, AT THIS POINT, WE DON'T HAVE ANYTHING, SO CAN WE JUST MOVE ON? OKAY. ALL RIGHT. LET'S GO TO ITEM NUMBER 9. MI ON THE RIGHT NUMBER? I WANT TO DO A QUICK CHECK. ARE YOU ALL OKAY WITH CONTINUING? DO YOU WANT A BREAK? I JUST REALIZED IT'S LIKE 8:15. SO, LIKE 8:20? OKAY, COOL.

OKAY, WE ARE BACK FROM OUR BREAK. WE ARE AT ITEM NUMBER 9. REQUEST FOR APPROVAL OF HOURS FOR CITY ATTORNEY RESEARCH ON LEGAL OPTIONS RESPONDING TO COMMUNITY CONCERNS OF GRAFFITI AND RACIAL MOCKERY ASSOCIATED WITH THE SAFEWAY AREA. I JUST WANT TO COMMENT, BEFORE I TURN THIS OVER, THE POLICE CHIEF, CITY MANAGER AND I MET WITH THE RESIDENTS TODAY WHO REQUESTED THIS AT OUR LAST MEETING, AND THEY ACTUALLY REQUESTED THIS ITEM BE DELAYED, SO I WANT TO TURN THIS OVER TO COUNCILMEMBER ZOLLMAN BECAUSE THIS IS HIS ITEM AND HIS DECISION.

THANK YOU, MADAM MAYOR. YES, THE REASON WHY I BROUGHT THIS THROUGH AGENDA REVIEW WAS BECAUSE, FROM WHAT I SENSED ON THIS ISSUE WAS THAT THE MAYOR AND I HAD DIFFERENT APPROACHES TO THIS. AS THE PUBLIC IS PROBABLY GOTTEN A SENSE FROM MY COMMENTS TONIGHT, THE POLICE ARE NOT EVERYTHING IN OUR CITY. WE SET POLICY, AND I DISAGREED WITH THE APPROACH, THAT WHEN COMMUNITY MEMBERS HAVE CONCERNS, THAT IT IS SOMEHOW LUMPED TOGETHER AS A PUBLIC SAFETY CONCERN, AND THEREFORE POLICE GET THE FINAL SAY AND WE

NEED TO HAVE A MEETING WITH THEM. I DISAGREED WHEN I OVERHEARD THAT GENERAL PERSPECTIVE AND APPROACH TO THIS. ALSO, I HAD PROBLEMS WITH THE FACT, I UNDERSTOOD THROUGH VARIOUS EMAILS NOT BROWN ACTED WITH THE MAYOR, BUT FINALLY ALL OF THE RESIDENTS COULD COME TO GATHER AND THE POLICE CHIEF COULD NOT BE AVAILABLE, AND OUR CITY MANAGER OVERSEES THIS STAFF MEMBER WAS LIKE, WELL, I DON'T KNOW. I GUESS WE CANNOT HAVE A MEETING. TO ME, THAT WAS CONCERNING. THE REASON WHY I PUSHED THIS FORWARD TO HAVE THIS HEARD. I ALSO GOT A SENSE ON VARIOUS EMAILS FROM MEMBERS OF THE PUBLIC, AND THEY DON'T UNDERSTAND THE BROWN ACT, THAT APPARENTLY A LOT OF MY COLLEAGUES HAVE BEEN APPROACHED ON THIS ISSUE. I DID NOT RESPOND BACK ACCEPTED TO A CORE GROUP SAYING I HEARD YOUR CONCERNS AT THE LAST COUNCIL MEETING AND I AM BRINGING FORTH THIS AGENDA ITEM. I THINK I CCEDED MARY ON ONE OF THEM THAT IT WILL BE THIS DAY, BUT THAT MY COLLEAGUES HAVE APPARENTLY ALL BEEN APPROACHED BY VARIOUS PEOPLE AND WE HAVE NO ONE FROM THE COMMUNITY HERE, I GUESS THEY LEFT THE MEETING EARLIER TODAY WITH THE IDEA THAT THEY COULD JUST POSTPONE THIS. AND I TOTALLY GET THIS, BECAUSE THE ALL WANT TO COLLECTIVELY BE HERE. FOR ME, I AM INTERESTED IN HEARING MY COLLEAGUES NOW THAT THEY ARE ALTOGETHER. WHAT THEY WOULD WANT TO SEE HAPPEN WITH THIS ISSUE. FOR ME, I THINK IT WOULD BE GREAT TO GO AHEAD AND DISCUSS THE SUBSTANCE OF THE REQUEST, WHICH IS TO GET, FROM ALEX, THE ALLOCATION OF TIME, WHAT ARE THE FULL LEGAL AVENUES THAT WE HAVE, SHORT OF THE POLICE. IF THE POLICE WERE ABLE TO SOLVE THIS PROBLEM, THEY WOULD ALREADY BE LOCKED UP. PROBABLY ON THEIR WAY TO PRISON, RIGHT? IT IS NOT NECESSARILY A CRIMINAL ENFORCEMENT ACTION. FOR ME, IF WE DEFER THIS, I WOULD LIKE THE ABILITY FOR MY COLLEAGUES TO HAVE TIME, THROUGH ALEX, TO DO SOME RESEARCH SO THAT WE HAVE A FULLY FLESHED OUT A STAFF REPORT WHEN THIS DOES GET CONTINUED. SO, THAT IS THE REASON WHY, WHEN I OVERHEARD FROM MARY AND OUR MAYOR, IT WAS A FOREGONE CONCLUSION WHEN I SAT DOWN HERE TONIGHT THAT THE PUBLIC WANTS THIS TO BE TAKEN OFF, SO I'M LIKE NO, I WILL MAKE MY COMMENTS, AND OF COURSE LISTEN TO STAFF, LISTEN TO MY COLLEAGUES. IF THEY WANT TO ROLL THIS OVER, BECAUSE THEY WANT THE FULL PUBLIC HERE, THAT'S GREAT, BUT I WOULD ALSO LIKE MY COLLEAGUES TO THINK ABOUT HOW WELL PREPARED WE WANT TO BE AT THE NEXT AGENDA MEETING A MONTH FROM NOW. SO THAT IS MY THOUGHTS.

I CAN SHARE THE MEETING TODAY, AND HAVING THE POLICE CHIEF THERE, THAT IS BECAUSE THE POLICE CHIEF AND CITY MANAGER AND I, IT WAS EXPLAINED TO US THAT THERE WERE CHALLENGES. THE REASON I GOT PULLED INTO IT IS BECAUSE THE POLICE CHIEF, MYSELF, AND CITY MANAGER MEET REGULARLY AND HAVE BEEN MEETING WITH THOSE STAKEHOLDERS FOR MONTHS ABOUT DIFFERENT THINGS GOING ON, SO THAT IS HOW I GOT PULLED INTO THAT. THAT IS THE REASON WE HAD DISCUSSIONS ABOUT WHAT WE HAVE DONE ALREADY AND DISCUSSIONS WE HAVE HAD AND WHO WE COULD BRING IN LATER BASED ON THE DIFFERENT PEOPLE AND THOSE MEETINGS WE

HAVE HAD. THAT IS HOW I GOT PULLED INTO THAT, AND ALSO THE EMAILS. I DON'T KNOW --

IN RESPONSE TO THAT, I WAS PRIVY TO THE FACT THAT EACH OF US CAN DO INFORMALLY WHAT THEY WANT, BUT IN THE BACK OF MY MIND, WAS, ONE OF US CANNOT SPEAK ON BEHALF OF ANYONE ISSUE. I WAS WILLING TO LET IT ROLL UNTIL WE WEREN'T GETTING ANY ACTION AT ALL WITH ONE REQUEST, PEOPLE SHOWING UP IN PUBLIC, AND THEN EMAILS. THAT, TO ME, WAS THAT WE NEED TO GO THROUGH THE PROCESS OF HAVING DISCUSSIONS ABOUT WHO IS RESPONDING AS A BODY, THAT IS THE REASON WHY.

I WILL SAY, TODAY WE HAD THAT DISCUSSION, THEY SAID -- YOU KNOW, THEY TALKED TO THE CITY AND SO MANY DIFFERENT PEOPLE, AND WE CANNOT ALL TALK AND THEY DID NOT UNDERSTAND THAT, AND SO THAT IS WHY -- ANYWAY. THERE IS JUST A LOT OF PEOPLE WHO LIVE THERE WHO ARE TALKING, AND THEY ARE ALL REACHING OUT TO DIFFERENT PEOPLE WITH US AND WITH THE CITY, ALL THE DIFFERENT REASONS THAT PRECLUDE US FROM TALKING. ANYWAY, GO AHEAD, COUNCILMEMBER HINTON?

I THINK THAT WE SHOULD TAKE IT TONIGHT, WE CAN MOVE IT FORWARD AGAIN AS POINTED OUT, A LOT OF TIMES THE PUBLIC DOESN'T REALIZE BROWN ACT RULES. COUNCILMEMBER ZOLLMAN PUT IT ON THE AGENDA, I DON'T WANT TO HIJACK HIS AGENDA ITEM, AND WE ARE AN EQUAL BODY. THE MAYOR TAKES LEAD, FOR MUNIFICATION PURPOSES, BUT I THINK THAT WE SHOULD TAKE THIS UP TONIGHT, AND IT WILL PROBABLY CONTINUE ONTO A FUTURE AGENDA ITEM POSSIBLY, GIVEN ALL THE DECISIONS TONIGHT.

AND I JUST WANT TO SAY, BECAUSE WE ASKED THEM THREE DIFFERENT TIMES AND THEY SAID THEY DID NOT WANT IT ON TONIGHT BECAUSE THEY FELT LIKE THEY NEEDED IT TO HAVE EVERYONE HERE WITH A VOICE. I AM NOT ADVOCATING EITHER WAY BUT JUST AS A COMMUNICATOR OF WHAT WAS SAID AT THE MEETING SO EVERYONE IS AWARE OF WHAT THEY WERE SAYING TO US. HOWEVER YOU DECIDE TO PROCEED IS FINE I JUST WANT TO MAKE SURE I COMMUNICATE WHAT WAS COMMUNICATED TO US.

THAT'S GREAT. I APPRECIATE THAT. YES, I WOULD LIKE TO PROCEED WITH THE SUBSTANCE OF THIS, WHICH IS TO ASK THIS BODY IF THEY ARE WILLING TO GIVE A CERTAIN AMOUNT OF HOURS. ALEX, I DON'T REMEMBER WHAT YOU SAID, TO GIVE US A FULL LEGAL PERSPECTIVE OF VARIOUS OPTIONS, DEALING WITH A COMMERCIAL, PRIVATE ENTITY, WHICH WE HAVE LIMITED JURISDICTION OVER. IS IT FIVE HOURS OF YOUR TIME TO COME PREPARED WITH A THOROUGH STAFF REPORT? IF WE GIVE YOU FIVE HOURS I'M EXPECTING MAGIC IN A STAFF REPORT WHEN THIS COMES BACK AT THE BEGINNING OF SEPTEMBER, IS THAT WHAT IT WILL TAKE?

I WOULD IMAGINE MORE THAN FIVE HOURS. 10 IS PROBABLY REASONABLE

WHY SO? WE HAVE NOT DISCUSSED THIS OUTSIDE OF WHAT MARY WAS GRACIOUS ENOUGH TO HELP ME PULL TOGETHER BY WAY OF AN AGENDA ITEM. EXPLAINED TO US WHY IT WOULD TAKE 10 HOURS. WHAT WILL YOU BE DOING?

THERE'S A LOT OF DIFFERENT AREAS. WE HAVE THE ABILITY TO ADOPT A GRAFFITI ABATEMENT ORDINANCE. THAT IS CLEAR. WE COULD DO THAT AND SET REQUIREMENTS THAT HOLD THE PROPERTY OWNER RESPONSIBLE FOR GRAFFITI, IF IT IS NOT CLEANED UP WITHIN A CERTAIN AMOUNT OF TIME. OTHER THINGS, I KNOW THERE HAS BEEN A REQUEST FOR, YOU KNOW, CAN WE MAKE THEM HAVE TO INSTALL A FENCE? GENERALLY, THAT IS NOT AN OPTION FOR AN EXISTING BUSINESS. THAT DOESN'T NEED APPROVAL FROM THE CITY, THEY'RE NOT COMING TO THE CITY FOR USE PERMIT OR DESIGN REVIEW. WE WOULD BE RESEARCHING TO SEE WHETHER MAYBE THERE IS SOME METHOD. ALSO, LOOKING INTO WHETHER THE CITY COULD BRING SOME SORT OF NUISANCE CLAIM AGAINST THE BUSINESS, THOSE CAN BE HARD, ESPECIALLY WHEN THE NUISANCES ARE COMING FROM NOT THE ENTITY ITSELF, BUT FROM THIRD PARTIES, WHO JUST HAPPENED TO BE DOING IT ON THEIR PROPERTY, LOOKING INTO WHETHER THAT MIGHT BE AN OPTION.

THE BUSINESS REQUEST, THEY SAID THEY WOULD WANT THE CITY TO INSTALL CAMERAS, THERE. INSTALL CAMERAS OURSELVES.

THE FENCE IS THE SAME THING AS THE CAMERAS. WE CANNOT REQUIRE PRIVATE PROPERTY OWNERS TO DO THINGS UNLESS THERE IS A NEXUS TO WHAT THEY ARE REQUESTING FROM THE CITY. WHEN A BUSINESS COMES FOR A USE PERMIT OR A DESIGN REVIEW, THEN WE HAVE THE ABILITY BECAUSE THEY ARE SEEKING A PERMIT FROM US. WHEN IT IS AN EXISTING ESTABLISHMENT, THAT IS HARD, JUST LIKE WE COULD NOT GO UP TO AN EXISTING HOMEOWNER AND SAY, WE DON'T LIKE THE DESIGN OF YOUR HOUSE, CHANGE IT. IF THEY COME WITH A PROPOSAL TO BUILD A NEW HOUSE THEN WE MIGHT HAVE THAT LEEWAY. AS THE COUNCIL KNOWS, FOR THE CITY TO INSTALL OUR OWN CAMERAS, IF WE ARE INSTALLING ON THEIR PROPERTY WE NEED THEIR PERMISSION, AND IF WE ARE INSTALLING ON OUR PROPERTY, THAT WOULD REQUIRE A CHANGE IN OUR SURVEILLANCE ORDINANCE, TO AUTHORIZE THE PARTICULAR LOCATION.

CANADA SAFEWAY INSTALL CAMERAS?

THEY COULD VOLUNTARILY INSTALL CAMERAS, OR VOLUNTARILY INSTALL A FENCE IF THAT IS WHAT THEY WANT TO DO, IT IS A QUESTION OF WHAT THE CITY CAN FORCE THEM TO DO.

CAN WE REQUEST THAT THEY INSTALL CAMERAS SINCE THERE ARE PROBLEMS THERE RIGHT NOW? THERE COULD BE OTHERS WHO DON'T WANT CAMERAS IN THAT SECTION, TO. THERE COULD BE UNINTENDED CONSEQUENCES OF HAVING CAMERAS THERE. SO, MY INTEREST IN THIS IS, BECAUSE THERE WERE JUVENILES INVOLVED. I HAD WRITTEN

TO THE POLICE CHIEF ABOUT WANTING TO KNOW THE NEXT STEPS. COULD RESTORATIVE JUSTICE BE DONE? AND I WAS TOLD IT IS IN THE HANDS OF THE JUVENILE SYSTEM, AND SO, I DON'T KNOW WHAT HAPPENED, AND WHETHER OR NOT WE COULD -
- COULD THE CITY REQUIRE SOMETHING LIKE RESTORATIVE JUSTICE?

SO, THE ONLY WAY THAT THE CITY COULD REQUIRE THAT IS IF THE CITY WAS CREATING AND ENFORCING SOMETHING, WE CANNOT FORCE INDIVIDUALS TO ATTEND MEETINGS, OR DO ANYTHING LIKE THAT.

RESTORATIVE JUSTICE IS A PROGRAM PEOPLE GO THROUGH AND LEARN --

YOU CAN'T FORCE PEOPLE TO DO THINGS. WE CAN'T GO TO SOMEONE AND SAY, YOU HAVE TO GO TO RESTORATIVE JUSTICE, BUT THE JUVENILE COURT SYSTEM COULD DO THAT AS A PART OF CRIMINAL ENFORCEMENT, BUT THE CITY DOESN'T HAVE -- UNLESS WE MAKE AN ORDINANCE AND SAY, YOU HAVE TO DO THIS THING, WE --

BUT WE COULD MAKE AN ORDINANCE THAT REQUIRES RESTORATIVE JUSTICE?

I WOULD HAVE TO LOOK INTO IT.

I JUST WANT TO SAY, I KNOW THE POLICE CHIEF SPOKE TO THE INCIDENT IN THE SUBSEQUENT, I DON'T KNOW IF THAT IS FOR YOU TO MENTION AT SOME POINT.

GETTING TO MY MAIN POINT EARLIER, WE SET POLICY. ALEX, COULD WE NOT DIRECT THE CHIEF, I KNOW THE CHIEF HAS MADE COMMENTS IN THE PAST, I HAVE INCREASED ARREST RATES, AND THERE COULD BE A FUTURE AGENDA ITEM ABOUT THE APPLICATIONS OF JUST ARRESTING PEOPLE WILLY-NILLY, INCLUDING JUVENILES. COULD WE NOT DIRECT, THROUGH MARY, THAT RESTORATIVE JUSTICE BE PURSUED, SHOULD THESE PEOPLE BE IDENTIFIED? I GET THAT YOU ARE SORT OF ADDRESSING THE FACT THAT, YOU KNOW, ONLY COURTS, WHEN THEY COME BEFORE A JUDGE, CAN DECIDE IF THAT IS SOMETHING THAT THE COURT IS WILLING TO DO, WHICH IS TO GIVE THE JUVENILE OFFENDER THE ABILITY TO PARTICIPATE IN JUVENILE JUSTICE SO THEY DON'T END UP WITH A RECORD, BUT COULD WE NOT, SHORT OF AN ORDINANCE, THROUGH MARY, DIRECT OUR CHIEF TO PURSUE RESTORATIVE JUSTICE AS THE FIRST BEGINNING POINT WHEN DEALING WITH JUVENILES?

THE COUNCIL COULD ADOPT A POLICY, IN GENERAL, THE POLICE COULD PURSUE RESTORATIVE JUSTICE IN LIEU OF MAKING ARRESTS OR SOMETHING. I WOULD HAVE TO THINK OF A WAY OUT IN PRACTICE, I GUESS, WHEN YOU SEE AN INCIDENT IN SOMETHING OCCURRING, TELLING THESE INDIVIDUALS, HERE IS RESTORATIVE JUSTICE, WE HOPE YOU COME TO PARTICIPATE IN IT? AND IF YOU DON'T, WE ARE GOING TO -- LIKE, HOW ARE WE GETTING JUVENILES TO PRECIPITATE?

MY ANSWER, CONTACTED THE PRESIDING JUDGE OF THE JUVENILE BRANCH, HAVING REPRESENTED YOU, THAT IS AN OPTION. YOU BRING THE PARENTS INCOME AND GO LISTEN, LITTLE JOHNNY IS BEEN ACCUSED OF XYZ, YOU CAN DO RESTORATIVE JUSTICE, OR WE WILL HAUL HIM AWAY FOR FINGERPRINTS WHICH WILL BE LOCKED INTO THE SYSTEM AND THEY WILL LOOK AT JAIL TIME, RIGHT? THERE ARE POLICIES IN OTHER MUNICIPALITIES, AND SO, I AM HOPING THAT IF THE COUNCIL APPROVES 10 HOURS ONE OF THEM WOULD BE FOR YOU TO GO, NOT DO INDIVIDUAL WORK, BUT IT'S STILL RESEARCH BEST PRACTICES FROM OTHER JURISDICTIONS.

BUT ARE YOU TALKING ABOUT OTHER JURISDICTION COURT SYSTEMS WITH POLICIES? INDIVIDUAL POLICE DEPARTMENTS HAVE POLICIES.

THE POLICIES FOR HOW JUVENILES ARE HANDLED AND ADDRESSED, YES.

DO YOU HAVE AN EXAMPLE THAT MIGHT POINT ME?

NO, THIS IS NOT MY JOB. THIS IS YOUR JOB.

I AM SAYING I AM NOT AWARE OF A SINGLE MUNICIPAL LOCAL AUTHORITY. WHAT IT SEEMS LIKE YOU ARE APPLYING IS THIS INTERACTION ON THE STREET OR WHEREVER IT OCCURS, BEFORE SOMEONE IS ARRESTED OR CITED, THIS OFFER SHOULD BE MADE.

OF COURSE THEY WILL BE EXCITED, RIGHT? AND THEN YOU HAVE THE POLICY SAYING THESE ARE YOUR OPTIONS. EITHER PARTICIPATE IN RESTORATIVE JUSTICE --

WE ARE NOT THE PROSECUTING AGENCY.

NEVERMIND, I'M EXHAUSTED.

GO AHEAD, VICE MAYOR.

BRINGING IT BACK. I AM AFRAID I AM GETTING MORE INTO DISCUSSION AND NOT QUESTIONS, BUT I THINK THAT THE JUVENILES WERE ARRESTED FOR WHAT THEY DID, AND MY INTEREST WAS IN, HOW CAN THE CITY ENFORCE, AFTER ARREST, ENFORCE RESTORATIVE JUSTICE IN THIS CASE, SO THAT THEY ARE LEARNING. YOU KNOW? THERE HAS GOT TO BE SOME LEARNING HERE BUT IS IT POSSIBLE TO ENFORCE RESTORATIVE JUSTICE, IN THE CASE OF RACISM, IN THE CITY?

I WILL SEE IF I CAN FIND A WAY TO DO THAT AND GET BACK TO YOU IN THOSE 10 HOURS

COUNCILMEMBER HINTON HAS A QUESTION.

YEAH. I DON'T KNOW IF MARY MIGHT REMEMBER, BUT I REMEMBER WHEN MY SON WAS IN HIGH SCHOOL, AND GOT A TICKET. WE WENT TO A PROGRAM THAT WAS FUNDED

OVER, DOWN FROM THE HOSPITAL. I THINK IT WAS FUNDED BY A GRANT, AND I CAN'T RECALL THE AGENCY, BUT I REMEMBER WE WENT WITH A BUNCH OF OTHER HIGH SCHOOL KIDS AND PARENTS FOR RESTORATIVE JUSTICE, WE HAD TO ATTEND, AND FOR THAT, THE TICKET GOT WAIVED. I DO BELIEVE IT WAS A VERY SPECIALIZED GRANT PROGRAM, I THINK IT EXISTED FOR A COUPLE OF YEARS, THAT WOULD HAVE BEEN AROUND 2015. I DON'T THINK THAT WE WERE FORCED TO DO THAT. WE COULD PAY, BUT OF COURSE, THIS WOULD BE MORE PUNISHMENT AND WE WERE GOING TO ATTEND RIGHT HERE IN SEBASTOPOL. THAT WAS A LONG TIME AGO. I SUSPECT THAT WE CANNOT FORCE PEOPLE TO DO THAT. WE CAN PASS A POLICY TO ENCOURAGE, BUT I REMEMBER THERE DID USED TO BE ONE AND A SEBASTOPOL POLICE WAS AWARE OF IT BECAUSE THEY RECOMMENDED IT TO US.

CAN I ASK YOU, BASED ON ALL OF THESE QUESTIONS AND EVERYTHING, WHAT WOULD BE YOUR BEST ESTIMATE OF THE AMOUNT OF TIME THAT WOULD BE NEEDED, ALLOCATED FOR SUCH A TOPIC?

10 HOURS SEEMS LIKE IT WOULD WORK. 10 HOURS WOULD BE FINE TO DO THIS. IT SEEMS LIKE THE COUNCIL HAS NARROWED THE INTEREST ON LOOKING JUST INTO THIS RESTORATIVE JUSTICE PEACE.

OKAY. ANY OTHER QUESTIONS?

AND A GRAFFITI POLICY.

THAT IS VERY CLEAR. WE CAN DO THAT.

YEAH. SO, I WOULD THINK SOMEBODY LIKE SAFEWAY --

THEY ASKED IF WE HAD A BLIGHT ORDINANCE BECAUSE THEY SAID IT IS SO DIRTY BACK THERE, ALL THE TIME. THAT WAS ANOTHER THING THAT CAME UP IN DISCUSSION. I SAID, DON'T WE HAVE A BLIGHT ORDINANCE? BECAUSE THEY SAID THERE IS SO MUCH TRASH BACK THERE. MARY CAN ATTEST TO THAT, THAT WAS ONE OF THE THINGS THEY WERE ASKING ABOUT.

WEREN'T WE WORKING ON A BLIGHT ORDINANCE?

A DRAFT ORDINANCE WAS PRESENTED TO THE COUNCIL AND THE COUNCIL VOTED NOT TO ADOPT IT.

OH.

I LET THEM KNOW THAT, THAT WAS ONE OF THE FIRST THINGS WE ASKED IS, DON'T WE HAVE A BLIGHT ORDINANCE TO FORCE THEM TO CLEAN UP?

I REMEMBER THAT. IT HAD TO DO WITH INSIDE PEOPLE'S BACKYARDS. JUST WANT TO BE CLEAR, IT WASN'T JUST ABOUT PUBLIC SPACES.

I RECALL THAT, NOW, YEAH. MAYBE AT SOME POINT WE COULD REVISIT THAT IN A DIFFERENT WAY.

DO YOU WANT TO GO TO PUBLIC COMMENT?

THANK YOU, MAYOR. THIS IS ON THE AGENDA ITEM FOR DISCUSSING THE CITY ATTORNEY TO RESEARCH LEGAL OPTIONS RESPONDING TO THE COMMUNITY CONCERNS FOR GRAFFITI AND RACIAL MOCKERY LOCATED AT SAFEWAY. I WILL GO TO CHAMBERS FIRST, AND THEN ZOOM. ANYONE IN CHAMBERS? KYLE?

I REALLY JUST WANT TO ADDRESS THE URGENCY THE COUNCIL IS SHOWING TOWARDS DIFFERENT FORMS OF CONTACT. COUNCIL BROUGHT FORWARD AN ANTI-HATE RESOLUTION, THE INCIDENT WAS SERIOUS ENOUGH AT THAT TIME TO RECEIVE A FORMAL AGENDA ITEM AND PROPOSED CITYWIDE A STATEMENT. NOW, MONTHS AFTER RESIDENTS HAVE REPORTED RACIST CONDUCT DIRECTED AT CHILDREN OF COLOR THE CITY IS ONLY NOW CONSIDERING WHAT TO DO. POLICE OFFICERS HAVE A DEPARTMENT, LEGAL PRESENTATION, AND INSTITUTIONAL POWER OF GOVERNMENT BEHIND THEM. CHILDREN DO NOT. YET GRAFFITI DIRECTED AT POLICE BROUGHT FORTH A HATE CRIME RESOLUTION, WHILE TOWARDS CHILDREN IT DID NOT. I AM ASKING WHITE RACIST CONDUCT AGAINST CHILDREN IS NOT RECEIVED WITH AT LEAST THE SAME URGENCY AND AGENDA SETTING ATTENTION. PRIVATE PROPERTY MAY LIMIT ENFORCEMENT OPTIONS BUT DOESN'T JUSTIFY DELAY. THE CITY CAN IMMEDIATELY CONTACT SAFEWAY, SUPPORT THE AFFECTED FAMILIES, HOLD THE NEIGHBORHOOD MEETING, ASSIGN A RESPONSE RESPONSIBLE STAFF LIAISON, AND REQUIRE LEGAL RECOMMENDATIONS BY A SPECIFIC DATE. DO MORE THAN JUST AUTHORIZE AN OPEN-ENDED PROCESS. SET DEADLINES. REQUIRE FOLLOW-THROUGH. IN 2023, MAYOR McLEWIS SAID THAT DEMOCRACY WORKS ONLY WHEN POLICIES AND LAWS INCLUDE EVERYONE, AND I AGREE. PRINCIPAL MUST INCLUDE AFRICAN-AMERICAN CHILDREN HIS DIGNITY AND SAFETY DESERVE AT LEAST THE SAME PUBLIC CONCERN THAT THIS CITY SHOWED WHEN THE POLICE WERE THE TARGET.

THANK YOU, KYLE. NEXT I WILL GO OUT TO ZOOM. IF THERE IS ANYONE ON AZUMA THAT WOULD LIKE TO MAKE A PUBLIC COMMENT, PLEASE RAISE YOUR HAND VIRTUALLY. SEEING NONE, BACK INTO CHAMBERS.

I JUST WANTED TO SAY -- CAN YOU HEAR ME? YOU ARE USING THE TERM BLIGHT. I WALKED PAST THAT AVENUE QUITE A LOT AND THERE'S DRUG PARAPHERNALIA. THERE IS NEEDLES, NOT JUST VAPE CARTRIDGES, BUT THERE ARE NEEDLES. I PICK THEM UP WITH MY DOG BACK. IF YOU WANT ME TO TAKE PITCHERS, I WILL, BUT TO ME THAT IS A CRITICAL INTERSECT BETWEEN JUVENILES AND SOME PRETTY HEAVY DRUG USE.

THANK YOU FOR YOUR PUBLIC COMMENT. BACK OUT TO ZOOM, IF THERE IS ANYONE ON AZUMA THAT WOULD LIKE TO MAKE A PUBLIC COMMENT, THESE RAISE YOUR HAND? SEEING NONE. BACK INTO CHAMBERS?

WE HAD FIRST OF ALL, WE HAD CITY COUNCIL TRYING TO UNDERSTAND. WITH DISCRETION IF THEY REALLY NEED TO, WE HAVE HAD A LOT OF COUNSEL FLAILING, FAILING TO UNDERSTAND PRETTY MUCH ANYTHING ABOUT THIS. THIS WOULD BE JUST A PART OF THE EVERYDAY STUFF THAT GOES ON, A BIT OF DRUG DEALING AND GRAFFITI, MARGINALIZED, DISADVANTAGED PEOPLE. IT JUST COMES WITH THE TERRITORY, THAT IS WHO WE ARE. IT COMES WITH THE COMMUNITY. SO, I AM JUST WONDERING WHERE WE WILL GO WITH THIS, BECAUSE WE SEEM TO BE BURNING A HUGE AMOUNT OF TIME AND ENERGY WITH ALEX AND SO ON, TO FLAIL AROUND AND SEE IF YOU CAN REINVENT THE JUSTICE SYSTEM AROUND SOME MEMBERS OF THE CITY OF SEBASTOPOL COUNSEL. DON'T REALLY NEED THE POLICE, APPARENTLY, THEY ARE NOT REALLY GOOD ACCORDING TO COUNCILMEMBER ZOLLMAN. MAYBE JUST A FEW LOCAL PEOPLE COME OUT AND DO THE JOB THEMSELVES. PRETTY EMBARRASSING STUFF, AND FAIRLY TYPICAL OF THE WAY THE COUNCIL JUST GOES AROUND AND AROUND, TALKS ENDLESSLY ABOUT THIS STUFF AND THEN NOTHING REALLY HAPPENS. SO, EMBARRASSING, YOU KNOW? LET'S FOCUS LET'S NOT SPEND A TON OF MONEY ON EXPLORING WAYS THAT THE CITY COULD POSSIBLY DO THINGS DIFFERENTLY THAN HOW EVERYONE ELSE DOES IT BECAUSE WE ARE DIFFERENT OR SOMETHING. IT DOESN'T MAKE A LOT OF SENSE.

THANK YOU, OLIVER. NEXT, I WILL GO BACK OUT TO ZOOM, IF THERE IS ANYONE ON AZUMA, WHO WOULD LIKE TO MAKE A PUBLIC COMMENT, PLEASE RAISE YOUR HAND, VIRTUALLY. BACK INTO CHAMBERS, IS THERE ANYONE IN CHAMBERS?

I WONDER IF WE CAN GET A COMMENT FROM THE CHIEF? I THINK THERE IS SOME MISINFORMATION REGARDING THE INITIAL GRAFFITI THING. THE PEOPLE WHO DID IT WERE ACTUALLY ARRESTED, THEY ARE NOW, I THINK, IN THE JUVENILE JUSTICE SYSTEM IN SOME WAY I THINK THAT WOULD BE USEFUL.

THANK YOU, LAURA. NEXT I WILL GO BACK OUT TO ZOOM, IF THERE IS ANYONE ON AZUMA THAT WOULD LIKE TO MAKE A PUBLIC COMMENT, PLEASE RAISE YOUR HAND. SEEING NONE, BACK INTO CHAMBERS. SEEING NONE, PUBLIC COMMENT IS CLOSED.

THANK YOU. WE ARE BACK AT THE DAIS. I ALLUDED TO THIS EARLIER, CHIEF, CAN YOU SPEAK TO WHAT HAPPENED WITH WHAT WE TALKED ABOUT TODAY, AND PROVIDE THAT, WHAT INFORMATION YOU CAN?

IN RELATION TO THE GRAFFITI THAT WAS DEEMED TO BE THE CAUSAL FACTOR FOR THIS AGENDA ITEM, THERE WERE FOUR JUVENILES THAT WERE APPREHENDED IN 24 HOURS, THEY WERE ALL CHARGED, AND THAT BEGINS A PROCESS, AS I UNDERSTAND IT COME INTO THE COUNTY'S JUDICIAL SYSTEM WHICH WE HAVE ZERO CONTROL OVER LEADING

TO THE JUVENILE PROBATION SYSTEM, AND FROM THERE, WHATEVER ROUTE THEY TAKE, WHETHER THAT BE SOME SORT OF RESTORATIVE JUSTICE OR GET INTO TRIAL, CERTAIN QUALIFYING CRIMES THAT MEET THE RESTORATIVE JUSTICE GUIDELINES.

SO THE QUESTION WAS TELL US MORE AND HE SAID, THERE JUVENILES. YOU CAN'T TELL MUCH MORE.

RIGHT, I REALLY CANNOT SHARE ANY INFORMATION BECAUSE THEY ARE JUVENILES, AND THAT IS LAW.

JUST FOR ANYONE WHO NEEDED CLARITY ON THAT, BECAUSE THAT WAS DISCUSSED TODAY, TOO. OKAY. ARE THERE ANY OTHER COMMENTS OR -- PERSONALLY, I DON'T MIND ATTRIBUTING SOME HOURS TO THIS, I WOULD HOPE IT WOULD BE MORE LIKE FIVE BUT, THAT IS KIND OF WHERE I AM AT WITH THAT BECAUSE THAT IS A GENERAL AGENDA ITEM THAT WE TYPICALLY BRING FORWARD, THAT IS WHERE I AM SITTING WITH IT. THOSE ARE MY COMMENTS. GO AHEAD, VICE MAYOR.

I WOULD LIKE TO SEE HOW THESE THINGS CAN BE PREVENTED IN THE FIRST PLACE. SO THAT WE DON'T HAVE THE PROBLEM. I KNOW THAT IS A BIG LEAP, BUT THAT IS WHY I LIKE THE RESTORATIVE JUSTICE MODEL, BECAUSE I THINK THAT IT CAN REALLY HELP. AND I DID HAVE A QUESTION FOR OUR CITY MANAGER, AND MAYBE THE POLICE CHIEF, TOO. HOW MANY TIMES HAVE YOU MET WITH SAFEWAY ON THE SPECIFIC AREA OF RACISM?

WE HAVE NOT MET WITH THE SPECIFIC ISSUE, I WANT TO ADDRESS A SPECIFIC MEMBER, THEY HAVE SPECIFICALLY ASKED THAT THE CHIEF BE THERE, SO THAT WAS THE REASON WHY WE CANCELED THAT MEETING. IT WASN'T BECAUSE I CHOSE TO CANCEL IT, THAT WAS ONE THAT MEETING GOT CANCELED. I HAVE REACHED OUT -- WE HAVE BEEN MEETING WITH SAFEWAY TO DISCUSS ISSUES AS FAR AS THE ISSUES WITH THE KIDS HANGING OUT, THERE ARE A LOT OF PEOPLE IN THE FRONT OF THE STORE, SAFEWAY AND LEE AND THE POLICE CHIEF, WE WERE MEETING WITH THEM REGULARLY, LIKE ONCE A MONTH, TO SEE WHAT WE COULD DO TO TRY TO DETER THAT. THE KIDS HANGING OUT IN THE FRONT, THEY WERE CLAIMING THAT THEY WERE INTIMIDATING, AND SO, WE WERE WORKING WITH ANNALEE, AND THE POLICE CHIEF, WE ARE REQUESTED NOT TO MEET OVER THE SUMMER BECAUSE SCHOOL WAS NOT IN SESSION, SO TODAY WAS THE FIRST DAY THAT I MET WITH THE NEIGHBORS. I KNOW THAT THE CHIEF HAS BEEN IN CONTACT WITH THEM AND TRYING TO KEEP THEM INFORMED OF WHAT WAS GOING ON, SO WE HAVE NOT MET ON THE RACISM ISSUE.

WITH SAFEWAY. BUT YOU HAVE MET WITH THE NEIGHBORS?

TODAY WAS THE FIRST DAY THAT I HAVE MET WITH THE NEIGHBORS.

YEAH, IT WAS BECAUSE THEY HAD REACHED OUT, NOT KNOWING A LOT ABOUT THIS TOPIC, I KNEW THAT WE HAD BEEN MEETING WITH SAFEWAY ABOUT THESE OTHER ISSUES, AND THEY SAID THEY WANTED SAFEWAY THERE, IT TURNS OUT THE SAFEWAY MANAGER, THEY HAVE A NEW ONE, AGAIN, SO THERE IS A DISCONNECT THERE. HE THOUGHT WAS WE COULD BRING THEM ALTOGETHER BECAUSE WE HAD ALREADY BEEN WORKING WITH SAFEWAY, BUT --

CAN YOU MAKE THAT A PRIORITY?

I HAVE ALREADY REACHED OUT TO SAFEWAY.

TO BRING THIS ISSUE TO DISCUSSION?

TO TRY TO HAVE A COMMUNITY DISCUSSION WITH THE NEIGHBORS, I HAVE ALREADY REACHED OUT.

GOOD.

WE HAVE CONTACT WITH THE FOLKS WHO MANAGE, WHAT'S THE WORD, ASSET PROTECTION? THEY ARE OUT IN EAST BAY ANYWAY, WE HAVE A REPORT WITH THEM BECAUSE HE HAS WORKED WITH US AND EMILY, WE HAVE HAD A LOT OF SUCCESS. WE MET TODAY BECAUSE THEY SPECIFICALLY ASKED TO BRING SAFEWAY TO THE TABLE, WE HAD BEEN MEETING WITH THEM ALL THIS TIME BUT THE MANAGER THAT WE HAD BEEN MEETING WITH HAS MOVED ON TO A DIFFERENT STORE. ANYWAY, THERE WAS JUST SOME DISCONNECT THERE, BUT THAT IS WHAT WE DID TODAY.

IF I COULD SPEAK TO THE VICE MAYOR'S COMMENT ABOUT RACISM, CAN I CLARIFY IF YOU DISCUSSED DISCUSS RACISM, OR THE HATE CRIME GRAFFITI WITH THEM?

ALL OF IT.

THE GRAFFITI WAS ABSOLUTELY DISCUSSED WITH THEM? WE DEFINITELY DISCUSSED THAT AS A COLLECTIVE GROUP, BECAUSE IT WAS A VERY CONCERNING INCIDENT FOR US, FOR THE COMMUNITY, AND FOR THE VICTIMS WHO SAW THAT AND WERE OFFENDED BY IT.

WHERE THE NEIGHBORS THERE?

THEY WERE NOT, BECAUSE THIS IS A PRE-EXISTING MEETING THAT ACTUALLY ADDRESSES THE ISSUES THEY WERE CONCERNED WITH ANYWAY.

YOU MEAN SOME OF THE PEOPLE THAT WERE HERE BEFORE?

I AM ASKING IF THE VICTIMS --

NO, THEY WEREN'T A PART OF THAT PARTICULAR MEETING BECAUSE THIS WAS A PRE-EXISTING MONTHLY MEETING AND WE WERE ADDRESSING CONCERNS AS THEY COME UP FROM MONTH-TO-MONTH. ANY OF THE CAUSAL FACTORS THAT WE CAN TRACE BACK AND HOW WE CAN PREVENT FURTHER THINGS FROM OCCURRING. THAT WAS OBVIOUSLY A VERY IMPORTANT INCIDENT, AND PART OF THAT TOPIC WAS HOW QUICKLY WE CAN GET SAFEWAY TO COVER UP ANY GRAFFITI, BECAUSE IT IS OFFENSIVE AND INSIGHTFULLY UNSIGHTLY, IF NOTHING ELSE. THEY SAID THEY WOULD ENDEAVOR TO CLEAN UP ANY GRAFFITI WITHIN 24 HOURS WHICH IS WHAT THE VICTIMS WE MET WITH TODAY WERE ASKING FOR. THAT ALREADY EXISTS.

WHO WAS AT THIS MEETING? THE POLICE DEPARTMENT, SAFEWAY AND EMILY AS WELL? THE ONE YOU WERE DESCRIBING.

WE HAD THE MAYOR, MYSELF, I BELIEVE THE CITY MANAGER, THE SUPERINTENDENT FROM THE SCHOOL DISTRICT, THE PRINCIPAL, AND THEN A VARIETY OF REPRESENTATIVES FROM SAFEWAY, REGIONAL MANAGERS, LOCAL MANAGERS, THERE WERE A LOT OF RESOURCES THAT WERE BROUGHT IN TO TRY TO MEET COMMITTEE EXPECTATIONS.

CAN I JUST SAY, ACCORDING TO THE NEIGHBORS THAT WERE THERE WHEN WE ASKED THEM HOW LONG THE GRAFFITI WAS ON THE BUILDING, THEY SAID IT WAS 45 HOURS. SAFEWAY SAID THEY WOULD TRY TO TAKE CARE OF IT WITHIN THAT TIMEFRAME AND THEN THE NEIGHBORS ACTUALLY SAID IT WAS A 4 TO 5 HOURS THAT IT WAS THERE.

THE MEETING YOU JUST DESCRIBED.

YES.

DID YOU COMMUNICATE THAT TO THE NEIGHBORS SO THEY WERE AWARE OF WHAT'S BEEN DONE?

YES. AND THAT WAS ACTUALLY COMMUNICATED TO THEM AFTER I RECEIVED THE FIRST EMAIL CORRESPONDENCE FROM ONE OF THE INVOLVED PARTIES TODAY ON THE 3rd OF JUNE. SHE HAD A COMPREHENSIVE REPLY WITHIN THREE HOURS.

DO YOU REMEMBER THE DATE OF THIS INCIDENT?

I DON'T OFF THE TOP OF MY HEAD BUT MAY, I'M GUESSING. BY THE TIME IT FILTERED THROUGH AND BECAME AN ISSUE WHERE THEY WANTED TO VOICE SOME CONCERN, I THINK IT WAS LATER IN MAY, PERHAPS.

ANYONE ELSE?

NO, I'LL GO AHEAD AND MAKE THE MOTION TO ALLOCATE TIME FOR OUR CITY ATTORNEY TO RESEARCH THE OPTIONS THAT WE HAVE TO DEAL WITH THE SITUATION, ANDING AAS ALEX SORT OF SAID, WE SEEM TO HAVE NARROWED IT DOWN TO RESTORATIVE JUSTICE. AND HAVING THAT RESEARCH PRESENTED WHEN THIS IS NEXT BACK ON THE AGENDA, WHICH I DON'T KNOW WHAT AGENDA OR REVIEW COMMITTEE IS DOING. I'M ASSUMING THAT THEY HAVE ALREADY ALLOCATED TIME FOR THIS AT THE BEGINNING OF SEPTEMBER, WHICH I THINK THAT'S WHEN THE RESIDENTS ARE THINKING THIS IS HAPPENING BACK. CAN ANYBODY SPEAK TO WHEN THIS IS COMING BACK?

WE SPOKE THAT THIS ITEM PER THE MEETING TODAY WITH THE NEIGHBORS, THEY WANTED IT BACK ON THE 1st OR THE 15th. TO BRING BACK A FULLY VETTED STAFF REPORT WITH ALL THE OPTIONS, I'M GOING TO HAVE TO RELY ON ALEX TO TELL ME WHAT DATE.

WE CAN MAKE THE 1st.

OF SEPTEMBER? SEPTEMBER 1st. WE'LL NEED TO LOOK AT THE AGENDA, BECAUSE SEPTEMBER 1st IS PACKED.

ITEMS ARE BEING PUSHED BECAUSE WE HAVE ALL THOSE -- ST. VINCENT DePAUL, WE HAVE ALL THOSE DIFFERENT ITEMS ON THERE. AND IT'S ALREADY FULL TO THE POINT WHERE I MAY NOT ALL GET HEARD. JUST UNDERSTAND THAT MIGHT BUMP ONE OF THOSE ITEMS, IF THAT'S THE PRIORITY.

HOW MANY HOURS --

I HEARD, ALEX, TEN HOURS? EVEN THOUGH WE NARROWED THE ISSUES DOWN?

YEAH, YOU HAVE TO DO THE RESEARCH AND THEN WRITE THE STAFF REPORT. TOGETHER, I THINK THOSE WOULD GO OVER FIVE HOURS. AND SO THAT'S WHY I --

OKAY, THAT'S THE MOTION, FOR THE TEN HOURS. SECOND? OR NOT SECONDING IT?

SECOND.

I'M SORRY. THAT WAS A LITTLE BLUNT.

YEAH, AND THERE'S SOME BLUNT COMMENTS TONIGHT. I REALLY FIND IT A ROUGH EVENING. HEAD IN THE SAND. IS ANYBODY AWAKE? SO I JUST --

FAIR POINT.

LET'S ALL LIKE --

AT THIS SIDE OF THE TABLE OVER HERE.

I DIDN'T WANT TO --

SECOND IT.

JUST TO OVERSHARE, I WAS YELLED AT EARLIER BEFORE THIS EVEN STARTED. SO, YEAH. I'M ALL OVER IT.

IF THERE'S NO FURTHER, I WILL GO AHEAD AND CALL THE MOTION. COUNCILMEMBER ZOLLMAN MOVED, CARTER SECONDED THE MOTION, TO APPROVE TEN HOURS FOR CITY ATTORNEY TIME TO RESEARCH LEGAL OPTIONS IN RESPONSE TO THE COMMUNITY CONCERNS OF THE GRAFFITI AND RACIAL MOCKERY IN THE SAFEWAY AREA, FOEL FOCUSING ON RESTORATIVE JUSTICE, RETURNING THIS TO SEPTEMBER 1st COUNCIL MEETING. CARTER?

YES.

HINTON?

NO.

ZOLLMAN?

YES.

MAUER?

YES.

McLEWIS?

NO.

MOTION PASSES 3-2 WITH COUNCILMEMBERS CARTER, ZOLLMAN, VICE MAYOR MAWER IN SUPPORT. COUNCILMEMBER HINTON AND MAYOR McLEWIS IN OPPOSITION.

OKAY. WE ARE MOVING ON --

CAN I ASK, ARE WE NOT ALLOWED TO MAKE A COMMENT AFTER THE FACT?

NO.

CAN I MAKE A COMMENT?

I THINK SO.

YEAH, SORRY, YEAH.

I WANT TO SAY, I CLARIFIED I VOTED NO BECAUSE I DIDN'T AGREE WITH TEN HOURS, I DIDN'T AGREE WITH THE DATE OF SEPTEMBER 1st.

OKAY. MOVING ON TO NUMBER 10. CONSIDERATION OF CONTRIBUTION OF FORMATION OF EIFD AND NEXT STEPS. AND THAT WOULD BE -- IT WAS REQUESTED BY COUNCILMEMBER CARTER AND COUNCILMEMBER HINTON. AND THEN THE RESPONSIBLE DEPARTMENT IS PLANNING. DO WE HAVE THEM ON ZOOM?

WE DO NOT HAVE THEM ON ZOOM TONIGHT, SO WE'RE GOING TO GO AHEAD AND HAVE THE TWO COUNCILMEMBERS FROM THE AD HOC PRESENT IT. WE ALSO HAVE JOST COSMOT IN ATTENDANCE AS WELL TO ANSWER THE QUESTIONS.

OKAY, ALL RIGHT.

ONE OF THE PRIMARY REASONS TO SUPPORT THE EFID, ESPECIALLY RIGHT NOW, IS GIVEN THAT WE HAVE A LOT OF INFRASTRUCTURE INISSUESTO ADDRESS, WE CAN ALLOCATE MONEY TOWARDS INFRASTRUCTURE RIGHT NOW. AND A LOT OF OUR CITIZENS ARE SAYING, LIKE, HEY, CAN THE COUNTY CONTRIBUTE? THIS IS THE WAY, THIS IS THE MECHANISM, THAT MAKES THAT POSSIBLE. SO WE CAN GO AHEAD AND ADDRESS OUR INFRASTRUCTURE ISSUES WITH THE HELP OF THE COUNTY THROUGH THIS. AND I THINK THAT'S ONE OF THE STRONGEST THINGS. BASICALLY THE MATCH DOUBLES. AND WE HAVE A FEW NEEDS THAT WE NEED TO ADDRESS, BUT THIS WILL NOT IMPACT OUR GENERAL FUND. OR LIKE -- SPECIFICALLY, IT, YOU KNOW -- WE WILL PAY A LITTLE BIT OUT OF OUR GENERAL FUND, BUT FROM THE ALLOCATION OF FUNDS, WE CAN EITHER GET IT BACK OR WE CAN RECAPTURE MONEY THAT THE STAFF TIME IS PAYING FOR. THAT WAS A BUNCH OF GARBAGE. THE GENERAL FUND IS GOING TO TAKE VERY LIGHT IMPACT FORFOR SOME OF LOANS WE WOULD TAKE OUT OR BONDS WE'D TAKE OUT FOR INFRASTRUCTURE. THE COST OF THIS PROCESS IS GOING TO HIT THE GENERAL FUND.

I'LL JUST SAY THAT THIS REPLACES, IN MANY WAYS, THE OLD MONEY CITIES USED TO GET THAT WAS CALLED REDEVELOPMENT FUNDS. SO IT ALLOWS US TO, AS PHIL SAID, NOT IMPACT OUR GENERAL FUND AT A HIGH LEVEL. IT ALLOWS US TO DRAW A MAP BOUNDARY SPECIFICALLY. AND WE WERE MOVING THIS PROCESS ALONG WHEN I SAT ON THIS COMMITTEE PREVIOUSLY WITH COUNCILMEMBER ZOLLMAN. BUT WE PUT A HALT TO IT FORFOR CITY OF SEBASTOPOL BECAUSE WE HAD TO FOCUS ON OUR SALES TAX MEASURE. AND SO THE REST OF THE DISTRICT WENT AHEAD WITH AN EIFD, AND WE DECIDED TO COME BACK AND DO OUR OWN. AND THAT WAY, WE WOULD HAVE

DISCRETION OVER THE PROJECT THAT WE PICKED. AND NOT BE IN COMPETITION, BASICALLY, WITH THE ENTIRE FIFTH FIFTH AND DIFFERENT PROJECTS THAT INVOLVE THAT. BY CREATING OUR OWN EIFD, WE GET -- AS LONG AS THE BOARD OF SUPERVISORS WOULD PASS IT, WE GET A MATCH. IT'S A LONG-TERM PROJECT. AND IT HELPS US PAY BIG INFRASTRUCTURE PROJECTS. SO WE'RE HAPPY TO TAKE QUESTIONS. WE'RE ALSO HAPPY TO HAVE JOE, WHO'S THE EXPERT AT IT AND HAS DONE A NUMBER OF THESE FOR OTHER SECTIONS WITHOUT -- WITHIN THE COUNTY, INCLUDING SANTA ROSA, THE REST OF THE FIFTH IS MOVING FORWARD. I THINK THERE'S SOMETHING HAPPENING IN A DISTRICT OUT BY SONOMA, IN THAT DISTRICT. AND SO THERE'S A NUMBER OF THESE. AND WE WOULD LIKE TO CREATE ONE FOR SEBASTOPOL.

GO AHEAD, VICE MAYOR.

QUESTION. THE MATCH BY THE COUNTY IS NOT GUARANTEED. THEY HAVE TO VOTE ON IT, IS THAT CORRECT?

THAT IS CORRECT, BUT HOWEVER, EVERY ONE THAT THEY'VE BEEN PASSING, THEY HAVE BEEN APPROVING, THAT'S BEEN BROUGHT TO THEM AT THIS POINT. SO THE ODDS OF THEM APPROVING IT I BELIEVE ARE HIGH.

IS OUR SUPERVISOR LINDA HOPKINS SUPPORTIVE OF THIS?

YES.

SHE IS. WE'VE MET WITH HER.

YOU'RE CERTAIN OF THAT?

YES.

OKAY. SO IN THE PAST WHEN THIS WAS DISCUSSED, THE LAST TIME, I REMEMBER THE CONSULTANT SAYING THAT THIS WOULD TAKE VERY LITTLE STAFF TIME. IT WAS GOING TO BE AN ANNUAL MEETING OR SOMETHING. IT WAS GOING TO REQUIRE TWO COUNCILMEMBERS, BUT THAT IT REALLY WOULDN'T REQUIRE A LOT OF STAFF TIME. BUT NOW IT SEEMS LIKE IT'S A DIFFERENT STORY, THAT IT WILL BE REQUIRING STAFF TIME AND MAYBE EVEN THAT STAFF WOULD LIKE TO BE REIMBURSED. SO THAT PART OF IT HAS ME CONCERNED. SO CAN YOU ADDRESS THAT, PLEASE?

MARY, COULD YOU ADDRESS THAT PART? I DO BELIEVE THE CHANGE SLIGHTLY HAS TO DO WITH WE'RE NOT PART OF THE ENTIRE FIFTH DISTRICT PROJECT ANYMORE, NOW THIS IS OUR OWN EIFD. COULD YOU ELABORATE?

THAT IS MY UNDERSTANDING. WITH THE EIGHT TO TEN HOURS THAT HAVE BEEN -- FROM THE CONSULTANT, HE HAS INDICATED EIGHT TO TEN HOURS A WEEK TO HAVE CITY STAFF DOING THIS. WE DID HAVE HELP FROM THE COUNTY BEFORE WHEN IT WAS A JOINT COUNTY/CITY VENTURE. BUT STAFF WOULD BE NOW RESPONSIBLE FOR HELPING TO OVERSEE IT. SO MY UNDERSTANDING IS ABOUT A QUARTER TIME OF A STAFF PERSON. IT'S THROUGH THE PFAS, AS WELL.

SO IF THE EFID HAD TO PAY IT BACK, IS THE COUNTY GOING TO BE OKAY WITH THAT?

I HAVE NOT SPOKEN TO THE COUNTY. SO I'VE NOT BEEN IN THE CONVERSATIONS WITH THE SUPERVISOR.

THE COUNTY'S NOT REIMBURSING US FOR THIS EXPENSE TO ORGANIZE AND TO MANAGE IT. THE COUNTY IS ONLY MATCHING OUR DOLLARS SPENT.

OKAY, BUT DO THEY -- ARE THEY AWARE THERE MAY BE A REQUEST FOR STAFF TIME THAT WOULD COME OUT OF THAT? BECAUSE THAT WOULD AFFECT THE THOUGHT, RIGHT?

NOT TO THE EXTENT THAT IT'S -- BECAUSE IT'S AN INSIGNIFICANT AMOUNT TOWARDS THE BOND AMOUNT. SAY IF WE CAN BORROW LIKE \$28 MILLION, \$230,000 IS RATHER NEGLIGIBLE. SO THEY ARE NOT GOING TO WEIGH IN ON THAT PARTICULAR ASPECT. IT'S NOT GOING TO BE A CRITICAL PART OF THEIR CHOICE.

BUT THE COUNTY IS NOT PAYING US BACK FOR COMING -- FOR STAFF TIME OR ORGANIZING IN THE EIFD.

BUT IF YOU THINK ABOUT -- I REALLY WANT TO GET THE NUMBERS ON THIS. BECAUSE MY UNDERSTANDING FROM WORKING WITH BOB LELAND IS THAT WE WOULD BE GIVING AWAY SAVING, RIGHT, MAYBE 20, \$25,000 A YEAR. THAT INCREMENTAL PART OF THE PROPERTY TAX WOULD GO INTO THIS SAVINGS ACCOUNT, RIGHT? THEN THE COUNTY WOULD MATCH IT. SO THAT'S \$50,000. BUT WHAT IS THE COST OF A QUARTER-TIME STAFF PERSON? BECAUSE IF THEY'RE GOING TO GET REIMBURSED, YOU KNOW, WE'RE GOING TO BE -- IT'S GOING TO COST -- I NEED TO KNOW THIS.

THIS IS ONLY DURING THE FORMATION. NOT ONGOING.

OKAY, SO HOW -- HOW MANY WEEKS?

SAY THAT AGAIN?

MY UNDERSTANDING IS THAT IT INCLUDES THE FORMATION BUT ALSO THE PFAS, THE PUBLIC FINANCING, TO GET THAT UP AND RUNNING AS WELL.

RIGHT, SO DO YOU HAVE --

FOR HOW LONG?

CAN WE ASK -- I'D LIKE TO ASK THAT QUESTION TOO. IT'S MY UNDERSTANDING THERE WAS MORE TIME, TO WHAT YOU HAD SAID, MARY.

JOE, CAN YOU HEAR US OKAY?

HEAR YOU GREAT, THANK YOU. GOOD EVENING, MAYOR, MEMBERS OF THE CITY COUNCIL. SO THE REVENUES INCREASE ANNUALLY AS ASSESSED VALUES GROW. IT WAS THAT FIRST YEAR --

WE JUST HAD A SPECIFIC QUESTION ABOUT HOW MUCH IT WOULD COST ON STAFF TIME, JUST TO SAVE SINUS TIME. I DON'T WANT YOU TO GO THROUGH ALL THE STEPS ARE DID YOU HEAR THE QUESTION?

I BELIEVE SO. YEAH. SO WE'RE ESTIMATING CONSERVATIVELY, MEANING CONSERVATIVELY HIGH, EIGHT TO TEN HOURS OF STAFF TIME WEEKLY.

FOR HOW LONG?

ACROSS THE STATE --

FOR HOW LONG?

IT'S SORT OF HOT AND HEAVY FOR ABOUT SIX MONTHS. THAT'S THE TIME THAT IT TAKES TO DO ALL THE FORMATION MEETINGS AND HEARINGS AND THE REQUIRED NOTICING.

AND THAT'S THE EIGHT TO TEN HOURS, THE HOT AND HEAVY TIME?

THAT'S CORRECT. AND THEN ONCE FORMED, THAT'S WHEN THINGS GO EASY. AND MAYBE THAT WAS THE POINT OF CONFUSION. IT'S HEAVIER UP FRONT, FRONT-LOADED. THEN ON AN ONGOING BASIS, IT'S TYPICALLY ONE MEETING ANNUALLY OF THIS PUBLIC FINANCING AUTHORITY AND SOME STAFF TIME TO PREPARE AN AGENDA AND A STAFF REPORT FOR THAT ANNUAL MEETING. THAT NUMBER DROPS DOWN TO ABOUT A QUARTER OF THAT, YOU KNOW, WHEN YOU LOOK AT IT ON AN ANNUAL BASIS. THE REALITY IS, THIS CAN BE DONE WITHOUT A CONSULTANT LIKE KOSMONT? OF COURSE. IT WOULD TAKE A LITTLE BIT MORE OF A STAFF PERSON AND SCENARIOS WHERE FIRMS LIKE OURS ARE INVOLVED, THE ONGOING ANNUAL IS PROBABLY ALMOST NEGLIGIBLE FOR A STAFF PERSON. SO IT'S JUST A POLICY DECISION FOR THE FUTURE, IF THIS THING GETS DONE, IF YOU WANT TO KEEP IT INTERNALLY MANAGED OR OUTSOURCE THAT TO A FIRM LIKE OURS.

OKAY, THANK YOU. GO AHEAD.

SO, WHAT WOULD IT COST TO HAVE A STAFF PERSON, SALARY AND BENEFITS, WHAT DOES THAT COST IN TERMS OF IF THIS EFID IS GOING TO REIMBURSE STAFF?

THAT WOULD BE DEPENDING WHICH STAFF PERSON. IF WE HAVE A CONSULTANT ON BOARD, RIGHT NOW THE PLANNING DEPARTMENT WOULD BE THE RESPONSIBLE DEPARTMENT. WE HAVE JUST HIRED AN ASSOCIATE PLANNER. SO THEY WOULD BE -- THEIR COSTS WOULD BE A LOT LESS. RATHER THAN IF WE HAD THE CONSULTANT DO IT. I WILL SAY THE ASSOCIATE PLANNER IS A NEW PLANNER, SO I'M NOT SURE I WOULD PUT THEM INTO THAT POSITION TO MANAGE THIS AT THIS POINT. I'M SURE THEY WOULD COME UP TO SPEED VERY QUICKLY. BUT IF WE'RE LOOKING AT CONSULTANT TIME, IF I HAVE TO HAVE A PLANNING DIRECTOR TO OVERSEE IT FOR THE FIRST FEW MONTHS, THEY CHARGE ABOUT \$200 AN HOUR. SO THE ASSOCIATE PLANNER WOULD BE PROBABLY CLOSE TO \$80 AN HOUR. THAT'S WITHOUT BENEFITS.

SO JOE, CAN YOU CLARIFY? OUT OF CURIOSITY, IF WE DID HAVE TO HIRE A CONSULTANT UNTIL WE GOT PERMANENT STAFF ON, THAT COULD BE REIMBURSED FROM THE EFID? IS THAT CORRECT OR NOT? JOE, CAN YOU -- JOE, CAN YOU HEAR US?

I CAN. FOR SOME REASON, I WAS NOT ABLE TO UNMUTE. NOW I AM ABLE TO UNMUTE. THAT IS CORRECT. CONSULTING TIME -- CONSULTANT TIME IS REIMBURSABLE. I WILL TELL YOU, BECAUSE WE'RE IN THE MIDDLE OF THE CONVERSATIONS ON SANTA ROSA, IT'S A DIFFERENT DISCUSSION WHEN IT'S ABOUT REIMBURSING STAFF TIME. WHETHER THAT'S THE CITY'S TIME OR THE COUNTY STAFF FOR DOING THEIR PART OF THIS. SO FAR, STAFF TIME HAS BEEN LEFT OUT OF THE REIMBURSEMENT DISCUSSIONS. WHEREAS CONSULTING TIME IS SORT OF EASILY IN PLAY FOR THOSE REIMBURSEMENT CONVERSATIONS.

ALL RIGHT, SO BASICALLY WHAT WE'RE BEING ASKED TO DO IS COMMIT THIS 260 HOURS OF STAFF TIME AT THE TOP, RIGHT? EIGHT TO TEN HOURS FOR 26 WEEKS? \$52,000 AT \$200 AN HOUR. AND THAT IS PRETTY MUCH AS MUCH AS WE'VE SET ASIDE FOR THE WHOLE EFID, INCLUDING THE COUNTY PART. RIGHT? AM I MISSING SOMETHING HERE? ARE YOU JUST EXPECTING THAT STAFF TIME WOULD NOT BE REIMBURSED, THAT WE WOULD BE COMMITTING 260 HOURS OF STAFF TIME TO THE EFID? BECAUSE THAT'S A BIG COMMITMENT.

I THINK JOE STATED THAT STAFF TIME WOULD NOT BE REIMBURSED.

AND WHAT I HEARD MARY SAY IS WE JUST HIRED AN ASSOCIATE PLANNER, AND THEY COULD EASILY GET UP TO SPEED. SO I WOULDN'T EXPECT WE WOULD PAY A CONSULTANT FOR SIX MONTHS. I WOULD HOPE NOT, IF WE JUST HIRED SOMEONE.

NO, WHAT I WAS SAYING IS THAT -- SO YES, WE HAVE AN ASSOCIATE PLANNER COMING ON. CAN HE GET UP TO SPEED? YES. I HAVE NO DOUBT ABOUT THAT. HOW FAST CAN HE GET UP TO SPEED IF HE'S NEVER DONE EFID OR PFAS OR ALL THAT? IT IS GOING TO TAKE A LITTLE BIT GETTING HIM ON BOARD. WE MAY HAVE TO PAY, DEPENDING WHO THE PLANNING CONSULTANT IS OR THAT TIME, SOME HOURS TO COVER THAT UNTIL SUCH TIME AS THAT PERSON IS BROUGHT UP TO BOARD.

MY POINT IS NOT ALL THE HOURS WOULD BE COVERED BY A CONSULTANT, IT WOULD BE A COMBINATION?

THAT IS CORRECT, IT WOULD BE A COMBINATION AT THIS POINT RIGHT NOW.

SO IF THE ASSOCIATE PLANNER MAKES \$80 AN HOUR, DOES THAT INCLUDE THE BENEFITS AND EVERYTHING?

NO, THAT DOES NOT. THAT DOESN'T INCLUDE THEIR BENEFITS OR ANYTHING LIKE THAT. SO LET ME PULL UP WHAT THE ESTIMATE IS. IT DEPENDS ON, AGAIN THEIR MEDICAL, IF THEY HAVE A FAMILY, DON'T HAVE A FAMILY. LET ME PULL THAT UP.

OKAY.

AND JUST KIND OF WANT TO MENTION THAT, BECAUSE OF THE COUNTY'S CONTRIBUTION, THIS IS ACTUALLY PAID FOR. AND WE'RE GETTING A LOT OF INFRASTRUCTURE WORK PAID FOR. SO WHEN WE GO OUT TO GET A LARGER BOND, WE'RE NOW DOING FRONT-LOADED WORK, YEAH. AS WE DO THESE OTHER PROJECTS, THEN WE DON'T HAVE THOSE EXPENSES GOING OUT FOR A BOND. WE CAN'T GET -- LIKE GOING OUT FOR A VOTE FOR A BOND IS EXPENSIVE. THAT TAKES LOADS OF HOURS. SO THERE ARE A LOT OF EFFICIENCIES IN THIS. AND THAT IT'S REALLY KIND OF COVERED IN ALL THE PROJECTS THAT WE'RE DIAGNOSE FORWARD. WE'RE JUST PUTTING THAT WORK HERE, BUT WE'RE GOING TO GET IT BACK.

PUT WHEN WILL WE GET THAT BACK? HOW LONG IS IT GOING TO TAKE TO --

IN EVERY PROJECT THAT WE DO, WE WON'T HAVE TO DEAL WITH --

NO, I'M JUST ASKING FOR LIKE A TIME FRAME. LIKE IF WE DO THIS, AT WHAT POINT -- HOW MANY YEARS BEFORE WE ACTUALLY ARE ABLE TO, LIKE, YOU KNOW --

IT'S OUTLINED IN THE STAFF REPORT.

I KNOW, I'M JUST ASKING TO --

IT WILL BE COMMONLY ABSORBED AFTER YEAR FIVE, LIKE THROUGH THE -- BUT IT WILL REALLY BE ABSORBED WHEN WE HAVE PROJECTS DONE AND START DOING THEM. AS

WE JUST PUT MONEY ASIDE, THAT'S NOT REALLY DOING US THE SAME FAVOR AS DOING THE PROJECTS WILL. I MEAN, THIS IS WITH THE INTENTION OF DOING PROJECTS. IT'S NOT WITH THE INTENTIONS OF PUTTING MONEY ASIDE. THIS IS THE INTENTION OF, HEY, WE WANT TO INVEST IN OUR CITY, AND THESE THINGS SHOULD HAVE A RETURN ON INVESTMENT, AND THEY SHOULD MAKE OUR CITY GROW, AND THEY SHOULD BRING IN SALES TAX. AND IF WE DON'T DO THOSE THINGS, WE'RE NOT GOING TO GET THE SALES TAXES WE THINK WE MIGHT. SO THIS IS THE ONLY WAY THAT WE CAN GET THIS MONEY, LUMP SUM UP FRONT, WITHOUT GOING INTO A SPECIAL BANK SITUATION WHICH COSTS MONEY. LOANS COST MONEY. YOU KNOW, MORE GOING THROUGH A REGULAR BANK. SO WE BECOME, YOU KNOW, VULNERABLE TO JUST HAVING TO DO, YOU KNOW, SMALL PROJECTS THAT WE CAN AFFORD. LIKE BASICALLY AT A CAP.

GO AHEAD.

SO HOW MANY COUNCILMEMBERS ARE REQUIRED TO SIT ON THIS BOARD?

I BELIEVE IT'S TWO.

OKAY. AND DO WE HAVE TWO COUNCILMEMBERS HERE THAT WILL VOLUNTEER TO BE ON THAT BOARD? OKAY. THANK YOU.

ANY OTHER QUESTIONS? WE CAN GO TO PUBLIC COMMENT.

I WANT TO CLARIFY THE \$80 DOES COVER BENEFITS AND EVERYTHING. THAT IS ALL INCLUDED PER HOUR.

SO JUST TO ANSWER ANOTHER QUESTION, IN THE STAFF REPORT ON PAGE 8, THERE'S A GRAPH SHOWING THE CUMULATIVE, YOU KNOW. AFTER TWO YEARS IT'S A LITTLE UNDER 90,000 CUMULATIVE, HALF OF WHICH IS FROM THE COUNTY. SO, YOU KNOW. AS A POINT OF REFERENCE.

OKAY. YOU WANT TO GO TO PUBLIC COMMENT?

THANK YOU, MAYOR. THIS IS PUBLIC COMMENT FOR THE EIFD MOVING FORWARD. IF YOU'D LIKE TO MAKE A PUBLIC COMMENT, NOW IS YOUR OPPORTUNITY. I WILL COME TO CHAMBERS FIRST. SEEING NONE, I WILL GO OUT TO ZOOM. LEE, CAN YOU UNMUTE YOURSELF, PLEASE?

WHOOOPS.

THERE YOU GO. I CAN HEAR YOU. CAN YOU SEE THE TIMER?

YES.

GREAT. GO AHEAD WITH YOUR PUBLIC COMMENT, PLEASE.

YEAH, I SUBMITTED A FAIRLY LENGTHY ONE. YOU GUYS CAN JUST READ IT. I DIDN'T GET IT TILL LATER TODAY. SO YOU MAY NOT HAVE SEEN IT. BUT A COUPLE OF THOUGHTS. NUMBER ONE, I'M PRETTY SURE IN THE STAFF REPORT IT SAYS THREE COUNCILMEMBER AND TWO MEN'S OF THE PUBLIC MAKE UP THE COMMISSION. IF THAT'S WRONG, THEN THE STAFF REPORT NEEDS TO BE CORRECTED. I THINK YOU ALL ARE GETTING SOME OF THE ISSUES HERE. I THINK THE NUMBERS THAT HAVE BEEN PRESENTED, YOU ALL ACTUALLY EXTENDED THE KOSMONT CONTRACT TO GET A FULL FINANCIAL ACCOUNTING AND I DON'T THINK YOU EVER GOT IT. I DON'T THINK THAT THE REVENUE NUMBERS THEY'RE SHOWING IN THE STAFF REPORT ARE REAL NUMBERS. I THINK IT'S AN ILLUSTRATION OF WHAT IT MIGHT LOOK LIKE. I SHOWED A GRAPH OF REAL PROPERTY TAX REVENUES LOOK LIKE YEAR OVER YEAR, THE INCREASES LOOK LIKE YEAR OVER YEAR. THEY'RE VERY UNEVEN. AND THEY DON'T STEADILY GROW OVER EIGHT OR TEN-YEAR PERIOD. SO I DON'T KNOW IF YOU'VE SEEN REAL NUMBERS YET FOR REVENUE. YOU HAVEN'T SEEN ANY NUMBERS FOR COST OTHER THAN WHAT'S IN THE STAFF REPORT. JUST LIKE \$110,000 FOR THE UP-FRONT, PLUS THE STAFF TIME WHICH YOU GUYS HAVE BEEN DISCUSSING, AROUND \$50,000. SO PROBABLY \$160,000 UP FRONT. ONCE YOU GET THIS THING ESTABLISHED, I DON'T UNDERSTAND WHY IT WOULD BE ONE MEETING A YEAR AND NO TIME SPENT. I GUESS IT'S JUST COLLECTING MONEY. BUT YOU DON'T HAVE ANY AGREEMENT YET ON WHAT PROJECTS ARE YOU GOING TO DO, HOW ARE YOU GOING TO MAKE THAT DECISION? IF YOU LOOK AT THE COMMONS PROJECT THAT MAYOR ZOLLMAN'S BEEN LEADING, I'M SORRY, COUNCILMEMBER ZOLLMAN'S BEEN LEADING, THAT'S A HUGE, HUGE EFFORT TO NARROW DOWN WHAT IT IS YOU WANT TO DO WITH THIS MONEY. AND A LOT OF THAT WORK IS GOING TO REQUIRE CONSULTANTS. BECAUSE YOU DON'T HAVE OTHER PEOPLE AND STAFF TO DO THAT KIND OF WORK. YOUR COMMITTEE, A QUARTER OF A STAFF PERSON, YOU DO \$THAT FOR COMMONS TOO. TURNS OUT EVERY TIME THIS COUNCIL COMMITS TO A QUARTER OF A STAFF PERSON, THEY DON'T HIRE ONE, THERE'S NO MONEY IN THE BUDGET TO PAY FOR -- DID I EAT IT ALL UP? GOOD ENOUGH, THANKS.

THANK YOU FOR YOUR PUBLIC COMMENT. I WILL COME INTO CHAMBERS.

VERY QUICKLY, I'D LIKE TO SEE SOME GUARANTEES THE COUNCIL IS GOING TO HAVE MONEY IN A COUPLE OF YEARS' TIME. THE CITY COULD BURN THROUGH A LOT OF MONEY CHASING THE EFID DREAM. THEN THE WAY THE ECONOMY IS AT THE MOMENT, YOU KNOW, THERE MAY BE NO MONEY IN THE BANK FOR THE COUNTY IN TWO YEARS' TIME. I KNOW THE COUNTY ARE REALLY STRUGGLING AT THE MOMENT. SOME KIND OF GUARANTEES BEFORE YOU DIVE HEADFIRST INTO THIS AND SPEND A LOT OF MONEY, IT WOULD BE REALLY GOOD TO HAVE SOME CAST-IRON GUARANTEES THAT THE COUNTY ARE ACTUALLY GOING TO BE GOOD FOR MOVING FORWARD ON THIS. I'M PRETTY LEERY ABOUT IT ANYWAY, BUT THAT SEEMS TO BE SUPER IMPORTANT TO ME, THANK YOU.

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT, I WILL GO BACK OUTOUT ZOOM. IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE TO MAKE A PUBLIC COMMENT, PLEASE RAISE YOUR HAND VIRTUALLY. SEEING NONE, I WILL COME BACK INTO CHAMBERS. SEEING NONE, PUBLIC COMMENT IS CLOSED. CAN I JUST MAKE A CORRECTION TO A MEMBER OF THE -- SO IF IT'S CITY ONLY, IT IS THREE COUNCILMEMBERS. IF THE COUNTY IS INVOLVED, IT IS -- IF THE COUNTY OF SONOMA AND THE CITY PARTICIPATE TOGETHER, THEN IT IS TWO MEMBERS OF THE CITY COUNCIL, ONE BOARD OF SUPERVISORS, THEN ONE MEMBER OF THE PUBLIC APPOINTED BY THE COUNCIL, ONE MEMBER APPOINTED BY THE BOARD OF SUPERVISORS.

OKAY.

SO IT WOULD BE THREE IF IT WAS CITY ONLY.

OKAY. ALL RIGHT. WELL, WE'RE BACK HERE AT THE DAIS. I'M JUST GOING TO SAY WHAT I NEED TO SAY. I ALL ALONG HAVE BEEN SKEPTICAL OF THIS. I SPENT A GREAT DEAL OF TIME SPEAKING WITH MR. LELAND ABOUT THIS AND THE PROS AND CONS OF, YOU KNOW, HELP ME FIGURE OUT HOW TO GET TO A YES WITH THIS, BECAUSE I'VE BEEN A NO ALL ALONG. AND AFTER THAT LONG CONVERSATION ABOUT THE PROS AND CONS AND THE TIMING OF THIS, PROS AND CONS FOR OUR SMALL CITY WHO DOES HAVE A LOT OF INFRASTRUCTURE ISSUES. AND IT MAKES SENSE TO THINK ABOUT, LOO LIKE, WE SHOULD BE SAVING FOR INFRASTRUCTURE ISSUES FOR FUTURE. BUT WE ALSO HAVE A LOT OF INFRASTRUCTURE ISSUES RIGHT NOW. SKIMMING OFF THE TOP OF ANY INCREASES THAT WE MIGHT HAVE, THE PROS AND CONS AND ALL OF THAT. AND BASED ON ALL OF THAT DISCUSSION AND EVERYTHING THAT I HAVE LEARNED AND THE AMOUNT OF TIME THAT IT TAKES FOR THE STAFF AND THE LACK OF GUARANTEE AND ALL OF THE ISSUES, I'M STILL A NO. SO I'M NOT SUPPORTING THIS TONIGHT. IT'S NO SHOCK TO ANYONE, BECAUSE I HAVEN'T SUPPORTED IT ALL ALONG. THAT'S MY COMMENT FOR THE NIGHT. COUNCILMEMBER ZOLLMAN, GO AHEAD.

YEAH, I WANT TO THANK COUNCILMEMBER HINTON AND CARTER, EVEN THOUGH I WAS ABRUPT AND BRUSQUE EARLIER. APOLOGIES AGAIN. FOR PICKING UP THE PIECES FROM WHEN COUNCILMEMBER HINTON AND I WERE DOING IT AND THEN FORMER MAYOR RICH AND I WERE DOING IT. IT IS COMPLEX, BUT THANK YOU FOR WORKING WITH STAFF TO HONE IT ALL IN, INTO THE STAFF REPORT. I'M IN THE SAME BOAT IN THE FACT THAT, YOU KNOW, WE DO NEED TO TAKE SOME CALCULATED RISKS. BECAUSE FINANCIALLY, WE ARE STILL IN A MESS MOVING FORWARD. AND WE NEED SOLID REVENUE STREAMS. I AM REMINISCENT NOW THAT WE HAVE TO DEAL WITH THE BARLOW AFTER THIS, LIKE THE BARLOW, WE NEED TO TAKE CALCULATED RISKS TO BRING IN MORE REVENUE. OTHERWISE, THE CITY IS NEVER GOING TO PAY THE STAFF THAT APPARENTLY WE NEED IN ORDER TO DO THE PROJECTS. WE CAN'T JUST KEEP THE STATUS QUO AT ALL. AND I'M FIRMLY OF THE CAMP, AND THIS IS NO BIG SURPRISE THAT, THE COUNTY REALLY DOES NEED TO STEP UP. AS I SAID BEFORE IN MY COMMENTS, WE HAVE BEEN SUBSIDIZING THE COUNTY FOR YEARS WITH OUR POOL AND THE LIBRARY AND THE ROADS. AND IF

THIS IS AN OPPORTUNITY FOR THE COUNTY TO STEP UP, WHICH IT DOES SOUND LIKE SUPERVISOR HOPKINS IS ON BOARD, SHE NEEDS TO DO HER JOB AND GET HER OTHER COLLEAGUES TO GET ON BOARD WITH THIS TOO. WE EITHER ARE THE COMMERCIAL HUB, AS SHE REFERRED TO WHEN SHE WAS AT THE PODIUM TELLING THIS TO US THREE YEARS AGO -- WE EITHER ARE THE COMMERCIAL HUB OF THE WEST COUNTY, OR WE ARE NOT. SO I'M BANKING ON HER SAYING WHAT SHE SAID TO APPARENT LOT TWO OF YOU, SHE'S ON BOARD, AND POSITIONING IT SO SHE CAN GET HER OTHER BOARD OF SUPERVISORS TO VOTE ALSO FOR THIS EIFD. ALL THAT SAID, I AM SUPPORTIVE AND WILL BE VOTING YES.

I'M SORRY. COUNCILMEMBER HINTON?

I WANT TO POINT OUT THAT NOT ONLY IS SHE SUPPORTIVE, WE'VE BEEN IN TOUCH WITH HER OFFICE BECAUSE THERE'S AN OPTION HERE, IF YOU NOTICE IN THE AGENDA REPORT, TO EVALUATE THE AREAS OUTSIDE OUR CITY LIMITS INTO THE COUNTY FOR FUTURE DEVELOPMENT THAT ARE POISED FOR FUTURE DEVELOPMENT. SHE HAS GIVEN THE GREEN LIGHT ON THAT BECAUSE THEY DON'T IMPACT THE REST OF THE EFID THAT IS BEING PURSUED IN THE REST OF THE FIFTH DISTRICT. I WANTED TO POINT THAT OUT THERE. FOR ME, I ALWAYS WANT TO SAVE FOR THE FUTURE. I REMEMBER WHAT PROPERTY COSTS THAT MY PARENTS BOUGHT HOMES HERE IN THE '70s AND '80s. AND WHAT THOSE PROPERTIES COST NOW. PROPERTY TAXES ARE GOING TO GO UP. AS I'VE SAID EARLIER, THIS IS WHAT CITIES ARE USING TO REPLACE REDEVELOPMENT FUNDS THAT WENT AWAY YEARS AGO. AND THOSE REDEVELOPMENT FUNDS ARE THE ONLY WAY WE GOT THESE BIG PROJECTS DONE. SO IT DOESN'T PAY OFF FOR US. AND YES, WE'RE SPENDING MONEY UP FRONT. TO EVALUATE IT. BUT IT'S A RISK THAT I BELIEVE WE HAVE TO TAKE FOR THE LONGEVITY OF WHEN MY KIDS ARE LIVING HERE. SO WE'VE GOT TO PUT THE PENNIES IN THE PIGGY BANK. WE CAN BORROW AGAINST IT, AND IT CAN PAY OFF DOWN THE ROAD FOR US TO GROW OUR COMMUNITY. WE'VE SPENT A LOT OF TIME ON THIS. I FEEL GOOD ABOUT IT, AND I THINK THE TIMING'S RIGHT. I'LL BE SUPPORTING.

GO AHEAD.

AND IT SHOULD BE NOTED, THIS IS COMING FROM PROPERTY TAXES. AND WE'RE GOING TO RECOUP SOME OF THE COUNTY'S PROPERTY TAX TAKE, WHICH IS SOME OF THE MOST STABLE AND RELIABLE INCOME THERE IS BEFORE IT GETS DISTRIBUTED. SO WHEN WE ASSIGN THE MAP TOTO AREA, WE'RE ONLY TAKING A 25% OF A CERTAIN MAP TOO. SO WE'LL STILL HAVE PLENTY OF MONEY FOR OUR GENERAL FUND. SO IT'S REALLOCATING IT FROM BEING ABLE TO SPEND IT ON, SAY, RANDOM THINGS. WE'RE APPROPRIATING IT NOW TO INFRASTRUCTURE RIGHT NOW. AND THAT'S ONE OF THE MOST IMPORTANT INVESTMENTS THAT WE CAN MAKE.

GO AHEAD, VICE MAYOR.

THIS IS A HARD ONE FOR ME, BECAUSE WHAT WE'VE BEEN TALKING ABOUT THIS FOR PROBABLY TWO YEARS, I THINK, SO I'M REALLY HAPPY THAT THE COUNTY WILL CONTRIBUTE. AND I TRUST THAT LINDA HOPKINS SUPPORTS IT. I TRUST YOU ON THAT. I UNDERSTAND THAT SOMETIMES YOU NEED TO SPEND MONEY TO MAKE MONEY. AND THAT I'M CONCERNED WITH THE AMOUNT OF TIME. AND IF THE STAFF -- I THINK -- I THINK WE NEED TO REALLY THINK ABOUT, YOU KNOW, ARE WE GOING TO BE ALLOCATING THAT TIME 21 TO \$52,000 FOR THE EFID? THAT'S A MAJOR, MAJOR INVESTMENT AND PROJECT, I THINK, FOR THE EFID, ESPECIALLY CONSIDERING THAT HE -- I REMEMBER WE WERE TOLD THAT IT WOULDN'T TAKE HARDLY ANY STAFF TIME. SO I THINK THAT IT PROBABLY -- IF WE GO INTO THIS, WE SHOULD NOT REIMBURSE STAFF TIME, OTHERWISE YOU'RE GOING TO BE EMPTYING THAT BANK ACCOUNT EVERY YEAR IF YOU'RE REIMBURSING STAFF TIME. BECAUSE I THINK THAT'S HOW MUCH STAFF TIME IT'S ACTUALLY GOING TO TAKE. I UNDERSTAND IT'S UP FRONT AT EVERY MEETING. AN EARLIER COMMENT WAS MADE IT'S \$1,500 EVERY MEETING. HOW MANY MEETINGS IS THIS GOING TO REQUIRE? THE OTHER THING I REALLY DON'T LIKE IS THAT THIS IS AN END RUN. ALSO IT'S AN END RUN AROUND GOING TO THE VOTERS FOR A BOND, AND THAT PART BOTHERS ME. SO I'M VERY CONFLICTED ABOUT THIS. IT FEELS VERY COMPLICATED. AND I REALLY DON'T LIKE THE FACT THAT WE WERE TOLD IT WOULDN'T TAKE VERY MUCH STAFF TIME, AND NOW IT'S GOING TO BE TAKING QUITE A LOT OF STAFF TIME, SO THAT BOTHERS ME. YEAH.

I JUST WANT TO SPEAK TO THE END RUN AROUND THE BOND ISSUE. YEAH, WE'LL BE APPROPRIATING A LARGE AMOUNT OF MONEY AT ONCE. BUT BECAUSE THIS ISN'T ADDING ADDING -- IF YOU PAY PROPERTY TAXES AND YOU HAVE A BOND, YOU KNOW, IF YOU PAY \$230 OR WHATEVER, NOW IT'S \$235 IF YOU GO FOR A BOND THAT'S VOTE FOR, THIS DOESN'T HAPPEN. YOUR PROPERTY TAXES STAY THE SAME RATE. THIS IS JUST REALLOCATING THE MONEY.

SO I DID TALK TO BOB LELAND.

THIS. I HAD HIM RUN A FORECAST ON IT. FOR ME, IT DIDN'T SEEM LIKE -- IT DIDN'T REALLY AFFECT OUR BOTTOM LINE THAT MUCH. IN TERMS OF RUNNING -- DOING THE EFID. I DIDN'T THINK THAT WAS A PROBLEM. THE PROBLEM I HAVE IS THE STAFF TIME AND THE MEETINGS IT'S GOING TO TAKE TO GET THIS GOING AND MAINTAIN IT. ESPECIALLY IN LIGHT OF THE FACT THAT WE WERE TOLD THAT IT WOULD BE NEGLIGIBLE TO GET IT GOING.

I THINK THERE'S ALREADY THREE.

I KNOW.

I MEAN, UNLESS YOU HAVE MORE THAT YOU WANT TO --

HM?

I DIDN'T KNOW IF YOU HAD ANYTHING MORE TO SAY.

I'M JUST REALLY CONFLICTED. AND I'D LIKE TO SUPPORT MY COLLEAGUES WHO BELIEVE IN THIS. THEY'VE DONE THE DEEPER DIVE. I HAVE NOT. I'VE ONLY ASKED QUESTIONS AND READ ABOUT IT AND BLAH, BLAH, BLAH. IT ALWAYS SEEMS REALLY COMPLICATED. AND SO I DO WANT TO HEAR FROM MY COLLEAGUES ABOUT THE IDEA OF STAFF TIME. BECAUSE WHETHER OR NOT THEY WOULD BE REIMBURSED FROM THE EFID OR ARE WE JUST GOING TO EXPECT STAFF TO JUST GIVE THIS? SO THAT'S MY QUESTION FOR MY COLLEAGUES.

I MEAN, MY BELIEF AT THIS TIME IS IT SOUNDS LIKE WE JUST HIRED SOMEONE. AND THAT SOUNDS GREAT. AND SO WE'VE GOT SOME STAFF COMING ON. AND I THINK THAT SOME OF THESE DECISIONS, WE'RE GOING TO HAVE TO GO THROUGH THIS PROCESS AND THEN DECIDE WHAT MONEY -- ONCE THE DISTRICT IS DRAWN, WE'LL HAVE A BETTER IDEA ABOUT WHAT MONEY IS ACTUALLY GOING TO COME TO US. AND THAT MIGHT BE A DISCUSSION ABOUT WHETHER WE'RE REIMBURSING STAFF TIME OR NOT LATER. BUT FOR NOW, AGAIN, FOR ME, IT'S JUST AN INVESTMENT IN THE FUTURE. AND WE HAVE TO TAKE SOME OF THESE STEPS. AND OTHER CITIES ARE MOVING IN THE SAME DIRECTION, SO WE'RE NOT ALONE. WE'RE NOT GOING OUT ON A LIMB HERE. WE'RE DOING A PROVEN THING THAT MANY, MANY CITIES ARE DOING. SO I'M GOING TO GO AHEAD AND MAKE THE MOTION THAT WE APPROVE THE ENHANCED INFRASTRUCTURE FINANCING DISTRICT OR EFID NEXT STEPS, WHICH IS APPROVAL OF AN AGREEMENT WITH KOSMONT COMPANIES FOR FINANCING DISTRICT FORMATION ADVISORY SERVICES AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE AGREEMENT AS INDICATED ON PAGE -- FURTHER ON IN THE STAFF REPORT FOR THE FULL AMOUNT RANGING FROM 100 TO \$110,000.

I'LL SECOND IT.

I JUST WANT TO CLARIFY THAT YOU'RE ALSO AUTHORIZING A BUDGET AMENDMENT. BECAUSE THIS IS ABOVE THE \$75,000 THAT WAS ALLOCATED. SO ARE YOU GOING UP TO THE OPTION -- I JUST WANT TO MAKE SURE WE'RE CLEAR -- OPTION 2, WHICH IS THE ADD-ON OF THE 20. THAT'S A TOTAL OF \$110,000.

THAT'S CORRECT, THAT'S MY MOTION.

MY SECOND AGREES WITH THAT.

OKAY. ANY FURTHER DISCUSSION BEFORE I CALL THE MOTION? SO THE MOTION MOVED BY COUNCILMEMBER HINTON AND SECONDED BY COUNCILMEMBER CARTER IS TO APPROVE THE AGREEMENT WITH KOSMONT FOR THE FINANCING DISTRICT FORMATION ADVISORY SERVICES TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT, TO ADD THE OPTIONAL ADD-ON AUTHORIZING THE ADDITIONAL BUDGET

AMENDMENT INCREASE FOR THE BOUNDARY EVALUATION AND MAP REVISION AND AUTHORIZING THE OPTION OF THE OPTION 2 OF THE BUDGET AMENDMENT FOR \$20,000 TO INCREASE THE AREAS OUTSIDE THE CITY LIMITS.

COUNCILMEMBER CARTER?

YES.

COUNCILMEMBER HINTON?

AYE.

COUNCILMEMBER ZOLLMAN?

YES.

VICE MAYOR MAUER?

NO.

MAYOR McLEWIS?

NO.

PASS PASSES 3-2 WITH COUNCILMEMBERS CARTER, HINTON, ZOLLMAN IN SUPPORT. MAUER AND McLEWIS IN OPPOSITION.

OKAY. SO NOW WE HAVE THE ITEM NUMBER 3, RIGHT? ITEM NUMBER 3 THAT WAS PULLED. SO NOW I NEED TO EXCUSE MYSELF. AND THEN VICE MAYOR, YOU'LL TAKE OVER FOR ME?

YEAH.

MAYOR, CAN YOU TELL ME WHAT NUMBER THAT ONE IS?

THAT WAS NUMBER 3. IT WAS PULLED FROM THE CONSENT CALENDAR.

OKAY, RIGHT. SO THIS IS ITEM NUMBER 3, APPROVAL OF WAIVING SECOND READING AND ADOPTION OF ORDINANCE TO AMEND SEBASTOPOL MUNICIPAL CODE SECTION 2.12. 100, POWER OF APPOINTMENT, ET CETERA. QUESTIONS? OOPS. SORRY. OKAY. APPROVAL OF -- AGENDA ITEM 3, TAKE TWO. APPROVAL OF WAIVING SECOND READING AND ADOPTION OF ORDINANCE 1167 AND ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT

FOR THE BARLOW HOTEL DEVELOPMENT TO ESTABLISH A T.O.T. TAX REBATE PROGRAM. AND THIS WAS PULLED BY COUNCILMEMBER HINTON?

SO I WANT TO REPEAT, MAYBE YOU CAN READ IT FOR US AND WE CAN JUST HAVE A DISCUSSION WITH MY COLLEAGUES -- THE ACTUAL WORDING. BECAUSE I'VE HAD FEEDBACK FROM THE PUBLIC THAT WE'RE GIVING THIS, AND I HAVE ASSURED -- I GUESS I'LL JUST -- THE MEMBERS OF THE PUBLIC THAT HAVE QUESTIONED ME, THAT THE T.O.T. REBATE WE ARE GIVING THIS DEVELOPER IS NOT SOMETHING THAT COULD JUST BE PUT IN THEIR POCKET. THAT THIS IS SPECIFICALLY TO PROMOTE, AS STATED I THINK WHERE I READ IT -- FOR MARKETING OF THIS AS A REGIONAL DESTINATION. FOR THE HOTEL. FOR THE CITY IN GENERAL. AND THAT WE WOULD NOT JUST BE ABLE TO REQUEST, BUT I WOULD LIKE TO HAVE A REPORT ANNUALLY -- I WOULD LIKE TO HAVE THAT PROOF SUBMITTED TO THE CITY. AND I PROBABLY AM NOT GOING TO BE SITTING HERE IN TEN YEARS, SO I WANT TO MAKE SURE IT HAPPENS AND DOESN'T FALL THROUGH THE CRACKS. SO I JUST DON'T KNOW IF WE SAID THAT STRONGLY ENOUGH, AND I'M CURIOUS WHAT MY COLLEAGUES THINK, AND I'M COMFORTABLE IF EVERYBODY ELSE IS COMFORTABLE WITH THIS PROBABLY AGREEING. BUT I WANT TO MAKE SURE THAT THE CITY WILL HAVE SOMETHING IN PLACE SO THAT WE CAN MAKE SURE THAT THAT REBATE IS GOING TO MARKETING EFFORTS. AND LOTS OF PEOPLE HAVE QUESTIONED THAT. AND I WANT TO MAKE SURE THAT OUR AGREEMENT IS TIGHT IN THAT.

SO THE AGREEMENT SAYS THAT THE PAYEE OF THE TAX AND THE DEVELOPER SUCCESSOR SHALL USE THE REMITTED TAX FUNDS FOR ADVERTISEMENT OF TOURISM IN THE CITY OF SEBASTOPOL IS INCLUDING THE BARLOW HOTEL AS A DESTINATION. THE CITY MAY REQUEST AND THE PAYEE OF THE TAX SHALL PROVIDE AT LEAST ANNUALLY DOCUMENTATION OF HOW THE REMITTED TAX FUNDS WERE SPENT FOR SUCH PURPOSES, SHALL HAVE NO AUTHORITY TO DIRECT SUCH SPENDING.

OKAY. IF THERE SO THE LANGUAGE IN HERE DOES SAY THE CITY MAY REQUEST REQUEST THAT THEY ARE REQUIRED TO PROVIDE THAT IF WE ASK. RATHER THAN CHANGE THE LANGUAGE IN THE ORDINANCE, BECAUSE THAT WOULD REQUIRE REINTRODUCTION, THE COUNCIL COULD PROVIDE DIRECTION TO STAFF THAT THIS SHOULD ARE AN ANNUAL REQUEST MADE AT THE END OF EACH FISCAL YEAR OR SOMETHING. IF THE COUNCIL WANTS WE COULD EVEN BRING BACK A RESOLUTION TO PUT THAT FORMALLY INTO POLICY. YOU KNOW. SO IT'S MEMORIALIZED SOMEPLACE FOR A FUTURE, A CITY MANAGER IN THE FUTURE, A CITY COUNCIL IN THE FUTURE, TO KNOW.

LET ME ASK WHAT WOULD HAPPEN IF THEY DIDN'T COMPLY? I MEAN, DO WE HAVE A STAKE THERE?

WE COULD TERMINATE --

OKAY, IF THEY DON'T AGREE WE COULD TERMINATE, OKAY.

OH. JUST A REMINDER THAT WE'RE STILL IN QUESTIONS. COUNCILMEMBERS ONLY.

YEAH. I'M GLAD THAT WE DID PULL IT BECAUSE MY RECOLLECTION OF WHERE WE WERE WAS THAT VICE MAYOR AND I HAD CONCERNS ABOUT WHAT WE JUST PASSED, WHETHER THE MARKETING WAS FOR EVERYBODY. AND NOT JUST BARLOW. SO THERE WAS A MOTION TO RECONSIDER A MOTION, AND MY RECOLLECTION IS THAT THERE WAS OPPOSITION TO THAT. SO NOW WHEN ALEX JUST READ IT BACK, CORRECT ME IF I'M WRONG, IT DOES CLEARLY STATE WITH WHAT YOU JUST SAID THAT THE WAIVER FOR THE MARKETING IS FOR EVERYONE CITY-WIDE, TO INCLUDE DOWNTOWN BUSINESSES, ET CETERA, ET CETERA, NOT JUST FOR BARLOW. IS THAT NOT JUST WHAT YOU READ?

IT SAYS FOR THE ADVERTISEMENT OF TOURISM IN THE CITY, INCLUDING THE BARLOW HOTEL. AS A DESTINATION. SO --

OKAY. AND -- THANK YOU, COUNCILMEMBER HINTON, FOR PULLING IT RESERVE. AROUND THIS MAY THING. ALEX, YOU DID SAY THAT UPON REQUEST, THEY SHALL -- I HEARD THE WORD SHALL.

SHALL IS MUST.

RIGHT, THEY MUST.

THEY DON'T HAVE THE OPTION. THE "MAY" APPLIES TO THE CITY MAKING THE REQUEST, BUT --

OKAY, GOT IT.

OKAY. I MEAN, I DON'T KNOW.

ANY OTHER QUESTIONS THIS.

I DON'T HAVE ANY OTHER QUESTIONS.

OKAY, SO WE CAN GO OUT TO PUBLIC COMMENT?

THANK YOU, VICE MAYOR. THIS IS PUBLIC COMMENT ON THE DISCUSSION OF INTRODUCING THE ORDINANCE FOR THE BARLOW HOTEL FOR THE T.O.T. SHARING ARRANGEMENT. I WILL COME INTO CHAMBERS FIRST. KYLE?

SO YEAH, THERE'S NOTHING IN TERMS OF TEETH, IN TERMS OF THIS MARKETING. THERE'S NOTHING IN HERE THAT SUGGESTS THAT THE MARKETING WILL DO ANYTHING FOR ANYONE OTHER THAN JUST THE HOTEL. BECAUSE IT HAS IN PHRASE, INCLUDING THE HOTEL, THAT IF I SPEND 100% OF MY DOLLARS ON THE HOTEL, I AM STILL WITHIN THE LANGUAGE, HOW IT'S WRITTEN. SO IT'S AN INTERESTING OPINION TO SUGGEST

THAT IT COULD BE MORE THAN JUST THE HOTEL AND THAT YOU HAVE ANY SORT OF OVERSIGHT. BECAUSE THE VERY LAST CLAUSE IN HERE SAYS, YOU HAVE NO OVERSIGHT AS TO WHAT THE DIRECTION OF THE FUNDING BEING SPENT IS. SO HI, I'M THE BARLOW, I JUST SPENT 100% OF THOSE DOLLARS ON MARKETING MY HOTEL OF WHICH I HAVE TAKEN 50% OF THE T.O.T. DOLLARS FROM YOUR CITY, AND YOU GOT NOTHING THAT YOU CAN DO ABOUT IT. THANKS FOR ASKING ABOUT IT, I'LL COME BACK NEXT YEAR AND TELL YOU THAT I DID THE EXACT SAME THING AND YOU'LL DO NOTHING ABOUT IT BECAUSE I'M WITHIN THE CONTRACTED STATEMENT THAT YOU ARE ABOUT TO APPROVE TONIGHT. NOTHING YOU WILL BE ABLE TO DO. BUT I LOOK FORWARD TO LOTS OF MEDIA ADS FOR THE BARLOW HOTEL. IT'S GOING TO BE GREAT.

THANK YOU, KYLE, FOR YOUR PUBLIC COMMENT. NEXT, I'LL GO OUT TO ZOOM. IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE TO MAKE A PUBLIC COMMENT ON THE HOTEL T.O.T. REBATE ORDINANCE, PLEASE RAISE YOUR HAND VIRTUALLY. BIANCA, CAN YOU UNMUTE YOURSELF, PLEASE?

HEY, THERE, GOOD EVENING. MY NAME IS BIANCA BLOOMQUIST, AND I JUST WANTED TO LET YOU KNOW I OPPOSE THIS MEASURE. I DON'T THINK IT HAS BEEN DISCUSSED ENOUGH. I DON'T THINK IT HAS ENOUGH TEETH. AS THE GENTLEMAN WHO WAS SPEAKING JUST BEFORE, THEY HAVE NO INCENTIVE. THE DEVELOPER HAS NO INCENTIVE TO MARKET OTHER BUSINESSES. AND I JUST THINK THAT THAT IS A SHAME. SO THANK YOU VERY MUCH. HAVE A GOOD NIGHT.

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT, I WILL COME INTO CHANGE BEARS? CHAMBERS?

A LITTLE OFF TRACK, BUT CAN YOU HEAR ME? TWO YEARS AGO, A LOT OF PEOPLE FILLED THIS ROOM ABOUT A HISTORIC TREE. THE BUNYA-BUNYA. THAT THIS BUSINESS OWNER WANTED TO CUT DOWN. ALTHOUGH HE HAD PURCHASED THE LAND OF THIS TREE, AND WHICH WAS GUARANTEED NOT TO BE CUT DOWN. AND THERE WERE OVER 100 -- OVER 75 PEOPLE WHO HAD WRITTEN LETTERS AND SHOWED UP TO SAVE THIS TREE, WHICH WAS AGREED UPON, THAT HE WOULD NOT CUT IT DOWN. WHICH WAS INTERESTING FOR ME THAT DURING THE MEETING, HE TEXTED THE MAYOR, BACKING DOWN. IT WAS MY FIRST EXPERIENCE SEEING THE POWER IN PRIVILEGE AND HOW THAT ACCESS TO A MAYOR KIND OF WAS PRETTY INFLUENTIAL. THAT A MAJOR BUSINESSMAN WOULD TEXT, YOU KNOW, SOMEBODY IN GOVERNANCE DURING A MEETING. I HAVE A MORTGAGE THAT HAS VERY STRICT RULES THAT I HAVE TO FOLLOW. DOES THIS AGREEMENT HAVE THOSE SAME RULES?

THANK YOU FOR YOUR PUBLIC COMMENT. NEXT, I'LL GO BACK OUT TO ZOOM. IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE TO MAKE A PUBLIC COMMENT, PLEASE RAISE YOUR HAND VIRTUALLY. SEEING NONE, I WILL COME BACK INTO CHAMBERS. IF THERE'S ANYONE IN CHAMBERS? SEEN NONE, PUBLIC COMMENT IS CLOSED ON THIS ITEM.

COUNCILMEMBER HINTON?

SO I PULLED THIS ITEM TO VERIFY, BECAUSE I WANTED TO MAKE SURE I UNDERSTOOD IT BEFORE I VOTED A SECOND TIME. I'M STILL IN FAVOR OF THIS ITEM. I THINK THAT FOR ALL THE DISCUSSION POINTS WE TALKED ABOUT LAST TIME, WE HAVE TO TAKE A RISK. AND AGAIN, I STATED LAST TIME, I'LL STATE IT AGAIN, THE BIGGEST ITEM WAS THE HOTEL SEBASTOPOL. WHEN I GOT ELECTED IN 2016, AND HERE WE ARE TEN YEARS LATER AND WE STILL DON'T HAVE A HOTEL. SO FOR THE SAME REASONS I SUPPORTED IT LAST TIME, I'M GOING TO SUPPORT IT AGAIN TONIGHT. BUT I DO THINK IT'S A BIG VOTE. AND I WANTED TO PULL IT OFF CONSENT CALENDAR SO WE COULD REVISIT THESE TERMS, WHICH TALK ABOUT PROMOTING THE HOTEL BUT AS A DESTINATION. AND THE CITY OF SEBASTOPOL. I DON'T THINK YOU CAN PROMOTE A HOTEL AND NOT PROMOTE WHERE IT IS AND THE REASONS TO VISIT THAT CITY. SO I'M COMFORTABLE WITH OUR LANGUAGE. I THINK IT DOES WHAT WE WANT IT TO DO. AND I WOULD BE INTERESTED MAYBE AS THE CITY MANAGER RECOMMENDED IN BRINGING BACK SOMETHING THAT SAYS, OUR STAFF SHOULD BE ASKING FOR THIS REPORT EVERY YEAR FOR THIS TEN-YEAR PERIOD. BECAUSE I DON'T KNOW THAT ANY OF US WILL BE SITTING HERE, AND I WANT TO MAKE SURE THAT DOESN'T GET MISSED BY STAFF. BECAUSE IT'S A VERY IMPORTANT PART OF THE AGREEMENT, FOR ME.

THANK YOU. SO I HAVE A CONCERN AFTER THAT LAST VOTE. I WENT HOME, AND I FELT -- MY HEART REALLY FELT HEAVY AROUND AGREEING WITH THIS DECISION. STARTED THINKING ABOUT HOW MUCH MONEY WAS ACTUALLY GOING TO BE GOING TO ADVERTISING SEBASTOPOL. AND WHAT THAT MIGHT DO IN TERMS OF HURTING THE CITY WITH GETTING OVERRUN WITH TOURISTS. \$1 MILLION BUDGET FOR ADVERTISING. AND WE DIDN'T CAP IT. IT WAS JUST THIS OPEN-ENDED AMOUNT OF MONEY. AND THEN WE'RE GOING TO HAVE THE PIAZZA'S GOING TO COME AFTER US NOW AND WANT THE SAME THING. SO WHATEVER WE DO, THE PIAZZA'S GOING TO WANT THE SAME. SO \$2 MILLION TOWARDS ADVERTISING. ARE WE COMFORTABLE WITH THAT? HOW WILL THAT AFFECT OUR LITTLE CITY HERE? AND THAT'S A LOT OF MONEY TO BE PUTTING TOWARD ADVERTISING. SO I WOULD BE IN FAVOR OF BRINGING IT BACK BECAUSE I KNOW WE CAN'T VOTE ON THAT PART. BUT CAPPING IT, I WOULD BE COMFORTABLE CAPPING IT AT \$500,000. 50% OR \$500,000 WOULD BE A CAP SO WE'D BE PITCHING IN AT LEAST HALF OF WHAT THEY WANT TO DO BUT NOT GOING OVER THAT. AT LEAST IT WOULD PUT SOME LIMIT ON IT. I WOULD BE COMFORTABLE DOING THAT. ESPECIALLY CONSIDERING THAT THE PIAZZA'S GOING TO COME BACK AND PROBABLY WANT THE SAME. WHATEVER WE DO FOR BARLOW, WE'RE GOING TO HAVE DO FOR PIAZZA. SO THAT WOULD BE MY REQUEST.

YOU'RE ASSUMING PIAZZA'S GOING TO COME BACK AFTER THE LAST TEN YEARS WHEN HE THEY PROPOSED THE FIRST PROJECT. I DON'T KNOW THAT THEY WILL. SO -- JUST SAYING. THEY HAVEN'T PERFORMED YET IN TEN YEARS.

I JUST WANT TO SAY, LIKE, I DON'T CARE HOW MUCH THEY ADVERTISE. THEY CAN ADVERTISE NOTHING FOR SEBASTOPOL. IF THEY GET BUILT, EVERYBODY'S GOING TO BENEFIT AND WE'RE GOING TO FIND WAYS TO MANAGE TO BRING PEOPLE TO THE TOWN. AND IT STILL ASTOUNDS ME THAT WE'D CAUSE, YOU KNOW, A DEVELOPER THAT'S STRUGGLING MORE GRIEF IN HOW TO DEVELOP AND HOW TO SPEND THEIR MONEY WHEN WE'RE DEPENDING ON IN SO MANY DIFFERENT WAYS FOR THE AMOUNT OF MONEY THAT THEY MIGHT BRING IN. WE'VE ALREADY DECIDED THEY'RE COMING IN, SO IT'S KIND OF A MOOT POINT NOW. BUT THEY COULD LITERALLY SPEND NOTHING ON THE CITY, AND IF THE HOTEL GETS BUILT, WE BENEFIT. IF WE GET OVERRUN LIKE A TOURIST TOWN, THAT'S NOT GREAT. YOU KNOW, BUT I DON'T KNOW THAT THAT WILL BE, LIKE, AN ISSUE. I DON'T WANT PERSONALLY -- THIS HAS NOTHING TO DO WITH THIS, BUT I DON'T WANT TO BE A TOURISM TOWN. I'D LOVE THERE TO BE DIFFERENT KINDS OF INDUSTRIES HERE. BUT AS FAR AS, LIKE, OUR PROJECTIONS GO, EVERY TIME WE SEE A PROJECTION THAT HAS SOME BIT OF T.O.T. TAX, REALLY JUST NEED TO MAKE THIS SIMPLE.

COUNCILMEMBER HINTON?

I'LL GO AHEAD AND MOVE THE ITEM. I FEEL I UNDERSTAND THE WANTING TO REHEAR WHAT ALEX READ, AND I FEEL COMFORTABLE WITH IT. I'M GOING TO MAKE A MOTION TO APPROVE THE WAIVING OF THE SECOND READING AND ADOPTION OF ORDINANCE 1167, AN ORDINANCE OF THE CITY OF SEBASTOPOL -- OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL, APPROVING AN AMENDMENT TO THE DEVELOPMENT AGREEMENT FROM THE BARLOW HOTEL DEVELOPMENT TO ESTABLISH A T.O.T. TAX REBATE PROGRAM.

I'LL SECOND. DID YOU ALSO WANT TO INCLUDE DIRECTION TO STAFF TO BRING BACK THAT POLICY?

PLEASE. AND DIRECTION TO STAFF TO BRING BACK THAT POLICY. AS RECOMMENDED BY THE CITY MANAGER FOR FUTURE CITY COUNCILS, TO MAKE SURE THAT WE GET AN ANNUAL REPORT.

YEAH, THAT'S GOOD FOR THE SECOND AS WELL.

THANK YOU. SO MOVED BY COUNCILMEMBER HINTON, SECONDED BY COUNCILMEMBER ZOLLMAN, TO APPROVE THE ORDINANCE AUTHORIZING AN AGREEMENT TO THE BARLOW HOTEL TO APPROVE THE T.O.T. SHARING ARRANGEMENT, AS AMENDED TO DIRECT CITY STAFF TO CREATE A POLICY TO BE RETURNED TO COUNCIL TO REQUIRE CITY STAFF SHALL ANNUALLY -- I'M GOING TO ADD, SO TELL ME IF YOU LIKE IT -- BY MARCH OF EACH YEAR TO FORMALLY REQUEST FROM THE OWNER THE ANNUAL PART OF MARKETING FOR THE CITY TO BE PRESENTED TO THE CITY COUNCIL BY JUNE OF EACH YEAR. IS THAT ACCEPTABLE? COUNCILMEMBER CARTER?

YES.

HINTON?

AYE.

ZOLLMAN?

YES.

MAUER?

NO.

AND MAYOR McLEWIS IS ABSENT, SO THE MOTION PASSES 3-1-1 WITH COUNCILMEMBERS CARTER, HINTON, ZOLL HER IN SUPPORT, MAUER IN OPPOSITION, MAYOR ABSENT.

OKAY. SO WE'RE BACK. I THINK WE'RE AT PUBLIC COMMENT AGAIN. AM I CORRECT, MARY?

WE ARE AT ADDITIONAL PUBLIC COMMENT.

SORRY, YEAH, GO AHEAD.

NO, GO.

SORRY, I THOUGHT YOU WERE GOING TO SAY SOMETHING, GO AHEAD.

NO, WE ARE AT THE ADDITIONAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA. IF YOU DID NOT SPEAK DURING THE FIRST PUBLIC COMMENT PERIOD, NOW IS THE OPPORTUNITY TO SPEAK AT THIS PUBLIC COMMENT. I WILL COME TO CHAMBERS FIRST. SEEING NONE, I WILL GO OUT TO ZOOM. IF THERE'S ANYONE ON ZOOM THAT WOULD LIKE TO MAKE A PUBLIC COMMENT FOR AN ITEM NOT ON THE AGENDA AND YOU DID NOT SPEAK DURING THE FIRST PUBLIC COMMENT? SEEING NONE, THERE'S NO PUBLIC COMMENT. -- ALL RIGHT, AND THEN I BELIEVE ON THE NEXT THING IS, ARE THERE ANY ITEMS THAT COUNCILMEMBERS WOULD LIKE TO BRING FORTH? OKAY.

I HAVE A QUESTION. THE ISSUE OF THE COUNCILMEMBER COST ALLOCATION, HOW MUCH IS BEING ALLOCATED, IS THAT DUE TO COME BACK BASED ON OUR EARLIER MOTION? AND THAT WAS PART OF A MOTION?

THAT WAS NOT PART OF A MOTION. THE PART OF THE MOTION WAS IT WAS TO BE DIRECTED TO WORK WITH EFOC ON THE REMAINING -- THERE ARE SOME ITEMS THAT

WOULD BE COMING BACK, SO WE WILL BE WORKING WITH THEM. WE HAVE DONE TIME TRACKING, SO ONCE WE HAVE -- I HAVE GONE BACK AND DONE RESEARCH FOR THE LAST TWO YEARS, DOING AN AVERAGE OF HOW MUCH JUST FOR MEETING TIME THE COUNCIL HAS DONE THAT. THAT WILL HELP AS FAR AS MOVING FORWARD, GIVING INFORMATION TO THE EFOC AS WELL AS COST ALLOCATION.

I'D LIKE TO BRING THAT PORTION BACK, THE COUNCIL ALLOCATION.

I'LL SECOND THAT.

OKAY, ALL RIGHT. ANYONE ELSE? ANYTHING? WE'LL GO TO CITY UPDATE, OR CITY MANAGER -- CITY ATTORNEY UPDATES.

THANK YOU. AS MENTIONED EARLIER, WE DID SEND A CONDITIONAL LETTER, IT WAS RECEIVED, THE INDIVIDUAL HAS PASSED BACKGROUND. WE ANTICIPATE THAT INDIVIDUAL COMING ON BOARD FOR THE PLANNING STAFF AUGUST 15th. WE DID ON FRIDAY DO INTERVIEWS FOR PROPOSE S RECEIVED FOR PLANNING CONSULTANT SERVICES SERVICES AS WELL WE ARE DOING AN INTERVIEW PROBABLY WITHIN THE NEXT WEEK OR TWO FOR PLANNING DIRECTOR. PERMANENT STAFF. SO WE HAVE BOTH GOING AT THE SAME TIME. NOW THAT THE ORDINANCE WAS ADOPTED TONIGHT, WE'LL BE SENDING OUT THE CITY CLERK RECRUITMENT. THAT WILL BE GOING OUT, AND THAT IS ALL I HAVE FOR TONIGHT.

OKAY. ANY COUNCILMEMBERS WANT TO DO UPDATES?

JUST BRIEFLY, A LOT OF COALITION ON THE UNHOUSED. BOTH BOARD MEETINGS AND SUBCOMMITTEE MEETINGS. I'VE SAT ON THE PERMANENT SUPPORT OF HOUSING GUIDELINES SUBCOMMITTEE WITH FOLKS FROM BURBANK, SAN FRANCISCO, THE PALMS, ET CETERA. THEY ARE ABOUT DONE. SO IT'S OUT FOR FINAL REVIEW FROM THE SUBCOMMITTEE, AND IT SHOULD BE BROUGHT FORWARD TO THE COALITION BOARD FOR APPROVAL, HOPEFULLY EITHER AT THE END OF AUGUST OR THE SEPTEMBER MEETING. SO THAT'S THAT.

OKAY, GO AHEAD.

SO I'VE RECEIVED SOME COMMUNICATION ABOUT AN APPLICATION THAT I THINK IT'S T-MOBILE HAS SUBMITTED FOR -- THEY WANT TO EXTEND THE DOWNTOWN CELL TOWER UP ABOUT 20 FEET.

VICE MAYOR, CAN I INTERRUPT REALLY QUICK? I DON'T KNOW THAT WE'RE ON THAT NOW, IT'S JUST COMMITTEE REPORTS.

YOU WANT ME TO WAIT?

IF WE COULD GET TO THE COMMUNICATION THAT WOULD BE AWESOME. THIS IS FOR COMMITTEE MEETINGS, ANYTHING INTENDED BY CITY COUNCIL.

CORRECT. GO AHEAD.

SCTCA WAS ON HOLD IN JULY, BUT THE MEETING WILL BE COMING UP ON THE 10th, AGAIN FOR THIS MONTH. SO I'LL BE ATTENDING THAT. THEN I JUST WANTED TO PUT A SHOUT-OUT TO THE SONOMA COUNTY FAIR. I SIT ON THAT BOARD OF DIRECTORS, AND IT WILL BE STARTING -- WELL, THERE'S A FLOWER SHOW PREVIEW TO BENEFIT THE SCHOLARSHIP FOUNDATION FOR AG SCHOLARSHIPS. IT SOLD OUT ON THE NIGHT OF THE 6th AND THE FIRST DAY OF THE FAIR IS ON THE 7th. AND THAT IS ALSO THE JUNIOR LIVESTOCK ACTION LAMBS FOR LAMB. SO FEEL FREE, EVERYBODY'S GOT TICKETS. HOPEFULLY I'LL SEE YOU AT THE FAIR.

THERE IS A SEBASTOPOL DAY?

THAT USED TO BE WHEN THEY WERE RUNNING RACE HORSES, WHICH THEY NO LONGER DO. SO THERE IS NOT THE CITY DAYS THAT THERE USED TO BE. AND BECAUSE THIS YEAR'S FAIR WAS PUSHED BACK AND NOW, OF COURSE, IT IS IN CONFLICT WITH THE APPLE FAIR THAT HAS TO DO WITH THE STATE FAIR THAT SET THEIR DATES, THEN ALL THE LITTLE FAIRS RUN AFTER. NEXT YEAR -- SO KIDS GO BACK TO SCHOOL WHEN THE FAIR'S HAPPENING. SO THE FAIR IS GOING TO BE STRUGGLING THIS YEAR. AND NEXT YEAR IT'S GOING TO MOVE TO THE END OF JULY FOR FIRST TIME IN MANY, MANY YEARS. BECAUSE WE NO LONGER RUN HORSES. THERE'S A LOT OF BACKGROUND ON THAT.

OKAY. ANYONE ELSE?

I DON'T HAVE ANY UPDATES OTHER THAN A GENDER REVIEW MEETING. SO, NO.

OKAY. THEN I GUESS OUR MEETING'S ADJOURNED. OH --

THERE'S THE COUNCIL COMMUNICATION ABOUT COMMUNICATIONS.

SORRY.

THERE WAS AN APPLICATION FOR CELL TOWER EXPANSION. DO YOU WANT TO DEFER TO CITY ATTORNEY?

THANK YOU FOR MENTIONING YOU RECEIVED QUESTIONS ABOUT THAT FROM RESIDENTS.

YES. I RECEIVED THOSE QUESTIONS, AND THEN THEY WERE FORWARDED TO THE COUNCIL.

SO THE CITY HAS RECEIVED -- HAS PRELIMINARY ACTION OR INTEREST FROM CROWN CASTLE TO MAKE MODIFICATIONS TO THE DOWNTOWN CELL TOWER, INCLUDING INCREASE IN HEIGHT, BUT ALSO EXPANSION OF THE GROUND AREA THAT'S PART OF THE LEASE IN ORDER TO ADD MORE CABINETS. SO THIS WOULD REQUIRE BOTH A C.U.P. AND A AMENDMENT TO THE LEASE. SO BEFORE THE APPLICATION WAS FORWARDED, THIS WAS GOING TO BE COMING TO THE COUNCIL SO THE COUNCIL HAS AN OPPORTUNITY TO PROVIDE SOME DIRECTION AND ASK QUESTIONS OF THE APPLICANT. THE EXACT DATE IS NOT YET KNOWN, BUT PERHAPS THE SECOND MEETING IN SEPTEMBER OR THEREABOUTS. THERE WILL BE MORE INFORMATION MADE AVAILABLE ABOUT THE EXACT APPLICATION THAT'S BEING PROPOSED, THE CITY'S AUTHORITY, AND ALL THOSE OTHER RELATED TOPICS.

CAN YOU EXPLAIN WHY IT'S COMING TO COUNCIL FOR OUR APPROVAL RATHER THAN GOING TO PLANNING?

BECAUSE THE CITY -- THEY WANT TO LEASE MODIFICATION. THE CITY COUNCIL IS THE ONLY BODY WITH AUTHORITY TO LEASE CITY PROPERTY.

OKAY, THANK YOU.

THEY NEED BOTH. RATHER THAN GO TO C.U.P. AND POTENTIALLY GET A C.U.P. FROM THE PLANNING COMMISSION AND THEN GO TO THE COUNCIL TO GET A LEASE MODIFICATION, MAYBE THE COUNCIL SAYS NO. WE WANT TO BRING THIS FORWARD TO THE COUNCIL EARLY SO THEY COULD GET AND HEAR FROM THE COUNCIL OF THE COUNCIL'S GENERAL THOUGHTS BEFORE GOING THROUGH THIS LONG PROCESS.

GOT IT. OKAY. ANYTHING ELSE? ANYONE ELSE? IS THERE ANYTHING? I DON'T HAVE THE AGENDA IN FRONT OF ME, MARY. IF THERE'S ANYTHING ELSE? THEN WE'RE ADJOURNED. [ADJOURNED AT 10:04 P.M. PDT] [Event Concluded]