

CITY COUNCIL MEETING MINUTES

MINUTES FOR Meeting of July 28, 2021

As Approved by the City Council at their regular meeting of September 7, 2021.

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

Please note that minutes are not verbatim minutes and are meant to be the City's record of a summary of actions that took place at the meeting. City Council video recording are kept for a period of one year from date of meeting.

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Notice: All resolutions and ordinances introduced and/or adopted under this agenda are waived of all reading of entire resolution(s) and ordinance(s).

The Sebastopol City Council welcomes you to its meetings that are generally scheduled for the 1st and 3rd Tuesday of every month. Your interest and participation are encouraged and appreciated.

SIMULTANEOUS MEETING COMPENSATION DISCLOSURE (Government Code § 54952.3): Members of the City Council receive no additional compensation as a result of convening a joint meeting of the City Council and Successor Agency to the Former Community Development Agency.

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

****[GOVERNOR'S EXECUTIVE ORDER N-29-20](#)****

RE CORONAVIRUS COVID-19

CITY COUNCL MEETINGS WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT.

This meeting complies with the Sonoma County Health Officer's COVID-19 Order to Shelter in Place issued on March 17, 2020, and pursuant to California Governor Newsom's Executive Order N-29-20 issued on March 17, 2020.

Government Code Section 54953.

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

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

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

CORONAVIRUS DISEASE (COVID-19) ADVISORY

To protect our constituents, City officials and City staff, the City requests all members of the public to follow the California Department of Health Services’ guidance and the County of Sonoma’s Public Health Officer Order for the Control of COVID-19 restricting group events and gatherings and maintaining social distancing.

Consistent with Executive Order N-29-20, in-person participation by the public will not be permitted and no physical location from which the public may observe the meeting will be available. Remote public participation information is available on the City website.

NOTICE: All Resolutions and Ordinances introduced and/or adopted under this agenda are waived of all reading of entire resolution(s) and ordinance(s).

The Sebastopol City Council welcomes you remotely to its meetings that are generally scheduled for the 1st and 3rd Tuesday of every month. Your interest and participation are encouraged and appreciated.

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

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

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

8:00 am – 10:30 am Convene Special City Council Meeting (ZOOM VIRTUAL FORMAT)

CALL TO ORDER: Mayor Glass called the regular meeting to order at 8:04 am.

ROLL CALL:

Present: Mayor Una Glass – By video teleconference
Vice Mayor Sarah Glade Gurney – By video teleconference
Councilmember Neysa Hinton – By video teleconference
Councilmember Diana Rich – By video teleconference
Councilmember Patrick Slayter – By video teleconference

Absent: None

Staff: City Manager/City Attorney Larry McLaughlin
Assistant City Manager/City Clerk Mary Gourley
Administrative Services Director Ana Kwong
City Engineer Joe Gaffney
GHD – Toni Bertolero
Fire Chief Bill Braga
Planning Director Kari Svanstrom
Police Chief Kevin Kilgore
Public Works Superintendent Dante Del Prete

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

PROCLAMATIONS/PRESENTATIONS: **None**

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Written Comments Received by:

- Kyle Falbo (Written comments provided for Item Number 1)

Carmen Snyder commented as follows:

- Executive Director of Sonoma County Farm Trails
- Manager of the Gravenstein Apple Fair
- Here to give you a brief update about the status of our event which is right around the corner.
- It's called the Gravenstein Apple Fair Benefit Concert, it will take place on Saturday, August 14th from 11:00 A.M. until 6:00 P.M. at the outer limits.
- We're so grateful for the support from the city of Sebastopol and the police department.
- I have been working with Lieutenant Nelson who's been amazing and really helpful.
- We are going to have for the first time ever traffic direction at the juncture of Covert and Ragle so that should minimize the traffic that backs up in town and help our attendees safely and easily get into the park where we will have the 4-H and the Analy High School students.
- We have a huge group pulling this off and it's happening with much appreciated support of our community.
- We have a fabulous music lineup all day long.
- Parking will open at 10:00 and to minimize any backup the fair gates will open early this year which this is the first time we have done this but we'll let people start walking in at 10:30 so they can find their seats.
- There will be a lot of distanced seating options for folks, and then the music and the program will start at 11:00 with our Representative Jared Huffman who is joining the band solo Rio and he'll be giving some remarks too.
- The benefit is to help keep Farm Trails afloat in the wake of having had to cancel our primary annual fund-raiser in 2020 and to bring back the full-scale apple fair next year and for years to come and the ticket prices are higher. They reflect that it is a fund-raiser.
- It is always a fund-raiser, but it's a different type this year.
- This year to honor the local Sebastopolians and the request of the City Council to have some preference for locals, we've offered a \$15 discount for people that live in the Sebastopol area.
- They can receive that when they go online to our Website, farmtrails.org, and you just enter the Sebastopol zip code, 95472, to get a discount
- Tickets are available only presale online. Not at the gate.
- We invite you to come, we encourage you to join us and thank you for your support.

STATEMENTS OF CONFLICTS OF INTEREST: There were none.

CONSENT CALENDAR: None

INFORMATIONAL ITEMS/PRESENTATION: *(Please Note: Although informational/presentations items are routinely informational in nature, some informational items may contain request for actions such as support, direction to staff, follow up, or receipt of item based on the presentation/information provided.)*

NONE

PUBLIC HEARING(s): NONE

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

1. Vehicular Travel Modifications: Palm Ave. between Petaluma Ave. and S. Main St. - Consideration of Roadway Changes Making that section of Palm Ave. a one-way street for traffic to flow westbound only. This would resolve the traffic-related issues that are experienced by drivers traveling eastbound on Palm Ave. turning north onto Petaluma Ave. and pedestrians in the crosswalk on Petaluma Ave., just north of Palm Ave. (Responsible Department: City Engineering/Police)

City Engineer Gaffney presented the agenda item recommending the City Council approve the recommendations for improvements/modifications to Palm Ave. between Petaluma Ave. and S. Main St. and budget amendment of \$8000.

Mayor Glass opened for questions of staff or presenter.

Councilmember Hinton commented as follows:

- I'd like to hear from the traffic people
- This would be our only one-way on those little cut throughs between Main and Petaluma Avenue.
- How does that come into play because it seems like it might be confusing to the public.
- They're all two-way right now but there's that one one-way and you can clearly turn on it.
- Then all of a sudden, you could have a head-on incident.
- I'm just curious what your philosophy is on that one.

Mr. Gaffney commented as follows:

- The signage that is shown on South Main Street will alert drivers to the fact that they can no longer turn left on to Palm Avenue.
- If we do see that there are incidents or near incidents we can install advance signage to let people know they can no longer turn left on to Palm.
- Both the Chief and I agree that the danger from people turning left from Palm on to Petaluma at that that awkward intersection more than outweighs any possible conflicts that we might have from people mistakenly turning left on to Palm.
- We'll have advanced signing and notification for the drivers.

Councilmember Hinton commented as follows:

- I should disclose that I drive that every single day, and I have for more than 20 years.
- That's exactly how I get on to that street, so it's also a lot of traffic.
- I wonder if you have done a traffic count of how many cars use it in the one-way that you're trying to stop.

Mr. Gaffney commented as follows:

- I don't have that data.

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- I could check with our traffic engineer later and get back to you.

Councilmember Hinton commented as follows:

- That would be a big question.
- It's a very well-traveled street.

Mr. Gaffney stated he would get the information to the Council.

Vice Mayor Gurney commented as follows:

- I want to thank Joe Gaffney and Chief Kilgore and others for answering my questions ahead of time.
- I have another one just listening to the conversation and anticipating a change.
- Would it be possible to put the Cal Trans lit-up sign that gets people's attention, change ahead, if and when this change is made? The trailer with the orange message board.
- I think that would be helpful to place on the northbound Petaluma Avenue so that folks could know.

Mr. Gaffney commented as follows:

- Stated that is a programmable message sign
- We can include that in the striping contractor's work and also the signs on South Main Street alerting to the drivers that they can't turn left on to Palm anymore
- The signs will have the orange flags on them for probably a couple of months to notify the drivers that there is something new here.

Vice Mayor Gurney commented as follows:

- I know that intersection well.
- To my surprise, the crosswalks are very heavily used.
- I can't quite understand where all of the people come from.
- But it's early in the morning to the evening because I have walked there at several different times of day and I think we're also concerned about pedestrian safety for this change as well.

Mr. Gaffney commented as follows:

- The crosswalks will be both on South Main and on Petaluma Avenue are the enhanced crosswalks with the flashers.
- Are pedestrian activated
- What we see is a lot of people going for a walk from the residential area, crossing Main Street and Petaluma and heading over to the walking paths around behind the hospital.

Councilmember Rich commented as follows:

- I am just going to defer to Chief Kilgore.
- Having him present in the room, I was hoping to get his input and comments on this issue.

Chief Kilgore commented as follows:

- I think that it's specifically noted in the report, but also that I would like to reiterate, there's a couple of reasons for this requested change.
- We have a line of sight issue and I will share my screen so that I can show you.

- Line of sight issue for when vehicles are traveling eastbound on Palm Avenue to turn northbound on Petaluma so that would be a left-hand turn on to Petaluma Avenue.
- They have a significant line of sight issue when looking Southbound.
- Traffic is coming North on Petaluma and they're coming from the right-hand side.
- There is a facility that's here on the corner of Palm and Petaluma and the way that the curb is cut creates a significant line of sight issue.
- You really don't see those vehicles until they're really on you and in order to see them, you have to encroach almost fully past the crosswalk and into the crosswalk which creates an issue for pedestrians who are walking there.
- The other issue is that when folks are looking to the right to see if they can get out into traffic and travel North or left on to Petaluma Avenue, they're not able to look quickly back at this crosswalk that crosses Petaluma Avenue from Palm over to Palm across Petaluma Avenue there.
- What's happening is that when they move their vehicle and proceed into the travel lane, they're making that left-hand turn.
- Many times pedestrians will be caught in the blind spot.
- What we refer to as the pillar of a vehicle which is at the area of the front of the windshield and the door meet, people get lost in that because of not being able to see.
- Then they're already on top of the pedestrian, either having to slam on their brakes or the pedestrian strikes as well.
- It's eliminating that liability that comes with the line of sight along with the blind spot that puts pedestrians in the blind spot of a driver there.
- I know that it is a significantly used roadway and I understand Councilmember Hinton's reasons for a better explanation on that.
- As we have looked at this with a very critical and objective eye, it's very simple for our drivers to continue on South Main Street going South and then make the turn at the solar dragon to turn left and it creates a much safer atmosphere.
- I think with the proper lane striping and signs that are used to warn drivers and a close eye on this for the beginning portions of this, I think folks will catch on to this.
- We have had some complaints from residents in the area as well, and one of those complaints is that one member of the community works at home and she stated that she looks out her window every single day and she watches multiple near-miss traffic collisions that occur there.
- As we look at this for the safety of our community, the safety of those who are visiting our community and our city, it's a needed change that will be beneficial for our community as a whole and for our city as well.

Councilmember Hinton commented as follows:

- Discussed the north crosswalk
- My recollection is that crosswalk isn't it a lit flashing crosswalk?
- In my experience, you see it because they stop and push the button
- When you're looking and you're like, oh, somebody is about to cross and we all wait.
- I'm just curious, can you show that on the screen, because the screen didn't point that out at all.

Chief Kilgore commented as follows:

- You're talking about the crosswalk here on Petaluma Avenue at Palm?
- It does flash, however, the vehicles that are traveling Eastbound and turning Northbound on to Petaluma Avenue, those are the ones who are not paying attention to that flashing sign because they're looking to the right at vehicles that are traveling Northbound.

- They're looking to the right, they see that it's clear, they start their left-hand turning maneuver and then that's when they see the blinking light and also the pedestrian possibly in the cross walk or possibly in their blind spot.
- Even with the blinking light, it's different
- Those blinking lights are on a sign that are higher and so they're better suited for vehicles that are traveling Northbound.
- There would be a significant cost and we'd have to get Caltrans permission and Superintendent Del Prete can talk about if we can even do that.
- But to put the flashing yellow lights in the roadway is something that Caltrans would have to take responsibility for.
- I don't believe they typically utilize that.

Councilmember Hinton commented as follows:

- My point is that when I use the roadway, I see that crosswalk.
- You pull up, you're looking because you have cars on the other side of the road so you're looking three ways, just as a driver in my own personal experience.
- Occasionally there's a car across the way that wants to come and pull out.
- It's really a three-way look.

Chief Kilgore commented as follows:

- I would agree that it is definitely a three-way look.
- Unfortunately, I think we have got many drivers who are distracted by other means, who are traveling the roadways.
- Especially those who may not be familiar with our city.
- They're using apple maps or whatever map system that they may use in their car.
- Not paying attention to those folks in the crosswalk for those who are in our community and in our city, I think that they are significantly used to that signage and know that they need to slow down coming through here.
- Many are just traveling through the city and unfortunately don't.

Vice Mayor Gurney commented as follows:

- I also wanted to comment that cars heading Northbound right here along Schooner Park are generally going fast, Chief.
- The report from the people on that next block of Petaluma Avenue are feeling at that moment that they're just entering town and often are at 35 or 40 miles an hour.
- All the way to Fannen it is downhill there as well.
- I have heard a number of complaints about speeding from that next two blocks of Petaluma Avenue.
- The challenge for pedestrians is that the cars don't generally stop at the shark teeth that are there on the Southbound side of this intersection.
- A lot of cars are going too fast to stop or they don't understand what the shark teeth mean, that you're supposed to stop for that next pedestrian crosswalk.
- I think staff also hasn't mentioned that for people who are used to going East or Westbound and those who are going to lose the Eastbound function, the loop is just around this Spooner Park island which is a pretty small inconvenience to learn to do, because it's just the one property.
- The other concern I have and staff is available to answer this issue of the incomplete sidewalks on the north side of Palm Avenue there, and the paving.

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- That was a public e-mail that was submitted as public comment in and I would appreciate hearing from staff about that situation.
- I don't believe we can do anything about the incomplete sidewalks at this point.

Mr. Gaffney commented as follows:

- Yes, there is a sidewalk gap on the north side of Petaluma Avenue.
- It would be very difficult to fill behind the curb because of that substantial tree right there and plus the power pole, so it would require popping the curb out and routing the sidewalk around the power pole and the tree.
- Would not be impossible to do once Palm Avenue is a one-way westbound street because there is essentially one lane.
- The pavement condition is dismal. Not as bad as some of the other streets.
- I looked it up in the payment database and that section of Palm Avenue has a theoretical pavement condition index of 6. That's on a scale from 0 to 100.
- To put this into context, the streets that we just got through rebuilding, those have pavement index numbers of 0.
- So Palm is in bad shape, but it's not the worst street that we have.
- There's 6,100 square feet of pavement out there and based on the unit prices that ABAG uses it would be approximately \$40,000 to repair and overlay the street, plus maybe another \$8,000 to \$10,000 to pop the sidewalk out and make the drainage work.
- So approximately \$50,000 to redo Palm Avenue which could be the subject of a future capital project.

Planning Director Svanstrom commented as follows:

- I did let the Planning Commission at the meeting know that it's coming before the Council and they have a couple of suggestions
- If Palm Avenue goes to one way, that additional road width gives us a couple of additional options.
- It easier to add a sidewalk in the future when funds are available.
- Had a chance to talk with Joe Gaffney on this the in terms of planning, and the potential of having parking on the southside so that people can park and access the park more easily.
- There are certainly long-range options available.
- I see this as the first step of just the striping to get the safety elements that Chief Kilgore has raised.
- I think it's certainly something that access to one of the city parks could also be another option that engineering and myself can look at more thoroughly.

Councilmember Slayter questioned is the red curb on the north side of Palm west of Petaluma Avenue going to remain red?

Mr. Gaffney commented as follows:

- With the conversion of the street to one-way it doesn't need to be red.
- We have to look at the parking situation out there.
- The street is approximately 30 feet wide, so that would allow one traffic lane -- one parking lane depending on what we do with the sidewalk.
- We'll look to see what parking we can fit on Palm if it's changed to one way.

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Councilmember Slayter commented as follows:

- I would be in favor of staff taking a look at removing that red
- Planning Director Svanstrom mentioned about adding some parking so people can access Spooner Park.
- It appears that a one-way roadway of a 30 foot roadway width, remove that red, grant eight feet to parking which there's still plenty of space for a one-way street, there shouldn't be any fire equipment access issues or anything like that.
- Maybe that's a quick way to just add probably three, maybe four parking stalls.

Mr. Gaffney stated he would look into that.

Mayor Glass commented as follows:

- Could you describe how you're handling the issue or how staff is recommending handling the issue of people that are going Westbound on this little section of Palm and trying to cross the street over to Palm.
- They're really kind of going against traffic
- They're almost going the wrong way up the street.
- I just see that happen all the time.
- I live really close to Councilmember Hinton and I use this intersection all the time, so I see people coming down Palm westbound and then they cross over to Palm going up the hill.
- They're sort of like going at this right angle up a one-way street so they're almost going the wrong direction.
- What are you recommending about that?

Chief Kilgore commented as follows:

- Unfortunately, as you're looking at the map here, for a driver to be in violation of making a right-hand turn against traffic, they'd actually have to maneuver fully and go right against traffic.
- This is a simple crossover so they're not maneuvering to the point that they're traveling against traffic.
- I did pull the traffic collision numbers for that intersection as well.
- Those numbers have gone down significantly since 2017. I think in 2017 we had nine.
- The last couple of years we have had three and I pulled that for the area of South Main and Palm and South Main and Litchfield.
- To date this year we have had zero at that intersection.
- The issues that are present at Palm and Petaluma with line of sight and pedestrians in the walkway north of Palm are not present at Palm and South Main crossing the street.
- The pedestrian walkway on South Main is north of Palm significantly and it's for drivers who can see very clearly as they proceed southbound on South Main.
- There is no line of sight issues for vehicles traveling westbound on to Palm to be able to see the vehicles traveling Southbound on South Main in order to safely make that maneuver across South Main to the extension of Palm Avenue or across on to Litchfield.
- Those are the two significant issues at Palm and Petaluma that are not present at Palm and South Main.
- When vehicles come up to the stop sign on Palm Avenue traveling westbound and they stop at South Main, they're very able to see Southbound traffic through their line of sight because of a low hedge here and also through the sidewalk area that gives them a clear view of Southbound traffic as it continues Southbound.

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- We have not seen those accidents or near misses to the extent that we have seen them at Palm and Petaluma.

Mayor Glass commented as follows:

- The place where I see a lot of near misses is actually going down Litchfield and I always turn right and then when I want to go on Petaluma Avenue, I turn right off of Litchfield on to South Main and then move over a lane and then hook around that area - almost like a freeway merge.
- You can just slip into traffic because you're kind of facing a direction so it feels like an on ramp and to on to Palm Avenue.
- Where I see a lot of near misses are people that are going across from Litchfield over to Palm and there's people that are on Palm turning left and so they're looking right up Main Street and waiting for a break in the traffic so that they can turn left on to South Main.
- They're not looking across the street at the people on Litchfield.
- They just have a tendency to not look and then here's somebody crossing over.
- It's just an invitation for a collision because they're looking the wrong direction.
- By making Palm a westbound only, that would alleviate that issue as well?

Mr. Gaffney commented it would be just turning right on South Main and making that loop which is a much safer maneuver for everyone.

Mayor Glass commented as follows:

- It also seems to me that it would improve traffic flow because if we have people moving along, and they use this more freeway on ramp merge part that is at the split from the West, that flow of traffic works a lot better than somebody that's making this more difficult turn from Palm turning left.
- It seems like it will expedite traffic flow there, but that's kind of what my observation from like using that almost every day.

Chief Kilgore commented as follows:

- You can also see as folks come southbound on South Main Street and make the loop here, near the park, to go Northbound on Petaluma, they have no obstructed view.
- They can very clearly see all of this traffic that's coming through and very rarely do we ever see traffic collisions in this area here.

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

Councilmember Slayter commented as follows:

- This is something I'm completely in favor of.
- I think it's logical and it's a significant safety improvement.
- There's not only the line of sight issue due to the angle of Palm and Petaluma looking to the south on Petaluma, there's also a power pole right in the middle of the sidewalk that impedes someone's vision from the traffic lane and the landscaping
- It just is something that makes complete sense.
- It's not just the vehicular traffic where this is going to be a safety thing.
- When I'm on a bicycle and I'm getting over to that side of town somewhere around Petaluma Avenue, I don't take Palm ever.

- I always no matter what vehicle I'm using, go down and make the big loop because the line of sight is up so much better and even before the lane reduction on Petaluma, I would go down there. Just because it's easier.
- You can see more and it's safer, and so I'm in 100% favor of this.

Councilmember Hinton commented as follows:

- I will be abstaining from the vote from lack of information.
- I feel concern without the traffic counts I'm afraid of a backup on the new way turning by the dragon
- It always backs up which is why I back up and I'd prefer to see parking if we were going to convert it to one way.
- I think it's a major change for a major street and I'm concerned that just a simple restripe is going to not be sufficient.
- If we were making this change with the parking and kind of doing a bigger change, I would be in favor of it.
- I hesitate to vote for it today based on those reasons listed.

Vice Mayor Gurney commented as follows:

- I'm wondering if we're able to vote on the issue of directing staff to return with a plan to show the roadway with additional parking on it and the complete sidewalk with an estimate of repairs.
- Can we do that at this meeting.

City Manager/Attorney McLaughlin commented as follows:

- Is it within the scope of this agenda item to vote on the issue before us and then additionally direct staff to return with a design for a complete sidewalk, new parking and cost estimates?
- I think the agenda item encompasses further direction related to Palm Avenue.

Councilmember Slayter moved and Vice Mayor Gurney seconded the motion to approve the requested improvements and modifications as detailed in the staff report and approve the budget adjustment for this item and direct staff to return an item to council looking at a roadway redesign to include pedestrian access as well as a parking scheme.

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

VOTE:

Ayes: Councilmembers Hinton, Rich, Slayter, Vice Mayor Gurney and Mayor Glass
 Noes: None
 Absent: None
 Abstain: None

City Council Action: Approved he requested improvements and modifications as detailed in the staff report and approve the budget adjustment for this item and direct staff to return an item to council looking at a roadway redesign to include pedestrian access as well as a parking scheme.

Minute Order Number: 2021-171

2. Discussion and Consideration of Approval of Use of Council Initiatives Fund (FY 20-21).
(Responsible Department: Administrative Services/City Administration)

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Mayor Glass and City staff presented the agenda item recommending the City Council Discuss and Consider approval of the Use of Council Initiative Funds to allocate funding to specific initiatives or projects.

Mayor Glass opened for questions of staff or presenter.

Vice Mayor Gurney commented as follows:

- So I have two places that I would like to direct my \$500.
- The first is pretty straightforward. I'd like \$250 to go to LANTERN
- This is the community group that is working to improve our library.
- They're planning a public event to raise awareness of their group and their effort.
- It has potentially included a Solstice walk downtown.
- That part of their effort is being developed as we're speaking.
- The other portion I would like suggestions from our City Manager and Assistant City Manager and Administrative Services Director
- I would like my second \$250 to go to a citizen initiated art project.
- I'm just wondering who would administer that money?
- I'm thinking it would be the PAC.
- The type of project I'm wanting to dedicate money to is not the developer professional artist project, but one that is citizen initiated.
- For instance, there's conversation about volunteer project potentially through art start to paint and decorate and create beauty out of those ugly metal utility boxes around town.
- There's also the upcycled art project that our Climate Action Committee is considering.
- I'm looking at that level of project, not the call for projects for community but for artists in our community or professional work like the library project.
- So I'm looking for help from staff if there's a better way of saying that for the citizen initiated art project for the public.
- Thinking that the PAC could receive the money and administer it based upon my guidelines.
- Is that doable? Is that sufficient direction is what I'm wondering.

City staff commented if \$250 if it's not spent this year, there needs to be a resolution to include that \$250 into the amended budget.

Administrative Services Director Kwong commented as follows:

- That is correct – a resolution should be approved for any budget items.
- Questioned if there is an organization for an established organization for the citizen initiative project?

Vice Mayor Gurney commented as follows:

- Stated no and that is the challenge.
- That's why I'm thinking if I could have the check cut to the PAC and put in their budget right now in this year, then I have dedicated my money and I'm giving parameters around how it should be spent.
- The parameters are to a citizen initiated project rather than their official call for projects from professional artists.
- Can it be administered that way – cut a check to PAC \$250
- Is that problematic?

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City staff commented as follows:

- What the Vice Mayor is saying is that she would like to put that \$250 into the art budget so that the public arts committee when they're look at this would have that funding as part of the call for citizen initiated art
- Transferring it from the general fund into the art in lieu fund

Director Kwong commented as follows:

- Stated that is correct and can be done
- A resolution should be approved to transfer the funds
- You need to have it in the art, so when they have a project that they want to use this fund toward that project, then the city can turn around and say, here's the money, we'll cut you a check for this project that you want.

Vice Mayor Gurney commented as follows:

- They can spend the money because it's in their budget.
- When someone says we need \$250 of art supplies to do the utility art box project, so if I make this determination today do we have to return with a resolution?
- Is making the decision today enough to spend the money?
- I ask these questions outside of the meeting and we're still trying to figure this out.

City Manager/Attorney McLaughlin commented as follows:

- I saw a different question which we did address yesterday which was a bit tricky in terms of procedure.
- What you're asking for now, I don't understand why a resolution would be required.
- I think a simple motion voted on by the council right now ought to be sufficient to add it to the PAC art movement budget.
- So we have a donation coming across the desk at City Hall. If that's what we're doing with it it seems to me we ought to be able to do the same with the council initiative.

Planning Director Svanstrom commented I think the PAC would be very grateful for such a donation and in advance thank you for your offer.

Vice Mayor Gurney commented as follows:

- That's what I would like to do because I think the PAC is a bit frustrated because there are a lot of ideas from the public that they could do if they had the wherewithal to follow through with our citizens volunteers.
- Those are the two areas I want to donate \$250 each and our city attorney and City Manager said it's okay without a resolution.

Councilmember Hinton commented as follows:

- One was for Vice Mayor Gurney, when I allocated my funds they went to the fire department but with the specific scholarship.
- I wanted to raise the question, because the last time I think we discussed these, and I know in the budget last year maybe Mayor Glass remembers, I thought we had allocated an extra \$500 for the incoming Councilmember and we had discussions at Council level about that and I was surprised not to see her name on the agenda today because when I was a newly elected, the

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outgoing spent the money and it felt not great and kind of unfair and I know we have had this discussion so I was surprised she wasn't on the agenda today.

- I just want to bring that up right now.

Mayor Glass commented I do remember having that discussion and I am not clear about whether we really got down in the weeds and made sure that was in the budget.

Director Kwong commented that I do not recall direction to add an extra \$500 for the incoming councilmember.

Mayor Glass questioned if that could be added to this agenda.

City Manager/Attorney McLaughlin commented the agenda item is broad enough to encompass any direction related to the City Council initiatives funds.

Councilmember Hinton commented as follows:

- I think we had a discussion at the meeting where former Councilmember Carnacchi and I were asked to give our initiative funds because we didn't know how the election was going to come out and that had been typical at that time.
- Maybe staff can shed some light, but I recall the conversation and I would not have spent my own initiative funds had I not thought that future Councilmembers on the incoming would have an additional amount of money and I think we discussed it within the budget conversations as well.

Director Kwong commented as follows:

- I think this item might have been an oversight when we had a midyear budget adjustment because the two other Councilmember Hinton and former Councilmember Carnacchi spent this in November so this is way before the election and it's also way before the budget amendment.
- This might have been an oversight and it should have been in the budget adjustment for 2021.
- If this is what the Council desired to do, at this meeting, for this item to add an extra \$500 for the new incoming Councilmember, Councilmember Rich, to be able to spend the initiative fund for 2021, you can do so.

Councilmember Rich commented as follows:

- I don't know if this will work but seems like there's a little uncertainty here and this might be a need to look into our records in order to determine what was decided.
- My suggestion is given the budget considerations and other concerns, and I really appreciate this point being raised by Councilmember Hinton and the attention to this topic given that I'm the new Councilmember who is involved in this discussion; However, my suggestion would be that I waive any potential \$500 amount that might have been allocated to my position to kind of close up that issue and move us along.
- Perhaps we could agendize this topic for a future meeting so that staff can come back, clarify what was decided by the Council.
- I personally am very much in support of any Councilmember getting an allocated \$500 amount.

Mayor Glass commented as follows:

- I do tend to agree we would have allocated up to \$3,500, allowing there might be two new members and apparently it sounds as though we did not do that in the budget.

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- I appreciate you waiving this, Councilmember Rich, because this will move us along.
- We definitely need to make sure that we take care of this in the future.
- Perhaps we can agendaize this when we don't have a really full agenda to make sure we have it taken care of.
- Since this is an election year, I don't think it's something we have to take care of right away, but we'll put it on the forward agenda.

Councilmember Slayter commented as follows:

- Given the budget situation that Councilmember Rich just mentioned, and to me, that is the overwhelming thing.
- We spent untold hours discussing the budget in our significant short falls.
- I do not have any organization that I wish to provide these funds to as a donation from public funds.
- What I would like to do is ask that my allocation of public funds, the \$500 initiatives fund goes toward harnessing the power of compounding interest and have them go towards the CalPERS liability reserve fund.

Mayor Glass commented as follows:

- I would like my funds to be divided between four nonprofits.
- I would like to give a quarter to the Community Center, a quarter to the Historical Society, a quarter to the Senior Center, and a quarter to Main Street Theater.
- All of our nonprofits are struggling and we all need to make sure that we support them after a year of being shut down.
- We need to make sure that we're donating, showing up for their events and really supporting them because it's been a tough time for everybody.

Mayor Glass opened for public comments. There were none.

Council Discussion and/or Deliberations: There were no further comments.

MOTION:

Vice Mayor Gurney moved and Councilmember Slayter seconded the motion to approve se of Council Initiative Funds to allocate funding to specific initiatives or projects as follows:

Vice Mayor Gurney:

\$250 – LANTERN

\$250 – Public Arts Committee – Citizen Initiated Art – Transferred to Public Art In Lieu Fund

Councilmember Slayter:

\$500 – PERS Liability Reserve Fund

Mayor Glass:

Divided Equally

Four Non Profits

- Community Center
- Western Sonoma County Historical Society
- Senior Center

- Main Street Theater

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

VOTE:

Ayes: Councilmembers Hinton, Rich, Slayter, Vice Mayor Gurney and Mayor Glass

Noes: None

Absent: None

Abstain: None

City Council Action: Approved

Vice Mayor Gurney:

\$250 – LANTERN

\$250 – Public Arts Committee – Citizen Initiated Art – Transferred to Public Art In Lieu Fund

Councilmember Slayter:

\$500 – PERS Liability Reserve Fund

Mayor Glass

Divided Equally

Four Non Profits

- **Community Center**
- **Western Sonoma County Historical Society**
- **Senior Center**
- **Main Street Theater**

Minute Order Number: 2021-172

3. Discussion of Consideration of Adoption of Resolution to Amend Stage 2-Mandatory Compliance-Water Alert of Water Conservation Measures for Commercial and Industrial Water customers (Responsible Department: Public Works)

Public Works Superintendent Dante Del Prete presented the agenda item recommending the City Council adopt the Resolution Amending Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance Water Alert Conservation Measures to include Conservation Measures for Commercial and Industrial Water customers and rescinding Resolution Number 646-2021.

Mayor Glass opened for questions of staff or presenter.

Councilmember Rich commented as follows:

- Thank you for bringing this item forward in response to concerns from the City Council.
- I really appreciate it and it's well researched and outlined and I appreciate that approach.
- I had a question that I'd like you to think about if you could, Superintendent Del Prete, about the wording of one of the items.
- Bullet point number three. Hotel and lodging establishments must message about the drought, including laundering of linens only upon request.
- It's just an odd wording that could be misunderstood.
- Common sense says otherwise, to indicate that hotels should only launder if you have someone, otherwise we just leave the linens as is.
- Maybe a little bit of clarity in there or a change or an example.

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- I understand what you intended but it seems a little broad in its statement.

Superintendent Del Prete commented these items I did some research with neighboring municipalities as to not to reinvent the wheel and have consistency and that's where the wording came from.

Councilmember Rich commented given that clarification, if that's what you're seeing in jurisdictions, leave it alone and why invent the wheel.

Councilmember Hinton commented as follows:

- This agenda item coming before us raised a question for me and that's about the water that we're going through at the Public Works yard and the last time we talked about mandates for our residents of Sebastopol, I think on the call we were told we had to stop or was going to stop selling water and then in some research I was doing for this agenda item I found out that had not happened.
- Are we still selling water
- I don't know what people buy water for.
- I know sometimes maybe they're short of water, but maybe they have other uses.
- I did see in the news that there's a lot of cities that have stopped selling water, and I'm curious about what our status is in what you intend our status to be in the future.

Superintendent Del Prete commented as follows:

- Recognizing the oncoming drought early in May, I discussed with the City Manager and per the City Manager we have not accepted any additional water tower accounts.
- We did address at least take the first step in addressing that issue initially early on in the process.
- There has been discussion with the City Manager and myself about the best way to address water tower sales.
- The one thing I would add, on the water tower it has been identified as a large user.
- The water tower sales have increased dramatically.
- It is over 2% of our total production of water for this city.
- I will identify those statistics. I do have a statistics page that I did some research on.
- Displayed charts to the Council and public,
- We don't have July's numbers yet, but you can see the yellow. That's last year.
- The increase did start last year but we are trending right now. Up significantly.
- This is last year's June numbers.
- July of last year is here and I can only predict that when I get July's numbers they're going to be off the chart.
- I do see a significant increase in water sales.

Councilmember Hinton commented as follows:

- So no new accounts but double the usage.
- Since you know the accounts best, are people selling water?
- I'm trying to figure out how that's happening and do you have any insights since you know the accounts?

Superintendent Del Prete commented as follows:

- I don't have a personal relationship with the accounts.
- I'm just trying to get ahead of the game and be educated.

- I knew this topic was coming and I'm trying to be responsible and monitor it
- I have spent some time discussing with some of the regular water tower customers that are trucks delivering water throughout West County and other places, and in those discussions and I have relayed this to the City Manager, it is a tough situation
- It is a humanitarian kind of low income element because they're providing clean drinking water to several West County residents. Not necessarily Sebastopol city residents that don't have another resource for clean, safe drinking water.
- I did do some other research trying to figure out the best way and if that's the avenue that we do want to address
- It does have that kind of humanitarian element about it
- The one thing I did research is that every water truck that's for potable water only has to have an annual certificate. I do know that not all of our current water tower accounts have that drinking water only cert.
- I would bring that forward, but I would have to ask the City Attorney if we can restrict those water tower accounts and have all of those customers provide their current drinking water only hauler license to the city.
- If they can't provide that, then I think we could discontinue their account.
- That would be one way to try to ensure they're not hauling water from Sebastopol and watering irrigation or cattle or other agricultural uses.
- I have been working closely with Sonoma Water Agency when Sonoma County Water Agency is going to fire up what they call the Todd Road well
- They planned to fire up that well late August to early September and the use from that well is supposed to be allocated to agricultural use.
- Hopefully that will offset some of that use.
- That won't affect our water sales here primarily, but it will provide an option if we say Sebastopol is no longer going to allow anything other than drinking water from our tower.

City Manager/Attorney McLaughlin commented as follows:

- As you can tell from the Public Works Superintendent's discussion here, this is a complicated item.
- There have been cities who were allowing water sales like we do and then recently cut them off.
- I know one city up in Mendocino County did do that.
- I think it was the City of Ft. Bragg and that water was being supplied actually to the town of Mendocino and they had to cut off their water sales in the way that we're doing water sales and that was obviously drinking water for Mendocino.
- They did that as a direct result of their own water needs. The fact that they could not provide sufficient water for their own residents.
- I'll just caution the Council, we're not in that situation.
- These water sales definitely need looking in to as the Public Works Superintendent said, but they did not jeopardize the water availability of our residents currently.
- When we looked into that, we got quite an avalanche of responses back along the lines of, please do not take away our drinking water.
- So under the circumstances, I felt we couldn't just blanket say, all right, that's it no more sales starting tomorrow.
- It would have made a tremendous hardship and as I mentioned we cannot make the factual statement that this is adversely affecting our residents right this minute.
- I think it should be looked into along the lines of what Superintendent Del Prete related.

- It should be we should try at least to ensure that this water is only being used for needed drought-related personal use of drinking water and the like that's a definite direct public health situation.
- We don't know that right now, so I support anything that would be useful in figuring that out as it has been discussed here a minute or two ago.
- I do not recommend just terminating that water sales because I think it would work a tremendous hardship on people who rely on it for their drinking water and we can't not make the factual statement that it's depriving our citizens of their own water.
- Also, before we leave this item, I'd like to ask that we be given time as well to discuss the whole subject of pressure washing.
- Not to discuss it right this second, still on the item as far as the water sales goes but I would like to discuss that before we leave this item.

Councilmember Rich commented as follows:

- I'm going to advocate a cautious and reasoned and well researched approach here.
- I have been very aware of the impact of droughts on our greater West County community.
- We have wells that are drying up and people who are in line to get water from providers in the community and sometimes they're having to wait a month for water of every kind.
- That's very troubling to me and should be to the City Council.
- Although we are a City of Sebastopol City Council, we know that we serve a greater community and they need to be in our hearts also.
- I appreciate the comments from our City Manager and from our Public Works Superintendent and from others.
- We're not in a crisis in terms of water need here's in the city.
- We have a Public Works Superintendent who is well prepared and well positioned to put together some factual data for us and provide us details on who are the customers, what is the water being used for and I might add whether we are charging the right price.
- We are looking at budget issues so I want some assurance from the Superintendent of Public Works and also from our City Manager that we have eyes on the appropriate pricing for this item for water that we are selling.
- I think all of the water uses are valid and so I'd like to just remind us all that it's not just drinking water. It's water for showers, it's water for other personal uses. It's water for agriculture, which is part of our community economy.
- More thorough report back from my perspective would be very well appreciated so we can make sure we do the right thing for our immediate community and for West Sonoma County.

Vice Mayor Gurney commented as follows:

- I agree on the cautious and reasoned approach that Councilmember Rich has discussed and a return from our staff on this issue.
- One of the points of research I would request is contacting the Water Agency and particularly the Supervisors to understand what is the Supervisor's policy about, for instance, our West County people who don't have water.
- While we can have a humanitarian purpose of our own, and address that, we're a small city and there's a much bigger responsibility than ours to all those people and I think it's really important to coordinate with our supervisors and at the county level to make sure it's well handled.
- If we could add that to the research for staff.

Councilmember Slayter commented as follows:

- It's not difficult to find data on trends and occupancy water use and I think it's human nature for people on vacation and visiting communities outside of their own the filter changes with regard to water use, and people are significantly more free with just letting the tap run or taking 20 minute showers or whatever while transitioning through a community.
- I would have us revisiting the use permit process for the posted vacation rental which is the only kind that we allow, and include in that or add to that if it isn't already there the requirement to upgrade all plumbing fixtures in a residence used for a vacation rental to be upgraded to the current Green building code standards for water use in plumbing fixtures
- I would like to be able to require current permit holders and all transient occupancy land uses, hotel, et cetera, to upgrade every plumbing fixture to water saving fixtures.
- I know that that second request is probably not possible, but I'd like to see if it is.
- Those are my only questions and suggestions at this point.

Mayor Glass commented as follows:

- I'm interested in us knowing more about who these customers are and what they're using the water for.
- I don't know how we can get at that information.
- I heard Superintendent Del Prete you say that the issue of people having a permit for drinking water versus not.
- I'm wondering is it possible for you to initiate some kind of customer survey or something so we get a better sense of who is being served and who the customers are.
- Then my other question is that I gather that we sell this water as using a key card system and so I don't think we're actually metering it as we sell it. Is that right? How does that work?

Superintendent Del Prete commented as follows:

- It is actually metered.
- It is an honor system because basically, it's very primitive in that water truck company "X" comes in, they write down the reading on the meter, they fill up their truck and they write down the end read of the meter so that dictates their water use.
- If water is lost, then the next driver brings it to our attention.
- There are times when people forget to fill out tags and we do our best to track those down.
- But we have looked in the past to a card lock system, where a slide lock and it's very technical.
- It would be an excessive cost to install that type of technical. \$60,000 and above.
- It would take a lot of water sales that we think we're being lost to recoup that money.
- I'm not saying that that technology shouldn't be utilized in the future. It's definitely something that we could look in to try to work smarter and harder
- It's really hard because it is based on an honor system.
- One of the things that I thought is at a minimum, is that all the water customers sign an affidavit saying that they're providing drinking water only.
- These are all options, but there's not a lot of control.
- Barring just deciding to shut it off is the only control we have.
- As the City Manager stated is going to have significant ramifications for health and safety for drinking water and for people to live.
- I will say that I have done research on water tower sales and one of the water haulers is the number fifth water user for the City of Sebastopol.
- There's a significant amount of water being sold through that tower.

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- As far as the water sales, it is sold the same as going through any other commercial meter.
- There's no additional fees or charges.

Mayor Glass commented as follows:

- Do you think it's viable to do some kind of survey of those customers and find out what kind of users they have?
- That would definitely be an honor system kind of thing believing that they're going to give us the good answer, but does that seem like a viable idea?
- I just feel like I'm kind of making policy in the dark here because I don't think we really know who these customers are.
- I am concerned about it, as agriculture is a part of our community as well and I'm concerned about small farmers staying in business, but I think that sounds like the Water Agency has some solutions for that when they fire up the not Todd Road well

Superintendent Del Prete commented as follows:

- I can definitely put together a survey.
- We could send it to all of our water tower customers. It's not like we have an expansive list of water tower customers. It's really not that many customers.
- The haulers we do have haul a lot of water.
- It could easily be done. I could work with Holly Hansen our outreach community coordinate and I could ensure that the City Attorney approves it for the legality of the discussions and we can do our best.
- The water truck haulers are aware of this conversation.
- They were at our last council meeting. There was more than one of them attending the last council meeting in the audience because I was out speaking to them, picking their brains, asking them questions, trying to learn more and do the research.
- They're aware it's coming and it's their livelihood so they're very interested.
- A survey, hopefully, would be a high percentage of honesty.
- If it's not, they're going to lose the resource entirely and that's their fear.
- I think it's step in the right direction.

Councilmember Rich commented as follows:

- How much is our budgetary line item?
- How much in the next fiscal year expected to collect from the water tower?
- Do you have a sense of that?

Superintendent Del Prete commented as follows:

- Does not know tonight
- I could work with water billing to get you that information and get it back to you.
- Maybe I could wait till July closes.

Councilmember Rich commented as follows:

- I think that would be an interesting piece of information when you come back to the council.
- You said there's no additional cost, that it's just the regular water meter charge.
- Do you know if other jurisdictions are dealing with water sales in the same way and is there any room or ability to charge more if it feels appropriate given the market, the competition out there?

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Superintendent Del Prete commented as follows:

- The few that I have reached out to, other municipalities they have done some other things.
- Putting a cap on volume, so each water hauler can only cap out at a certain total volume amount per month.
- I don't know if we'd do that and then change the rate structure.
- But changing the rate structure I believe requires some significant mechanism through finance and Council action.

Councilmember Rich commented as follows:

- I think it would be interesting to know if we are really somehow underpricing what other jurisdictions are doing in terms of water sales.
- That would be an important piece of information.
- You mentioned potential loss of water because of the honor system.
- Do you think there's a lot of loss of water there or is it fairly minimal from the reports out there that you have from other haulers who let you know?

Superintendent Del Prete commented as follows:

- It's fairly minimal from the water tower itself.
- Because I have put some strong worded notices in the water tickets, quite often the next truck would just pick up the sales because they're very interested in not losing it.
- They encompass the cost of that water in their ticket to cover it.
- I have had a water hauler say if there's ever a discrepancy, just add it to my account, I can't lose this resource.
- It's not a significant amount of water.

Mayor Glass commented as follows:

- I appreciate your comments and putting a humanitarian face on the water needs of others within our community.
- I think that should be part of our consideration.

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

City Manager/Attorney McLaughlin commented as follows:

- I would like to address the power washing, because there may be a few comments or questions about the topic.
- It's not directly related to this item but it's definitely relevant.
- I'd like to ask the public works superintendent to clarify this.
- We have had questions from the public about pressure washing downtown and other places in terms of water usage and the drought conditions.
- I'd like public works superintendent to clarify that, that we do not do those routinely anymore.
- We have not been doing that, and I want him to clarify.
- However, there is a need specifically to produce some pressure washing in the plaza area.
- We received photos this morning.
- We have had complaints down there and requests for clean-up efforts.
- The plaza really needs pressure washing.
- It is filthy.

- You cannot sit on the benches.
- The areas where the Farmers Market has food produce vendors is also especially filthy and the public works superintendent can clarify this, he has a suggestion for use of a hot water steam cleaner to do such pressure washing.
- It uses the minimum amount of water needed so that it's not excessive.
- I thought this was the time to interject the topic so if the council is all right I'd like to have the Public Works Superintendent elaborate on that a little bit so it's clear to the public what we do and what we do not do.

Superintendent Del Prete commented as follows:

- So as of earlier this spring, we discontinued our regular quarterly cleaning of pressure washing in the downtown in the plaza and when we do pressure wash the downtown area because of storm water regulations we use our truck so we're washing the debris and dirt from the sidewalks and capture it and return it to sewers so it can be treated.
- It doesn't go into the storm water system.
- Pressure washing it does not use a large amount of water, but as we spoke about in the past every drop counts and we have to adhere to our own guidance.
- That being said, I have inspected myself and received photos of the plaza in our farmer's market and the vendors down there do create a kind of a dingy debris left behind and the plaza is in drastic need of being cleaned.
- That being said, my recommendation to the City Manager this morning was we have the opportunity to rent a hot water or a steam unit which is much more effective in cutting the grease and debris, that's left behind from the food vendors and thus cutting the time and use of the cleaning drastically which then results in much less water use.
- In the plaza itself, the water goes into the landscape area and we kind of push it into the lawns and areas up there.
- That isn't contaminated or too dirty to clean up so we're trying to utilize as much water as we can.
- The Council should be aware of mostly if they receive concerns or comments about any work that's being done.
- We do this cleaning in the plaza to keep it safe and clean and presentable for a very community viable kind of area.
- My recommendation is that I use this existing funds out of the street maintenance account to rent a hot water unit and use the least amount of possible.

City Manager/Attorney McLaughlin commented as follows:

- I wanted to use this time as a forum. There's so much misunderstanding on the topic.
- It is difficult with the public be useful to clarify it this morning.
- Just like all of the other questions we are addressing here today, there's no easy answer to the question.
- All of the subjects are complicated.
- All I can say is staff does the best it can do to minimize use of water consistent with providing cleanliness for our most used public facilities.

Superintendent Del Prete commented as follows:

- I was able to get some information as far as water tower sales to address Councilmember Rich's question.

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- 2020 and 2021 was \$42,000 in water tower sales.
- City staff displayed the photos of the downtown plaza
- It's significantly blown up, so it's a bit blurry but this is the kind of debris left behind by the food vendors.
- The condition is unacceptable as one of our public spaces not only through the view of the City of Sebastopol, but also just to show that my staff is actually doing their job.

Mayor Glass commented as follows:

- It seems to me that this is also a public health issue particularly right now when we're seeing COVID numbers go up.
- We have food vendors out there.
- Everything is not black and white.
- We have to balance the use of water with also public health and public safety.
- That investment in steam rental would be a good investment.

Vice Mayor Gurney commented as follows:

- I agree with you and I have a suggestion to make if it's practical.
- I'm wondering if Holly Hansen could do a brief explanation of the hot wash?
- How it's dealing with the public health hazard, pride of place as well.
- The effectiveness of our DPW staff and also our water conservation element.
- I think that would be really helpful and I appreciate you informing the Councilmembers and it's good to know the answer right away so we don't just refer everyone to you and overburden you.
- I think a public announcement of this on the Website would be really positive.

Superintendent Del Prete commented as follows:

- I would do one of my normal public outreach notifications which reaches several of the downtown businesses, other community groups as well.
- Holly Hansen is always great about posting those to social media and the city Website as well.

Councilmember Hinton commented as follows:

- I would like to have this come back to the agenda because it feels like if we're asking our own residents to conserve, we should be looking at this and asking for conservation this way.
- I'll just a simple example. My kids live up in Healdsburg most of the time, and when they passed their water ordinances guess who started to wash their cars right in my driveway.
- It's just really that simple.
- I think as other municipalities start to limit their water usage, I think that our water usage will expand.
- I'm interested in of course not cutting off people that need it for drinking water.
- However, even in my own household I'm being asked to conserve, including drinking water.
- I would like to see this addressed in some way before these numbers go from double to triple.
- I think that everybody should be part of the conservation ask and it seems like we need to monitor that based on the research Superintendent Del Prete has done and do something.
- I would like to see this back on the agenda with some recommendations from Superintendent Del Prete who's done a lot of research.
- I really appreciate you doing that, Superintendent Del Prete, and being ready for this agenda item.

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Councilmember Rich commented as follows:

- We have multiple issues going on here, but my suggestion would be to support the item that is specifically presented in the staff report.
- To direct the Public Work's Superintendent to gather the information and come back to us as it's already been discussed in detail here and then finally, given his research and request and recommendations from Public Works Superintendent and also City Manager, I would be in support of what looks to be a very water conscious, but practical approach to the power washing of our plaza.
- I would want him to start that earlier rather than later.
- I would hate to have us delay this process.

Mayor Glass commented as follows:

- - I'm interested in having more information come back to us.
- I think it was you, Superintendent Del Prete, of putting a notion on how much we sell and in a lot of respects we're asking our public to lower how much water they're using, but there's not really an incentive for these other kinds of customers and I think that might be something we might want to consider is if they can at least maintain their use, their sales at what they were in the past, so that we know that people are conserving
- That would be something to research.
- I certainly don't want to make it impossible for somebody who lives off in West County and needs our water in order to continue living in their house and have drinking water but it might be something to consider.

MOTION:

Vice Mayor Gurney moved and Councilmember Rich seconded the motion to approve and adopt the Resolution Amending Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance Water Alert Conservation Measures to include Conservation Measures for Commercial and Industrial Water customers and rescinding Resolution Number 646-2021.

Direction to Staff to return to a future City Council Meeting with information as discussed:

- Certificates for Potable Water
- Other Jurisdictions Information on Water Sales/Prices/Caps
- Survey of Customers of City Water Tower Users
- Revenue from Water tower account
- Contact County on information on Well Use (customers)
- Discussed with County Supervisor their policy for water for West County

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

VOTE:

Ayes: Councilmembers Hinton, Rich, Slayter, Vice Mayor Gurney and Mayor Glass

Noes: None

Absent: None

Abstain: None

City Council Action: Approved and adopt the Resolution Amending Water Waste Prohibitions and Water Conservation Measures: Stage 2 – Mandatory Compliance Water Alert Conservation Measures to include Conservation Measures for Commercial and Industrial Water customers and rescinding Resolution Number 646-2021.

Direction to Staff to return to a future City Council Meeting with information as discussed:

- **Certificates for Potable Water**
- **Other Jurisdictions Information on Water Sales/Prices/Caps**
- **Survey of Customers of City Water Tower Users**
- **Revenue from Water tower account**
- **Contact County on information on Well Use (customers)**
- **Discussed with County Supervisor their policy for water for West County**

Minute Order Number: 2021-

Resolution Number: 6364-2021

Mayor Glass called for a break at 9:56 am and reconvened the meeting at 10:02 am

4. Discussion and Consideration of approval of City Council Policy for Fireworks Permit Lottery
(Responsible Department: Fire)

Vice Mayor Gurney commented as follows:

- I'm just wondering to make sure we understand is the notion that the Kiwanis would do their show specifically on July 3rd?
- It's not been in conflict with other regional shows and that's our traditional date.

Chief Braga commented as follows:

- I do believe that they're going to continue to look at the July 3rd date.
- I have a Kiwanis representative in attendance to answer questions

Philena commented we intend to continue the show on July 3rd as has been established for nearly 50 years.

Vice Mayor Gurney commented as follows:

- That's such a tradition and I think it's important to have our reserved date and create a potential fund raiser that other communities can participate in to support your group and your generosity and potentially others.
- I was wondering too if we could require with this kind of permanent permit to Kiwanis they do provide an opportunity for other nonprofits to participate in the event.
- It would be really helpful for our community to include other nonprofits to provide them an opportunity to raise funds, have publicity, be visible to our folks.
- I wondered if that was possible to add here and also acceptable to Kiwanis as the requirement for the permit.
- For Kiwanis to manage the event so that other nonprofits were invited to participate as fund-raiser.

Philena commented as follows:

- Traditionally, we have supported other nonprofits at the show.
- There are different ways to accomplish that, but we identify our community benefit each year and the organizations that participate.
- Not only does 100% of our proceeds go back to the community, but there's a community benefit beyond that in that which can include many of them in the show

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- I wasn't prepared to speak to that, but for example, the art center -- they have been there for years.
- So there's lots of ways to be included and we're very open to the conversation.

Vice Mayor Gurney commented as follows:

- That's what I was hoping that you would be receptive to.
- Maybe the sea serpents want to sell a plate of spaghetti to everybody, I don't know.
- I think you demonstrated that you understand what I'm considering.
- I wonder if we can restrict this to be the no alcohol event. Is it currently?

Philena commented it is currently a no alcohol event.

Vice Mayor Gurney commented these are good things to say out loud.

Philena commented just to further emphasize that it's on school grounds so alcohol is not allowed.

Vice Mayor Gurney commented as follows:

- As we are changing what we have done with the band, I think it's good to re-affirm what we have been doing and what we want to continue doing.
- For the councilmembers, I think this is a good idea so long as Kiwanis is a viable club in town and also that we have the subject to cancellation related to fire danger, drought, heat wave, some kind of emergency circumstance and I imagine, Chief, that that kind of emergency would come to you first for an emergency proclamation.
- I think it's important for us to say out loud while this seems like a good idea now we're not sure in the future that this event could happen every year, given the fire dangers.
- What do you think, Chief?

Chief Braga commented as follows:

- I'd go along with that, I support that. I think that's a great idea.
- I would be in the best position to make that final call.
- I do feel bad for the Kiwanis, and even during the three nonprofits selling the safe and sane, they have to trigger an order with the pyrotechnic company and the companies that provide the fireworks.
- I think sometimes they place the order in like April or May because they have to get the order out there.
- And so we may have to kind of deal with that if the drought and weather and fire conditions warrants a cancellation, but maybe it would be a cancellation and a reschedule so the Kiwanis, they don't lose their money invested in purchasing the pyrotechnics.

Vice Mayor Gurney commented as follows:

- I think that would be between Kiwanis and the pyrotechnic business.
- If Annandale Park was on fire and the fire was coming this way, we wouldn't want to have July 3rd's fireworks show.
- I'm being dramatic and thank you for answering my question.

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Councilmember Rich commented my question was since we have a Kiwanis representative in the room, has there been any consideration and will there continue to be consideration of an alternative to a traditional fireworks option?

Philena commented as follows:

- I wanted to share that we are looking at other options.
- In fact, potentially starting to implement them at like the opening show.
- Something to set us apart from the other shows in the community, so some sort of a drone show or lots of ideas out there.
- Very expensive to invest in up front.
- So we will continue working on that. We're hoping to potentially do something even in 2022.

Councilmember Rich commented as follows:

- I'd encourage you to the extent that you encounter in your research with options a financial barrier, although the city is in pretty limited budgeting situation in terms of available funds to the extent that there's a safety issue and money is creating a barrier to the Kiwanis doing something that would be safer for the community.
- I would encourage you at least to reach out to the City Council and give us that information and the opportunity to perhaps to the extent we're able help supplement that effort.
- As to July 3rd, yes, I think it's great we're doing that date.
- I'd like to confirm through personal experience as former executive director of the Sebastopol Community Cultural Center, the Kiwanis historically included booths that benefited just a ton of different nonprofits.
- That's one of the things that gave such spirit and a sense of community to the event.
- So I'm glad to hear that that will continue.

Councilmember Hinton commented as follows:

- I wanted to ask the fire chief, I see the benefits of going with "a," the nonprofit that has done it for a long time and "B," I understand the concerns of the school that they don't want to re-teach a different nonprofit every year.
- Having the process, obviously the Kiwanis have proven themselves.
- There's two things that I guess I'm wondering about.
- One is, I'm not going to be here in 45 years from now.
- So is the Kiwanis going to be able to produce this show for the community forever?
- It came as a surprise to me that we weren't able to do some sort of event this year when we discussed it in the spring.
- Feels like if we're going to give a multiyear agreement to the Kiwanis, which I'm fine with, that we should have an understanding back and forth at a certain point about whether they're going to be able to deliver the fireworks show.
- So they go into contract with the company to do the fireworks show, except for what Vice Mayor Gurney said which is there could be some extenuating circumstances like there's a fire happening and we can't hold it.
- What I would like to make sure is that we have a certain cutoff, it seems reasonable that Kiwanis says yes, I can perform for the community.
- Having been in a nonprofit myself for a long time sometimes nonprofits make decisions that they don't always want to move forward with the same fund-raising event, for example.

- I'm just wondering, we're making a decision and I want to make sure the community gets the fireworks at the end of the day if that's what we're wanting to move forward on.

Philena commented as follows:

- We need to order the fireworks generally another the beginning of March.
- We did get an extension this year and just for informational purposes we had them fully funded.
- Something different than we have had in the past and we have fireworks, knowing that we might not be able to have an actual show attended by with the public.
- That was just going to be purely for the community.
- But after discussions with Chief Braga and Chief Kilgore, the decision was made that we were not in a place as a community to move forward.
- The Kiwanis does keep reserves in place and we fully intend to carry on our tradition of doing the fireworks.

Mayor Glass opened for public comments.

Jenny commented as follows:

- I'm the director of facilities and bond construction management for the West Sonoma County for the district.
- We have had agendized this in June, that we fully support the recommendation by Chief Braga and hope that the City Council will pass through.
- We love working with Kiwanis, we think it's a great event and we want to continue to support our community and all their efforts.
- To address Councilwoman Hilton's comment with respect to the facilities for this year for the fireworks because we're a school we were bound to stricter regulations.
- We could not give a definitive answer on whether we could host the event at the school district because of the strict public health requirements and we worked closely with Kiwanis as well as Chief Braga on that.
- I wanted to let you know that we fully support working with the Kiwanis going forward and if things change over the next 45 years because I can appreciate I won't be here in 45 years either, we work with someone to make sure that this event is available for someone for our community because it's the full intent of the school district to support it.

Philena commented as follows:

- As already mentioned I'm here as the co-president and representative of the Kiwanis Club of Sebastopol.
- After nearly 50 years of providing the fireworks extravaganza on the 3rd of July, we are proud of the well managed and highly respected show.
- We take the responsibility of the event seriously and give 100% of the proceeds back to local schools and other critical community organizations.
- We are extremely proud of the fact that we have kept our financial commitment to the community during the COVID shutdown and without assistance from community grants or other city funding, by re-imagining our fund-raising activities we're finding ways to replace the funding we have lost, we have survived the damage done by the pandemic.
- That being said, the fireworks are an event we have built upon.
- A formula we do not believe could be easily duplicated or funded by other organizations.
- We're small, but we're mighty.

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- Members, loyal community members, dedicated to continuing our long tradition of providing a safe and sane fireworks event for Sebastopol and we thank you, the city staff, City Council and Chief Kilgore for your continued support.

Council Discussion and/or Deliberations:

Councilmember Rich commented as follows:

- I'm completely in support of this recommendation for a number of reasons all based on community and reliable future and predictability.
- I wanted to compliment Chief Braga for doing important work in going back to the other community members who were benefiting from fireworks boosts and having that personal conversation with each of them and Chief Braga, I heard back validating what you reported out to and confirmed the appreciation of the process that you undertook.
- Thank you for that.
- I would like to tag on to Councilmember Hinton's comment.
- I agree that there needs to be a deadline each year for the Kiwanis Club to report to us that they are in fact moving forward.
- What that deadline might be, I don't know. Maybe it's January 1st -- they're committing in March for July fireworks but I bet the commitment is earlier.
- So I'd ask perhaps Kiwanis if there's support here amongst the City Councilmembers what would be a reasonable deadline?
- Would it be January 15 and that would allow the City Council to try to access options that would be reasonable for our planning purposes given the importance of planning this event.

Vice Mayor Gurney commented I'm wondering if the Councilmember Hinton's concern about that deadline be addressed.

Philena commented as follows:

- Yes, barring any unforeseen circumstances like that fire coming towards Sebastopol, yes.
- I think we can commit which ever date is chosen by the Council.
- As mentioned, we have reserves each year, so we keep the funds aside to buy the next year's fireworks so we are always planning and prepared for the event.

Vice Mayor Gurney commented as follows:

- I'm curious about a date that you think is manageable for you, but also is going to give us a Council enough notice about what's going on.
- Are you thinking January?

Philena commented as follows:

- I think that January is best for the Council because you would need to find another organization and they would need time to prepare.
- Looking at it from that view point, I think January makes sense.
- We need to order fireworks no later than March 1st.
- So January is reasonable.

Councilmember Hinton commented as follows:

- I really like that idea because the part that bothers me about this agenda item and I have just pulled it up, the recommendation that the City Council permanently assigns annual fireworks.

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- I'd like to see that first right of refusal so that annually, we could give you first right of refusal, but permanently just seems so like permanent.
- It's really a community event and I appreciate that the Kiwanis is your signature event
- I have gone every year with my kids and it's a great time, but thinking out into the future I would like to see maybe the motion today first right of refusal and then you guys have between January 1st and January 15th to notify us in writing or something that yes, you're moving forward or something could have been changed in 20 years or something and we will be searching for another possible person.
- I'd like to see the permanently changed if that is acceptable to everybody.

Vice Mayor Gurney commented as follows:

- There was a moment there when Jenny had her hand raised, I wondered if deadlines were important to her.
- Coordinating with the school district.
- Could we hear from her

Jennie commented as follows:

- We do have a \$91 million bond and we have facility construction every now and again and we have to wrestle a few years ago when we redid our fields with how best to balance the opening of football season versus allowing the event to happen.
- So I would just like some consideration out there that there might be in the future
- I don't know right this minute construction that prohibits the event happening at the Sebastopol campus.
- We will do our best to work around that, but as you know, we have about 55 days of summer to complete a lot of things while students are not on campus and sometimes that can prohibit things from happening.
- Right now we're heading into the facility master planning with our school district and likely planning all of the future construction for the next ten years.
- While I totally respect that we want a commitment that this event will happen, I can't always determine when construction will occur.
- So I want that in the back of everyone's mind.
- Obviously it's our intent to support it for July 3rd and we'll work around the other obstacles.

Vice Mayor Gurney commented as follows:

- I think we all realize that this school district had really the first right of refusal.
- If this doesn't fit on their property, they get to say no.
- I'm grateful of the school's expression of willingness to work with Kiwanis and the show if it can go on.
- I want to get to the issue of permanently.
- I think we all know that this policy would last until somebody wants to change it.
- Permanent doesn't mean in perpetuity for 45 more years it means until that's a request for a change.

Councilmember Rich commented as follows:

- If we sent a deadline of January 15 for Kiwanis to confirm that they would in fact do the fireworks for that upcoming July 3rd, would we leave it in Kiwanis' court to negotiate with the high school, is that workable?

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- By January 15th, would Analy High School know if they could make available the field for Kiwanis for the upcoming July 3rd fireworks?

Jennie commented as follows:

- It's fairly reasonable pending a massive unforeseen circumstances that we can't predict.
- It's not something that we actually permit them for. It's just on our calendar every year.
- We know that it's going to happen.

Councilmember Slayter commented as follows:

- I'd like to verify with the chief and I can probably answer this, but just to say it in public.
- If there are safety concerns, if it's fires, if it's pandemics, are an issue in July, but any other issue like that, can a safe event occur
- In other words, the ability to shift the type of event if it's not lighting things on fire and having projectiles in the air, if it's drones, if it's lasers, and Annandale is on fire, the drones and lasers can continue by your recommendation or the chief and public safety's recommendations 45 years from now.

Chief Braga stated yes.

Councilmember Slayter commented as follows:

- I honestly think for West County, for Sebastopol, and I sort of bristle at using the term, but our brand is being sustainable, being ecologically appropriate and friendly and my recommendation for the Kiwanis is to look at permanently moving from lit on fire fireworks to something that is more sustainable and more friendly to the planet.
- Fireworks are dirty and the by-products from the manufacturer, the shipping and the use of them is well known and well documented.
- That's a suggestion of something I'd like to see.

Councilmember Slayter moved and Vice Mayor Gurney seconded the motion to approve eliminating the Lottery Policy Application Process and permanently assigns the Annual Fireworks Show to the Sebastopol Kiwanis Club with the following:

- By January 15th Kiwanis provide to the City Council information as to whether the Kiwanis will conduct or not the Fireworks Show.
- Kiwanis Right of first refusal
- July 3rd Event
- Other non-profits invited and included in the event as appropriate

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

VOTE:

Ayes: Councilmembers Hinton, Rich, Slayter, Vice Mayor Gurney and Mayor Glass

Noes: None

Absent: None

Abstain: None

City Council Action: Approved eliminating the Lottery Policy Application Process and permanently assigns the Annual Fireworks Show to the Sebastopol Kiwanis Club with the following:

- **By January 15th Kiwanis provide to the City Council information as to whether the Kiwanis will conduct or not the Fireworks Show.**

- **Kiwanis Right of first refusal**
- **July 3rd Event**
- **Other non-profits invited and included in the event as appropriate**

Minute Order Number: 2021-

The remainder of the items were continued to the August 3, 2021 City Council Meeting.

5. Discussion of Amending Committee Lists for Clarifications to “Standing” or “Ad Hoc” Committees (Requestor: Vice Mayor Gurney/Councilmember Hinton)

City Council Action: Item Continued

Minute Order Number: 2021-175

6. Consideration of Re Affirmation of City Code of Conduct Policy and Potential Amendments (Requestor: Vice Mayor Gurney/Councilmember Rich)

City Council Action: Item Continued

Minute Order Number: 2021-176

7. Discussion and Consideration of Appointment- City of Sebastopol Citizen Liaison to the SCTA/RCPA Climate Action Advisory Committee to Provide Expert Citizen Input on Implementation of the Climate Action Initiatives (Responsible Department: Administration)

City Council Action: Item Continued

Minute Order Number: 2021-177

8. Discussion and Approval of Designation of Voting Delegate and Alternates for the League of California Cities Annual Conference 2021 (Responsible Department: City Administration)

City Council Action: Item Continued

Minute Order Number: 2021-178

CITY COUNCIL REPORTS: There were no reports.

9. City Manager-Attorney/City Clerk Reports:
10. City Council Reports/Committee/Sub-Committee Meeting Reports: (Reports by Mayor/City Councilmembers Regarding Various Agency Meetings/Committee Meetings/Sub-Committee Meeting /Conferences Attended and Possible Direction to its Representatives (If Needed) on Pending issues before such Boards)
11. Council Communications Received
12. Future City Meeting Dates/Events (Informational Only): (See Agenda Below City Web site for Up-to-Date Meeting Dates/Times)

ADJOURNMENT OF CITY COUNCIL REGULAR MEETING

July 28th Special City Council Meeting will be adjourned to the City Council Regular Meeting of August 3, 2021 at 4:30 pm. (VIRTUAL ZOOM PLATFORM)

ADJOURNMENT OF CITY COUNCIL REGULAR MEETING

Mayor Glass adjourned the regular City Council Meeting at 10:38 am

Respectfully Submitted:

Mary C. Gourley
Assistant City Manager/City Clerk, MMC