

**CITY OF SEBASTOPOL  
CITY COUNCIL  
AGENDA ITEM**

**Meeting Date:** September 21, 2021  
**To:** Honorable Mayor and City Councilmembers  
**From:** City Administration  
**Subject:** City Council Created Committees  
**Recommendation :** That the City Council Discuss the three Committees that did not receive Council consensus at the September 7th, 2021 City Council Meeting:

- 1. Budget Committee
- 2. Housing Committee
- 3. Park Village Committee

And to request the City Council affirm the actions for Disbanding of Various Committees as Discussed at the September 7, 2021 City Council Meeting

**Funding:** Currently Budgeted: \_\_\_\_\_ Yes \_\_\_\_\_ No XX N/A

Net General Fund Cost:

Amount: \$

Account Code/Costs authorized in City Approved Budget (if applicable) **AK** (verified by Administrative Services Department)

**INTRODUCTION:**

This item is to request that the City Council Discuss the three Committees that did not receive Council consensus at the September 7<sup>th</sup>, 2021 City Council Meeting:

- 1. Budget Committee
- 2. Housing Committee
- 3. Park Village Committee

And to request the City Council affirm the actions for Disbanding of Various Committees as Discussed at the September 7, 2021 City Council Meeting

**BACKGROUND:**

At the September 7<sup>th</sup>, 2021 City Council Meeting, the City Council continued discussion on committees created by the Sebastopol City Council itself which serve direct City needs and priorities and received input from the City Staff on definitions of Ad Hoc and Standing Committees.

Based upon that discussion, the Council was in consensus with the following recommendations but did not come to a consensus with the items as listed in yellow below.

1	Agenda Review Committee	Council Consensus Remain as is.
2	Budget Committee	Return to future meeting – 9-21-2021 With Direction to Staff
3	Climate Action Committee	Council Consensus/Standing Committee

4	Disaster Council (Sebastopol)	Council consensus that Disaster Council to be dissolved as part of the City Ordinance Amendment to be proposed by the Director of Emergency Services (Fire Chief)
5	Emergency Services (Fire)/Committee --Emergency Preparedness/Review of Ordinances/Policies/ Procedures --Fire Department Long Term Staffing Goals and Solutions	Council Consensus: Renamed Committee to: Fire Dept Funding & Staffing Committee Deadline – June 30 2022 Ad Hoc Committee
6	Financial Sponsorship Committee	Council Consensus – Committee to be Dissolved After Approval of Sponsorship Policy
7	Housing Committee	Proposed New Committee Name: Unsheltered & Housing Subcommittee Return to future meeting Return to future meeting 9-21-2021
8	Law Enforcement Committee – Policies/Procedures/Best Practices/Social Justice/Police Audit	Council Consensus – Committee Dissolved
9	Locals Who Make a Difference	Council Consensus – Standing Committee
10	Park Village/West County Community Services/Group of Advocates	Proposed New Committee Name: Committee to Address Services to Our Vulnerable Population Return to future meeting 9-21-2021
11	Water Committee	Council Consensus – Committee Dissolved
12	Zero Waste Committee	Council Consensus/Standing Committee

**DISCUSSION:**

At the last meeting, the City Council directed staff to review the work tasks of the Budget Committee; receive input from the current members on their input as to whether or not the Budget Committee is an Ad Hoc or Standing Committee; and provide direction to the Council on the following:

1. Could this be a hybrid committee (such as a standing committee that could meet without public on confidential or highly sensitive budget matters such as personnel)
2. Is this a Standing Committee
3. Is this an Ad Hoc Committee

City staff received input from Budget Committee Member Councilmember Hinton as follows:

*“In follow-up, I believe as stated tonight and after quite some thought – Budget Sub-Committee has two tasks that take up to 6 months. Members are appointed each December to review the mid-year review recommendations (mid Jan/Feb) and give feedback to assist staff in bringing forth the fully proposed budget with detailed review (Mar-April-May). Full Council reviews and approves a fully adopted budget thru June (finalizing usually by July 1st) each year. After that, I see no reason why Budget Sub-Committee would meet again until committee appointment time again in December each year.*

*I currently consider our committee disbanded at this time. The committee has no future tasks until committee assignments are once again assigned in December 2021. Additionally, current committee members are not necessarily carried over which seems like another reason this is not a standing committee meeting.*

*Here is some quick definitions I got off the internet.*

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*Ad hoc committees are established for a limited time and to address a specific issue. \*(A new budget each year) An ad hoc committee is a committee that is formed for a specific purpose. In the context of, an ad hoc committee normally serves as a temporary committee formed to help the board with a particular project. While ad hoc committees can be executive committees with real power, the vast majority of ad hoc committees formed are advisory committees. These committee members are given certain tasks and asked to report back to the board, usually with their findings or recommendations.*

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*Standing Committees are open-ended and generally were established to address certain procedural questions,*

*Legal Definition of standing committee: a permanent committee especially : one in a house or senate with jurisdiction over legislation in a particular area*

*This is my feedback for the next time we visit this issue in two weeks."*

Staff Analysis:

Law—Standing Committee vs. Ad Hoc Committee.

A standing committee is a committee of a legislative body that *either* has a continuing subject matter jurisdiction, or a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body. (Gov't Code sec. 54952(b).) A standing committee does not need to consist of a quorum of the legislative body. Of note, the League of California Cities' publication on the Brown Act specifically describes among its examples of a standing committee a long-term budget committee. ("[I]f a governing body creates long-term committees on budget and finance or on public safety, those are standing committees subject to the Brown Act." ("Open & Public IV: A Guide to the Ralph M. Brown Act", p. 9, 2<sup>nd</sup> ed., July 2010.) Such standing committees are also considered "legislative bodies" for the purposes of the Brown Act and are subject to the Brown Act requirements.

A temporary, or "ad hoc" committee, on the other hand, is a committee that is composed of less than a quorum of the legislative body and which serves a single or limited purpose, that is not perpetual, and that will be dissolved once its specific task is completed. (Gov't Code sec. 54952(b); *Freedom Newspapers, Inc. v. Orange Cty. Emps. Ret. Sys.* (1993) 6 Cal.4th 821.)

The Brown Act does not distinguish between "regular" legislative bodies and standing committees that are legislative bodies. The Brown Act requirements apply to each equally.

1. Could this be a hybrid committee (such as a standing committee that could meet without public on confidential or highly sensitive budget matters such as personnel)

Case laws implies that such closed session meetings are allowed, if allowed under the normal Brown Act exceptions for closed sessions. As such, standing committees should be allowed to hold closed sessions so long as the closed session fall within one of the Brown Act's exceptions:

The exceptions to the Brown Act, which describe the situations in which a "legislative body" can meet in closed session, include consideration of "the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee." It is the interpretation that the statute recognizes the Legislature's clear authorization of local legislative bodies to meet in closed session to consider personnel matters. In this case, it would be how those personnel matters relate to the budget as to when a closed session could be held by the standing committee.

2. Is this a Standing Committee . Per the definition of Ad Hoc Committee and Standing Committee, it is the recommendation of the City staff that the budget committee be considered a standing

committee. It is a permanent in nature committee that is ongoing year after year and is not considered temporary in nature. **Agenda Item Number 5**

3. Is this an Ad Hoc Committee. Not in staff's determination unless Budget Committee was directed to review a single aspect of the budget.

The Council also delayed discussion on the:

1. Housing Committee (Proposed New Committee Name: Unsheltered & Housing Subcommittee); and
2. Park Village/West County Community Services/Group of Advocates (Proposed New Committee Name: Committee to Address Services to Our Vulnerable Population)

Council should discuss the proposals as provided on the attachment from the current committee members and make recommendations. Both committees have proposed to work with WCCS who has been contracted by the City to provide Homeless Outreach services in Greater Sebastopol. Council should discuss Specific Works Tasks of Each Committee; whether the Committee is an Ad Hoc or Standing Committee; or should Committee be Disbanded.

**GOALS:**

Goal 5 - Provide Open and Responsive Municipal Government Leadership

5.1.4 – Enhance the use of the City of Sebastopol Committees, Commission and Board.

5.3.3 - Encourage and increase public awareness of City Policies, decisions, programs and all public processes and meetings, by investigating effective methods of communication and obtaining feedback from the community.

**PUBLIC COMMENT:**

As of the writing of this staff report, the City has not received any public comment. However, if staff receives public comment from interested parties following the publication and distribution of this staff report such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of this item.

**PUBLIC NOTICE:**

This item was noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

**FISCAL IMPACT:**

There is no fiscal impact to disband committees; however, any staff time support provided to a committee that did not receive staff time support in the past will incur additional department costs for that support. In general, these costs would apply to standing committees (although staff time could be assigned to an ad hoc committee as directed by the City Council).

**RECOMMENDATION:**

City Council Discuss the three Committees that did not receive Council consensus at the September 7th, 2021 City Council Meeting:

1. Budget Committee
2. Housing Committee
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And affirm the actions for Disbanding of Various Committees as Discussed at the September 7, 2021 City Council Meeting

**Attachment:**

City Council Created Committees (with Committee comments/recommendations)

<i>Committee Name</i>	<i>CURRENT COMPOSITION OF COMMITTEE</i>	<i>PROPOSED TO BE DISSOLVED OR CONTINUE</i>	<i>TASK OF COMMITTEE</i>	<i>TIMELINE FOR COMPLETING TASK</i>	<i>RECOMMENDED MEMBERSHIP OF THE COMMITTEE (IF DIFFERENT THAN CURRENT COMPOSITION OF COMMITTEE)</i>	<i>WHAT STAFF SUPPORT IF ANY IS NEEDED TO COMPLETE THE TASK?</i>	<i>RECOMMENDATION FOR AD HOC OR STANDING COMMITTEE. IF AD HOC PLEASE DEFINE SPECIFIC TASK OF COMMITTEE</i>	<i>IF STANDING COMMITTEE, RECOMMENDATION /REQUEST FOR STAFF SUPPORT?</i>
Budget Committee	Mayor Glass Councilmember Hinton City Manager/City Attorney Assistant City Manager/City Clerk Administrative Services Director	Continue	Review budget recommendations made by City Manager in peculiar one-time special requests or new requests and existing expenditures recommended to City Manager by City Department Heads for city needs. Additionally review in a public process and make recommendations for non-profit Community Grant requests for current budget year based on standing policy for City of Sebastopol community grant policy. Budget Sub-Committee members are selected in December annually and they would review the mid-year budget adjustments recommendation from City Manager. Secondly, they would set a meeting schedule with the Administrative Services Director in Spring to review budget recommendations leading up to the approval by the full City Council of its annual budget, generally adopted no later than July 1st of each year.	Ongoing	Same as Current Committee Composition	Administrative Currently being done by Administrative Services Director and City Clerk	Ad Hoc	Staff support would remain the same as previous as this is not considered a "Standing Committee". A timeline for the meetings is established and presented to council for transparency purposes however these meetings are for sub-committee only. A public meeting has generally been established, posted for the Community Grant process and open to the public with each non-profit invited to attend and a call for public comment.
Housing Committee	Mayor Glass Councilmember Slayer City Manager/City Attorney Planning Director	Housing Committee – Reframe name to Unsheltered & Housing Subcommittee	<ul style="list-style-type: none"> <li>Provide feedback to the Planning Department regarding proposed housing policies – particularly focusing on RHNA compliance.</li> <li>Liaise with the City’s contracted non-profit housing related service providers, as well as County, regional &amp; State government, to identify potential funding sources, partnerships and policy solutions that address the City’s housing crisis, particularly related to its unhoused population.</li> </ul> <p>The committee is recommending a re-focusing of the committee. Given the launch of the Housing Element Update, many potential changes to housing policies will be discussed by the Planning Commission during this work, negating the need for the Housing Committee promulgating suggestions for the full Council.</p> <p>The City’s funding of an outreach position through its partnership with West County Community Services (WCCS) will require coordination. We suggest to</p>	Approximately four months, but occasional additional work may be needed. <i>Clarified to December 2021 at City Council Meeting of 9-7-2021</i>	As currently constituted, with the exception of the Planning Director, whose expertise in the realm of housing will be useful in the Housing Element Update.	Administrative Currently Done by City Clerk	Ad Hoc	N/A – Ad Hoc

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			repositioning the Housing Committee to accomplish this work with a specific goal of maximizing communication with our new partners and to ensure that this new work by WCCS gets off to a good start.					
Park Village/West County Community Services/Group of Advocates	Vice Mayor Gurney Councilmember Hinton City Manager/City Attorney Assistant City Manager/City Clerk Planning Director Engineering Manager Public Works Superintendent	Continue. Proposed with New Name: Committee to Address Services to Our Vulnerable Population	The Committee will continue to receive reports from WCCS, on its management of and services provided to the residents of Park Village, and to work with WCCS to recommend solutions to issues that may need Council approval (for example, new expenditures). The work under the contract includes but is not limited to social services support to the residents, expansion of and improvements to the facilities, and transitional entry housing for new residents, previously street campers, street parkers, and/or the homeless. Having five years of experience and rapport with WCCS, the Committee proposes that it assume the oversight of WCCS's performance under the new contract for Homeless Outreach Services. These responsibilities are similar, related, and, to some extent, both overlap and expand. One Committee with responsibility for both contracts would ensure consistent, coordinated, and unified delivery to the vulnerable amongst our community, with greater efficiency and effectiveness. One Committee, rather than two potentially divergent groups, would reinforce our City's commitment to access to critical social programs, including housing, for our at-risk community members.	None. The Committee is proposed to continue as an ongoing committee, it would be considered a Standing Committee.	City Councilmember: CM Neysa Hinton City Councilmember: VM Sarah Gurney City Manager Asst. City Manager Planning Director Police Chief/Designee Public Works Superintendent (as needed) Engineering (as needed) West County Community Services: ED - Tim Miller FD - David France Dir. of Housing and Homeless Service Dannielle Danforth Other Staff per the ED's direction	Administrative support would be necessary to post agendas, post meeting notes, and provide other limited support is all that is needed at this time.	Standing	The Committee members would take the primary leadership responsibility to foster a collaborative and compassionate approach to addressing these complex issues. The work would include outreach to various segments of our community, for instance churches and businesses, to inform, educate, and engage a wider group.