

City Council

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



Agenda Item Number: 2

City Manager

Larry McLaughlin

lmclaughlin@Cityofsebastopol.org

Assistant City Manager/City Clerk, MMC

Mary Gourley

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City of Sebastopol

CITY COUNCIL MINUTES

MINUTES FOR Regular City Council Meeting of July 18, 2023

As Approved by the City Council at their regular meeting of August 1, 2023

Please note that minutes of meetings are not meant to be verbatim minutes and are meant to be the City's record of a summary of actions that took place at the meeting. The vote/action is the required information of the meeting actions that took place. Approved minutes are available on the City Council Meetings page.

<https://www.ci.sebastopol.ca.us/Meeting-Event.aspx>

Meeting was held in Person and Virtual /Remote Participation

Zoom Link used for providing public comment/Live Stream is utilized for viewing only of Meeting

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

6:00 pm City Council Regular Meeting

Call to Order: Mayor Hinton called the Regular Meeting to Order at 6:04 p.m.

Roll Call:

Present:

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

Absent:

Councilmember Jill McLewis

Staff:

City Manager/City Attorney Larry McLaughlin
Assistant City Manager/City Clerk Mary Gourley
City Engineer Mario Landeros
Interim Fire Chief Jack Piccinini
Planning Director Kari Svanstrom
Police Chief Ron Nelson
Public Works Superintendent Dante Del Prete

STATEMENTS OF ABSTENTION BY COUNCIL MEMBERS

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

PROCLAMATIONS/PRESENTATIONS:

The following were presented:

Jaime Baldovinos – 5 years of service award – Police Department
Anthony Drolet – 5 years of service award – Public Works
Department

Reference Order Number:

2023-163

Agenda Item Number: 2

City Council Meeting Packet of: August 1, 2023

7120 Bodega Avenue, Sebastopol, California 95472 Tel. 707.823.1153 Fax. 707.823.1155

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STATEMENTS OF CONFLICTS OF INTEREST: Conflicts of interest may arise in situations where a public official deliberating towards a decision, has an actual or potential financial interest in the matter before the Council. In accordance with state law, an actual conflict of interest is one that would be to the private financial benefit of a public official, a relative or a business with which the Councilmember is associated. A potential conflict of interest is one that could be to the private financial benefit of a Councilmember, a relative or a business with which the Councilmember is associated. A Councilmember must publicly announce potential and actual conflicts of interest, and, in the case of actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue and must remove themselves from the dais.

There were no stated conflicts of interest.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA (FIRST COMMENT PERIOD):

Up to Twenty (20) Minute Time Limit (Two Minutes for up to ten speakers). Additional public comment will be held at the end of the discussion and action items for up to an additional twenty (20) minutes. Mayor has discretion to allow for additional time beyond the 20 minutes allocated for public comment dependent upon the subject matter or number of speakers.

Process for calling on Speakers: Mayor or designee shall ask for public comment as follows: Speakers to be called on in an alternate manner (One speaker in person to be called on first; then one speaker remote to be called on second with additional speakers to be called on in the same manner) based upon the time limit.

Marion commented as follows: I live at 7135 Willow Street and I'm working to create a parking space on my property. My block is quite congested for parking with only five unrestricted parking spaces for eight residences. Every single one of my neighbors supports me in creating a parking space on my property. I've been working since last November to comply with city requirements. My request for permit was denied by the building department. They refused the permit and referred me to the planning department to appeal a denial. I spoke with Mr. Jay there, and he tells me that the cost of appeal is \$5,000 up front to initiate the appeal. That's prohibitive, elitist and unjust. Creating parking on my property is the right thing to do. I asked Mr. Jay what value was served by denying the permit. He replied, it's not consistent with the written code of the city. I do understand that maybe it's time to update those codes. He gave me some wording from the variance procedure, which includes, quote, the granting of the application is necessary for the preservation and enjoyment of the substantial property rights of the petitioner unquote. \$5,000 just to talk about it, that's not reasonable. I asked that that cost be waived or mitigated. I also asked, Is it time to update those city codes? I'd like to create space for parking on my own property. Every single one of my neighbors supports this plan. I ask for one point person to help me address these barriers is the right thing to do.

Kyle commented as follows: I'm speaking tonight to get some response from the city regarding the May 30th 2023 Sonoma County Grand Jury report in which there was an article on the City of Petaluma and its use of outsourcing city work to contractors. I know that some of our City Councilmembers have stated that they are not always up to date on the news. So it's my hope that those City Councilmembers will read that grand jury report specifically, the section regarding Petaluma, and speak with our city so that our city can formally respond to this grand jury report, which talks about the way in which the City of Petaluma for over a decade, have utilized outside contractors to do the work of the city's planning department. If you look at any of our budgets over the last 5 to 10 years, you'll see that we to use an insane amount of money on outside contractors. Every department has massive budgets for contract services. It is not clear that the manner in which our city use utilizes contract services is that dissimilar from the way that Petaluma is being described in that grand jury report. In particular, I'd like to reference our choice of outsourcing our entire engineering department. I've spoken previously about the radical increase to the cost for engineering and that engineering budget as a result of outsourcing but it was never addressed. Additionally, if you go to the engineering site, the transparency isn't even there. While it is stated that there are two engineering employees, our consultants, it's not clear that they are working for an outside firm. So I'm hoping our city has a concrete direct response to that grand jury report specifically on the way that Petaluma and in our case, our city responds to, or utilizes contract services.

Martha commented as follows: I've written to the Council today about this. There's something that I'd like to call to everyone's attention. This is really an important development. It's sort of rivals, the 1996 Telecom bill in terms of the potential it has to take over a lot of our jurisdiction over what kind of towers and antennas are put in our city. This is a new bill. Unfortunately, there have been bills in the state and one passed last week, I think it's still in committee, there's still probably room to keep protesting or arguing or trying to get representatives to work against it. It's the same sort of bill, but this one is comprehensive and global. It's called HR 3557. It was passed in the committee and on a partisan basis and now they're under secondary review by the national resources and transportation and infrastructure committees. The US Conference of Mayors National Association of Counties and National League of Cities opposes this bill. The problem with this is it's going to preempt your jurisdiction, your local ability to decide who we want to try to not renew the contract with Crown Castle, we want to move the tower elsewhere, because we don't want it where we want to put housing or over the library or where the city works, and we won't have anything to say, it will get preempted on every basis. This is very comprehensive, it will take away due process, it will take away your governance, and I would ask that you as a body come together to oppose it in the same way you're supporting a bill tonight against fossil fuels.

Linda commented as follows: Thank you very much for the previous speakers all very articulate and have totally legitimate issues that should be addressed. This City Council, Mayor and Vice Mayor it's like talking to a brick wall. Nothing happens. They do not hear if they don't want to. It is futile. On that same issue of via wireless. Thank you, Martha. The public has a right to know, when they are being harmed, and they have a right to defend themselves. Regarding the amount of wireless radiation, which has already been spoken about in previous City Council meetings measured by a physicist, a professor, a retired professor from Ohio State, and it sounds at the levels of radiation downtowns is 1000 times in excess of the recommended limit. Also turns out that we have been lied to, of course, a lot of us no doubt about that. Wireless water meters that were supposed to only be emitting transmitting three, four times a day, by Dante who fraudulently told these lies. Anyway, upon measurement, it turns out, they are emitting eight to 10 seconds. We are all being cooked alive. Speaking of grand jury it occurs to me and I've done it before, this is wireless water meter issue needs and some others need to be brought before the grand jury. It's easier than you think.

Patty commented as follows: I live in Burbank Heights and Orchards, which as many of you know, our property abuts the cemetery and it's of the cemetery I would like to speak tonight. For those of you have been walking around and driven through have seen this massive pile of dead debris. When I moved here in 2014, that pile had already begun and since then, every tree virtually that has fallen has been dragged to this pile. So the pile is now more or less a block long, higher than my head, very, very deep. On June 16, they had a fire, Burbank was immediately covered with smoke. I called 911. I got my evacuation stuff prepared. When the smoke stopped, I went up to see what was happening. Well, the fire Thankfully, it was not the big pile. It was in back of that pile. There's a strip of land eight acres between the cemetery, and Mitchell Court. There's a big pot farm there, surrounded by dead wood, dried grass debris. That's what caught on fire. Sebastopol Fire was there, Gold Ridge Fire was there as well and thankfully they put it out. Now, if that had been the big pile, what would have happened to us at Burbank, you have about 30 seconds left. We are about 200 people, many of us disabled, we have only one exit from the property. Something has to be done. Please, if you can make it go faster than fast. We're getting dry lightning this weekend. The season is here. That stuff is sitting out there. I'm scared.

Patricia commented as follows: I'm president of the board of directors at Burbank Heights and Orchards. I just wanted to support Patti and the 200 residents of Burbank. We had to evacuate in 2017. It was very difficult for a lot of the residents and the staff. That debris pile has been there for the entire time. But I know that you're working on it. I really appreciate that. But I've been told that it's going to take time the owner doesn't have the money. He doesn't want anybody on his property. But we can't wait any longer. There needs to be a solution. I've been told that you can put a lien against the property, whatever needs to be done. It would be such a terrible

disaster if 200 people were in line of this fire, and it could have been prevented. So I urge you to do what you can to do it as soon as you can. Because we only have like maybe one more month before there could be a really bad disaster.

A member of the audience commented as follows: Discussed the intersection at Ragle and Bodega. I hear you think that you've solved the problem, but you have not. Cars are still speeding through there. Those lights you had to put one so far away people cannot see them. The lights that blink if you're going east in the morning. Nobody can see them if they're driving east in the morning or if you're going west in the evening, and there's sunset and you can't see them. I moved into that subdivision there at Valley View in 99. First thing I did was come to the meeting. In March and in September I came to a meeting about the speed and the speed limit that was 35 miles an hour. They raised the speed limit because people were driving faster than that. That was their how they dealt with speed limits. Apparently it's taken 23 years for that to go down from 50 to 35 again. Do you think in 23 23 years of the traffic, that the problems gotten less, those blinking lights are almost invisible for how the speed is when they go down from 7-11 down that hill, because they think they're out of town already. It's really a problem. I cross that street twice a day. I tell you, honestly, I pray every day. Julie died. My sister who lives two houses from me, her ankle had to be completely rebuilt, because she was run over. Harold the next door neighbor here, and I was also hit there, and he never came back and ended up dying in a nursing home. So it's just a matter of time where something else is going to happen. We need a stoplight. Really, we do. We told the City Council that when they put these lights in, and I understand you were doing the cheapest, but it is scary. I just don't know what the solution is. But I can tell you it's a problem.

Patty commented as follows: I live right on the corner of the Bodega and Ragle. It has been like she said the traffic is increasing constantly. Today was an absolute mind blower. They have at least 100 trucks taking the dirt from the project on Jewell and taking it somewhere out of town. One of my neighbors even followed the trucks to see, where's this dirt going and why is it breaking down the highway hasn't been rebuilt in over 25 years. The last time it was built, rebuilt, Ghilotti did a terrible job. We've had a lot of potholes that have had to be fixed since then. We need that speed lowered if possible. But we need a regular light out there. Even though I live on the corner and I don't want all that exhaust in my bedroom window, at least some people won't be killed again. I was there when Julie was killed. It wasn't a fun thing. Half of the people that crossed that street, don't even use that blinking light. That's what I don't understand. I've had to yell out my bedroom window. Please use the light. Use the button, save yourself. I've had women with babies in strollers, try to beat the cars. It's just unbelievable. I just don't understand that. But please somebody out there help us get this taken care of. I also want to know where that dirt is going.

Leah commented as follows: Property manager for Burbank Heights and Orchards. I just want to thank you for all of the conversations that are being had in regard to the safety hazard by the cemetery over there. Everything that needs to be said has been said already. I'm just here to support and to say thank you for the conversations that are being had with the property owner at the graveyard. Thank you for the emergency response. We're just vulnerable. This is our home and if anything happens, it's a scary thought. So all the preventative actions, I just hope we can accelerate them on behalf of our community.

Mayor Hinton responded to public comment on the following:
Fee waiver for appeal
Weed/Fire Concerns

City Manager/Attorney McLaughlin commented as follows: I don't believe that you have to lose the full amount of the deposit. It goes towards the work of the planning department in processing the variance. The City is now aware of any precedent, or waiving a deposit ahead of time. The City Council has the power to waive a deposit,

or the City Council would be the appellate hearing body in any appeal of the variance that was made. So unfortunately, it's a catch 22. What we have tried to do as a staff, is multiple staff members have tried on several occasions to explain in great, great detail how the law works on that. We've been very sensitive to the plight of the homeowner, I believe, and we have tried to explain the problems inherent in granting the relief that was requested, or building official's hands are just tied in this situation. It's not something that he could waive. It's not a discretionary decision. There is that variance process that is available. I don't know what we can do about the deposit.

Interim Chief Piccinni commented as follows: (Burbank Heights): We are working on it. So we have started the enforcement process. We have met with the manager and owner of the cemetery. Again, there are a lot of issues surrounding him being able to get that work done. As the speaker indicated, the process unfortunately, is very slow. Again, we have provided the second notice of enforcement. However, we simply can't initiate encroachment, and send in contractors to deal with the fire hazard until we go through the enforcement process, which also includes the ability for the property owner to engage in appeals and appeal process. We're moving forward with working with him and working through the enforcement process. He is entitled to due process and appeals. Our final step will be the notice of intent to abate. Unfortunately, the process does take time. With that I will report, however, that the perimeter has been significantly improved. The perimeter actually currently is in compliance. So it is a matter of dealing with the dead and down brush in the area that the public that the citizens spoke to, and even a little bit still up on Bodega but we are aware of it, and we're working through it.

Mayor Hinton discussed HR 3557. Vice Mayor Rich will follow up with the League of CA Cities.

Mayor Hinton discussed Bodega Avenue/Ragle. Just to address the intersection, I do understand, I was on the Council when a lot of that was discussed and I hear your concerns. That section comes in from people that are in the county. So there's a lot of traffic, especially with the heat going out to the coast, and so on, and so forth, and of course construction. We all drove around detours today with construction happening in the section of town where I drive through and live with. We did get the speed limit lowered at that time, many years ago when we worked on it and those beacons put in and I've tried to mitigate that. But ideally, I agree, a signal would be great. A signal costs a lot and we are continuing to work on these things.

Mayor Hinton addressed the grand jury report. To address I think the member of the public that talked about consultants, I did want to take the opportunity to do a shout out of the grand jury report, because Sebastopol is mentioned in a very positive way. Thank you, Vice Mayor Rich for having been picked up on our warming centers that we opened up in back in December. We do read the news. To address our use of contract services, again, our City Manager makes those decisions and I think he and the budget subcommittee, look at those decisions very closely about the costs and what makes sense for our small city. I did want to take the opportunity to say thank you very much.

Vice Mayor Rich commented as follows: I read carefully the description of the situation in Petaluma. Having been on the Budget Committee and looked at our consultants and understanding all of the details we are far from the situation that was faced in Petaluma. So I'm sure that that I'm confident in our distinction in terms of what we're doing, versus what Petaluma was doing and confident that we're doing the right thing for our public. That was a very extreme situation. But of course, we all read the grand jury reports and pay attention to them. So we'll continue to be vigilant about that.

CONSENT CALENDAR: The consent agenda consists of items that are routine in nature and do not require additional discussion by the City Council or have been reviewed by the City Council previously. These items may be approved by one motion without discussion unless a member of the City Council requests that the item be taken off the consent calendar.

The Mayor will read the consent calendar items; ask if a Councilmember wishes to remove one or more items from the consent calendar; and then open public comment to the members of the public in attendance. At this time, a member of the public may speak for up to three minutes on the entire consent calendar and request at that time that an agenda item or items be removed for discussion.

If an item or items are removed from the consent calendar, the item shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tem.

Councilmembers may comment on Consent Calendar items or ask for minor clarifications without the need for pulling the item for separate consideration. Items requiring deliberation should be pulled for separate consideration and shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tem.

Mayor Hinton read the consent calendar.

Mayor Hinton asked if any Councilmember wanted to remove a consent calendar item.

Councilmember's Request(s): There were none for removal of items.

City staff clarified that Item Number 3 was a Resolution of Support and not letter of support.

Vice Mayor Rich commented on Item Number 6. I didn't want to pull item number six but I had a question and asked staff regarding the work schedule. There was discussion, and I appreciate this prompt, prompt response to a request from Council, because it is budget related. But I just want to know whether with this schedule change, this will make the reduction in overtime that you had targeted, Chief Nelson, more likely because I know that was one of your big goals. So now we're talking about budget reducing overtime, and that was part of the schedule change.

Chief Nelson stated it absolutely is and plays into the anticipated reduction.

Mayor Hinton opened for public comment on consent calendar items only.

A member of the audience commented on Item 5 and requested clarification of the bike lanes.

Kyle commented as follows: So because again, in the consent calendar, we have huge contracts to outside contractors for work that many of the citizens are expecting is actually being done by city employees. I will return to my conversation regarding the Sonoma County grand jury. This time let's talk about the recommendations that the city complete a cost benefit analysis, further use of private firm versus employees to staff planning. So here's my question, has this been done and made publicly available for the engineering department similar to C recommendation to the City of Petaluma to open an RFP for planning services considering the combination of city employees and private contractors to staff the planning department. When was the last time that an RFP was opened for our engineering department? How exactly was the use of city employees considered in comparison to private contractors. The city requires them grouped by badges or logos to their employees that identify them to as M group employees in their email signature and designation to each staff listed under the planning staff directory on the website. This seems like low hanging fruit in terms of transparency, and can be easily implemented almost immediately by our hired outside consultant that manages the city website and social media. Or, for example, when our city engineer is listed in our zoom meeting, we can know that they are listed as a member of a private company that we are contracting with. Recommendation six, the city conducts a formal survey of the citizens of Petaluma. I'm going to pass on that one considering the city's poor track record it has on polling its citizens in any sort of meaningful way that doesn't have massive amounts of bias. Additionally, tonight considering both the side letter agreement as well as the proposal for a potential tax measure to fund our police and fire services, have there been any sort of fiscal audit or cost benefit analysis on police services in any public facing way that would actually provide evidence of the continued need for massive budget increases to both of these departments that we've seen year after year.

Linda commented as follows: So it's my understanding the number six got pulled for discussion, because I would like to think it needs some discussion. Then going down to seven and thank you, Kyle very much because I'm with you just about 100% there. I'd like to know what these people do. As you know, I am computer free cell phone free TV free and largely electricity free due to my electro sensitivity, and being cooked alive by radiation. The point here is, could somebody tell me what much more than consulting does other than collect money from the city? And Phillips Seabrook solutions, what are they do? Can you please tell me and accommodate my disability. I think you're throwing an awful lot of money away for these outside out of town contractors, and a lot of the unnecessary audits.

Mayor Hinton responded to public comment as follows: This is a small revision to the contract that we've had in place to do bike lanes from looking at High Street to Pleasant Hill Road. It is an additional \$20,000 and that's why we put it on consent calendar as it is budgeted for the in CIP. I know Marin IT is our IT company that works on all our city computer needs for both website and staff. Most people work on computers these days.

City Manager/Attorney McLaughlin commented as follows: Phillips Seabrook provides our building services as well as our flood plain manager. They have a person on their staff whose specialty is floodplain management. We needed to replace someone who had that specialty and they were the ones only ones in fact that we could find available who carry that specialty. I would like to state that I've been with the city now for over 30 years and we have never had an employee city engineer. Our city engineers have always been consultants. Last time on the retirement of our engineering manager Henry Mikus we did put out request to try and solicit resumes from city engineers. We did not find anybody who was willing and able to do the job as an employee. But we have always had a consultant city engineer as long as I have been here. That is because that specialty is highly trained. It takes a lot of education and it costs a lot of money to have a city engineer on your actual staff. So only larger cities, generally speaking can afford that. We have also, in most cases, had consultants doing the rest of our engineering work. We have had twice engineering managers, that was primarily to keep the costs so of city contract work, city construction work, in line with direct management. We have tried to replace those two individuals and we're not able to do so. So those services now of maintaining responsibility for the city's own construction contracts, do fall to GHD engineering, and who are doing a good job keeping costs in line. So that was the goal of having the engineering managers control costs of the city's own construction projects.

MOTION:

Councilmember Zollman moved and Vice Mayor Rich seconded the motion to approve Consent Calendar Items 1, 2, 3, 4, 5, 6, and 7.

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

VOTE:

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

1. Approval of City Council Meeting Minutes for Meeting of June 20, 2023 (Responsible Department: City Administration)

City Council Action: Approved City Council Meeting Minutes for Meeting of June 20, 2023

Minute Order Number: 2023-164

2. Approval of City Council Special Meeting Minutes for Meeting of June 27, 2023 (Responsible Department: City Administration)

City Council Action: Approved City Council Special Meeting Minutes for Meeting of June 27, 2023

Minute Order Number: 203-165

3. Approval to Authorize Mayor to Sign Letter Resolution of Support for SB 252; SB 252, as amended, would prohibit the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of public employee retirement funds in a fossil fuel company, as defined (Responsible Department: Planning)

City Council Action: Approved Mayor to Sign Letter Resolution of Support for SB 252; SB 252, as amended, would prohibit the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of public employee retirement funds in a fossil fuel company, as defined (

Minute Order Number: 2023-166

Resolution Number: 6549-2023

4. Approval of Amendment No. 3 with Green Valley Construction Engineers for Construction Management Services for Parquet Street Water, Sewer, Slurry Seal Improvements Project (CIP#0615-21.01 & CIP#0819-21.01) (City Manager)

City Council Action: Approved Amendment No. 3 with Green Valley Construction Engineers for Construction Management Services for Parquet Street Water, Sewer, Slurry Seal Improvements Project (CIP#0615-21.01 & CIP#0819-21.01)

Minute Order Number: 2023-167

5. Approval of Modification 2 to Amendment No. 4 with Wood Rodgers for the Bodega Avenue Bike Lane Project (Responsible Department: City Manager/Engineering)

City Council Action: Approved Modification 2 to Amendment No. 4 with Wood Rodgers for the Bodega Avenue Bike Lane Project

Minute Order Number: 2023-1678

6. Approval of City of Sebastopol and Sebastopol Police Officers' Association (SPOA) Side Letter Agreement to July 1 2022 – June 30, 2024 Memorandum of Understanding (MOU) for New Schedules (Responsible Department: Police/MTC Consultant)

City Council Action: Approved City of Sebastopol and Sebastopol Police Officers' Association (SPOA) Side Letter Agreement to July 1 2022 – June 30, 2024 Memorandum of Understanding (MOU) for New Schedules

Minute Order Number: 2023-169

Resolution Number: 6550-2023

7. Approval of Contracts as Approved in the FY 23 24 City Budget:
 - a. Renewal of Contract with Muchmore Than Consulting
 - b. Renewal of Contract with Marin IT
 - c. Renewal of Contract with Phillips Seabrook Associates
 - d. Approval of Amendment 51 to Master Agreement 2010-01-36 with GHD Inc. for Engineering and Technical Support Services to the Engineering Department
 - e. Approval of Amendment 52 to Master Agreement 2010-01-36 with GHD Inc. for City Engineering Services

City Council Action: Approved Contracts as Approved in the FY 23 24 City Budget:

- a. Renewal of Contract with Muchmore Than Consulting
- b. Renewal of Contract with Marin IT
- c. Renewal of Contract with Phillips Seabrook Associates
- d. Approval of Amendment 51 to Master Agreement 2010-01-36 with GHD Inc. for Engineering and Technical Support Services to the Engineering Department
- e. Approval of Amendment 52 to Master Agreement 2010-01-36 with GHD Inc. for City Engineering Services

Minute Order Number: 2023-170

INFORMATIONAL ITEMS/PRESENTATIONS:

Presentations are to be 10 minutes or less.

8. Informational Presentation: Meet Your Neighbor (MYN) and Sebastopol Neighborhood Communications Unit (SNCU) Twice-Annual Report. Skip Jirrels, Stan Green. (Responsible Department: Fire)

Skip Jirrels provided an informational presentation on Meet Your Neighbor (MYN) and Sebastopol Neighborhood Communications Unit.

Mayor Hinton opened for questions.

Councilmember Maurer commented as follows: From meeting well before the pandemic, we were having like a fourth of July party once a year, then when the pandemic hit, we started meeting three times a week in the street. We draw people from two streets, actually, they come to our circles, we're still meeting once a week, and we're not on your map. One of our guys is a radio person and he knows about your work, but I just didn't know how to get in touch with you. How does a neighborhood become part of this.

Skip commented as follows: An individual takes the class, which we have on a monthly basis on the third Wednesday of each month, and it's on Zoom and in person. So that's the way to start for an individual. If somebody is fairly hip to this kind of information, emergency preparedness information, they might just ease right on into our leader Council meeting, which is the second Thursday of the month. That one is only on Zoom currently, and this information is available on Sebastopol ready.org, on the calendar in specifics, but you would go through the class, and then you would send people, maybe others that took the class, and then others from your neighborhood, you might come to the leader Council and connect with others about what they're doing in their area and be able to learn from what you've been doing on a weekly basis.

Vice Mayor Rich commented as follows: I just wanted to make sure that the public is aware that this is Meet Your Neighbor and SMCU is part of our fire department, and is overseen by our Interim Chief Fire Chief Jack Piccinini. Skip Jirrels is a part of our support staff here and he's the Public Outreach Officer for the Fire Department MYN and SMCU. We do have a budget line item for expenses here. Maybe you could give us a sense of what that money that was allocated by the City Council has been spent on in support of these efforts.

Mr. Jirrel's commented as follows: We definitely are working under the umbrella of the fire department and have been for quite some time. Our hubs require a specific kind of a base station, and an antenna and some cabling in order to be able to make those hubs operate. So a big part of our budget was to buy those radios, 50 Watt radios that are used by the hubs. To give you an idea of what that means is an GMRWS radio might work at two watts, my GMRS radio works at five watts, and then the base stations are working at 50 watts with a good sized antenna, that's the goal. Then they would be able to reach in a much bigger footprint. We also purchased 40, some radios, GMRS radios, in order to be able to give out during events that we might have. So that's the plan is to be able to when we have neighborhoods that are active and are doing things, we would be able to go into those neighborhoods and give some GMRS radios to those neighborhoods that need them. So that's a big part of the way of where the money has been spent.

Mayor Hinton commented as follows: Since I live on Hayden and I'm looking at this map it says in building wireless solutions. Is that a business or is that a hub.

Mr. Jirrels stated it is not a hub.

Interim Chief Piccinni commented as follows: First of all, with regard to posting information on how people can get better involved, the fire department work with Skip will do some things on our Facebook account and also

provide some information in the city's newsletter to help direct people to how they get involved, how they learn more about it, or if they want to attend a class. I would just like to take a minute and recognize Mr. Jirrels for his very hard work on this. He's been doing this for a very, very long time and he's just very passionate about it. He's truly been a leader on this very important part of what the public can do when there's a disaster.

Mayor Hinton thanked the presenters for the presentation.

City Council Action: None Taken. Informational Only.

Minute Order Number: 2023-171

PUBLIC HEARING(s):

9. Public hearing - To Consider a Resolution to modify the Planned Community Zoning for "Woodstone Corners" (1121-1171 Gravenstein Highway South) - Planned Community Zoning Amendment and Use Permit (1121-1171 Gravenstein Highway South) (Responsible Department: Planning)

John Jay, Associate Planner, presented the agenda item recommending the City Council consider approval of Resolution to modify the Planned Community Zoning for "Woodstone Corners" (1121-1171 Gravenstein Highway South) - Planned Community Zoning Amendment and Use Permit (1121-1171 Gravenstein Highway South).

Mayor Hinton opened for questions.

Councilmember Maurer commented as follows: I have a question about notification of the other neighbors in the area was the notification done.

Mr. Jay commented as follows: Yes, the notification was done for both the planning commission meeting and also the City Council meeting, published in the newspaper of the Press Democrat along with the mailed notice to owners within 600 feet from the project.

Vice Mayor Rich commented as follows: We talk in planning from both you and Director Svanstrom about the need for consistency. My question on this one is, what sort of precedent are we setting? What other current structures do we have in town that are zoned for commercial on the first floor that we might be seeing as proposing to convert to residential.

Mr. Jay commented as follows: So we have a couple of projects. Recently, the planning commission just approved the 7631 Healdsburg and Murphy Avenue project that was originally approved as ground floor commercial and upstairs with two apartment units. The Planning Commission heard a conditional use permit for that to have two additional residential units on the ground floor, which they approved. That did not come to the City Council as it's a regular zone commercial district this this one is a little specific in that it's at plan community. So it does require the additional City Council approval on that. We also have another project along Main Street, South Main Street, to convert a commercial office space to residential. So there's quite a few projects in town that are going on right now that are converting commercial space into residential because of the vacant commercial spaces that we see in town.

Director Svanstrom commented as follows: I was going to also add in and to address your question about precedent. So currently, we do require a use permit in any commercial zone to have 100% residential or residential on the ground floor. The planning commission certainly looks at each site specifically. So I don't think there is a precedent here that's being set. That said, as John noted, there is a bit of a trend. Some are Victorians that were originally houses that were converted to office and now wanting to go back, such as the South Main Street that John mentioned, others are like the brand new Healdsburg / Murphy, where they have not been built

out is commercial, seeing the need for residential and just simply asking to just build it out as that. However, I did just get notified that we did receive a quarter of a million dollar grant from ABAG to look at if there are areas of town where in our commercial zoning district, where it does make sense to perhaps allow residential without the need for a use permit that will allow the Planning Commission and the City Council to look at where it is appropriate and where it's not, so that we cannot have all of these random requests coming but really provide guidance to the community on you downtown commercial areas versus the areas in between this particular site is not a doesn't have a lot of commercial frontage. So staff was very supportive of this. It's right adjacent to that hotel, and residential to the east. So it's very compatible to the surrounding uses, in terms of residential, converting those lower floors to the residential uses. The other owners within the HOA for the actual year development there, did review this and are supportive of the changing the zoning for the entire development to this.

Vice Mayor Rich commented as follows: What about the affordability piece? So I think we have some rules that would require that a certain number of units be affordable. Is that true? Would it apply here is a different since they're converting and just a really brief answer would be great and then we can move on to other topics. Do you have any concerns about the way that this has been converted sidestepping in any way rules that would require that certain number of units be affordable?

Director Svanstrom commented as follows I do not this was only one unit that is being converted. They are actually smaller units there and I don't recall the square footage, but they're basically smaller one bedroom units. So my expectation is that the rental of them would likely be in the more moderate range. Anyway.

Mayor Hinton commented as follows: Discussed the mention of the grant and commented I was just curious of who was responsible for helping us get that.

Director Svanstrom commented as follows: I actually wrote that grant. Our grant writers would have been able to. But the time was so tight that I, I just did it.

Mayor Hinton commented thank you for that. Free Money is always welcome in the city. My next question is, do these conversions count towards our RHNA numbers?

Director Svanstrom commented yes.

Mayor Hinton commented as follows: How many RHNA credits do we get?

Director Svanstrom commented as follows: We would only get the credits if people decided to convert, one for each unit that would be converted. I wouldn't anticipate they all would be converted immediately.

Mayor Hinton opened the public hearing. Planned Community Zoning for "Woodstone Corners

Andrea commented as follows: I'm here with my husband Bob Culbertson. We purchased a unit in Woodstone corners. We would like to encourage any sort of opportunity in Sebastopol to offer more residential housing. It's a huge issue from what my understanding is. In Los Altos, there's been an approval to some degree of converting the commercial empty commercial spaces into residential housing. That's what we would encourage and make up provide housing to a number of people, including possibly our family, downstairs, if we're able to convert that.

Kyle commented as follows: So this question is not in regard to the actual agenda. It's more about the actual process here. So this is a question for the City Attorney. The agenda items states at the beginning that this is a

zoning text amendment request for the applicant from the applicant, Patrick Slayter on behalf of Gregory and Karen, and Timothy and Rosalina debelle. Now, the question in particular for the city manager is in relation to the California political practice Fair Political Practices Commission, specifically section number 87406.3 which is the local one year ban. Local one year ban prohibits specific specified officials from one year after leaving local government office or employment from representing any other person for compensation by appearing before or communicating with their former agency in an attempt to influence the agency's decision and administrative or legislative action, whether quasi legislative or quasi-judicial, and or any action involving a permit license contract or transaction involving the sale or purchase of property or goods. This one year ban also applies to an individual who at the time of the appearance or communication is an independent contractor of a local government agency or a public agency in his position or communicates on behalf of that agency. So again, question here is for the City Attorney to specifically address the local one year ban. His opinion on the local one year ban as to this particular agenda item, what responsibility of the city is to enforce that local one year ban and if we are in fact in a violation of local one year ban, who is the governing body to file some sort of a complaint on the on the violation of the local one year ban?

Greg commented as follows: I give a green light on the property that's being looked at and initiated the whole process. On the way here tonight and on the way to the planning commission I passed five or six signs, it's an office for rent. We don't need offices, we need housing. I just own one little unit, upstairs apartment downstairs office. They're hard to rent. I figured city needs housing. I've converted. Good for everybody. Good for me. I can keep it rented. Good for you. You have more housing with no construction at all. Virtually no exterior work needs to be done at all to convert this. It's good to go. I'm also the manager of the HOA for Woodstone Corners. At their last annual meeting they voted unanimously in favor of this amendment.

Dana commented as follows: I'm so glad this is coming up. I'm also an owner in Woodstone Corners. Totally in support of being able to do this transactional remodel, both properties have their own separate entrance, there's plenty of parking on site. Housing is a huge issue in Sonoma County. This would be a very simple interior remodel, with no exterior changes to the property. I'm just requesting that this be looked at seriously and consideration is given for permission to allow the bottom units to be converted to housing in beautiful one bedroom apartment.

Linda commented as follows: Good questions from Kyle. What this brings to mind is, you know that our former Mayor following in the footsteps of our former planning director who was pro-business and was working for businesses and not once did he ever respond favorably to anybody who brought up a an issue regarding health environment or anything like that. Discussed unsolicited comments about him needing to be fired. As I've said before, he altered that traffic survey in order to bring us the traffic mess we have today, which is only getting worse, according to one of the cops. So now he is in business for private business, still profiting from his experience, knowledge, of having been on the payroll of city. It looks like that's what Patrick's doing. So, aside from now, this is a real opportunity to provide the big issue that needs to be addressed is the levels of radiofrequency radiation. It's easier than you think to convert an existing building to electrical-magnetically and it is a real opportunity and we need to look into and make available to a population, which is being cooked alive.

Mayor Hinton responded to public commented as follows: I feel a little discouraged by the member of our public who is saying negative things about a previous employee and they're not even around to defend themselves. So I have to make a comment to that I it's a very small town and I think calling people out by name and saying things that are not nice thoroughly truth is a dangerous slope.

Hearing no further comments, Mayor Hinton closed the public hearing.

City Council Discussion/and or Deliberations or Additional Comments:

Councilmember Zollman commented as follows: I just want to say yes, I definitely encourage these type of applications and these type of pursuits. For one thing, it definitely helps in a lot of ways to have these type of conversions for empty spaces in order to get the type of housing that we need, as the Mayor just pointed out, also, for high density areas, like in commercial areas, it helps to have people more in condensed area to save on transportation, driving, etc. that affects our environment. I'm also delighted Kari for you applying for the ABAG amount of money that was no small lift and much appreciated because I serve as the Sonoma County's Mayor's and Councilmembers Association alternative to the ABAG. So having worked with them, that was no small accomplishment.

Mayor Hinton commented as follows: This is directed to our City Attorney and I know that we have an applicant who is an architect actually helping the applicant with this process. Have you had a chance to research the question from the public?

City Manager/Attorney McLaughlin commented as follows: We were reviewing the statute as we speak. I appreciate the public bringing this to our attention, and we will review it in days to come. Will review if the Council passes this tonight, if it would need to come back. We are not able to find any penalty provision which would state what would happen if there was a violation. I would recommend the Council finish the agenda item tonight.

Vice Mayor Rich commented as follows: I'm very much in support of this effort. I love the fact that there's grant money that's been obtained to look at converting some of our larger commercial spaces into residential, and actually really appreciate the proactive effort of an individual in our community to bring this forward and say, this is not good for commercial, let's go residential. For the future, I feel it would be important for our Planning Department to look at what sort of affordability expectations we might have for conversions of this type in terms of some sort of credit or some way to encourage an affordable rent, where there was an opportunity, but otherwise fully in support.

Mayor Hinton commented as follows: I've been in this property, and I've been with people that own or rent upstairs, super excited about the project. It's great to have conversions happening like this in our community. I think it's a trend of the times back in the day there was pointed out on another property conversion from a house to an office property now that's trying to go back. So to move with the sign of the times, we definitely need more housing in our community, so fully in support as well.

MOTION:

Vice Mayor Rich moved and Councilmember Maurer seconded the motion to approve Resolution to modify the Planned Community Zoning for "Woodstone Corners" (1121-1171 Gravenstein Highway South) - Planned Community Zoning Amendment and Use Permit (1121-1171 Gravenstein Highway South).

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

VOTE:

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

City Council Action: Approved Resolution to modify the Planned Community Zoning for "Woodstone Corners" (1121-1171 Gravenstein Highway South) - Planned Community Zoning Amendment and Use Permit (1121-1171 Gravenstein Highway South).

Minute Order Number: 2023-172

Resolution Number: 6551-2023

REGULAR CALENDAR AGENDA ITEMS (DISCUSSION AND/OR ACTION)

10. Discussion of Consideration of Ballot Measure for November 2023 Special Election (Requestor: Mayor Hinton/Vice Mayor Rich)

Mayor Hinton and Vice Mayor Rich presented the agenda item recommending the City Council consider Ballot Measure for November 2023 Special Election and Creation of an ad hoc committee.

Mayor Hinton commented as follows: I spoke with City Attorney shortly after our last meeting, and was cleared to Brown Act with Vice Mayor Rich on this agenda item to consider a tax. It has been fully well researched so that we could all have information to consider and we had to move that agenda item very quickly if we were to consider a November 2023 ballot item,. It had to be brought forth at this meeting because it is a multi step process. It was very clear, having reviewed the budget., I think by all of us that we are in a structural deficit budget and if we don't find a solution, we are going to be going negative and it's not going to take too many years. It was also obvious to me as a Councilmember, when I saw that the budget subcommittee had recommended and put money in the budget that ballot measures would be a consideration. It was really just a matter of when we would run them, if we would run them, but that definitely we had placeholders. So Vice Mayor Rich and I started researching what that might look like. We talked to multiple people. I had a very nice in depth conversation with Deva who does elections for the county and to understand the process, and there's upsides and downsides but in these quickly, my feeling is information is power. To even consider something quickly, we have had to move quickly on it. This item to me is ideas, recommendations and information for the full Council to deliberate tonight. I do not think ideal window but with all things being equal, we obviously understand that we have needs in this community to fund and we got to figure out how to do it.

Vice Mayor Rich commented as follows: What I'd say to this City Council is that it was clear during the budget discussions and the City Council meetings, two of them regarding the critical nature of our budget situation. We are at the moment \$1.6 M deficit, which is pretty awful. We have a consultant's report that indicates that we will use up our reserves within I think, five years, if I recall correctly. We have growing needs within the community, a community that demands high quality services, discussion at the last at the City Council meetings regarding the budget that focused heavily on public safety recognition that we need in long term solution to that issue and that we do not have a revenue building solution at the moment. So crisis, that term was used quite a bit critical, that term was used quite a bit. Moving forward seems like an excellent opportunity for us to take care of that in a quick way, or at least to consider it in the full City Council ad that was the goal of this item to provide all of the information, all of the options in a question format, so that with recommendations from us, but also in a question format, so that the City Council could discuss it, because as I've said to many people in this community, this City Council is the Council a very involved individuals who definitely do their research and contribute. That's why we've laid it out in the way that we have. The other piece that I'd identify is that we all know that there are other tax measures floating out there and we don't want to do anything that will in any way, be in conflict with those other tax measures. So moving forward in November of this year, places us in an opportunity space, to ask the public for support, inform the public in a very focused way, have our public decide whether the public wants to provide additional money for our budget, and yet, then be open to the other opportunities that the rest of the county might need to present to us in March and November of next year, because there will be other needs.

Councilmember Maurer commented as follows: So I agree. We're in a budget crisis and we do have a growing structural deficit. These are important things to take care of. I think this is premature to put something on the ballot and I'm going to outline why I think it's premature. Last year's budget adopted budget was basically \$1.1 million deficit. I think it's an estimated actual still was a gain of \$470,000. So it wasn't as bad as it started out. The

year before was the same and had a \$1 million deficit. The actual was \$370,000 gain not loss. 2019 to 2020, it was \$1.4 million deficit, the adopted budget. That's the initial budget. So that was a deficit of \$1.4. The actual was a \$1 million deficit. So it came down by \$400,000. 2020, to 2021, the adopted budget and the actual budget, it came down by \$800,000. So my ultimate point is that I think we should wait, that I don't think this is the right timing. One of my concerns is that the Sonoma County Fire Department they have a ballot measure which is a half a cent sales tax, which will be coming on the ballot in the springtime. Our fire department will receive a lot of great benefit from that like \$1.2 million plus \$5 million for a building. However, the ad hoc committee for the fire department hasn't even completed their work yet. So we don't even know. One of the questions on the ad hoc committee was whether to consolidate or not, that has not been completed. So my understanding is that, because this is a special election, it has to be a special tax. I understand it is what the City of Sebastopol needs, is they need revenue for the general fund. Yes, we need revenue for everything, but particularly the general fund so that we have more, so we're not facing this deficit every year. So my concern with the fact that there's the County Fire Department has a ballot measure. Let's say Sebastopol puts a ballot measure now? And then they have won in the spring? Is that going to affect whether or not in the one we put on now is for public safety? Will that affect what Sebastopol will receive from the county and Sebastopol voters rejected and thereby, you know, hurt the county's effort as well. I don't know, to me, that's an unknown. That's one of my rationales for let's wait. So and the other idea is, since we need the money for the general fund, but what if we put it on the special ballot saying that we're using this for public safety, then I would think to be fair to the voters, the fire department should get whatever they're getting now plus whatever taxes you collect for them, otherwise, you're just collecting a tax, and then using it for the general fund. I don't know if that makes any sense. But I'm really uncomfortable with that, because that feels there's a potential word deception of the residents. I don't want to see that happen. The ad hoc has not finished their work. So my suggestion is to wait until after we know what happens in the spring with the Sonoma County Fire ballot measure. If that gets approved, that's that, then Sebastopol is going to benefit greatly by \$1.2 million, which is more than that quarter cent sales tax. I'm absolutely not comfortable raising property taxes. The main reason I'm really not okay with that is because Sebastopol residents are still paying for Palm Drive. I wasn't able to look at I'd like to know what the taxes are, and to see if there any sunset dates on taxes and stuff but at this point, I'm not comfortable raising property taxes when we still have that hospital for Palm Drive on there. So my main point is, I would like to wait until after the spring, and reconsider this for the fall of 2024, when it's a general election, because also it won't cost as much because a special election, we have to pay a lot more, it'll cost us at least \$100,000 to put a couple, one or two measures or whatever, it'll cost but it could cost more because it's a special election. If we're the only city putting a ballot, putting a measure on the ballot, it costs a whole lot. So if we don't do it, we actually save \$100,000 for this year. That makes our deficit \$100,000 less. That's my argument for waiting, I think I think we should wait until fall of 2024.

Councilmember Zollman commented as follows: I just want to be clear on the process because usually what we do is we ask questions and we wait for comment. I want to thank the Mayor and Vice Mayor for taking this on, especially given the outcome of the last time we were together and the votes that were made in the direction in which they moved to kind of have it all be focused on just public safety, however you'd want to divide it. So I want to thank you for taking the initiative to sort this out and present it in a way that can hopefully address most of our questions and move forward. The one question that I have is on page five, the parcel tax thing. The reason why I'm asking this is just to make sure that the public knows that we have explored everything. I kind of get a sense of where we'll go but I still want to ask the question anyway, on page five, when it talks about the parcel tax, it starts with a recommendation of \$200 per parcel. But when you go back to the May 17, presentation by the consultant, it said that it would be \$290 per tax per parcel that would result in \$790,000 being raised. So I guess I just kind of want to get your thinking of why you started at the \$200 and not just relying on the paid consultants that were there to be retained, provided advice.

Mayor Hinton commented as follows: The City Council could in fact, set whatever parcel tax assuming that we all wanted to go forward with the parcel tax, the dollar amount of that parcel tax would be up for discussion, the \$200 amount was just instinctively the amount that we felt in discussion would be the maximum, from our perspective, acceptable to the population. Adding in and part of that conversation, I just like to bump back to what Councilmember Maurer was saying. I actually looked at my property tax to see okay, what property taxes are we paying? There's about \$260 in in very, in specific fees. Then in addition to that, there's percentages that apply, including Palm Drive to every single property owner. So it was just instinctive as \$290 felt like absolutely too much and \$200 for discussion as a beginning points seemed acceptable as a starting point. With running any kind of ballot item, we want to make sure it passes, do everything we can to possibly so we didn't have time to do a survey, like many of the either larger organizations, or people with more time to pull the voters and say, What are you comfortable with? I did share with Vice Mayor Rich, I have sat on the West County high school bond committee. I was involved in polling for the high school district at that time so I was able to listen to that and participate. I kind of knew what numbers they were playing with and their strategy. So I could just kind of throw this number out. It isn't our recommendation to go to a property tax. So we were trying to see what is reasonable and how much would that make us in sales tax money. The other piece that I would add is that we were cognizant of another topic that Councilmember Maurer has raised, which is the need to be respectful of the work of the ad hoc fire committee, that work is not complete. I personally am not part of that process. But having looked at the report from Matrix, I'm concluding that the two major options will likely be independent firehouse, or consolidation, and that with consolidation, there might be a parcel tax, that would come over to the citizens of Sebastopol. So that entered into our let's not recommend a parcel tax, but it also entered into our if there's going to be a parcel tax, let's try to keep it low to not jeopardize the options for the fire ad hoc. I just wanted to add to when you think about a sales tax part of the discussion, although I know that that can be viewed as a negative way to go for the whole community, we are surrounded by 40,000 people that shop here and use us and public safety should be funded right by people that are in our town because public safety is here for everyone. So this way, a sales tax would also be collected from both visitors and people that live in the county that are coming to town and whether they're getting a ticket or needing some sort of response while they're in town from our public safety.

Councilmember Zollman commented as follows: So this was a question that I asked, because I kind of got a little bit confused in the report, like who really was the author, because I'm usually seeing the author be like staff, so and I didn't want to reach out to the two of you, because then that would be a Brown Act thing. So I sent it to Mary, and asked her about, could there be multiple purposes for a sales tax? Or does it have to just people one specific person purpose, which seems to be from the report, like public safety, to sort of what I interpreted to fill the gap in the funding that we never had, and didn't have a reasonable expectation of having for the two allotted positions? So the answer I got back was also sent back to all of you. Because she apparently reached out to our tax expert, they did say that there could be multiple purpose for a sales tax. I just want to make sure that that's the correct understanding of email exchange, and from staff that I have a proper expectation about the fact that it doesn't have to be just one purpose it can be have multiple purposes for sales tax, is that correct?

City staff commented as follows: That is correct. That's what the consultant stated that it did not need to be just public safety. You could public safety, parks, public safety, government services.

Mayor Hinton commented as follows: Let me address that. Very familiar, having sat on the Open Space District that there is a percentage in their tax measure that goes to parks in cities, and that creates their matching grant funding that they do every two years, and it was part of their tax measure when they originally passed. So we did discuss that and floated some ideas in our meeting with Denny Rosatti about this concept of library or parks. I would point out that I do feel like a tax measure was not successful that had too much confusion to the voters. That was in my mind, the Bodega Bay fire tax paired with the West County High School for El Molino. I think the

when you pull in other things, it can be a confusing message. It can be you're going to get some people that like the parks over the library, and some people that want to vote for public safety. We really looked in this proposal to mainstream, and one of our major costs is public safety. It's right up there on the public's graph. That is part of the budget that needs to be funded for this community. We have a local police department, and we have community values and discussed other towns that have gone with the Sheriff's Department. This town has never really talked about that, although it's floated out in other cities. We have a fire department and so that we heard, especially in recently that, we need to get up to speed. So that's why at the end of the day, we went with a shared public safety message. It's a simple one. That is the biggest part of our budget in our general fund.

Councilmember Maurer commented as follows: So my question is, if this ballot measure gets approved, and it's supposed to raise \$792,000, roughly, right now the budget for the fire department is about \$1.4 million, roughly and the police department was around \$6 million. Let's just pretend it gets approved and there's \$792,000. So next year, does that mean that that amount gets split between the two departments – fire and police. For example, the fire department would get roughly \$1.7 million, and the police department would get \$6.5. It is about being careful about not using this tax measure for the general fund, because that could be deceptive for the voters. I just want clarity about that, because that's where I'm really uncomfortable.

Mayor Hinton commented as follows: It would be illegal for us to float and pass a public safety measure and use it for the general fund. The general fund is a general tax. We spent a lot of time talking about a general tax, which would only have to pass by 50% plus one is my understanding. This special tax has to be passed by a larger majority of the voters. In my conversations with deva, we talked about other communities that have run single tax measures. I asked her what the success rate of those were like, what's our risk factor? Of course, no one knows, and they weren't exactly tax measures. But in the couple examples, she gave me the pass rate was in the 80% range. So that gave me some confidence in that. The money raised from this tax would have to be used towards public safety. Just like this year, from our department heads of those departments, we would hear from them in the budget process about what their needs are. Part of the proposal is we are also debating going for a half percent. So that's another discussion item.

Vice Mayor Rich commented as follows: I'd like to jump right into the question of would this money have to be used for new expenses. We are in a deficit situation, we need a long term sustainable plan for funding our needs. We're now at what is it \$1.6 7 million underwater? I understand that the last few years, we've managed to come up with an actual net positive. But we have to recognize that especially this last year, there were one time amounts that we are not going to see again, those one time amounts really helped shore up our situation. So we don't have a long term plan. We ended up recognizing as a full City Council, there was debate about it. But ultimately, this City Council by majority vote supported two positions for which there is no long term plan, a fire engineer and a sergeant. So we have existing needs that we need to have a plan for. I think we're absolutely need full disclosure, transparency. But there is nothing that prevents us legally, so long as we're clear with the public from using these funds in this tax amount in order to shore up our existing needs so that we can continue to deliver services to this wonderful community. So that's the one piece and I think we just would have to be very clear with the public. So I think that answers that. I'd also like to point out on the county fire tax, something that was really important. If it passes, we don't know if that is going to pass. We can rely on our voters, we can try our best to inform our voters, but we don't know what's going to pass. We have to recognize that on that question, which you raised in your initial statements that the county tax is voters across the county. Sebastopol voters don't control that outcome. We're a relatively small number of voters.

Councilmember Maurer commented as follows: My question specifically, was that, let's just take the fire department for now. The budget for this year is \$1.45. roughly. Then if this tax gets approved, are they then going to get that basically the same amount plus whatever is raised through the tax? Because if they're not, then

it seems deceptive to me.

City Manager/Attorney McLaughlin commented as follows: It depends on how you write the ballot question. So under the scenario that you're presenting Councilmember Maurer, it would be perfectly appropriate actually, if we just if the tax is stated to be for public safety purposes, or just generally say fire or police purposes, then you have to spend that money towards that. So as the Mayor pointed out, it would not be illegal for you to simply use the money to go into your general fund. On the other hand, it's perfectly proper and you can offset what you normally pay towards the fire department with the new money from the sales tax measure. It would indirectly improve the rest of your budget. Because you're spending less other budget General Fund monies towards the fire department, you could utilize the special money to get through this special tax. The requirement is that you not violate the ballot question that you present to the voters. So but you can be as general with that, as you can be of our non specific as you want to be, is how you phrase your ballot question.

Councilmember Maurer commented as follows: The ad hoc committee has not yet finalized its report and we do not know what those needs are.

Mayor Hinton opened for public comment. Ballot Measure for November 2023 Special Election.

Carol commented as follows: First just want to say thank you for coming back in person. I haven't been for years I've been out of the loop. I'm not a Zoomer. It feels great to be back in the room again. I'm not a budget person, either. have no questions. I just have some information that maybe you can throw into the mix, or maybe you can't I don't know. In terms of sales tax and TOT tax, the trend of the transient occupancy tax that is generated by hotels, or whatever else is in that genre. But is there any way that you can project or you can guesstimate what the TOT tax generated by the hotel Sebastopol might be. I was in this room when they made their presentation and the rooms were going to be going for close to \$1,000, a night, some rooms, they were going to do some hostel rooms, some very high end rooms. I've lost track of that project. Because again, I haven't been in the loop for a number of years now. So I feel really out of it. But I don't know if Barney is going to be building a hotel. Is there a way to look at other ways to see where we may be generating some money?

Kyle commented as follows: I'd like the public to really watch what's happening tonight in terms of process. I've seen Council over the last number of years repeat this process repeatedly. First thing they do is they fund it and they don't tell you anything about what they fund. In fact, during the budget committee or during the budget approval process we were specifically asking if we could address what the funding for the ballot initiative researching process was. We were told no. However, if you go into the budget subcommittee meeting, there was active discussion about this ballot measure. So first thing they did was fund in the budget, the process of seeking out this ballot initiative without telling the public what that ballot initiative was going to be. Now they frame it. We hear this framing about we need to fund public safety without considering the fact that even just two years ago, there was active discussion by Council on the need for fiscally auditing our public safety departments. Now, we've seen that with the fire. I'm not saying that there's not a need for the funding to be happening in the fire department, in fact, it's been a disgrace, watching the way that over the years, the budget subcommittee has continued to not fund the fire department at an adequate level. But there is no publicly facing document that shows any sort of fiscal audit on the Police Services and the needs. I'll give you a couple examples. Regularly over the last few years, we saw radical increases in overtime as a result of mutual aid requests with the sheriff's department. What that does every single time that we provide mutual aid for the Sheriff's departments, we're subsidizing every single one of those communities that is contracting with the sheriff's department. We need a fiscal audit to determine whether we actually need to be funding at the levels that are being proposed. But we are going to watch the head and see the process happen of fund, frame, approve, rinse and repeat.

Steve commented as follows: My name is Steve, Fire Chief of the Sonoma Valley Fire District. However, I'm here this evening as the president of the Sonoma County Fire Chiefs Association. I first want to acknowledge the very real budget deficit you are facing and the need to address it for long term financial health and providing services. I've been involved in very similar situations and it is most challenging. As I know you're all aware from attending our recent presentation at the Mayor and Councilmembers meeting we have been working on a countywide fire sales tax for over four years. We have also presented to the city managers group. We will have a citizens based initiative on the ballot in March of 24. We have been working closely with every fire department labor and volunteers to develop this measure and have all of their unanimous support and concern that a Sebastopol tax measure for fire or public safety will jeopardize our opportunity for success and the \$1.2 million that the city of Sebastopol will receive annually forevermore. Our measure in total will bring over \$60 million to fire agencies within the county. It will make every area of the county stronger for fire and EMS services including your neighboring fire agencies. All monies by ordinance will go directly to each entity. In closing, our ask is that you be thoughtful and methodical in your process of deciding what kind of fire or public safety tax measure to place on the ballot. <More importantly, when we encourage you to consider a tax after March of 2024 for any sales tax that you consider over a quarter cent will compete with our existing measure. We do not want to jeopardize \$1.2 million or the total \$60 million for fire services. We ask you to please put your full support behind our measure for March as none of us can afford to have either competing tax measures or the splintering of support.

Linda commented as follows: The process sucks and it does not work and the narrative is largely controlled by the corporate profiteers, which is a very good example that was given to the shyster co boys with a \$5 million and then \$2 million, which was squandered for wireless water meters, which here and now. That \$2.2 million is talking about public safety. It is doing public assault, radiation from beneath our fee. 3002 wireless water meters radiating around the clock, making people sick and the sicknesses that are most common from radiation poisoning, or heart attacks, cancer, stroke, stroke, stroke, stroke, stroke, stroke, and, and, and diabetes makes your blood sugar just go right up. Larry has said, the need for the emergency manager, medical people has in the fire department, the medical calls, has gone straight up on a graph. So here's where I see that. So people are being assaulted by radiation, their cell phones and all the rest of it, it's just getting more and more worse and worse, they're having these symptoms are calling your emergency fire department, Anyway, it makes a greater demand on them. Now, at the same time, our wise leaders here are under cutting and cutting back on the support and funding from our fire and police who are answering it in large number of calls because of the technology that this City Council has put into place in squandering \$2 million.

Jim commented as follows: I appreciated the comments by Sandra Maurer. I believe that we need to tax ourselves, whether it's through maximizing the sales tax, or adding another parcel tax, I would vote for one or both of them probably. But I also think timing is important. It seems like if we can get the county fire tax done and see where we land on whether we're consolidating it would be make more sense to have a better communication to the public about why we need this tax in 2024, when the land is all sort of settled. Discussed what Kyle has said about we thought we were going to remove the sergeant and not fund the fire department. Then we decided to do that. But we don't have the money. We're dipping into the reserves. We have structural problems. We need a real strong communication about how we're going to solve those and hopefully it involves new hotel taxes and increasing the business community and sales tax and possibly parcel tax. But a real communication effort from the City Council about how a city of 7000 people can survive with its own police department and its own fire department, and what kind of funding we need will help sell those kinds of taxes. I will be okay for waiting and not doing a special tax.

Oliver commented as follows: My feeling about this is we've already got the second highest sales tax in Sonoma County already in the City of Sebastopol. I think Cotati is a shade higher than us. The Mayor mentioned earlier the 40,000 people that come here in shop. The more we pile on taxes, the less people are going to come and stay

here. We don't actually have a hotel. There is no plan now to build a hotel here. We lost the Sebastopol Inn. We area bouncing along at the bottom. I think this is a very good time to start looking very strategically about how to rebuild the sales tax base. You can see my graph in the in the picture for my Zoom account. Sales tax is everything. We are not going to make it on property tax. I know very well from last year that a large percentage of people in Sebastopol are not wealthy at all and can't afford even more taxes piled on. It's also incredibly important to know that whatever happens Recology garbage bills and water which the city has control over is going to go up enormously next year to fund the city. To me that's unacceptable because for years the city has been very poorly managed. So again, I have to say, it's critically important that we have a really coherent strategic plan. Finally, I'd agree with what Councilmember Maurer said, I think this is very premature. I'm very sensitive about the money that the county and all the different fire services are organizing to fund our fire service. It would be very, very kind of clumsy to try and squeeze a quarter percent sales tax in and possibly torpedo all our efforts.

Mike commented as follows: I represent roughly 350 firefighters from around the county. I'm also the committee chair for citizens supporting a safer Sonoma County. Currently, our committee is responsible for advancing the Sonoma County Fire Chiefs tax initiative. Through this tax initiative, the City of Sebastopol gains roughly \$1.2 million for your fire department. I'm also ecstatic to report that as of this week, our committee has raised over \$270,000 in just over a month. Additionally, as of this week, we've secured approximately 29,000 signatures qualifying our tax for the March 24 ballot, that they've done tremendous work. This tax in this initiative has massive support from all of our stakeholders, including all fire chiefs and all firefighters in Sonoma County. To reiterate, this tax supports the City of Sebastopol with \$1.2 million annually with no sunset. We believe this will help relieve some of Sebastopol's budget concerns. The best part is it's already in motion. Not only is the polling campaigning and tax language already written and paid for, there's a small army of firefighters working diligently to make sure it's successful come March. Due to the exceptionally good polling 65% and the hard work of our committee, we're extremely confident that this tax will be passed by our voters. In March it only needs 50% plus one vote. Our ask tonight is at the City Council slows this process down and includes our committee with all future conversations on potential sales taxes, specifically, on how we can all work together on achieving all of our goals. As I know you're aware, alignment with stakeholders is extremely important to ensure success of any tax, our main focus is ensuring the City of Sebastopol doesn't lose out on this \$1.2 million in funding, that the fire service in Sonoma County as a whole doesn't lose out on \$60 plus million dollars in funding. We really appreciate your support and we look forward to future collaboration with all of you.

Steve commented as follows: I want to talk a little bit about the tax and just throw out some numbers of our experiences as a town, we did have the 2018 sales tax measure, and that passed with 68% of the vote. So if we're looking at the two thirds, we're just getting there. If we're going to put push this in a November ballot, there is a risk a survey done for the Regional Climate Protection Authority for a 2024 ballot measure. They just got back results that show just 50% approval for a sales tax or parcel tax. Now this is a completely different animal, but it's in the same ballpark of how receptive taxpayers are to measures. I also want to talk a bit about some of the regressive nature of sales tax. People that are in the lowest income percentages, according to report from 2017, a three to four times the amount in sales tax as a percent of their income as the most affluent taxpayers pay. Not to say that parcel taxes aren't a bit regressive. But I think we definitely have some numbers when it comes to sales tax. If we're going to present a tax measure, we might want to consider having a combination of both sales and parcel that are both moderate tax rates for the two. If there is the possibility if it fails in November, we can try again and 2024 where we're only going to need 50% That makes a pretty big difference that two thirds requirement when it comes to the TOT that was \$300000 to \$400,000 in potential revenue knew that we were going to get from the new hotel that's still out there never was considered in the consultant's report, and the consultant did bring up possibility of looking at the way refunding pensions. So there are measures to bring in more revenue for the city, they may not be immediate enough to meet the needs that we see as this critical

financial straits that we're in. I think we're going to have a lot of explaining to do to taxpayers of how we got into this.

A member of the public commented as follows: I just had a question or maybe a request for clarification based on what Larry said earlier. I got the impression that if the new parcel or sales tax was approved by the voters, and it was presented to them as funds being directed to public safety, that it could be possible for the Council at their discretion at a later date, to redirect funds that had been directed towards public safety to the general fund, and reduce, in effect, it would be money going into the general fund as a kind of a de facto switch or something. Maybe I'm misunderstanding that. So maybe Larry could clarify that for me a little bit. Is it possible that I'd like to know what percentage of general funds now go to public safety, and whether or not that percentage could be reduced by the Council at their discretion in the future? If this measure is approved does it compensate for it and puff up the general fund.

Mayor Hinton responded to the following public comment as follows: A member of the public asked about TOT funds. I think another member of the public pointed out we were looking at around \$400,000 with new hotel that has been planned for a number of years and discussed but has not even broke ground yet. My understanding is that new hotel would take about two years to even get building once ground breaks.

City Manager/Attorney McLaughlin commented as follows: It's approximately correct how long it would take.

Mayor Hinton commented as follows: I think another member of the public asked us how much we lost from the hotel.

City Manager/Attorney McLaughlin commented as follows: I recall that at about \$45,000 annually, which we were made a whole for three years with some money we got from the county through our supervisor, Linda Hopkins.

Mayor Hinton commented as follows: For the member of the public that, I think kicked it off and said, watch how this works. I will just state that I was not a member of the budget subcommittee this year, and nor did I watch the meetings. I've been on the Budget Committee though, for the previous five years. So I didn't want to be swayed when I saw the budget process. I did not watch those meetings even though I had the right to do so just to throw that out there for the public.

Vice Mayor Rich commented as follows: I just wanted to point out because it's been mentioned a couple of times that there was a very thorough audit of our police department by Jerry Threet. In fact, he encouraged additional staffing as part of that audit report. So just want to correct some information there that's been put out regarding assessments of our police department. I'm sure that staff could provide copies of Jerry Threet's report to anyone in the public that would like to take a look at it and the follow up reports from our police chief, who reported out on the progress made.

City Council Discussion/and or Deliberations or Additional Comments:

Councilmember Zollman commented as follows: The major point that I want to convey is the fact that we do need money, we need it like yesterday, essentially, there's no doubt about it. So again, I appreciate the Mayor and Vice Mayor taking the time to do the research and present it to us tonight. For me, as I had already put forward and thought about this by way of comments, I already actually reached out to our interim fire chief and told them exactly what I was planning on doing today, which was to recommend the half cent sales tax, and it would go for multi purposes, it would go towards fire, because undoubtedly whether we consolidate or we do not consolidate, we are still responsible for the safety of the fire people, the equipment, the status of the trucks, all of

that, regardless of how we end up voting. Regardless of the fire ad hoc, he did express concern to about the competition with the county ballot. In my mind for exactly what I heard here today from Larry, is the fact that we have a multipurpose tax measure, then, if for some reason, the Sonoma County one, the whole county ballot passes, then we don't have to fund police as much, or fire as much as we would if it wouldn't. We could then offer some of that sales proceeds into ongoing needs in the community. Specifically for me, and this is not a new thing. This has actually been proposed. On our list from the budget committee that said that ss far as other ongoing facility projects, we have the fire station, we have the library, and we have City Hall needs. So part of my proposal for a multifunction multipurpose sales tax initiative would be to definitely stick fire there for prevention, stick the library, and as we've gotten member, a letter from a member of the public, we need to be worried about our infrastructure, those would be the three things. If the county actually measure did get passed, then we wouldn't supplement the fire, we would end up having more money for a library that actually meets our needs and a way to fund our ongoing infrastructure needs. So that actually was my proposal of having a half cent sales tax. But now that I heard from members of the public who dialed in, also connected with fire, that if that buys, if that half percent were to be granted at the margins that we need to pass at the margins that we need that would actually serve as competition. So that concerns me a lot. So now I'm back down to a quarter percent. Those are my suggestions moving forward, that we do not hang it on a very ill defined like public protection type argument, because part of also my proposal is that we do not include law enforcement. Law enforcement from what I've went through with the budget committee, and what I've heard here in full public display, is the fact that it seemed like they were fine with the level of public safety that we would be they would be able to afford the city up until like, we as Council members decided to just offer them more money and of course, due to other pressures that they had said of course, yes. Getting back to whether we've actually had an assessment done and a Vice Mayor just mentioned, of what the last audit was the audit for them they have not sufficiently complied with requests from Jerry Threet to actually sufficiently address the concerns raised from the audit. So I also have concerns to about the why we would ask members of the public and those that shop here to find for law enforcement, when again, their definition of what is actually needed and why they can't use a police captain to actually go out in to the field is because it would not be in efficient use of services and resources, that's their definition. Unlike the three that I just stated in the library, we have an independent assessment done by Sonoma County Library itself stating the fact that our branch is too small police or fire, we actually have an independent Matrix report that says that they've not been funded up to speed. For infrastructure, we have more than enough independent sources that say we need to put money into that thing. One entity that has no independent valuation of what our police chief and other police chiefs have done is police. So I am not on board with funding that. So I just want to state that be my position at this point.

Mayor Hinton commented as follows: One thing that we heard at the budget meeting, which was that are fire trucks couldn't get out the door and we were funding police with a hold on positions back to 1986 levels. That's why I was an advocate for funding those positions. We need to deliver services to our public. We didn't have a good funding mechanism in place. But we couldn't wait for that. Because when there's a fire, firemen have shown up. When there's an emergency, police have to show up. We heard that now we're looking for a funding mechanism, that the voters will support. We took into serious consideration to not compete with the fire measure that we know is going to be happening in March. They've got a lot of early success that they think it will pass, but sorry to say that the last one didn't pass, and I voted for it. But it didn't pass. We have 5500 registered voters in Sebastopol. This measure was brought forth because we don't want to compete. But we have no guarantee that that will pass and we have to wait for the money. So I am the member of SCTA and RCPA, as a member of the public brought up and I did a review in my board meeting that polling. Unfortunately, we do know that the polling numbers didn't come out for that. The pollsters found out that while people believe in climate change, they don't want to pay for it. So I think it's really important that whatever we put on the ballot, that we know that our community would support it. I think fear of loss is always stronger than fear of gain, We could wait till next November with our fingers crossed. I'm not a fan of waiting when we need things funded now. So just

wanted to kind of throw that out. It addresses some of the members of the public that spoke. This is why we hustled to get this put together so that we wouldn't compete. We are not the highest sales tax either. Petaluma and Cotati are above us. I think it's stated in our staff report by a quarter cent. We do have a max cap on sales tax that we can ask for. So it's kind of like who gets there first. So those things are important to me and that's why I believe in this agenda item. To make it happen, we would have to come up with some compromises on this Council about what that question would look like. But to make it happen in November and not compete with the fire measure running in March and not wait till November 2024 we would have to decide tonight and then move to our next Council meeting and finalize it.

Vice Mayor Rich commented as follows: I agree that there's a need for there's a sense of urgency here. So I agree with Mayor Hinton and Councilmember Zollman that we need to move forward. I think it's very interesting. I hear Councilmember Maurer and I'm sure Mayor Hinton is on a certain level just kind of smiling inside because my hesitancy when I first was approached by the Mayor, was that it seems premature. Ad hoc hasn't done, its work. We need to be more intentional, more, do more research. That's kind of my style. That was my objection stated at the last budget meeting. I tend to want thorough research, a lot of forward planning, my son just got married let me tell you the wedding was organized. That's my general approach. But I have come full circle on this one. Considering all of the moving pieces, the urgency that I heard from this Council, the urgency the Councilmembers, and I felt along with staff during the budget committee meetings, and that, combined with a voice from this Council about the focus need to provide long term staffing plans for these particular positions that were approved. Then taking into consideration the comments that we hear from Councilmembers here, and also from the fire chiefs, they don't want us to compete. I don't want to compete personally, with the fire tax, this is a big County Fire tax, the fire tax is going to be a big issue in March. We also have some others coming up in November, that personally, they resonate with me, the our kids are future, there might be other ones that come along. November is a time when the focus of the messaging to our community could be very clear, unencumbered by competing issues. We could inform them fully. There would be time between November and March for all of us in this community to go ahead and support the fire tax, which I personally really believe in. The other piece is that in terms of the focus, I struggle with this, because we heard a fire chief here, say in terms of your messaging, please be careful and intentional about the messaging of the purpose of this of this tax if we go forward with it and honestly, to the extent that we are messaging fire, I think we align ourselves to be in competition much more to be more of a risk to the county wide fire attacks. So public safety, I feel like everyone can support that. I hear the general the need for general fund support. I'm trying to process what is the what is the combination there that doesn't confuse people? Is it public safety, and general fund isn't public safety and infrastructure? I could see a combination.

Mayor Hinton commented as follows: I don't think we can add general fund into the tax of the special tax.

Councilmember Maurer commented as follows: Can it be for a special service such as administrative services? Can you raise money for administrative services?

City Manager/Attorney McLaughlin commented as follows: Yes. Again, want to emphasize it depends on how you write about question, you can be very broad, you can be very specific. You can fund anything that you want to designate the money to go towards.

Councilmember Maurer commented as follows: Administrative Services covers a wide range, including fire, including safety, including all of it. And the fact is, in my opinion, this is why this is what we need and it's more honest.

Mayor Hinton commented as follows: I think it's really hard for the voters to fund administrative services, even if it's obvious that we could use more of that in our city.

Councilmember Maurer commented as follows: But if you call it public safety, to me, that's a very deceptive use and sort of an abuse of our public's trust, if you're going to call it public safety and, and then not give the entirety of that money, to those safety to the fire and the police. So I'm really uncomfortable. I think this is really bad for our businesses. I think it's bad for our residents to raise taxes. I think it clearly undercuts the Sonoma County Fire Department efforts and clearly competing with their measure. It feels like it's sort of like let's get ahead of what everybody else is doing. I'm not comfortable with that. I'd rather be more measured about this, and especially considering something I've already said, I'm going to repeat it, that the last two years, we had a million dollar deficit in the adopted budgets, and one year we came out \$369,000 ahead, and the next year, it was \$470,000 gain on the last two years. I'm not saying we don't have a problem. I'm just saying, I think we can afford to wait, we can afford to wait until next year. I would be agreeable to the idea of a sales tax to raise money put that before the voters to raise money for the administrative services, and that could be across the board could include anything, right? I think we could find another way also to raise money for the City of Sebastopol. Like having events. We could relook at the UUT taxes as well, which probably won't raise that much money. I think that the revenue estimates for 2023 24 are very, very conservative. Almost every year, if you look on the budgets, the revenue was underestimated almost every year. I think this year, the budget estimates are really conservative. I think we're going to be seeing more water revenue, water sales revenue, because the water restrictions are over. I wished we could get a like year to date, water sales compared this year to last year. I didn't have that information. But I think then and then we also have the TOT taxes. My point is, is that I think we can afford to buy time to wait.

Councilmember Zollman commented as follows: I am seeing this and I don't think we're going to have a majority of vote to proceed the way that this staff report and the Vice Mayor and the Mayor have put it together. The other points that I want to make sure that the public understands is in what you said Councilmember Maurer resonates with me about being clear about what it is that we're putting out and asking for support for. For me anything related to safety, like a large safety protection is very misleading. For one thing, and the fact that we are way behind in our goals. As a Council. I've said this during the budget proceeding, we haven't had one since like a discussion, where we would invite the public to go through what our goals are since 2017- 2018. So when we use the word public protection, and you refer to it, you want to incorporate money for police. That is not a foregone conclusion to me, or to the other members of the public that I interact with. They don't associate police giving them more money with their level of safety. What they understand is what other cities have done, which is they talk about it from a safety perspective of do we look for somebody to save us? Or do we provide our own safety, Richmond being one of them, they decided what vital services that they needed to incorporate a library that provides free services for everyone, and especially ours, because ours is basically the de facto social service agency for the city. Because Gravenstein Health Action goes on and on and on about the fact that they're the face of health and mental health and this and this and as their doors are not open, like the library is for people to come in who are in desperate straits looking for a referral, looking for guidance. So that is important thing that Richmond actually had put in place. And they justified that by way of they keep themselves safe by having vital services, library, access to all forms of health, mental and physical. They also talk about access to education and the need for that and not to forget mental health care. That is the way that they decided and since we have not had a retreat to figure it out amongst our Councilmembers with participation from the public, I think it's incredibly misleading to say that we as Council are going to dictate what we want for the public to have the public save us, because we're going to build this as public safety. That to me is very serious. So I just want to be clear. So we can save ourselves a lot of exercise of going through all the other sub agenda items. I am not in favor of having anything thrown out to the public to consider this as public safety, by way of funding more and giving more to law enforcement, I'm not going to do it. So we should let's do a thumbs up about where we are. So we don't drag this

out.

Vice Mayor Rich commented as follows: Addressed question to Councilmember Zollman. It sounds like you do feel a sense of urgency to figure out a funding opportunity. Having heard my concern about the aligning that the potential conflict if we do, having heard these comments, what would you at this point propose as an acceptable special tax purpose?

Councilmember Zollman commented as follows: Thank you for asking because it may have changed since you last talked. It would be a multipurpose thing. Okay, it would definitely be for fire. Because as I stated, number one, regardless of whether we consolidate, we can still need the money, whether we consolidate or keep ourself. Because we can do multipurpose, if for some reason we are perceived as being in conflict with fire in the county measure doesn't really matter. Whether they pass us or fails, or still in the same situation. We need services for fire, definitely what else is done yet for the library, because again, we are the de facto social service agency. I wish our former Mayor was here. Right after I got on to being the library Commissioner, he sent me a New York Times article saying the fact that it's a site, we are the social service agency, for this community, for people who are in dire need, who need services immediately, and infrastructure. Because I didn't think about infrastructure, till we got the letter from the member of the public our pipes are like, really old, and they consistently break. Why not have three of them and depending upon whether the county thing passes or not, we just move the money amongst the three and if the County tax passes, we're going to get the county money for fire, and they don't need as much then we have the other two that are proposed.

Vice Mayor Rich commented so you'd think fire library and infrastructure would be your thought at this point. Councilmember Zollman stated yes.

Vice Mayor Rich commented as follows: Would it be possible to do a ballot measure with those three, that three combination? City Manager/Attorney McLaughlin stated yes.

Vice Mayor commented as follows: Addressed Interim Chief Piccinini. I have serious concerns assuming this City Council decides to go forward with a sales tax in November of this year, and that hasn't been determined yet and asked Interim Chief Piccinini for his input. You're an advocate for fire. If adding library, it seems like it would be riskier in terms of the county fire tax. I may be completely misunderstanding the implications you would know better than, than any of us. So if we were going to go forward as a City Council do you think that that would be that that would be a problem?

Interim Chief Piccinini commented as follows: I think it blurs the line, and there is potential consequences, but I don't have a crystal ball.

Vice Mayor Rich commented as follows: The reason is that I asked my question very specific. Would it be better to have public safety as a broad use or to have fire as a specific use in a list of three?

Interim Chief Piccinini commented as follows: I have to answer the question in terms of you want to sell something to the community, it would be most beneficial to make it a fire safety tax.

Mayor Hinton commented as follows: We currently spend over \$7 million for our police and fire departments. I don't think we're funding all their needs by a longshot. So I supported two positions two weeks ago, that I wasn't sure how we would get funded. I'm very concerned about not running something in March against the county wide fire tax, which is why it was my idea to hustle and get this out. So that means if we don't run anything, we're talking about November 2024. There is no way I'm going to support a tax for administration, although I think they

need a lot of support, that I feel like needs to come out of the general fund. I also don't think it would pass. We clearly have spent a lot of time talking about this question. As presented we would hire an educational outreach person who would do community meetings so that the voters understand if we ran a ballot measure what they were voting for. I personally would walk door to door. So it's not like I have ever felt a nor do I ever want to deceive our public. I think that that is a fear. But I don't think it's a real one. I think that everyone knows that. We spend more of our budget on fire and police in this town and that is partly why we are borrowing out of our reserves to keep those departments funded so that they can maintain services to our residents. I'm just concerned while I think the library needs to be funded, I think the parks need to be funded. I think a lot of stuff needs to be funded I'm very concerned about while we think we need the money, having a marketing background, what I did for 25 years, different people have done different things, they bring those experiences to it. It will be really hard for me to support even though I think we should ask for the money sooner versus later, a mixed message ballot measure that's going to cost us upwards of \$90,000 to run because I am afraid that the message would be muddled and we would not be able to get the two thirds majority that we need. We presented a public safety ballot measure because we have public safety needs, and we have to fund us.

Councilmember Maurer commented as follows: If we wait till the general election in November 2024, then we can put a measure on the ballot and raise money for what we need. Just to respond to that if the fire measure passes, that adds a half a percent. If the kids are future passes, that adds a quarter percent I understand. And so when we heard from the public tonight about how high our tax rate is, that is my other concern about a ballot measure. I just want to say that publicly, because if we wait, the measures that pass first, if that is the fire measure, we win \$1.2 million a year plus \$5 million for an infrastructure for the potential for building .

Mayor Hinton commented as follows: I'm all for that fire measure. But that doesn't solve the city's problems. We have no idea whether or not these measures will pass.

Councilmember Maurer commented as follows: That's my point. We don't know if the child measure will pass. We don't know if any of the other measures will pass. So if we waited, it could be that there's no more room. But there's a lot of other ways to make money besides raising taxes, not this kind of money.

Mayor Hinton commented as follows: We do have Denny Rosatti in the room. Do we want to get his opinion on a multi issue? You've heard the discussion tonight in your because professional opinion, what do you what do you think about a multilevel versus?

Denny Rosatti commented as follows: I didn't speak earlier, because I really didn't want to push you in any one direction to make a decision. Because you're not alone. In this struggle you're having right now, most jurisdictions that I've seen go to ballot measures really don't want to go there. They don't want to ask for more taxes, they want to figure it out. But sometimes you're in a situation where your challenges are so great that this is something you would like to do, right, pull the money lever. When you get there, hope you're public, and your voters are with you. There are challenges out there, in addition to communicating your positions to the voters, which you know, I can help you do or other people can help you do right. You have potential competing measures, right, you have a limitation of how much you can totally ask for, which in our county is kind of uncharted territory at this point. So I don't really know what to say about that. Other than there's some tolerance level that voters generally have. On the flip side, I think you have a situation in Sebastopol. I live here as well. We've got 5500 voters here compared to 300,000 in the county. So I feel like folks, if they were communicated to properly and understood what the issues were, you might have a very good chance to make something happen with that voting public. Another challenge is that you've got very little time to do that. I also understand that the city doesn't have a giant and budget to like, just go out there and do it either. So I wish I had a golden wand to say, here's what will happen.

Vice Mayor Rich commented as follows: In terms of the use of the tax, we have Mayor Hinton feeling strongly that the winning message is a one focus, public safety message. We have another proposal here that would be fire and infrastructure and library. So given your experience, what do you say about that?

Mr. Rosatti commented as follows: The more you present a voter with, the more questions they will generally have. So the more you have to explain, the harder it becomes to actually, like achieve what you're trying to achieve. Could you do this in a way that's not talking about public safety, but talking about public infrastructure. You're talking about libraries, you're talking about a firehouse, you're talking about City Hall, you're talking about parks. Maybe that's what you look at, trying to get creative to help find some common ground for you. Talking about three very disparate things can be very difficult, especially if the public isn't quite like ready to hear those comments. I know that from my past experience, recent experience, taxes generally have been pretty well supported in our county although the county wide one did not pass with the half cent sales tax a couple of years ago. It's difficult without having some real numbers of polling of our citizens exactly on this particular set of issues. I would encourage the Council to consider doing that if you were to move forward. That could help you make your decision ultimately on August 1st or whenever the next Council meeting is.

Vice Mayor Rich commented as follows: This leads me to another thought. Do we have an option of voting to support and this is a timing question. So if we have three Councilmembers we have a majority support for moving forward with a ballot measure in November of this year, do we have some time? Do we have time to then pull the Council together, get that support, but then pull the Council together again, to work through what the heck the question would be? Although I don't know that when she would even be back in town. I don't know what the timing would be.

City staff commented you would have to have the question approved with the whole ordinance drafted. So your next meeting is August 1, it has to be in to the county no later than August 11th. One Our Councilmember is out of the area is out of the area for two weeks.

Vice Mayor Rich commented as follows: Question about timing is if we had three members that are willing to continue to talk about a ballot measure, it's just a matter what the question would be. We probably have to have another city special City Council meeting in order to get this resolved and we wouldn't have the benefit of Councilmember McLewis, because she's out of town. Denny Rosatti has something to contribute.

Mr. Rosatti commented as follows: I believe there's also noticing requirement. Noticing of a potential ballot measure some number of days before the public hearing. I don't know if that's three days, if it's 8/12. I'm not remembering off the top of my head. But there's some other little wrinkle there for you.

Vice Mayor Rich commented as follows: What I'm trying to work through here is, it sounds like we have three Councilmembers who feel a sense of urgency to move forward with the sales tax. We all know that that what cost is going to be associated, it's in the staff report. We're looking at \$105,000, to do this in November of 2023 of this year. What remains is to determine what that question would be, and to identify that. So my thought is, let's have a special City Council meeting and work through that.

Councilmember Zollman commented as follows: I'm definitely open to that too. One other part that I want to bring out for all of us to think about is, our supervisor definitely advised us about the amount of money that's coming from the county to do a mobile crisis, to do it on a on a county wide basis and not have each municipality have to come up with their own money to do it. That ties in with the need to make sure that we have a city that we're proud of, and actually has the vital services that we all look for, which is health care. For me, it's another

reason for not funding and giving more to the police. Because the whole goal was is the fact that if they're not violent, they're not dangerous. We don't even need police to be on call to go and address them. So therefore, they don't need as much money. But ultimately, if we want to have a special council meeting to work through the question, maybe we can, but I just wanted to put that information out so that we can mull it all over between now and our special meeting.

Vice Mayor Rich commented as follows: I will share that I did speak with Lynda Hopkins and made her aware of our effort here. And she obviously has the county fire tax very much in the forefront of her mind and other county wide measures. But she completely understood that as a city, we need to somehow figure out a way to effectively continue to serve not just our city, but the entire West Sonoma County. So she was you know, she definitely understood and supported the effort to pursue some sort of funding solution.

Councilmember Zollman commented as follows: Thank you for bringing that up Vice Mayor because during our ad hoc library committee meeting, part of what we discussed during our first session, and why Lynda decided to have one of her assistants there is the fact that as we know or should know, we serve everybody from here to the ocean. One has limited hours at Forestville, one at Guerneville, which people wouldn't think of necessarily going through there to get their library needs met. But I'm glad she's thinking about this being regional basis because her assistant during our meeting did like the idea of having a deconstructed library, not just being physically in our space, but actually so that everyone could participate. Maybe just your mobile van It's just like pop ups, whatever. But the whole regional concept thing got her aids attention. So I just want to put that out there.

Vice Mayor Rich commented as follows: I want to point out that if a majority supports moving forward with the sales tax, even though it's Councilmember Maurer may not be part of that majority, once we move forward with it, I expect that we would hear from her in terms of how we are going to define the use. So I see this as a full City Council discussion. But I do have a question, How do we define the appropriate special tax, and we have differing opinions here. If we're going to set up another City Council meeting, where we might try to identify an agreed upon use, it's not just about what's important. What we might individually or as a group prioritize, it's important to identify what would might would be the effective message for the public? What can we do between now and the next City Council meeting to gather the necessary information that might provide us with some guidance? Should we be doing a poll? Should we be doing some research? What? I don't know the answer the question.

Mayor Hinton commented as follows: I know we're on a fast track here. I hear Councilmember Zollman being very passionate about the library. I'm passionate as well. I'm just concerned. I guess that's where the poll would come in. Whether our voters would be passionate as well and they vote to tax themselves for an expanded library. It does serve regional needs, but regional people in a sales tax measure? Yes, they shop, we would collect from them, some of that funding, but they wouldn't be voting on it. So if they use the library and don't live in the registered voters in the 5500. Number, they never vote doesn't count in this instance. If we were to put together a quick poll is it something that could be done quickly, and registered voters phoned? I assume you do these kinds of sort of things? Can those questions be asked? Because as I just heard the RCPA, right, they just did it? We got the answer. I don't know what the most concerning thing from their poll is 34%. I think the question is, if we came up with three alternatives, or three alternative potential uses, could we do a fast poll because I'm hearing kind of three different ones here. Could we do a poll pretty quickly? That would give us some useful data. The library question, the fire question. I think we should throw in the public safety or police question. I don't know if I would add administrative.

Mr. Rosatti commented as follows: What I would call like leading questions or value statements, and then test a specific list of issues that are most urgent to folks because that's really what you're trying to find out. What are people motivated to do something about in the moment?

Vice Mayor Rich commented as follows: I personally am very data driven. So if I see if I see results that support or indicate that the voters should support focus that's different than what I'm thinking about. I'm going to listen to that. I don't know how these work, but doesn't it also affect the outcome? Do you say do you support infrastructure? We know what's important to you infrastructure, parks, police fire, administrative services. But isn't it a different question altogether? That's an individual question. If you put together infrastructure, police and library, you might get a different result.

Mr. Rosatti commented as follows: Typically, I have a ballot measure question prepared. Then we test that. We might test two versions of it to see if one or the other changes and then random sample them. So you don't have a first question infecting the opinion on the second question.

Vice Mayor Rich commented as follows: But you need to be careful not to load up too much into the questioning, which would then either turn the voter off and have them hanging up, which then forces you to have to get lots more samples. We don't really have that luxury in a small town like this. Believe it or not, not that many people answer their phone anymore. So we can also try text messaging, texting back that way. I'm wondering if maybe one solution Mayor Hinton might be we make a vote on whether we're going to do a sales tax. Then we address the ad hoc committee and maybe that ad hoc committee might work with Denny to come up with something. I'd be willing to propose Steven, and you since we did the agenda item. I would propose to allocate a budget, if we're going to consider voting, running a big ballot thing, then I'm fine with spending a little money on a poll that could educate us of what we should do. I would like to take in Sandi's request for administrative services, I'm still not 100% off public safety, although I know that it feels like a line in the sand. I could also be convinced about other things, if the voters will support them. For me, it's really about we're going to spend this money, I want the best chance for it to pass whatever that is. I would propose I think the two Councilmembers of the four who have more diverse recommendation and represent the extremes.

City Manager/Attorney McLaughlin commented as follows: We have our ballot specialist attorney, but he was unable to be with us tonight. So that sounds like the kind of question we would have to address with him. So the ad hoc would have to work with Denny. I was answering from the perspective of the poll itself, not necessarily the structure of the measure.

Mayor Hinton commented as follows: I'm willing to serve on the ad hoc committee with Councilmember Zollman, if you would like to, and if we want to do a poll, I think it might be worth it to spend some money now. Because otherwise we're going to be waiting, I believe until November 2024. I don't think I've ever advised a municipal government not to poll because you have to spend so much money in there's so much energy that goes into trying to get it to pass if you've got to. If you got nothing from the beginning. It's okay. You want to figure that out quick.

Councilmember Zollman commented as follows: Thank you for saying that you would be too because I don't really think I mean, thinking through this and how the city of Richmond went with the reimagine Richmond. It's like they were not knocking safety. It's just that they had a variation of how they decided as a community to define safety. Maybe it could be laid out where it's like to define public safety as police library and other social services. Maybe that would be the resonating theme because a lot of people who do public defense are like if you don't have the basic things and the services your people will take out then they will end up being involved in criminal activities, and be part of the criminal system, which they don't want. So I'm not saying the fact that we're that far apart, I think that we could do something around the public safety, as long as we keep some options for the polling, to not just be limited to saying, where you want to feel safe, and you got to give money to the police.

Mayor Hinton commented as follows: I don't really think we're that far apart. I agree with that comment. What can we ask for. I do not think we discussed the amount to expect for polling. How much would we need to allocate to polling and how long would it take for results? I would suggest, like \$4000-\$10,000.

Councilmember Zollman commented as follows: Discussed the sense of urgency, but we just don't want to throw money away. So if it does the cost on the tail end, and I think we should give it up to \$10,000, for whatever the polling is that we come up with, because I do want it to be succeeding, too. I don't want to be the odd man out of like, this didn't pass because of you and your locked position. I don't really want that either. So I'd be willing to approve tonight up to \$10,000.

Mayor Hinton commented as follows: We're concerned with the sunset with that ballot measure that is going to possibly require sunset down the road. There's this roundtable measure. That's, that's why the sunset measure is something you can point to as an accountability measure to the public.

Vice Mayor Rich commented as follows: I'm looking at the at the potential costs in defining what the question would be for this ballot measure. The other important element is making sure that the phrasing that the strategy regarding the question is tailored to have as little impact as possible on the upcoming fire tax. Can we ask the two of you to coordinate with I don't know Mike or Chris to make sure that the questions have their perspective on it. It's an issue of collaborating, communicating and mutual respect. Just a check in.

MOTION:

Councilmember Zollman moved and Vice Mayor Rich seconded the motion to approve an ad hoc Council committee of Mayor Hinton and Councilmember Zollman and authorized the City Manager to enter into a contract with Rosatti Consulting for polling with an amount not to exceed \$10,000.

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

VOTE:

Ayes: Councilmembers Zollman, Vice Mayor Rich and Mayor Hinton

Noes: Maurer

Absent: Councilmember McLewis

Abstain: None

City Council Action: Approved an ad hoc Council committee of Mayor Hinton and Councilmember Zollman and authorized the City Manager to enter into a contract with Rosatti Consulting for polling with an amount not to exceed \$10,000.

Minute Order Number: 2023-173

ADDITIONAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: Three minutes per speaker for up to twenty (20) minutes total for public comments but can be reduced at Mayor's discretion depending upon the number of speakers or Mayor has discretion to allow for additional time beyond the 20 minutes allocated for public comment dependent upon the subject matter or number of speakers.

Oliver commented as follows: I'm just really confused about this extraordinary reinvention of what the public library is. The same spin in this sort of bizarre thing with Lynda Hopkins and people reinventing a library as a crisis center and so on. The Public Library's run by the county. I often check out books from there. This discussion which has gone on for hours, has gone from a public safety discussion to raise money for the for the budget, which is deep in the in the read to this bizarre kind of idea that the library is more important than the police. Did I get that right. This is just insane. It makes no sense at all. This is political posturing and maneuvering, but it's not

grounded in any sort of reality at all. So I can't see any way that unless you really package the poll very carefully that this is going to go anywhere at all. It's absolutely bizarre. That's my point.

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

11. City Manager-Attorney/City Clerk Reports: (This will be either verbal or written reports provided at or prior to the meeting). There were none.

12. City Council Reports/Committee/Sub-Committee Meeting Reports: (Reports by Mayor/City Councilmembers Regarding Various Agency Meetings/Committee Meetings/Sub-Committee Meeting /Conferences Attended and Possible Direction to its Representatives (If Needed) on Pending issues before such Boards. (This will be either verbal or written reports provided at the meeting)

Councilmember Maurer reported out as follows: Attended the Chamber and downtown association meeting. I just wanted to report out on the Climate Action Committee and what they're doing right now they completed an electrification survey. They also are working on a Vision Zero resolution and the county adopted a Vision Zero resolution, this will be coming to Council. This is about safety in our streets. Sonoma County Zero Waste board: At our last meeting, we discussed adopting a model ordinance for Sonoma County Cities for building projects, materials, and the board decided not to adopt it. Instead, we asked them to take it back and make sure they ran it by the contractors, the people who are doing the work within a reasonable amount of time and bring it back to the board. I attended the Sebastopol chamber and Sebastopol Downtown Association, they had a meeting and Jill McLewis was there as well. They are working on a potential merger of those two groups. That was so good to attend that and see all businesses there.

Councilmember Zollman reported out as follows: July 3, attended a one on one call with the executive director Sonoma Clean Power to kind of talk about some ongoing issues and what would end up on the agenda for later in the week. On July 5, met with our new executive director of the Sebastopol Center for the Arts, Center, lovely discussion about how they could tie in with the ongoing library efforts. On July 6, attended the Sonoma Clean Power, not only regular board meeting, but closed session afterwards to do an evaluation of executive director on July 7, had a great conversation and coffee with our interim fire chief. And on July 10, we had the Special Council meeting to do an evaluation. And then later that day, on July 10, we had our first library kickoff, which was really great. And thank you to my fellow Council members, for prioritizing that and allowing us to gather a whole bunch of stakeholders to talk about what we can do by way of reinvent reimagining what our library could be, especially given the fact that the COVID variations may go on and on and on. So it's like, what can we do to not just expand a Squarespace, but thank you to Mary to keep us on task, which is the fact that not only do we want to do this, because it's important members of the community, but we should also figure out a way to make money off the deal. So there are libraries out there international libraries that have it be part of a complex, where people go and actually spend money, and that generates tax dollars.

Vice Mayor Rich reported out as follows: I've had a couple of meetings with the meet your neighbor and smcu group, just reporting out on their progress and also have had conversations about potential well really developments related to emergency preparedness. There's a report that is part of the packet for tonight's meeting packet. That is a quarterly report on the unhoused. A staff report that was drafted primarily by Kari Svanstrom as the staff liaison for issues related to the unhoused with my input and support. Quarterly SAVS report on Horizon Shine RV village is going to be submitted in August. So that would have been included in this packet tonight but there were COVID illness issues that delayed its production. So it'll be presented next August.

Mayor Hinton reported out as follows: I attended the SCTA RCPA meeting on the 10th. That is when the ballot polling was presented to the directors. That will come in handy because I can share that with Councilmembers

only now, as we're going to move forward with a subcommittee. I also the host of the senior center luncheon with the Mayor on Wednesday, the 12th. I had a number of people show up and we've been all rotating and doing lunch lunches with the Councilmembers. I had some people that had shown up for other people's luncheons, and then some new people. So that was a fun time and I get quiz for an hour on what the city was doing. I will say that we are going to as a Council be extended tickets to the Sonoma County Fair. I am appointed for a board director by our supervisor, Lynda Hopkins. I do invite anybody to coordinate with me if they're coming to the fair and let me know and happy to sit with them. I did hear that are Sebastopol race day is Aug 4th. I will say that the directors are going to be running a foot race on that day in dinosaur outfits that blow up because the theme is Jurassic Park. We have spent a lot of money for a very special Flower Show, where we have life-size dinosaurs at the fair in the flower exhibit. I saw them today and they are quite impressive.

- City Council Liaison to Unhoused (Vice Mayor Rich/Responsible Department: Planning)
Reference Order Number: 2023-173

13. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers). There was none.

14. Future City Meeting Dates/Events (Informational Only): (See City Web Site for Up-to-Date Meeting Dates/Times)

CLOSED SESSION: NONE

ADJOURNMENT OF CITY COUNCIL MEETING

July 18, 2023 Meeting will be adjourned to the Regular City Council Meeting of August 1, 2023 at 6:00 pm (In Person and Remote/Zoom Virtual Meeting Format)

Mayor Hinton adjourned the City Council Meeting of July 18, 2023 at 9:42 pm to the Regular Meeting of August 1, 2023, at 6:00 pm (In Person and Remote/Zoom Virtual Meeting Format).

Please note: The City Council Meeting of Tuesday, August 15th 2023 has been cancelled.

Respectfully Submitted,

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