

City Council
Mayor Patrick Slayter
Vice Mayor Neysa Hinton
Una Glass
Sarah Glade Gurney
Diana Rich



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Assistant City Manager/City Clerk, MMC
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City of Sebastopol

CITY COUNCIL MEETING AGENDA

REGULAR MEETING START TIME: 6:00 PM

MEETING OF December 6, 2022

The City Council Regular meeting will be held via teleconference pursuant to AB 361. Pursuant to AB 361 (2021), Teleconference Restrictions of the Brown Act Have Been Suspended, as Well as the Requirement to Provide a Physical Location for Members of the Public to Participate in the Meeting. The City of Sebastopol City Council meeting will not be physically open to the public and all City Council Members will be teleconferencing into the meeting via Zoom.

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City Council is inviting you to a scheduled Zoom meeting.

Topic: City Council Meeting - December 6, 2022

Time: Dec 6, 2022 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87501271488?pwd=RzN3ZzZLR3RVWjJ0aVg1Sm5lTDR2Zz09>

Meeting ID: 875 0127 1488

Passcode: 545950

One tap mobile

+16694449171,,87501271488#,,,,*545950# US

+16699006833,,87501271488#,,,,*545950# US (San Jose)

Dial by your location

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 875 0127 1488

Passcode: 545950

Find your local number: <https://us02web.zoom.us/u/kN2cEQOYD>

6:00 pm Convene City Council Meeting (ZOOM VIRTUAL FORMAT)

CALL TO ORDER

ROLL CALL

SALUTE TO THE FLAG

PROCLAMATIONS/PRESENTATIONS: None

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Speakers are allowed to speak for a maximum of three minutes so that all speakers have an opportunity to address the City Council.

Power point or visual presentations for public comment shall not be permitted unless approved by the Agenda Review Committee two weeks prior to the requested meeting date.

Speakers may not "yield" a portion of their allotted time to others.

The Mayor has the authority to limit or extend the time allowed for speakers dependent on the number of speakers in attendance.

The Mayor can poll the members of the public for an indication of the number of people wishing to speak, then call on individuals to speak. It is the goal of the Council to conclude the public comments portion of the agenda within 20 minutes. If the public comment period exceeds twenty minutes, the presiding officer, typically the Mayor, reserves the right to reduce the time per speaker or carry over public comments to after all business items are completed.

The City Clerk will monitor the time for public comments and inform the speakers when the time limitation has been reached.

The Mayor could survey the members of the public, as appropriate, to move agenda items up or back to address the members of the public items of concern.

Public participation is encouraged on all public agenda items.

Council and staff will treat participants and each other with courtesy. Derogatory or sarcastic comments are inappropriate.

The public will likewise be encouraged by the Mayor to maintain meeting decorum.

In Council meetings when citizens are agitated, the Mayor may call a short recess to calm the situation.

If a member of the public is unable to attend the Council meeting, written communications may be sent to the City Clerk by e-mail or by regular mail. Communications received after distribution of the agenda packet will be made available to the Council at/or as soon after the meeting.

Public may notice the agenda titles now include language about CEQA. This is due to a new court ruling (G.I. Industries v. City of Thousand Oaks) that decided findings of CEQA exemption must be listed in the agenda title for compliance with the Brown Act.

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.

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

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

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

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

CONSENT CALENDAR ITEMS

1. Approval of Minutes of November 15, 2022 City Council Regular Meeting Minutes
(Responsible Department: City Administration)
2. Resolution Authorizing Continued Use of Teleconference Meetings Based on Circumstances of the COVID-19 state of emergency and that the following circumstances exist:
 - a. The state of emergency as a result of COVID-19 continues to directly impact the ability of the members of City Council and the members of the City's subordinate Committee's, Commission's, and Boards to meet safely in person; and
 - b. The State of California and the City of Sebastopol continue to impose or recommend measures to promote social distancing.

Resolution needs to be submitted to Council every 30 days Continuation of Virtual Meetings:

First Approved: September 21, 2021

i. Approved for Continuation:

October 19, 2021

November 16, 2021
December 7, 2021
January 4, 2022
February 1, 2022
March 1, 2022
March 15th 2022
April 5, 2022
May 3, 2022
May 17, 2022
June 7, 2022
July 5, 2022
August 2, 2022
August 31,2022
October 18, 2022
November 15, 2022
Proposed Action: December 6, 2022 (December 20th Meeting Beyond the 30 Day Time Requirement)

Next Action: Scheduled for January 3, 2023 City Council Meeting

3. Extension of Emergency Proclamation of Local Emergency (COVID-19) issued by the Director of Emergency Services (Fire Chief)
4. Approval of Second Reading, Waiving of Further Reading and Adoption of Ordinance 1144 , Amending City of Sebastopol Municipal Code and Adoption of 2022 California State Codes with local amendments. This ordinance modifies Section 2.36 as codified in Chapter Fifteen of the Sebastopol Municipal Code. This ordinance was approved for first reading and introduction at the November 15, 2022 City Council Meeting. (Responsible Department: Building Department)
5. Approval of Second Reading, Waiving of Further Reading and Adoption of Ordinance 1145, Amending the City of Sebastopol Municipal Code. This ordinance adds Chapter 8.80 to the City of Sebastopol Municipal Code Titled Surveillance Technology and Community Safety Ordinance. This ordinance was approved for first reading and introduction at the November 15, 2022 City Council Meeting. (Responsible Department: Police Department)

INFORMATIONAL ITEMS/PRESENTATIONS: NONE
PUBLIC HEARING(s): NONE
REGULAR CALENDAR AGENDA ITEMS (DISCUSSION AND/OR ACTION): NONE

(Item 6 through 15 BELOW ASSUME THAT THE SONOMA COUNTY REGISTRAR OF VOTERS WILL HAVE CERTIFIED THE MEETING BY THIS MEETING DATE. IF THE ELECTION IS NOT CERTIFIED BY THE DECEMBER 6, 2022 CITY COUNCIL MEETING, A SPECIAL CITY COUNCIL MEETING WILL BE SCHEDULED TO APPOINT/SEAT NEW COUNCIOMEMBERS ONCE THE CITY RECEIVES NOTIFICATION OF THE CERTIFICATION OF THE ELECTION

6. Approval of Resolution Reciting the Facts of the General Municipal Election Held on November 8, 2022 and Declaring and Confirming the Results and Such Other Matters as Provided by Law. (City Administration). This item is to confirm the November 8, 2022 Election Results Certifying _____ have been elected to the Office of the City Council (Responsible Department: City Clerk)

PRESENTATIONS:

7. Message from Outgoing Mayor

8. Presentation to Outgoing Mayor (City Administration)
9. Presentation to Outgoing Councilmembers (City Administration)
10. Presentation of Gold Resolution to Outgoing Councilmembers
11. Newly Elected Councilmembers will take their seats.

OATH OF OFFICE:

12. Administering of Oath to Elected Councilmembers. After the Certification of the Election, the City Clerk will administer the oath to Elected Councilmembers. Oaths will be conducted virtually with newly sworn Councilmembers signing the Oaths virtually. (Copy of oath attached)

CITY COUNCIL REORGANIZATION/ELECTION OF MAYOR AND VICE MAYOR/MAYOR PRO TEMPORE

Each year the City Council conducts a reorganization by selecting from among its members a Mayor and Mayor Pro Tempore (Vice Mayor) to serve for the upcoming year. The Mayor presides at City Council meetings and serves as the official head of the City for ceremonial purposes. The Mayor Pro Tempore (Vice Mayor) performs the duties of the Mayor during the Mayor's absence or disability. This reorganization usually takes place at the first regular meeting in December or upon certification of the Election if it is an election year.

To make a nomination, Council members need only state "I nominate ____". Nominations do not require seconds; however, other members may express support of a nomination by making a seconding speech. When there are no more nominations, current Mayor/or Vice Mayor (if remaining on Council) will declare nominations for the position of Mayor closed and conduct the following procedures:

13. Election of Mayor (Current Mayor or Vice Mayor (if remaining on Council) will call for nominations for the Office of Mayor)
 - a) Nominations Received
 - b) Public Comment
 - c) Council Comments (if any)
 - d) Vote (taken beginning with the first nominee): If first nominee motion fails; the second nominee will be voted on; this will occur until such time that there a motion is approved
 - e) Gavel is transferred to Mayor
14. Election of Mayor Pro Tempore (Vice Mayor) (Newly Elected Mayor will call for nominations for Office of Vice Mayor)
 - a) Nominations Received
 - b) Public Comment
 - c) Council Comments (if any)
 - d) Vote (taken beginning with the first nominee) If first nominee motion fails; the second nominee will be voted on; this will occur until such time that there a motion is approved
15. Message from Incoming Mayor

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

16. City Manager-Attorney/City Clerk Reports: (This will be either verbal or written reports provided at or prior to the meeting).
17. 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)

18. Council Communications Received

19. 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

December 6, 2022 City Council Regular Meeting will be adjourned to the Regular City Council Meeting to be held December 20, 2022 at 6:00 pm.

American Disability Act Accommodations/Accessibility: If requested, staff will make the agenda and backup materials available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) Section 202 and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid or service by contacting the City Clerk's Office at info@cityofsebastopol.org or by telephone at (707) 823-1153 who will contact the ADA Coordinator. The ADA Coordinator will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

Notification: 72-hours before the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Please note that minutes 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.

NOTICE: All Resolutions and Ordinances introduced and/or adopted under this agenda are waived of all reading of entire resolution(s) and ordinance(s). The City of Sebastopol is a general law city formed under the laws of the State of California. With respect to adoption of ordinances and resolutions, the City adheres to the requirements set forth in the Government Code. Unless otherwise required, the full reading of the text of standard ordinances and resolutions is waived.

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

If you have any questions regarding this meeting, please contact the City at Email: info@cityofsebastopol.org or please call: 707-823-1153. The public is advised that pursuant to Government Code section 54957.5 all writings submitted to the City Council are public records and will be made available for review. The Sebastopol City Council welcomes you remotely to its meetings that are generally scheduled for the 1st and 3rd Tuesday of every month. Your interest and participation are encouraged and appreciated.

Government Code Section 54953.

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

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

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

City Council Regular Meetings are available in real time and archived on Livestream. Important Notice The City of Sebastopol shows both live broadcasts and Video Archive of City Council Meetings over the Internet. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice.

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

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

COUNCIL PROTOCOLS FOR MEETING:

City staff read the protocols for the meeting.

- This meeting is being conducted utilizing virtual settings for teleconferencing and electronic means consistent with State of California Executive Orders regarding the COVID-19 pandemic and AB 361.
- Live stream and zoom is being utilized for this meeting.
- Members of the public may view and listen to the meeting by use of Zoom as noted on the City's website and as noted on the agenda.
- Members of the public wishing to speak to the City Council may do so during public comment or may comment on agenda items during the discussion of each item and must be logged into Zoom. Live Stream is a viewing only format.
- Anyone using abusive, vulgar, offensive, threatening, or harassing language, personal attacks of any kind or offensive terms that target specific individuals or groups will be muted and removed from the meeting.

Please Note If the Council Meeting is zoom bombed or disrupted, the City will end the meeting and immediately try to restart it. If that does happen then all remaining items will be continued to the next agenda. If there is a power outage during the meeting, the meeting is considered ended and all remaining items will be continued to the next agenda. if any of our Council Members lose power at their homes and we lose a quorum, the meeting is considered ended and all remaining items will be continued to the next agenda