

City Council

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Vice Mayor Neysa Hinton
Una Glass
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City of Sebastopol

CITY COUNCIL MEETING AGENDA

REGULAR MEETING START TIME: 6:00 PM

MEETING OF November 1, 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.

City Council is inviting you to a scheduled Zoom meeting.

Topic: City Council Meeting - November 1, 2022

Time: Nov 1, 2022 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83544136775?pwd=Z3BwSjB4bHpkLyt1N2xhL0M1b0xsQT09>

Meeting ID: 835 4413 6775

Passcode: 828631

One tap mobile

+16699006833,,83544136775#,,,,*828631# US (San Jose)

+16694449171,,83544136775#,,,,*828631# US

Dial by your location

+1 669 900 6833 US (San Jose)

+1 669 444 9171 US

+1 346 248 7799 US (Houston)

+1 253 215 8782 US (Tacoma)

Meeting ID: 835 4413 6775

Passcode: 828631

Find your local number: <https://us02web.zoom.us/j/83544136775?pwd=Z3BwSjB4bHpkLyt1N2xhL0M1b0xsQT09>

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

CALL TO ORDER

ROLL CALL

SALUTE TO THE FLAG

PROCLAMATIONS/PRESENTATIONS:

- Proclamation - November 11, 2022 – Proclamation- Veterans Day Recognition

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.

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.

1. Approval of Minutes of October 18, 2022 City Council Regular Meeting Minutes (Responsible Department: City Administration)
2. Award of Contract for Bodega Avenue Digouts and Repair Project (City Engineer)
3. Approval of Second Reading and Adoption of Ordinance Number 1143 for Municipal Code Amendment to Section 5.58 "Coin-Operated Play Devices". This amendment would remove language that prohibits businesses that offer coin-operated play devices from serving alcohol on premises when minors are present. As noted below the following amendment to remove language from the City's Municipal Code: Chapter 5.58 Coin-operated Play Devices. 5.58.100.A.10 No alcoholic beverages shall be sold or consumed on the premises, except those businesses where minors under the age of 21 are prohibited by law. (Responsible Department: Planning Department)
4. Approval of City Sponsorship Program Request – Sebastopol Chamber of Commerce for Movie Night. Total Request for Sponsorship: \$1825.00 (Responsible Department: Administrative Services Department/Public Works)
5. Approval of Change Order 2 with Piazza Construction and adoption of Resolution amending the Capital Improvement Budget for Fiscal Year 2022-23 for First Street Water Main Replacement Project 0818-20.09 (City Manager/GHD)

6. Approval of Plans and Specifications and Authorization to Bid SR 116 ADA Ramps- Bodega/Florence/Robinson Pedestrian Improvement Project (City Engineer)
7. Approval Out of Service Area Agreement for Sewer Connection at 286 Eddie Lane (Bryan M. Doherty, Jr. and Marilyn Zick, Trustees for The Zick/Doherty Family Trust U/D/T March 17, 2000 (Owners) (City Engineer)
8. Approval of Revised Job Descriptions for Police Department (Sergeant, Lieutenant and Captain) and Reallocation and Recruitment for a Police Captain (Responsible Department: Police/RGS Personnel)
9. Approval of a Fee Waiver Request for \$1220 for the Sebastopol Community Church - Microshelter Temporary Use Permit (1000 Gravenstein Hwy North) (Responsible Department: Planning)
10. Approval of Letter of Support To Sonoma County Board of Supervisors to Authorize the Interim Director of the Community Development Commission to enter into an agreement of up to \$330,000 in discretionary funds to continue the operation of the Horizon Shine RV parking program in Sebastopol through June 30, 2023. (Requestors: Councilmember Rich (City Council's Liaison to Service Providers for the Unhoused) and Councilmember Glass (Sebastopol City Council's Continuum of Care Appointee)

INFORMATIONAL ITEMS/PRESENTATIONS: *(Please Note: Although informational/presentations items are routinely informational in nature, some informational items may contain request for actions such as support, direction to staff, follow up, or receipt of item based on the presentation/information provided.)* **NONE**

PUBLIC HEARING(s): **NONE**

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

11. Discussion and Consideration of Draft ordinance regarding oversight of the City's acquisition and use of surveillance technology and imposing a ban on certain types of surveillance technology (Responsible Department: Police)

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

12. City Manager-Attorney/City Clerk Reports: (This will be either verbal or written reports provided at or prior to the meeting):
13. 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)
14. Council Communications Received
15. 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

November 1, 2022 City Council Regular Meeting will be adjourned to the Regular City Council Meeting to be held November 15, 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.