

*City Council Meeting Minutes of August 3, 2021*

CITY COUNCIL MEETING MINUTES

MINUTES FOR Meeting of August 3, 2021

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

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

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

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.

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

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

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

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

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

\*\*RE CORONAVIRUS COVID-19\*\*

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

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

Government Code Section 54953.

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

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

*City Council Meeting Minutes of August 3, 2021*

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

CORONAVIRUS DISEASE (COVID-19) ADVISORY

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

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

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

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

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

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

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

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

<b>4:30 pm</b>	<b><u>Convene Special City Council Meeting – Interviews</u></b>
<b><u>CALL TO ORDER:</u></b>	Mayor Glass called the meeting to order at 4:31 pm.
<b><u>ROLL CALL:</u></b>	
<b>Present:</b>	Mayor Una Glass – By video teleconference Vice Mayor Sarah Glade Gurney – By video teleconference Councilmember Neysa Hinton – By video teleconference Councilmember Diana Rich – By video teleconference Councilmember Patrick Slayter – By video teleconference
<b>Absent:</b>	None
<b>Staff:</b>	City Manager/City Attorney Larry McLaughlin

*City Council Meeting Minutes of August 3, 2021*

Assistant City Manager/City Clerk Mary Gourley

**INTERVIEWS:**

The Council conducted the following interviews:

1. **Interview: Zero Waste Committee (Responsible Department: Engineering)**

Student Representative and Alternate  
Commercial Entity Representative (1)  
Citizen Representative (1)

4:30 pm Argus Brent - youth

4:45 pm Jesenia Garcia – youth

**City Council Action: Conducted interviews.**

**Minute Order Number: 2021-179**

2. **Interview: Climate Action Committee (Responsible Department: Planning)**

The City of Sebastopol invites interested persons to volunteer and apply for openings on the Climate Action Committee. The City has openings for the following positions:

- Sebastopol business owner
- Environmental justice/equity background
- Youth

5:00 pm Jesenia Garcia – youth (To be interviewed as part of Zero Waste Interview)

5:15 pm Deborah Burnes

**City Council Action: Conducted interviews.**

**Minute Order Number: 2021-180**

3. **Interview: Public Arts Committee (Responsible Department: Planning)**

Category 1: Active members of a City-based, art focused, registered nonprofit organization, entity or facility.

The recruitment will be to fill the remainder of Mr. Arnold’s term (December 31, 2021).

5:30 pm Barbara Harris

5:45 pm Richard Nichols

**City Council Action: Conducted interviews.**

**Minute Order Number: 2021-181**

**ADJOURNMENT:** Mayor Glass adjourned the special meeting at 6:22 pm.

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

**CALL TO ORDER:** Mayor Glass called the regular meeting to order at 6:41 pm.

**ROLL CALL:**

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

**Absent:** None

**Staff:** City Manager/City Attorney Larry McLaughlin  
Assistant City Manager/City Clerk Mary Gourley  
Administrative Services Director Ana Kwong  
City Engineer Joe Gaffney  
GHD – Toni Bertolero  
Fire Chief Bill Braga  
Planning Director Kari Svanstrom

Acting Chief Ron Nelson  
Public Works Superintendent Dante Del Prete

**SALUTE TO THE FLAG**

**PROCLAMATIONS/PRESENTATIONS: NONE**

**PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Katie, Sebastopol Senior Center, commented as follows:

- I just wanted to let everyone know while you're all here that we are open.
- We have been since early July.
- I invite any of you all to come down, check us out.
- We've got newspapers right now that you can read and classes you can take in-person.
- We are still doing some Zoom classes just to keep things accessible for folks who might not feel comfortable coming in yet.
- We are your Senior Center; so come down, check us out.
- Next Friday, the 13th, we are hosting a pop-up lunch.
- This will be our third one.
- It's been very popular.
- You can get it to go, or you can come meet new people.
- It's open to anyone.
- We're featuring a local restaurant, Sunshine Café; so there will be a soup and salad option.
- Again, it's for anyone regardless of age.
- The one thing is we are requiring vaccinations right now.
- If you bring in your proof of vaccine, you can get in no problem and come enjoy lunch with us.
- We'll have another pop-up lunch at the end of the month.
- Then after that, we just hired a new Food Program Manager, so we're going to start our daily lunches again.
- I'll be back on in a couple of weeks to update you all on that.

Kyle Falbo commented as follows:

- I planned to comment on the continued practice of this Council to regularly spend upwards of 45 minutes per agenda item.
- But on this matter instead, I just want to thank you for the additional 35-minute delay tonight as it gave 27 of us the opportunity to actively engage in our political process in a Zoom breakout room.
- Regularly, I've heard this body speak to the need for increased public engagement.
- We regularly see requests for participation on commissions and boards go unfilled.
- I find this surprising given the combined years of service among our Council that a broad community of practice doesn't surround our Council and staff.
- Tonight, I expect to hear many very engaged members of the public speak; and many have already submitted comment into the public record.
- Unfortunately, these voices will be met with silence.
- Many of Sebastopol's citizens will present tonight for Agenda Item No. 17, which the agenda refers to as an "Informational Presentation." What's unfortunate is that the agenda items makes quite clear that City Council and staff will not respond to public comment on this item.
- If the City truly desires to have an engaged populace, it will take effort from the City to recognize the needs of the engagement.

## *City Council Meeting Minutes of August 3, 2021*

- Tonight's agenda item misses that mark.
- Instead, may I suggest that the Council look to present instead to the public the greater workings of the City including its history and relationships with outside development.
- Relevant topics that could easily allow for dialog could include the process by which the City records and presents materials related to a project, including public comment online, or perhaps a comparison of the City's objective requirements versus subjective guidelines, the City's past, current, and future plans to change these policies so that situations such as tonight's agenda No. 17 will not happen again.
- I'm sure it's difficult to have to reply with statements such as, "legal Council advises us not to comment," or falling on a good old reference to a State mandate on an issue.
- Often, what is more difficult is finding an approach or a narrative that does allow for dialog, that gives space to comment on the specifics of a mandate or does offer a level of transparency that I would hope both the Council and staff will be hoping to bring.

Linda Berg commented as follows:

- Speaking of history, I want to speak about the proposed wireless metering of the water meters and the need for the recall of Smart Meters.
- Both of them use the same frequency, 2.4 GHz, which is the same identical thing that is used with microwave radiation.
- It cooks biological things, you know, including ourselves.
- About the Smart Meters, 10-11 years ago our wonderful former police chief put a \$500 fine on the unwanted placement of Smart Meters.
- That was a great thing.
- Of course, he did it for reason. We had organized and educated him about that.
- Also, at about the same period of time, there was and is a moratorium.
- It's a thing of beauty.
- It's Ordinance No. 1057.
- I suggest you look it up.
- It's a moratorium on Smart Meters.
- We do not need to have any more microwave radiation in this town.
- It's in the General Plan to reduce it.
- We are undergoing a PG&E power grid and extortion right now.
- PG&E is undergoing the third deployment of their Smart Meters without our consent or knowledge, and we need to stop them.
- They can be stopped.
- We've stopped them two other times in this town, and now is the time to recall them all.
- We need to organize and recall these stupid pieces of junk, these dangerous pieces of junk, which should never have been foisted on us in the first place.
- We also need to present and not go along with more wireless radiation in the form of wireless water meter monitoring.
- I ask all the fine, intelligent people who are on this call to look into this and look up Ordinance No. 1057.
- Thanks to everybody for participating in this town.
- You're all above normal.

**STATEMENTS OF CONFLICTS OF INTEREST:**

*City Council Meeting Minutes of August 3, 2021*

Councilmember Slayter stated he had a conflict of interest with Item Number 17 due to proximity and would recuse himself and depart the meeting for that item.

Councilmember Hinton stated she had a conflict of interest with Item Number 17 due to proximity and would recuse herself and depart the meeting for that item.

Mayor Glass discussed the reordering of the agenda due to the lengthy agenda items and length of the interviews.

Vice Mayor Gurney clarified the agenda order as follows: Consent (7-16); Items 17 and 18 and then Item 23 followed by the remainder of the items.

**CONSENT CALENDAR:**

Mayor Glass read the consent calendar.

Mayor Glass questioned if any Councilmember(s) wanted to remove any item(s) from the consent calendar.

Councilmember Rich requested item number 9 be removed from the consent calendar.

Councilmember Hinton questioned if the awardee of the Locals Who Make a Difference will be at the next meeting for presentation. Staff stated that is correct.

Mayor Glass opened for public comment on the consent calendar. There was none.

Mayor Glass called for a motion.

**MOTION:**

Vice Mayor Gurney moved and Councilmember Rich seconded the motion to approve Consent Calendar Item(s) Number(s) 7 through 16 with the exception of Item number 9 which has been moved to the end of the agenda.

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

**VOTE:**

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

Noes: None

Absent: None

Abstain: None

7. Approval of Minutes of the City Council Meeting of July 6, 2021 (Responsible Department: City Administration)

**City Council Action:**

**Minute Order Number: 2021-185**

8. Approval of Minutes of the City Council Meeting of July 20, 2021 (Responsible Department: City Administration)

**City Council Action:**

**Minute Order Number: 2021-186**

9. Approval of Memorandum of Understanding (Agreement) with West County Community Services (WCCS) to provide Homeless Outreach services in Greater Sebastopol for the term 07/01/2021 to 06/30/2022 (Responsible Department: City Administration)

**City Council Action:**

**Minute Order Number: 2021-187**

10. Authorize the City Manager to Establish and Approve the New Classification, Classification Specification, And Amendment to the Pay Rates and Ranges for Administrative Technician, And

*City Council Meeting Minutes of August 3, 2021*

the Revised Classification Specification for Junior Accountant And Authorize City Manager to sign an amendment to the Memorandum of Understanding between the Service Employee's International Union (SEIU) and the City to add the classification of Administrative Technician, Effective September 1, 2021 (Responsible Department: Administrative Services)

**City Council Action:**

**Minute Order Number: 2021-188**

**Resolution Number: 6365-2021**

11. Receipt of Annual Performance Report on Sanitary Sewer System (Responsible Department: Public Works Superintendent)

**City Council Action:**

**Minute Order Number: 2021-189**

12. Approval of Extension of Emergency Proclamation of Local Emergency (COVID-19) issued by the Director of Emergency Services (Responsible Department: Fire Chief)

**City Council Action:**

**Minute Order Number: 2021-190**

**Resolution Number: 6366-2021**

13. Approval of Amendment and Novation Agreement and Authorization to Examine Sales and Use Tax Records from the California Department of Tax and Fee Administration (Responsible Department: Administrative Services)

**City Council Action:**

**Minute Order Number: 2021-191**

**Resolution Number: 6367-2021**

14. Approval of Subcommittee Recommendation of the "Locals Who Make a Difference" Recognition Program Honoree (Responsible Department: City Council Sub-Committee/Public Works Department)

**City Council Action:**

**Minute Order Number: 2021-192**

15. Approval of Consultant and Authorization to Execute Contract for Housing Element Update and Approve Budget Adjustment from and adopted budget of \$60,000 to revised budget of \$81,400 from General Plan Update Fund. (Responsible Department: Planning)

**City Council Action:**

**Minute Order Number: 2021-193**

**Resolution Number: 6368-2021**

16. Approval of Award of Contract for City Beautification Project/Landscaping Services (Responsible Department: Public Works)

**City Council Action:**

**Minute Order Number: 2021-194**

**Resolution Number: 6369-2021**

Mayor Glass made the following remarks:

- We are now on to Informational Items and Presentations and Item No. 17, which is an informational presentation regarding the development application process for the project that is entitled "Woodmark." I would once again like to say something partially in response to a public comment and partially just so that the public understands what our process is.
- When we become City Councilmembers, one of the things as part of our oath of office is to become a semi-judicial body when we consider land use applications, when we consider land use issues.

## *City Council Meeting Minutes of August 3, 2021*

- One of the things that we are told, not only by our attorney, but we are told in our ethics training, and we are told in our How to be a City Councilmember training is if we express a predisposed opinion about any particular land use matter where we are sitting in judgment of that, then we have excluded ourselves, we have prejudiced ourselves, announced our prejudice; and therefore we cannot participate in the decision-making process.
- Please do not expect any judgment or expression in either direction from any of us on the City Council because if we were to do so, we would have to exclude ourselves from any future judgment-making process.
- I remember very distinctly in my ethics training, one of the examples was a particular project that was somewhere in the Los Angeles Hills, where a City Councilmember expressed an opinion and a particular development went forward and there was a lawsuit; and then their vote was thrown out because they had expressed an opinion prior to the judicial and decision-making process.
- I want everybody to understand that is what we're doing here.
- It is very important to our entire City Council that everybody in the public understands what the process is and where we stand with that process so that you can engage with that process effectively and as much as possible to give us input and to be effective with what your interests are regarding this process.
- I don't want anyone to think that we don't care about your issues, but I do want you to understand what our role is in this process.
- Why we are having this update here today is so that you all will be up-to-date with where we are in this process and so you will also have permission to engage in this process effectively.
- I just had to do that little disclaimer first, and it is not only our City Attorney, it is from the State of California. This is a requirement for what we do.

Councilmember Slayter commented as follows:

- That was regarding a legal action that was happening in Petaluma.
- Councilmember Slayter recused himself and departed the meeting.

Councilmember Hinton recused herself and departed the meeting.

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

17. Informational Presentation – Development Application Process (Woodmark) (Responsible Department: Planning)

Planning Director Svanstrom presented the informational item on the process and requirements of Senate Bill 35 which created a Streamlined Approval Process for Affordable Housing Projects. The substance of this presentation is to outline the SB-35 process, as well as provide a status update on where the proposed “Woodmark” project at 7716/7760 Bodega Avenue is in this SB-35 process. The project itself will not be discussed and the City Council cannot respond to comments or questions about the Woodmark Project in the event the project were to come before the City Council in the future.

Director Svanstrom introduced the following:



## *City Council Meeting Minutes of August 3, 2021*

- We have Alex Mog from Meyers Nave, the City's outside counsel and they have been helping us navigate the SB-35 process, making sure we're dotting all our "i's"/crossing all our "t's," and working on the City's behalf.
- We also have David Hogan, who is the Contract Planner, who is processing the project and the details of the project.
- Many of you saw or read his review for the formal application for Woodmark, which was withdrawn when they submitted their Intent to Submit through SB-35.
- We do also have, unintentionally, Steve Weinberger from W-Trans, who is the Traffic Consultant.
- He's actually here for Item No. 23, but he has reviewed the various public comments regarding traffic.
- Although we're not discussing the project, I did want you all to know that he is also working on the project on the City's behalf and is aware of your comments.

Mr. Mog made a presentation to the City Council and public.

Mayor Glass opened for questions/comments of staff and/or presenter.

Councilmember Rich commented as follows:

- If we look at the flow chart that was attached to the agenda item, I see that we're going through the process that involves the tribal organizations.
- The other part of it is the City reviewing the applicant-provided information and making a determination about whether the project meets the criteria for the SB-35 process.
- Has that determination been made?

Director Svanstrom commented as follows:

- That determination has not yet been made.
- The City has 60 days after formal application to make that determination.

Councilmember Rich commented as follows:

- Waiting until after tribal response information?
- After that will the determination be made?

Director Svanstrom commented as follows:

- We have gotten a number of comments from the public regarding potential eligibility items.
- We have reviewed those and done our due diligence on that.
- We will have a follow-up with applicants as well as our own follow-up.
- As Mr. Mog noted, there are certain historic structures that need to be on an adopted State historic register for those structures, those types of things.
- The State has certain criteria that we need to judge those against.

Councilmember Rich commented as follows:

- Are you able to respond to those inquiries that are made of you, of the planning department, regarding this project, and can you confirm that you are, in fact, pursuing those concerns that are expressed, to take them into consideration and investigate them to the extent they affect the final decision about the SB-35 process?

*City Council Meeting Minutes of August 3, 2021*

Director Svanstrom commented yes, we certainly are responding to questions about the different eligibility factors that we've gotten from the public.

Councilmember Rich commented are you tracking those to take them into consideration in the final decision?

Director Svanstrom commented in our eligibility review, yes.

Mayor Glass opened for public comment.

Janis Dolnick commented as follows:

- Read a prepared statement.
- I had planned to talk about the need for a smart traffic signal at the Bodega, Robinson Road, and Bears Meadow juncture if the Woodmark project is approved.
- It has come to my attention that I made an error in my letter of July 26th in which I asked you to remember that 11,000 tons of soil will be removed from the parcels on which the Woodmark project is planned.
- I was reminded it is actually 11,000 cubic yards, not tons.
- How many tons of soil is that?
- 16,500.
- The DRB minutes of November 19th, 2020, note that in all likelihood, each truck removing the soil will hold 10 cubic yards.
- That means there will be at least 1,100 truckloads exiting on down Bodega Avenue to take the soil away.
- Trucks coming and 1,100 trucks leaving.
- Bodega Avenue will be beaten to death.
- If the trucks try to use Robinson Road to Leland and go onto Jewell, those streets will be beaten to death.
- Therefore the City must require compensation for the damage done to our public roads in the service of their private project.
- I want you to address this and remedy it.
- In addition, the Bears Meadow HOA easement driveway, used now by approximately 54 cars plus assorted others, will be about 26% of the new total number of cars and assorted others using the driveway.
- 151 parking spaces are planned at Woodmark.
- Every few years, we repave our driveway, the easement.
- I want to know if 74% of the cost of repaving our easement will be paid by Pacific West Communities.
- I want you to address this and remedy it.
- The developer will do anything to get their project approved and under way.
- They will exploit, and I am sure already are exploiting any loopholes they can find.
- At this point, I am coming to believe that we have been defeated before we even knew the project, ours hands tied by laws, requirements implemented at cross-purposes with local control.

Tiffany Lucas commented as follows:

## *City Council Meeting Minutes of August 3, 2021*

- As it was just mentioned about the amount of soil being removed for this project, and the amount of destruction it will do to Bodega Avenue as mentioned earlier, I have also heard that road repairs were going to be done to Bodega Avenue.
- I was curious if this road work is going to be done before or after this project is completed and if the developer will be handling the cost.
- There is also a very tall retaining wall being proposed on this project.
- I have significant concerns with the depth and the amount of damage that it will do to the neighboring trees.
- I have written to the City and the Planning Department about a Washington State law that does protect neighboring trees, that does state clearly that nothing can be done on a private property knowing that it could cause damage to neighboring trees.
- I want to understand how the City will protect the trees neighboring this property.
- I also would like to understand if the retaining wall heights are a part of the objective standards, if not, why?
- Pedestrian safety; traffic on surrounding residential streets will increase, impacting pedestrians of all ages who walk into town and schools nearby.
- These streets will be dangerous on Bodega, Washington, Leland, Robinson, Dutton, and Nelson, which lack continuous sidewalks.
- Many of these streets have been identified and promoted by the City as walking streets and routes to school for children to access between the campuses near this project.
- I would like to understand how the City will be adding sidewalks to this project, if approved, or will the developer be responsible?

Sandy Tate commented as follows:

- I live at Burbank Heights & Orchards.
- As somebody who has stopped driving and walks a lot, the nightmare of getting into town from Burbank Heights is not to be believed.
- It's going to be just crazy with dirt and dust and no way to get down there that's clean.
- My biggest problem is having evacuated a couple of years ago and realized what that entails, adding extra gridlock with the Woodmark project terrifies me.
- I think it could mean the difference between catastrophic loss of life and the way we got out last time.
- It took us 3 1/2 hours to reach highway 116.
- I think with that extra gridlock, with the apartments, with the cars, with the people, there could be deaths that otherwise could have been avoided.

Renee Kramer commented as follows:

- It's too long, I have to take things off as I go.
- I've lived in Sebastopol for 39 years, 21 years at Bears Meadow which is next door to the project.
- I'm in the back next to the apple orchard and at the top of the hill that they plan to shave off.
- I'm quite apprehensive that this proposal, as they have planned it, would jeopardize the trees on the neighboring properties and the stability of the building I live in, which has 10 units, and possibly the other building that goes along the front part of the orchard as well.
- I have some information from the civil engineer regarding that.
- With the proximity of the proposed development's grading and site modifications, including construction of the retaining wall, I'm concerned about the possible adverse impacts to my

property and the other buildings in Bears Meadow in relation to the height, material, and construction of the proposed soldier piling retaining wall.

- Considering the tall height of the wall, I'm concerned that it be designed with sufficient strength to withstand the immense soil pressure resulting from its height in order to protect buildings on the adjoining land, especially after rain.
- It's critical that adequate drainage be provided in the wall design to protect its stability.
- It's also my understanding that the soldier piles, which I didn't know what they were, they're the H-steel things they put in to make the retaining wall stay in place, they can get corroded from the soil.
- That happened in Santa Rosa and that makes the retaining wall unstable.
- The civil engineer thinks that we need a geotechnical analysis on the soil corrosivity on the site and any resulting wall design modifications are requested to ensure the long-term viability of the "steel wall".
- Also, when they drive the piles into the ground, these big metal H's that they drive into the ground to put the cement there for the retaining wall, vibrations could impact the structural viability of our buildings.
- To address these concerns, I would request that the developer be required to document the condition of my unit and the other buildings, the structure and the foundation adjoining the development, in order to establish pre-existing conditions and be ready to address any adverse impacts resulting from the construction of the wall.
- It may also be prudent to require that a geotechnical engineer be on site during the insulation of the wall to ensure that all the required design elements of construction are carried out appropriately.

Roderick Elton commented as follows:

- I did write something in December 2019, and I'd like to read it if that's possible.
- Focusing on the following main points of concern relating to the negative impact of this development.
- Due to extreme high-density, if the number can reach 83 units of mixed three- and two- bedroom units, realistically there will be 200+ people.
- In reality, this number is only one person per room, but we know there will be more.
- Traffic-specific concerns.
- The volume of vehicles associated with the cars.
- Lack of ability to turn eastbound safely on Bodega, causing traffic to turn westbound and drive through residential streets to avoid long lines heading eastbound on Bodega Avenue.
- The curve on Bodega inhibits safe pullouts.
- School proximity with concerns of additional increased traffic on Washington Avenue and nearby streets.
- Elderly as well as those young enough to be walking, and baby strollers are common, as are dog walkers who often enjoy the quiet neighborhood streets in Sebastopol.
- This traffic increase will impact all side streets which are already being used to avoid shortcuts.
- I do live at Washington and Murray.
- This traffic needs to be recognized as these specific areas are a mind curve.
- There's a school and there's the highway and the nearest traffic signals are substantially far away from that location.
- Another concern is the trees, birds, and animals, and the adverse environmental effects.
- Habitats will be lost by the cutting down of these trees and the reshaping of this land.

## *City Council Meeting Minutes of August 3, 2021*

- Another issue that has been brought up by others is the land management, including water focus.
- The proposed retaining walls and the affected soil displacement and drainage, effects on surrounding properties, which would include mine.
- The impact of so much surface created by the possibly inorganic materials blanketing the area, prohibiting the historic and natural seeping of rain into the Earth and water table.
- This mass covered surface is dynamic and could possibly lead to flooding in surrounding areas when the proposed development sheds water.
- This water that would contribute to the water table and may be lost to storm drains or adversely impacting the structural integrity of surrounding properties is a concern.
- What is the impact of soil erosion, especially facing heavier and more prolonged rains and sandwiched between droughts?
- There appears to be little green space which exacerbates the issues above.
- The parking issue, the allotment of parking.
- Local events take place often at parks.
- Overflow parking reaches into this area.
- The ability for community members to attend festivals that make this town wonderful will have nowhere to park, will all be parking there, using this parking location.
- Aesthetics.
- The building's design does not match the character of Sebastopol, it is reminiscent of a prison, and bland governmental buildings.
- Three-story multiple units stacked on top of each other make lower ceilings and feelings of little space.
- Question about the absentee landlords.
- How does this business venture help Sebastopol?
- Who really benefits from the sudden and dense populating?
- What are the long-term costs for the community?
- Does this have a vested interest in our local community?
- Less than 30% of the subsidized housing exists outside the metropolitan areas.
- Often support services go hand in hand and do not invest in the city, therefore, if we already have four low-income housing apartment communities offering 405 affordable apartments to rent in Sebastopol, and we're featuring 276 low-income apartments with rental assistance, if they are going to go to 20%, are we close to that threshold?
- Will they come underneath that threshold?

Marcia Levine commented as follows:

- It's not overly dramatic to say this development will be devastating for the city of Sebastopol.
- It is not just the additional 152 cars parked on the site and driving in and out of town, nor the removal and moving of 14,000 cubic yards of soil requiring 750 to 1,100 trucks in and out on Bodega, nor the two- or three-year construction period proposed, nor the killing and removal of virtually all of the numbered trees on the site and neighboring properties, nor the safety of pedestrians, seniors, and children who walk on neighboring streets without continuous sidewalks, it is all of it.
- The developer's plan packs the site with approximately 90% of hardscape.
- Perimeter parking, driveways, buildings, et cetera, and roof overhangs, by removing all the native soil.
- Thankfully, Sebastopol does have depth of standards in place.
- Not enough, but a few.

## *City Council Meeting Minutes of August 3, 2021*

- The City has a tree ordinance to protect not only heritage trees, but all the native noninvasive trees of a certain size.
- It must be invoked.
- We and our neighbor have historic heritage oaks that are 45 to 60 feet high.
- They will be destroyed by the developer's proposed retaining walls.
- I sent you drawings.
- We are not alone.
- Most trees on properties neighboring Woodmark will eventually die by having their roots cut away for retaining walls put five foot to ten feet away.
- Almost all the trees that will be destroyed on neighboring properties will be for parking cars on the development.
- There will be enormous pressure on each of you and the City to roll over and let this development proceed as drawn.
- You know the developer Pacific West Communities is based out of Eagle, Idaho, the largest developer of affordable housing in the state of California.
- They are for-profit.
- They plan to build on the property because it gives them many, many millions in tax credits and subsidies for at least 10 years.
- They are well connected.
- They know every angle.
- However, in opposing Woodmark, Sebastopol and the City Council can and will have us, the community, on its side.
- Currently, the neighbors, seniors, working people, and parents with children to protect have opposed this development since late 2019.
- We are invested and are a relatively small group.
- We have tried to be good citizens.
- We need your protection and support.
- We will, I promise you, get the word out.
- Woodmark threatens every person that walks nearby and drives or bikes past it on Bodega Avenue.
- More people and experience and skills will step up to resist this for-profit development.

Julienne commented as follows:

- I'm very concerned about pedestrian safety with this many not being able to turn west on Bodega, coming around on Nelson, and you know, cornering my lot.
- I have to say, during the pandemic, I watched 13 people walk by within two minutes.
- There are a lot of pedestrians.
- A lot of children.
- A lot of cars.
- We just don't need more.
- The traffic is a problem.
- Overflow parking will be a problem.
- Where are they going to park on Nelson?
- Nelson barely has a lane for people to drive down with the parking.
- There's not even a full sidewalk on one side.
- I'm worried about overflow parking.

*City Council Meeting Minutes of August 3, 2021*

- I'm worried about the geological impact.
- I can't remember who spoke about it, but flow lines.
- Construction companies are taking up that much soil, really?
- These walls, that's just crazy stuff.
- Then this historical structure, like the heritage trees, that bothers me a lot.
- We're in fire season, we don't need our trees collapsing around us.
- I just think it's not right.
- I just wonder with SB-35, these are discrepancy impacts?
- Those aren't being addressed because of the heritage?
- This is the first time I've listened in on this, and I don't know, Mr. Mog, maybe you can answer to that?
- Those respect being considered, these discrepancy impacts.
- I don't understand that.
- That just seems like they're going to do this and we're not going to be able to say anything about it.
- That's all I have to say.
- I'm pretty young in this game.
- I am concerned, quite concerned.

Beth Hartman commented as follows:

- Yes, my concerns are many.
- I'm hoping that the City is able to enforce its objective standards regarding heritage trees on the site and protecting any heritage trees on neighboring property.
- Another objective standard, I hope that the City has and is able to enforce is impermeable material, which is going to be covering the majority of that property, and is it possible to have permeable material instead?
- I think we all understand the reasons for that.
- My third concern is adequate sidewalks, considering the increased traffic.
- It just sounds awful to me, and it's just accidents waiting to happen.
- Children walking around.
- It's really scary.

Tamika Kimbro commented as follows:

- I live on Washington, and I'm opposed to this project.
- I have two concerns, the health and safety of my kids, and the health of the heritage trees that are on my property and my neighbor's property.
- I have two kids who are school age who will be walking to school shortly, and I do think their safety is jeopardized with all the increased traffic.
- I have beautiful oaks in the backyard, and I'm very concerned about the health of those trees as well.
- I really hope that a more appropriate project can be found for this really special lot.
- I feel like this development, as it's proposed, does not at all fit the site along with causing safety concerns.

Cynthia Stefenoni commented as follows:

- I was born here in 1949.

## *City Council Meeting Minutes of August 3, 2021*

- When I was born here, there was no Stefenoni Court, and nothing on Nelson Way but a tree farm and some homes.
- Most of the homes I see now in Sebastopol have been bought within the last 40 years and made into much bigger homes than when I was growing up.
- All of that says to me, I watch trees get pulled out, my own father, I watched him have to put in a sidewalk.
- Having said all that, and cried my way through many things, homes that probably some of you live in that you wouldn't have to live in if we didn't have development in Sebastopol.
- I'm still against this project for all the reasons everyone has said, but most for me, most importantly is the overflow traffic, with a maximum of one car for 84 units, you can bet there will be an additional 84 to 100 cars parked on the streets of Sebastopol, mostly within that area, the Washington, Nelson Way, Virginia Avenue area.
- If we add sidewalks for pedestrians, we narrow the street.
- If we don't add sidewalks for pedestrians, we hit the pedestrians.
- It's just not a good use, and yet it is not up to the City Council, who doesn't own that land, to decide who is going to get to buy it.
- It is, however, I think up to all of us to weigh in and do our best to have the best thing put there for the good of Sebastopol.

Kyle Falbo commented as follows:

- I appreciate the mayor's details on the inability to speak on the project.
- I would like to remind the Council and staff that there's an entire realm of related topics that would be meaningful and open to a less restrictive discussion.
- More general topics of the objective policy versus the subjective guidelines related to the developments of this type.
- Plans the City has to make to the more subjective guidelines just thwart developers looking to take advantage of this part of SB-35.
- Many comments reference the need to have an independent traffic study and it would seem appropriate and not project specific to discuss the City's process for projects in general.
- How often does the City utilize the same company to acquire its traffic studies, or is there an open bid process?
- Many public comments concern neighboring properties.
- It seems quite appropriate, and not project specific enough to discuss the way the City addresses concerns about heritage trees and how the City utilizes the use of an arborist.
- Does the City subcontract this work out?
- The point is, yes, we fully recognize the inability for the City to speak on a specific proposed project.
- But with as much public interest and a whole spectrum of issues related to housing projects taking advantage of the SB-35 process, it would be my hope that the full spectrum of these issues could be addressed by the City in a more open manner.
- Mr. Mog made reference to the ability of State legislatures to make changes based on feedback from cities.
- An important question is, with the vast combined years of institutional knowledge of our City staff and Council, and I assume access at the State level, what, if any, discussions with State legislators have taken place?
- Mr. Mog stated the City may require a maximum of one parking space per unit.



## *City Council Meeting Minutes of August 3, 2021*

- I shouldn't have to remind this body the regular reference to traffic, safety, and environmental concerns.
- Again, even to dodge the specific proposed project, can this Council commit to discussing the intent to abandon the vehicular central housing and embrace our public bicycle and pedestrian transportation networks that we so frequently mention in our General Plan?

Chet commented as follows:

- I'm strongly against this development.
- Some of the things that happened tonight were disconcerting to me.
- I felt the City Council was a representative body.
- This developer, and we've heard about this developer, plans to put a development in the worst possible place they could have put it, on Bodega with one lane coming, one lane going, and we'll have parking for that community in that spot.
- I live on Washington across from Park Side Elementary.
- I can tell you, the traffic on Park Side is horrendous when school is in progress.
- When school is not in progress, people cut across from Bodega to 116, or into town in all directions all the time.
- It's hazardous.
- It's dangerous.
- There's lots of children walking around, and there are no sidewalks, or very few sidewalks for people to walk on.
- There's other things I wanted to say.
- It's just overwhelming to me.
- Why doesn't the community know what's going on?
- We have a nice representative group who live nearby the development.
- Why hasn't the Council let the whole community know it's going to devastate Sebastopol, this development?
- If there's a fire, people are not getting out of town.
- I live on Washington now, and often times the traffic is backed up from the 116 all the way almost to Pleasant Hill.
- You know what this development is going to do, and how it's dangerous, it's ill-conceived, it's inappropriate, and I can't believe that the Council's hands are so tied that they're going to hire a lawyer and tell you all the reasons you can't do it.
- I would like to see some leadership from the Council and mayor, rather than starting off with what we can't do.
- We can't do this or that and they're going to get their way.
- It's dangerous.
- It's going to devastate our community and no one in town knows about it.
- I asked people about it.
- Where is the Council?
- At least can you communicate with the rest of Sebastopol what's going to happen to this community if that's put over there?
- You're going to put an empire state building on a little lot and kill all the trees and devastate the community and you're going to let them.
- I'm angry and worried about it.
- I worry about the children walking on the streets of this town.

Catherine Murray commented as follows:

- I would just like to piggyback on what the previous person was saying.
- I believe that if it were not just those residents who own property in the local area and required to be notified of this development, if the community actually knew what was going on, you would have hundreds, if not thousands of people attending this meeting.
- We have a good turnout, but it would be much more, and I think the part of what motivates it is what I keep hearing from the City, is that you're doing what you're supposed to do.
- Crossing your "t's" and dotting your "i's".
- You're not listening to us.
- I feel like there's a motivation that is fear-based, and that is afraid to stand up for what the community needs.
- There is not a single person present at this meeting that wants this development, and I don't believe there's a single person on the City Council that wants this to happen.
- It feels like there's a fear of doing it wrong, of being inappropriate or politically incorrect.
- It's censoring and limiting the actions that are being taken.
- I feel like the tribes may have some ground to stand on to speak up for their right, but what about our rights as a community?
- Who is speaking up for them?
- The silence that comes from these meetings, and the lack of comments and responses leaves me feeling like is anybody really listening?
- Our comments, are they making a difference?
- I also want to make a comment that with regard to the agricultural workers that will be living here.
- Farm workers drive long distances and almost always crowd a lot of people in.
- A two-bedroom apartment will have at least six people living in there.
- There's going to be so many more cars than if it wasn't agricultural workers.
- Where are they going to park?
- Only a fraction will park on the paved lot of the development.
- The rest are going to overflow into the community and overwhelm the side streets.
- I know, I own property on Vine and where do we have to park in the community because there is not enough?
- This is going to be a thousand times worse.
- I want to know, what is the City going to do to require that the developer only allow a certain number of residents.
- If it's a two-bedroom, that feels like an important thing to be doing.
- I really implore that fear is not what drives your actions, but really the best interest of this community.
- The heart and soul of this community, and your heart and soul.
- That is what drives the choices that you make in this decision making process.

Charles Levine commented as follows:

- I would like to give you a few quotes from the Sebastopol Design Review Board meeting, which were held, over a year ago, probably.
- The president and CEO of Pacific West Communities was present at that.
- He was asked a couple of questions related to property.

## *City Council Meeting Minutes of August 3, 2021*

- One of them was, "this lot seems challenging for what your business model is, and I am just really curious, what is it about the lot that fits your project?"
- He responded, "like anything, it's the availability, what is the price, the zoning, what is all the iterations you go through? What are the utilities? What is the process to get approved? We want to try to find the flattest site we can. We do recognize fully that this site has its challenges. I will be the first to tell you."
- This involves extensive grading, pushing the highest elevations down the hill, trucking out 11,000 cubic areas of soil and using the remaining to build up a plateau among the Bodega Avenue side of the project.
- The grading will involve cuts on the north, east, and west boundaries that will sever trees, and conceivably affect their health and longevity.
- Retaining walls reaching up to 19 feet in height will be required to be cut.
- It's also apparent in his response that he wanted to be inside the city limits with the services available, water, sewer, police, et cetera.
- Another odd aspect of this choice is the proposed project doesn't fit the low income housing needs of the city.
- Some of the funding comes from the depth of agriculture.
- This imposes strict restrictions, that 60% must be rented to agriculture workers.
- There's an only remaining 33% of units available to workers in other disciplines.
- The recent survey reported that less than 7% actually work in Sebastopol.
- 60% or more of the occupants will be driving further to places of work.
- About 100 extra cars or more, increasing the traffic small, pollution, and hazards associated with it.
- We have the wrong developer in the wrong town on the wrong lot for the wrong reasons, and it should be three strikes and you're out.
- We should encourage him to go away.
- Another really annoying aspect of this project is that we, the taxpayers of this country, are helping to fund it through our Federal, State and local taxes.

Roberta Llewellyn commented as follows:

- All this talk on the amount of dirt being taken away right across the street from where I live at Burbank Heights & Orchards really raised for me my sense of fear in terms of my own personal health with asthma, and the number of residents, elders, and so on who live in this community, who are subject to respiratory asthma issues.
- That number of trucks driving in and out daily, this is a disaster waiting to happen.
- We witnessed on the news recently, I think it was called Surfside, whatever that huge complex in Florida that collapsed.
- This is a collapsible project because of all the danger to the community.
- Environmentally, and in so many other ways, the heritage trees were mentioned.
- I was shocked to learn about the amount of dirt that was going to be hauled away.
- I would really like to acknowledge the people who have done the research and brought it forward.
- I'm bringing forward my health issue, which is one that really cannot be pushed under the rug.
- We need to really address this.
- I think we need to rise to the occasion and publicize this.
- Peter Coyote lives in the town of Sebastopol.
- Maybe he can help us with a phone.

## *City Council Meeting Minutes of August 3, 2021*

- We can do something and stop this.
- That's what I need to say.
- I hope other people are feeling the passion, I feel it.
- I think there's something we need to do beyond the City Council.
- Thank you.

Patty Hiller commented as follows:

- I live at Burbank and I don't know what I can say that has not already been said.
- This is such a disaster for us here.
- In so many ways, whether it's the petrochemical fields coming into our windows, or the buildings that are right on the highway.
- Whether it's for the seniors who are trying to be active for as long as they can.
- They walk the streets, they walk Nelson, Virginia, and Robinson.
- They're out there walking in the place that has no continuous sidewalks.
- Our neighbors are careful.
- They know there are seniors here.
- They drive slowly.
- They look out for us.
- Add a couple hundred extra cars and I wonder how many extra accidents there will be for seniors.
- We have a HAWK here because two of our residents got run over out there.
- Even since we got the HAWK, there is still some blindness and there have been several really close calls.
- That's only going to get worse.
- In evacuations, we will not be able to get out of here.
- It was hard enough the last time.
- It will be impossible with all the extra cars.
- For us, it just seems like an unmitigated disaster.
- I understand if they get SB-35, there isn't a single thing that can be done.
- Our whole neighborhood, our whole senior community of 200 people, will be sacrificed for these people to make a lot of money.
- That is really sad for me.

Jacque Lafleur commented as follows:

- We talked about the neighborhood as the sort of critical piece in this mess.
- We are the next-door neighbors at 7720.
- We have 27 families living here.
- We share a 388-foot cabin boundary, and we share our driveway.
- We share a retaining wall at the driveway, it is coming in off the street.
- All of this is up for grabs at this point.
- The last memo I sent to Mr. Hogan before when Woodmark changed their tactic, had several questions in terms of how to deal with our common property line.
- I need to take some votes on the property here and see how many owners agree with this.
- One is that they will not change the grade line at our boundary.
- We are on impacted sand here. This is not just dirt, and it has got a lot of movement to it.
- Currently, our unit number one is going to be very vulnerable.
- One and probably two, which are up by the driveway up front.

## *City Council Meeting Minutes of August 3, 2021*

- One is not to change the level of the land along the property line.
- The other one is to make sure that we have mutual agreement on how they're going to deal with our property easement, so we get on and off the highway.
- We had just installed about \$10,000 worth of new landscaping and irrigation up front and they can cut into that if they so choose.
- There are a lot of personal decisions to make.
- They will park in our place first.
- They will use up our parking places.
- There's no place to park there.
- There's no place to park down Robinson Road all the way and past Two Acre Wood.
- I don't know where those cars will go after the first 150.
- Those are some of the issues.
- How can we have a dialogue with Pacific West Communities?
- Do we go through the City, or will we go directly to talk with them about what to do about these issues?
- That's just small stuff.
- We have at least six small children flying around this project now.
- We'll live through it, but I don't like it.

Redwing Keyssar commented as follows:

- I live next door and I also have most of the same concerns that everyone has spoken up about this evening.
- Particularly the completely inadequate traffic study that was done in the midst of the COVID pandemic which was not redone as far as we can tell.
- The fact that an Environmental Impact Report is not even required of a project that we know is going to have a huge environmental impact, it's just absurd, if not unethical.
- We live in a world where the environment is being impacted every day and is about to destroy our entire planet.
- You need to take that step back and think globally but act locally.
- Take into account the environment in your neighborhood.
- You live here, too.
- It could be decimated.
- People live in a place like Sebastopol for the nature around them, and for the nature of the people they live with and the community.
- You are the elected and appointed officials who are there to represent your constituency, to protect and take care of the needs of your people.
- Not the corporate interests, a greedy corporation who have nothing to do, even with California, no less Sonoma County.
- Their profits aren't going to help come back and sustain our communities.
- We need you to really hear what people are saying.
- As someone said, make it known in the broader sense in this community, what the issues are at hand here.
- We need you to take some responsibility for your role in standing up to these corporate interests.

Marjorie Blair commented as follows:

## *City Council Meeting Minutes of August 3, 2021*

- I also live in Burbank Heights & Orchards, and I was very struck by the limitations in this SB-35 in terms of consideration.
- I wonder what about consideration of safety in the community.
- It's clearly going to be problematic with this construction.
- I will be pushing a walker shortly and I walk in the neighborhood a lot.
- I can't imagine what it's going to be like with all the extra cars.
- Is this not a really serious consideration along with the traffic situation, which will be disastrous?
- I add my voice to how can this be addressed in a way that it really needs to be addressed and be considered with this project?
- It feels dangerous and it feels complicated in terms of traffic and getting in and out of here and serving the local community.

City staff and outside counsel responded to comments as follows:

### Easement:

Mr. Mog commented as follows:

- I don't know the specifics of this particular easement.
- In general, those are issues between the two property owners if there's a shared easement and whether the easement itself will dictate it.
- That's all set forth in the easement document itself.
- But generally, that issue would be between property owners.
- For this specific one, this is a nonexclusive easement on the property for the use, and I can note that the Woodmark project is proposing to redo up to the property line and utilize the same entry.
- They would be responsible for all the initial improvements on that site.
- They wouldn't be allowed to construct anything that would restrict the use of the easement, but they could pave something that was not previously paved.
- A nonexclusive easement doesn't prevent anyone else, including the property owner, from using that easement area, as well.

### Trees:

Mr. Mog commented as follows:

- There are a number of questions about the trees on the site and adjoining properties.
- The City of Sebastopol does have a tree ordinance, which is in our Municipal Code, and the project will be subject to that.
- There is a tree ordinance and a tree removal permit would be required.
- The ordinance has standards, and this project would need to meet those standards in order to qualify for a permit.
- That's something the City is able to enforce.
- We can't evaluate whether or not any particular tree would meet those standards until we get an application from a developer that is able to show exactly which tree it is.

### How the city handles the studies from a developer:

Director Svanstrom commented as follows:

- The City does retain our own consultants and we have a couple different city arborists that we utilize, including for major projects like this.
- They've done an initial site visit.

## *City Council Meeting Minutes of August 3, 2021*

- They will be doing their own review of the various trees.
- We have let our arborists know about the comments we have gotten, such as the property line trees on the north side, all around the property that may be affected, they will be looking very closely at that as we go through the process.

### Retaining Wall:

Director Svanstrom commented as follows:

- We'll go into the retaining and grading and those types of questions.
- We do have the city engineer that we asked to be here tonight.
- We do have standards regarding natural grade and height of retaining walls if someone is building up a retaining wall within a setback, so this project would be subject to that.
- We do not have adopted standards in terms of maximum height of retaining walls outside setbacks.
- Those were suggestions and recommendations from the Design Review Board, and are a discretionary process. Those would not apply.
- Again, in terms of retaining walls near property lines, those are going to be within a setback, and they will be subject to our zoning requirements for that.

City Engineer Joe Gaffney commented as follows:

- There have been a couple of different versions of the grading plan.
- The first one the developer presented was totally unacceptable.
- There were major cuts on the north end of the property, and major filling on the south end, so that he could have a relatively flat site in the middle.
- We completely rejected that, and he has made revisions to the plan that reduced the cuts in the back and the fill in the front and stair steps the project down the side of the hill.
- There's still an area in the back corner, up in the northwest corner, where there's a retaining wall, I think the maximum height is about nine foot as one of the presenters here talked about.
- That's in order to protect a tree on adjacent property.
- That could imperil the roots. That's the worst part.
- The majority of the retaining walls were ordered to step down.
- As far as the impacts from the grading, yes, there will be dirt removed from the site.
- We don't yet have a final quantity on that because the design has not yet been finalized, but one of the items that will be part of the approval of a final grading plan will be a haul route for the trucks entering and leaving the property.
- No one is going to go around this, no one is going to go around Nelson.
- We're going to focus the traffic on Bodega Avenue because that's where the truck traffic belongs.
- Yes, there will be a lot of trucks. That's unavoidable on a site like this.
- There will be trucks bringing in construction materials during the building process. That's just unavoidable.
- The drainage is being studied.
- It will be required to comply with the City's Low Impact Development drainage standards, which requires capturing and absorbing as much storm water on the site as possible.
- The amounts of storm water will flow to the storm drain that's currently in Bodega Avenue, which has been shown to have the capacity to deal with the project.
- Flooding should not be an issue on this.
- The developer is also going to rebuild the sidewalk across his Bodega frontage.
- Right now, it's three or four feet above the curb on Bodega.

## *City Council Meeting Minutes of August 3, 2021*

- That will be revolved and a new sidewalk can be built.
- There will not be any parking allowed on Bodega Avenue.
- It's going to be a bike lane there as part of the City's project to build bike lanes on Bodega to downtown.
- I think that was the majority of the issues unless there's some questions from Council.

Mayor Glass commented as follows:

- Discussed the interface between our planned improvements and safety improvements for Bodega highway, and the interface of that with these changes to the property.
- This may be a question for our attorney, how did those things interface?
- If we're in the middle of doing these big safety improvements, but then there's trucks coming in, what happens?

City Engineer Gaffney commented as follows:

- Like I said, in our approval of the grading plan, we can control the haul route for the majority of the trucks coming in and out of the site.
- Currently, our phase one project will go from High Street out to Nelson or Washington, I forget.
- Except for some sidewalk grants, the work is going to be just rebuilding the asphalt section.
- If we are in the midst of construction on our street project, we can direct their haul route to leave the site and then go to the west and stay off of our construction project.
- After completed, the street won't have any problem at all standing up to those trucks.

Director Svanstrom commented as follows:

- As Mr. Mog noted previously, because we have a Notice of Intent and we know the project is coming, we have been meeting as staff to talk about potential issues like the sidewalk and traffic improvement and how it intersects with the Bodega project.
- The pedestrian safety questions, I know Mr. Weinberger has been looking at some of the traffic questions around the site.

Steve Weinberger, W-Trans, commented as follows:

- For the benefit of the audience, we did not prepare the traffic study on this, we provided comments on it.
- On the pedestrian safety issue, starting with the intersection of Robinson, we previously made recommendations for some pedestrian safety enhancements.
- That project was recently identified for funding through what's called the quick-strike program.
- We've been meeting with City Engineer Gaffney and Ms. Bertolero, getting those plans together.
- We've already designed those improvements.
- We are kind of coordinating if it will happen before or after any changes to the curbing here.
- That one the cross walk of the left leg of the intersection that crosses Robinson Road would be headed out between activated flashing lights similar to what you see at the Washington crossing.
- That's been funded and moving forward with design.
- I think City Engineer Gaffney mentioned that the sidewalk on the frontage will be replaced.
- In terms of other pedestrian safety issues, adjacent intersections have already been improved.
- HAWK signals went in to the west and the Washington improvements have gone in to the east.
- That quick strike program will fund programs at the Bodega, and Florence intersection.
- That's the extent of the pedestrian safety discussion that happened in the traffic study to date and the issues that we have talked about.



## *City Council Meeting Minutes of August 3, 2021*

- I know there were a lot of comments about streets, and streets without sidewalks beyond that that were not discussed in the traffic study.
- I certainly acknowledge that some of these streets that don't have sidewalks are lower traffic volume streets.
- That was the extent of what I can offer on the safety issue.
- There was one comment about, these are for approaching Bodega, I'm forgetting the name of the development that accesses off of Robinson.
- We did put that issue out there because in our comment letter for the traffic study, we asked that that be addressed.
- It had not been addressed as of the last time we saw the traffic study.
- We don't know the extent of the amount of grading, how it's going to impact or benefit traffic, that is, exiting the project at that point. That's an issue.
- I know that the City will want to hear more on the design.
- I know early on a traffic signal might have been mentioned.
- We have looked at the numbers, the volumes, and traffic signal warrants.
- The intersection does not meet warrants for a traffic signal.
- That doesn't mean you don't install one, it's just a guideline to tell cities which intersections are meeting the State guidelines for a traffic signal.
- This one does not with the existing traffic on Robinson and the project traffic to the north.
- We did have some issues with the traffic study on the secondary access to the west.
- Their primary access being opposite Robinson.
- There is a driveway to the west.
- We have been stressing all along the need for that driveway to be a right turn in, right turn out, only because of its location being offset from the Nelson intersection, there's a median there now.
- The traffic study based on my best recollection never got that right, in terms of design and safety, a right turn in and out will be necessary there.
- That puts all the left turning pressure on the access, opposite Robinson.
- My comments about the traffic signal still hold even with that.
- I know there's a lot of comments about congestion on Bodega, I think it's clear.
- There is congestion there, and just for those who don't look at a lot of traffic studies, when traffic studies evaluate traffic, we're looking at average traffic during the peak hour.
- When school was active and in session, the peaks you say you generally see in less than an hour, but they're evaluated, averaged out over an hour.
- The analysis always maybe looks better than what people are experiencing in the streets, because people are seeing the worst 15- to 30-minute period when school is starting in the morning.

Director Svanstrom commented as follows:

- In terms of the traffic study, I think there was a note that it was done during COVID.
- I believe the traffic counts were not done during COVID, but I just want to be clear on that.
- Just in terms of process, through SB-35, I don't believe we can require the applicant to submit a traffic study. However, the city can do its own work and Mr. Weinberger is aware of the issues with the existing study.
- The City can do our own work to analyze these issues that have been raised and that's part of that first initial 60-day period, where we determine if the project is inconsistent with an existing standard.

## *City Council Meeting Minutes of August 3, 2021*

- I have spoken directly with the Housing and Community Development at the State level, which oversees SB-35.
- If someone is proposing a left turn lane where there's an existing median, that's an existing condition they need to recognize. It's not something they can just ignore.

Mr. Mog commented as follows:

- Some mitigation measures that would come out of the study may be able to be added as conditions.
- Some of them may not if they don't have standards backing them up.
- The City always has the right of taking on a mitigation measure.
- A traffic light, the City could always decide and pay for it itself.

Director Svanstrom commented as follows:

- Their impact fees are \$1.3 million between parks, traffic, storm water, those types of things.
- There would be funding coming from the project to help with this, with the related improvements from increases in traffic.

Mr. Weinberger commented as follows:

- I was just looking while you were talking, the counts for the traffic city were done in December 2019 for the traffic study that followed in 2020.
- We did compare those from counts from 2016 that we had access to.
- The counts from 2016 were higher than those counted in December 2019.
- We were passing that information along to the traffic consultant.
- Again, I think that process came to a grinding halt and never saw an updated study.
- I can throw a few numbers out there in terms of additional traffic that's going to be generated.
- The traffic study does estimate about 530 vehicle trips per day, which looking at the traffic study based on the number of unit they're using generation rates that are national standards and pretty common to use.
- Nothing unusual there.
- Just for comparison, Robinson carries about 1,200 vehicle trips per day.
- I think when you add the additional traffic opposing it, plus what's already there from the existing development, the amount of traffic on the north would probably be about three quarters of what it is entering and exiting Robinson to the south.
- Then, in comparison with Bodega Avenue, Bodega carries about 13,500 vehicle trips a day.
- The added traffic, assuming about 80% travels to and from the east of the site, that would be around a 3% to 4% increase in traffic on Bodega.
- I wouldn't say insignificant, giving the congestion that does occur from approximately, the Robinson area to 116, a lot of that is generated by the signal timing at the intersection with 116 and Bodega, and the reason for that is Caltrans controls the timing, and generally always favors the Caltrans facilities.
- When you see that congestion on Bodega, you don't have an equal amount of congestion on Main Street.
- That's because Caltrans is favoring that movement.
- I know there were a lot of comments about parking.
- I can't help you much there.

Councilmember Rich commented as follows:

## *City Council Meeting Minutes of August 3, 2021*

- Discussed the retaining wall.
- Asked ways in which we could ensure the retaining wall would have good integrity, be safe, and not be a danger.

City Engineer Gaffney commented as follows:

- One of the requirements that we will have on the retaining walls is that it is designed by a structural engineer, and the structural engineer will look at the longevity of the retaining walls to ensure that it will have a life span of more than 50 to 70 years.
- Walls like this are commonly built where you can't get behind the wall.
- The normal way to build a retaining wall is to build it and get behind it, and with this one, especially in that area, the wall is the best choice and will be perfectly adequate.

Councilmember Rich commented as follows:

- Related to the traffic comments, is the City, in fact, doing a traffic study?
- You referred to your being involved in a traffic study on this project.

Director Svanstrom commented as follows:

- We have not at this time but we will if needed.
- There are many unanswered questions regarding the project and the applicant, since they haven't addressed them yet, that is certainly something we could look into.

Councilmember Rich commented:

- Do you recommend, and do you feel given the circumstances and the study, that that would be a good idea?

Mr. Weinberger commented as follows:

- I think there are some items that were left unanswered that we were asking for and not getting, and things that were analyzed incorrectly and we were trying to point out the issues with those and you just never got the updated traffic study.
- There are some issues that deserve some attention and some issues that weren't addressed that deserve to be analyzed probably in a more focused manner.

### Evacuation:

Director Svanstrom commented as follows:

- The Fire Chief is not in attendance tonight to discuss evacuations.
- Many of you probably know as well that evacuations would not be done the same way today.
- As most of you know, the Fire Department's website and County Emergency Services has developed evacuation zones.
- Rather than saying to the entire West County and Sebastopol, "okay, go now," they won't be doing that again.
- It will be more like what happened when they're done in stages, with zones, and it is now divided into four different zones.
- All of the county areas are divided into multiple zones.
- If there is an evacuation, that evacuation can happen in a much more orderly fashion, and you can think about it in comparison to getting on and off an airplane, the key is you don't say everyone come at once, you go by zones.
- Other people have calls for that.

## *City Council Meeting Minutes of August 3, 2021*

- The evacuation process will be much more similar to that in the future.
- Some discussions with the Fire Chief.
- I'm not sure there will be a lot of cars, and there are a lot of people already living in Sonoma County, as we saw in the last evacuation, but that is in terms of how that evacuation will be different than the future to do that for our town.

### Parking:

Director Svanstrom commented as follows:

- I think Mr. Mog had noted that State law allows us to require one space per unit they have to submit a notice of intent.
- The applicant is proposing to provide about 150 spaces and about 40 bicycle spaces, and there also needs to be electric vehicle spaces as part of that.
- They are proposing to provide the required number of spaces that the City's zoning requires. I'm not happy with the process either, but we do have adopted standards, in terms of the parking, they're actually respecting that and even though there could be less.
- Also in terms of, from the beginning of the project, they have revised the project to increase the number of one bedroom units. They can be retired agricultural workers and that might be individuals or a couple of people. I will say that I have certainly encouraged them throughout the process to have a mix of units and senior housing. There is a lot of need in the community and having it open to the community from the folks who work here, and I work there just because one man of the family doesn't mean the other person doesn't work in town, so that is something to consider.
- I know with Sebastopol's agriculture roots, I'm very proud of that.
- They have changed the mix of their units, and they have also proposed to provide all of the parking.

Councilmember Rich commented one question that she has not heard an answer to was whether we have any ability to control and require materials as part of the construction.

Director Svanstrom commented as follows:

- I don't believe we have any adopted standards related to the permeability of the paving.
- It is certainly something we can request.
- We do have requirements that they will be required to.

City Engineer Gaffney commented as follows:

- The City's standards requires that the project infiltrate a majority of the water run-off.
- The zoning standards provide a palette that the developers can use and some of them include permeable pavement.
- Some of them include rain gardens, infiltration sensors.
- There is a wide variety of methods that he can select from as long as he meets the standard of the majority of the run-off.
- It is up to him whether he wants to do it with the permeable pavement or some other method.
- We're able to impose the requirements.

Councilmember Rich commented as follows:

- The other question I have so far was the impact of the work on, for instance, building a retaining wall on the integrity of structures and neighboring properties.

## *City Council Meeting Minutes of August 3, 2021*

- Is that something that the structural engineer would be looking at to ensure that the vibration from that work or any impact from that work wouldn't have an effect on neighboring structures.

City Engineer Gaffney commented as follows:

- Both the structural engineer and the contractor will be made aware of the concerns of the neighborhood, and they'll take every step to make sure that the impacts from driving those piles will be mitigated.
- They are also fully insured, if there are claims from these homeowners, the insurance companies will take care of that.

Councilmember Rich commented the final question I heard asked by the public had to do with health concerns for those who may have asthma, and I'm just curious about whether that will be a consideration at some point, or has it already been considered?

City Engineer Gaffney commented as follows:

- One of our standard grading requirements is to control that from the site.
- There will be constant watering of the site during the grading operation so that the dust will be minimal, and one of my usual routines during a grading process like this, is to hammer on the contractors, you have to put more water to get your dust down.
- That is one of the things we will be monitoring during the grading operation.

Director Svanstrom commented as follows:

- On that front, I'll just add in, I believe the Bay Area Air Quality Management District does have standards, and we have standards for construction in terms of things like that.
- One other question we heard is, are we looking at additional standards, and requirements.
- We do currently have a design standards subcommittee and two of our design board members are on it.
- We are working with them, and Mr. Hogan has been looking at our standards that we have right now and modifying them so that they can be used as objective standards.
- We have had a couple of meetings with that group.
- We wanted to do some interim work where we can at a staff level review with that group, and then get those in place and go directly to the Council and Planning Commission for an urgency ordinance to get them adopted, and then we can do in more detail, so we'll have something in place by the beginning of this project.
- I also have been working with the development review team, which is City Engineer Gaffney, myself, Mr. Weinberger, our Police Chief, our Building Inspector, the Superintendent of Public Works, and the Fire Chief.
- We look at development projects on a regular basis internally, and we can loop back to that, looking at the standard conditions of approval as we adopt those.
- You can control that as part of the process as well.

Councilmember Rich commented the question that I did have, it was whether the City has any an ability to enforce limits on occupancy numbers for any of these units.

Mr. Mog commented:

- We don't have any local regulations.

*City Council Meeting Minutes of August 3, 2021*

- The builder will do habitability of the units, and that will be enforced, and so otherwise, the City doesn't have the ability to limit how many people can live in a unit.
- There are a number of cases outside of the City's authority.

Councilmember Rich commented could you clarify what would be the limits in the building.

Mr. Mog commented as follows:

- I don't know them off the top of my head.
- It can generally accommodate multiple people without running up to it.
- Could you accommodate 10?
- Probably not.
- Could you accommodate, two or three, I don't know what they are off the top of my head.

Mayor Glass re-opened public comment.

Renee Kramer commented as follows:

- Actually, Mr. Mog brought up a question when he talked about the easement.
- It sounds to me like he thinks we need to have an attorney to make sure that the easement is dealt with properly because the City is not going to do that.
- Is that what Mr. Mog was saying?
- He said it is between us, and Bears Meadow, we are the ones who use that easement and they changed it all of these years and all of the paving and everything, and I think he was saying we had to deal with the development about it.

Mr. Mog commented as follows:

- Didn't imply that.
- We can provide more information on what the easement says.
- It doesn't say much
- There is no time limit on an easement.

Mr. Hogan commented as follows:

- The little that I did remember of the easement, and I did take a look at it when some of residents asked, there is no limitation on the amount of use that I could see, just that the Bears Meadow development can use for access to Bodega Avenue from to that place.
- But, of course, I'm not an attorney, so you need to get a different opinion from your own attorney.

Mr. Broderick commented as follows:

- It seems like they were talking about the volume of traffic that would be generated by the proposed parking, that number would be significantly increased.
- The second is, I brought up earlier subsidized housing, the 406 that are already subsidized.
- It is near close to the 20% range of subsidized housing, and would this affect how many units they can put in under that qualification?
- This might be components of that.

Director Svanstrom commented as follows:

## *City Council Meeting Minutes of August 3, 2021*

- The requirements for RHNA, it is a common term but it refers to regional housing needs allocation, and if we're not making significant, adequate progress towards that, then we are subject to this regulation. We are subject to this regulation.
- It is not based on the percentage of subsidized units. It is based on the production of housing units at the different income levels over an eight-year period. That is the cycle.
- I believe we will get there. However, we are not there at this point so we are subject to that.
- This project is 100% affordable, so they do qualify for that.

Mr. Mog commented as follows:

- That is exactly right.
- The qualification is based on whether you have met the goals, the City's allocation numbers.
- Even if the City is able to meet the goals at the end of the cycle, it is going to be the numbers that will go on January 1, 2023, and at some point, it will then need to see the numbers.
- You need to continue to make that adequate progress in order to avoid being subject to SB35.

Director Svanstrom commented as follows:

- It has to do with the housing development at the state level and they make the assessment.
- We submit our housing production every year to the State in terms of how many units at all of the different income levels.
- I believe they will reassess who is subject and who is not at the end of the 2023 cycle.
- They did it halfway through the cycle at the four-year mark, and I believe they do it at the end, so if we are meeting all of the targets at that point for the next four years, that cycle, we would not be subject to SB-35.

Mr. Mog commented as follows:

- Yes, that is my understanding as well, and I would just add that units from this particular project might very well count in the next cycle depending on the timing of when the project is built because it is based on when a building permit is issued, not entitlement.
- Depending on when the building permit is issued, that may actually count towards the City's numbers.
- They are proposing the project in phases, it all just depends.

Mr. Broderick commented as follows:

- I think it was asking the relationship between the number of parking spaces and the number of trips per day and questioning that.
- Is the traffic survey based on the limited numbers that they propose to be extra there?
- Discussed the point about actual trips per day.

Mr. Weinberger commented as follows:

- It is very different than limiting the number of spots.
- I think you're mixing apples and oranges.
- I'm looking at the traffic study now for the project and it is 84 units.
- I believe they're providing 150-some parking spaces.
- The number of trips, vehicle trips that a project generates is based on the number of units.
- In this case, the rate is, on average, every unit generates about five and a half one-way trips per day.
- With 84 units you will get 528 one-way trips per day, or 264 round trips.

## *City Council Meeting Minutes of August 3, 2021*

- It is not related to the number of parking spaces, it is related to the number of units.
- The project will generate 264 round trips or 528 one-way trips per day in and out of the project.

### Council Discussion:

Mayor Glass commented as follows:

- I would like to ask Mr. Mog, first, what is the Council's role in SB-35 project review?
- Someone submits an application to the Planning Department. The Planning Department goes through and looks at things to see if the project is compliant?
- Generally speaking, there was an Environmental Impact Report that is also reviewed by the Planning Commission, and then the Planning Commission decides whether or not the project complies with all of those things, and then it says yea or nay?
- If they say nay, then the applicant may appeal to the City Council and then the City Council may say by doing all those things again for SB-35, there is no Environmental Impact Report required?
- Am I misstating this process?
- I just think the public needs to understand what the role is the role of the City Council, and what the role is of the Planning Commission.

City Manager/Attorney McLaughlin commented as follows:

- I want to clarify because you mentioned the Environmental Impact Report and sometimes the public is confused with how the California Environmental Quality Act (CEQA) works.
- In cases where it does apply, based on the Initial Study, the City determines what level of environmental review is required.
- In this case it would not apply.
- For the Environmental Impact Report, it depends on a number of things depending on what the Initial Study indicates.
- You did state correctly that the Council can be an appellate body to hear appeals and it was said in the beginning of the meeting that Council acts as a quasi-judicial function assessing and making a decision if it comes to the Council on appeal.

Mr. Mog commented as follows:

- A ministerial decision is a decision that the City can make with no discretion.
- Do you think it is a good decision, or do you think it is a bad decision?
- Something that you would normally see with a project for design review, or the City Council to have a parcel rezone.
- The code, it is laid out from findings that the Council makes, a ministerial decision is a decision where the City has no discretion.
- If a project meets all of the established criteria, the City has to grant the permit.
- If they don't meet the conditions, the City can't grant the permit.
- The most common is a building permit. The City has adopted the Building Code. It comes in. You might review all the requirements of the Building Code but there is no discretion.
- There is no ability to judge "do you think this is a good project", or have the code requirements be a little higher. You cannot require extra that is not required by the code.
- With an SB-35 project, they're not seeking any discretionary approval from the City.
- There is no decision point that involves the City Council in that process.

Director Svanstrom commented as follows:



*City Council Meeting Minutes of August 3, 2021*

- In the flowchart that you reviewed tonight, there are a couple of steps that need to happen for the developer to continue through the SB-35 process.
- You have been advised that you can't comment on the specifics of the project because if it ends up getting thrown out of that SB-35 process it would have to go back through the regular process, and in this case, it is up to the Design Board because it doesn't require a Use Permit.
- The zoning, multi-family housing, and density they are proposing are allowed by our code.
- It would then be subject to the Design Review process, the discretionary process, and any other entitlements that they require as well.
- In that case, if there is a Design Review Board approval or denial, it could be appealed to Council.

Vice Mayor Gurney commented as follows:

- I think there is an important point to emphasize, the one just made about the City potentially having an informational meeting.
- The Mayor and I insisted with staff that this item be agendaized in order for the Council to do our job to inform our citizens about government and what is going on in this process.
- I think our staff has demonstrated this evening that they have been working diligently and professionally on this and they are accessible to share that information with the public.
- My concern is that we continue in this mode of sharing information, so I want to make sure we all understand if we get to that moment when the staff is making a material decision, yes or no, up or down on the project, that the Council is in need of this and that the public also know what is happening because that is the important moment right there.
- We all want to know exactly where this is going.
- We have been waiting a long time with a lot of agony and a lot of neighborhood concerns about their future.
- Want to make sure that we have a commitment tonight to do a further informational meeting, or that staff is really clear about how all of us are going to find out about that analysis, the point of that analysis and which way this project is going.
- I think the next step that this Council needs to take is to be responsible, to provide information, and education to the public on this project.

Mayor Glass commented we can ask City staff to let the Council know when we get to a decision point.

Vice Mayor Gurney commented as follows:

- I think what you're saying is we would like to know when we get to that decision point, or close to that decision point so we can have another informational session.
- We've heard several comments about how come the public doesn't know about this?
- That I think is a long-time complaint on every project, but in this instance, it comes with great emotion.
- I think it is our obligation to the public, to set the processes in motion in order to process informational updates so that everybody knows where we are, especially when we're approaching a significant moment, or have made a significant decision because those are the significant moments for our city and our community.

City Manager/Attorney McLaughlin commented staff can take a directive that when the project reaches the point where the City's timeline for decision is triggered, we will go to an agenda setting committee meeting with that information so we can determine the timing and setting of a special meeting of the Council.

## *City Council Meeting Minutes of August 3, 2021*

Vice Mayor Gurney commented as follows:

- I think we need to do that to make sure we follow it very close to that 60-day mark.
- It is not three weeks later, or not at 11:00 at night either.
- We need this to be available to our public.

City Manager/Attorney McLaughlin commented as follows:

- I would like to comment that we often think, as members of the public, a normal time line where things happen pretty quickly as we observe them in the daily news.
- Projects like this do not always have something happening every day.
- The fact that the public doesn't hear something doesn't necessarily mean that something is getting done that they don't know about.
- It can mean that it is sitting there.
- We certainly will take direction from the Council and bring this to the agenda setting committee at the time when we need to return to the public for an informational meeting.

The Council was in consensus to give direction to the City Manager and Agenda Review Committee that we're going to move forward with another informational session when that trigger point gets there. An informational session that would happen when that 60-day period is going to begin.

Councilmember Rich commented as follows:

- I want to put a little bit of a human face on this.
- We have some valid concerns from the public, and I have to applaud everyone here who in sticking through with us to share their concerns in such an amazing, civil, clear, and organized way.
- I do want to know what people will be in these units.
- We have 84 units.
- What sort of income limits will they have?
- Will they be renters?
- What populations will we be serving in this 84-unit development because I'm assuming it is going to be renters, and I'm assuming it will be renters that are pretty low-income and very needy.

Director Svanstrom commented as follows:

- Yes, it will be very low income; I don't recall what the actual annual income that is.
- The median income is what it is based on, and the project is a 100% affordable project.
- The units would be rented to those with very low-income.
- There will be a manager on site, and that will take up one unit.
- The other 83 units will also be affordable at 60% of median income or lower.

Councilmember Rich commented as follows:

- I am looking at the 60% AMI numbers on the county website, and it looks like for a family of four, that number is a total family income of \$69,780.
- Does that sound fair?

City staff stated that sounds about right.

Councilmember Rich asked if these would be rental units.

*City Council Meeting Minutes of August 3, 2021*

Director Svanstrom commented as follows:

- These are rental units.
- There is an on-site management and I believe they are providing a number of services in the community.
- There is a common community center room that will have programs and other resources for the folks living there.
- They will also have centralized outdoor areas, but they will have a playground and some things like that for the residents.
- I'm on the county website, and what I'm seeing is for the 60% AMI category for one bedroom, it would be approximately \$1,400 a month, for a two bedroom, \$1,571, and for a three bedroom, \$1,700.

Councilmember Rich commented as follows:

- My point is to identify that there is a compassion part.
- It does not eliminate, or in any way set aside the importance, but I think it is important for us to recognize the benefits that this development could bring to our community where rental rates are really out of control.

Marcia Levine commented as follows:

- This is for Mr. Mog because he brought this up.
- If the developer filed their funding application incorrectly, and there are errors in it, how will that affect SB-35 or the City's ability to control this if there are errors on the funding application from the Dept. of Agriculture?
- Thank you.

Mr. Mog commented as follows:

- The funding applications are outside of the City's jurisdiction.
- They may require getting that agriculture funding, it could be 100% affordable.
- To qualify, all you need is 10% affordability.
- The City would impose that as a Condition of Approval.
- Would require a regulatory record on the property for those requirements.
- That puts them in the funding.
- That may be helping the developer to fund them.

Mayor Glass commented what I think we can do from here is for the public to know that they can continue to interface with our Planning Department, contact our Planning Director, and submit your concerns so that they can address and understand any concerns, or all of the concerns as we move forward so that all of that information is recorded.

**City Council Action: No action taken. Informational only.**

**Minute Order Number: 2021-195**

18. Informational Presentation – Climate Action Committee (Requestor: Vice Mayor Gurney/Councilmember Rich: Responsible Department: Planning)

Kenna Lee and Sarah Elliot presented the informational item.

## *City Council Meeting Minutes of August 3, 2021*

Mayor Glass opened for questions/comments from staff and/or presenter.

Vice Mayor Gurney commented as follows:

- This is not a question, it's a compliment to this Committee.
- I wanted to share with Councilmembers how this group of people, who didn't even know each other, many of them, in the beginning, have come together to work.
- You can see the intellectual, and professional effort that they're making in the group together, and also in small groups, and I want to emphasize how well they're communicating.
- We have a later item, the code of conduct.
- This is one of our committees and they are so civilized and gracious, and intentional, and respectful in all of their communications through their meetings, and their meetings all end on time.
- I don't know how to explain that to you, it is just a real delight.
- They are a brain trust for our Council and our community to have this group of people pulling together on a big and confusing assignment and making great sense of it in a very short 6 or 7 months.
- Having goals and reporting back to us on how much they've already done.
- I want to congratulate them on their work, and make sure all of you know that's the way I feel.

Councilmember Rich commented as follows:

- They have done so much.
- It was a new Committee.
- Thank you for being here so late and presenting such a great summary of key points.
- There's a lot more going on there.
- Fabulous work.
- Very meaningful.

Mayor Glass commented as follows:

- I'm super excited about this pursuit and investigation into microgrids.
- I just hope that our city can be a real leader in this.
- I think it can be very exciting.
- I'm glad you are taking leadership, investigating this, and putting some brain power behind it.
- Thank you for all the big work you're doing.

Mayor Glass opened for public comment. There was none.

### Council Discussion:

Councilmember Slayter commented as follows:

- Regarding microgrids, if the working group needs a connection to people who know an awful lot about microgrids, and the staff of summit clean power let me know and I will direct you with right person.
- I'm not a Councilmember liaison to this Committee, or a member of this Committee, so I don't want to step on any Brown Act issues.
- I know a little bit about microgrids and the difficulty in establishing them, due largely to existing State laws.
- I can help with that, and it's just like everybody else, very impressive work from a group of community volunteers.

*City Council Meeting Minutes of August 3, 2021*

Vice Mayor Gurney commented as follows:

- Very quickly I wanted our Climate Action Committee members here to know that item number 25 on tonight's agenda is Council discussion on the gas station item.
- I'm not expecting you to wait until we get there.
- I just want to draw it to your attention, we will be talking about it.

The Council thanked the presenter for the presentation.

**City Council Action: No action taken. Informational only.**

**Minute Order Number: 2021-196**

**PUBLIC HEARING(s): NONE**

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

23. Discussion and Direction to Staff Regarding the Phase 2 Report on the SR 116 Traffic Corridor Safety Study (Responsible Department: GHD/Public Works)

Toni Bertolero, GHD, presented the agenda item recommending the City Council receive and accept the SR 116 Traffic Corridor Safety Study Phase 2, with changes as directed by Council, if any. Some of the proposed improvements are included in the City's 5-year Capital Improvement Program (CIP). If not, the improvements will be included in the next version for Council's approval in Fiscal Year 2022-23.

Steve Weinberger, W-Trans, provided a presentation.

Mayor Glass opened for questions/comments from staff and/or presenter.

Mayor Glass questioned when we are talking about a roundabout being more expensive, how much more expensive?

Mr. Weinberger commented as follows:

- We've only done sort of a planning level cost estimate.
- There has not been a detailed process on it yet, but it would be on the order of maybe up to \$3 million for a roundabout.
- The signal is less than \$1 million, because essentially the street would look much like it does today, with the traffic signal equipment added, whereas the roundabout is a lot more revisions out there on the street.

Councilmember Slayter commented as follows:

- One question that's related to three different locations, and so I'm looking at the South Main and Burnett slide, that's page 108 of 169 in our staff report.
- We all know the Burnett and Main intersection, and the proposal to construct bulb outs, and I think that every piece of data in this report, and in other reports in the past, anecdotally, this was the number one intersection that's been identified as an area that needs revision.
- I'm curious, in other places, and at Gravenstein Highway South and Fellers and Fircrest, if the proposals are simply recreating the situation that we approved funding for Palm and Petaluma at our last regular meeting?
- Where a driver is looking left, not looking right, and a pedestrian starts across the street.

## *City Council Meeting Minutes of August 3, 2021*

Mr. Weinberger commented as follows:

- Well, it is certainly a timely issue.
- You can make that argument for every cross street on a one-way street, where a driver is really only used to looking one direction for vehicle traffic, where the pedestrian is on the other side.
- I know a number of these intersections, single crossings.
- Fellers and Fircrest, that's why they don't apply because that's on the two-way street section.
- Burnett, that's one issue, one might argue that you should only provide one of the crosswalks across South Main Street.
- Since traffic is only going to turn left, if you're coming from Hopmonk and you're coming from High street, you'd be right.
- Why not leave the pedestrians on the northern crosswalk only, and eliminate this other one?
- That might be a reason to do that, although I would say this one, both crosswalks are well used.
- I think it's location dependent. But I think you brought up a really good issue that will give some more options.

Councilmember Slayter commented as follows:

- In past conversations about this, the overt desire of this community, and certainly every Council I've ever been a part of is to have a friendly, walkable downtown.
- Having fences telling pedestrians to stay away isn't really what we want to be doing, and in this location.
- I think that in that location, that calls for something different that doesn't include redirecting pedestrians to a safer location to cross.
- I'd like to, if in the future we discussed this at greater length, explore creative ways rather than just welded, galvanized pipe, to create those generalizations or directions for pedestrians, I think is really important.
- I think those are my main points.
- I do have a question about the hotel and the status of whatever improvements with Caltrans and other infrastructure, if you know anything about any of that?
- I don't know what's happening with the hotel. The last discussions we had, their last site plan included a pedestrian access sort of midway between Depot and McKinley.
- Which is why us and City staff had been promoting the idea of closing the Depot location, which has reasons to do that, and then adding one to the north.
- We've been out in the field looking at it.
- If you know Weeks Way, which is the access to the plaza, doing it on the south leg is the location where the pedestrian access into the hotel would be, and it's not quite the signalized crosswalk at the Sebastopol intersection and make the crosswalk.
- I think there's precedent for it because there's a mid-block crosswalk around the corner.
- Everybody seems to forget that Caltrans doesn't want to do mid-block crosswalks but they already have established one and doing one on the Petaluma leg because of the Depot closing makes sense, in my mind.
- I think that's what we should pursue with Caltrans.

Mr. Weinberger commented as follows:

- I've participated in a few conversations with Caltrans where they wanted to close the McKinley crossing, which I think you all heard about last year.
- It was clear that people we were dealing with Caltrans didn't even know that was a plaza and did not know that the pedestrians' path of travel led them to it.

## *City Council Meeting Minutes of August 3, 2021*

- Our goal here is to get together with Caltrans and try to work out a solution.

Councilmember Slayter commented as follows:

- Discussed the conversations with Caltrans.
- I was excluded for some reason that I don't understand.
- The overlay of the preliminary site plans from the hotel developers with city PDF maps may have occurred on this very screen and realizing where a logical mid-block crossing could occur there on Petaluma Avenue.
- Just to get it out there now, I'm all in favor of that roundabout [at Covert].
- I think that what that does for traffic calming is enormous.
- It marks an entry to a city, it slows traffic, it calms traffic, it's the safer way to go.
- I know it's 2 or 3 times more expensive.
- We need to figure out a way to make that happen, because I think the benefits of that roundabout are immeasurable and significant.

Councilmember Rich commented as follows:

- You had a slide up right before you went into the discussion about the Covert Lane intersection that showed a hard line with the various intersections, and the only one that reached that hard-line was Covert.
- What I did notice was that there were a couple of others that were inching pretty close, so I'm curious.
- I think one of them was Murphy, and it looked like it was pretty close to that line.
- Just want to get a sense in terms of planning, given how much you know about our traffic flows, how close are we to getting that line with Murphy and Florence? Should we be concerned?

Mr. Weinberger commented as follows:

- I've seen volumes in Murphy and Florence over the years, and it's been fairly steady, and always seems to be under the threshold.
- With traffic in the center of town there are options on where to go, and I think like water, it kind of flows to the path of least resistance, and I don't think you see Florence or Murphy increasing more because if they were to get a little bit more, it's going to get a little more delay and waiting to turn left out onto the highway.
- I think traffic naturally utilizes other paths of travel, like Valentine to Zimpher to Covert, speaking from experience, is another alternative route.
- In my experience, that volume has been pretty steady for the last 10 to 15 years at best.

Councilmember Hinton commented as follows:

- I just wanted to add to the conversation that I am in full support with Councilmember Slayter about the roundabout.
- I think that we have missed opportunities on this side of town with the roundabout, long before I got on the Council.
- I was interested in a roundabout as a solution down by Langermann when we were looking at Ragle Road and that intersection, and because of the property that would've had to have been purchased that was undoable for us, it appeared, so hopefully we can get some grant opportunities and get the roundabout in at Covert, because in my mind, that's a way better solution for the long-term, and I just wanted to add that to the conversation.

*City Council Meeting Minutes of August 3, 2021*

Vice Mayor Gurney commented as follows:

- I like the roundabout idea, too, so I want to add that for all the reasons already stated.
- Plus, let's look at it, it is the entrance to Ragle Park for people going out that way and it could be spectacular, instead of what it is now, as well as slowing traffic down.
- I just wanted to make one comment about the Depot Street intersection there.
- The plaza is actually designed with that diagonal walkway that goes across the McKinley intersection to the area where the sculpture is, and the line of sight there is to look right at Mount St. Helena.
- If you're down there, it's obvious, but I think a lot of people miss that.
- I'm just concerned that when we move the crosswalk we'll lose that element in some way, that design element.
- I am also wondering if people are so used to walking towards the Barlow and cutting across there, they're going to be resistant to walking mid-block.
- I'm just not convinced that that mid-block one there is going to work.
- The question is about the Burnett Street improvements.
- When you shorten the crosswalk distance and bulb out the curb, will there be room there for some kind of landscaping?
- I'm thinking that's an opportunity to green up and beautify downtown, hopefully, if there's enough real estate to do that.

Mr. Weinberger commented as follows:

- I would say yes, those bulb outs can provide some elements like that.
- These are essentially pushing the curb out to shadow the parking, so it's an additional seven feet, 6 to 7 feet of curb beyond the existing curb lines, so I would say yes.

Vice Mayor Gurney commented as follows:

- That would be good, I think that would look a lot better.
- Just to circle back to your comments about McKinley, we are all clear.
- We are all recommending that the McKinley crosswalk at the McKinley intersection stay where it is, with some added features, and then we are talking about an additional midblock crosswalk to the south, through the crosswalk to replace Depot Street.

Mr. Weinberger commented as follows:

- Questioned if the City wants to have both.
- That's a lot of crosswalks at one end of the plaza.
- The step one is Depot Street, that crosswalk has to close.

Vice Mayor Gurney questioned do you replace it with one midblock to the north or do you utilize McKinley and the signalized crossing back at Sebastopol?

Mr. Weinberger commented we recommended some type of rail to channelize pedestrians because those people were just going to keep crossing there, especially when the hotel is developed.

Vice Mayor Gurney commented that Councilmember Slayter wants that to be artistic and beautiful.

Mayor Glass commented as follows:



## *City Council Meeting Minutes of August 3, 2021*

- I also concur regarding the roundabout, just as long as we don't get the same contractor as Healdsburg because we'd like to have it in less than three years.
- All in all this was a great presentation.
- I just can't see how we could be one of the only cities left in Sonoma County without a roundabout, so we've got to get with the program.

Vice Mayor Gurney commented as follows:

- I want to thank Councilmember Slayter, because years ago that led to a safety corridor study for Healdsburg Avenue after we looked at Bodega Avenue, and I think it might have been Councilmember Hinton, somebody suggested that we go all the way to the south end of town, and when we look at the work and the recommendations, I think it's pretty clear that that road needs upgrades.
- It's not one I would eliminate, really.
- They're all really important for safety and conductivity.

Mayor Glass opened for public comment. There was none.

### Council Discussion and/or Deliberations:

Toni Bertolero commented as follows:

- If there is no specific direction on other items that need to be changed in the report, I just want to point out what we are going to be using this report for Caltrans because that might also help.
- There are three things.
- One is we are going to be submitting this report to Caltrans.
- They've already asked for this report, which is good because that means they have a lot of interest in it, which means they're going to want to talk to us about it, so that's really good news for us to get the conversation going.
- The second thing that we are going to be using this for is to help inform our five-year CIP.
- As you know, we've already adopted our CIP for '21-'22, for the next five years.
- We have a plan but we are going to need to take a look at this five-year CIP and maybe add some other projects that need to go into that five-year plan.
- The five-year plan will be revised for next budget season, so we are looking ahead.
- However, if there is anything that needs to be changed in the '21-'22 CIP plan for this fiscal year, we'll come back to Council on that.
- Right now, the idea is to change the five-year CIP in the next budget cycle.
- The third thing that's really important, and you'll hear more about this, is that the SCTA has told us that they are going to be coming up with a five-year prioritization plan, this is very important because there's about \$70 million in grant funding over the next five years, and obviously Sebastopol wants to have their hand in the pot there.
- In order to do that, we have to come up with a list of projects.
- Really, this is going to help inform that plan.
- We are going to be looking at a California transportation plan called the CTP 2050, there's a draft out and Sebastopol has a whole host of projects there as well.
- It's really looking for cities to come up with a prioritization plan, so that goes into the plan.
- That's the reason why we had to have this item taken tonight.
- Because the TAC, the technical advisory committee that I'm a member of will be discussing this at their August meeting.

Vice Mayor Gurney commented as follows:

*City Council Meeting Minutes of August 3, 2021*

- I wanted to thank Ms. Bertolero for her work with the TAC particularly.
- I think seeing a new Sebastopol, we have projects and we are being more effective asserting our projects and the rest of the board is interested in them, at least at the level I see, and I hope Ms. Bertolero feels that responsiveness.
- I'm just wondering if it helps at all that the Burnett Street crosswalk, and I think Fellers Lane was the other one that got listed on the shopping list.
- Does that matter to us at all now?
- I was going to announce that later, maybe this is the time because we're looking at 116.

Toni Bertolero commented as follows:

- I think that 2022 SHOPP is kind of long range, because it would, but the good news is that the City would not have to put up the funding for it.
- The bad is that Caltrans will be doing the project, so it's going to take longer just because that's a much longer process.
- It will get done, it's just a matter of when will it get done.
- Unless we put it in ours, and when they get this report, they go with these recommendations rather than the slowdown on the SHOPP, is what we are saying.

There was no further discussion on this item and the Council was in consensus to move forward as presented on the Phase 2 Report on the SR 116 Traffic Corridor Safety Study.

**City Council Action: Council was in consensus to move forward as presented on the Phase 2 Report on the SR 116 Traffic Corridor Safety Study.**

**Minute Order Number: 2021-201**

The Council was in consensus to move forward on remaining agenda items.

19. Discussion of Amending Committee Lists for Clarifications to "Standing" or "Ad Hoc" Committees (Requestor: Vice Mayor Gurney/Councilmember Rich)

Councilmember Rich presented the agenda item recommending the City Council:

Take this opportunity as the new fiscal year begins to assess the various City Council created committees.

A suggested approach is as follows:

1. Current Committees with Publicly Noticed Meetings and Agendas: Leave these committees in place, but request that the City Council members appointed to the committees report out as described below at the September 7 City Council meeting, to allow the full City Council to make an informed decision regarding the continued need for and status of the committee. These committees are the Agenda Review Committee, the Climate Action Committee, and the Zero Waste Committee.
2. Other Committees: Direct these committees similarly to report out as described below at the September 7 City Council meeting, to allow the full City Council to make an informed decision regarding the continued need for and status of the committee. Direct these committees to focus their time between now and the September 7 meeting on this "reporting out" task only.
3. Report out for September 7 City Council Meeting: Direct City Council members appointed to each City Council created committee to report out to the full City Council at the September 7 City

*City Council Meeting Minutes of August 3, 2021*

Council meeting with the following information, in writing, submitted to the City Clerk to be included in a staff report:

- a. What is the task of the committee?
- b. What is the timeline for completing that task?
- c. What is the recommended membership of the committee?
- d. What staff support, if any, is needed to complete the committee's task?

The expectation is that the report out will reflect the perspectives of the entire committee, not just the City Councilmember(s) appointed to that committee.

It is also recommended that to the extent a September 7 report out includes a request for staff support (as would generally be the case for a standing committee), the following options be considered:

1. Does a City Staff Member need to be assigned to the Committee (similar to Planning Commission, Design Review Board, etc.)? This would at minimum involve preparation of the agenda, packet, and noticing of meetings, and could involve taking and posting of minutes, as well as other responsibilities.
2. Will committee members be responsible for all Committee work, with a Staff Liaison assigned to provide direction and guidance, as well as administrative support on an as needed basis. With this alternative, Committee members would be responsible for agenda and packet preparation and taking of minutes/notes. Staff would post the agenda to the City website and would notice the meetings.

It is also recommended that Brown Act training, similar to that provided at the League of CA Cities, be provided to each committee/commission/board yearly.

Mayor Glass opened for questions/comments from staff and/or presenter.

Councilmember Hinton commented is the proposal to go back a month from now and put this on the agenda and give our opinion then?

Councilmember Rich commented as follows:

- The proposal is that we re-agendize this topic on September 7 and having it in front of us, submitted by each of us who are involved in the committee for each committee the task, the membership, the timeline, and then as a Council we can look at all of that information and decide what it is that we want to do in terms of those proposals from the fellow City Councilmembers.
- For instance, you and I would sit down and look at those who make a difference and we would figure out what the timeline is.
- Is this the committee that we propose exists or does it instead have a specific timeline if it's only six months to a year or has another deadline looking within that committee?
- We would come back and submit this through City Clerk Gourley as far as that is within the report.
- Councilmembers could then approve whether or not this is worth putting the effort into.

Councilmember Hinton questioned if the committee has to meet, or can it be done on the fly?

## *City Council Meeting Minutes of August 3, 2021*

Councilmember Rich commented as follows:

- The concept is that all committee members be involved in putting together this proposal.
- We definitely don't want to create a lot of bullet points.
- What is membership?
- We have to figure out what the timeline is.
- What sort of staff support do we need?
- That would be the idea.
- I think it is important to point out what happens between now and September 7 in terms of any ongoing work financing these committees.
- We are actually going to pause and assess this for the work that's being done between now and September 7.
- That would be the proposal.
- Any work that is needed to continue will involve a conversation with City Manager McLaughlin to indicate that the recommendation would be within those communities coordinating with staff in order to figure out the solution.
- The contract had some issue that they needed to address and coordinate with City staff to get the direction on how that may need to be handled.
- We take that to decide the cleanup, to figure out what we're going to do from then on.
- It's a good time because August is vacation month. There's not a lot going on and a lot of other things going on.

Mayor Glass opened for public comment. There was none.

### Council Discussion and/or Deliberations:

Councilmember Slayter commented as follows:

- Honestly, I'm not sure what this is or why we are even doing it.
- Every one of these committees has been created by the Council
- Maybe not this particular makeup of the Council, but some makeup of the Council which is a balanced body, and every committee created has the blessing of the Council and whatever staff is required for it.
- I guess I'm just confused.
- I don't understand why we need to pause from the important work that the committees are doing in order to create a committee report.

Councilmember Rich commented as follows:

- The issue, I see a few goals.
- Number one, I am the new City Councilmember in this group.
- I can tell you that this is not clear with what exactly the parameters are of some of these committees.
- To me, looking at the committees and taking this moment, when it has morphed through need, and asking ourselves what are they doing now?
- What do we as the sitting City Council want them to do in the future?
- This is the obligation I feel all of us should step up to.
- Not something historical.
- What do we want the committees to do now moving forward?

## *City Council Meeting Minutes of August 3, 2021*

- Secondly, there is the fact that the extent of these committees has an existing lifetime going into the future without an end date and there are other obligations that we as the City Council have in terms of engaging the public.
- This is something that needs to be assessed.
- Which committees do we want?
- Should we be setting them up as committees that are generalized in public meetings?
- That is something that we should be discussing.
- To me, it is those two pieces.
- We need to know this now.
- What is the purpose of these committees?
- You can see which committees that we need to have publicly attended.

Vice Mayor Gurney commented as follows:

- Here is another explanation.
- We have committees that have been on the list for a long time and occasionally on this timeline we've done assignments and it hasn't done anything.
- It has lagged its purpose.
- It is the one with the new guidelines.
- We go to subjective and objective with the Planning Commission.
- Is there a timeline to that committee? I don't know. This is something that I should know.
- You have the deadline. When are you bringing it back?
- This, I think, is the intention that were trying to dial in here to move the work forward and make sure that everyone knows what the other person is doing and when that work will be completed and come back to it so we see the progress and commitment, so we can know what is going on instead of the groups of two of us and staff not reporting for six or seven months, or even up to a year.
- It is committees the last a long time like that, they happen to find themselves here and we need to get this organized so the public understands what we're doing and we know what each other is doing.

Councilmember Slayter commented I am curious if staff has identified any difficulties potentially with pausing the work of these committees between now and a month from now?

City Manager/Attorney McLaughlin commented it seems okay to do and City staff commented as follows:

- We understand what the task is.
- If there is anything that comes up, we will work this forward and make sure were not running afoul of anything.
- Running it through staff if any of these committees would like to meet, let staff know and we can discuss it to see what it is.
- Currently, it is my understanding that the workload right now with these committees is through September, but if there is a need, they need to reach out so we can talk about it.

### **City Council Action:**

**Minute Order Number:           2021-197**

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

## *City Council Meeting Minutes of August 3, 2021*

Vice Mayor Gurney presented the agenda item recommending the City Council Reaffirm the City Code of Conduct Policy and Discuss any Potential Amendments and its application to other City bodies.

Mayor Glass opened for questions/comments from staff and/or presenter.

Councilmember Slayter questioned City staff and stated you not ask us for a signature on this?

City staff stated it is signed annually.

Councilmember Slayter commented as follows:

- It does go to Councilmembers.
- It may not be publicly noticed that we've agreed to these things, but, I think it's great that that we do this publicly and state our intentions.
- That's really what we need to do.
- I'm wondering if we have an opportunity for a slight cleanup on one of the items which is number 14, representation of private interests.
- I realize that I am in probably an entirely unique position as a sole practitioner where I am legally allowed to present to City boards and commissions.
- I do everything I can to not to do that, sometimes to the detriment.
- I'm wondering if that can be cleaned up with the caveat, unless otherwise allowed by law, or something like that?
- I am fine with it not being in there.
- The intention is certainly as transparent as possible.
- That is my only comment.
- I don't know why we wouldn't do this publicly.
- I am totally willing to sign it tonight and move forward.

Mayor Glass opened for public comment. There was none.

### Council Discussion and/or Deliberations:

The Council was in consent to review the language for cleanup and to send to Council for re-signing.

#### **City Council Action:**

**Minute Order Number: 2021-198**

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

City Administration presented the agenda item recommending the City Council Designate the City's voting delegate and alternate voting delegate(s) for the League of California Cities 2021 Annual Conference scheduled for September 22-24, 2021 in Sacramento and direct City Administration to complete and forward the voting delegate form to the League of California Cities. Voting Delegates and alternates must be registered for the Annual Conference. As of the writing of this agenda item, Mayor Glass and Councilmember Slayter have registered for the conference.

Mayor Glass opened for questions/comments from staff and/or presenter. There were none.

*City Council Meeting Minutes of August 3, 2021*

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

There was none.

**MOTION:**

Councilmember Hinton moved and Vice Mayor Gurney seconded the motion to Designate the Mayor as Voting Delegate and Councilmember Slayter as alternate voting Delegate for the League of California Cities 2021 Annual Conference scheduled for September 22-24, 2021 in Sacramento and direct City Administration to complete and forward the voting delegate form to the League of California Cities.

- Mayor Glass as Voting Delegate
- Councilmember Slayter as Alternate Voting Delegate

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

**VOTE:**

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

Noes: None

Absent: None

Abstain: None

**City Council Action:**

**Minute Order Number: 2021-200**

24. Discussion and Consideration of Service Agreement Approval of Service Agreement with Waterways Restoration Institute for Calder Creek Naturalization Work (Responsible Department: Planning)

Planning Director Svanstrom presented the agenda item recommending the City Council Approve a “service agreement” with Waterways Restoration Institute (WRI), a non-profit focused on creek restoration in neighborhoods and cities

Mayor Glass opened for questions/comments from staff and/or presenter. There was none.

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

Councilmember Rich commented as follows:

- City Council may not be aware of this, but Lynn Deedler was quite instrumental connecting this person with the Planning Director on this issue.
- Everyone should be aware that they spoke with me about it too.
- They were very encouraging.
- It's great that this is all going forward.

Councilmember Hinton commented as follows:

- I've been interested in this since I got elected.
- I am super happy that this is moving forward.
- I know that there have been a lot of people talking about it.

*City Council Meeting Minutes of August 3, 2021*

- We've been trying to find money to support this effort.
- I really appreciate everyone that got it to this point.
- Hopefully we can get this visioning project done and figure out some more grants and get things opened at the park because it's a huge community resource.
- We spent a lot of time talking about that.
- I am super excited about it.
- Thank you.

Vice Mayor Gurney commented as follows:

- I am happy to thank you for your participation within this area.
- There've been a lot of people here involved with the whole neighborhood group called the Stewarts of Boulder Creek.
- Jeffrey Skinner has childhood memories of this before the fence went up.
- There are a lot of people that are very much behind this within the present Planning Commission and here on the subcommittee that are very excited about this.
- I think this will get the green light tonight.

**MOTION:**

Councilmember Rich moved and Councilmember Hinton seconded the motion to Approve a “service agreement” with Waterways Restoration Institute (WRI), a non-profit focused on creek restoration in neighborhoods and cities.

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

**VOTE:**

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

**City Council Action: Approved a “service agreement” with Waterways Restoration Institute (WRI), a non-profit focused on creek restoration in neighborhoods and cities.**

**Minute Order Number: 2021-202**

25. Discussion about Ban on New Gas Stations and Expansion of Fueling Infrastructure at Existing Gas Stations; and Referral to Planning Commission and Climate Action Committee (Requestor: Vice Mayor Gurney)

Vice Mayor Gurney and Planning Director Svanstrom presented the agenda item recommending the City Council Discuss and Consider if it is interested in further exploration of the topic of a potential ban on new gas stations within the City of Sebastopol, at Council level and/or by direction to the Planning Commission and Climate Action Committee.

Mayor Glass opened for questions/comments from staff and/or presenter.

Councilmember Rich commented should it go back to the Planning Commission and Climate Action Committee which it sounded like that is possible?

Woody Hastings commented as follows:



## *City Council Meeting Minutes of August 3, 2021*

- Good evening everyone.
- Quite an epic meeting here tonight.
- I really have to hand it to you, there is a specific speech, I just want to say thank you for taking this issue up.
- I certainly do hope that given the climate emergency that we look and see what we're facing as it is hitting us locally.
- This is the first step.
- It's really the cities accepting the applications for the processing of permits for new gas stations.
- It's sort of a negative action that is really stopping the measures and saving the City time, coming forward to the City and as I've been learning about this, really more along the lines of what Director Svansson was saying, it's simply removing the gas stations, putting it into the code so it can be fairly straightforward in that respect.
- Part of the reason we have to give them their hats off here, because I was there at the meeting when they adopted it, it did start to go sideways because there were additional elements facing the existing gas stations, and one recommendation would be to try to keep this as simple as possible and not include the complexity that's not necessary here within whatever city code mechanism that you need to exercise in this manner.
- think the issues of extending the charging infrastructure and whatever else is sort of a different bucket.
- That is my one little piece of advice.
- Again, I really just appreciate it.
- I appreciate the City Council taking us up on this and I hope we can move forward.

### Council Discussion and/or Deliberations:

Mayor Glass commented as follows:

- I have one comment here about this matter and I don't want to see us building more gas stations in our cities.
- The other thing that is more important, is that they not put gas stations in-between cities.
- This is a big thing for me.
- I think it's really problematic that they're putting gas stations out in the greenbelt.
- I just have to say that even though it's here that's the matter at hand.
- Let's not build them here.
- But let's not build them there either.
- Do we want to move forward with supporting this and their recommended pathway that we have just discussed, or do we actually need to drill a resolution?

Councilmember Slayter commented as follows:

- One additional thought is that it's easy to include increases for those charging opportunities if we are opening things up for revision.
- Let's try to put that here.

The Council was in consensus to direct staff to refer this item to the Planning Commission and Climate Action Committee.

**City Council Action: Council was in consensus to direct staff to refer this item to the Planning Commission and Climate Action Committee**

**Minute Order Number: 2021-203**

*City Council Meeting Minutes of August 3, 2021*

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

City Administration presented the agenda item recommending the City Council Discuss and Consider Appointment for the Sebastopol Citizen Liaison to the SCTA/RCPA Climate Action Advisory Committee. The Council could choose to:

- Recommend appointment based on the July 6th Interview of Deborah Burnes; or
- Not appoint and re-open the recruitment

Mayor Glass opened for questions/comments from staff and/or presenter. There were none.

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

Vice Mayor Gurney commented as follows:

- I've asked for and encouraged people to apply for the Climate Action Advisory Committee and no one has been interested.
- I also went after the AB 939 task force and neither of them responded.
- Just confirming that we have no interest in these positions so I think we can leave them be for a while.
- Then coordinate a re-announcement at the same time for the many openings that staff has to deal with.

Councilmember Rich commented as follows:

- I think that is a good result and I am not interested in having Ms. Burnes appointed to a third.
- I think we need to respect the recommendation from the Vice Mayor who knows about these groups and the staff.
- Pushing it to another time.

Vice Mayor Gurney commented as follows:

- We also have one representative on the TAC.
- We do have one here.
- We just don't have as much as we want.

The Council was in consensus to postpone the rest of these items until a future recruitment date weather will be six months down the road or longer because we do have a lot of openings coming in December so come October we will have the timeframe where we can have people coming through at that time as well.

**City Council Action: Council was in consensus to postpone the rest of these items until a future recruitment date weather will be six months down the road or longer because we do have a lot of openings coming in December so come October we will have the timeframe where we can have people coming through at that time as well.**

**Minute Order Number: 2021-199**

26. Discussion and Consideration for Direction to Staff on Vacancy(ies) on AB 939 Local Task Force on Integrated Waste (Responsible Department: Engineering/City Administration)

*City Council Meeting Minutes of August 3, 2021*

City staff presented the agenda item recommending the City Council Provide Direction to Staff such as:

1. Re-Open the Application Process
2. Postpone Recruitment until late fall and have the City Engineering Department continue to work with the Local Task Force Integrated Waste Committee and provide updates/information to the City Council.

Mayor Glass opened for questions/comments from staff and/or presenter. There was none.

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

The Council was in consensus to postpone the rest of these items until a future recruitment date weather will be six months down the road or longer because we do have a lot of openings coming in December so come October we will have the timeframe where we can have people coming through at that time as well.

**City Council Action: Council was in consensus to postpone the rest of these items until a future recruitment date weather will be six months down the road or longer because we do have a lot of openings coming in December so come October we will have the timeframe where we can have people coming through at that time as well.**

**Minute Order Number: 2021-204**

**DISCUSSION AND ACTION – APPOINTMENTS:**

4. Appointment(s) for: **Openings on the Zero Waste Committee (Responsible Department: Engineering)**  
Student Representative and Alternate  
Commercial Entity Representative (1)  
Citizen Representative (1)
  - Argus Brent - youth
  - Jesenia Garcia – youth

Mayor Glass opened for questions/comments. There were none.

Mayor Glass opened for public comment. There were none.

Council Discussion and/or Deliberations:

Mayor Glass commented as follows:

- I would nominate Mr. Brandt to that committee so that we can have the other applicant for the other committee.
- Both of them, I thought their written presentation was extraordinarily good as was the other person.
- Applications were well written.

**MOTION:**

The Council was in consensus to appoint Argus Brent to the Zero Waste Committee.

The Council was also in consensus to postpone the rest of these items until a future recruitment date weather will be six months down the road or longer because we do have a lot of openings coming in

December so come October we will have the timeframe where we can have people coming through at that time as well.

**City Council Action: Council was in consensus to appoint Argus Brent to the Zero Waste Committee**

**The Council was also in consensus to postpone the rest of these items until a future recruitment date weather will be six months down the road or longer because we do have a lot of openings coming in December so come October we will have the timeframe where we can have people coming through at that time as well.**

**Minute Order Number: 2021-182**

- 5. Appointment for: **Climate Action Committee (Responsible Department: Planning)**  
 The City of Sebastopol invites interested persons to volunteer and apply for openings on the Climate Action Committee. The City has openings for the following positions:
  - Sebastopol business owner
  - Environmental justice/equity background
  - Youth
 Jesenia Garcia - youth  
 Deborah Burnes – business

Mayor Glass opened for questions/comments.

Mayor Glass opened for public comment.

Council Discussion and/or Deliberations:

Vice Mayor Gurney commented as follows:

- I thought she had a valuable perspective as a retailer on Main Street.
- The same thing I said with the Planning Commission.
- A deep history asserting climate action within these practices.

Councilmember Hinton commented as follows:

- I don't think it is for me to determine what people can handle.
- She said she could handle it.

The Council was in consensus to appoint Jesenia Garcia – youth and Deborah Burnes – business to the Climate Action Committee.

The Council was also in consensus to postpone the rest of these items until a future recruitment date weather will be six months down the road or longer because we do have a lot of openings coming in December so come October we will have the timeframe where we can have people coming through at that time as well.

**City Council Action: Council was in consensus to appoint Jesenia Garcia – youth and Deborah Burnes – business to the Climate Action Committee.**

**The Council was also in consensus to postpone the rest of these items until a future recruitment date weather will be six months down the road or longer because we do have a lot of openings coming in December so come October we will have the timeframe where we can have people coming through at that time as well.**

**Minute Order Number: 2021-183**

*City Council Meeting Minutes of August 3, 2021*

6. Appointment(s) for: **Public Arts Committee: (Responsible Department: Planning)**  
Category 1: Active members of a City-based, art focused, registered nonprofit organization, entity or facility.  
The recruitment will be to fill the remainder of Mr. Arnold's term (December 31, 2021).
- Barbara Harris
  - Richard Nichols

Mayor Glass opened for questions/comments. There were none.

Mayor Glass opened for public comment. There was none.

Council Discussion and/or Deliberations:

Councilmember Rich commented as follows:

- I thought they were both really strong applicants.
- Thought they were both very compelling, Ms. Harris has the deeper experience and exposure, on multiple levels, leadership all the way down to just doing her jewelry which is impractical in terms of art.
- That was compelling.
- Mr. Nichols has a long-time engagement with the public and demonstrated commitment and willingness to put his heart and soul into whatever he does in our community.
- That environmental piece was, I thought, really important.
- The part that drew me is, Ms. Harris, apparently, she applied once before.
- With all of that thorough and right on target experience, I just do not see how we can say no.
- She's qualified, she's willing, she tries a second time, so, I would have to on balance go with Ms. Harris, but, I love Mr. Nichols.

Councilmember Hinton commented as follows:

- I'm in the same position, I think that he did a great job, especially with the watch program, he mentored me on that when I first led a walk.
- To be super involved.
- He hasn't applied before, and Ms. Harris has, and she's got a depth of knowledge that I think would be beneficial to that committee.
- It's obviously just her lifelong passion, so, for me I have to give the tilt to Ms. Harris.

Vice Mayor Gurney commented as follows:

- That make sense to me.
- I feel badly turning down a valuable applicant like Mr. Nichols.
- This happened the last time with the committee and I think the time before that, why do we keep this committee so small, why didn't we let them keep a stranglehold on the people who are there?
- Especially a limit, when this really is an artist community, and art is so important here.
- I keep saying I would really encourage us to consider making that a larger committee.
- There is more work to do, in terms of shepherding public generated art, not just art from development projects, or with impact fees.

Councilmember Hinton commented as follows:

*City Council Meeting Minutes of August 3, 2021*

- I wanted to add to that, I was in favor also of previous candidates, there was an applicant that applied twice that was very strong, but the Public Arts Committee wanted to keep it small.
- I don't think it's a time to expand the Committee, just adding applicants because multiple applicants we like them, if we want to expand it we should re-agendize it and think about expanding the Committee when we are not looking at applicants.
- I have sat here and voted before, we wanted to expand because of strong applicants, so I just don't think that is something I'm in favor of tonight but it's not that I'm not in favor of overall.
- We've had strong candidates before is what I'm saying.
- We have more work that they could do.

Mayor Glass commented as follows:

- They were very clear about not wanting to add people the last time they were before us.
- They felt like the process is working really well, let's check in with them again sometime in the near future, for now, let's go with what sounds like a consensus.

Councilmember Slayter commented as follows:

- I was going to say, the last time we interviewed for that committee, we had more than one, we had a number of highly qualified, highly experienced people who, in musical chairs, just didn't end up with a seat.
- That's just the way that the process works sometimes.
- I too think that Ms. Harris will be a remarkable addition to the Public Arts Committee, with the caveat that Mr. Nichols brings a certain every man's energy to whatever he does.
- I really appreciate that man on the street, human on the street, human in the woods, whatever you want to say.
- I know that there's a place where his energy can be put to good use in the community and in other ways.

**MOTION:**

Councilmember Rich moved and Councilmember Slayter seconded the motion to affirm the appointments as listed below:

Zero Waste Committee

- Argus Brent

Climate Action Committee

- Jesenia Garcia
- Deborah Burnes

Public Arts Committee:

- Barbara Harris for a term ending December 31, 2021

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

**VOTE:**

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

*City Council Meeting Minutes of August 3, 2021*

Abstain: None

**City Council Action: affirm the appointments as listed below:**

**Zero Waste Committee**

- **Argus Brent**

**Climate Action Committee**

- **Jesenia Garcia**
- **Deborah Burnes**

**Public Arts Committee:**

- **Barbara Harris for a term ending December 31, 2021**

**Minute Order Number: 2021-184**

The Council was in consensus to postpone recruitment of vacant positions to a later recruitment date.

9. Approval of Memorandum of Understanding (Agreement) with West County Community Services (WCCS) to provide Homeless Outreach services in Greater Sebastopol for the term 07/01/2021 to 06/30/2022 (Responsible Department: City Administration)

Mayor Glass opened for questions or comments of staff and/or presenter.

Councilmember Rich commented as follows:

- I just would like to know, I had a couple of definition questions, I am looking at the agreement, the Memorandum of Understanding, on the first page describes the services as being provided in greater Sebastopol.
- What does that mean?
- What are we talking about within greater City limits?
- All of them were housed within city limits.
- Is there a greater area outside the city limits?

City Manager/Attorney McLaughlin commented as follows:

- Because there are people that might be living in the Laguna area that is just outside city limits.
- I think that's why that phraseology makes sense.
- It's hard to create a boundary when there isn't a boundary to refer to.
- Official definition is to include the surrounding suburban and urban area of the city boundary.

Councilmember Hinton commented as follows:

- I've done the homeless count, I want to agree with Mayor Glass, there are homeless right at the border of our city.
- I'm assuming that they are taking them in because I mean, there's that little, tiny extra area.

Councilmember Rich commented as follows:

- That question has come up from the advocates. What about the people who are in and out of the Laguna? That's good to know.
- Consistent with what we would expect from West County Community Services.

*City Council Meeting Minutes of August 3, 2021*

- The other question I had is, it shows beginning July 1<sup>st</sup>, I'm assuming that date has changed, because they have not started yet?

City staff commented as follows:

- That's correct, they have not started yet.
- They have plans to do that but then, it's not as of July 1<sup>st</sup>.
- They did hire somebody already.
- They have someone, they were waiting until tonight's official action before they hired somebody.
- They do have someone that they are officially hiring based on the approval tonight.

Councilmember Rich commented my request would simply be that my hope would be that the extent that it's a 12-month contract, and it's starting in August, let's make sure that it goes 12 months from now.

City staff commented:

- I think they are relying on this amount of money to fund the position.
- That could be an issue if we reduce the price.
- I hope the Council doesn't reduce the price.
- There is an issue with going past the year, though.

Councilmember Hinton commented as follows:

- From my perspective, we get 12-months of service we should get 12-months of service, to the extent that it goes beyond the end of the fiscal year, that may be an advantage, because now we have a month of overlap, which might help us figure out what we are doing next.
- I don't think we should be paying for 11-months of service.

City staff commented we will figure out a way to fund it.

Councilmember Hinton commented as follows:

- It says that the City will be funding one position, and then it goes on to say, and related program costs.
- As presented in the budget, are we anticipating adding up an additional amount, beyond the FTE?

City staff commented as follows:

- Not our understanding.
- Those figures were incorporated.
- It's not our understanding that we have additional fees on top of this.

Councilmember Rich commented as follows:

- We are also obligated to provide City resources dedicated to solving homelessness.
- What City resources?

City staff commented City personnel such as when they do clean up and things like that, so, we would still be doing that, as part of our Public Work if we do that, and the Police Department.

Councilmember Rich commented then mostly project status meetings, is that something that City staff will be doing?



## *City Council Meeting Minutes of August 3, 2021*

City staff commented as follows:

- That probably should be discussed with the housing committee in September.
- Because, for instance, Park Village, we have a committee that meets yearly, I don't know that the committee wants to meet every month, but maybe they do?
- We should consult with the committee to see what is expected with that item.

Councilmember Hinton commented as follows:

- Councilmember Rich directs the 12-month item, and I would expect whenever this person is hired we would get 12-months.
- I always envisioned West County Community Services and contracts going under one committee.
- Maybe we'll talk about that at the next agenda?
- If we are managing two employees to work on homeless services in our town, it might make sense to have one committee handle it now that we have the financing.
- That was my vision, anyway.

### **MOTION:**

Vice Mayor Gurney moved and Councilmember Slayter seconded the motion to approve the Memorandum of Understanding (Agreement) with West County Community Services (WCCS) to provide Homeless Outreach services in Greater Sebastopol for the term 08/01/2021 to 07/31/2022.

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

### **VOTE:**

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

Noes: None

Absent: None

Abstain: None

**City Council Action: Approved the Memorandum of Understanding (Agreement) with West County Community Services (WCCS) to provide Homeless Outreach services in Greater Sebastopol for the term 08/01/2021 to 07/31/2022.**

**Minute Order Number: 2021-187**

Note: After the Council meeting, staff clarified the questions with WCCS with the following answers/clarification:

- West County Community Services (WCCS) will provide homeless outreach services in Greater Sebastopol for the term 08/01/2021 to 07/31/2022. Greater Sebastopol is defined as within the City of Sebastopol City limits and the surrounding area (Laguna and areas immediately surrounding the City limits). The funding amount, \$72,000 is for the full period of the agreement
- Funding for one FTE position and related program costs as presented in the budget. FTE Position and related program costs (office materials and office equipment) are included in the budget amount of \$72,000.
- City resources dedicated to solving homelessness (City staff assistance such as Police, Fire, and Public Works).
- Monthly project status meetings (City to meet with WCCS on status of deliverables).

There were no reports provided at this meeting due to the length of the meeting.

### **CITY COUNCIL REPORTS:**

*City Council Meeting Minutes of August 3, 2021*

27. City Manager-Attorney/City Clerk Reports:
28. 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)
29. Council Communications Received
30. Future City Meeting Dates/Events (Informational Only): (See Agenda Below City Web site for Up-to-Date Meeting Dates/Times)

**ADJOURNMENT OF CITY COUNCIL REGULAR MEETING**

August 3, City Council Meeting will be adjourned to the City Council Regular Meeting of September 7, 2021 at 6:30 pm. (VIRTUAL ZOOM PLATFORM).

The regular City Council meeting of August 17, 2021 has been canceled.

**ADJOURNMENT OF CITY COUNCIL REGULAR MEETING**

Mayor Glass adjourned the regular City Council Meeting at 12:27 a.m.

Respectfully Submitted:



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