

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



**Agenda Item Number: 1**

City Manager

Larry McLaughlin

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Assistant City Manager/City Clerk, MMC

Mary Gourley

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## City of Sebastopol

### CITY COUNCIL MINUTES MINUTES FOR Meeting of February 21, 2023

As Approved by the City Council at their regular meeting of March 7, 2023

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

*Please note that minutes are not meant to be verbatim minutes and are meant to be the City's record of Actions Taken (Approved Motion of Agenda Item(s)).*

**Call to Order:** Mayor Hinton called the Special meeting to order at 6:06 pm.

**Roll Call:**

**Present:** Mayor Neysa Hinton – By video teleconference  
Vice Mayor Diana Gardner Rich – By video teleconference  
Councilmember Sandra Maurer – By video teleconference  
Councilmember Jill McLewis – By video teleconference  
Councilmember Stephen Zollman – 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/GHD Mario Landeros  
Interim Fire Chief Jack Piccinini  
Planning Director Kari Svanstrom  
Police Chief Ron Nelson  
Public Works Superintendent Dante Del Prete

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

**PROCLAMATIONS/PRESENTATIONS:**

The following was presented:

- Proclamation – Proclaiming and Recognizing February as National Library Lovers Month and 2023 Theme of Love is in the Air

**Reference Order Number:** 2023-044

**STATEMENTS OF CONFLICTS OF INTEREST:** Conflicts of interest may arise in situations where a public official deliberating towards a decision, has an actual or potential financial interest in the matter before the Council. In accordance with state law, an actual conflict of interest is one that would be to the private financial benefit of a public official, a relative or a business with which the Councilmember is associated. A potential conflict of interest is one that could be to the private financial benefit of a Councilmember, a relative or a business

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with which the Councilmember is associated. A Councilmember must publicly announce potential and actual conflicts of interest, and, in the case of actual conflict of interest, must refrain from participating in debate on the issue or from voting on the issue and must remove themselves from the dais.

There were no stated Conflicts of Interest.

**PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:** Up to Twenty (20) Minute Time Limit (Two Minutes for up to ten speakers). Additional public comment will be held at the end of the discussion and action items for up to an additional twenty (20) minutes.

Kyle Falbo commented as follows:

- The February 7th meeting that went deep into the night, at the end of the meeting we had to condense and put off the reports from City staff and any sort of council outreach.
- At that time, our City Manager/Attorney stated that he had a long and extensive report that he'd be sending to council as well as posting.
- As of this date, that City Manager report has not been posted to the City Website for the February 7th meeting, nor has it been posted for this evening's meeting.
- So it's my hope that the manager's extensive report that he spoke of at the February 7th meeting could be posted for the public as he stated he would do so at that meeting.

Linda Berg commented as follows:

- Yes, Kyle, as usual thank you very much for raising that issue
- I am computer-free, cell phone-free, TV-free, and largely electricity-free due to electrical sensitivity.
- I am also very interested and need to have access to those reports, and so Mary, I'm asking you if you would please send me a written version to my aim mail center address so I'll be happy to pay 13 cents a page to see what's going on with the City.
- Very important that we know what's going on, and there's a lot of stuff I'll tell you right off the bat is going on with the RV village.
- It's kind of imploding on itself, I'm sorry so say.
- But anyway, aside from that, I want to wish you all happy Mardi Gras, happy fat Tuesday
- Discussed tick tock Tuesday where hundreds of people would gather to share stories and information about Lyme disease and other tick-borne diseases.
- I thought this would be an appropriate time to recognize those getting fat at our expense, in addition to the blood sucking ticks throughout Sebastopol.
- So, of course, it wouldn't be complete without acknowledging the Marin-Sonoma Mosquito control which is failing miserably to do their job by not recognizing the epidemic
- Okay, but aside from that, there's also, of course, Badger water meters which is sucking our blood at \$2.2 million more pieces of junk that are not being installed and will not work so.
- Anyway, that's the good news. They haven't been installed yet.

Martha Glaser commented as follows:

- Essentially I've been really thinking a lot about the wireless, the Wi-Fi AMI so-called smart water meters.
- I think that I still am very much in opposition to them, and I know there's an opt out.
- I think really it would have been a fairer discussion if it had been an opt in for people who wanted it, and I'm afraid that the information that the City will be sending may be biased toward people not taking the opt out or not having information so that they know why anyone would want the opt out.

- So that's one concern I have. Another one of very much concern is that I'm concerned about the schools in town, and I need to look into which schools are under the jurisdiction of the water meters that will be coming in.
- But I'm afraid, perhaps, that Sun Ridge, former Pinecrest and Park Side, and maybe Brookhaven, and Castle preschool as well as some of the parks and playgrounds where children are, the water meters are right where the kids are playing.
- I work in one of those schools, so I've been able to observe three of the water meters inside and outside on the pavement where the kids play.
- So, if the refrain from the former Council was, well, the meters are only going to put out, three emissions of radiation a day, if one is random, that really concerns me because people will be playing, people will be walking.
- If you walk, I took a 20 to 30 minute walk today and counted 21 meters.
- The one in front of my house will only be emitting once a day, and if I opt out and my neighbor doesn't, that's just three pings a day, that's two minutes.
- If you're free to walk, you're actually not free because you, like me, will be harmed by walking just 20 minutes by multiple emissions. I'm afraid that's not being considered.

Mayor Hinton responded to public comment as follows:

- Just to address some of the other comments.
- The one comment about the previous Council and water meters, I want to mention that.
- They had done a survey and received the results of that survey, which was part of the discussion item when we approve the water meters.
- That was part of the process, and the public was reached out to in that process.
- It was determined that two of the pings, as referenced by the speaker would be during the overnight hours to avoid being during the daytime hours. It was agreed upon one ping during daylight hours.
- I wanted to address the speaker that the Council has the ability to either give verbal or written reports.
- Not all of us, myself included, who work at a full time job, have the time to write up a written report for posting, but we do our best to give verbal reports.

City Manager McLaughlin commented as follows:

- Update / Report was sent to the Council
- I'm not sure why it wasn't posted, but I'm sure that it will be at this point.

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

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

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

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

Mayor Hinton read the consent calendar.

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

Councilmember Maurer commented that she had sent corrections to the minutes to City staff for the minutes.

City staff responded that the corrections were to correct the name of a Councilmember speaking and the edit will be made for the final minutes.

Councilmember's Request(s): There were no requests at this time to remove any consent calendar items from the Council.

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

Linda commented as follows:

- So I'm just going to pass over the fact that I don't have access to the minutes due to being computer-free.
- But anyways, that's a minor thing compared to some of the other stuff here.
- Number four. What's heck is that? Superheat long duration energy storage?
- I haven't got a clue what that is, so I am, I'm asking that that be removed from the consent calendar and elaborated on.
- Also, the same thing with the budget committee meeting. We need to keep an eye on the City's money.
- We've already had millions stolen one way or the other.
- Number six, Parquet sewer line. I don't know who's doing that and what materials and like that, and same way with number eight.
- Approval of the transfer ownership of the hazmat. Who knew we have a hazmat trailer?
- I would like all those items removed and put on the agenda for elaboration, thank you, during this meeting, of course.

Kyle commented as follows:

- Let's start with the accessibility policy. Zoom meetings produce a transcript by default.
- This transcript should be made available for the public for each meeting, even better would be the captioning created for each meeting be made publicly accessible as a written transcript.
- The letter of support for Sonoma Clean Power, this is awesome. Take advantage of lobbying any chance you get. In the consent calendar, it's a very appropriate place.
- The budget committee schedule, every meeting is being held before noon when most of the public is working.
- There's no current plan for the committee to record or document minutes from the meetings even though they're held via zoom and could easily be recorded and shared publicly.
- It continues to be run as an ad hoc, even though it should be more appropriately ran as a standing committee.
- Parquet Street water and sewer replacement. Yet another million dollar project entirely involving outside contractors from engineering to completion.
- The emergency state of COVID, what's not detailed is if the City offices will ever return to being open to the public.
- The hazmat trailer, no real comments there.
- Nothing about the fireworks.
- Basically what we see again is continued policy by the Council to take large scale items, things that are both important fiscally, important to the management of the City, and putting them in a consent calendar item that doesn't produce discussion amongst members and gets rapidly approved.
- A million dollar project is likely something that needs to be discussed by the Council rather than being put into a consent calendar.
- The management of City meetings, the budget, all these deserve further discussion, and I would hope that Councilmembers see this as an opportunity to remove consent calendar items and bring them to the full agenda.

Mayor Hinton responded to public comment as follows:

- One, the letter for support brought forward by Councilmember Zollman and suggested other cities have approved long duration energy storage sub-24 is a letter of support. It's been recommended by Sonoma Clean Power.
- We have a history in Sebastopol of supporting these kinds of initiatives and generally something like that does appear on the consent calendar.
- We have budget subcommittee meetings, again, as I'm not on it this year, but we have people working around work schedules and City staff, I can only assume we try to work around schedules and if a Councilmember wants to elaborate on that, then please raise your hand.
- Along with Parquet, yes it's on consent because it's been approved as part of last year's City budget, so, this has already been approved and discussed at length, and that's where, this is where it generally ends up.
- Of course, current Council has the opportunity to pull it and ask further questions if they'd like.
- I'll also give our interim fire chief a chance to respond to the public on the hazmat trailer.
- I do know a little bit about it, but, um, since that question came up, I'm first going to ask the interim fire chief, could you just respond to our public about the hazmat trailer?

Interim Chief Piccinini commented as follows:

- This is a trailer, the County purchased a number of trailers year ago when hazmat incidents were on the increase and kind of new to the fire response delivery system.
- The County of Sonoma purchased a number of trailers and strategically placed them throughout the County, one being here in Sebastopol.
- The inventory in the trailer is an inventory of tools and equipment that allow us to contain hazardous materials, leaks, incidents, and provide decontamination equipment should our firefighters or the public get contaminated with hazardous materials.
- It gets parked at the Public Works facility, but in a time of need, we go down with our utility pickup truck and respond to an incident.
- The resource, while these days has not been used to the extent it used to be as incidents have declined, it's still proven to be a great asset to the City of Sebastopol.
- As I indicated in the staff report, the County gave us unilateral use of the trailer but retained ownership.
- During their annual inventory policy, they have chosen to pass the ownership of that trailer onto the City of Sebastopol.
- There are really no consequences to that. The trailers themselves don't bring any significant maintenance issues.
- This particular trailer is still in excellent shape, and while I see us maybe needing to replace tires soon, again, it's for all intent and purposes in excellent condition and not a liability that we're taking on.
- As I've mentioned, it's a good tool and asset for the fire department.

Vice Mayor Rich commented as follows:

- This is on the budget committee question.
- I think all of us in the community recognize it's difficult to schedule meetings at a time that's convenient for all members of the community.
- I have to remind everyone that one of the concerns we hear repeated here over and over from our public is the need to accommodate seniors and retired individuals.
- So I would point out that there are some people for whom an occasional morning meeting on budget issues is really quite convenient.

- The other point I wanted to make is really one I'll defer, and in terms of the timing of the committee meeting, we have staff that's involved, City Councilmembers that are involved, so there's a real effort to accommodate the schedules.
- In particular our staff members, Finance Director, and administrative staff. Super important for us.
- They're doing a lot of the heavy lifting in the budget committee.
- There are many meetings, and we see that in the staff report today that shows upcoming meetings.
- We've already had four or five meetings of the budget committee, so we try to accommodate the needs of staff and councilmembers.
- The question I'd like to defer to our City Manager/City Attorney is the question that was raised which seemed to call out the possibility that the budget committees are being dealt with as ad hoc committees.
- There's a big distinction between ad hoc committees and the rules that apply and standing committees.
- I'm here to tell you, and we'll get some verification, that the budget committee is absolutely, 100%, complying with the rules of standing committee.
- If you could please, City Attorney, clarify that for the public, I'd appreciate that.

City Manager/Attorney McLaughlin commented as follows:

- It is 100%, the budget committee is 100% a standing committee.
- All aspects of the Brown act are complied with.
- We treat it exactly like we do every other standing committee and Brown act committee and City Council meeting.
- It's treated the same, only the meetings do take place during working hours generally speaking.

Mayor Hinton commented as follows:

- I might add by taking advantage of staff on working hours, that means we are saving money and not paying overtime.
- Seems like a fiscally responsible thing to do.

Councilmember Maurer commented I'd like to request that those budget meetings be recorded on zoom and then uploaded so that they are provided to the public.

Mayor Hinton commented as follows:

- We will take that request under consideration, and I will speak with City management about it.
- I think to change our policies, we would need to bring it forth.
- Maybe the City Manager knows a little more about this, and we would all have to somehow agree.
- What would it involve to make a change like that and have these recorded on zoom and post it to the public?

City Manager/Attorney McLaughlin commented as follows:

- We generally don't do that (tape the budget committees)
- I think we'd need to bring it to the City Council, make a decision, and direct that to staff

Assistant City Manager/City Clerk Gourley stated since it's not on the agenda, I think we should discuss it at the agenda review committee meeting.

**MOTION:**

Councilmember Zollman moved and Vice Mayor Rich seconded the motion to approve Consent Calendar Items 1, 2, 3, 4, 5, 6, 7, 8 and 9 with item number 1 and 5 corrected as noted.

- Corrections to Item Number 1 (Minutes)
- Correction to Item Number 5 (Date corrected to be April 20<sup>th</sup>)

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

**VOTE:**

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

1. Approval of Minutes of January 31, 2023 Special City Council Meeting Minutes (Responsible Department: City Administration)

City Council Action: **Approved Minutes of January 31, 2023 Special City Council Meeting Minutes with corrections.**

Minute Order Number: 2023-045

2. Approval of Minutes of February 7, 2023 City Council Regular Meeting Minutes (Responsible Department: City Administration)

City Council Action: **Approved Minutes of February 7, 2023 City Council Regular Meeting Minutes**

Minute Order Number: 2023-046

3. Approval of the Resolution Adopting American’s with Disabilities Act (ADA) Policy as Required by Assembly Bill No. 2449 ( accommodation request policy for the meetings of the City council and all City commissions, committees and boards; and directing City staff to make such changes to the City’s agenda templates (including such templates for the City council and all City commissions, committees and boards) as may be necessary to implement the teleconferencing procedures (Responsible Department: Building Official as ADA Coordinator/City Administration)

City Council Action: **Approved Resolution Adopting Americans with Disabilities Act (ADA) Policy as Required by Assembly Bill No. 2449 ( accommodation request policy for the meetings of the City council and all City commissions, committees and boards; and directing City staff to make such changes to the City’s agenda templates (including such templates for the City Council and all City commissions, committees and boards) as may be necessary to implement the teleconferencing procedures**

Minute Order Number: 2023-047

Resolution Number: 6510-2023

4. Approval of Letter of Support for the Proposal, “Superheat Long-Duration Energy Storage: Sub 24-Hour” (Requestor: Councilmember Zollman (City Council Representative to Sonoma County Power)/City Administration)

City Council Action: **Approved Letter of Support for the Proposal, “Superheat Long-Duration Energy Storage: Sub 24-Hour”**

Minute Order Number: 2023-048

5. Approval of FY 2023-2024 City Budget Committee Meeting Schedule (Responsible Department: Administrative Services Director)

City Council Action: **Approved Y 2023-2024 City Budget Committee Meeting Schedule with correction.**

Minute Order Number: 2023-049

6. Approval of plans and specifications and authorization to bid the Parquet Street Sewer Line (Project # 0615-21.01) and Water Line (Project # 0819-21.01 Replacement, and Slurry Seal (Project # 0517-21.01) and Finding the Project Exempt under CEQA Section 15301(b), 15301(c) and 15302(c) (Responsible Department: Engineering/City Engineer)

City Council Action: **Approved plans and specifications and authorization to bid the Parquet Street Sewer Line (Project # 0615-21.01) and Water Line (Project # 0819-21.01 Replacement, and Slurry Seal (Project # 0517-21.01) and Finding the Project Exempt under CEQA Section 15301(b), 15301(c) and 15302(c)**

Minute Order Number: 2023-050



7. Adoption of Resolution Terminating the State of Local Emergency Regarding Novel Coronavirus (“COVID-19”) (Responsible Department: Director of Emergency Services (Interim Fire Chief)

City Council Action: **Approved Resolution Terminating the State of Local Emergency Regarding Novel Coronavirus (“COVID-19”)**

Minute Order Number: 2023-051

Resolution Number: 6511-2023

8. Approval of Transfer of Ownership of Haz Mat Trailer from the County of Sonoma to the City of Sebastopol (Responsible Department: Interim Fire Chief)

City Council Action: **Approved Transfer of Ownership of Haz Mat Trailer from the County of Sonoma to the City of Sebastopol**

Minute Order Number: 2023-052

9. Receipt and Approval of 2023 Fireworks Show: Approval of Request from the Sebastopol Kiwanis Club to Conduct their Annual Fireworks Show on July 3, 2023 located on private property of the West Sonoma County Union High School District, Analy High School, 6950 Analy Avenue, Sebastopol and finding this action exempt under CEQA Section 15304(e) ( (Responsible Department: Interim Fire Chief)

City Council Action: **Approved Receipt and Approval of 2023 Fireworks Show: Approval of Request from the Sebastopol Kiwanis Club to Conduct their Annual Fireworks Show on July 3, 2023 located on private property of the West Sonoma County Union High School District, Analy High School, 6950 Analy Avenue, Sebastopol and finding this action exempt under CEQA Section 15304(e)**

Minute Order Number: 2023-053

**INFORMATIONAL ITEMS/PRESENTATIONS: NONE**

**PUBLIC HEARING(s): NONE**

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

10. Approval of plans and specifications and authorization to bid the Bodega Avenue Phase 1 Project #CIP 0513-74.09 and Finding the Project Exempt under CEQA Section 15301(c), 15304(f) and 15304(h) (Responsible Department: Engineering/City Engineer)

Mario Landeros, City Engineer/GHD, provided the agenda item recommending the City Council approve plans and specifications and authorization to bid the Bodega Avenue Phase 1 Project #CIP 0513-74.09 and Finding the Project Exempt under CEQA Section 15301(c), 15304(f) and 15304(h). Also, present to answer questions was Steve Weinberger (W-Trans) and Matthew Salveson (Wood Rodgers).

Mayor Hinton opened for questions from Councilmembers.

Councilmember Zollman commented as follows:

- My question, and I read this I thought pretty extensively, and I looked at your photographs.
- Can you explain how this part of Bodega Avenue will be any different than Petaluma Avenue?
- Especially when it comes to the shared bike lanes.
- My specific concern is the fact that I had heard, myself personally, and have read from various members of the public who have submitted comments, that there are ways to make those shared bike lanes safer by way of installing raised curbs so if a car is driving near one of the shared lanes, and they momentarily get distracted, if their car hits one of the curbs, at least that will be a reminder that they're in a space that they need to pay more attention to.
- So if that is possible, I do not see this in these plans.

Mr. Weinberger commented as follows:



- I think there might be some confusion with terminology.
- A shared bike facility is what's usually used which is on the eastern portion of the phase 1 project, so everything east of Washington where there's not room for actual bike lanes there's a share symbol to warn drivers of cyclists sharing the road to them.
- You might be referring to the standard class 2 bike lanes that are on Petaluma Avenue and Highway 116 as well as a number other streets in town.
- Petaluma Avenue, by the way, does have some, what's called a buffered bike lane. So there's the bike lane and striped space between.
- On the phase 1 project, the bike lanes come into play west of Washington where there is room.
- There's 30 feet of pavement curb to curb, so with the three lanes on Bodega, there would be three ten-foot lanes and five-foot bike lanes with no room for buffer.
- We're at the lower edge of general width for the travel lanes.
- The standards allow for ten-foot travel lanes, and they're becoming more prevalent.
- A five-foot bike lane is the standard width for a bike lane.
- I think maybe what you're asking is can the design with the bike lanes include some type of raised curbing on the stripe between the travel lane and the bike lane
- There has not been any discussion.
- You're correct that there is no inclusion for any raised curbing for that given the, the narrow width of the travel lanes.
- They are within standards, but they are narrow.
- I think it would not be prudent to install any raised curbing, and there are devices that would be durable enough to withstand repeated, um, you know, say trucks hitting them if they were hitting the lane line.
- But in this case, it would be extremely frequent because of the narrow lanes.
- The project has been designed because within the limited pavement width that we have.
- But it does meet standards and does provide some benefits in terms of traffic calming.
- It will help to temper the speeds because we are confining the vehicle traffic to a certain amount of space

Mayor Hinton commented as follows:

- Is part of our funding based on that we were part of the project is we basically are committed to installing bike lanes, and stripping
- I know we have had a question from a member of the public that says just, they are unsafe, get rid of them completely, but the funding includes both the bike lanes.
- Is that correct? Could you clarify that for the public

Mr. Landeros commented as follows:

- The short answer is yes. The bike lanes inclusion is very much a part of the funding.
- The funding grant that was obtained and discussed OBAG funding
- I believe when it was first announced in 2016, did say competitive grant meaning that local agencies need to come forth with their best projects that meet the parameters for the grant.
- The trend has been for now has been going on now good decade plus.
- Transportation dollars especially at the Federal Level have been shifting more and more towards the non-motorized aspects of the transportation system.
- Bike facilities, pedestrian facilities to be inclusive of all users.
- When these projects are being called for on competitive or under competitive environment, then parameters are set that are through aa scoring system, will benefit projects that include pedestrian and bicycle facilities.

- Other important aspect are, proposed project, as part of and already established policy or plan.
- For example, the regional bike plans, the City of Sebastopol master pedestrian-bike plan.
- Those all go towards enhancing your chances for securing the fund.
- So the bike lanes were a very significant element in the City's application as well as the pedestrian grant application.
- Those projects, depending on pavement only, sadly scored very poorly.
- You have streets all over that have needs, but if they are competing against other projects that are putting forth these elements, it really comes down to know no-contest.
- That was part of the dilemma.

Mayor Hinton commented as follows:

- I understand, but I want to make sure the public is aware that when we go out for competitive bids on these we are checking inboxes as well as serving all members of the public, whether biking, walking, driving.
- Second question, we have a member of the public flashing on the screen two lane with a buffer, versus relay that we have right now.
- Just having walk that myself, within last week, I know that
- I do pull out from Robinson frequently from where I live, I know there is a center lane that is used as a turn lane or whole lane as you are pulling in, out of carpet and part of that section.
- Where you are saying the bike lanes will comply, but everything is going to be right basically in order.
- Could you address or was it looked at to possibly get rid of that center lane to have more space?
- Or is that not really a reality with people that live along there that it is better that you said center lane to come out into traffic then hold which I frequently do
- That is why I asked the question before you pull into traffic going up the hill, for example.

Mr. Weinberger commented as follows:

- So this section of Bodega, as you know, has the center turn lane it, Bodega, Nelson intersection, has it then actually goes back to the two lanes as you go through Virginia and Golden Ridge to the West.
- The volume of left turn of locations at Robinson, at Virginia, Bodega, are such that if you didn't have the turn lanes, then there would certainly be backups, they would start to be generated as traffic is waiting for that, to turn left, onto the side streets
- Historically it has warranted those turn lanes, which is why when we did the original concept plans for the bike lanes, that goes back to 2011.
- That is how long we have been looking at these bike lanes, that just decided to leave those turn lanes in place.

Councilmember McLewis commented as follows:

- First off, I am totally supportive of the bike lane, but a little hesitant to ever ride my bike on that road, frightening to me a little bit, but I just have a question regarding or belabored the issue a little bit, when Councilmember Zollman commented of receiving a lot of comments regarding the safety and concern for bikers on their.
- I understand we need to have the bike lanes, but having spent a lot of time in the Netherlands, Amsterdam specifically, knowing the amount of bikers they have there, just wondering, I know a lot of their bike lanes are actually as narrow as 4 feet.
- Just wondering when we discussed the safety of these bike lanes, having the buffer there, be divider, you see there with the concrete, actually helps to divert people back away from the bikers, is it a matter of policy that we have never done that?

- Or is it just a matter of this is what we have always done?
- We have not had these buffers, that is why we do it that way?
- I take how much with anything that is that is just what we have always done so I just as that, because it seems as though there are so many people that are concerned about this that I want to make sure we are thinking outside the box, considering other options.
- It's a matter of policy, regulations, understand, but if it is simply, because that is what we have done, I want to see if we could consider something different.
- Just knowing their role people around the world that they do this much more than we do, they have parking garage is simply for their bikes

Mr. Weinberger commented as follows:

- I think it is a matter there are a number of reasons, but I think top of the list would be real estate. The space available.
- If we are just talking this corridor, to make this a financially feasible project from day one, when they were envisioned, the only way to design this with the pavement that is there was the way it is designed now.
- In your discussion of buffers separated bike lanes, now known as class 4 lanes, the class for which is separated bike facility, that's a class one, which is a bike path, in roadway, physically separated bike lane, I mean, frankly in the United States within the last eight, 10 years, they came up with the class 4 designation, but again, it requires more space
- You need at least three more feet on each side so the 5 foot likely plus 3 foot of buffer space to put something raised in some cases.
- In the work we are doing, in fact we are working on in other cities' bike plan updates.
- We are in, Windsor, looking for corridors that, number 1, warrants a higher level of protection for higher volume, higher-speed routes.
- Also they need to have width to provide that, because it would be nice if we did that everywhere, but then if we planned for that, financially, realistically, it's never going to happen, given the financial need to create something like that as in getting more right away to get that width.
- It's for those sort of those mixed reasons that this location didn't include those features, number 1, the width was not available.
- Was not because we were not looking outside the box, although at the time we started this, there wasn't anything known as a class four separated by bike lane, but we are looking for other opportunities.
- In fact when the highway 116 bike lanes went in, in 2018, the current standards, the thought of providing wider space didn't enter in, because there wasn't width available.
- That is why the paving of highway 116, you got not only bike lanes, but the green paint, there are buffers where there was room in some cases.

Councilmember McLewis commented as follows:

- I was just wondering, you keep referring to the 5 feet, 5 feet the very minimum we could do?
- I have seen them over in other places, but I understand we have our goal regulations here so 5 feet width is with the bare minimum is that we need for our bike lanes?

Mr. Weinberger commented as follows:

- To stripe and mark space as a bike lane, you do need 5 feet.
- I have seen in some jurisdictions where maybe you have a short stretch where you do not quite have the width go to 4 feet leave it unmarked with a stripe separating the road from the bike space, not striping it with a bike lane marking.

- So I would advocate for keeping it very standard, 5 foot width.
- I mean, the lane is 10 feet, which is what they will be, the minimum that we can go to with the standard for the travel lane.
- The decision was to stay very standard with the five and the 10, that being on the lower end so we are making the bike lanes a standard width and the travel lanes are within standards the travel lane is more in the 10, per foot range as a lot of like standards are.
- If we start putting, adding some buffered space within the 5 feet, now we are sort of squeezing the bike lane to less than to what is the standard acceptable width to that.

Councilmember McLewis commented as follows:

- I travel Petaluma every day. I see people instantly driving in that bike lane.
- That's a big concern of mine.
- I literally see it almost every day so if we had some sort of buffers, that is the other benefit to that.

Mr. Landeros commented as follows:

- Steve is mentioning the standard and given the standard is the 5 foot, and, because of the Federal Funding, we do have to stay within the standards.
- It is different if it was a locally funded project, entirely local, some discretionary calls could be made, but otherwise then we would be needing to move into what they call 'design exceptions

Mayor Hinton commented as follows:

- You have mentioned a number of times I think figure 2011, maybe it was a different, event for longer though, that this project has been planned. It obviously took some time to get funding.
- I think Mario mentioned we have got six months, we have got to get it out to bid, do all these things to make sure we don't lose the funding.
- Could you just verify? Because it does seem like we are in the final phase of this project so what does that or what was that timeline, again, if you could state the years?
- Are we in the final phase? Is this not to get going and getting out to bid or how much time do we have to complete this project, because it sounds like the design work has been done?
- Has a bit been done or is it realistic to consider some of the questions that we are asking to make changes at this point

Mr. Weinberger commented as follows:

- I have some history. This all started around 2009, the SCTA adopted the first countywide pedestrian plan, with the City bike plans nestled within that so the City's bike plan, current bike plant was established then in 2009.
- In 2011, the City of Sebastopol completed a, what was called, bike lane feasibility study, because it was unknown whether some of these bike lanes were feasible and could fit within the pavement, the City did a separate study to do concept plans.
- We did, we participated, we assisted the City with that in 2011. It included a public process, as did the countywide plan.
- These plans were shared with the public, public meetings, and settled on the concept plan that then moved on to design.
- We did the first design of that in 2017. We were directed by the City to then design those bike lanes, in 2017.
- About the same time, then the City started pursuing funding through the bike program, to construct those.

Mr. Landeros commented as follows:

- As Steve pointed out the background on this, on the City's plan, bike ped plan, the initial funding sought was OBAG Federal Funding grant, one bay area grant application, referred as that, at any rate.
- The second opportunity OBAG2 came about 2016, at which time the City felt it was competitive, having established a master plan, which showed the bike lanes on Bodega Avenue, and a feasibility study supporting it so it was in line to be competitive with the project so that happened in 2017, when the City did apply for it.
- That is the timeframe it takes to get these things going, but by 2018 the City did receive its grant notification of grant.
- We then had to move forward with doing all of the requirements, Federal Environmental study, the NEPA work that needed to be done. Design work, all the preliminary engineering.
- For various reasons, the project continued on from 2018 up until when we finally got our obligation, our funds granted, in other words, money in the bank, so to speak, in January earlier this year.
- In between that period, as everywhere else, things like the pandemic slowed the process down, staff turnovers, just whatever the reasons, coupled with some environmental challenges, it's really prolonged Sebastopol's process in this.
- OBAG 2 was coming to an end actually at the end of January so we did get our grant, just by the skin of our teeth, right?
- We've got the grant, we are good, but regardless of when the grant would've been obligated, the agreement says, okay, agency, you have your money, do your work.
- Now we have to meet milestones. Within six months we have to meet certain milestones otherwise it starts looking like the project is inactive.
- The first milestone is, because these projects are billed for in arrears, we expend the funds then we go submit for reimbursement.
- That first reimbursement request has to be six months from when the funds were first obligated.
- As mentioned earlier, it was January, so that puts us by June-ish, middle June, early July, when I will be feeling the heat that says, "hey, City, your project is going to become inactive, let's get going."
- Usually when that happens it is a matter of yes, we are just doing the invoicing paperwork, but we are already in contract, with construction, moving forward.
- That is kind of the timeline that we are facing.

Councilmember Maurer commented as follows:

- I have a question, just want to take it back a little bit to the issue that Councilmember Zollman and Councilmember McLewis brought up which is the curb.
- I'm wondering, sounds like failing the ability to add curbs in between the car and the bicycle writer, would it be possible to add, not sure of the exact title of these, but they are like bumper dots, like on the striping, say in between the car and the bike lane?
- Would it be possible to add those bumper dots quick so if the car is driving, if they get those bumper dots, it takes a noise, alerts them to get out of the lane, just a thought.

Mr. Weinberger commented as follows:

- I think given the concerns, I think that would be an easy and a change to the plan, different striping detail, which includes the dots.
- I would look to Dante though there were definitely be replacement to those needed over time.
- I think an easy addition that could sort of help, keep the traffic in the lane, as best as possible.
- I think that is a good idea.

Councilmember McLewis commented as follows:

- I don't believe this has been addressed, but we received a public comment that expressed concern regarding trees.
- In general trees, heritage trees, asking if any of that has been discussed or identified, they were worried about some of the trees around the Luther Burbank form and such on the slope.
- They just wanted or they had asked us that question, so if you might be able to address that for the public, so they understand what has been considered, where we are at with that?

Matthew Salveson, Wood Rodgers commented as follows:

- The question was whether or not the trees are getting impacted? Are any trees being impacted? If so, are any of them heritage trees?
- Public is concerned of ones that may be closest to the row, not set back far enough so yeah, there was concern about that.
- The short answer is no. It was looked at, considered in terms of the environmental processing and in terms of how the design was done.

Councilmember McLewis commented so no impact so people could rest assured that that has been considered?

Mr. Salveson commented we are staying within the existing Right-of-Way which for the most part is the existing asphalt and concrete.

Vice Mayor Rich commented as follows:

- I just wanted to ask, that was the question that Councilmember McLewis asked about trees, I do know that there is information that has been provided to the City Councilmembers, I would ask that someone in the room confirmed that the answer that was provided here tonight is complete and consistent with the information that staff may have available to them.
- The answer may be yes, on just uncertain so someone can answer that question from the staff, I would appreciate it.

Mr. Landeros commented as follows:

- The short answer without me getting the detailed response is that as Matthew mentioned earlier, both in the environmental and the design phase, that was considered and looked at.
- Certainly phase one, there is no tree issue. It is entirely within the existing curb to curb locations.
- In both phase one, phase two, there may be some tree trimming lower branches, pretty typical on these projects, make sure we have the clear way over head, not going to cause damage to trees by construction equipment pulling limbs, that sort of thing,
- When we get down to, which is part of phase two, West of Nelson, into Burbank Farm area, slopes, adjacent to the cemetery, Burbank Farm, yes, that was looked at quite a bit more, because of the existing slope conditions. Both from the standpoint of many improvements, causing any affect or impact to trees and the work as proposed was, we had arborists do the analysis and research on this.
- It was found that there wouldn't be any adverse impacts to the existing trees along there. With the exception of one which I will mention in a minute here as far as any of the trees in the area being of heritage tree size, no, none were, that I'm aware, determined to be in that category.
- As far as the one tree that it did have, that was of concern, I believe I want to say it was a chestnut tree that an arborist had to determined that it was already a pretty dilapidated state, disease, very small exposed root ball that any additional work related to retaining wall in that vicinity would be further detrimental to the tree.

- So in the interest of moving forward, that is an area where the widening, retaining wall will not be installed.
- It will be more of the shared lane condition, shared bike lane leaving the tree alone.

Mr. Salveson commented as follows:

- Just with clarification on what Mario said, the trees that were of concern, in phase two. Phase one of construction project, that Mario is asking to authorize, that is not the case.
- There is no risk to any of the trees.
- That is for the quick strike that will be coming up in phase two
- In phase two, there are some concerns and constraints that still need to be addressed.

Mayor Hinton opened for public comment. 10. Approval of plans and specifications and authorization to bid the Bodega Avenue Phase 1 Project

Eris Weaver commented as follows:

- Sonoma County Bike Coalition
- I realize this process has gone so long that there is very little chance, but making very little changes, but still some comments have to make.
- This project does a great job for pedestrians, but it will not make anything safer for cyclists.
- One of the things that I heard from many of you is the desire for some kind of protection between the cyclist and the cars.
- Indeed, protected bike lanes and completely separated bike lights do make streets safer not just for cyclist, but all users of the street. Class 2 paths do not.
- Making the travel lanes now working with 10 feet, more safety for everyone than actually the bike paths will, but they don't change behavior.
- People who are competent bicyclist are not necessarily going to ride more, because those lanes are there.
- Research showed shared roads makes safety worse
- If there was one simple thing you could do simple on this project, I would like for you to not do the freaking shared roads
- Many people do not know who what they are, but if you feel you have to do them place them in the center of the lane and not where doors are opened
- I cannot tell you how many times I see the shares are in the door zone
- In terms of the bike raised dots or rumble strips or curbs, if you're in a bike lane, if it is that narrow, you don't have a more vertical protection, you just have something low like a curb or something bumpy, have the time bike lanes are full of debris, potholes, as a cyclist, I sometimes have to move into the travel lane.
- Even if there is a class to bike lane I still have to use the vehicle lane.

Dorothy commented as follows:

- In the past, not sure if it is still in there, you had part of this bike route going actually through the residential area of Burbank heights and orchards.
- Is that still in there, that's my question?
- When you are mentioning about trees and about a slow, a slope coming down from the Burbank Farm area, next to the cemetery, it sounds like there is some portion of the bike lane that is going through the elder community of Burbank Heights and Orchards, which I would say is a bad, bad idea, because cyclists are so much faster than most of your senior people.
- It is a danger to seniors to have cyclists coming through, especially on the grade where they would go faster and not be able to stop.



- So let me know if that is the case.

Kyle commented as follows:

- I really appreciate Mario has done what I wanted this council to do for like some time regarding the project which is be open, transparent about the delays.
- The last time I brought up these delays, I was told something about like weather related, that was really not the case.
- Unfortunate that we do not get the transparency and the openness about the delays.
- As much as Mario could say, various reasons, but really not getting the details.
- We are talking about a plan, back in 2011, a perfect example to show us just how slow progress, on major projects in the City, take.
- It is really not acceptable.
- The level of degradation on Bodega Avenue, like borders on negligence, gross negligence.
- This is no longer like maintaining our roads kind of a status. This is like repairing our roads.
- Our City continues to take a stance of allowing our roads to do great so far that we have to repair them as opposed to maintaining them, goes to show us that really they do not understand the financial responsibility of maintaining roads.
- The increase costs of the result of letting roads go to this far is astronomical compared to regular upkeep and maintenance of our roads which is responsibility of the City.
- If you look at a recent report you will find our roads, over one third, rated as very poor.
- We are rated as the lowest five communities in the bay area.
- So it would be my hope that we could just make that regular progress on these types of things, be transparent about delays as to why these delays are actually happening, in an attempt to prevent those things from happening in the future

Elliott commented as follows:

- My public comment turns out echoes much of what the first speaker said given that this project is funded by a grant presumably to help build cities that are safer for bicyclists and pedestrians.
- I also think that the pedestrian improvement will increase safety, but the bike lane will not.
- The bike lane goes through countless intersection. There are countless drivers and intersections along here that people, driveways are actually so short that people back out, reverse out from the driveway to the road, they encourage bicyclist to be on the edge
- It is encouraging bicyclist to use this wrote then in an incredibly dangerous manner.
- So one topic about any adding any kind of buffer or curbs or anything, anything to separate the cyclists from traffic, I hope that will go into someone who would be using that lane and that to some degree, that ends up being more dangerous to the bike user then drivers entering the bike lane

Daniel commented as follows:

- Just wanted to echo some of the thoughts that I heard from others around safety.
- I live on Robinson. I bike extensively in town and I also have three children, 11-year-Old who rides down to the community center for karate practice.
- We have him avoid all the bike lane set up and installed in town, because they are not really safe.
- There is just a lot of traffic, surrounding all the bikes, if you're a professional cyclist or somebody who is comfortable like myself, I use those, but I definitely have my kids stay clear of those.
- Too easy to have cars we've in or just, just, I think, accident waiting to happen.
- I would really ask that we consider our success criteria here for what does a successful bike plan look like in town?

- Does it mean or how do we measure success or ridership
- What does the planning commission think about how many bikes do you expect to see on these bike lanes?
- Would you bike these lanes yourself every day?
- With the housing complex that is going to go in, across from Robinson and Bodega, we will see a huge increase in the number of vehicles on the road, as others have said, a lot of driveways.
- When I do like on Bodega Avenue, I take the full lane or bike in the center of the traffic, because I just feel safer, to me, if I can I avoid that area altogether.
- I would hope that we could look at alternatives more towards class one bike lanes in town there are alternatives that exist.
- There is an organization entity called for public for project spaces, another called better block that helps cities and prototypes, infrastructure in town by using temporary needs to kind of test things out, gain public support.

Lynn commented as follows:

- These bike lanes are going to create an unsafe attraction for any kind of user, whether they are young, old, or even skilled bike riders.
- I have talked to perhaps, 40, 50 residents of the community, not one wants to see these bike lanes created. Almost universally, just don't like it and feel it would be unsafe.
- I walked this section with the principal of Bike Solutions who is the head, what would you call it, consultant for 116 bike lanes, when he was working on those.
- He also said there are significant real flaws with the design of these bike lanes.
- I went back and talked to W-Trans about this.
- I said would you do it, but change it? Nothing is happened.
- The bike lanes are dangerous, currently not protected.
- 116 bike lanes, three police reports per year on average of bike, car collisions.
- This will have many more and much more serious injuries.
- That represents only a small fraction of the actual collisions.
- About 1/10 of them are actually in a police report, that thing.
- There are really options for transportation alone, and they should be used, encouraged.
- Most people do use these, but we just don't need these lanes.

Emily commented as follows:

- I'm here with Sonoma County Bike Coalition also.
- At the keynote early what you are hearing is just the need for more protection.
- You know with regard to these lanes, there has been referencing of the lack of space, which seems to kind of really pulled a bear car centric paradigm.
- Privilege car stories, parking, over cyclists and pedestrians.
- We would suggest that you refer to the standards of national association of City transportation officials, more friendly to bicyclists than the and et cd.
- Their focus is on all ages and abilities, addressing those networks.
- We probably would not put a class to lane on the street that has as much traffic.
- Just something for you to consider

Roberta commented as follows:

- I live in a condominium in complex which I consider to be pretty comparable to this Bodega Highway.

- In terms of the flow of traffic, speeds at which people are going, slopes, all of that, I want to tell you that when I leave my condo complex, I get as quickly as I can to the class one path.
- Even in doing them, there are pretty scary places along the way.
- I'm talking about having to go maybe a block and have to do that.
- I go well out of my way to get back to my home, rather than riding on Healdsburg Avenue.
- It is similar in all of the driveways, intersections, drivers, they just don't see me somehow, even though I am always brightly dressed, brightly colored close, lit front and let back.
- I cannot imagine trying to write on the Bodega Avenue.
- I'm a pretty experience writer. Represent a number of the bike of chicks.
- I lead those riders on rides, but just never take a group of riders on busy roads with the standard bike lanes.
- Protective lanes may work better, but I'm not sure even that will help when we are talking about the kinds of traffic flows that are happening on the streets.

Linda commented as follows:

- First I would like to make a couple of other comments, you know, regarding the statements of energy
- The fact of the matter is Sebastopol has ill-advised policy that is being hoisted on us by telecoms, also by a governmental entity
- Speaking of smart, I'm wondering, what happened to the smart street, at the intersection near Rotten Robbie, a crosswalk there used to have the flashing lights embedded in the street, but anyway, they failed. They were still not working for a long, long time. They are no longer in all the function, they are not there.
- For The fire chief or somebody from the fire department, I would like to know what section of the past years have had on the bike lanes for traffic, the passage of emergency vehicles.

Micah commented I don't feel that like bike lanes on Bodega Avenue feel safe and I would not feel safe biking on those lanes.

Elaina commented as follows:

- I live on Robinson Road, directly off Bodega Avenue in downtown Sebastopol
- I grew up biking to local schools throughout my whole childhood, Parkside, Pinecrest, Brookhaven and Analy on Bodega Avenue every single day.
- I would not feel safe biking on bodega.
- I would think that even though it would be a longer-term investments, probably be quite expensive, I would vouch for another bike path that would also benefit pedestrians, people with other modes of transportation, that would be a longer-term investments for the future of Sebastopol.
- It would keep people safer, would promote community conductivity.

Mayor Hinton responded to public comment as follows:

- A member of the public asked about a bike route that was originally talked about going through the senior community of Burbank.
- In the past, is that part of either this plan or the next plan with the quick strike funding?
- Can any of our professional people involved in this plan answer that question?

Mr. Weinberger commented as follows:

- That is not part of this phase one nor phase two plan.
- Phase one, phase two plan is just in roadway bike facilities, not off road bike facilities.

- I don't believe it is also part of the General Plan as well, in the off-road facilities.
- I know it has been discussed with staff, but not an official adopted route

Planning Director Swanstrom commented as follows:

- That is correct. We do have and our General Plan, bicycle, pedestrian master plan.
- The county is initiating a process this year to update that as well as the City's bicycle and pedestrian path, but that is not a part of that
- I believe that would also require a certain amount of private land acquisition that may or may not be feasible.
- I think that is not part of the City adopted plan at this point.

Mayor Hinton commented as follows:

- Obviously if that were to be a possibility in the future, it would be fully vetted, public meetings.
- There was a member of the public that asked about the strips
- I can recall as a Councilmember that we used to use flashing strips on many crosswalks around town.
- Then we found that those easily got broke when car tires hit them.
- We went to what I think of the flashing beacons when you push the button now.
- Is that gone

Mr. Weinberger commented as follows:

- I believe everything that you said is correct, because City and Caltrans have an agreement.
- City is responsible for maintenance for those and it just became too costly with the roadway, lanes were deteriorating so the decision was made to switch to the side flashers, which they have been changing over.

Director Swanstrom commented as follows:

- It has the flashing beacon at this point.
- We did keep all of the different texture and color of the crosswalks, though, in those sections.

Mayor Hinton commented as follows:

- I recall there was from them skinny replacement parts so that is probably why.
- We did not pull the, but we kept them, as they still kind of work kind of thing, right?
- I wanted to see if Jack Piccinini has any comments if bike lane impacting vehicle traffic

Interim Chief Piccinini commented it is not, we don't have any events that caused us to be concerned about the bike lane interfering with emergency traffic response.

Mayor Hinton commented as follows:

- To respond to your best guess, consultants on tonight, if we were to come back, I believe we would have to do a separate agenda item, with a separate budgetary request, to do something about the bumps, the strips, that Steve Weinberger said were possibility on the edge of the bike lane and the roadway, if the Council wanted to entertain that.
- Do you have any suggestions about that or anything you can add?
- Maybe one of our consultants could look at how many feet that would be. What would you think about that?
- That was a question about City maintenance of that as well.

Public Works Superintendent Dante Del Prete commented as follows:

- The dots are not as expensive in the initial install, but they are labor intensive, because of the way they adhere to the streets.
- They do get knocked off periodically.
- I would recommend probably a ground in rumble strip rather than the glue on dots, if that might be an idea that wanted to be pursued, because they are little more effective at warning drivers, a lot less labor-intensive.
- Either way, I would ask Mario to chime in, it might be better to do this as a change order to the existing contract when it goes out to bid and accepted, because the economy, scale, project might be more economic, something to consider at the time of installation.

Mr. Landeros commented as follows:

- The added features, under contract change order, they can be brought in on the Federally Funded projects, but I would really want to see or even if it qualified for any of the available funding, if there was any.
- That I cannot answer right now plus also depending on what the bids were to come in on the base project, would be determinate on what sort of available funding would be left over just on the project itself.

City Council Discussion and/or Deliberations:

Vice Mayor Rich commented as follows:

- Thank you for all the information from our consultants, experts in the room, also staff.
- Just on the rumble strip, or dots, I'm hearing real conflicting information from the information that has been presented today.
- I'm not so convinced from what I've heard so far that that is a good idea, but it sounds like the proposal might be to have that come back to the City Council at some point.
- My key question here is when we look at where we are right now, we have funding and grant money for repairs to Bodega and, yes, I agree with a member of the public who noted that there has been way too much time that has elapsed.
- That our Bodega, that roadway has taken a lot of hits from a lot of vehicles, over 12,000 vehicles a day and that's a lot.
- So my instinct is we have to get this Bodega Road repair done, that benefits cyclists too.
- So my question is, at this point, where we have this grant funding for repairs, but also integrates escalates, what are the consequences of either trying to change the parameters and/or delaying in any way this project that is at this stage, do we, key to me is, do we jeopardize this project?
- Could we lose this project by pursuing this side issue of changing it anyway?

Mr. Landeros commented as follows:

- If I understand the question, what are the consequences of effectively redesign, if you will, or even delaying the project.
- On the issue of delay, let me address that first.
- As I stated earlier, we now are essentially under the gun since we have received the funding obligation to get going, create that first invoice and go forward. We have that to deal with.
- Six months, but sometime in June so that would say, start to make decisions to move forward on it.
- In terms of a redesign, that one is more challenging, because as I mentioned, when I did my presentation, there is a defined NEPA-approved project.

- Going outside of those parameters, changing it, I think we start to look at jeopardizing what the grant project description was when we received it.
- That is an area that we have to be careful with.

Vice Mayor Rich commented just to clarify what is needed by June is an invoice, evidence that there is progress that is being made toward completion of this project, is that correct?

Mr. Landeros commented that is correct, but it comes with the actual process of advertising your project, going to the bid, awarding a contract, getting into the start construction phase.

Vice Mayor Rich commented as follows:

- Related to that, when I look at this project, I hear concerns expressed, there is some piece of this messaging, is that we would be better off without bike lanes on Bodega.
- I've listened to what you said, you and area, others, who know what you're talking about, have been involved in this grant application, am I correct in concluding that if we remove bike lane's completely from this project, we are in fact jeopardizing the receipt of this funding completely?
- Am I wrong about that was like you are not wrong.

Mr. Landeros commented that is correct.

Councilmember Maurer commented as follows:

- I would like to rescind my suggestion for the bumper dots, because I respect the bicycle coalition perspective.
- I wasn't really thinking about it in terms of being on a bike, because I consider this a very unsafe area, but I could see if I was on a bike, needed to get out of the lane, having to write over bumper dots is not necessarily the safest things to do so I would like to withdraw that suggestion.
- I think this project is hitting like two out of three in terms of it is working great, great to get the road repaved.
- We desperately need this road repaved.
- Differently good for pedestrians, but I believe it is unsafe or bicycle is.
- This is not a safe place to encourage bicycling, but the fact is that we have bike lanes all over Sebastopol and areas that I don't consider safe to write.
- I would not want children to be in these bike lanes.
- Having a bike lane there, for those advanced riders who are wanting to ride, probably having any bike lane there is safer than not having a bike lane
- This is so far along are ready, but if we were more, back at the beginning I would wonder, would it be possible to create a multi-use path on the North side?
- I know I'm just throwing that out there just as well car.
- Ask for multi use class one walking and bike path on the north side of the street.

Mayor Hinton commented as follows:

- Having walked it within the last week, this path myself, I'm super excited about the safety for the pedestrians walking, that this project provides. Not to mention the redone pavement that is sorely needed.
- I feel the City is needing every possible grant all of the we can get, because our budget is so small

- As far as bike bumps go, I leave it to the cyclers and I think my own self with cycling, I have cycled around the town, probably is not the safest thing if there is something in the bike lane, you would be pulling directly into traffic.
- Again, this is probably an advanced bike lane
- I used to live on Nelson. Certainly not something I would've taken my children out on
- But for experienced bikers that are headed out to the coast, those ones that bike on those little Occidental roads, that I don't know why the even bike on those roads, because it makes me super nervous, I'm sure that this is going to be helpful to them.
- The main thing is, this helped us, with a bike lane, helped us get the needed funding to make this world better than it is currently.
- I'm in favor of this project tonight.
- I see that we have another hand raised, but I'm going to go ahead and go with the motion and call and my colleague their.
- I will move to approve the plan specs, authorization to go to bid for the Bodega Avenue phase one project.
- I agree with the member of the public, just my own thoughts, that this process has taken way too long.

Councilmember McLewis commented as follows:

- I just basically want to echo many of you have been saying.
- We are too far along at this point, given our financial restraints, the need to have this road done, I personally probably will not be using that or those bike lanes, but at this point, I mean, we have to have the road done.
- If we were at the beginning, I would've had a lot more things to request and talk about, magic wand to address a lot of the concerns that are out there.
- I know there are other paths.
- Lynn has spent a great deal of his life trying to come up with different alternate routes for bikes, but at this point, I just don't see how we have any other alternative than moving forward with this.
- It has just been way too long already.

**MOTION:**

Mayor Hinton moved and Councilmember McLewis seconded the motion to approve plans and specifications and authorization to bid the Bodega Avenue Phase 1 Project #CIP 0513-74.09 and Finding the Project Exempt under CEQA Section 15301(c), 15304(f) and 15304(h)

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

**VOTE:**

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

City Council Action: Approved plans and specifications and authorization to bid the Bodega Avenue Phase 1 Project #CIP 0513-74.09 and Finding the Project Exempt under CEQA Section 15301(c), 15304(f) and 15304(h)  
Minute Order Number: 2023-054

Mayor Hinton called for a break at 8:06 om and reconvened the meeting at 8:13 pm.

11. Discussion and Consideration of Adoption of Mid Year Budget Adjustments /Resolution Approving the



Mid-Year Budget adjustments to the City of Sebastopol Budget for 2022-2023 (Budget Committee/Responsible Department: Administrative Services)

Administrative Services Director Ana Kwong provided the agenda item recommending the City Council Approve and Adopt Resolution approving Mid-Year Budget adjustments to the City of Sebastopol Budget for FY 2022-23, approving the three proposed staffing recommendations, receiving a full staffing study report, approving new job classifications, and approving and adopting Resolution for revised pay rates and ranges.

Mayor Hinton opened for questions from Councilmembers.

Mayor Hinton commented you said Fire then Police for the donation, so I wanted to clarify the endowment, where it went, how it was split.

Director Kwong commented as follows:

- The whole endowment is about \$850,000.
- It split evenly. Half to Police and Half to the Fire Fighter Foundation which is a separate organization not under control of the City.

Vice Mayor Rich commented just to clarify the amount that was deposited to the City, to benefit the Police Department was \$423,000, is that correct?

Director Kwong stated that is correct.

Vice Mayor Rich commented as follows:

- Wondering if I could have an opportunity to make an observation as a member of the budget committee
- I just wanted to make sure that the public is fully aware that this midyear budget process was very strictly examined carefully examined by the budget committee.
- Stephen Zollman was on that committee also, but I can share that we were impressed by staff's vigilance in terms of only requesting items that staff felt were essential at this point in time.
- I found that the process was very thorough.
- We asked as many questions as we always ask, which is lots.
- We got the answers we needed
- As a person who has been on the budget committee last year, really want to get out there these amounts that are being requested are really essential for the functioning of our little town here.

Mayor Hinton commented let me just understand, so if we approve the three new or revised positions, job descriptions would come back on a subsequent meeting, correct.

Director Kwong commented the job description are part of the full agenda item tonight.

Mayor Hinton commented as follows:

- As we were looking at the water fund, the wastewater, those accounts, being in the red, I seem to recall that we talked about, that we need a rate study again, but if we are in the red, I don't know if we are just in the red for this year or do we have to borrow out of our general fund, because, as I understand, those accounts can't make any money.
- They are supposed to be a wash, taxpayers fund them, the City, it's just a wash.
- When they are in the red, where does that money come from?

- How do we pay back ourselves if we are taking it out of the general fund, or savings account, until we can get a rate study redone?
- Or do we have slush fund in there that covers that

Director Kwong commented as follows:

- Worst-case scenario if we are truly in the red, of the planning tools for the budget is trending just like I we budgeted it, then yes, there has to be some sort of a plan to either borrow from the general fund to cover the shortfall.
- I don't believe, based on the current rate that we are going with right now, we are not going to spend all of the budgeted amount of capital project.
- It does not look like we are going to exhaust all of this \$900,000 so water fund should have enough to cover this year.

Mayor Hinton commented but still, based on the amount in the red, even if you took that completely out of there, we would still be in the red, right?

Director Kwong commented that is correct.

Mayor Hinton commented as follows:

- Where is that red money coming from?
- Do we have it in the account?

Director Kwong commented we have enough money to weather through this year in both enterprise fund.

City Manager/Attorney McLaughlin commented as follows:

- Each fund has its own reserve.
- So presently we are using reserves out of those funds that are present in those funds.

Mayor Hinton commented do you know when the rate study, rate adjustments were done on water, wastewater, water, sewer?

Director Kwong commented as follows:

- The last time we did the rate study was in 2019 and this fiscal year is the last for the rate increase.
- City did issue an RFP rate study. We did receive three.
- We are in the process of having a meeting to go over the rate study with those consultants that sent the rate study to the City.

Mayor Hinton commented as follows:

- It seems like, I remember voting in 2019, receiving that rate study.
- I know we did, I believe, a graduated rate increase so that we did not hit the public with everything at once, but is it common that we would be back here again in 2023, because, I mean, 2019 was yesterday, kind of, as these things go.

Director Kwong commented as follows:

- We did the rate study and 2018.
- The first rate increase was in 2019. It is only slated for four years.
- 19-20; 20-21; 21-22; 22-23

Vice Mayor Rich commented as follows:

- You mentioned, Administrative Services Director Kwong, that we are dipping into reserves for the water and sewer accounts.
- Where does that put our remaining reserves for those accounts?
- Can you tell us that?
- My understanding is that we are showing a negative amount in water and sewer.
- Larry McLaughlin said that that amount would be coming out of reserves, because we have reserve amounts in each of those accounts.
- So to the extent that we have reserve amounts in each of those accounts, we are now dipping into, where does that leave us in those reserve accounts? Are we still out?

City Manager/Attorney McLaughlin commented as follows:

- As I read it, we are not meeting our reserve level target percentage, not meeting it in water.
- We are meeting it still in sewer.

Mayor Hinton commented that would be as our Administrative Services Director was confirming, the reason that we are going out for a new rate study in order to make sure that we have the appropriate amount to cover those expenses, is that correct?

City Manager/Attorney McLaughlin stated that is correct.

Mayor Hinton commented as follows:

- My second question is really just a matter of clarification.
- You spoke about three positions that you have outlined in the staff report, which we did discuss committee level, but just to make sure that the public and the City Councilmembers understand, the fiscal impact for those three changes would be none in this particular fiscal year, because each of the departments have funds available to them already budgeted in the field, they feel they can cover those increases is that correct?

Director Kwong stated that is correct.

Vice Mayor Rich commented as follows:

- You also referenced it would have an impact in terms of next fiscal year, it looks like it is a total of \$9000 for the reclassifying of the junior accountant to accountant
- &64,600, or less for adding a full-time permit tech, but to have part time admin assistant will be eliminated.
- Then Planning about \$3000 for eliminating the senior administrative assistant position and adding the full-time planning tech so we have a total in terms of next fiscal year that we will be facing of approximately, looks like, \$77,000, impacting our budget.
- Does that sound accurate?

Director Kwong commented as follows:

- That is correct.
- The City just wanted to make sure the City Council is aware that, because it does have some long-term effects

Mayor Hinton opened for public comment. Adoption of Mid Year Budget Adjustments

Kyle commented as follows:

- I remember a couple of years ago I got to sit in on one of the daytime, early-morning budget subcommittee negotiations with the fire department.
- The fire department was asking for vehicle replacement, shocked to hear at the time that the budget subcommittee was making suggestions for the fire department to be looking for a used vehicle.
- More recently about the budget request for this vehicle replacement, I think last year there was a request for \$100,000 for this vehicle replacement.
- Decision at the time was, we have a policy for physical placement, fund for vehicle replacement, the money was attributed to that vehicle replacement fund.
- I'm surprised to again hear that the police department is looking to circumvent that process of the vehicle replacement for asking for additional money which is now \$75,000. How much does this vehicle cost? \$100,000?
- Again to the budget subcommittee to do its due diligence and be equal in its treatment of the police department as a fire department and ask in the least look for a used vehicle
- Let's go to the position so in terms of these positions, not cleared to me that these positions are going to be actually, are these positions in place to reduce the workload of current employees?
- Or are these additional positions in a place to reduce the huge amount of money that we're spending in contract services, contracting work, outside, to other entities, outside of arch employees?
- If we could get answer to that, that would be great.
- What we did not at get as an answers what the dollar amount was in those enterprise funds for water, sewer Nice sidestep indicating where we were in terms of the funds, but was not the actual dollar amounts.
- If I could get those

Linda commented as follows:

- Very good point is always, Kyle
- Essentially all of the self driving vehicles, been recalled, don't work.
- In a way, turns out that the older vehicles are better. Just more durable.
- Anyway, my point is, a lot of rate increases that is why interesting since we are being raped, add to the torture of the radiofrequency, foreseeable, if the stupid things get put in.
- \$2.2 million, you're talking about water rate increases based on the bogus survey that did not include a lot of us who live in apartment buildings who do not get the opportunity to participate in the water bill survey.
- I want to point \$2 million back from shysterco, badger meters, I want Dante to be held accountable for being a shell for these corporate themes, not only robbing us of our money, but of our health.
- This radiation, coming out from the 3000, 2002, Chinese made plastic, short life, water meters, which has to be replaced, lithium battery powered, every five, seven years.
- The other one that we have, that is your, date last 40 years, do not admit any hazardous radiations.

Oliver commented as follows:

- The questions, the agenda, talking about the report, came with the packet, agenda item, also has the RGS's staffing report in it.
- I've seen on as numbers, looked at the budget numbers prior to this call.
- I guess the big concern I have is the sewer and water, that large deficit.
- Also in the RGS staffing report, Dante, Public Works, needs two full-time maintenance staff to address deferred maintenance.

- So from what I hear, the City Manager is saying we could dip into some reserves that are in that bank account for the sewer and the water, respectively, but what is that deferred maintenance and how are we going to fund those two full-time employees or additional full-time employees
- For Dante's team I believe another half employee to bring someone up to full-time, because it seems like this is a pretty major project, which may lead to something given the state of the City's sewer
- That is my biggest question about this, but we have not really addressed the RGS report which is tacked onto the end of the document and also is that something just for reference or is that something for the future to be in mind?
- Just not sure why that is that the end of the agenda item document.

Mayor Hinton responded to public comment as follows:

- I just want to say one of the members of the public that used the word raped, a very serious word to make some sort of reference, I felt very offended
- I would appreciate public comment not using those types of words when you're talking about issues, that we are dealing with on this meeting, for those of us that have had people that have actually been raped and have it in our lives.
- I find that very offensive so I don't want to hear that and hope to never hear that again on a meeting like this.
- With that said, I want to talk about the deferred maintenance workers that a member of the public just addressed in the staffing report.
- Remind the public that this is a midyear budget adjustment.
- This is not a time generally when we are looking at a longer-range plan or brand-new positions or the positions that we are discussing tonight, they were noted in that as things that can be absorbed in the existing budget as brought up by Vice Mayor Rich who sits on the budget subcommittee.
- Things that we need as priorities, so this is not a time when we are looking for brand-new positions as a rule of thumb.
- So I believe that is what it hasn't been addressed, regarding the staffing report.
- I have heard the City Manager address that, is a possibility of a long-range plan, maybe five year plan, I do expect that to come back probably have more discussions from our budget subcommittee.
- They could certainly add to that one, going back to additional comments.
- Regarding the actual dollar amount, in the questions that I brought up about the red zone, can I call on Ana?
- Would be able to possibly find those actual dollar amounts that the members of the public requested?

Director Kwong commented as the City Manager stated, the water and sewer fund reserve policy is to have a minimum of 25%. The City is just not meeting it right now, but in terms of cash, if you would be looking at the audited financial statement on page 40, there is \$3.1 million in enterprise fund together in terms of cash to weather through Day-to-Day operation for enterprise fund.

Mayor Hinton commented so you mean there is 3.1 million in the reserve account in that enterprise fund?

Director Kwong commented yes, that percentage, our goal was 25%.

Mayor Hinton question what percentage are we currently at?

Director Kwong commented we are not meeting the minimum 25% goal, as far as reserve goes.

Mayor Hinton commented as follows:

- As far as cash, how much cash the City has, for the Day-to-Day operation, it is between those two funds,
- I think the member of the public, in each account, we have a number and not just a percentage?

Director Kwong commented as follows:

- So the reserve level calls for \$758,000, for the sewer and \$625,000 for the water to have a minimum reserve.
- Currently City does not meet those reserve number. Water and sewer recommended reserve 25% from our policy or industrial standards
- For presentation purposes of water and sewer, the layout is saying that the amount of money that the water fund and the sewer fund brings is less than the actual expenses.
- Revenue minus expenditures resulted in deficit. Deficit tapped fund balance and as it stands, City doesn't have enough to support the reserve level as indicated by 25%
- In terms of actual cash, City has adequate money to manage Day-to-Day operations.

Mayor Hinton commented so you are saying, unlike our general fund budget, which our policy says we would like ideally to have 15% or more percentage, for water and sewer it is recommended to have been reserves 25%.

Director Kwong stated that is correct.

Mayor Hinton commented is that from our own policy or from our auditors?

Director Kwong commented that is our own policy, the financial policy that the City has as well as it is the industrial standard.

Vice Mayor Rich commented as follows:

- I do want to point out, because the question has been asked specifically, that this data is included in the full budget document, no surprise to the budget committee.
- Those who would want to look at it, water fund, combine, wastewater combine, are in that documented page 179 and one, 108 to.
- I'm sure our Administrative Services Director can provide us with the actual number for each of those funds that would be the actual reserve level at this point, for each one and the percentage that aligned with those numbers.
- I believe that is what the member of the public is looking to know.

Staff stated they are also in the staff report, page 10 and 11.

Councilmember Zollman commented I definitely second what the vice mayor said, want to thank each of the department heads for making themselves available, answering all of our questions.

City Council Discussion and/or Deliberations:

Councilmember McLewis commented as follows:

- I just wanted to comment my concern just seeing all of this in the red, these discussions that we had about being in a deficit, we have money here, money there, but over all just knowing my expense with budgets, this is just concerning to me.
- I hope we could have a bigger discussion about this.

- We should be talking later, different time, about how we are going to address this, bring more revenue into the City, there is a lot of different discussions out there between all the businesses and such.
- Anyways, it's deeply concerning to me.
- Also one question that comes to mind, may not be right now the time to obtain that answer, but just hearing so much about the water and sewer it makes me wonder what the big picture is, how much more monies we will need over the next year to get it where it needs to be so that's a big concern of mine
- Especially with more rate hikes, we are all experiencing increase constantly with our electric, gas, now looking at this are just expressing concern about this.
- I appreciate everyone, all the stuff, input with this, but I think there are many more discussions with this to have with us, I appreciate the budget subcommittee for putting the amount of time that you have, because I know it is a lot

Vice Mayor Rich commented as follows:

- Just wanted to take a minute to answer in of the question that was raised by a member of the public if I could, had to do with vehicle replacements.
- In terms of fire vehicles are the police vehicles, it was clear to us that each department was doing their absolute best to come up with their fiscally responsible approach, both the fire chief and our police chief I note that the fire truck is an item in this list it is an item for increase, because it turns out that that fire truck, despite the best efforts of our of the prior fire chief is turning out to cost more.
- So if that is what happens with this vehicles, they do end up causing more occasionally just despite the responsible efforts by our department head to keep the pricing down.
- I would also point out in terms of the police vehicle, that we are very fortunate, should be thanking them anonymous onetime donor, because what was needed was the police vehicle is coming, but it is not fully equipped with everything that our officers need.
- That cause, I think is \$35,000, will be covered by that very generous donation.
- That is the answers to the questions regarding vehicles.
- To the department heads, we ask all the questions, that we have that can we wind up hopefully confident that we have a fiscally responsible conclusion that gives us the law enforcement and emergency vehicles we need.

Director Kwong commented as follows:

- There's a lot of confusion about reserves.
- Wanted to clarify with shared screen on water and sewer fund consolidated pages.
- Audited numbers show \$275K as beginning balance of the current year.
- Carrying the beginning balance forward to current fiscal year.
- Add projected revenues and minus estimated expenditures with transfer out to CIP.
- Resulted in budget deficit which does not meet 25% minimum that we have.
- So all of this component come into play, revenue, minus expenses, minus other uses, which is the G&A allocation plus we have tons of capital projects that would use this money that we have.
- We have \$1.5 million in deficit.
- So that is how this thing becomes a negative reserve level.

Mayor Hinton commented as follows:

- Just to verify my understanding of our capital projects, we have very old systems and pipes.
- And that is why our maintenance of those has a big expense to it on just bottom lining it.
- Correct?



Director Kwong commented as follows:

- That is correct. This is just a planning tools.
- Sometimes they don't come in this way because it is just a planning tools.
- In the event miraculously that all planned CIPs are done in this current year, then yes the Water fund would need to borrow money from other funds.
- How we got here is during the water rate study 2018, there was a miscommunication that not all the CIP was forthcoming.
- This is why we are in this situation that we are in right now where the reserve is getting low.
- So that will be corrected when we do the new rate study.
- Just want to be transparent and tell the public and the council what have happened but staff is constantly watching and monitoring all the expenses.
- A budget has been approved, doesn't mean it will be spent
- So that is how we have been managing the budget and now everyone is managing the budget.

Mayor Hinton commented as follows:

- Thank you for pulling it up on the screen and that detailed explanation.
- I think we, I know we remodeled a house and things change all the time.
- We understand when pipes go bad and we might not be knowing they are going to go bad four years from now.
- So I appreciate that explanation. That explains it for me.

**MOTION:**

Mayor Hinton moved and Vice Mayor Rich seconded the motion to Approve and Adopt Resolution approving Mid-Year Budget adjustments to the City of Sebastopol Budget for FY 2022-23, approving the three proposed staffing recommendations, receiving a full staffing study report, approving new job classifications, and approving and adopting Resolution for revised pay rates and ranges.

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

**VOTE:**

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton

Noes: None

Absent: None

Abstain: None

**City Council Action:** Approved and Adopted Resolution approving Mid-Year Budget adjustments to the City of Sebastopol Budget for FY 2022-23, approving the three proposed staffing recommendations, receiving a full staffing study report, approving new job classifications, and approving and adopting Resolution for revised pay rates and ranges.

**Minute Order Number:** 2023-055

**Resolution Number(s)** 6312-2023 and 6313-2023

12. Discussion and Consideration of Approval of Resolution Amending City Council Protocols (Public Comment for Items Not on the Agenda) As Discussed at the February 7<sup>th</sup> 2023 City Council Meeting and Consideration of Amendment to Council Protocols and Approval of Policy for Process for Calling on Speakers for Public Comment for In Person/Remote Meetings (Responsible Department: City Administration)

City Administration provided the agenda item recommending the City Council Approve and Adopt Resolution Amending City Council Protocols (Public Comment for Items Not on the Agenda) and Approval of Amendment to

Council Protocols and Approval of Policy for Process for Calling on Speakers for Public Comment for In Person/Remote Meetings.

Mayor Hinton opened for questions from Councilmembers.

Vice Mayor Rich commented in terms of staff time and challenges for staff, do any of these options make it easier or harder for our staff?

City staff commented as follows:

- As far as whether you are doing them in person or remote or one in person or one remote, that part is not hard.
- What will be difficult is maintaining the list of speakers in the beginning of the meeting.
- Because then you have an additional public comment period if you have additional speakers to make sure those who haven't spoken get their fair chance.
- So that would be the only difficulty. Going back and forth.
- It is just maintaining that list of speakers in the beginning making sure that we are not having people speak twice and making sure they have their opportunity.

Vice Mayor Rich commented as follows:

- Is the ease of maintaining that list affected by any of the options?
- Is it easier to maintain the list if you do everyone, you do people in person first and then people in zoom?
- Does it matter?

Staff commented no, it would not matter.

Councilmember McLewis commented as follows:

- This is a question and maybe it is more about process than anything.
- But having attended the supervisors meetings, I noticed when you do, if you are not in person and you speak via zoom, they take all of, they put some sort of rules up so that you can't actually see anyone in the meeting while you are speaking.
- That entire time, nobody can see that. So I just want to make sure that we don't do that.
- You go 15, 20, 30 minutes listening to public comment and you can't see anything.
- So I just wanted to make sure that wasn't part of what we were going to do because it just really disconnects the people who are on zoom from the actual, seeing people's faces and reactions and understanding who might be speaking because you can't see anyone.

City staff commented as follows:

- Stated that is correct. We are not changing our format for zoom at all.
- So if someone is speaking, when we are in person, we will have a screen up on the wall. You would be able to see exactly what you are seeing on zoom.
- They will see exactly what they see in zoom right now. There is no changing of that format whatsoever.
- We are not going to a webinar format which is what the county does.
- We will maintain this type of format that we have right now.

Mayor Hinton commented as follows:

- Just to add to that, Councilmember McLewis. The previous council discussed this at length when we went to the zoom format in the beginning.

- Some meetings do that same format. We have never felt in Sebastopol like we wanted to go to that format due to just the type of community we are and it is super helpful to see the members of the public on screen.
- So just to let you know the background we have done this by design.
- I don't mean to be redundant. We could have done it the other way.
- Our City staff at the beginning dealt with a lot of zoom bombers and a lot of councils had a lot as well but our community has been really great about it.
- We are excited this is a format we do and we have had great success.

Vice Mayor Rich commented as follows:

- I have another question then since you looked at all of these options previously.
- I noticed with the county, they put all of their zoom comments together.
- Do you have any background on that?
- If that is what they have chosen, why since you assessed all of these in the past?
- I mean, I can address it for me personally.
- I think that is when you really have a lot of public speakers on items.
- I know larger cities do that as well.
- We have now set the new limits.
- I think it will be rare that we would have that many requests for speakers but I think the Mayor can go to that sort of format if we were to have a hot item that we had a lot of speakers that would go beyond our public comment time.

City staff commented as follows:

- Our policy would allow the Mayor to reduce the time or increase the time depending on the number of speakers.
- I have researched other cities and there is not one standard format that any City uses.
- Some cities say their Mayor can select the speaker.
- They will go to public comments in person first then zoom
- So it is really a mixture and it is just dependent on the City and the county.
- There is no set format.

Mayor Hinton opened for public comment. Calling on Speakers for Public Comment.

Martha commented as follows:

- I just wanted to clarify one thing procedural and get this question answered.
- I was thinking tonight for example when there are so few people talking, I know somebody who was just not able to get on the call initially.
- By the time she could get on is too late for public comment.
- I was just curious about whether there has ever been a process or there is going to be a process in which the public comment at the end of the meeting will then open to new people or do you just keep in theory, if you had 25 people, you would keep the list of the people and then at the end call them.
- But if they are not more than three people, then there are no people waiting for the end.
- There is not an opportunity for people to try to comment at the end. That was one question.
- I wanted to say my comment about all of this is I think if I were asked in person, it takes a lot of effort for people to leave the comfort of their home.
- To go down to the youth annex to attend in person and I just would prefer that people in person might be called on first. Then the people on zoom would be called secondly.

- I would hope that the room and person would be accessible to people who have various needs.
- So that's what I'm looking forward to.

Kyle commented as follows:

- So in terms of the primary question, I think maybe an alternating solution might work best in terms of fairness, being able to address multiple, little multiple areas of the public at the same time.
- Not putting yourself in a situation where you max yourself out in person and no one in zoom has access or vice versa.
- The other thing I wanted to mention is because there was slight clerical edits to the policy, then we are open for further discussion regarding that policy.
- One change I might suggest is that you explicitly state that the Mayor has the ability to increase that time beyond the initial 20 minutes.
- This allows for greater access to the public in times of serious need.
- I'm just thinking about opportunities we have seen in the last few years where massive turnout of public interest, maybe items that are not on the agenda would warrant an opportunity for the Mayor to expand on that initial 20 minutes in that opening.
- Just including that language, not saying that the Mayor has to, but by explicitly including that language in that policy, I think you are opening yourself up to greater dialogue when there is need.

Linda commented as follows:

- It just doesn't matter what you do with public comment when the Mayor and the Vice Mayor don't listen.
- They do not listen. It doesn't make any difference.
- There were 120 people on the Council meeting regarding the need to control the local fire department. It made the newspaper.
- The Mayor and the Vice mayor just acted like it didn't happen. Did not happen. They have their own agenda. By God, they are going through with it come hell or high water.
- Another perfect example was my last comment regarding the water meters and stuff like that.
- The Mayor was focused on one word that I said and totally disregarded the fact that we are being robbed \$2.2 million and our health with all of this increased wireless radiation.
- What can we do? You need to listen or you need to leave. Both of you.
- I'm suggesting that we also come up with a citizen's safety review committee made up of whoever wants to be on it to have some oversight on the decision that the City Council makes regarding our environmental.
- We really need to have somebody take a look at the increase of the electro-pollution and smog because people are being tortured and they have to move from their homes.
- People in Burbank cannot live in their apartments because of meters on their wall.

City Council Discussion and/or Deliberations:

Councilmember McLewis commented as follows:

- One thing that a commenter said that made me think is I don't want to make this more challenging.
- On nights like this it is not necessarily an issue. But when we get the really difficult things going on we end up with a lot of people wanting to make public comment.
- We might want to consider alternating between online and in person because if we are in person and we have a line of ten people and then we have everyone online.
- I mean, we could end up sliding one group that's online because of the nature of everyone being in front of us versus on a screen.

- I was thinking what does it matter? When I start to think about it in that context, and we do have a lot of people, I do wonder if going every other makes sense to ensure that we are giving each person the opportunity and you know, it is not dependent on whether they are on person or on zoom.
- So just a few thoughts as I listen to alternate views.

Councilmember Zollman commented as follows:

- I was thinking along the same lines.
- I appreciate the public bringing up the alternation so maybe we could just phrase it where it is the first meeting of the month.
- We start with Internet comments. The second meeting of the month we start with those in public and we alternate each time.
- That is our regular process. Whether we are meeting the first time of the month or the third time of the month.

Vice Mayor Rich commented as follows:

- I had a couple of questions that are kind of flow over from comments made by the public.
- My instinct is to do an alternating to start with a speaker who you get in the lineup.
- The speaker who is present at the in-person meeting and the second person is online and then we come back to someone who is in-person at the meeting that seems like an equitable balancing of interesting of the community since we don't know why people are staying home.
- Is that a choice? Do they have obligations? That is my general opinion.
- But my true questions are I just want to make sure I understand.
- One is how are we handling the end of meeting public comment?
- I was under the impression that we would look at the people in the room at that point either virtually or in person.
- There would be 20 minutes allocated and we would look at that group as a free standing group.
- That there would not be priority given at the end of meeting, public comment to those who were there at the beginning so I want to make sure I understand what our approach is going to be to the end of meeting public comment.

Mayor Hinton commented as follows:

- I will say what I think we approved and what my opinion is on it
- But it is a comment, two separate comment sections for items not on the agenda.
- We would keep track of the people that comment at the beginning of the meeting and they would not be allowed to add a second comment at the end of the meeting.
- So for the speaker that said somebody missed it at the beginning of the meeting, in my mind, they have the end of the meeting to then come back and comment.
- That balanced the things already agenda for the items not on the agenda.

Vice Mayor Rich commented as follows:

- But the question is more at the end of the meeting, are the people who happen to be there at the beginning of the meeting going to be given priority over those who just showed up in the middle?
- My impression was not that you look at that group as a separate group and whoever happen to be there whatever hour it is.
- I assume it is a separate section and it depends on hand raised right?

City staff commented as follows:

- It is exactly a separate section. Hands raised or in person.
- We would still be alternating but yes, it's a completely separate comment section.
- If persons were not able to speak at the beginning, assuming they were in the queue as far as the 20 minutes go, they would be able to speak at the end.
- So it is all going to be dependent on when called on.
- This is one of the reasons for this process.
- I don't want to be accused of favoritism
- As long as they raise their hands, they are within that queue, they would have the opportunity to speak at the end.

Vice Mayor Rich commented do we need to modify the language that is being proposed in order to allow the mayor to discretion to increase the public comment period?

City staff stated yes that the policy would need to be amended.

Vice Mayor Rich commented my question is if we do need to make that modification to allow the Mayor that discretion or if it is already present.

City staff stated yes that the policy would need to be amended and language added.

Councilmember Maurer commented as follows:

- I reached out for feedback on this and most people felt that people who show up in person who took the time and the trouble to go and be in person should be able to speak first.
- I could middle age the frustration of the limitations if someone came there just to speak at public comments.
- Came in person. Then, there wasn't enough room so they would have to wait for who knows how long in person or they probably would just leave because they would be so frustrated.
- Whereas I understand also that people who come on zoom, they may not be able to stay up as late as needed so I support having the Mayor have discretion about that.
- I would support having people who show up in person go first rather than alternating and I would ask that whatever is decided that it not be set in stone.
- That would be a trial because this is all new. Doing both in person and on zoom is new.
- I would like to see it done as a trial.

Mayor Hinton commented as follows:

- My comments are just addressing the trial.
- I think we are creating a policy tonight and I'm not in favor of creating a trial. I think we need to create a policy.
- Then if it doesn't work down the road, we need to bring it back and adjust the policy. Like we have done on public comment.
- I do agree with Councilmember Maurer. I'm not in favor of alternating.
- If you take the time and effort to go down and bike or walk or drive your car, you have made more of an effort than you sitting on your couch turning on your computer and raising your virtual hand.
- I would be in favor of taking public comment first from people that show up and if it is that important to them, then they should go down and make the extra effort.
- To make sure that they can comment.

- Let me just remind the Council although I'm open, we have doubled the policy for public comment time with this new policy so before it was 20 minutes total, we have added two 20 minute sessions to our council meeting.
- Those are my comments but that is where I'm falling on this one.

Councilmember McLewis commented as follows:

- I just wanted to comment that I hear what both Mayor is saying and also City Councilmember Maurer.
- I don't feel comfortable making the statement that if people took the time to come down and put the effort forth that they should be prioritized.
- I think that really puts us in a position of being, sounds a little judgmental in my opinion and not everyone can do that.
- We have had many more people being able to get on zoom and participate more.
- They have that expectation now. People have kids and people have disabilities.
- Now we are trying to encourage people to stay home when they are sick so that the rest of us don't get sick.
- So I just look at it from a number of perspectives and it just feels like we are making it a statement that they didn't try or didn't have enough. Didn't want it enough to show up.
- So I just worry about that. That's just where I'm coming from.
- I don't know if that is how we should assess that whether or not people should show up in person.
- So just a few things to think about as we navigate the new waters and figure out what is right for everyone.
- I am feeling that we need to give equal access anyone whether they are a senior sitting in their home or a parent with child care obligations or that person who made the special effort to come down to the City Council and be there with us.
- I'm still leaning toward an alternating back and forth.

Vice Mayor Rich commented as follows:

- I got to agree with Councilmember McLewis. It just feels fair.
- So I think, I hear what you guys are saying but what I see as a pattern is you have the commenters that raise their hand first.
- Then you have people that kind of come in because maybe they think that they want to say and I think that is pretty common place.
- So I might throw out a compromise which would be that we keep track of who stands up for public comment as well as the hands going up.
- Maybe we take them in the order that people are requesting to comment. If we can manage that.
- So having been a councilmember that sat there in public before, you usually have people stand up and they are in order.
- At the same time, you see hands go up on the screen. That would be a way to balance in a fair way.

Councilmember Zollman commented as follows:

- In addition to the other reasons people have stated, that they would be in favor of alternating.
- I remember reading about the effects on climate change.
- The major impetus for greenhouse gases is doing the short sort of commutes within like a square footage of our town.
- So that adds to my reason of supporting the alternating back and forth.

**MOTION:**



Vice Mayor Rich moved and Councilmember Maurer seconded the motion to Approve and Adopt Resolution Amending City Council Protocols (Public Comment for Items Not on the Agenda) and Approval of Amendment to Council Protocols and Approval of Policy for Process for Calling on Speakers for Public Comment for In Person/Remote Meetings as follows:

- Adopt Option Number 3
- Alternate manner
- In person then speaker remote

Including language to provide the Mayor or discretion for increasing public comment beyond the 20 minute time limit for public comment depending upon the number of speakers or subject matter at the beginning of the meeting as well at the end of the meeting public comment periods.

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

VOTE:

Ayes: Councilmembers Maurer, McLewis, Zollman, Vice Mayor Rich and Mayor Hinton

Noes: None

Absent: None

Abstain: None

**City Council Action:** Approved and Adopted Resolution Amending City Council Protocols (Public Comment for Items Not on the Agenda) and Approval of Amendment to Council Protocols and Approval of Policy for Process for Calling on Speakers for Public Comment for In Person/Remote Meetings as follows:

- Adopt Option Number 3
- Alternate manner
- In person then speaker remote

Including language to provide the Mayor or discretion for increasing public comment beyond the 20 minute time limit for public comment depending upon the number of speakers or subject matter at the beginning of the meeting as well at the end of the meeting public comment periods.

Minute Order Number: 2023-056

Resolution Number(s) 6312-2023 and 6313-2023

**ADDITIONAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:** Three minutes per speaker for up to twenty (20) minutes total for public comments but can be reduced at Mayor's discretion depending upon the number of speakers.

There was no public comment for this section of public comment for items not on the agenda.

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

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

City Staff reported there will be agenda review committee tomorrow and the City Council has received an e-mail from the Sonoma County Mayor Association to change the April meeting date.

14. 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)

i. (This will be either verbal or written reports provided at the meeting)

GC section 53232.3 (d) requires members of a legislative body to provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the body. *A report out will be provided by those who attended the League of CA Cities/CAL Cities*

Reference Order Number: 2023-057

Councilmember Maurer reported she submitted a report on January Cal Cities conference in Sacramento and that is posted onto the Website.

Councilmember McLewis commented she also submitted a report on the Cal Cities conference in and that is posted onto the Website.

Vice Mayor Rich reported as follows:

- Attended the Sonoma County Mayors and Councilmembers meeting.
- Attended the CAL Cities Conference
- A great opportunity to network with decision makers who have an impact on our town. Networking is not an empty activity. It actually connects us with leadership in Santa Rosa and the other counties that benefit our ability to make decisions here that will improve the quality of life for our citizens.
- There was a legislative update.
- There was an update on the meetings I found very interesting.
- The land use summery given by experts; Social media; Digital communications; City revenues
- Well recognized and a great opportunity to reaffirm financial issues and learn more to give me an opportunity to bring all of that to bear in mind decision making.
- Other meetings that I attended, the budget meetings, we had three agenda review meetings.
- In my role as liaison to the homeless services organizations in the community, I had a lot of meetings and a lot of interaction.
- I had multiple meetings with the homeless support; and with West County Community Services outreach worker.
- Through those contacts was able to facilitate various resolutions of pending issues through coordination with staff.
- Climate action committee. I attended two meetings since I last made a report.
- They went through a very involved, climate action committee budget request process that is being funneled through Kari Svanstrom and we will see as the budget committee
- I attended a meeting very informative gen housing developments from interesting experts including Jane Riley who had something to do with the housing element here.
- Of interest to all of us is the possibility of what they are calling a California housing initiative reducing the to 50% from the two-thirds voting requirement so we should keep an eye on that. An effort to encourage more housing.
- The zero waste working group has been moving forward. I am hoping to have that group do a presentation to the City Council because I think the services we provide from them are greater than the community might realize.
- Went to a CAL Cities Meeting on February 9
- The Sebastopol coalition commission.
- The City ad hoc looking at what we are doing with our City Manager, City attorney position.
- Finally, map your neighborhood moving forward to formalize and finalize the hubs that will be the neighborhood communication network.

Councilmember Zollman reported as follows:

- I, too, attended the new Mayor and Councilmembers academy of the league of California cities and found it very, very helpful.
- The sexual harassment part was a good refresher.
- Developing effective City Council and City Manager's team was particularly enlightening about how to keep the relationships at an efficient rate.
- Ethics was very fascinating around those parts around the required filings that we all have to do.
- The it was all the different traps you could find yourselves in.
- As was mentioned before, the networking was very, very well.
- It was a good use of time and very effective in terms of meeting people throughout the state.
- In addition to that, I attended budget meetings that were referenced earlier.
- The gen housing and yes, I do encourage people to look into the gen house. The gen housing bond measure that is being proposed. I think that will help not only for affordable housing. But also for the services to keep the people housed once they are there.
- Councilmember McLewis and I attended an orientation for the Russian River Watershed which was very helpful and thank you to Larry McLaughlin for attending.

Councilmember McLewis reported as follows:

- I did attend another meeting in addition to the one that Councilmember Zollman attended with the City Manager. The SDA, the chamber, and the Barlow. And Peacetime.
- We had a number of people at the meeting to discuss how we might work together to help lift up Sebastopol and work together as businesses and many meetings still need to occur.
- But it was good to get everybody in the room and discuss things again.
- With apple blossom coming up, we are working on having a spring cleaning day. Possibly somewhere around Earth Day.
- The day is still to be determined but the spring cleaning would be to clean the downtown square area.
- We are just in those discussions and as the liaison for the SDA and the backup for the chamber.
- That's what happened with that meeting so just waiting to hear what our next steps are for the next meeting.

Mayor Hinton reported as follows:

- So my council reports, I attended with three of the other councilmembers out in Sacramento to our Mayor and Councilmembers' League Conference which happens every year.
- But the year when there is incoming Councilmembers is always really important.
- This is the very first time that I think our entire council has attended this conference. So I felt really great about that.
- Besides networking and learning from our other City colleagues.
- It is a great time for our own council to kind of learn and hear the same information.
- We are require today do our ethics training so I completed my ethics training at that conference.
- Additionally, I attended as a new member on the RCPA held on February 6. That meeting generally goes about three hours. Our agenda packet was 215 pages.
- Recommended unanimously to support Sebastopol's application for phase two for the Bodega Avenue improvements through a go Sonoma grant for \$2.24 million.
- I would mention that tomorrow we will be hosting at City Hall at 11:00 A.M. Our world friends group that will be visiting. So we will be welcoming them and their group of students.
- It is a fun time to answer questions and educate our world friends about our City of Sebastopol.

- But there is a music program at the community center that a few of us are attending in support of black history month.
- They will be hosting Analy Friday and I will be attending the free concerts and they go on through the weekend.

Councilmember Maurer reported as follows:

- I did attend my first zero waste meeting in person in Santa Rosa last week.
- Had one Relaunch meeting.
- Met with the Senior Center director Joan.
- Attended one climate action meeting and another one tomorrow.
- I did speak with Anne who is the Laguna Foundation person and found the Laguna stakeholders group is no longer meeting. But I will be meeting with her to discuss issues and be a liaison for that group. But just wanted to let you know that stake holder's group was no longer meeting.

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

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

**CLOSED SESSION: NONE**

**ADJOURNMENT OF CITY COUNCIL MEETING**

February 21, 2023 Meeting will be adjourned to the City Council Meeting to be held March 7, 2023 at 6:00 pm.

Mayor Hinton adjourned the February 21, 2023 City Council Regular Meeting at 10:01 pm to the Next Regular Scheduled City Council Meeting of March 7, 2023 In person and zoom virtual meeting format. In person meeting to be held at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, Ca.

Respectfully Submitted,

Mary Gourley  
Assistant City Manager/Attorney/City Clerk