

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



Agenda Item Number: 2

City Manager
Larry McLaughlin
lmclaughlin@Cityofsebastopol.org
Assistant City Manager/City Clerk, MMC
Mary Gourley
mgourley@Cityofsebastopol.org

City of Sebastopol

CITY COUNCIL MINUTES MINUTES FOR Special Meeting/Closed Session Meeting of February 27, 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 2:07 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

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

There were no conflicts of interest stated by the Council.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA (FIRST COMMENT PERIOD): Up to Twenty (20) Minute Time Limit (Two Minutes for up to ten speakers). Additional public comment will be held at the end of the discussion and action items for up to an additional twenty (20) minutes. Mayor has discretion to allow for additional time beyond the 20 minutes allocated for public comment dependent upon the subject matter or number of speakers.

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.

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 item only. There was no public comment.

1. Extension of Proclamation Proclaiming the Existence of a Local Homeless Emergency. Government Code Section 8630, requires that the Council review the need for continuing the local emergency at least every 60 days until such local emergency is terminated.
 - o First Proclaimed: November 30, 2021
 - o First Extension was approved January 18, 2022
 - o Second Extension was approved: March 15, 2022
 - o Third Extension was approved: May 3, 2022
 - o Fourth Extension was approved: June 21, 2022
 - o Fifth Extension was approved: August 2, 2022
 - o Sixth Extension was approved: September 20, 2022
 - o Seventh Extension was approved: November 15, 2022
 - o Eighth Extension: January 3, 2023 City Council Meeting
 - o Proposed Extension: February 27, 2023 City Council Meeting
 - o Proposed Next Extension Needed within 60 days or (April 18, 2023 City Council Meeting)

MOTION:

Mayor Hinton moved and Councilmember Zollman seconded the motion to approve Consent Calendar Item Number 1.

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 1. Extension of Proclamation Proclaiming the Existence of a Local Homeless Emergency. Government Code Section 8630, requires that the Council review the need for continuing the local emergency at least every 60 days until such local emergency is terminated.

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Minute Order Number: 2023-058

Resolution Number: 6516-2023

PUBLIC COMMENT

This is a Special Meeting, pursuant to provisions of Government Code §54957, this is the time provided for members of the public to address the City Council regarding matters of municipal concern for the item listed below (maximum of three minutes per speaker) prior to adjournment into Closed Session.

Michael Carnacchi commented as follows:

- Parking ordinance lawsuit
- Talk about the loss of our revenue by County
- Read email submitted to City Council
- Need to strike while the iron is hot
- Expand city holdings
- Nearly 2.5 ago, I had a conversation with Supervisor David Rabbitt about the county's acquisition of the Sebastopol Inn. I expounded my personal opinion that the county has insulted our integrity as an independent jurisdiction by expanding their territory into our city without consulting our planning director, general plan, or zoning code, and without being fully transparent with their plans and negotiations.
- I then proposed to David that if the county gave its other property holding in Sebastopol (the Veterans' Building) to the city, it will make a lot of people feel a lot better. I told David that in a sense, the county gains territory within Sebastopol and also gives territory in return (a swap if you will).
- Supervisor Rabbit's initial response was concern for the veterans. He then offered that since the Sebastopol Center for the Arts has already established an unusual lease agreement with the county that preserves the veteran activities, there should be no problem transferring the county's ownership to the City of Sebastopol.
- Supervisor Rabbitt said that he would favor the transfer of the Veterans' Building to Sebastopol with the proper agreement drawn up by the city that includes the Sebastopol Center for the Arts and preservation the Veterans rights.
- Then, I spoke with the VFW Post Commander who was also in support of the transfer if all of their rights were preserved.
- After that, I spoke with Robert Brent who originally drafted the lease agreement between the county and the Sebastopol Center for the Arts to ask if he would help draft the new agreement to which he agreed.
- Finally, I had a telephone conversation with Lynda Hopkins on October 9th and she too, would agree to the transfer of title under the same condition of insuring that the Veterans rights are preserved and that a majority on Sebastopol city council concurred.
- With ownership of the Veterans' Building, Sebastopol will be incentivized to revitalize that area of downtown where there are some really cool proposals coming forth for the old Round Table Pizza

building (the Livery). And, if we want to connect downtown with the Barlow, people need incentives to walk downtown.

- Sebastopol could also propose a bond measure to purchase the property where the former dry cleaners was located on S. Main Street (now Taqueria El Favorito and Hippizzazz Pizza) which could then be redeveloped to enhance the S Main business district.
- Please do this

ADJOURN INTO CLOSED SESSION: Mayor Hinton adjourned the open meeting at 2:16 pm to the Closed Session on the Following Matters.

CLOSED SESSION:

2. Conference with Legal Counsel: Anticipated Litigation
Significant exposure to litigation pursuant to § 54956.9(b): (One Case)

ADJOURNMENT OF CLOSED SESSION: Mayor Hinton adjourned the closed session meeting at 3:08 to the open session of the meeting.

RECONVENE SPECIAL CITY COUNCIL MEETING (OPEN SESSION): Mayor Hinton reconvened the open session of the Special Meeting at 3:09 pm.

REPORT OUT OF CLOSED SESSION: There was no report out.

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

There was no public comment.

ADJOURNMENT OF CITY COUNCIL SPECIAL MEETING

February 27, 2023 City Council Special Meeting and Closed Session will be adjourned to the Regular City Council Meeting of March 7, 2023 at 6:00 pm (In Person and Remote/Zoom Virtual Meeting Format)

Mayor Hinton adjourned the February 27, 2023 City Council Regular Meeting at 3:10 p.m. to the Next Regular Scheduled City Council Meeting of March 7, 2023 In person and zoom virtual meeting format to be held at 6:00 p.m. 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