

**City Council**

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



**City Manager**

Larry McLaughlin  
[lmclaughlin@Cityofsebastopol.org](mailto:lmclaughlin@Cityofsebastopol.org)  
**Assistant City Manager/City Clerk, MMC**  
Mary Gourley  
[mgourley@Cityofsebastopol.org](mailto:mgourley@Cityofsebastopol.org)

**City of Sebastopol**

**CITY COUNCIL MEETING AGENDA**

**Meeting of February 21, 2023**  
**Zoom Virtual Meeting Format**

**REGULAR AGENDA MEETING START TIME: 6:00 PM**

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

**Topic: City Council Meeting - February 21, 2023**

**Time: Feb 21, 2023 06:00 PM Pacific Time (US and Canada)**

Join Zoom Meeting

<https://us02web.zoom.us/j/84914758875?pwd=d0ZRdzBLdXplWThtSzFol3cvOHErQT09>

Meeting ID: 849 1475 8875

Passcode: 845656

One tap mobile

+16699006833,,84914758875#,,,,\*845656# US (San Jose)

+16694449171,,84914758875#,,,,\*845656# US

Dial by your location

+1 669 900 6833 US (San Jose)

+1 669 444 9171 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 719 359 4580 US

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 386 347 5053 US

+1 564 217 2000 US

Meeting ID: 849 1475 8875

Passcode: 845656

Find your local number: <https://us02web.zoom.us/j/84914758875?pwd=d0ZRdzBLdXplWThtSzFol3cvOHErQT09>

*Please note that minutes of meetings are not meant to be verbatim minutes and are meant to be the City's record of a summary of actions that took place at the meeting. The vote/action is the required information of the meeting actions that took place.*

**6:00 pm City Council Regular Meeting**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO THE FLAG**

**PROCLAMATIONS/PRESENTATIONS:**

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

**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.

**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.

**CONSENT CALENDAR:** The consent agenda consists of items that are routine in nature and do not require additional discussion by the City Council or have been reviewed by the City Council previously. These items may be approved by one motion without discussion unless a member of the City Council requests that the item be taken off the consent calendar. The Mayor will read the consent calendar items; ask if a Councilmember wishes to remove one or more items from the consent calendar; and then open public comment to the members of the public in attendance. At this time, a member of the public may speak for up to three minutes on the entire consent calendar and request at that time that an agenda item or items be removed for discussion. If an item or items are removed from the consent calendar, the item shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tern. Councilmembers may comment on Consent Calendar items or ask for minor clarifications without the need for pulling the item for separate consideration. Items requiring deliberation should be pulled for separate consideration and shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tern.

1. Approval of Minutes of January 31, 2023 Special City Council Meeting Minutes (Responsible Department: City Administration)
2. Approval of Minutes of February 7, 2023 City Council Regular Meeting Minutes (Responsible Department: City Administration)
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)
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)
5. Approval of FY 2023-2024 City Budget Committee Meeting Schedule (Responsible Department: Administrative Services Director)

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

**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)
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)
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)

**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.**

**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).
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)
  - ii. 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*
15. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)
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.

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

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

Please note that minutes are not meant to be verbatim minutes and are meant to be the City's record of a summary of actions that took place at the meeting.

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

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

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

Government Code Section 54953.

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

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

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

City Council Regular Meetings are available in real time and archived on Livestream. Important Notice

The City of Sebastopol shows both live broadcasts and Video Archive of City Council Meetings over the Internet. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice.

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

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

#### **COUNCIL PROTOCOLS FOR MEETING:**

City staff read the protocols for the meeting.

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

*Please Note the presiding member of the legislative body conducting a meeting or their designee may remove, or cause the removal of, an individual for disrupting the meeting.*

*Prior to removing an individual, the presiding member or their designee shall warn the individual that their behavior is disrupting the meeting and that their failure to cease their behavior may result in their removal. The presiding member or their designee may then remove the individual if they do not promptly cease their disruptive behavior. This paragraph does not apply to any behavior described in subparagraph (B) of paragraph (1) of subdivision (b).*

*(b) As used in this section:*

*(1) "Disrupting" means engaging in behavior during a meeting of a legislative body that actually disrupts, disturbs, impedes, or renders infeasible the orderly conduct of the meeting and includes, but is not limited to, one of the following:*

*(A) A failure to comply with reasonable and lawful regulations adopted by a legislative body pursuant to Section 54954.3 or any other law.*

*(B) Engaging in behavior that constitutes use of force or a true threat of force.*

*(2) "True threat of force" means a threat that has sufficient indicia of intent and seriousness, that a reasonable observer would perceive it to be an actual threat to use force by the person making the threat.*