

City Council

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



City Manager

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Assistant City Manager/City Clerk, MMC

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City of Sebastopol CITY COUNCIL MEETING AGENDA

Meeting of Tuesday – June 18, 2024

6:00 pm – Meeting Start Time

Meeting to be held in Person and Virtual /Remote Participation

Zoom Link is to be used for providing public comment/Live Stream is utilized for viewing only of meeting

Topic: City Council Meeting - June 18, 2024

Time: Jun 18, 2024 06:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/87803244139?pwd=TGIENDBtNmFKcWNNWlBucm9mVVpJUT09>

Meeting ID: 878 0324 4139

Passcode: 315297

One tap mobile

+16699006833,,87803244139#,,,,*315297# US (San Jose)

+16694449171,,87803244139#,,,,*315297# 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

Meeting ID: 878 0324 4139

Passcode: 315297

Find your local number: <https://us02web.zoom.us/u/kd1wFAEoU7>

CALL TO ORDER

ROLL CALL

SALUTE TO THE FLAG

PROCLAMATIONS/PRESENTATIONS:

- Proclamation Recognizing Larry McLaughlin Upon his Retirement from the City of Sebastopol after 37 years of service.

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 (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.

Process for calling on Speakers: Mayor or designee shall ask for public comment as follows: Speakers to be called on in an alternate manner (One speaker in person to be called on first; then one speaker remote to be called on second with additional speakers to be called on in the same manner) based upon the time limit.

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 City Council Meeting Minutes - Special Meeting of June 4, 2024 – City Attorney Services Proposal Interviews (Responsible Department: City Administration)
2. Approval of City Council Meeting Minutes for Regular Meeting of June 4, 2024 (Responsible Department: City Administration)
3. Approval of Resolution Calling and Giving Notice of a General Municipal Election to be held on Tuesday, November 5, 2024 (The first Tuesday after the first Monday in November of each year) for the Election of Members of the City Council as required, and Requesting the Sonoma County Board of Supervisors to Consolidate the General Municipal Election with the Statewide General Election to be held on that date pursuant to Elections Code; and Approval of Resolution Adopting Regulations for Candidates for Elective Office Pertaining to the Candidate Statement of Qualifications and Requiring Each Candidate Filing a Candidate Statement of Qualifications Pay in Advance to the Local Agency an Estimated Pro Rated Share (\$800.00) as a Condition of Having Statement included in the Voters Pamphlet for the Municipal Election to be held on November 5, 2024.
 - a. (Two Seats Open at the November election: Neysa Hinton; Diana Rich)
 - b. Nomination Papers will be available once the nomination period has opened (not earlier than the 113th day nor later than the 88th day before the municipal election). **Appointments will be required.** Candidates must obtain and complete the official nomination documents that are issued by the Office of the City Clerk. This is done during the official nomination period. Nomination forms are issued at no charge. Hours Available are Monday through Thursday, Between 8:00am to 5:00pm (closed 12pm-1pm) except for City holidays. To schedule an appointment, please contact the City Clerk's Office. A candidate should be prepared to provide their name and residential address for validation of current voter registration and eligibility status.
 - c. Nomination period opens: July 15, 2024
 - d. Standard nomination period closes (deadline to file papers): August 9, 2024
 - e. Extended nomination period closes (deadline to file for a seat if one or more of the incumbents do not file): August 14, 2024
 - g. Election Day: November 5, 2024
 - h. Who Can Run for City Council:
 - Be at least eighteen years of age or older
 - Be a citizen of the United States

- Be a resident of the State of California
 - Be a registered voter for not less than 30 days preceding the date of filing candidate papers. Registration will be verified before issuance of nomination papers. The candidate shall be and remain a qualified voter in the City from which he/she seeks office from the time of filing nomination papers, as well as, throughout the full term of his/her office.
 - Have No Felony Convictions: A person is disqualified from holding an office upon conviction of designated crimes as specified in the Constitution and laws of the state. (Government Code Section 1021)
 - If Elected, You Have to Serve: The Declaration of Candidacy, which each candidate must file, states that if elected the candidate will qualify for and accept the office. The affidavit also states that the candidate will not withdraw before the election. (Elections Code Section 8028, 8040, 10510, 10511)
4. Approval to Direct City Attorney to Review the Conflict of Interest Code. State law requires all public agencies, including cities, to adopt a conflict of interest code. This document identifies the positions required to file Statements of Economic Interests (Form 700) and sets forth the disclosure categories of types of interests that must be reported. These codes are to be reviewed and, if necessary, updated every two years in order to stay abreast of the current state of the law and to accurately reflect the individual office holders subject to the requirements. The update is required this calendar year. (Responsible Department: City Clerk)
 5. Approval of Acceptance of Improvements for public use and authorizing staff to file a Notice of Completion for Parquet Street Water and Sewer Replacement and Slurry Seal (the Project). The Project consisted of constructing new sewer mains, sewer manholes and laterals to replace leaking and aged sewer lines, which posed a threat to public health and the environment, and new water main and services to replace leaking water lines and lead services. (Responsible Department: Engineering)
 6. Enhanced Infrastructure Finance District (EIFD) Award of Contract to Consultant, Kosmont Companies, and authorize Staff to execute an Agreement with the firm to provide Planning Consultant Services as well as perform all work required for the project, as described in the proposal from Kosmont Companies (Kosmont Proposal) in an amount not to exceed \$50,000. Funding has been allocated and received from the County of Sonoma. There are no city funds expended for this contract. (Responsible Department: Planning)

INFORMATIONAL ITEMS/PRESENTATIONS: Informational Items or Presentations are items that are informational only and do not require action by the City Council. Presentations shall be scheduled as necessary for the promotion of an event or service or general information items to the Council and should be limited to ten (10) minutes total in length of item (total length includes questions of Council to presenter and public comment).

NONE

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

7. Continuation - Consideration of Recommended Actions from Library Ad Hoc Committee. The Ad Hoc Committee was formed to explore future possibilities for Sebastopol's Branch, including but not limited to the issues of increased staffing and adequate facilities. The item tonight is to receive the Report from the Library Ad Hoc Committee and discuss the recommended actions in the report. It is also recommended that the Ad Hoc Committee be dissolved as it was created for this specific purpose. Depending upon the outcome of the recommendations, the Council could consider a new Ad Hoc for specific actions. (Requestor: Vice Mayor Zollman)

PUBLIC HEARING(s):

8. Continuation - Public Hearing - FY24-25 Street Lighting Assessment District - Conduct a public hearing, Adopt a resolution approving the annual Engineer's Report, confirming the Assessment Diagram, and authorizing the levy of annual assessments for Fiscal Year 2024-25 for the City of Sebastopol Street Lighting Special Assessment District (Responsible Department: Administrative Services). *This item was continued from the June 4, 2024 City Council Meeting to this meeting (time/date specific).*
9. Public Hearing – Public Hearing to fulfill the public protest hearing requirements in the Proposition 218 to consider a proposed increase to our City's water and sewer rates to fund its costs for providing safe and reliable water service, including operational costs, along with capital improvement needs of the City's water and sewer utilities and equitably recover from all customers. Upon its conclusion, the City Council shall consider adoption of Resolution Approving the new rates and are proposed to be effective July 1, 2024 (Responsible Department: Toni Bertolero (GHD)/City Manager/Administrative Services).

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

10. Discussion and Consideration of Appointment and Award of Contract – City Attorney or Request for Second Interview(s) (Responsible Department: Human Resources/Assistant City Manager/City Clerk)
11. Discussion and Consideration of Approval of Budget Continuation Resolution to Include Contract Continuations for Length of Budget Continuation (Responsible Department: Administrative Services)
12. Reconsideration of City Council Action: Reconsideration of Approval of Resolution and Contract with St. Vincent de Paul regarding Construction and Operation of the "Gravenstein Commons," located at 850 N Gravenstein Highway by and between the City of Sebastopol and the Society of St. Vincent de Paul District Council of Sonoma, Inc. (Project Homekey) (Requestor: Mayor Rich and Councilmember Maurer/Responsible Department: City Manager)

ADDITIONAL PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA: Two 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.

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

13. City Manager and/or City Clerk Reports: (This will be either verbal reports at the meeting, 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. ((This will be either verbal reports at the meeting, or written reports provided at or prior to the meeting)
 - a. Budget Committee Report Out
15. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)

CLOSED SESSION: NONE

ADJOURNMENT OF CITY COUNCIL MEETING

June 18, 2024 City Council Regular Meeting will be adjourned to the City Council Regular Meeting of Tuesday, July 2, 2024 at 6:00 pm, Sebastopol Youth Annex, 425 Morris Street.

American Disability Act Accommodations/Accessibility: A request can be made orally or in writing, and submitted to the ADA Coordinator by email: building@cityofsebastopol.org or to the City Clerk's Office so as to avoid delay in reviewing and processing the request. Requests can be made by contacting the ADA Coordinator's Office at (707) 823-8597, via email at building@cityofsebastopol.org or by mailing such a request to the ADA Coordinator's Office located at 7425 Bodega Avenue, Sebastopol, CA. Note that if you contact the ADA Coordinators Office, via mail, you need to make the request early enough that a response can be timely provided.

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

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

If you have any questions regarding this meeting, please contact the City at Email: info@cityofsebastopol.org or citycouncil@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 in person or 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.

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 that prevents the legislative body from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control that prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption that prevents the legislative body from broadcasting the meeting may be challenged pursuant to Section 54960.1.

COUNCIL PROTOCOLS FOR MEETING:

This in person and virtual/remote meeting is compliant with the Governor's Executive Order allowing for a deviation of teleconference rules required by the Brown Act. Traditional Brown Act and AB 2449 requirements can be utilized for all City Council meetings as long as required notice and posting is conducted per the Brown Act.

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.

How can I provide Public Comment on Zoom?

The Mayor will request public comment during the Public Comment period on the agenda and during each Public Hearing and Regular Calendar Item. Once the Mayor has announced the public comment period, please do one of the following.

USING A COMPUTER OR SMART PHONE:

- Click on the "Raise Hand" feature in the webinar controls. This will notify City staff that you have raised your hand and you would like to speak.*
- City staff will unmute your microphone when it is your turn to provide public comment.*
- A prompt will appear to confirm you would like to be unmuted. Once you accept the prompt, you will have two minutes to provide public comment.*
- Once your public comment has ended, you will be muted again.*

USING A REGULAR PHONE:

- Dial *9 (star 9), this will notify City staff that you have "raised your hand" for public comment.*
- City staff will unmute your microphone when it is your turn to provide public comment. *6 (star 6) is used to mute/unmute.*

- You will hear "you are unmuted" and then you will have two minutes to provide public comment.*
- Once your public comment has ended, you will be muted again*