

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

Mary Gourley

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City of Sebastopol
CITY COUNCIL MEETING AGENDA

Meeting of Tuesday – September 3, 2024

Meeting Start Time: 6:00 pm

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

In Person Location: Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA 95472

City Council is inviting you to a scheduled Zoom meeting.

Topic: City Council Meeting - September 3, 2024

Time: 6:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/86926083707?pwd=MTlxS1JxekQ1TU8xcXN3NEhRWk1NQTO9>

Meeting ID: 869 2608 3707

Passcode: 106502

One tap mobile

+16699006833,,86926083707#,,,,*106502# US (San Jose)

+16694449171,,86926083707#,,,,*106502# 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)

• +1 689 278 1000 US

Meeting ID: 869 2608 3707

Passcode: 106502

Find your local number: <https://us02web.zoom.us/u/kbl7qD3xaU>

CALL TO ORDER

ROLL CALL

SALUTE TO THE FLAG

PROCLAMATIONS/PRESENTATIONS:

- Introduction of City Attorney Alex Mog
- Years of Service - Miko Lim, Accountant/Analyst: 5 years
- Years of Service - Alexander Roa, Volunteer Fire Fighter: 10 Years
- Proclamation – September 2024 – National Seniors Month
- Proclamation – September 15th – October 15th 2024 National Latinx/Hispanic Heritage Month

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 of August 6, 2024 – Regular Meeting (Responsible Department: Assistant City Manager/City Clerk)
2. Approval of Artist for City Art Commission at Joe Rodota Trail and Agreement with Regional Parks (There is no fiscal impact/increase in funding to the Adopted FY 24 25 City Budget. This Art Commission is being funded through the City of Sebastopol’s Art In-Lieu Fee Fund, which is designated for public artworks. The total approved budget of \$31,000.00 has been allocated for the commissioned piece and staff implementation (Responsible Department: Planning Dept/Public Art Committee)
3. Approval of contract amendment with Baker Tilly for Fleet Management Asset Study to amendment budget for an increase of \$18,900 (There is no fiscal impact/increase in funding to the Adopted FY 24 25 City Operating Budget; Funding is included and was approved in the Adopted FY 24 25 City Operating Budget (Responsible Department: City Manager)
4. Approval of Notice of Completion for the Sunset Ave/Taft St Pedestrian Safety Crossing Improvements Project (Responsible Department: Engineering) (Project included Grant Fund from District 5 Infrastructure grant funding - \$200,000; and School District donation - \$20,000)
5. Approval of Notice of Completion for the Youth Annex ADA Upgrade Project (Responsible Department: Engineering) (Project included Grant Funding from the Community Development Block Grant (CDBG) - \$180,000)
6. Approval of Salary Schedule for newly created position of Public Works Director/City Engineer and newly created positions of Engineer I and Engineer II as approved at the August 6, 2024 City Council Meeting, (There is no fiscal impact/increase in funding to the Adopted FY 24 25 City Operating Budget; Funding is included and was approved in the Adopted FY 24 25 City Operating Budget and at the August 6, 2024 Council Meeting) and Approval of Salary Schedule for Professional Services Temporary Hires (There is also no fiscal impact with this item as salary savings from City vacancies would be used for any temporary professional hire). (Responsible

Department: Administrative Services/Human Resources) (Item was reviewed and discussed at the August 12th 2024 Budget Committee Meeting as referenced in Staff Report).

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).

7. Presentation from Local Agency Formation Commission (LAFCO) (Mark Bramfitt) on process and timelines for Consolidation Process through LAFCO. The Local Agency Formation Commission (LAFCO) was created by State law in 1963 to regulate the boundaries of cities and special districts and will provide a presentation on the City of Sebastopol Fire Reorganization/Consolidation Process (Fire Ad Hoc Committee/Responsible Department: City Manager)

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

8. Discussion and Consideration Fire Ad Hoc Committee Duties/Tasks/Duration of Committee - This item was continued from the July 16, 2024 City Council Meeting (Fire Ad Hoc Committee/Responsible Department: City Manager)
9. Revenue Measures: Status of those that have been considered; are still being considered; or new measures to be considered (This report is a follow up from the Budget Committee Meeting that was held August 12th) (Responsible Department: Administrative Services/City Manager)

PUBLIC HEARING(s):

- ~~10. Public Hearing — Building Valuation Policy Average: Approval of Resolution of Cost per square Foot by Occupancy & Type; Valuation per square foot when contract price not available authorizing the Building Official to raise valuations on an annual basis as of July 1 of each year based on the annual Construction Cost Index (Responsible Department: Building)~~ **This publicly noticed public hearing agenda item has been pulled/removed from this agenda and will not be heard at this meeting. This public hearing will be publicly noticed again for a future City Council meeting.**

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

11. EIFD (EIFD Ad Hoc Committee: Responsible Department: Planning) Pursuant to direction provided on January 16, the City has retained consulting firm Kosmont Companies through a competitive procurement process effective July 15, 2024 for advisory services related to the evaluation and potential initial implementation of an EIFD (paid for by a County funding allocation). Initial work tasks have thus far focused on:
 - a. Evaluation of multiple potential EIFD boundary alternatives within the City and as well as portions of unincorporated County jurisdiction within the Fifth Supervisorial District; and
 - b. Initial compilation of potential infrastructure and/or affordable housing projects that could be included on the list of authorized facilities to receive EIFD funding in the future.Kosmont and City staff would like to facilitate a discussion during the City Council's meeting on September 3, 2024, regarding the projects or types of projects that the City Council would like to see included on the list of authorized facilities that could potentially receive EIFD funding in the future. Consistent with the EIFD statute, the staff report for the January 16 discussion item provided a definition projects that would

be eligible to receive funding (e.g., water, sewer, flood control, roadways, sidewalks, libraries, parks and other recreational facilities, affordable housing, fire prevention, broadband infrastructure).

12. Consideration of Recommendation for Selection of Facilitator for February 2025 City Council Goal-Setting Session and approval of amendment to contract not to exceed \$10,000 (There is no fiscal impact/no requested increase in funding to the Adopted FY 24 25 City Operating Budget; Funding is included and was approved in the Adopted FY 24 25 City Operating Budget)
Recommended Facilitator: Baker Tilly (Responsible Department: City Manager)
13. Discussion and Consideration of City Priorities (Short term and long term) (Responsible Department: City Manager)
14. Discussion and Consideration of Approval to Amended Job Description and Salary Schedule for Police Chief. The proposed annual base salary budget at top step would be \$202,464 and a budget amendment would be required for any increase in salary. If approved, the salary schedule and budget amendment would return to the next City Council meeting of September 17, 2024. (Responsible Department: Administrative Services/Human Resources)

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:

15. 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)
16. 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)
17. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)

CLOSED SESSION: NONE

ADJOURNMENT OF CITY COUNCIL MEETING

September 3, 2024 City Council Regular Meeting will be adjourned to the City Council Special Meeting Closed Session of Monday September 16, 2024 at 6:00 pm at City of Sebastopol City Hall, 7120 Bodega Avenue, Sebastopol, CA.

The Special City Council Meeting, Closed Session, Meeting of Monday, September 16, 2024 will be adjourned to the City Council Regular Meeting of Tuesday, September 17, 2024 at 6:00 pm, Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA.

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*