

## City Council

Mayor Stephen Zollman  
Vice Mayor Jill McLewis  
Councilmember Phill Carter  
Councilmember Neysa Hinton  
Councilmember Sandra Maurer



## City Manager

Don Schwartz

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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, January 21, 2025

**Special Meeting Start Time: 5:00 pm**

Meeting to be held in Person and Virtual /Remote Participation

In Person: 425 Morris Street, Sebastopol, CA 95472

Zoom Link Below: Zoom Link can be used for providing public comment/Live Stream(Vimeo) is utilized for viewing only of meeting

**Topic: City Council Meeting - January 21, 2025**

**Time: Jan 21, 2025 05:00 PM Pacific Time (US and Canada)**

Join Zoom Meeting

<https://us02web.zoom.us/j/85080647372>

Meeting ID: 850 8064 7372

Passcode: 524530

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One tap mobile

+16694449171,,85080647372#,,,,\*524530# US

+16699006833,,85080647372#,,,,\*524530# US (San Jose)

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Dial by your location

• +1 669 444 9171 US

• +1 669 900 6833 US (San Jose)

• +1 253 205 0468 US

Find your local number: <https://us02web.zoom.us/u/kj6MgTaQF>

Meeting ID: 850 8064 7372

Passcode: 524530

### **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. "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.*

### **PUBLIC COMMENT**

*Due to the length of recent City Council Meetings, it is strongly encouraged that written comments be submitted to the City Council by sending them by email to: [citycouncil@cityofsebastopol.gov](mailto:citycouncil@cityofsebastopol.gov) with either General Public Comment Written in the Subject Line or the Specific Agenda Item Number or Title Written in the Subject Line. Emails are distributed to the City Council as well as posted to the City Council meeting as public comment. Public Comment questions may be directed to City staff for a response at a later time.*

**MEETINGS ARE HELD AT 425 MORRIS STREET, SEBASTOPOL, CA 95472  
(SEBASTOPOL YOUTH ANNEX) UNLESS OTHERWISE NOTICED**

**CALL TO ORDER**

**ROLL CALL**

**SALUTE TO THE FLAG**

**REMOTE PARTICIPATION UNDER AB 2449 (IF NEEDED):** To consider and take action on any request from a Council Member to participate in a meeting remotely due to Just Cause or Emergency Circumstances pursuant to AB 2449 (Government Code Section 549539(f)). Assembly Bill 2302 (2024) ("AB 2302") revises rules for when members of local legislative bodies may participate in meetings remotely. Specifically, it amends the number of meetings that may be attended remotely for just cause and under emergency circumstances and clarifies the definition of the term "meeting," for purposes of remote attendance. AB 2302 caps the number of remote meetings a member can attend each year based on the frequency of a legislative body's meetings: Five meetings per year for those meeting twice a month.

**INTERVIEWS:**

1. Agenda Item: Conduct Interview for One Opening on the Public Arts Committee: Term: December 2024 to December 2028.  

**5:00 pm** Interview with Gavin Waters
  
2. Agenda Item: Conduct Interviews for Two Openings on the Planning Commission: Term: December 2024 to December 2028  

**5:15 pm** Interview with Paul Fritz  
**5:30 pm** Interview with Jennifer E. Koelemeijer
  
3. Agenda Item: Conduct Interviews for Three Openings on the Design Review Board/Tree board: Term: December 2024 to December 2026  

**5:45 pm** Interview with Lynn Deedler  
**6 :00 pm** Interview with Marshall Balfe  
**6 :15 pm** Interview with Christian D. Macke

**PROCLAMATIONS/PRESENTATIONS/INTRODUCTIONS: None**

**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 aloud the title of each consent item (either full agenda title or a simplified version of the agenda title), and 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 two (2) minutes on the entire consent calendar and request at that time that an item or items 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. Council Members 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.

*Items 4-19 were previously acted upon during the City Council's December 17, 2024 meeting. The City recently received a letter demanding the City cure and correct alleged violations of the Brown Act related to the agenda for the December 17, 2024 meeting. While the agenda for the December 17, 2024 meeting substantially complied with the Brown Act, in an abundance of caution, the City Council will be ratifying and re-approving all action items from the December 17 meeting in order to correct any alleged violations.*

4. Approval of Minutes of Special City Council Meeting – Closed Session Meeting of December 2, 2024 (Responsible Department: City Clerk)
5. Approval of Minutes of Regular City Council Meeting of December 3, 2024 (Responsible Department: City Clerk)
6. Approval of Minutes of Special City Council Meeting – Closed Session Meeting of December 9, 2024 (Responsible Department: City Clerk)
7. Approval of Adoption of Ordinance Number 1151: Ordinance to Repeal Ordinance Number 1132 (Electronic Filing of Campaign Finance Disclosure and Statements of Economic Interests) (Responsible Department: City Clerk/City Attorney)
8. Receipt of Code of Conduct Policies (Request for Councilmembers to Sign Yearly) (Responsible Department: City Clerk)
9. Approval of Local Appointments List (Maddy Act Government Code Sections § 54970- 54975) This is a current list (As of December 31, 2024) of City Commission/Board/Committees: Planning Commission, Design Review, Public Arts and Climate Action Committee (Responsible Department: City Clerk)
10. Approval of AB 1600 Report for Fiscal Year 2023-24. "AB 1600" refers to Assembly Bill 1600, a California state law that establishes guidelines for the collection and usage of "development impact fees" imposed on new development projects, essentially requiring local governments to justify and transparently account for fees they charge developers to fund necessary public infrastructure related to new development; it's often called the "Mitigation Fee Act. AB 1600 requires agencies to annually report on the fees collected and their use. (Responsible Department: Engineering)
11. Approval of Agreements with the California Department of Tax and Fee Administration (CDTFA) for Implementation of a Local Transactions and Use Tax for ¼ cent sales tax as approved at the November 5, 2024 Municipal Election and Agreement with Sonoma County for Regarding Measure U and Measure I. In exchange for the City waiving collection of a portion of the ½ cent sales tax authorized by Measure U, Sonoma County will pay the City an amount equal to what the City would receive if it collected the full amount (Responsible Department: City Attorney)
12. Adoption of a Resolution approving the Final Map and Subdivision Improvements Agreement for the Canopy Subdivision located at 1009-1011 Gravenstein Highway North, APN 060-261-026 & 028(Property), and accepting the dedication of public easements for utilities, emergency vehicle access and public (pedestrian and bicycle) access (Responsible Department: Engineering)
13. Discussion and Consideration of Staff Support for Climate Action Committee. Staff recommends modifying the commitment as outlined in Option 2, setting a limit of 10 hours per month for staff time to support the CAC. If Council prefers to focus staff time entirely on revenue-generating work and other Council priorities, staff recommends Option 1 as previously discussed. (Responsible Department: Planning/City Manager)
14. Consideration of Council Approval of the Sebastopol Fire Department Stipend Policy. There is no budget amendment required for approval of this policy. (Responsible Department: Fire/City Manager/Human Resources)

15. Consideration of Council Approval of Fire Captain Job Description and Salary Range. There is no budget amendment required for the approval of the job description or salary range. (Responsible Department: Fire/City Manager/Human Resources)
16. Consideration of Contract Amendment for Scope of Work for City Gate Contract for Fire Department Reorganization Items for an Additional Allocation of \$25,000. The FY 24 25 budget has budgeted and allocated \$50,000 for Consolidation Negotiation Advising and the City hired CityGates for fire negotiation items. This item requires Council approval for City Manager to sign this contract which is above the purchasing authority. \$25,000 will be transferred within the fire department budget which is within the City Manager's authority. There is no increase to the budget. (Responsible Department: City Manager)
17. Consideration of Council Approval to Proceed with Update to Staffing Assessment Study. This item has been budgeted in the FY 24 25 City Budget for \$10,000; therefore there is no budget amendment required. This item was reviewed by the Budget Committee at their meeting of December 2, 2024. City staff is requesting Staffing Assessment be Completed prior to the 2025 Goals and Priority Setting (Responsible Department: Assistant City Manager/City Clerk)
18. Consideration of Approval for Budget Amendment for Additional \$1500 for newly elected Councilmember to attend the League of CA Cities /CAL Cities New Mayors and Council Members Academy, January 22-24, 2025 in Sacramento (Responsible Department: City Clerk)
19. Designating Voting Delegate and Alternate(s) to Vote in the Mayor's Absence for the 2025 Sonoma County Mayors and Councilmembers City Selection Committee Meetings and Sonoma County Mayors and Councilmembers Board and General Membership Association Meetings (Responsible Department: City Clerk)
20. Approval of City Council Meeting Minutes of January 7, 2025 (Responsible Department: City Clerk)
21. Approval of Sponsorship of Sebastopol Walks 2025 Program: There is no City funding required for sponsorship of this program. (Responsible Department: City Clerk)
22. Approval of Resolution Ratifying and Adopting Option #2 for Solid Waste Collection Agreement with Sonoma County Resource Recovery for garbage, recycling, and organic waste collection services and inclusion of franchise fee as discussed and recommended at the January 7<sup>th</sup> 2025 City Council Meeting. The requirement is for the City Council to adopt a resolution incorporating the rates and the Franchise Fee to be paid to the City of Sebastopol by the vendor per the Ordinance. The selected Contractor shall pay applicable franchise fees established by the City which is 10% of Gross Revenues for Collection Services provided in the City. There is no negative fiscal impact to the City budget with the adoption of the Resolution. (Responsible Department: Assistant City Manager)

**APPOINTMENTS:**

23. Agenda Item: Consideration of Appointment for One Opening on the Public Arts Committee: Term: December 2024 to December 2028.  
Applicant: Gavin Waters
24. Agenda Item: Consideration of Appointment(s) for Two Openings on the Planning Commission: Term: December 2024 to December 2028  
Applicant: Paul Fritz  
Applicant: Jennifer E. Koelemeijer
25. Agenda Item: Consideration of Appointment(s) for Three Openings on the Design Review Board/Tree board: Term: December 2024 to December 2026  
Applicant: Lynn Deedler  
Applicant: Marshall Balfe  
Applicant: Christian D. Macke

**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**

**PUBLIC HEARING(s):** **NONE**

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

26. Consideration of Approval of Measure H Funding Agreement with County of Sonoma (Responsible Department: Fire)
27. Consideration of Adoption of the Sebastopol Active Transportation Plan (Responsible Department: Planning)
28. Approval of Memorandum of Understanding (MOU) with Sebastopol Employee International Union (SEIU) (Public Works and Administrative Staff) for a One Year agreement – January 1, 2025 to December 31, 2025 and Approval of Budget Amendment for \$140,500 for negotiated items. (Responsible Department: Assistant City Manager/Human Resources)
29. Approval of Annual Report and Continued Use of Existing Surveillance Technology (Responsible Department: Police)

**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:**

30. 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)
  - Departmental Reports
31. 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)
  - Budget Committee Report out (January 13<sup>th</sup> Budget Committee Meeting)
32. Council Communications Received (Information/Meetings/Correspondence Received from the General Public to Councilmembers)

**CLOSED SESSION:** **NONE**

**ADJOURNMENT OF CITY COUNCIL MEETING**

January 21, 2025, City Council Regular Meeting will be adjourned to the Regular City Council Meeting of Tuesday, February 4, 2025, 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](mailto: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](mailto: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](mailto:info@cityofsebastopol.org) or [citycouncil@cityofsebastopol.org](mailto: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 at City Hall during normal business hours. 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 RESTATED:**

*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