AGENDA ITEM NUMBER 1

DRAFT

City of Sebastopol City Council Regular Meeting Minutes

Meeting of April 5, 2016

6:00 pm - Convene Regular City Council Meeting, Sebastopol Youth Annex/Teen Center, 425 Morris Street, Sebastopol, Ca

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.

Please note that minutes are not 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 Sebastopol City Council welcomes you to its meetings that are generally scheduled for the 1st and 3rd Tuesday of every month. Your interest and participation are encouraged and appreciated.

A notice of the meeting was posted by the City Clerk on February 25, 2016.

6:00 pm Convene Regular City Council Meeting, Sebastopol Youth Annex, 425 Morris Street, Sebastopol, Ca

Call to Order: Mayor Gurney called the meeting to order at 6:03 p.m.

Roll Call

Present:	Mayor Gurney
	Vice Mayor Glass
	Councilmember Eder
	Councilmember Slayter
Absent:	Councilmember Jacob
Staff:	City Manager-City Attorney Larry McLaughlin
	City Clerk Mary Gourley
	Building Official Glenn Schainblatt
	Engineering Manager Henry Mikus
	Finance Director Ana Kwong
	Fire Chief Bill Braga
	Police Chief Jeff Weaver
	Superintendent of Public Works Emig

SALUTE TO THE FLAG: Mayor Gurney led the salute to the flag.

Mayor Gurnhey announced the following:

- Sister City Visit to Takeo City which happened in March and Councilmember Slayter attended
- Discussed the Library/Landscaping planting day this past Saturday
- Commended the volunteers and Daily Acts for their work

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- Saturday, April 9th, installing Rain Barrels at City Hall
    - Demonstration on how to conserve water
      10:00 am 2:00 pm
- Asked people to turn cell phones off during the City Council meeting
- Mayor Gurney disussed the need for an emergency item to be added to the agenda

City Manager McLaughlin announced that the City of Sebastopol had received a request from Councilmember Jacob for an excused leave of office from the City Council for 90 days and to also be removed from the City Budget Sub-Committee and asked that this item be added an as urgency item to this agenda as the request came after the posting of the agenda and that the budget sub-commitee will begin their meetings on Monday April 11, prior to the next City Council meeting.

Mayor Gurney opened for public comment. There were none.

Councilmember Eder moved and Vice Mayor Glass seconded the motion to add as an urgency item the request from Councilmember Jacob for an excused leave of office from the City Council for 90 days and to also be removed from the City Budget Sub-Committee and asked that this item be added an as urgency item to this agenda as the request came after the posting of the agenda and that the budget sub-commitee will begin their meetings on Monday April 11, prior to the next City Council meeting.

VOTE:

Ayes:	Councilmembers Eder, Slayter, Vice Mayor Glass and Mayor Gurney
Noes:	None
Absent:	Councilmember Jacob
Abstain:	None

City Council Action: Approved the motion to add as an urgency item the request from Councilmember Jacob for an excused leave of office from the City Council for 90 days and to also be removed from the City Budget Sub-Committee and asked that this item be added an as urgencY item to this agenda as the request came after the posting of the agenda and that the budget sub-commitee will begin their meetings on Monday April 11, prior to the next City Council meeting.
Minute Order Number: 2016-073

Mayor Gurney stated this item will be heard at the end of the agenda after item number 11.

PROCLAMATION(S)/PRESENTATION(S):

The following were presented:

- Proclamation Proclaiming April 10 – 16, 2016 as National Crime Victims' Rights Week in the City of Sebastopol

Mayor Gurney opened for public comment.

Colleen Fernald commented as follows:

- Discussed her daughter's death
- Discussed how the District Attorney states they won't rest until they help every victim
- Discussed being raped
- Discussed evidence being lost
- Discussed no charges being brought
- Stated her daughter was a witness to these crimes
- Discussed trying to work with the police forces

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- Stated she has received no cooperation
- Stated she needs solutions
- Discussed law enforcement oversight committee
- Require every City to have an oversight committee
- Discussed conversation with Police Chief
- Stated she demanded to be surveilled
- Stated there is no follow up for request for a meeting from November

The following were presented:

- Proclamation Recognizing April 10 -16, 2016 as the Week of the Young Child
- Proclamation Recognizing April 2016 As Sexual Assault Awareness Month (Verity - Sonoma County's Rape Crisis Center)
- Proclamation Recognizing the Rotary's Learn to Swim Program at Ives Pool

- Introduction of Reserve Police Officer Manov Mudaliar
- Presentation of Years of Service Awards:
    - James Conner – Police Department – 20 Years
    - Scott Verse – Police Department – 35 years

Jim Richter commented as follows:

- Stated both James Conner and Scott Verse are good men
- Both are a joy to work with
- Provided accolades to both Scott and James

- Presentation of Award of Recognition and Certification of Designation as Master Municipal Clerk (MMC) to City Clerk

Mayor Gurney provided the following comments:

- Has used the phrase I don't know, but call Mary as you are one person away from the answer to that question
- Stated she has served so many people on the spot like that without Mary knowing that she has referred the public to her
- Stated it is remarkable that our public can be so close to information and that she provides wonderful, professional service
- Stated Mary keeps her calm and functioning well in assisting her and helping her with the process of the agenda and Council meetings
- Stated the words on the card are very sincere and just not enough to say how deeply she thanks Mary

Vice Mayor Glass provided the following comments:

- Thanked Mary for her professionalism and stated it goes above and beyond
- Stated Mary is always on it and on top of everything
- Stated she sees Mary late at night at meetings and then the next morning she is at work and ready to go and getting things done
- Stated she appreciates Mary's patience and good service to the public
- Stated Mary treats all members of the public politely and well and is a pleasure to have Mary working for the City and our face to the public

Councilmember Eder provided the following comments:

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- Stated he did not know Mary very well before he ran for City Council
- Stated when he went to City Hall and filed papers and stated Mary provided him a comprehensive handbook but stated it was amazing what she knew
- Stated for the time he has been on the Council he has referred to Mary as the "den mother" and stated it is like herding cats keeping track of the council
- Stated she is very diplomatic in the way she treats people and never rude and never antagonistic
- Stated she is never at a loss for an answer and always honest when she does not know the answer but she will always research it and get back to you
- Stated she is amazing
- Stated the Council meeting sometimes go for long hours and Mary is sending out emails at 7:30 the next morning
- Stated he cannot say enough
- Stated Mary make his job on the Council much easier and taken the guess work out of serving the public

Councilmember Slayter provided the following comments:

- Stated Mary's abilities are legendary especially for anyone who has ever served on the Council
- Stated he is not sure what state the City would be without her doing her job
- Stated long before Mary was a City Clerk and long before he had any inkling of running for office, Mary worked at Public Works/Planning behind the desk and he would go there to drop off projects for submittals for permits and stated she was always very business-like, very exacting, very professional, and very precise
- Stated nothing has changed with the exception that now we know each other and stated he thinks the world of her

ila Benavidez-Heaster commented as follows:

- Stated as we watched Mary hold that baby, that is how she cares for all of us
- Stated she is a master educator
- Stated she can always provide information in a way that is accessible
- Stated that is such a talent
- Stated she is a master validator
- Stated no matter how hard you are struggling, she makes you feel affirmed and validated
- Stated there is something about Mary that I wish we could clone
- Stated the gift Mary brings to all of us is beyond words
- Stated what she has experienced with Mary is that she was seen as a person and thanked Mary for that and stated it does not always happen
- Stated Mary can cut through things and see the exact piece that is needed

Colleen Fernald commented as follows:

- Stated Mary is a treasure
- Stated Scott verse is a treasure
- Thanked Mary
- Stated she could not have said it better than her predecessor
- Stated she hopes Mary is not going away as there is still a lot of work to be done
- Congratulated Mary on her new grandchild

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Tami Taylor, City Clerk, City of Cotati, commented as follows:

- Echo what the Council and citizens feel about Mary as well as her colleagues in the Sonoma County cities
- Stated she is a great resource and stated her email replies come very quickly
- Stated she is always there for people

JoAnne Buergler, City Clerk, City of Rohnert Park, commented as follows:

- Stated this achievement is very difficult to achieve
- Stated Mary got it in record time
- Stated there is a lot of dedication and a tremendous amount of hours that Mary got on her own time
- Stated this is like getting a four year degree in two years
- Stated it is a tremendous amount of work
- Stated Mary is an inspiration
- Thanked Mary for being an inspiration to her

PUBLIC COMMENTS: (This is an opportunity for the public to address the City Council on items that are not listed on the agenda. This time is set aside to receive comments from the public regarding matters of general interest not on the agenda, but related to City Council business. Pursuant to the Brown Act, however, the City Council cannot consider any issues or take action on any requests during this comment period. Speakers are allowed to speak for a maximum of three minutes so that all speakers have an opportunity to address the City Council. The Mayor has the authority to limit the time allowed for speakers dependent on the amount of speakers in attendance. It is the goal of the Council to conclude the public comments portion of the agenda within 30 minutes. If the public comment period exceeds twenty minutes, the presiding officer, typically the Mayor, reserves the right to reduce the time per speaker or carry over public comments to after all business items are completed.)

Ila Benavidez-Heaster commented as follows:

- Commented on the Village Building convergence event
- Shocked and disheartened that very little had changed in the presentation
- Think disabling a person is a terrible thing to do
- Not want to be chastising
- Hoping to engage
- People produce at the level encouraged to do
- Support going forward
- Where do we go to begin in what is this about
- Applications were incomplete
- Not well thought out
- Not support that
- Stated we are short changing them
- Not want to do that to them
- Find ways of lifting them up so they can produce at their abilities
- Urged the Council to please stay together
- Stated she knows what the Council does
- Stated we need to make this the very best

Colleen Fernald commented as follows:

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- Discussed painful realities not addressed
- Discussed crimes committed
- Kaval
- Syndicate
- Discussed Unconstitutional Wars
- Discussed organized crime affecting her life in 2010
- Discussed Jim Leddy and her meeting with him
- Discussed reasons for meeting with him
- Stated Sonoma Clean Power is being backed by Russian organized crime
- Discussed sexual misconduct
- Discussed the story in the Press Democrat
- Urged an appointment with the Mayor

Anthony Carnacchi commented as follows:

- Discussed LED lights
- Questioned if CVS was lighting their parking lot with LED lights
- Stated it would be bright
- Emphasized Sebastopol Documentary Film Festival
- Discussed the division being created in Sebastopol as shown in the Film Festival brochure (page 5)
- Read the article in the brochure about the Barlow
- Stated this talks about a block party at Barlow that diverts people from the downtown
- Discussed the closed session item for the VMHP item
- Urged the Council to consider tiny homes and creating an ordinance

City Manager McLaughlin commented he would look into the lighting at CVS.

Mayor Gurney commented as follows:

- Discussed that next year is the 10th Sebastopol Documentary Film Festival and suggested creating a connection with the Barlow and downtown
- Discussed increase networking with local restaurants

Councilmember Eder commented as follows:

- LED lights – it is his understanding the parking lot and store interior are to be LED illumination
- Stated when the representative of CVS met with the City of Sebastopol, CVS was made aware of levels of LED lamps and he indicated to CVS that the lower Calvin rated lamps gave off less blue light and more yellowish were preferred by City
- Gentlemen at City of Davis, was familiar with Sebastopol and it was his opinion that the lower would provide adequate illumination
- Hopefully people at CVS took that to heart
- Not sure if this is a written condition of approval
- Hopefully they will be accommodating to that issue

STATEMENTS OF CONFLICTS OF INTEREST BY MAYOR/CITY COUNCILMEMBERS FOR ITEMS ON THE AGENDA (This is the time for the Mayor or City Councilmembers to indicate any statements of conflicts of interests for any item listed on this agenda) ***There were none.***

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Consent calendar items are routine matters or matters which 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. Items removed from the consent calendar will be taken up upon completion of action on the remainder of the items on the consent calendar.

Councilmember Slayter moved and Vice Mayor Glass seconded the motion to approve Consent Calendar Items Numbers 1 through 8.

VOTE:

Ayes:	Councilmembers Eder, Slayter, Vice Mayor Glass and Mayor Gurney
Noes:	None
Absent:	Councilmember Jacob
Abstain:	None

CONSENT CALENDAR ITEM(s):

1. Approval of Minutes of March 15, 2016 City Council Meeting Minutes (City Clerk)

City Council Action: Approved the Minutes of the March 15, 2016 City Council Meeting
Minute Order Number:2016-074

2. Receipt and Acceptance of Informational Item of Notice of Upcoming Vacancies on the Complete Streets Advisory Committee (City Manager/City Clerk)

City Council Action: Received and Accepted the information item of Notice of Opening of Upcoming Vacancies on the Complete Streets Advisory Committee
Minute Order Number:2016-075

3. Receipt and Acceptance of Informational Item of Notice of Upcoming Vacancy on the Public Arts Committee (City Manager/City Clerk)

City Council Action: Received and Accepted Informational Item of Notice of Upcoming Vacancy on the Public Arts Committee
Minute Order Number:2016-076

4. Receipt and Acceptance of Informational Item of Notice of Newly Created Opening on the City of Sebastopol Planning Commission (City Manager/City Clerk)

City Council Action: Received and Accepted Informational Item of Notice of Newly Created Opening on the City of Sebastopol Planning Commission
Minute Order Number:2016-077

5. Approval of Enrollment in the California Water/Wastewater Agency Response Network, Cal-WARN. This network establishes a Mutual Aid and Assistance Program to coordinate response activities to share available resources during emergencies (Superintendent of Public Works)

City Council Action: Approved Enrollment in the California Water/Wastewater Agency Response Network, Cal-WARN. This network establishes a Mutual Aid and Assistance Program to coordinate response activities to share available resources during emergencies
Minute Order Number:2016-078

6. Resolution, the Portal-to-Portal Compensation for Sebastopol Fire Department (SFD) personnel when providing aid to the California Governor's Office of Emergency Services (OES), under the 2015 California Fire Assistance Agreement (CFAA) (Fire Chief)

City Council Action: Approved Resolution, the Portal-to-Portal Compensation for Sebastopol Fire Department (SFD) personnel when providing aid to the California Governor's Office of Emergency Services (OES), under the 2015 California Fire Assistance Agreement (CFAA)
Minute Order Number:2016-079
Resolution Number: 6077

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7. Approval of Acceptance of Well 7 Project – Notice of Completion – Contract Number 2014-04 (Superintendent of Public Works)

City Council Action: Approved Acceptance of Well 7 Project – Notice of Completion – Contract Number 2014-04
Minute Order Number:2016-080

8. Approval of Letter of Support for Endorsement of Measure AA, a Bay Area Parcel Tax Related to Bay Restoration (Agenda Review Committee)

City Council Action: Approved Letter of Support for Endorsement of Measure AA, a Bay Area Parcel Tax Related to Bay Restoration
Minute Order Number:2016-081

INFORMATIONAL ITEMS/PRESENTATION:

9. Presentation: Sebastopol Senior Center Yearly Presentation to the City Council (Terry Kelley)

Terry Kelley, Sebastopol Senior Center, presented an informational item to the City Council.

Mayor Gurney questioned if it is known if Dean (Senior Center Volunteer) won the transportation award.

Mr. Kelley stated it would not be known until October.

Councilmember Eder discussed the forum held on marijuana and stated it was highly attended.

Mr. Kelley stated there were about 30 people which is a good group.

Councilmember Eder commended the Senior Center for being the lead on that issue.

Mr. Kelley commented that this is the first Senior Center to open to the community for organizations such as LGBT or on issues such as the marijuana forum.

Mayor Gurney commented as follows:

- Stated that the Senior Center has gone through a lot of barriers in terms of service to a wide community
- Stated the service is beyond typical or traditional
- Stated the Senior Center has a very dedicated long term staff
- Stated she appreciates what the Senior Center does and asked that the appreciation be told to the staff and volunteers as well

Vice Mayor Glass commented as follows:

- Stated the Senior Center so defies what is thought of as a stereo typical Senior Center
- Stated the Senior Center is reflective of diversity and interestingness of our community

Mayor Gurney opened for public comment. There was none.

Mayor Gurney thanked Mr. Kelley for the presentation.
City Council Action: None Required. Informational only.
Reference Order Number: 2016-082

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10. Presentation: PG&E Community Pipeline Safety Initiative: PG&E Representative Brian Bottari (City Manager)

Mayor Gurney questioned if it is known how many trees are heritage trees.

City Manager McLaughlin stated he does not have that information. He stated there are 60 trees that are privately owned.

Mayor Gurney stated she would like a count of the number of protected trees.

Brian Bottari, PG&E, and Darrin Klein, provided an informational presentation to the City Council.

Mayor Gurney questioned what a "manageable tree" is.

Mr. Klein commented as follows:

- Stated those are trees that are to remain in place
- Discussed soil conditions, species of trees, lighting risk, etc.
- Stated there are twelve different criteria
- Discussed age of trees and stated they want the trees to stay
- Stated they are talking to every City, not just one
- Discussed safe digging
- Extra communication around this item
- Talking to everyone at the same time
- Every community is unique
- Wants to do what works right for each community

Mayor Gurney discussed replacement trees and questioned how they would be replaced.

Mr. Klein commented as follows:

- Discussed requirement trees
- Discussed using 15 gallons trees but stated this would not work for larger trees
- Stated the replacement trees would be discussed with the City
- Discussed 5 to 1
- 24" box trees
- Mitigated in proper way
- Want to set standard to replace trees
- Stated there is only a handful of protected trees
- Stated they wants people to understand the risks of trees over these lines
- Stated PG&E will take the time to talk and meet with the arborist and inform the property owners

Vice Mayor Glass questioned how does someone know what kinds of trees are more suitable.

Mr. Klein stated that is one of the battles.

Vice Mayor Glass commented that a guide would be helpful and useful for the Public Works Department to have.

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Superintendent Emig stated that Public Works was involved in the meeting where this was discussed.

Mr. Klein commented that it is important that people use the service "Call before you Dig" as this is a free service.

Councilmember Eder commented as follows:

- Discussed neighbor's tree that he dealt with
- Questioned if there is any recourse if someone says to get off their property

Mr. Klein commented as follows:

- Stated they have been lucky in that regard with this program
- Stated they have been approaching everyone involved
- Stated they are working with arborists
- Stated they are professionals
- Stated they have a conversation with the property owners
- Stated they have had a 90% success rate
- Stated they are working with the community
- Stated once PG&E begins to work in the community, neighbors see what they are doing and that PG&E is doing what they said they would do
- Stated people see that and the success rate increases to 98 percent
- Stated however that some people are never happy
- Stated at that point PG&E would let the Fire Department and City officials know
- Stated they would discuss a way to work together to try to talk to folks
- Stated PG&E would bring in other stakeholders

Councilmember Eder questioned if PG&E would use legal methods to remove trees.

Mr. Klein commented that this is not something that PG&E wants to do.

Councilmember Eder questioned if there is financial compensation.

Mr. Klein commented as follows:

- Stated there is financial compensation
- Stated PG&E works with the property owner on that
- Stated when PG&E talks to private property owners, there is an agreement that is signed and an action plan with the property owner
- Stated this is a sign contract and there is no misinterpretation of work that is being done on the property such as landscaping, restoration, mitigation measures
  Stated the property owner knows what to expect
- Do best to come to a negotiated agreement

Councilmember Eder questioned if PG&E has bought easements.

Mr. Klein stated yes, in some instances such as street trees or franchise agreements.

Councilmember Slayter stated he would assume that for tree replacements, he assumes that PG&E would go directly to the Tree Ordinance and use those standards.

City Manager McLaughlin commented as follows:

- Stated those details are not flushed out yet on how the details of the tree ordinance come into play
- Stated PG&E has indicated they will utilize the Tree Ordinance
- Stated however that PG&E is exempt from the ordinance
- Stated this issue has not been worked out yet but staff and PG&E are working on that

Councilmember Slayter commented as follows:

- Stated he is interested in publicly owned lands using that as a guideline
- Common space would require same mitigation measures
- Questioned the 60 PSI line and questioned how big is the diameter of that size line

Mr. Klein commented as follows:

- Stated the size of the pipe does not matter
- Stated 60 PSI could be 4 or 36 inches
- Diameter varies
- Can get information to the Council on the sizes
- Stated the smallest ones are four inches in diameter

Councilmember Slayter commented as follows:

- Discussed if this covers replacement for landscape and not just mitigation of trees
- Questioned if this is complete replacement costs for all flowers, shrubbery, etc.
- Questioned if this is all at PG&E's cost

Mr. Klein stated that is correct.

Councilmember Slayter questioned if in situations of heritage trees, which there are a lot in town, in order to protect the heritage tree, what happens if the City says that the line needs to be moved rather than removing the tree.

Mr. Klein commented as follows:

- Stated that is a question that has been asked
- Stated it depends on the community
- Stated that the pipeline is safe the way it is right now
- Stated if the line had to be moved, it would be very disruptive to remove
- Stated it would take years to permit that
- Discussed targeted removals and stated to replace those is the way to go
- Stated they will work with the community and figure out what is best

Councilmember Slayter questioned in general, how old are the lines or how old are the trees over the top of the lines.

Mr. Klein commented as follows:

- Stated he does not know the ages
- Stated is most cases, the pipes predates most of the trees based on the sizes of the trees
- Stated PG&E can put together a gas operations data request and provide details on the line
- Discussed looking at technology and what is needed to keep a pipeline safe

- Stated PG&E works and can provide information on how they come to that conclusion

Councilmember Slayter stated he would like to run the numbers of the properties impacted.

Mr. Klein commented there are 22 private properties that are impacted.

Councilmember Slayter questioned if half of those properties are commercial properties.

Mr. Klein commented that is correct. He stated the total count of trees is 59 that have been assessed on private property. He stated 16 are on public property and 1 is an unacceptable tree. He stated he expects the same percent (10-20 percent) on private property and stated this is minor. He stated they are assessing all 59 trees and that these trees will be put into the inventory to be looked at year after year.

Mayor Gurney commented as follows:

- Stated she is glad to know tonight that this is a slow process
- Stated it would be hard to find out that this program would start next week
- Stated she understands that PG&E is taking steps to interact with private property owners

Mr. Klein commented as follows:

- Stated PG&E will meet with private property owners
- Discussed using the Tree Ordinance in the City
- Stated they want to discuss what people want on their property
- Stated PG&E will being back to the City the type of trees recommended for replacement trees

Mayor Gurney commented that it is hard to know which trees to be worried about when the City does not know which trees are being discussed.

Mr. Klein commented that they could share the tree inventory, such as width, diameter of trees, species, etc.

Mayor Gurney stated that ownership and location of the trees are confidential.

Mr. Klein stated there is a way of sharing the location and which trees are being discussed and stated that they could talk to the City Manager of this process.

Mayor Gurney stated that although there is a number that people can call, residents will call City Hall and asked what information the City should be giving the residents.

Mr. Klein stated PG&E will provide the contact information and that all inquiries should be sent to PG&E. He stated there is a lot of emotionality of trees, and that this will take time, and PG&E will talk to people and that people will be able to put a face to the name. He stated the City and the owners will see conversation before any action is taken,

Mayor Gurney commented as follows"

- Stated people expect that the City handles all types of things
- Stated people think that a lot of things are the City's responsibility such as this even though it not

- Stated people are surprised to know how much is or is not the responsibility of government
- Stated City Hall is often the people who get the message
- Stated PG&E needs to anticipate this and work out a dynamic way to deal with this
- Stated even with a phone number and name, City Hall will still get the calls
- Stated it would be ideal if there is some negotiation about trees and tree replacement, if the City and PG&E can talk of creating a mitigation bank
- Discussed a bank to forest particular areas if people do not want trees on their property
- Accept trees and create nice green space somewhere
- Discussed if it is accurate that high pressure lines follow major thoroughfares and smaller lines would follow smaller residential streets
- Questioned if that is an accurate perception

Mr. Klein stated in general yes and stated he will provide a map of transmission lines.

Mayor Gurney stated the City could then place that over a parcel map,

Mayor Gurney opened for public comment.

Colleen Fernald commented as follows:

- Useful information for city newsletter
- Questioned if pipes are under the road or off to the side
- Voiced concern when the roads are not well maintained in the City or County
- Discussed other consequences
- Discussed experiences with PG&E
- Discussed having a gas heater – called PG&E safety inspection – issue with inspector
- Discussed driving through a gas leak
- Stated a PG&E contractor created the leak
- Stated she was not informed of the leak
- Discussed not being told to shelter in place
- Stated she was fearful to turn her car on
- Stated she went to the police station and was told it was safe to go back
- Stated she did not trust that answer
- Stated the City needs to do due diligence
- Discussed putting the trees somewhere use
- Stated the trees need to say here

Mr. Botarri commented as follows:

- Stated if anyone smells gas, they should call 9-1-1
- Stated if a property owner wants the tree cut for firewood, PG&E will do that and stack it for them
- Discussed a lot and scatter method
- Stated they will talk to the customer and see what they prefer
- Discussed erosion control
- Discussed lines in roads, and stated sometimes they can be on the shoulder or under the road
- Stated they are under sufficient depth of the road and road construction is not a hazard

Mayor Gurney thanked PG&E for the presentation.

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City Council Action: None required. Informational Only,
Reference Order Number: 2016-083

PUBLIC HEARING(s): None
REGULAR CALENDAR AGENDA ITEMS (DISCUSSION AND/OR ACTION):

11. Discussion and Action of Adoption of Resolution of the City Council Immediately Implementing Water Waste Prohibitions and Water Conservation Measures in Compliance with State Water Resources Control Board Resolution 2015-0032 (Emergency Regulation for Statewide urban Water Conservation) And Rescinding Resolution Number 5997 (Superintendent of Public Works)

Superintendent of Public Works Emig presented the staff report to the City Council recommending the City Council adopt the Resolution Immediately Implementing Water Waste Prohibitions and Water Conservation Measures in Compliance with State Water Resources Control Board Resolution 2015-0032 (Emergency Regulation for Statewide urban Water Conservation) And Rescinding Resolution Number 5997.

Mayor Gurney opened for public comment. There was none.

Councilmember Slayter commented as follows:

- Discussed the first page, item Number 1, "...limit outdoor...
- Questioned if this is a loop hole for someone
- Questioned what if a commercial landscape company is the person using the water but not the person served the water
- Questioned if this is a fine point

Superintendent Emig stated this is the State language and that the City is "It" and that the "Person" is the water customer, regardless of who manages the irrigation or using the potable water.

Councilmember Slayter stated if it came from the State, the language has been vetted, but that the language is awkward.

Mayor Gurney opened for public comment. There was none.

Councilmember Eder moved and Vice Mayor Glass seconded the motion to approve and adopt the Resolution Immediately Implementing Water Waste Prohibitions and Water Conservation Measures in Compliance with State Water Resources Control Board Resolution 2015-0032 (Emergency Regulation for Statewide urban Water Conservation) And Rescinding Resolution Number 5997.

VOTE:

Ayes: Councilmembers Eder, Slayter, Vice Mayor Glass and Mayor Gurney
Noes: None
Absent: Councilmember Jacob
Abstain: None

City Council Action: Approved Resolution Immediately Implementing Water Waste Prohibitions and Water Conservation Measures in Compliance with State Water Resources Control Board Resolution 2015-0032 (Emergency Regulation for Statewide urban Water Conservation) And Rescinding Resolution Number 5997.
Minute Order Number: 2016-084

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Resolution Number: 6078

URGENCY ITEM:
Request from Councilmember Jacob for an excused leave of office from the City Council for 90 days and to also be removed from the City Budget Sub-Committee and asked that this item be added an as urgenc item to this agenda as the request came after the posting of the agenda and that the budget sub-commitee will begin their meetings on Monday April 11, prior to the next City Council meeting.

City Manager McLaughlin discussed the Government Code regarding what constitutes how an office is deemed vacant.

Mayor Gurney commented as follows:

- Stated Councilmember Jacob commented the Mayor about this item
- Stated Councilmember Jacob submitted the official communication
- Stated she checked with the City Manager and City Clerk regarding this issue
- Stated in the discussion, it was suggested to invite Councilmember Jacob to meet and discuss this issue
- Stated at this meeting, Councilmember Jacob was informed of all the choices such as:
- Missing meetings
- Excused leave of absence
- Resignation
- Appointment Process
- Election Cycle
- Stated Councilmember Jacob preferred to take an excused leave of absence as he is committed to completing his term of office
- Stated as a minimum he would like to be relieved of the intense schedule of the budget sub-committee

Councilmember Eder questioned if this is a personnel matter that should be discussed during a closed session.

City Manager McLaughlin commented that Council seats are not covered by any closed session nor it is a personnel exception.

Councilmember Eder questioned for a sitting Councilmember who has requested a leave of absence, is there any precedent set, policy or protocol at this point that City staff is aware of.

City Clerk Gourley stated there is no policy, but that she has researched this item with other cities, and have found that other cities have granted excused leaves of absences for vairous reasons.

Councilmember Eder questioned if the City would be creating a fake policy if the Council were to approve this.

City Manager McLaughlin commented as follows:

- Stated if someone researches Council leaves of absences, they all refer back to the Government Code
- Stated that is the only law that pertains to this

- Stated Councilmember Jacob is seeking permission to miss future Council meetings for a set time

Mayor Gurney stated this may be setting a precedent.

Councilmember Eder questioned if there is a legal basis to make this decision.

City Manager McLaughlin stated yes.

Councilmember Eder commented as follows:

- Stated he had to resign from the City Council previously
- Stated it is not a pleasant decision to make
- Stated he had to do a lot of soul searching
- Stated he knows what Robert might be struggling with
- Stated he feels conflicted
- Stated it would be the compassionate thing to do to grant a leave of absence
- Discussed that this is a family medical issue involved
- Stated without any indication of Robert's future plans, and that he and Councilmember Jacob are at the expiration of their current four year terms, the Council is being asked to provide a leave of absence of 40 percent of the remaining terms of office
- Discussed the personal compassionate side
- Stated the Council needs to consider the needs of our citizens and the City to have a fully functional City Council
- Questioned if the City Council is willing to go for a period of time without having a full Council available
- Stated he is not making a judgemnet one way or the other
- Stated the Council works for the citizens of Sebastopol
- Stated he is wondering if the higher question is to ask what serves the City's purpose and City requirements the best
- Stated Robert has made it clear that it is his intention to remain on the Council
- Stated that effectively with the granting of this request, the Council will see him for the last four monthys of his term unless he runs for re-election
- Stated this complicates things and stated it would be different if he had two or three year remaining, then it would be clear cut

Mayor Gurney commented as follows:

- Requested more information about the timing of the appointment process
- Stated if this were a resignation, the Council would have to agendize an item, determine the process, conduct a notice period, interview and then make an appointment
- Stated it could possibly be accelerated if the Council conduct special meetings

City Manager McLaughlin commented as follows:

- Stated the Council would need to make an appointment within 60 days of resignation
- Stated it will take one meeting to determine the procedure
- Stated there is no established procedure for filing by appointment
- Stated outreach will need to be conducted to interest people to apply

Mayor Gurney commented as follows:

- Stated Robert is asking for 90 days for an excused leave
- Stated Robert could return for a meeting or meetings
- Stated he could return earlier than 90 days
- Stated he could also change his mind and resign
- Stated that it is possible from tonight's discussion that someone could respond to Robert and suggest a resignation if that is the will of the Council

Vice Maor Glass commented as follows:

- Stated she is stunned right now
- Stated she knows somewhat of the situation but not know where it has gotten to
- Stated it is her feeling that she wished she had more time to think on this
- Stated there is a critical item at hand that is something that needs to be decided immediately and that is who is on the budget subcommittee
- Stated her immediate response would be to say yes to let Robert take an excused leave of absence
- Stated she has only known about this item since the beginning of the Council meeting and has not had any time to give it any thought
- Stated we should do what is best for him but also make sure that the Council has thought through all the ramifications for the City

Mayor Gurney commented as follows:

- Discussed adding this item as an agenda item
- Discussed not violating the Brown Act
- Stated she is not sure delaying this item would meet Robert's needs
- Stated she recognizes the short notice
- Stated it has been a dramatic day

Councilmember Slayter commented as follows:

- Stated the Council has to consider what is best for all of us as a community, what is best for Robert personally and what is best for the balance of the Council
- Stated the Council all have outside assignments, liaisonships, other boards and stated the Council are all essentially volunteers
- Stated people do not run for City Council to get rich or famous or popular
- Discussed what is best for the collective good is also important
- Stated he fully supports Robert
- Stated if he was in a similar situation, he would want do the same thing
- Discussed the ramification is that in the very near term, the work load that is the main duty outside of the standard Council duties is being on the budget sub-committee
- Stated Robert has done this for a number of years with great results
- Stated this is a significant work load in a compressed period of time
- Discussed that this is a lot of work to fall to a Councilmember that is not anticpating it
- Questioned Councilmembers may have other responsibiolties and other committees and boards
- Stated there are also Councilmembers who are small business owners and are trying to do things outside of Council duties
- Discussed a leave of absence and stated approving it is the human and compassionate thing to do but also stated that the Council is an elected body of 5 and stated as a body of 4 it is less effective

- Stated there is not the same number of opinions, voices, convictions, points of view that the community wants us to have
- Stated he is not sure where he lands on this
- Stated he has not had a lot of time to consider this

Mayor Gurney opened for public comment.

ila Benavidez-Heaster commented as follows:

- Stated she appreciates all that has been said and it has great merit
- Stated the Council is looking at everything
- Stated by the time the Council gets someone up and running what has been accomplished
- Stated Robert carries incredible abilities to handle money
- Stated he will be gone during that time
- Stated Una will do an excellent job and can pull it off
- Stated Robert oftens says "let me see how many people support/oppose and get a sense of the audience"
- Stated this is uncommon and he has abilities and sees a lot of things
- Stated he addresses the people in ways that others do not
- Stated each Councilmember brings a dimension
- Questioned what does the Council want to achieve
- Questioned what is needed
- Questioned what does the City needs
- Stated it will take someone to get their feet on the ground
- Stated she does not know the situation and questioned if it will turn for the worst
- Stated it is better to invest
- Stated reshuffling would carry a tremendous big load
- Stated it seems with the amount of time left, to invest and keep going is best and stated it is only three months
- Urged the Council to trust themselves

Colleen Fernald commented as follows:

- Discussed her prior comments as being personal
- Discussed this as being situation
- Stated it is an opportunty for the Council to create a policy
- Stated one month is too long to be absent
- Stated the Council is not volunteer and get paid and get health care
- Stated it is a heavy responsibility
- Stated it is the Council's priority to serve the citizens
- Stated the personal has to be taken out of the picture
- Questioned what is best for the City
- Stated it is not remotely best to have only four councilmembers
- Stated the City needs a fifth
- Stated the Council should get busy with a game plan

Mayor Gurney stated she would likme to address the issue of the budget sub-committee and asked the preference of the Vice Mayor.

AGENDA ITEM NUMBER 1

Vice Mayor Glass commented as follows:

- Stated she could do the budget sub-committee by herself
- Stated City staff is very good and reliable
- Stated she was on the budget sub-committee last year as well
- Stated she is more up to speed than last year
- Stated it would be beneficial to have another Councilmember participate
- Stated it would be beneifical to bounce things off each other and argue about the budget
- Stated the process gets further and there is a better product with interaction
- Stated this would be the case if someone else were on the sub-committee to work with
- Stated she would prefer to have someone else

Mayor Gurney commented as follows:

- Stated she has confidence that the Vice Mayor has the ability to handle this on her own
- Stated she supports the idea for two Councilmembers on the sub-committee
- Discussed the process of investigating the budget, have work up of the budget, having conversations and providing recommendations to the Council
- Stated last year in some cases the budget sub-committee members did not agree and there were two different points of views
- Stated it is helfpul to have an advanced Council sub-committee discussion of the budget
- Stated there is a level of work that is done prior to it comign to the Council
- Stated it is helpful to have the sub-committee summarize it to the Council
- Stated this is a different role than staff
- Stated the Council sub-committee is working with the work plan goals for the community
- Stated two people are much richer
- Stated she is not volunteering for the sub-committee and discussed her additional duties as Mayor

Councilmember Eder commented as follows:

- Stated nothing of this situaiton is pleasing or joy producing
- Stated there is a harder decision to deal with
- Stated he would ask the Vice Mayor if having the assistance of someone who knows nothing about the budget would be beneficial or would it take more time to explain it and be the teacher and not producer
- Stated he would question his ability to contribute and also that he will be off the Council in December and has no intention to run for re-election
- Questioned training someone who is in the twilight of their term
- Stated he feels terrible
- Stated the Council is left holding the bag
- Stated there is no discredit to Robert
- Stated it is not one person's responsibility to pick up the whole load
- Stated it would make more sense for someone to be on the sub-committee who will be around longer
- Stated the City will receive the value of that person's training and investment of time
- Stated he understands that Robert wants to return, but stated the Council does not know if three months is enough
- Stated it may be nice for Robert to be done with the burden of being on the Council so that he can focus on personal affairs

- Stated it may be a relief to have the burden lifted

Councilmember Slayter questioned if staff has the schedule of the budget sub-committee.

City Manager McLaughlin commented as follows:
- Discussed the budget sub-committees
- Discussed the past processes
- Stated it is a focused process and that staff is aware of items that need discussion
- Discussed the needs assessment list
- Stated it is necessary for the budget subcommittee to be the most knowledgeable of the budget at all points of time
- Stated they will then need to return to the Council
- Stated they may also need to advocate to the Council for items they think necessary for the budget

Mayor Gurney read the email request from Councilmemner Jacob to the audience.

Vice Mayor Glass commented as follows:
- Stated she could use help on the budget sub-committee
- Stated in her other job, she received a grant that will make her work busier and she will also be working on weekends
- Stated she also knows it is her job to do the budget for the City
- Stated it would be helfpul to have help
- Stated she appreciates Councilmember Eder's offer
- Stated she would prefer not to do education or training
- Stated budget is not just members, but is real issues of policy and how money should be spent
- Stated she can frame those questions to someone that may not be able to get spreadsheets
- Stated someone who has done this in the past and who will be here for the next budget cycle is the more forsighted way to do things

Mayor Gurney stated she understands the circumstance and logic.

Councilmember Slayter commented as follows:
- Stated the problem is the immediacy of the budget
- Stated he just returned from the Sister City Visit
- Stated he is dealing with a crashed hard drive
- Stated he is feeling like a lot of things are suddenly staring at him through a tunnel
- Questioned if the meetings could be rescheduled

City Manager McLaughlin commented as follows:
- Discussed the schedule
- Stated there are a couple of weeks for the draft budget to be discussed by the budget sub-committee
- Stated the schedule has been out for months
- Discussed that it is helpful to have a draft budget for union negotiatoins
- Stated staff can be flexible in rescheduling the meeting

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Councilmember Slayter discussed his prior experience on the budget sub-committee.

City Manager McLaughlin commented as follows:

- Stated staff has been in discussions since mid year budget review
- Stated the process has given staff a jump on the preparation of the budget
- Stated there are less problematic areas
- Stated the draft budget is balanced
- Stated there are identified discretionary decisions
- Budget commmittee will need to make along policy lines
- Stated staff has picked out those issues for discussion
- Staed 90 percent of each department's presentation is routine
- Stated except for a few items, the departmental budgets are similar every year

Councilmember slayter commented as follows:

- Discussed flexibiity in scheduling
- Stated he if is on the budget sub-committee, it would be with the caveat that his UGB involvement would be almost zero
- Stated he would have to step away from that
- Stated he cannot do both
- Stated the citizen volunteers would need to understand the situation
- Stated he would volunteer to be on the budget sub-committee with the thoughts expressed

Mayor Gurney commented as follows:

- Stated there is work to be done
- Discussed having someone who can pick up the load on the UGB is easier than back filing someone on the budget sub-committee
- Stated we are only so many people with so many hours
- Stated this is talking of losing 1/5th of the Council
- Discussed Councilmember Slayter as Chairman of Sonoma Clean Power
- Stated it is budget season for everyone

Councilmember Slayter commented as follows:

- Stated we all make choices
- Stated we need to do what is best for ourselves
- Stated we need to respond to responsibilities signed up for
- Stated there may need to be some initial modifictions and readjustment to the budget sub-committee schedule

Mayor Gurney moved and Vice Mayor Glass seconded the motion to appoint Councilmember Slayter to the budget sub-committee as Councilmember Jacob's replacement for that sub-committee.

VOTE:

Ayes:	Councilmembers Eder, Slayter, Vice Mayor Glass and Mayor Gurney
Noes:	None
Absent:	Councilmember Jacob
Abstain:	None

City Council Action: Approved appointment of Councilmember Slayter to the budget sub-committee as Councilmember Jacob's replacement.

AGENDA ITEM NUMBER 1

Minute Order Number: 2016-085 (A)

The Council then discussed the request for a leave of absence from Councilmember Jacob.

Mayor Gurney stated there is no policy on this and it is a case by case circumstance.

Mayor Gurney moved and Councilmember Slayter seconded the motion to grant an excused leave of absence for Councilmember Jacob for the period requested of 90 days.

Discussion:

- Vice Mayor Glass commented as follows:
- Stated if the Council asked Coucilmember Jacob to resign, and the Council has to go through the appointment process, by the time the Council was to the point of interviews, the absence would be half over
- Stated that the Council would need to make the appointment and then the person would need to get up to speed
- Stated it would take more time
- Stated she is not sure that this is the best way to look at this as a perception of benefit to the public
- Stated she is not seeing it
- Stated the Council could also appoint someone who is not familiar with the budget process or items that the Council is working on such as the General Plan Update

VOTE:

Ayes: Councilmembers Slayter, Vice Mayor Glass and Mayor Gurney
Noes: None
Absent: Councilmember Jacob
Abstain: Councilmember Eder
City Council Action: Approved excused leave of absence for 90 days for Councilmember Jacob
Minute Order Number: 2016-085 (B)

CITY COUNCIL REPORTS:

12. City Manager-Attorney/City Clerk Reports:

City Manager McLaughlin reported as follows:

- Stated the City received the full settlement monies from CVS
- Discussed the process for disbursement
- $32,000 – Small Town Sebastopol (STS)
- $45,000 – W Trans Traffic Signal Synchronization Study
- $73,000 – balance – Council and STS discuss jointly how money to be spent (traffic mitigation measures)

Mayor Gurney discussed the distribution and stated there is an official separate agreement for disbursement of proceeds.

City Manager McLaughlin reported:

- Discussed demolition is nearly complete for CVS
- Stated that dust control measures are ongoing and that CVS was asked to step up the dust control measures

Vice Mayor Glass questioned if the artifact situation has been monitored.

AGENDA ITEM NUMBER 1

City Manager McLaughlin stated yes and stated there is a protocol in place and stated City staff are there daily to make sure the protocols are followed.

Councilmember Eder commented as follows:

- Stated by the time they are done digging, who knows what was found
- Stated there is a hole on the corner that has been dug that is ten feet deep
- Discussed the rate of moving dirt
- Questioned how anyone can know what is there

City Manager McLaughlin stated there are two ways to approach this – normal or average conditions for a project and possible that something could be found but not considered likely.

- City Council Meetings are available in real time and archived on Livestream.
    - Here is the link: http://bit.ly/sebcctv
- Public survey for City website at www.sebsurvey.com.
    - It will be live by April 11 and runs through at least April 25.
    - There will also be a public forum on the evening of May 4 - Library has confirmed that they will host Community Forum Weds. May 4 from 6pm to 8pm...
- Joint City Council/Planning Commission Meeting on Tuesday, April 12, at 6:00 pm on the Climate Action 2020 Plan
- Apple Blossom Parade, April 16th, City Council will be walking with the Sister City Delegation

13. 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):

Councilmember Eder reported as follows:

- Discussed the Welcome to Leaf Colorado Video
- Population 24
- Discussed the video of how it has been noted the Neo Nazi leaders came to the town and bought up the town

Mayor Gurney reported as follows:

- Mayor Gurney, Cittaslow and City staff met with a professor in economic geology
- Stated she wrote the book Small Town Sustainability and is working on the next book which is going to be featuring and profiling different slow cities
- Stated she is interested in our experience of Cittaslow

14. Council Communications Received: None
15. Future City Meeting Dates/Events (Informational Only): (See Agenda)

Mayor Gurney adjourned the regular City Council meeting at 10:04 p.m. to the closed session.

CLOSED SESSION:
Call to Order: Mayor Gurney called the meeting to order at 10:06 p.m.
Roll Call
Present: Mayor Gurney

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Vice Mayor Glass
Councilmember Eder
Councilmember Slayter
Absent:Councilmember Jacob
Staff: City Manager-City Attorney Larry McLaughlin
PUBLIC COMMENT (Prior to adjournment into Closed Session, the public may speak up to 3 minutes on items to be addressed in Closed Session). ***There were none.***

16. Conference with Real Property Negotiator – Larry McLaughlin, City Manager
Property: 6665 Sebastopol Avenue (Village Mobile Home Park)
APN: 060-060-001
17. Conference with Labor Negotiators (Government Code 54957.6)
City Designated Representative: City Manager
Employee Organizations :(SEIU/Public Works; Management, Mid Management and Unpresented; and Sebastopol Police Officers Association (SPOA)

City Council Action: No Report Out.
Minute Order Number: 2016-086/2015-087

REPORT OUT OF CLOSED SESSION: There was no report out.
ADJOURNMENT OF CLOSED SESSION: Mayor Gurney adjourned the closed session at 11:05 pm to the regular City Council Meeting.

Adjournment: Mayor Gurney adjourned the regular City Council meeting of April 5, 2016 at 11:06 pm to the Special Joint City Council/Planning Commission Meeting to be held on Tuesday, April 12, 2016 at 6:00 pm, at the Sebastopol Youth Annex/Teen Center, 425 Morris Street, Sebastopol.

Respectfully submitted,

Mary Gourley, CMC. City Clerk