

City of Sebastopol City Council Regular Meeting Minutes

Meeting of December 6, 2016

6:00 pm - Convene Regular City Council Meeting, Sebastopol Youth Annex, 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 November 29, 2016.

6:00 pm **Convene Regular City Council Meeting, Sebastopol Youth Annex/Teen Center, 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 Jacob
 Councilmember Slayter

Absent: None

Staff: City Manager/City Attorney Larry McLaughlin
 Assistant City Manager/City Clerk Mary Gourley
 Building Official Glenn Schainblatt
 Engineering Manager Henry Mikus
 Finance Director Ana Kwong
 Fire Chief Bill Braga
 Planning Director Kenyon Webster
 Superintendent of Public Works Rich Emig

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

Mayor Gurney commented as follows:

- Discussed an urgent item that she would like added to the agenda as an urgency item
- Requested a closed session item at the end of tonight's meeting
- Discussed pending litigation

- Stated it requires a 4/5th vote to add an item to the agenda

Mayor Gurney moved and Vice Mayor Glass seconded the motion to approve adding a closed session to the end of the meeting.

VOTE:

Ayes: Councilmembers Eder, Jacob, Slayter, Vice Mayor Glass and Mayor Gurney

Noes: None

Absent: None

Abstain: None

City Council Action: Added Closed Session to the end of the meeting as an urgency item.

Minute Order Number: 2016-263

DISCUSSION AND ACTION ITEM:

1. Approval of Resolution Reciting the Facts of the General Municipal Election Held on November 8, 2016 and Declaring and Confirming the Results and Such Other Matters as Provided by Law (City Manager/City Clerk)

Assistant City Manager/City Clerk presented the staff report recommending the City Council approve the Resolution Reciting the Facts of the General Municipal Election Held on November 8, 2016 and Declaring and Confirming the Results and Such Other Matters as Provided by Law.

Mayor Gurney asked for questions of staff. There were none.

Mayor Gurney opened for public comment. There was none.

Vice Mayor Glass moved and Councilmember Jacob seconded the motion to approve the Resolution Reciting the Facts of the General Municipal Election Held on November 8, 2016 and Declaring and Confirming the Results and Such Other Matters as Provided by Law.

VOTE:

Ayes: Councilmembers Eder, Jacob, Slayter, Vice Mayor Glass and Mayor Gurney

Noes: None

Absent: None

Abstain: None

City Council Action: Approved Resolution Reciting the Facts of the General Municipal Election Held on November 8, 2016 and Declaring and Confirming the Results and Such Other Matters as Provided by Law

Minute Order Number: 2016-264

Resolution Number: 6114

PROCLAMATIONS/PRESENTATIONS

- Oath of Office to Newly Elected City Council Members (City Clerk)

Assistant City Manager/City Clerk gave the oath of office to newly elected City Councilmembers Michael Carnacchi and Neysa Hinton.

- Message from Outgoing Mayor

Mayor Gurney commented as follows:

- Stated she wanted to highlight the work of so many people who did much of the work on the City Council including outgoing City Councilmembers John Eder and Robert Jacob
- Thanked City staff for all the work they do

Meeting of December 6, 2016 DRAFT

- Thanked the active volunteers and the engaged citizenry
- Congratulated all of us for a year of resounding accomplishments
- Stated she reviewed all the work done in this past year
- Stated she was struck as to how much work was done
- Discussed the long term benefits
- Discussed the Adoption of the General Plan
- Discussed the establishment of a citizen committee that participated in the General Plan
- Discussed how the Council participated in several specially set meetings in order to do the work to adopt the General Plan
- Discussed the passage of the Urban Growth Boundary
- Stated this defines our growth border
- Stated it defines where the City will go
- Discussed infill of sites
- Discussed going up
- Interest to ensure we remain an inclusive community and not an exclusive suburban one story community
- Focus on visible capital improvements
- Repaired many local City streets
- Worked on ADA transition plan for Ives Park
- Focused on Bodega Avenue corridor and the safety concerns there
- Discussed underground work being done for water and sewer
- Focused on walkability and bike ability
- Focused on pedestrian safety
- Focused on bicyclists safety
- Focused on outdoor and recreation (Laguna Management Plan; Skate Garden – Destination for many skaters; Sign at Tomodachi Park)
- Developing pride in the City
- Landscaping at City Hall and the Library – maintaining the new look through stewardship
- Discussed Cittaslow and their outreach as a partner in the community impact questionnaire
- Discussed the Mayor’s breakfast featuring a gathering of non-profits
- Work in collaborative way to work on tech projects, events, other activities
- Wayfinding system
- Water conservation and Government involvement – long term solar and recent rain barrel project at City Hall
- Kept in mind most vulnerable in the community
- Committee activists to take over management of Village Mobile Home Park
- Provide housing for homeless combined with services
- Look forward to that project continuing its evolution into this year
- Coordination with LANTERN (hoping to building enhanced library facility)
- Complete Occupy Bench
- First Public Arts project approval coming to the City Council
- Personally rewarding to serve as Mayor
- Discussion of use of Diamond Lumber Yard property
- Created forum for community to come forward
- Created marketing brochure
- Applicant came forward to develop site

Meeting of December 6, 2016 DRAFT

- Site vacant for 25 or more years
- Looking forward to the success of that original community engagement
- Pine Grove Square – came about by the City being troubled by developing or proposing significant development within a flood zone
- Development on our City owned property which can be controlled in a way citizens of the community are having their needs met through our community outreach
- Subcommittee working on the ideas for Pine Grove Square
- A lot of work to do in 2017
- Welcome contributions of new Councilmembers
- Follow on work with General Plan (updating Zoning Ordinance)
- Midst of housing crisis with housing issues that are bigger than we can understand
- Considering the ways in which people can infill on their property
- How define family or single family
- House people in more modernistic or future ways
- Work about climate adaptation – significant challenge in front of us
- Solar and increase presence on EV network
- Look at reducing traffic congestion
- Work to unify our business district – not think of it as small downtown with something on the side and pieces on the end
- Goes north to south and east to west
- Work for business financial well being
- Thanked Council for being the hardest working Council that she has served with
- Thanked the very professional City staff
- Stated the work was accomplished because Council worked collaboratively with the City staff and was engaged with them
- Worked to get things done that the community wanted to do
- Honor to serve with colleagues and City staff

- Election of Mayor (Mayor will call for nominations) (The City Council shall meet at the meeting at which the declaration of the election results for a general municipal election is made pursuant to Sections 10262 and 10263 of the Elections Code and, following the declaration of the election results and the installation of elected officials, choose one of its number as mayor, and one of its number as mayor pro tempore.)

Mayor Gurney explained the process and stated she would take nominations and then ask for a vote in the order the nominations are submitted.

Councilmember Slayter nominated Una Glass as Mayor.

Mayor Gurney stated she would like to have nominated Una Glass as well.

Mayor Gurney called for other nominations. There were none.

Councilmember Slayter moved and Mayor Gurney seconded the motion to appoint Councilmember Glass as Mayor.

VOTE:

Ayes: Councilmembers Carnacchi, Glass, Gurney, Hinton and Slayter
Noes: None
Absent: None
Abstain: None

- Election of Vice Mayor (Newly Elected Mayor will call for nominations).

Mayor Glass called for nominations for Vice Mayor.

Councilmember Gurney nominated Councilmember Slayter as Vice Mayor.

Mayor Glass called for other nominations. There were none.

Councilmember Gurney moved and Mayor Glass seconded the motion to appoint Councilmember Slayter as Vice Mayor.

VOTE:

Ayes: Councilmembers Carnacchi, Gurney, Hinton, Slayter and Mayor Glass
Noes: None
Absent: None
Abstain: None

City Council Action: Elected Councilmember Glass as Mayor and elected Councilmember Slayter as Vice Mayor.

Minute Order Number: 2016-265

- Presentation to Outgoing Councilmember Eder and Councilmember Jacob (Newly Elected Mayor)

Mayor Glass presented outgoing gifts to Councilmember Eder and Councilmember Jacob and provided the following comments:

- Pleasure to serve with both
- Discussed how collegial this Council has been
- Gotten an incredible amount of things done
- Stated she will miss Robert and his rapid fire explanations of things
- Stated she will miss John's puns after the late night meetings
- Enjoyed serving with both
- Community in debt for all the hard work and wonderful vision for community that Robert and John have done

Councilmember Jacob commented as follows:

- Thanked the Council for all the worked done in the last four years
- Stated it has been a pleasure to work with this Council
- Stated it has been an amazing opportunity
- Thanked Sarah Gurney for her leadership and all the help along the way
- Thanked Una Glass for always being a sounding board and offering help in positive ways
- Thanked Patrick Slayter for pushing his buttons
- Stated it has been a wonderful four years to spend together
- Stated he cannot go out without thanking City staff Larry McLaughlin and Mary Gourley
- Stated they are the primary holders of the City Council

Meeting of December 6, 2016 DRAFT

- Stated they put forth quite a bit of love and care
- Stated this job could not be done without them
- Thanked Kenyon Webster for all he brings to the Council
- Thanked all the City staff
- Stated he cannot say enough great things about the City Council and staff
- Urged the Council to uphold rent control
- Important to keep housing for the most in need

Councilmember Eder commented as follows:

- City Council work is about 5 percent doing great things and 95 percent doing the laundry such as taking care of the sewer pipes, etc.
- Did get a lot done in four years
- Proud to be part of it
- Proud to have this Council as colleagues
- This Council has left Sebastopol a better place than they found it
- Notable exception CVS – stated that he personally and overall the City government and this Council and the Council prior failed the citizens of the City
- Stated we could have and should have done more
- Asked the public to make a pact to not patronize that store
- Encourage friends to do the same
- Stated he recently went through and deleted thousands of emails
- Discussed events that happened during his term on the Council such as:
 - Discussed Marsha Sue Lustig's appointment to Palm Drive
 - Both diagnosed and treated with cancer
 - Death of Michael Kyes
 - Death of John Kramer
 - Adoption of General Plan
 - Occupy Movement
 - Summer concerts
- Shout out to Rich Emig for keeping the infrastructure in top operational condition of the City
- Fire Department – fortunate to have volunteer fire department
- Model not widely practiced in this day and age
- Asked the community to please support the fire department- always looking for donations
- Police Department and Chief Weaver – fortunate to have the police department we have
- Thanked Assistant City Manager/City Clerk Mary Gourley
- Stated she is the den mother for the City Council
- Stated it has been like herding goats at times
- Stated she is the glue that holds the City together
- Stated she is deserving of being the Assistant City Manager
- Discussed that the City still does not have a City-wide performance evaluation review system
- Stated that the City has allowed people to make it through their entire career without having any feedback, review or evaluation
- Stated this is a terrible shortcoming and needs correction quickly
- Stated Council has to have moral courage
- Congratulations to new Councilmembers
- Stated they need to be informed, smart, do their homework and vote with the head and heart

Meeting of December 6, 2016 DRAFT

- Correct path becomes clear
- Found that to be the case
- Stated being a Councilmember is not a popularity contest
- Stated the Council is in charge of making policy for the entire City
- Asked people to become aware of the people in your life
- Stated there are people in our lives who are veterans
- Stated a simple thank you means a great deal
- Stated if you see someone struggling, offer a hand
- Stated it is important to do this
- Discussed mental health
- Born into family afflicted by mental health issues
- Many family members affected by depression led to suicide attempts
- It is everywhere
- Words – pay attention to the people in your life
- Pay attention to the people you love
- If they do not look right –talk to them about it
- May not get chance to talk to them again
- Survivor of that
- Show the people you love how much you love them

- Presentation to Outgoing Mayor (Newly Elected Mayor)

Mayor Glass thanked outgoing Mayor Gurney and commented as follows:

- Thankful for Sarah's leadership and training over the past two years
- Her grasp of the overall picture of what the City is doing is incredible
- Stated Sarah has been on the City Council and been on the Planning Commission
- Database of information
- Institutional knowledge
- Puts hours in every single week
- Extremely hard worker
- Community benefits from that
- Specific visions
- Gotten so much done
- Caring person
- We all owe her so much
- Expertise is really amazing
- Gets together with City Manager every week
- Stated between those two, we have a City that is running right along and smoothly
- Two lawyers with a heart

- Message from Incoming Mayor:

Mayor Glass commented as follows:

- Thanked colleagues for selecting her to be Mayor
- This is about serving
- How can I best serve our community

Meeting of December 6, 2016 DRAFT

- Goal is to work for the common goal in policies that support the largest cross section of community
- Inclusive of long term residents, newcomers and people from all diverse communities that make up this community
- Common good –is not just about looking at what is good for this group but something that works for everyone as a whole
- Thanked Alyssa, her daughter, for her support
- Discussed her husband, Michael, who was Mayor in 2013 and now she is following in his footsteps
- Honor and work to uphold what was taught by John Kramer – mentor and professor
- Honor Bill Kortum - led County into being what it is today – reason why Sonoma County is beautiful and why we have greenbelts and have natural landscapes
- Honor values of parents, community, godparents
- Supported by City Staff
- Sebastopol staff is amazing
- Not a lot of turnover - special and extraordinary City
- City Manager/Attorney been with City for 30 years – Institutional memory
- Serves as City Attorney and City Manager
- City Clerk – knows what is going on
- Support Fire Department that is amazing and incredible
- Still have volunteer fire department
- Saved husband’s life several times
- Always there for you
- Think of service when you call them at 2:00 in the morning
- Thanked, knows and supports how great the Police Department is
- Sat down with Police Chief and discussed the Black Lives Matter movement - Problems of minority community’s being not cared for and not taken care of in communities
- Went through list of the kinds of policing policies that are recommended to be in place to create a harmonious community and to sustain the idea of community policing – which is that the police department becomes a part of the community instead of against the community
- Stated our police department is engaging in every single one of the progressive policies
- Stated our department is extraordinary
- Discussed the Occupy tent
- Discussed the Police Chief bringing the Occupiers brownies
- Discussed getting to know the community and working with the community
- Enforce the law and help the law enforcement people be a part of the community in a constructive way
- Front line of creating a community where everyone can safely engage in the work of democracy
- Building Department- very visionary - Instrumental in solar ordinance and good building practices
- Rich – Public Works Department is extraordinary – Stated people are complimentary of the Public Works Department
- Discussed issues that the Council will be doing over the next year
 - Responding to the housing crisis
 - Create a housing subcommittee for our City Council to work on housing issues
 - Have those people work to create a community based housing committee composed of people of our community from all walks of life

Meeting of December 6, 2016 DRAFT

- Look at ways to address those housing problems
 - Getting fiscal house in order – stated this was started by Mike Kyes
 - Thanked Ana Kwong in the Finance Department
 - Conversion to much better software – more control over finances – more information
 - Converting to online paying
 - Better handle on Capital Improvement Projects
 - Need to be projecting how we are going to be spending our money over next five to ten years
 - Hired consultant to review pensions and pension liability
 - Make sure we are well funded to fulfill obligations to former employees
 - Reviewing that and making decisions
 - Looking at considering potential revenue enhancements – increase in TOT tax and reviewing potential revenue from cannabis given new State cannabis law
 - Implement recently adopted General Plan
 - Reduce carbon emissions
 - Economic development goals in General Plan
 - Bring Downtown, Barlow, integrating hotel into downtown and promoting local business
 - Maintenance policy for maintaining the Laguna
 - Discussed environmental issues
 - Engage with community on water saving education
 - Energy saving education
 - Continuing leadership in environmental preservation
 - Work on improving our communications between nonprofits and sectors of our cities
 - Different nonprofits do different functions in our City
 - Inviting the leaders of those organizations quarterly for social get together to see if we can start communicating more
 - Not be silo
 - Nurture community and protect or residents
 - Protect the most vulnerable amongst us
 - Work on policies that work in the best interest of working people – people who have jobs
 - Work on creating policies that are helpful to those people
 - Backbone of our country and backbone of our community
 - Need to work in collaboration to protect those vulnerable in our community
 - Read from Governor Brown’s comments
 - Discussed the new Attorney General and read excerpt from his comments
 - Committed to protecting our residents and taking care of our people
 - Work in collaboration with our State to embrace all people in our community of all walks of life
 - Policy of Sebastopol
 - Tolerant community
 - Tolerant of varying points of views
 - Progressive community
 - Tolerant of other people that may not agree of us
 - Not tolerant of hate speech and disrespect of other people
 - Stated that does not need to be a part of this community
 - Stated the City will not tolerate that
- Honored to be Mayor for coming year

Mayor Glass called for a break at 7:15 pm and reconvened the meeting at 7:37 pm.

PUBLIC COMMENT: (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 20 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.)

Shepherd Bliss, 1543 Cunningham Road, commented as follows:

- Read a prepared statement
- Requested the Council declare Sebastopol a sanctuary city
- Stated the San Francisco Board of Supervisor's establishing itself as a sanctuary city
- Stated California is a sanctuary state; however California has 200 cities that are sanctuary cities
- Stated in these cities the Police do not cooperate with ICE
- Discussed the peace movement
- Discussed coffee houses and local churches are known as sanctuary cities
- Discussed Fort Bliss Texas
- Discussed keeping vow of defending the country
- Stated Sebastopol is a special place with a special Police Chief

Diane Monroe, live towards Santa Rosa, commented as follows:

- Urged Sebastopol to become sanctuary city
- Pleased to hear comments of incoming Mayor and City Council – be courageous and do the right thing
- Sebastopol is progressive City and has the opportunity to do the right thing
- Being here tonight is reason to become sanctuary city
- Daughter of mother who escaped Holland on eve of Holocaust
- People risked their lives to help the family to get the family out
- Small actions can make a big difference
- Take that position
- Read poem on the Statue of Liberty

Esther, 5490 Hessel Avenue, commented as follows:

- Read prepared statement
- Discussed the sanctuary city request
- Let citizens know they are safe here
- Not become complacent in political acts that will tear this town apart
- Work with police department to affirm its commitment to foster trust and cooperation of people in the community
- Feel free to report safely without fear of deportation
- People of color are victims of crime

Meeting of December 6, 2016 DRAFT

- Come tougher as a community
- Urge to take action for Sebastopol as sanctuary city

Sandi Maurer, 200 Frankel Lane, EMF Safety Network, commented as follows:

- Discussed Smart Meters
- Stated PG&E is deploying them in January of next year
- Submitted a letter and hard copies to the Council
- Urged the Council to take the time to read the information
- Smart Meters are polluting the environment
- Discussed Smart Meters
- PG&E will deploy them in January
- Submitted letters and hard copies to the Council
- Take time to read that information
- Smart meters polluting environment
- Threat to health, safety and community welfare
- Violates private and property rights
- Have to pay fees to retain or restore safer analog meters
- Stated this is extortion
- Stated CPUC's mission is to provide safe and reliable utility service at reasonable rates
- Michael Peevey knew Smart Meters were a health risk
- Read his comments to PG&E
- Stated it is now 7 years later
- CPUC never addressed smart meter safety
- Urged the Council to agendize this item

Bridgette Brieze commented as follows:

- Discussed Smart Meters
- Discussed Homeland Security
- Discussed privacy issues
- ICLIE article last March – 1950s concern of biological effects of microwave radiation that causes cells to be stressed
- Discussed cancer cells
- Full body radiating from Smart Meters 40-50 times of cell phones that held to the ear
- Average meter emits radiation 14000 times a day
- Smart Meters emit it as much as 19000 times a day
- WHO classified microwave and radio wave radiation in lead and DDT
- Stated the City of Sebastopol needs to protect itself

Jesse Connor, lives in Forestville, CA commented as follows

- Spoke in opposition to making Sebastopol a sanctuary city
- Read a prepared statement
- Risking the safety of citizens by refusing to turn over dangerous aliens to the INS
- Discussed non-cooperation with the authorities
- Discussed San Francisco
- Stated the local officials passed laws that prohibit police from turning over illegal immigrants
- Stated they are shielded from laws

Meeting of December 6, 2016 DRAFT

- Stated otherwise they may have been arrested for rape, murder, robbery, trafficking of children, etc.
- Illegals know they have special protected status
- Flock to safe havens
- Not kick out of country
- Discussed the incident in San Francisco (Lopez) who was an illegal immigrant and shot and killed a resident of San Francisco
- Stated the City Council and Mayor aided and abetted this murder

Christina Sofia commented as follows:

- Resident of Sebastopol for 25 years
- Voiced dissent against the proposal to make Sebastopol a sanctuary city
- Illegals have challenging and complex issue
- Emphasize with flight
- Sorry for their situation
- Need to think carefully of long term and future generations
- Many affects and consequences that must be studied
- Not make a hasty decision on the basis of subjectivity and emotional appeals
- Sanctuary statutes changes the demographics of a place
- Changes policies
- Have problem with fighting the globalization and need to keep representative and small government here
- Has no issues with Hispanics or community

Wes commented as follows:

- Lives outside City limits
- Does therapeutic work in Sebastopol
- What happens in Sebastopol Important
- Grateful for open-mindedness
- Setting precedent
- Sensitive to EMF
- Personal investment to own health
- Appreciate anything to do to enforce ban on smart meters
- Put issue on the agenda
- Deeply consider this and make conscientious decision

Marty Stewart, 1418 Deer Lane, commented as follows:

- Discussed health and well-being of Sebastopol citizens
- Discussed PG&E installing smart meters in City
- Suffer from health affects from exposure to wireless radiation
- Discussed pulse of radiation of smart meters
- Aware of unchecked levels of radiation in form of well interactive smart meter grid
- CPUC failed to adequately regulate the safety of smart meters
- Adopt precautionary principle
- Enforce the ban passed 2013
- Put issue on agenda of the next December meeting

Alan Horn commented as follows:

- Military veteran
- Know how dangerous all forms of radiation area
- Discussed radiation and human health – no such thing as safe level of radiation
- Request tear down of all cell towers in the City of Sebastopol
- Halt construction of KOWS radiation tower
- Enforce the ban on Smart Meters city wide
- Make Sebastopol a sanctuary city
- Abolish the office of Planning Director

Bob Jenkins, SHARP, commented as follows:

- Illegal trenching of KOWS radio and their contractor
- Trespassed at reservoir site without encroachment permit or building permit
- Land lease not signed
- Tree Protection Plan not prepared
- KOWS tore through the drip line of 16 trees on this site
- 40-50 foot tall trees
- 43" in diameter
- No effort to protect the roots of these trees
- Discussed receiving a certified arborist report
- Trees significantly threatened
- Discussed die back of canopy
- Discussed branch and tree deterioration and failure
- SHARP tried unsuccessfully to state that the General Plan and Zoning Ordinance should be followed to the letter in order to protect the site and community around this reservoir site
- Stated the needs for protection are obvious
- SHARP felt it necessary to file a lawsuit this morning
- Asked the Council to terminate the lease
- Stated if the lease was terminated, SHARP would withdraw the lawsuit

Nancy Jenkins, 1411 Pleasant Hill Road, commented as follows:

- Stated this incident happened November 28th
- Stated KOWS began construction and dug a 320 foot trench well into the root zones of the trees
- Stated the trees were mauled by backhoe carving a three foot trench
- Discussed three coastal redwood trees and a live oak tree were maimed
- Stated the roots were left jetting out of the ground
- Stated the station's contractor was on the land illegally with no permits
- Stated the City stopped work
- Stated a week has passed now
- Stated nothing has been done to stop more damage to the exposed roots
- Stated the City bypassed an EIR for this group
- Stated the City failed to protect the trees in order to have KOWS money
- Construction project should be away from the drip line of the trees
- Preserve large tree roots
- Roots of trees should be cared for and trenches refilled

Meeting of December 6, 2016 DRAFT

- Lease should be scrapped and the approval retracted
- Stated this shows the KOWS lack of integrity and untrustworthy

Peter Van Gorder, 8150 Germone Road, commented as follows:

- Discussed the May 31st City Council Meeting where an EIR was required for the KOWs radio antenna project
- Stated the Planning Director agreed to by pass the EIR
- Discussed trespassing, illegal trenching and major tree destruction
- Questioned what is the City going to do
- Asked if the City was going to reward KOWS and let them continue
- Discussed having the moral fortitude to do the right thing and terminate the project
- If the City allows KOWS to continue, it is sending a clear message to the rest of the City that the environment does not matter and permits are not required
- Requested this project be discontinued

Vicky Waine commented as follows:

- Welcomed new City Councilmembers
- Sorry to be here tonight
- Talked of serious damage done by KOWS to 16 trees on City property
- Happened without permits
- No FCC approval
- No permission or escort on property
- Blatant violation of City ordinances
- Did not post bond
- Not signed the lease
- Total disregard for nature
- How bad can it be was stated by the City Arborist
- Deep cutting of 300 roots not as bad as she thought it would be
- Cannot accept that answer
- Need to respect the rights of nature
- Discussed second arborist report that discussed the impact to the trees
- Time will tell how bad the damage will be
- Best course of action is to trim the roots square and cover the roots
- Stated what KOWS did was illegal
- Discussed KOWS negligence
- Criminal actions
- Irreversible harm to so many trees
- Stated this will be seen when the trees die
- KOWS responsible for violations across the board
- Discussed this being an insult to the City and nature
- Stated there is no excuse for this
- Stated KOWS should never have access again
- Make KOWS financially responsible

Linda commented as follows:

- Lives adjacent to proposed tower site

Meeting of December 6, 2016 DRAFT

- Utter dismay over needless damage to screening trees
- Asked City how KOWS gained access to the site without an encroachment or building permit or no signed lease
- Stated insurance is not on file with the City
- Stated there was no escort by a City employee
- Stated there is no FCC license
- Stated the community needs to know how this illegal action happened and deserves to know how the City allowed this to happen
- Questioned who gave access to the key
- Questioned how can the City assure this flagrant violation will not continue to occur to the erroneous detriment of the community

Rodney Helvey, 1270 Logan Lane, read a poem to the City Council regarding the KOWS trenching.

ila Benavidez Heaster commented as follows:

- Welcome Michael Carnacchi and Neysa Hinton to the Council
- Urged the Council to continue to do the good work done
- Congratulated Una Glass and Patrick Slayter for being elected Mayor and Vice Mayor
- Special kudos to Mary Gourley
- Stated this is the most invocative moment of what is right
- Stated this was a good doing and she does excellent work
- Discussed moments where she sees things and discussed the last time the Council met and the issue that happened on the consent calendar
- Stated a statement has always been asked of the public if they wanted to remove an item, yet at the last meeting, when a woman spoke up, she was told that she was interrupting the meeting
- Stated we are all entitled to perception
- Job not to polarize the group
- Appreciate what Mayor Glass said
- Create culture of sustainability
- Will we polarize the group by the decisions made

Dane Bellwether commented as follows:

- Discussed making Sebastopol a sanctuary city
- Spoke with a woman who is a social worker – children are scared
- Cannot let children live in that kind of fear
- Stated she helped write the statement
- Discussed comments of a homicidal immigrant – stated it explicitly requests sanctuary for immigrants who have not been convicted of violent crimes
- Stated she lives in Santa Rosa
- Stated if the City Council or police department or the sheriff's department in Sebastopol get any flak from the feds about making this a sanctuary City, she pledges her support here to anyone who needs it
- Stated she would send emails, write letters, speak out, etc.

Janice Belding, 8561 Lawrence Lane, commented as follows:

- Discuss the trenching of the reservoir site

Meeting of December 6, 2016 DRAFT

- Need these trees
- Help block what we have to look at
- Quiet area
- Sanctuary for animals
- Consider us
- They have been typed with having a bad attitude – attitude is based on what we keep seeing happening on this site
- What happened is frightening if this is the way the future is going to be there
- Take steps to protect these trees – especially now

Jim Belding, 8561 Lawrence Lane, commented as follows:

- Thought the City could do no more further damage to the environment
- Discussed the trenching and damage to the trees
- City complacent in this activity
- City provided access to the site for this damage to occur
- City needs to take responsibility for the actions or non-actions and terminate the relationship with KOWS
- See what kind of organization they are and what they do
- Make the City whole and restore the trees

Laurie Fessfield, Lawrence Lane, commented as follows:

- When tower was proposed, it was going to be 70 feet in height
- Stated this body made the responsible decision to require an EIR
- Stated when the height changed, it got around the whole thing
- Stated whether it is 70 feet or 35 feet, it does not change what happened to the ground and the trees
- Stated visibility is part of the EIR
- KOWS seems to have a blank check from the City
- Believe this is because of the relationship KOWS has with staff
- Questioned how this happened
- Discussed civil responsibility, citizenship issue, responsible to address this
- Feel responsible for area and to protect it
- Discussed radiation and EMF
- Stated it will be more powerful in this area than smart meters and cell phones
- Stated this is very upsetting

Dennis commented a follows:

- Encourage the Council to get outreach at Farmers Market
- Stated the Council has no office hours
- Forced into two minutes to speak what is on our minds
- Sent email at end of October
- Socialism
- Cultural Marxism
- Discussed Trump
- People fed up with status quo
- Being socially engineered

- Discussed Hillary Clinton
- Took out the whole party

Mayor Glass discussed the sanctuary city item and stated the Agenda Review Committee will be discussing this next week.

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.

CONSENT CALENDAR:

Councilmember Carnacchi requested Item number 2 be pulled from the consent calendar.

Vice Mayor Slayter moved and Councilmember Hinton seconded the motion to approve Consent Calendar Item(s) Number(s) 3, 4, and 5.

VOTE:

Ayes: Councilmembers Carnacchi, Gurney, Hinton, Vice Mayor Slayter and Mayor Glass
Noes: None
Absent: None
Abstain: None

~~2. Approval of Minutes of November 15, 2016 City Council Meeting Minutes (City Manager/Clerk)~~

3. Approval and Receipt and Acceptance of Annual Performance Report on Sanitary Sewer System. This is an annual report required by the Sanitary Sewer Management Plan (SSMP) on the City's annual performance of our sanitary sewer system as compared to previous years and to other systems in our region in the State. This report consists of number of spills, volume of spills, and number of spills in comparison to our region. (Superintendent of Public Works)

City Council Action: Approved Receipt and Acceptance of Annual Performance Report on Sanitary Sewer System. This is an annual report required by the Sanitary Sewer Management Plan (SSMP) on the City's annual performance of our sanitary sewer system as compared to previous years and to other systems in our region in the State. This report consists of number of spills, volume of spills, and number of spills in comparison to our region.

Minute Order Number: 2016-267

4. Approval of Rejection of Claim – Yolanda Lopez on behalf of The Barlow (City Manager/Attorney)

City Council Action: Approved Rejection of Claim – Yolanda Lopez on behalf of The Barlow

Minute Order Number: 2016-268

5. Approval of Amendment Number 1 to Contract with MuniServices, LLC (Finance Director)

City Council Action: Approved Amendment Number 1 to Contract with MuniServices, LLC

Minute Order Number: 2016-269

Resolution Number: 6115

2. Approval of Minutes of November 15, 2016 City Council Meeting Minutes (City Manager/Clerk)

Vice Mayor Slayter moved and Councilmember Gurney seconded the motion to approve Consent Calendar Item Number 2.

VOTE:

Ayes: Councilmembers Gurney, Vice Mayor Slayter and Mayor Glass

Noes: None

Absent: None

Abstain: Councilmembers Carnacchi and Hinton

City Council Action: Approved Minutes of November 15, 2016 City Council Meeting Minutes

Minute Order Number: 2016-266

INFORMATIONAL ITEMS/PRESENTATION: NONE

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

6. Discussion and Action of Results of W Trans Study and Recommendations for Willow Street/Jewell Avenue Intersection (Engineering Manager)

Engineering Manager Mikus presented the staff report recommending the City Council discuss the results of W Trans Study and Recommendations for Willow Street/Jewell Avenue intersection.

Steve Weinberger, W Trans, City Consultant, was in attendance and provided a presentation to the City Council.

Mayor Glass asked for questions of staff.

Councilmember Carnacchi commented as follows:

- Discussed the temporary striping
- Discussed alternatives for striping
- Voiced concern for pedestrians getting into the sidewalks
- Questioned how pedestrians do from the existing crosswalk to the new crosswalk
- Definitive marker to keep cars from going across the sidewalk

Mr. Weinberger commented as follows:

- Discussed raised bollards installed to help guide motorists
- Temporary striping does not meet long term ADA access
- Discussed path for pedestrians to walk to get to the corner
- Good opportunity to test with just striping
- Stated this does not provide all ADA access with sidewalks

Mayor Glass commented as follows:

- Questioned the timing on re-doing Willow Street
- Discussed budget subcommittee not finished with the mid-year review of the CIP
- Discussed looking at allocating funds without looking at the big picture
- Understand it fits into the project of doing Willow Street
- Feel better making a decision within the mid-year budget review of the CIP rather than making a random decision

Meeting of December 6, 2016 DRAFT

Engineering Manager Mikus commented as follows:

- Stated the Willow paving is due to come back to the Council at the December 20th meeting for permission to go out to bid
- Packet will have a set of plans done and an engineer's cost estimate
- Stated staff will be able to give the context of the CIP in time for the January discussion

Mayor Glass questioned if when this goes out to bid if it is approved at the December 20th meeting, would this item need to be a part of that package.

Engineering Manager Mikus commented as follows:

- Stated that yes, it would be part of that package
- Stated Willow Street repaving is included in the pavement repair program
- Stated the firm doing the design of Willow Street is prepared to adjust the limits of their work depending on what the Council chooses to do with that intersection
- Stated the design is shown as stopping shy of the island
- Stated this should not have a negative affect

Councilmember Hinton commented as follows:

- Stated the striping seems like a move forward
- Not make sense to approve striping unless the Council chooses to move forward with the project
- Questioned why test this if it is not moving forward
- Not agree to stripe unless agreeing to move forward

Engineering Mikus commented as follows:

- Discussed the request to test these ideas with striping
- Stated the striping can be removed and the street can be put back the way it is
- Stated the striping can be easily removed
- Stated the test striping does not lock the City into something

Mr. Weinberger commented as follows:

- Discussed when striping is installed, the bad pavement is removed and repaved with new pavement
- Discussed marking the fresh pavement
- Stated it would be better to have the test striping over the old pavement

Councilmember Gurney commented as follows:

- Offered context for the items
- Workups from W Trans is to inform the Council of choices
- Striping is a less expensive alternative
- Stated the Police Chief has stated statistically that there is no reason to change that intersection
- Stated this is no commitment to redoing the island
- Stated the Council at our January 17th mid-year budget review will have to deal with the Bodega Avenue corridor safety
- Discussed making the most of the designs or make this a separate funding item but stated the project may not be justified by the statistics and history
- Stated this does not have to be a choice right now

Mayor Glass opened for public comment.

Wendy Marten, Willow Street, commented as follows:

- Questioned if there was a traffic engineering study done
- Discussed the volume of traffic
- Discussed the speeds of cars that go around that corner
- Questioned if there was a study, when was the study done
- Stated traffic is increasing every year
- Discussed one of the options as being straight forward and elegant
- Each one makes the traffic in front of the house more difficult to back out of the driveway
- Asked that the Council and Engineering Division look at slowing people down that are coming northbound on Jewell

Lynn Deedler commented as follows:

- Discussed noise increasing if revisions are made
- Stated he sat at the intersection and only heard 8 cars
- Stated a person can hear larger vehicles or when cars are accelerating in that straight line
- Surprising the wheel noise from going fast around that corner
- More prominent than acceleration from the stop sign
- Make noise improvement in that neighborhood
- Obvious Plan A is simple, elegant and inexpensive
- Expands creek in that direction
- Part of master plan for Ives Park
- Nice to have bigger feel in that direction
- Push traffic away from that corner

Lisa Dawson commented as follows:

- Discussed the Ives Park Master Plan
- Stated this was a part of that plan
- Stated this was looked at with that project
- Stated she is on the Board of Burbank Housing
- Residents concerned with traffic needing to slow down and wanting a flashing light
- Wants to ensure that Bodega is a priority

Jim Coconas, 864 First Street, commented as follows:

- Provided a handout to the City Council
- Met with Chief Weaver and Henry Mikus
- Compliment City Council for getting this on the agenda
- Excellent engineering report
- All in on Alternate A
- Makes sense
- Has master plan considered in this plan
- Use existing curbing on island
- Issues with options 2 and 3
- Problem understanding how report talked of grade
- Discussed grade at four feet

Meeting of December 6, 2016 DRAFT

- Distance to work grade in
- Discussed landscaping costs
- Stated he was the consultant for Woodland Estates and developer for Meadowlark Homes and questioned the landscaping costs
- Stated this is a win-win situation
- Safer street
- Safer pedestrian walking
- Becoming more pedestrian oriented City
- Suggested bumpers and striping would not be more than \$6000

Trish Collins, 7487 Willow, commented as follows:

- Plan A seems like simplest, most logical plan
- Consider striping the parking lanes along Willow
- Safer for everyone
- Make street more narrow and contain flow of traffic
- Consider stop signs at Jewell – three way stop sign

Mr. Weinberger responded to public comments as follows:

- Traffic study – circulation element from current General Plan
- Did look at traffic volumes and stated they are in his files
- Not do speed survey in this location
- Done on Bodega as part of that project
- Higher speeds on curve
- More Traffic on Willow – alternate A does push traffic in different locations
- Push closer to residents on south side
- North bound right turn – speed of movement – can look at design of curve to slow down movement
- Stop sign would slow traffic down
- Proposed as only top as Willow approach to Jewell
- Avoid all way stop condition because of air quality issues
- Check out if constructed – try with single Willow stop sign
- Easy add on
- Discussed the Master plan for Ives Park
- Elevation – personal sight – not exact elevation
- Not landscape architects
- Plants provide green space
- Get someone who is familiar with Ives Park master plan to address the landscaping
- Existing curbs on existing island – all alternatives create bringing pedestrians to island
- Not have sidewalk around it – just curb
- Need sidewalk and ADA ramp to meet standards
- Need proper ramps and sidewalks under alternatives

Councilmember gurney stated she does not recall how the area under Plan A relates to the Ives Park master Plan and not understanding where the creek is related underground.

Director Webster stated that Plan A is consistent with the Ives Park Master Plan and concurs with the idea of having a landscaping look at integrating this into the park.

Councilmember Gurney stated if on Plan A it is to grab the green area and add it to the Park. Director Webster stated that is correct.

Councilmember Gurney questioned if the Master Plan opens the creek.

Engineering Manager Mikus commented as follows:

- Stated the creek comes out from going underground (at top of new green space near Jewell)
- Showed with a pointer where the creek is located
- Discussed the drop off of area to park
- Discussed grading

Councilmember Gurney questioned if the creek runs where the shadow is crossing Jewell Avenue on the plans. Engineering Manager Mikus stated that is correct.

Councilmember Gurney stated it does not look like Plan A gets the opportunity to daylight the creek.

Vice Mayor Slayter commented as follows:

- Discussed the Southeast corner of existing intersection
- Discussed Plans A and C
- Questioned if there are compliant ADA ramps at the southeast corner

Engineering Manager Mikus stated there are no compliant ramps because the yellow plates are missing.

Vice Mayor Slayter commented as follows:

- Add ramp to cost of Alternative A
- Agree alternate A is most straightforward
- Simplest
- Alternate C not an improvement
- Not feel like road diet
- Still a lot of paving
- A and B do that
- Stated he was on the Planning Commission when the Ives Park Master Plan was approved
- Stated he drove each one of these options; rode each one and walked each one
- Alternate B is most creative way to approach this
- Offers significant buffer to residences
- Creates pathway for all users through greenway
- Given Ives Pool major attractor for visitors we need to do something creative
- Discussed three way stop – in this instance that sharp curve turning NB on Jewell EB onto Willow have significant effect on speeds in downward direction – have to slow way down to do that maneuver
- Allow to be that free flow
- Concerns of speeds on Jewell
- No statistics show this intersection dangerous
- Awkward for pedestrians and cyclists

Councilmember Gurney commented as follows:

- Crosswalk to pool will be bright when Willow is repaved
- Option C more hazardous
- Option A looked like most obvious
- Option B most intersecting
- Option A – given road space to park – not sure have park money to make that park
- Stated the Council will be looking at this in the Capital Improvement Budget
- May have other interests with higher priority
- Giving park useless real estate
- Option B – taking asphalt material and giving a buffer going to be landscape zone to neighborhood
- Enhanced intersection
- Removes hassle of traffic from that neighborhood corner
- Opportunity to create something that beautifies the intersection
- Looking at asphalt real estate
- What beautifies the City more in a more useful way
- Likes plan B
- Plan A back up not beautiful or elegant
- Not beautifies park

Councilmember Hinton stated that area it could be a second stage area.

Councilmember Gurney discussed the noise and traffic and how that may relate to the neighbors.

Councilmember Hinton commented as follows:

- Watched the project move forward
- Do not see it as priority to spend \$100,000-150,000
- Need sidewalk to make it safer
- Priorities are on the busy streets of Bodega
- Would like to focus on the intersection by Nelson and Burbank Housing

Councilmember Carnacchi commented as follows:

- Keeping Bodega Avenue as priority
- Discussed mass and arm on Bodega Avenue for the light
- Would like to discuss that issue during the Capital Improvement Discussion on January 17th
- Questioned if that is the right time to make sure that is part of that and to have cost estimates

Mr. Weinberger commented as follows:

- Stated that will be part of the package improvement
- Not primary feature
- Does not have the actual costs of arm device at intersection
- Stated each plan has merit

Mayor Glass commented as follows:

- In agreement with Vice Mayor Slayter – elegance of Plan B

Meeting of December 6, 2016 DRAFT

- Beautifies neighborhood and adds something
- Plan A is simple elegant solution but not the beautifying solution

Councilmember Gurney commented as follows:

- Suggested holding off on the work and discussing this at the January 17th meeting
- Have priorities and discuss City assets during the budget review
- Want to have the conversation if the Council spends park money, do we want to spend it here or are there other priorities
- Roll this item to the January 17th CIP discussion

Mayor Glass was in concurrence to move this item to January 17th and have the budget sub-committee meet and review the capital improvement budget prior to January 17th.

It was the consensus of City Council to move this item to the January 17th City Council Meeting.

City Council Action: Consensus of City Council to move this item to the January 17th City Council Meeting
Minute Order Number: 2016-270

PUBLIC HEARING:

Councilmember Carnacchi stated he had a conflict of interest with Item Number 7 and would be departing the room. He stated he lives at Murphy Avenue and may potentially have a financial benefit, therefore, he would be recusing himself for the discussion of this item.

7. Public Hearing – To consider Action on Extension of Rent Control Moratorium For a Period of Six Months (Measure requires a four-fifths (4/5) vote of the City Council for adoption) (City Manager/Planning Director)

City Manager McLaughlin presented the staff report recommending the City Council discuss and act on the Request for Extension of Rent Control Moratorium for a Period of Six Months.

Mayor Glass asked for questions of staff.

Vice Mayor Slayter questioned who the Councilmembers on this ad-hoc sub-committee are.

City Manager McLaughlin stated Mayor Glass and former Councilmember Robert Jacob were on the committee.

Mayor Glass opened the public hearing.

A member of the audience commented as follows:

- Discussed a letter from Mr. Baroni
- Stated the rents have gone up \$5000 in one year
- Discussed the California Association of Realtors numbers of only 80 units that can be affected by this rent control
- Stated that 80 x \$5000 would be in the hands of landlords and out of the hands of the very low income people
- Suggested the Council extend the rent control until it can come up with a permanent ordinance
- Suggested extending this one for year which is an average lease for a renter

Meeting of December 6, 2016 DRAFT

- Suggested extending this and then creating a permanent ordinance
- Stated the Council should fight the California Apartment Association

Wendy Borress commented as follows:

- Owner of rental property
- Real Estate Broker
- Not sure need a rent moratorium at this time
- Discussed marketing of rental property
- Discussed seeing what a house rents for and stated on November 15th on Zillow a house rented for \$2500
- Stated she printed Craig's List which shows 30 rentals in Sebastopol
- Stated she was shocked as there were only 10 in September
- Discussed this issue with an owner of a unit
- Stated the owner thought the rent was too high and reduced the rent
- Stated she got to make that great phone call to the tenant saying their rent was reduced
- Stated she represents people that have good hearts and that care about this conversation
- Want to provide quality housing
- Excited to be part of conversation
- Stated there are 35 rentals on Craig's List today

Todd Swindell, Norlee Street, commented as follows:

- Support for temporary moratorium on rent increases
- Good to hear from responsible landlords
- Stated some accept Section 8
- Stated the fear remains though
- Stated this is not about punishing property owners
- Protects landlords who need to make repairs on property
- Discussed having rent raised by 75 percent and then had to vacate
- Home would have been protected with rent moratorium
- Clear talking of working families, immigrants, single parent with school aged children
- Disproportionally affected
- Discussed the Press Democrat article
- Want to make Sebastopol a sanctuary city begins by protecting our most vulnerable tenants
- One family displaced is too many
- Rent protections are needed here in Sonoma County
- Affordable housing is a basic human right

Jacob Rich commented as follows:

- Not sure here if we are not in middle of unprecedented housing crisis
- Within last five years average rents gone up by 49.5 percent
- Sonoma County 3 times national average of homelessness
- People are struggling
- Living pay check to pay check
- Living on couches
- Lives with parent
- Not perfect solution

Meeting of December 6, 2016 DRAFT

- Something needs to be done to help some people
- Consider other major long term solutions
- Looking after community members
- Continue with rent moratorium

John Foley, Pleasant Hill Road, commented as follows:

- Owner of rental units within the City limits
- Renting is a problem for renters now
- Overall a lot less supply of rental units than tenants
- Created low vacancies led to high rents
- Kudos to the Council for considering ways to increase affordable housing
- Only way to address the problem
- Understand urge to control rents
- Problem is that it makes things worse for tenants
- Unintended consequences
- Discussed study after study on this issue
- Discussed Poll of Economic Association
- 93 percent agreed rent control reduces quality and quantity of housing
- Read quote from an article
- Sounds good feels good but makes things worse
- Reduces supply of rentals
- Units come off markets
- Divisive
- Creates haves and have nots among tenants
- Make things worse
- Not extend
- Research actual facts of rent control

Ann Harris, resident, business owner, housing provider, commented as follows:

- Stated she has two buildings in Sebastopol subject to rent control
- Sent package to the Council to read
- Rent control does not work
- List of 8 policies that are alternatives to rent control
- Pushes ups rents on 5% of housing that is not subject to rent control
- Options for ways around rent control such as tenants have to pay utility bills; converting buildings to other uses
- Discussed receiving an unsolicited email on this issue where homeowners are raising rents
- Stated this cannot be overlooked

Greg Dable, Sebastopol resident, commented as follows:

- Businessman
- Farmer
- Providing residential housing
- Built in 1972 in Sebastopol
- Discussed unintended consequences
- Create a system of two rules for one business

Meeting of December 6, 2016 DRAFT

- 85% be exempt
- 15% have burdened of new set of rules
- Uneven playing field
- Administrative burden to implement and set up and administer whole system
- How owners will react
- Properties taken off market
- Converted to Section 8
- A lot of alternatives
- Stated he would have to do 3 percent rent increase if this passes

Shari Reinstein commented as follows:

- Affordable housing in Sebastopol is a complicated issue
- Reminded the Council that this is not about affordable housing or rent control
- Stated this is about extending the temporary moratorium
- Stated there needs to be a serious conversation of both issues – pro and con
- Seen a lot of changes in six years in Sebastopol
- Seen two businesses grow of hers
- People though are forced to leave Sebastopol
- Rent on housing went so high
- Need to consider this
- Not discussing rent control tonight
- Discussing the extension of the existing moratorium for another six months

Rei Blaser, Murphy Avenue, commented as follows:

- Discussed looking at the bigger picture
- Support extending the moratorium
- Not in favor of rent control
- Supports affordable housing

Mr. Lopez commented as follows:

- Discussed the Graton Day Labor Center
- Discussed representing working families
- Stated 12 or more families live in Sebastopol
- Some others live in Santa Rosa
- Most who come to the center live/work in Sebastopol area
- Requested extending the moratorium because these families are working hard to put the food on the table and need to be able to have safe, affordable housing
- Stated us working immigrants need to be able to make a livable wage and live anywhere in the County
- Stated this is not a reality for many who make low wages
- Stated these families would like to live and work close to where their children go to school

Jesse commented as follows:

- Stated he is struggling to pay rent here
- Stated a lot of his friends are living in trailers on family property or in the basement
- Stated this is a serious crisis

Meeting of December 6, 2016 DRAFT

- Discussed the comments of speakers that rent control is not working
- Stated people who have lived here in the area before the housing crisis are still able to live here
- Stated this is a measure against displacement
- Rent control silver bullet to housing issue
- Not have rents raised and be kicked out of their homes
- People are being kicked of their homes and the holidays are coming up
- Understand the effort to protect profits
- Discussed comments from landlords raising rents
- They need to take a step backwards
- Enact aggressive policy

Liz Finn, live short distance from town, commented as follows:

- Has lived in the area since 1969
- Values in Sebastopol community - like to be community diverse
- Like to be of all incomes and cultures
- Live to see Sebastopol as Mayor described
- All step up to the plate and welcome everyone
- Make community special and inclusive
- If in the next few months it saves one person from being displaced, it would be a value
- Important families can work and live and be near their children coming home from school continuity and nurturing and support by family and by community is extremely important
- Moratorium could assist Councilmembers – incentive to establish rules
- Keep the pressure to get the job done

Jen commented as follows:

- Social worker in Santa Rosa
- Renter in Sebastopol
- Works with people who experience homelessness every day
- County-wide housing crisis
- Asking the Council to extend this for six months
- Need to come together as a community to collaborate on creative housing solutions
- Good ideas are floating around
- This is a town that values community, diversity and creativity
- Increase diversity
- Beautify the city
- All deserve to stay living here
- Not having to resort to housing options such as the artist's workshop in Oakland

Chris commented a follows:

- Graton Day Labor Center
- Teacher
- Work worth with immigrant families
- Told a story of two families who lost their homes before rent moratorium
- Discussed a family who lives on a dairy farm in Sebastopol
- Hearing students moving four times in six months – cannot afford rents here
- Extend the moratorium

A member of the audience commented as follows:

- Urged the Council to act on the moratorium
- Ask to take a minute to see how the Council would feel if not pass the moratorium and someone you knows winds up having rent increased and they become homeless
- Have opportunity to take this action as beginning new Council members
- All love Sebastopol and love and embrace community and diversity
- Studying rent control issue
- Need protection
- Without fear for people
- Wonder if it is inevitable there be two opposites poles around this issue
- Real estate and tenants
- Why not third way
- Cooperate
- Collaborate
- Have conversations
- Get out of adversarial position

Chris Dawson commented as follows:

- Suggested not extending the moratorium
- Stated she is a real estate agent
- Discussed renting a room in her house
- Discussed doing a lot of things around innovative homeless issues
- Whole issue of affordable housing and homelessness is important
- Rent control moratorium has created unintended consequences
- Stated this will continue
- Stated there will be two sets of rules
- Need to get more affordable housing in town
- More creative ways to get at that issue
- Mayor's outline makes sense
- Need to be focused
- Do problem holistically

Tomas Philips commented as follows:

- Rent control will cover a couple hundred units
- Stated obviously not many people are here tonight
- If took survey – going to be average people in Sebastopol
- Rents are higher here
- Property values are higher here
- Not be too many poor people
- Will create shortages
- People who live in these apartments do not need rent control
- Studies of rent control – beneficiaries of rent control are the well-educated, employed and affluent
- Cost of rent control falls on the poor
- No vacancies in units

Meeting of December 6, 2016 DRAFT

- New people cannot find an apartment for rent or the rents are higher cannot and they cannot afford to live here
- Rent control does not allow the normal in flow and out flow of tenants

Chris Lopen commented as follows:

- Discussed owning rental units
- Discussed having 10 percent of the 300 units that are affected
- Urged the Council to vote no
- Stated this needs to be solved
- Thinking of this on a daily basis
- Stated this needs to be taken to the 30,000 foot level
- Discussed food, clothing and shelter
- Look at basic needs
- Rents have gone up 22 percent
- Health care costs have doubled
- Food costs have skyrocketed
- Stated everything has gone up
- Construction costs have gone up
- Insurance has gone up
- Rent control – makes this an adversarial relationship
- Wants to sit on committee discussed by the Mayor
- Help solve problem
- Have in non-adversarial relationship
- Not continuing this moratorium but expediting the conversation

Christopher Powers commented as follows:

- All want was dog garden and girlfriend
- Simple life
- Hard to maintain
- Social worker in town
- Hardly pay rent
- Have to deplete savings to pay rent
- Peculiar why in a town like Sebastopol it is a struggle to have a simple life
- Privilege of working with folks on edge of homelessness
- Opportunity to prevent homelessness
- So little available
- Cannot afford what is there
- See town that has cultural and economic diversity
- Not see a lot of that now
- Concerned without continuation of moratorium and rent protections
- Not have a diverse town and not have elderly, disabled, farmers, etc., to be able to live in this village called Sebastopol

Bill Cole commented as follows:

- Realtor
- Work in town

Meeting of December 6, 2016 DRAFT

- Shop local
- Studied ordinance
- Trying to figure it out
- Discussed two separate houses on lot
- Conversion of housing to granny units
- Are those both going to be subject to ordinance
- New granny unit that is pre 1995 housing or garage that is covered
- Mixed use properties
- Discussed residential and commercial uses
- Effective date of November 1st - questioned if this means that if the landlord gave notice of rent increase before November 1st that is valid
- Since rent increase not happened still under the ordinance

Daniel Sanchez, Santa Rosa,

- Doing research on matter of rent control in small city
- City of Cotati – 1990s
- Spoke to Harold Berkmeir
- Asked of his experience with rent control
- Apartments decayed
- Apartments got back up to standards after rent control went away
- Every other year Council faced with lawsuit
- Reason why Cotati got rid of rent control
- Cost a whole lot of money
- Not working
- Enormous administrative burden
- One extra city attorney needed
- Administrative staff needed
- Discussed needing alternatives to rent control

Mallori commented as follows:

- Represents the California Apartment Association
- Represent 50 owners who all live and operate businesses in Sebastopol
- Misconception of outside owners
- Owners are local residents
- Urged the Council to take a pause and not extend the rent control
- Discussed unintended consequences
- Rent control only covers few select units
- Will drive up rents in the majority of the market
- Move forward and focus on real affordable housing solutions
- Solutions that can help all residents
- Discussed policy solutions
- Renter education
- Housing provider education
- Mediation
- Want to work together
- Not be polarizing topic

Meeting of December 6, 2016 DRAFT

- Work to solution that works for everyone
- Vote against the extension

Lillian, 242 North Main Street, commented as follows:

- Renter
- Hearing a lot of mixed messages
- Discussed rents
- Questioned if there are rentals available
- Hearing dynamic of power and privilege
- Make decisions on this
- Renters on receiving end
- Protect most vulnerable
- Hear consequences
- Real consequence is not doing this
- Rents will continue to rise if this is ended
- Consider the extension

Ashely, 2550 Sanders Road, commented as follows:

- Cannot afford to live in hometown
- Not a decision of rent control
- Extending moratorium
- Direct impact on folks
- Stated landlords have threatened to increase rents
- Rents will raise if not passed
- Multi-faceted solutions but rent control is a start
- If end people will be displaced
- No certainty for people
- Not be able to live in Sebastopol
- Protect those who are most vulnerable
- Protect poor, disable, and senior citizens
- Most impacted by new polcies
- Not be one more place where people do not have a place to live

Alexis Lorenz commented as follows:

- Owns Duplex in town
- Renovating it now
- Utter words rent control in Santa Rosa left her with a chill
- Will not rent until she sees now this is settled
- Discussed unintended consequences and stated this has already landed
- Urge increase housing and not decrease it

Hearing no further comments, Mayor Glass closed the public hearing.

City Manager McLaughlin commented as follows:

- Exemptions to moratorium are in ordinance

Meeting of December 6, 2016 DRAFT

- If passed, would deal with questions whether a particular piece of property is exempt or not on an individual basis
- Rent increase notices prior to effective date – informed they are now effective if given prior to the effective date of the adopted ordinance
- Set forth under section 4
- Read section 4

Mayor Glass commented as follows:

- Voted for the original moratorium
- Wanted to have time for us to consider a variety of solutions to the problem
- Continues to believe this is a good idea as we discuss a list of options to solve this problem
- Do not think we can entirely solve this problem
- Crux of this problem is lack of affordable jobs
- Wages are too low in this area compared to what it costs to live here
- Setting up antagonistic situation
- Looked at Craig's Lists about rentals
- Hear antagonism
- Discussed creating a list of potential ways to address this problem
- Not going to come up with perfect solution
- How do young professionals compete here
- Need to come up with some solutions
- Not know what answer is to say to our landlords
- How much is enough
- Get issue of long term landlords that have property - City has no leverage on them
- Can afford to rent for less
- How to deal with tenancy as we age
- Investors have property highly leveraged
- Raise rents a great deal
- Come up with program to encourage existing landlords
- Hoping of a dialogue to hear from property owners, landlords, and tenants
- Encourage landlords to charge reasonable rents and still make a profit but not a ridiculous profit
- How keep engaged in community
- Need to protect
- Need time out
- Not see stuff going crazy while having conversation
- Not saying she is attached to this as a permanent solution
- Have intent of solving the problem of keeping economic and ethnic diversity in town
- Not some enclave of one kind of people
- Keep character of town
- Want to encourage elders to stay in town
- How keep them in town
- Questions need to be answered
- Not see this turn into something antagonistic

Councilmember Gurney commented as follows:

- Discussed the responsibility of the City Council

Meeting of December 6, 2016 DRAFT

- Not know answers
- Not see solutions
- May be multiple solutions
- Not know whole lot about the solutions
- Not easy decision point
- People in landlord tenant relationship
- People at risk are the tenants
- Vulnerable people
- Executing responsibility of the office
- Vulnerable part of our society compelled to reach out to help and protect
- Call timeout – precautionary principle
- Moving slowly to not create unintended consequences
- Lands on side of people who need our help
- Wiser move tonight to extend the moratorium
- Complicated issue with complicated solutions
- Discussed the blue ribbon committee
- Not sure can do in six months' time
- May be a longer time
- Start right away
- Do that with the commitment to the people that do need our help

Councilmember Hinton commented as follows;

- Talked to a lot of people in the audience
- Listened tonight
- More leaning to “for” moratorium
- Sebastopol expensive place when she moved back here
- Continues to be more expensive place to live
- Discussed benefits to living here
- Leaning towards six month extension
- As property owners in audience who owned property a long time, six months is not a long time
- Hope community can come together
- Not sure rent control is the answer
- Appreciate wanting to take a time out and study the issue

Vice Mayor Slayter commented as follows:

- Continue to have same concerns
- Targeting small group of property owners to solve what is enormous regional housing problem
- Targeting them is no solution
- Discussed who has power in the relationship
- Wish not have that type of relationship
- Someone holds title to property and rents out – that person is in power
- Stated Councilmember Carnacchi needed to excuse himself because of this situation
- Value diversity in community
- See situation where we say we value this
- Discussed property owners who have stated a willingness to not raise rents
- Stated adversarial relationships do not help

Meeting of December 6, 2016 DRAFT

- Ask property owners to sign a pledge to be good landlords
- Not raise rents voluntarily
- Let us work through this
- Have number of people who have come twice to meeting to talk of issue on both sides
- Not know how ask that of the landlords
- Enormous undertaking
- Not sure what else do except extend moratorium given the number of exempt rentals in town
- Like to not extend moratorium
- Not want half of community to feel that the Council does not hear, respect, or understand the situation
- None on the dais now have been conflicted out
- Have security in housing – not imagine what it would be like not to have that security
- Not see any other option
- Popped the cork on the genie
- Floating around the room
- Broken seal on conversation
- Do best to follow through
- Make decision that errors onside of protecting those who need it the most

Councilmember Gurney stated it would be helpful for Mayor Glass to discuss the committee so that the Council and audience members to understand better the committee to create and responsibilities.

Mayor Glass commented as follows:

- Agenize creating an ad hoc committee
- Two members of City Council to be on this housing committee
- Tasked with helping to administer creating a Blue Ribbon committee with members of the community such as landlords, renters, business people, and homeowners
- Have a diverse cross section of the community
- Ad hoc committee entertain how to facilitate that committee
- Task is to have regular meetings to bring in experts in the field and come and talk of this problem and how it is looked at in other communities and get recommendations from people who are addressing this issue elsewhere.
- List of potential solutions to this problem
- Come back to Council with list of potential solutions that we can have discussion about what to adopt
- What mix of solutions adopt to address housing crisis is in community

Councilmember Gurney discussed if the affordable housing item was returning December 20th.

City Manager McLaughlin stated the City is committed to creating more affordable housing and making permitting easier, and that report will be at the December 20th Council meeting.

Councilmember Gurney commented as follows:

- Discussed the Village Mobile Home Park Meeting
- Discussed the possibility of having a report out at the December 20th meting
- Stated this can help to address the homeless issue

- Questioned if the nature of this committee is not focus on the moratorium rent control exclusively

Mayor Glass stated that is correct and it is to also address housing issues.

Councilmember Gurney commented she hopes that Councilmember Carnacchi can participate in this broader purpose.

City Manager McLaughlin commented that he will need to examine any conflict issue with Councilmembers involved.

Councilmember Hinton questioned if only two Councilmembers can be on the committee.

City Manager McLaughlin stated that is correct.

Vice Mayor Slayter sated it would be nice if the entire Council was available to discuss this when it comes back to the Council.

Councilmember Gurney stated the committee appointments will be on the December 20th meeting or if a Council subcommittee needs to be appointed tonight.

City Manager McLaughlin stated the Council can discuss this during the December 20th Council Meeting.

Mayor Glass stated this subcommittee could address the following:

- What can be changed in the Zoning Ordinance
- Discussed lily pad homes
- Utilize housing stock that includes and is offered to elders and young people that are joining our community
- Working with the non-profit community

Vice Mayor Slayter discussed a community housing trust.

Councilmember Gurney discussed Pine Grove Square and affordable housing opportunities.

Councilmember Gurney moved and Mayor Glass seconded the motion to extend the rent control moratorium for an additional six months.

Discussion:

Councilmember Gurney questioned if this could only be extended for six months and cannot go longer than that tonight.

City Manager McLaughlin stated that is correct.

Vice Mayor Slayter commented as follows:

- Would not be in favor of extending this beyond six months
- Asked the landlords in the room to show good faith measures and not increase the rents

Meeting of December 6, 2016 DRAFT

Greg and Chris, landlords, both pledged not to raise the rents.

VOTE:

Ayes: Councilmembers Hinton, Gurney, Vice Mayor Slayter and Mayor Glass

Noes: None

Absent: None

Abstain: Carnacchi

City Council Action: Extended the rent control moratorium for an additional six months.

Minute Order Number: 2016-271

Councilmember Carnacchi returned to his seat on the dais.

- 8. Public Hearing – To consider approval of a Resolution Submitting Recommendations to the Sonoma County Community Development Commission (CDBG) (Engineering Manager)

Engineering Manager Mikus presented the staff report recommending the City Council discuss and act on the Resolution Submitting Recommendations to the Sonoma County Community Development Commission (CDBG).

Mayor Glass asked for questions of staff. There were none.

Mayor Glass opened the public hearing.

A member of the audience commented as follows:

- Questioned if this is a CDC grant
- Questioned if this could be used for affordable housing

Hearing no further comments, Mayor Glass closed the public hearing.

Engineering Manager Mikus commented as follows:

- CDBG used for some of that
- HOME program – better place to get funds for affordable housing
- Attending a meeting on that to learn how it works

Mayor Glass stated that funding discussion should be a part of the mix when looking at the housing committee and looking at housing solutions.

Councilmember Gurney moved and Vice Mayor Slayter seconded the motion to approve the Resolution Submitting Recommendations to the Sonoma County Community Development Commission (CDBG)

VOTE:

Ayes: Councilmembers Carnacchi, Hinton, Gurney, Vice Mayor Slayter, and Mayor Glass

Noes: None

Absent: None

Abstain: None

City Council Action: Approved Resolution Submitting Recommendations to the Sonoma County Community Development Commission (CDBG)

Minute Order Number: 2016-272

Resolution Number: 6116

The Council was in consensus to continue the meeting as it was after the 10:30 pm ending time.

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

9. Discussion and Action of Calendaring a Special City Council Meeting in January 2017 for City Council Goals and Priority Setting Meeting (City Manager/Assistant City Manager/City Clerk)

City Manager McLaughlin presented the report recommending the City Council discuss and calendar a Special City Council Meeting for goals and priorities setting meeting.

Mayor Glass asked for questions of staff. There were none.

Mayor Glass opened for public comment. There was none.

The Council was in consensus to set a special meeting date/time as follows:

Jan 10th

8:00 am – 11:00 am at City Hall

City Council Action: The Council was in consensus to set a special meeting date/time as follows:
Jan 10th - 8:00 am – 11:00 am at City Hall

Minute Order Number: 2016-273

CITY COUNCIL REPORTS:

10. City Manager-Attorney/City Clerk Reports: City Holiday Luncheon December 15th 11:45am Wischemann Hall
11. 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 Gurney reported as follows:

- Mayors Breakfast with Nonprofits
- November 10th
- Meeting convened by Cittaslow – community outreach partner
- 25 people attending
- Very successful meeting
- Interest in having certain activities that nonprofits could benefit from
- Project driven activities
- All attendees came with idea to propose
- Creating more changes for interactive directory for non-profits

12. Council Communications Received:

Councilmember Gurney discussed the Food and Wine Magazine Holiday Issue were Sebastopol was mentioned.

13. Future City Meeting Dates/Events (Informational Only): (See agenda)

Mayor Glass adjourned the regular City Council Meeting at 11:37 pm to the closed session in honor of Judith Nagle whose husband recently passed.

CLOSED SESSION:

Call to Order: Mayor Glass called the meeting to order at 11:45 pm.

Roll Call

Present: Mayor Glass
Vice Mayor Slayter
Councilmember Carnacchi
Councilmember Gurney
Councilmember Hinton

Absent: None

Staff: City Manager/City Attorney Larry McLaughlin
Assistant City Manager/City Clerk Mary Gourley

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 was none.

Closed Session: (Added as agenda item).

- 14. Conference with Legal Counsel – Threatened Litigation:
Government Code Section 54956.9
(City Manager/City Attorney)

City Council Action: No Report out.

Minute Order Number: 2016-074

Report out of Closed Session: There was no report out.

Adjournment of Closed Session: Mayor Glass adjourned the closed session to the Regular City Council Meeting at 12:40 pm.

ADJOURNMENT: Mayor Glass adjourned the Regular City Council Meeting at 12:42 to the next Regular City Council Meeting to be held on Tuesday, December 20, 2016, at 6:00 pm at the Sebastopol Teen Center, Youth Annex, 425 Morris Street, Sebastopol, Ca.

Respectfully Submitted,

Mary Gourley
Assistant City Manager/City Clerk, MMC