CITY COUNCIL MEETING MINUTES
FOR
MEETING OF DECEMBER 15, 2015

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

As a courtesy, please turn off all cell phones, electronic devices, and pagers during the meeting.

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.

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 December 10, 2015.

6:00 pm CONVENE REGULAR CITY COUNCIL MEETING, Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA

CALL TO ORDER: Mayor Gurney called the regular meeting to order at 6:08 pm.

ROLL CALL:

Present:	Mayor Gurney
	Councilmember Eder
	Councilmember Jacob
	Councilmember Slayter
Absent:	Vice Mayor Glass
Staff:	City Manager/City Attorney Larry McLaughlin
	City Clerk Mary Gourley
	Building Official Glenn Schainblatt
	Fire Chief Bill Braga
	Planning Director Kenyon Webster
	Police Chief Jeff Weaver

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

Mayor Gurney discussed changes to the agenda.

- Requested an emergency item be added to the agenda regarding opposing PG&E's proposed 95% increase of the Power Charge Indifference Adjustment (PCIA) charged to Community Choice Aggregation (CCA) customers
- Requested City Manager McLaughlin explain the process to add an emergency item

City Manager McLaughlin discussed the process to add an emergency item to the agenda and stated it requires a 4/5th vote and is an item that came to the attention of the Council after the posting of the agenda.

Mayor Gurney requested the name of the action item.

City Manager McLaughlin read the agenda item topic which is a request for the City Council to Authorize the Mayor to send a letter to the California Public Utilities Commission urging them to oppose PG&E's 2016 exit fee spike.

Mayor Gurney discussed the need for immediate action and timeline of the CPUC meetings and stated the item came to the attention of the City after the posting of the agenda.

Councilmember Slayter moved and Mayor Gurney seconded the motion to add the emergency item to tonight's agenda.

Discussion:
Councilmember Slayter stated as the City's representative to Sonoma Clean Power, he could add further information to the Council.

Mayor Gurney suggested discussing that information during the agenda item which will be discussed at the end of the regular agenda items.
VOTE:

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

City Council Action: Added the emergency item to the agenda (Authorize the Mayor to send a letter to the California Public Utilities Commission urging them to oppose PG&E's 2016 exit fee spike.
Minute Order Number: 2015-184

Item Number 8 was continued to January 5, 2016
Item Number 10 was continued to the January 5, 2016 Council Meeting.

Mayor Gurney announced the following:

- Closure of the Laguna Bridge from 10:00 pm to 7:00 am on Friday December 18th
- Stated it will be open to local traffic only
- Thanked Council colleagues for selecting her to be the Mayor

PROCLAMATIONS/PRESENTATIONS:
The following were presented:

- Years of Service Award – Jack Piccinini – 35 Years
- A Proclamation of the City Council Recognizing Paula Downing for her Work as the Director of the Sebastopol Farmers Market

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.)

Michael Carnacchi commented as follows:

- Discussed the mass shooting that happened in San Bernardino
- Discussed the coming together of the community
- Discussed High Noon in Sebastopol
- Take a moment once a week to celebrate human experience in the County of Sonoma and in the City of Sebastopol and having the moment together
- Set aside our differences and say hi to each other
- Good feeling to have - waving to everyone
- Stated it would be nice to have help with that and expand it to be larger
- Suggested moving it to Sunday
- Bring item before Council to expand this community wide
- Good for building community
- Adds for a more healthy community
- Bring to forefront and have real discussion of this item
- Make a bigger event and spread out throughout the community
- Little community building community
- Coming together in moments of joy and happiness
- Do under circumstances of happiness and not tragedy

Colleen Fernald commented as follows:

- Doctor C
- Displayer her make heart not war T shirt
- Not just wear it but to do it
- Life is art
- Discussed Christmas Card to City Council
- Still engaged in military policing and a budget that is in debt
- Discussed oath to uphold constitution
- Section 8 Article 1
- Discussed Resolution to uphold Public Law
- Requested a meeting with the Mayor and City Manager to hear evidence
- Read from Sir Arthur Scott
- Discussed sculpture on Norlee Street
- Life is Art – Believe
- Discussed changing from believing to knowing

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.

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 Eder moved and Councilmember Slayter seconded the motion to approve Consent Calendar Item(s) Number(s) 1, 2 and 3.

VOTE:

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

CONSENT CALENDAR:

1. Approval of Minutes of December 1, 2015 City Council Meeting Minutes (City Clerk)

City Council Action: Approved the Minutes of the December 1, 2015 City Council Meeting.
Minute Order Number: 2015-185

2. +Approval and Adoption of Resolution Authorizing and Approving the City of Sebastopol Current Pay Rates and Ranges (Salary Schedule) (Sebastopol Police Officers Association (SPOA) Per Side Letter Approved and Adopted June 30, 2015) (Finance Director)

City Council Action: Approved Adoption of Resolution Authorizing and Approving the City of Sebastopol Current Pay Rates and Ranges (Salary Schedule) (Sebastopol Police Officers Association (SPOA) Per Side Letter Approved and Adopted June 30, 2015)
Minute Order Number: 2015-186
Resolution Number: 6062

3. Approval of Revised Way Finding Sign Program Project Proposal and Approval of Additional Project Funding from Traffic Impact Fee Fund (Planning Director)

City Council Action: Approved the Revised Way Finding Sign Program Project Proposal and Approval of Additional Project Funding from Traffic Impact Fee Fund
Minute Order Number: 2015-187

INFORMATIONAL ITEMS/PRESENTATION:

4. Informational Presentation and Update to the City Council on the General Plan Process (Consultant Ben Ritchie/Planning Director)

Planning Director Webster presented the staff report recommending the City Council receive the informational presentation from the City Consultant Ben Ritchie on the General Plan Process.

Ben Ritchie, Consultant, provided an informational presentation to the City Council with the following:

- Apologized for being late to the meeting
- Provided a summary to the Council
- Discussed public visioning workshops
- Set trajectory for General Plan update
- Existing Conditions Report
- Prepared Issues and Opportunities Report
- Completed Housing Element in advance of the rest of the General Plan
- 8 year Update Cycle
- GPAC – Fantastic – Last GPAC meeting last week
- GPAC found footing and delved into the issues
- Ability to think critically about topics not necessarily experts in, or items that were not on their radar in the beginning – they have done a fantastic job community wide
- Instrumental in creating the document
- Taking input and direction from final GPAC meeting

- Making final revisions
- Revised General Plan to Council next week
- Not a big change from draft
- Community Open House workshop
- Summary of high points of public input
- Primary steps forward: January, February, and March with Joint workshops
- Discussed topics for January meeting
- Discussed traffic study for EIR
- Intention to get direction from major policy issues or substantive changes needed to make
- Critical high points on policy direction
- After March – get marching orders

Mayor Gurney commented as follows:

- Stated is helpful to have the memo of the process
- Questioned if the meetings will be to focus on policy and not get into wordsmithing
- January 12th Meeting – 4 elements to consider
- Questioned if the consultant had any other suggestions how the Council might approach reading such a lengthy document and making sure the community conversation at the meeting is productive

Ben Ritchie commented as follows:

- Councilmembers will have priorities to discuss that they feel are important
- Benefit of having the entire document prior to the meetings
- Meetings do not have to be limited to those topics
- Knew some items will be major issues such as:
    - Traffic Congestion and safety in the downtown
    - Robust discussion of future make up and character of downtown
    - Quiet or emphasize having more vertical development
- Keep in mind important issues facing Sebastopol as moving forward
- Want to ensure Council and Commission are comfortable with the range of issues raised by the public and GPAC comments re how addressed in the General Plan

Councilmember Slayter questioned if the Housing Element required an EIR.

Mr. Ritchie stated no, that it did not require its own stand-alone EIR, but had other CEQA documentation. He stated the General Plan will receive its own EIR.

Councilmember Slayter questioned if this is historically what we have always done when updating the housing element, or did it go through an EIR process previously.

Director Webster commented that the previous Housing Element may have had an initial study, negative declaration or possibly an EIR.

Mr. Ritchie commented as follows:

- Stated in some communities, they have had to address adequate sites to meet housing
- Stated Sebastopol found that their Housing Element did not warrant rezones, or changes in parcel designations
- Stated the City adopted its Housing element within the environmental umbrella and purview of the existing General Plan

Mayor Gurney opened for public comment.

Colleen Fernald commented as follows:

- No one invited the trees to the General Plan update
- Make incentives to get trees re-used on site
- Trees hate being sacrificed for holidays
- Buy Christmas trees with roots to be replanted
- Should be program in General Plan
- Discussed the Lake County fire victims
- Trees sensitive to ground water
- Make sure County, State, Federal, help out financially
- Re-work policies
- Have groundwater assessment in West County
- Start policies with homeowner's associations
- Do water, composting, trees on site
- Discussed carbon footprint
- Don't grow out – grow up
- Discussed food security

ila Benavidez Heaster commented as follows:

- Commend group – did outstanding work
- Privileged to attend every meeting
- Worked quite well and is impressive what they did
- Stated this is not the end piece and it has just begun
- Comes with work that everyone contributes to it – that will make a great document
- Support looking at revitalization/gentrification
- Need to get a handle on revitalization - Town needs that
- Recognized Linda Kelley as Chair
- Commend Ben who is gifted and amazing
- Kenyon is steady force who knows so much – does not get in the way – lets group do the work – supports and encourages
- Work that has been done is good
- Keep comments coming and all do it together

Mayor Gurney commented as follows:

- Stated the Council made a commitment to put the work in the community and let the community members handle it
- Stated the Council left the responsibility with the committee
- Stated the committee did a commendable job

Ben Ritchie commented that the General Plan web site is as follows: Sebastopol.GeneralPLan.org
City Council Action: None Required. City Council received the informational report.
Reference Number: 2015-188

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

5. Discussion and Action of Resolution in Support of Sonoma County Action on Cannabis Policy by the March 1, 2016 State Mandated Deadline (Councilmember Jacob)

Councilmember Jacob presented the report recommending the City Council discuss and approve the resolution in support of Sonoma County Action on cannabis policy by the March 1, 2016 State Mandated Deadline and made the following comments:

- Has been an advocate for medical cannabis patients
- Decade ago a fight for access - issue developed over last ten years
- Today – no longer a question whether cannabis is medicine or whether or not patients should have access
- Question is local economies – local farmers – medium and small sized businesses
- Fabric and foundation of Sonoma County's middle class
- Stated it is a discussion that no one wants to talk about
- Discussed cannabis coming to the dispensary and getting to the patients
- Stated no one talks about how it gets to the dispensary, where it is grown, how it is packaged, where it is made, who is creating the packaging
- Stated it does not talk about the 150,000 immigrants the Press Democrat talks about that comes to California for the economy
- Discussed the shortage of workforce in California to get the job done for current needs of medical cannabis access
- Stated we need to recognize those individuals
- Ensuring the economics of medical cannabis and cannabis under adult use stays within the local economies, local families and local small farmers
- Stated this is highlighting that issue
- Local and County government moving towards regulating the industry

Councilmember Eder questioned that it is his understanding that our current regulations in Sebastopol would not be affected and do not need to be affected to adequately addressed the issue. He questioned if that is accurate.

City Manager McLaughlin stated in his opinion that is correct and this Resolution is not directed at Sebastopol.

Councilmember Eder questioned if this is a template resolution or a specific resolution as he would like to wordsmith it.

Councilmember Jacob stated is a document that has been reviewed by the CA Growers Association, Sonoma County Growers Alliance, and the Board of Supervisors office.

Councilmember Eder commented as follows:

- Discussed the final paragraph of the resolution regarding creating medical cannabis regulations prior to the March 1st deadline
- Stated he was confused by this deadline as the City of Santa Rosa stated it is impossible to meet that deadline
- Stated he read that the March 1st deadline is in error and is to be rescinded
- Questioned if we want to affix our signatures now to a resolution that has this verbiage, if it cannot be done or does not need to be done

City Manager McLaughlin commented that there is discussion that perhaps the legislature will extend the March deadline, but that has not happened yet and this resolution does not assume that will take place and deals with the present reality of a March 1st deadline.

Councilmember Eder questioned that given the government process speed, is it a realistic aspiration that cities or the county could meet this deadline.

City Manager McLaughlin commented that he cannot speak for other cities or the County, but that legally it could be dealt with by the March 1st deadline.

Councilmember Jacob commented as follows:

- Discussed the dates and stated it is consistent with what is possible
- Discussed that the City of Santa Rosa's attorney made comments during the first discussion in public of this issue
- Stated the information is sparse and misunderstood at all levels
- Stated this is a consortium of three different bills which had been stuck in appropriations
- Stated the Governor pulled this bill out and stated language is to be put into it later
- Stated it took two months to decipher and understand this bill
- Stated there has been a promise from the legislation to change the date, however, they can barely pass a budget alone pass an amendment to a bill that is this chaotic
- This resolution encourages our local cities and County and ourselves to move to protect this issue for our cities and help support Assemblymember Wood who will be introducing legislation to extend the deadline

Councilmember Slayter stated it is unclear as to what this is and questioned if the State has passed a law that is difficult to understand and seemingly ever changing.

Councilmember Jacob commented as follows:

- Stated that is correct
- Stated this is a 91 page law
- Stated the Governor is creating a new department of marijuana regulators and has posted a job description for the new department head
- Stated it will be a top department of Consumer Affairs
- Discussed appointments from department head to department committees
- Appoint body to create thousands of pages of detailed regulations out of that 91 page document
- A lot of missing information until regulatory body comes in to play

Councilmember Slayter questioned if in this 91 pages of verbiage, it states that if local municipalities, cities, counties do not have regulations in place, State regulations will rule the day.

Councilmember Jacob stated it will become the default.

Councilmember Slayter questioned if local control allows local municipalities to regulate virtually anything in regards to this industry.

Councilmember Jacob commented as follows:

- Stated there are 17 license types by State Law
- Discussed the types of licenses such as: cultivation, cultivation of different sizes indoor, outdoor greenhouses mixed, supplemental lighting, dispensaries, transportation, manufacturing, distribution to name a few
- Stated everyone has to have a separate license
- Stated it will be reviewed by multiple hands
- Huge regulatory framework

Councilmember Slayter questioned if those 17 licenses are within this 91 page bill.

Councilmember Jacob stated yes.

Councilmember Slayter questioned the difference between commercial cultivation and large collectives which at this point in time are not considered commercial.

Councilmember Jacob commented as follows:

- Discussed large collectives that are not considered commercial producers are scattered throughout the cities and counties that are operating under a grey or unrecognized market
- Stated they have lived as being semi-law abiding citizens
- Stated the bill begins to clarify the legal from the illegal
- Stated if we as local communities do not clarify that in detail to maintain small local farmers and small collectives, those individuals will become more illegal to law enforcement
- Stated this will lead to more raids, more prosecutions, additional resources expended at the DA's office
- Stated there are a number of concerns around social equality issues around this issue
- Stated if we ignore this, we are pushing them farther into an illegal life style and causing a whole other set of issues

Councilmember Slayter commented as follows:

- Stated there seems to be large, heavily weighted support for this item
- Reminded everyone in the room that in case someone does speak in counter opinion that is okay
- Not need to hate people who think differently
- Everyone is entitled to his or her own opinion

Mayor Gurney commented as follows:

- Stated we have handled this issue in Sebastopol and we are ahead of the game
- Stated according to our City Attorney, our ordinance is adequate for maintaining local control
- Stated this resolution encourages other communities to obtain local control or otherwise surrender the control to the State
- Stated if not done by the March deadline, there will not be an opportunity to create local ordinance
- Stated the paragraph at the end of the resolution says what we are going to do
- Discussed points of action

Councilmember Eder commented as follows:

- Would like to speak Assemblymember Wood's statement in the Press Democrat
- Discussed the comments of a call to action to meet or beat the deadline
- Discussed loss of local control if not in affect by the March 1st deadline
- Discussed the possible extension of the deadline

Councilmember Jacob commented as follows:

- Discussed that the Department of Consumer Affairs will not be in a place to hold cities or counties accountable who have not met the March 1st deadline
- Stated when it does come into power, they will be looking back on history to see who was compliant
- Discussed licensing powers if compliant by January 1st
- Stated the State body will make decisions on how to deal with entities who did not meet the deadline
- Does not mean that the regulatory department cannot hold cities and counties to the March 1st deadline
- Discussed the position of the League of CA cities and the Police Chief Association
- Stated they would prefer to have few operations valid as there would be fewer operations to monitor and would be easier to regulate
- Stated the system forgets and misses many of the middle class farmers
- Stated they want to be compliant and want to work with city and county law enforcement
- Stated there is no process to offer that

Councilmember Eder questioned if there is any conflict of interest concern if Councilmember Jacob votes on this item.

City Manager McLaughlin commented that this item does not promote, influence or direct any action within the City of Sebastopol and it is only asking the Council to express an opinion and ask other cities and the County to take action of their own.

Councilmember Jacob stated his hands are tied and this is the largest action he is able to take without a conflict.

Mayor Gurney opened for public comment.

Joanna Cedar, Dutton Avenue, commented as follows:

- 13 year resident of the City
- Speaking in support of the Resolution
- Commended the City Council for their leadership on this issue
- Valuable resource to other elected officials and planners
- Discussed cannabis cultivation
- Discussed Prop 215 – medical cannabis commerce widespread in County
- Need a regulatory phase
- Resolution is a pathway for communication among all stakeholders
- Many benefits for this community
- Participate in the agricultural landscape as well
- Preserve safety of water resources
- Discussed energy reduction programs
- Smallest to largest to collectives to ancillary – 10,000 of jobs connected and must be protected
- Patients and safe access – Sebastopol takes lead
- Proud to be represented by the City Council of Sebastopol
- Grateful for the Council's willingness to take a leadership role on this issue
- Help understand negative impacts of inaction of this item
- Resolution is groundbreaking

Ashley Nelson, Occidental Road, commented as follows:

- Operations Manager for Peace in Medicine
- Representing Sebastopol Peace in Medicine
- Supportive of the Council to pass this resolution
- Urges the action to regulate medical cannabis
- Thanked the Council for being ahead of the curve

Vicky, Norlee Street, commented as follows:

- Resident of Sebastopol
- Discussed daughter's illness and seizures
- Without access to cannabis stated her daughter would not be this close to being seizure free
- Discussed quality of life
- Stated she is counting on the Council to do what they have always done which is lead the way
- Stated she is happy to hear of this resolution
- Concerned of cultivation issues and stated she has relied on the generosity of cultivators
- Discussed permitting and questioned if the cost is reasonable so people can continue to be able to afford donations for compassion programs
- Consider keeping needs of the patients as the number one priority
- Honored and happy to be in this town

Beth. Unincorporated West Sonoma County, commented as follows:

- In support of the resolution
- Is a small grower on her own property
- Would like to be able to expand and hire help legally
- Does not want to live in fear of sheriff coming onto property
- Mandated by guidelines – enforced by case by case basis
- Small farmers should be licensed and pay taxes
- Stated the fee should not be large for licensing as it may push the small farmer out and allow large farmers to take over
- Small farmers need to be taken into consideration
- Help Sonoma County implement medical cannabis cultivation ordinance prior to March 1st

Tawne Logan, Sonoma County Growers Alliance, commented as follows:

- Thanked Robert Jacob for his leadership
- Potentially Sebastopol has the ability to be the leaders in the State as this would allow the County to have consistency among communities and no confusion
- Grateful for leadership
- Urged the Council to consider passing the resolution tonight and helping the County come together on issue
- Stated there is still a lot of work ahead
- 13 regulatory bodies are developing laws
- Working with the CA Growers Association and bringing information into communities
- Offered to provide support and information
- Discussed implementing a comprehensive ordinance that integrates permits that reflects the licenses
- Stated they want to help support and demystify the process

Aaron Flynn, San Francisco, commented as follows:

- Shares property in Sebastopol

- Veteran of the United States Marine Corp
- Believe in Veterans and protecting Veteran's rights
- Cannabis best medicine for many issues related to combat and PTSD
- Look forward to farming and cultivating that same medical to help Veterans
- Discussed the Chapter of San Francisco CA Growers Association
- Sees a difference in San Francisco and Oakland and stated there are different rules regulating cannabis
- Create a rule structure that allows for smooth operation between cities inside of the County
- Promote folks to come above board and follow the rules

James commented as follows:

- Discussed old stories of the County
- Huge industry coming out and is part of the culture and part of Sonoma County
- Unregulated now and now is an opportunity to put regulations to it
- Give people jobs and collect tax money
- Law enforcement will have time to look into other things
- Put money towards schools and support the community
- Chance to be the first little part of this community that is a large community and can say that Sebastopol is the first one to come up and start the process for the Count
- Discussed the Emerald Cup
- Suggested being heads of the industry and showing people in other States what they can do for their regulations
- Money going to stay in community
- Sonoma County Growers Alliance is getting data together to provide information
- Stated it is a black market now
- Stated a lot of money goes out of the community but can stay in the community if it is taxed

Colleen Fernald commented as follows:

- Thanked the Council for crafting the resolution and being ahead of the curve
- Being mindful of how people are treated here
- KSRO Show – Melanie Morgan – claimed there are no studies that say pot cannot cure cancer
- Economic driver – proof it up
- Stated she asked Senators Boxer and Feinstein to finance wellness care
- Discussed Veterans and stated statistically there are suicides 50 times per day
- Need research to find out what is going to help them
- Need make to safe
- Need to speak to the County
- Discussed being shot at
- Discussed the dirty business going on
- Stated she wanted the police to investigate and look into it
- Stated they know of the organized crime and do not care
- Something needs to be done

Michael Carnacchi, 385 Murphy Avenue, commented as follows:

- Supports medical cannabis being a benefit
- Stated we do not want to talk of the fraud that is happening in the movement
- How this will address that

- Under Federal law, when someone applies to own a firearm, they have to check a box that says they do not use drugs
- Discussed how to get a medical license and questioned how does State and Federal Law relate to each other and does the State bill address that issue as well

Omar Figueroa. Murphy Avenue, commented as follows:

- Owns and operates a small business within the City of Sebastopol
- Stated he is a founding member of Cittaslow and the Growers Association
- Advocate for medical cannabis patients
- Proponent of Legalization
- Stated there is a war on medical marijuana in Sonoma County
- Discussed felony and criminal cases in the County
- Stated if there is no regulation of medical cannabis, the madness will continue
- Stated courts will be clogged with cases
- Stated it will be taking time away from other cases
- Stated it is time Sebastopol leads the way by encouraging fellow local governments to regulate cannabis
- Stated prohibition does not work and creates a black market and attracts lawbreakers
- Discussed the need to regulate medical cannabis
- Discussed the dual licensing system
- Stated local license first and then State
- Imperative for County and City to issue local license or else it will drive medical cannabis industry back into the black market
- Stated we will start to see home invasion, violence, profiteering
- Stated it is time for Sebastopol to lead the way
- Fantastic to encourage fellow local government to start regulating medical cannabis
- Sebastopol can also lead by example
- 17 license categories
    - Testing
    - Distribution
    - Transportation
- Integral parts of the industry
- Discussed cultivation licenses
- Urged regulating and leading by example

Linda Kelley, commented as follows:

- Created dispensary ordinance for Sebastopol
- Discussed resolution and supporting the time frame
- Stated Sebastopol does not have to deal with this as Sebastopol leadership got this done
- Discussed marriage equality resolution
- Discussed setting precedents to ask the County and cities to get ready for what is going to happen
- Discussed the second deadline which is the end of this year for small farmers to be able to show compliance to be able to move in ahead of the other growers
- Discussed ways of recognizing folks who have been compliant
- Discussed small local economy
- Discussed the process in Mendocino County
- Stated generally taxes paid are higher and are acknowledged
- Discussed Humboldt County passing a resolution and ordinance with a good player registry

- Stated she believes the State would allow us to have this be retroactive
- Discussed impossible deadlines
- Stated adding a good layer registry like Humboldt County would allow compliant farmers to register as the State has asked them to do
- Stated the County has not taken a leadership role
- Stated she cannot imagine how many people are involved in medical marijuana
- Stated Mendocino County is looking to do a good player registry that is similar to Humboldt County

Denny Rossetti commented as follows:

- Stated he has studied this issue closely
- Knows Sebastopol is a leader on regional issues
- Excited looking at this tonight
- On verge of something pretty big
- March 1st may be arbitrary but is there
- Important for local control to be taken seriously
- Important for other jurisdictions as well
- Keeping emerging economy out of the shadows and embraced
- Ability to get programs to them
- Pushing folks out into the wilderness is not a smart thing to do
- Thanked Sebastopol for their leadership and considering this

Craig Litwin, commented as follows:

- Served on the subcommittee on the medical cannabis dispensary ordinance
- Urged other municipalities to do a similar thing
- Same thing with marriage equality
- Other cities followed suit
- Not asking to take immediate action
- Asking to remind folks about forward thinking strategies and are what other people need to be doing
- Stated all cities and the County are going to think they have to do something by March 1st is what the law says but it may change
- Stated every City and County should act on this
- Discussed allowing personal, limited, commercial cultivation, etc.
- Discussed looking at choices
- Discussed licensing
- Stated this is a long haul process
- Opportunity for us to say there is right way to do this
- Important that it is know that this is the best therapeutic substance known to humans

Councilmember Jacob responded to comments as follows:

- Stated all industries have fraud and the less it is regulated, the more fraud there is
- Discussed creating a two-step licensing verification process for operations with local and Sate
- Stated there will be a reduction in fraud
- Stated Board of Equalization may capture 30 percent of the sales tax revenues from retails ales
- Stated we need to help capture those funds
- Discussed firearms applications and stated that the box does not apply to pharmaceutical or medicinal drugs
- Discussed adding compliance farmers language in the current resolution

- Suggested adding the language for good standing register as well as language compelling the Sonoma County Board of Supervisors to perform an economic study on cannabis in Sonoma County
- Stated medical marijuana economy is spread across every individual
- Stated it is a billion dollar industry
- Stated the current law allows licensing for 5000 SF
- Stated the hurdle to get a license will be large and significant
- State law removes the economy from the local economy and the 99 percent and moves this economy and revenues to larger companies and the one percent
- Stated this resolution works to avoid that process

Mayor Gurney questioned if the Council can add that language to the resolution.

City Manager McLaughlin stated the Council could add additional language to the resolution.

Councilmember Jacob recommended the Council direct the City Clerk to word-smith the resolution, adding language that allows compliance farmer cultivators to register as good player standings with the County and or City of choice and allowing them to show compliance by the January 1st 2016 deadline and creating something similar to what the Humboldt County supervisors did by creating a cannabis cultivation registry of good standing process and adding language to compel the Sonoma County Board of Supervisors to perform an economic study on cannabis in Sonoma County.

Councilmember Jacob moved and Mayor Gurney seconded the motion to approve the resolution in support of Sonoma County Action on cannabis policy by the March 1, 2016 State Mandated Deadline with amendments as discussed and directed the City Clerk to finalize the Resolution for signature by the Mayor.
VOTE:
Ayes: Councilmembers Eder, Jacob, Slayter and Mayor Gurney
Noes: None
Absent: Vice Mayor Glass
Abstain: None
City Council Action: Approved the resolution in support of Sonoma County Action on cannabis policy by the March 1, 2016 State Mandated Deadline with amendments as discussed and directed the City Clerk to finalize the Resolution for signature by the Mayor with the following: direct the City Clerk to word-smith the resolution, adding language that allows compliance farmer cultivators to register as good player standings with the County and or City of choice and allowing them to show compliance by the January 1st 2016 deadline and creating something similar to what the Humboldt County supervisors did by creating a cannabis cultivation registry of good standing process and adding language to compel the Sonoma County Board of Supervisors to perform an economic study on cannabis in Sonoma County.
Minute Order Number: 2015-189
Resolution Number: 6063

Mayor Gurney called for a break at 8:00 pm and reconvened the meeting at 8:10 pm.

6. Continuation of Discussion and Action for Approval of Laguna de Santa Rosa Wetlands Preserve Management Plan (Planning Director)

Planning Director Webster presented the staff report recommending the City Council discuss and approve the Laguna de Santa Rosa Wetlands Preserve Management Plan.

The consultants were in attendance to answer questions.

Councilmember Jacob commented as follows:

- Thanked the consultants for their hard work on plan
- Appreciate the energy put into our Preserve
- Questioned the necessity of the Army Corps of Engineers or Department of Fish and Wildlife weighing in on Calder Creek access in reaching into the Laguna
- Significant issue in Laguna Vista Development
- Questioned if there is any consultation about this plan from those entities

The consultant replied as follows:

- Have conferred with representatives from the Water Agency Board but not from the Army Corp of Engineers
- Not sure what piece of plan Councilmember Jacob is referring to
- Stated they had a general discussion and walk through of the Preserve early on in the process and incorporated their recommendations

Director Webster commented as follows:

- Discussed the alterations and configuration of the creek and stated this would require permitting
- Stated that is a whole process in itself
- Stated if a plan called for reconfiguration of a creek bed, there would be multiple agencies that the City would need to work with and get permits from

Councilmember Jacob commented as follows:

- Questioned if that means that undergrounding the creek or work done by volunteers before would have required a permit
- Discussed removal of all the unnatural and naturally invasive species
- Discussed invasive vegetation and change from wild life space to recreation space

Director Webster commented as follows:

- Stated he does not know if the work went that far
- Stated picking up trash does not need a permit
- Discussed removal of some invasive species could be considered routine maintenance
- Stated there was discussion with the Regional Water Quality Control Board about invasives located on the stream bank that may have been disrupted
- Discussed a process to obtain approval for that kind of activity
- Things like changing where the water flows, creating or channeling in a different fashion may need permit approval
- Discussed potential implications
- Discussed processes
- Stated the plan does not propose that for Calder Creek

Councilmember Eder stated in the staff report there are key issues about the revisions to the draft plan, and discussed the last sentence and questioned if the City has the current version of the plan in their possession.

Director Webster stated the Council has the current version, but there were some recommendations for changes by the Planning Commission which is in the new draft.

Councilmember Eder questioned if what the Council has is the most current plan.

Director Webster stated that is correct.

Councilmember Eder discussed if in the process of evaluating this and adopting it perhaps, is there any kind of time constraints or timeline.

Director Webster stated no.

Councilmember Eder questioned if there are timelines for getting funding sources.

Director Webster stated no.

Councilmember Eder questioned if there is any grant that hinges on the approval of this plan.

Director Webster stated no.

Councilmember Jacob questioned if the City has received a grant for this project.

Director Webster commented that the City and the Laguna Foundation collaborated on Rivers parkways grant program asking for a grant amount of half million dollars. He stated the grant looked at kinds of restoration and way finding improvements and other features that are talked about in the draft plan as basis for improvements.

The consultant stated there is no hard or fast deadline, but that there are additional grant opportunities coming up that they hope to apply for in partnership with the City and stated a fully adopted plan will go further in the review than a draft plan.

Councilmember Eder commented as follows:

- Stated when this was initially discussed and also last time, he made a request that a matrix be prepared that showed what agencies are responsible for what areas and which agencies have jurisdiction in which area
- Stated it is hard to conjecture as to who is responsible
- Stated they are working in the dark without that information
- Questioned if it is staff's intent to deliver that matrix

Director Webster commented as follows:

- Stated a matrix was talked about
- Stated it has not been produced at this point
- A lot of plans of this type often contain that type of information
- Stated it would not be that difficult to add to the plan

The consultant commented as follows:

- Stated they did not create a matrix
- Stated all that information is contained in the plan
- Discussed the regulatory section that explains those needs
- General information and what agencies are involved
- Information is in text and not in table form

Councilmember Eder stated in the future if someone wanted to do something in the area, it would be appropriate to know the measures to take and a matrix would be a good quick reference.

The consultant questioned if the areas are by location or activity, or both.

Mayor Gurney stated by location would be easier.

The consultant commented as follows:

- Stated for the most part, the agencies involved do not vary much by which property
- Stated the only exception is the Open Space District who have easements
- Stated it has a lot to do with the activities

Councilmember Eder commented as follows:

- Stated the most logical format is the type of request
- Questioned what was the motivating factor or factors for City to acquire this property initially

Director Webster commented as follows:

- Discussed this area as a waste disposal area or City dump
- Stated the largest property Meadowlark Field was purchased for agricultural waste disposal
- Discussed Railroad Forest was acquired as part of the idea of preserving the Laguna
- Tomodachi Park – motivation was consistent with the Laguna Preserve and protecting and restoring the natural environment
- Majority of the properties were used for waste disposal

Councilmember Eder questioned who had jurisdiction over Tomodachi Park and the Railroad Forest prior to the City.

Director Webster stated the railroad may have owned Railroad Forest and a private party owned the Village Mobile Home Park.

Mayor Gurney commented as follows:

- Stated the Council has a copy of Mr. Deedler's recommendations
- Stated the Council has a copy of the email to Councilmember Slayter from Jean Redus

Mayor Gurney opened for public comment.

Rainey, Robinson Road, commented as follows:

- Stated that Calder Creek runs through her front yard
- Here tonight to thank the Council for doing this management plan
- Stated she is one of 80 docents that volunteer for the Laguna foundation
- Stated they bring over 1000 students to the Laguna every spring and share the wonders of the wetlands with them
- Stated all docents appreciated any enhancement and improvement to the Preserve
- Stated the Laguna needs us
- Stated in the past the community has turned its back on the Laguna
- Stated the activities have allowed invasive species to come in
- Plan is good balance of human use and restoration
- Stated the Laguna is in City limits

- Laguna is not a functioning eco system
- Not a healthy system
- Cannot ignore that
- All involved in working with the Laguna Foundation to improve the ecosystem that the Laguna provides for all of us
- Glad that the Council has pursued doing this management plan
- Possibility for improvement

Geoffrey Skinner commented as follows:

- Thanked the Council for pursuing the plan
- Stated this is a piece of what makes Sebastopol a special place
- Stated it is a privilege to be a steward of the Preserve
- Stated he submitted numerous comments to the Council
- Feel much of the focus in the review process has been narrowly driven at the exclusion of other important aspects including the pond
- Discussed interpretative opportunities
- Further restoration elsewhere in the Preserve
- Topic of public access has overshadowed other aspects
- Exclusively a discussion of Railroad Forest
- Preserve is much larger than that
- Plan as it stands does not restrict access to the Preserve
- Some physical barrier is okay but many will be reduced or eliminated as plan is implemented
- Access should not mean further fragmenting of small pieces of good habitat that we still have
- Numerous new trails
- Wild areas should not be changed into something much more like City Park
- Not why the Preserve exists
- Observed wild life - they need cover and separation from people and pets
- Value those encounters
- Without activity stewarding our good pieces will lose that
- Want to remain free of new trails and developments
- Keep conditions of easement

Jane Nielson, Burnside Road, commented as follows:

- Want to speak for reducing any fragmentation
- Not increasing with more paths and trails
- Fragmentation is worst threat to ecosystem
- Want people to use it however
- Reminded that once this was the place that no one knew
- Need people to go there and have wonderful experiences seeing wildlife and what real ecosystem looks like when able to be seen more obviously
- Keep it as much together as possibly can

Eric Wykoff commented as follows:

- Specific interest around Railroad Forest
- Significant problem with plan
- Area most heavily traveled
- Many people coming from out of town to see it

- Attractive place not something that is a visual impediment
- Not like fact that the plan talks of doing things in quarters
- Suggested doing at least 50 percent of recommended things
- Orchestration of large volunteer force – four times a year – too long a wait
- Concern of setting precedent
- Some judicious use of herbicides should not be ruled out by document

Nancy Prebelich commented as follows:

- Discussed goats taking care of blackberries
- Discussed communicating with Laguna Foundation
- Work done – working on creek – use chemical to eradicate the rhizomes
- Digging proved to be more detrimental than using chemicals
- Did not do 100 percent
- Doing in phases over course of many years
- Nontoxic or non-chemical policy is to be honored in this management plan
- Herbal medicine versus chemo treatment
- Re-think being so stringent on the refusal to consider chemical treatment for certain invasive species

Evert Fernandez, 847 Litchfield Avenue, commented as follows:

- Not clear on actions for garbage
- What can be removed
- Not clear on discussion of proper time to attack blackberry bushes
- Not see in written report
- Access and more access – in favor of that – but visual access
- With trails recommended – as blackberry bushes be taken down- will have visual access
- Discussed fences and buildings that are to the north west end of the Rodota trail – if get rid of too much foliage – uncovers buildings and fences
- As work is being done- recommend informational signs
- Helpful to have aerial video and suggested using drones
- Low cost or free
- Give good insights to camping areas, garbage areas, or overall idea of what is going on in those areas

Lynn Deedler commented as follows:

- Submitted many suggestions
- Every one of those can be done in staying within of what is required by various agencies
- Suggestions have been vetted
- New trails proposed are short and do not go anywhere – great to have continuous trail that goes from downtown core and raps around the youth center
- Trail go through pretty area that would be a walking trail where people could appreciate and not hurt animals
- Vetted with professional well regarded environmentalists
- Doctor Adam McKinney
- Bill Cox
- Branches are habitat and are needed but are excessive and can get rid of many
- Differing opinions on things
- This is not just some back acreage some reserve for animals
- This is in our city, next to our city

- Discussed how our city feels how people see and experience it
- Focus on visual beauty that can be created by cleaning up a few things
- Make extraordinary special place
- Stated we are missing that boat
- Stated we are missing the concept of making this beautiful and a gorgeous place to walk through
- Community would love to see that area emphasized

Mayor Gurney commented as follows:

- Highest value is to maintain, restore, and protect the area
- More willing to do that if we have some experience of that area that we treasure
- Get people into this preserve
- Stated it is an awkward shape
- Like the complete network of trails so people can go and see
- Like to see people walk
- Like to see our walking, hiking group have better access
- Value connectivity
- Prioritize work on the footpaths
- AmeriCorps trail present amenity is ignored
- Might be to tackle that one easier reachable activity
- Volunteer day or supervised work group could take on
- Important to get from the Sue Kelly connector trail to Tomodachi Park on a footpath
- See footpath that parallels that trail
- On northerly side – avoid fragmentation
- Property line on Lynn's map close to where trail could be
- Focus on clean-up of natural debris and garbage
- Stated there needs to be some way to keep the garbage from going in there
- Advocate for kayaking when the water is up
- Values this activity
- Stated areas look different when you have the opportunity to be in the midst of it and experience it
- Discussed connectivity, clean up and work that is more easily available for the City to do
- Discussed making sure our people and visitors have the opportunity to experience this
- Grateful for the report as it can launch the Council into a detailed conversation

Councilmember Jacob commented as follows:

- Stated he is conflicted on this
- Stated we want to maintain the Laguna Preserve and not create a recreation area
- Discussed maintaining the necessity of Calder Creek connection to the Laguna being untouched and prioritized for wildlife
- Stated the space could be split 50-50
- Find value in education that comes with human beings being able to experience a well preserved space
- Honor Mayor Gurney's comments
- Find value in education that comes with humans being able to experience well preserved space
- Vice Mayor Glass works on trails for a living
- Issue is of great value
- Stated the Vice Mayor has a great wealth of knowledge in this area
- Concerned of making a decision tonight without her

Councilmember Eder commented as follows:

- Not think ready to adopt plan tonight
- Too many loose ends
- Railroad Forest and Tomodachi Park – was floored when saw estimate of million and half dollars for improvements and $150,000 ongoing maintenance costs
- Stated he worked as a volunteer as no one was taking care of that place
- Stated they go into trouble doing that and had to do a $100,000 plan to find out how to take care of this
- Village Mobile Home Park – acquired asset now beautiful and serves purpose – affordable housing but is a financial rock around the neck of the City
- Time to consider partnering Tomodachi and Railroad Forest with another State or local agency to share financial burden
- Not have money to spare to maintain the Laguna
- Need to look at that
- Staggering figures to the budget
- Contradictions in the staff report and discussed if the old tracks are okay to walk or not
- Discussed blackberry removal as priority
- Discussed use of goats
- Discussed volunteer labor and stated he is not sure we will get a group of people to go out there with a pick all day and pick blackberries
- Questioned if we have budgeted for that
- Stated there are a lot of unanswered questions
- Stated there is a lot of great things in this plan
- Discussed the list of items from Lynn Deedler
- Stated Lynn is a good friend
- Stated they talked at great length about this
- Stated he is not sure some of the items are feasible
- State some are benign
- Discussed the beautiful entrance to Railroad Forest such as an arbor and there is no mention of upgrading the entrances
- Stated that should be included
- Suggested convening a subcommittee and go through these items and talk to the responsible agencies to see what is okay to do and if not what is the jurisdiction for not doing this
- Discussed kayaking
- Discussed vegetation seen in the water as well as downed willow trees and branches filled of water bottles and plastic bags
- Clear the ground level vegetation that is blocking the channel and leave canopy in place
- Does that meet balance between public access and preserving natural environment
- Need to look into more thoroughly
- Look at things not feasible
- This is a place of beauty
- More can be done to beautify and better reflect on City
- Encourage people to volunteer to take care of it
- If cannot get people to do it for free then look at paying to maintain it
- Not know where funds come from

Councilmember Slayter commented as follows:

- Blackberry – members of public stated – questioned if there is an optimum time to remove
- Plan states different times
- Stated it reality it is both times discussed
- Has to do with growth period and where sugars are in plant
- Complex issue
- Recommended by that person that he discussed this with is also recommended in the plan
- Quadrant method in favor of
- Bradley method
- Start at areas of lesser infestation and work inwards
- Maximized native vegetation
- Goat grazing only removes top part
- Discussed chicken grazing
- Overall feeling is that it is a preserve not a park
- Have a hopefully soon to be renovated City Park at end of green space from the end of the Joe Rodota trail – 2 ½ blocks away from the park
- Stated the distance between the Railroad forest and Ives Park is not far
- Discussed having a transition from the natural to the built architecturally that is what successful design does –is transition
- Area can provide vistas and visual access into Railroad Forest following invasive being removed
- East Side of Tomodachi Park - opportunity for trails – ventured off beaten path – remarkable parcel – humans do not go there – important thing to consider
- Nice to have trail - more important to have as nature preserve
- See from west side of channel
- Kayak access – no opinion
- Can see benefit of it
- Perhaps removing low hanging branches over channel does not affect the water temperature – not sure if that is a problem
- Kayak access at Highway 12 Bridge may already be accommodated
- Not in favor of developed roadway
- At the west bank of the channel at Tomodachi Park and further north along the AmeriCorps trail portion, the channel is quite incised into the earth and the bank is very steep and difficult to traverse, speak to what causes that (silt build up, humans, attempt to grade down so there is easier and better access to water) important thing to provide for
- Comment of flexibility of using chemicals is valid – have a City policy – ability to have that flexibility
- Appreciates consultant adhering to City policy
- Nice wide sidewalks over new bridge
- Safer and more pleasant
- Questioned if it would be possible or feasible at the north end of the new bridge at the east end (Santa Rosa end) to develop a way to get down to the peripheral tail at Meadowlark Field so that one did not have to get in a car and drive up to the parking area at the Regional parks parking lot behind the service station
- Access at southwest would be benefit
- What we are trying to do is save what little thread of we have of the natural environment that is left
- This is preserve – not a park
- To continue to develop it with additional trails and not keeping it as it is currently, is moving away from it being preserve and being a City park and it becomes a theme park
- Stops being natural environment and becomes scrubbed area with plants planted just so

- Tonight – understand sentiment is to continue the item for further discussion and he is comfortable with that

The consultant replied to comments as follows:

- Discussed the matrix and regulatory involvement
- Stated she is not sure how satisfactory a matrix would be
- Stated it is explained in the plan
- Can put into table form
- Discussed the trail on the North Side of Calder Avenue to Tomodachi Park
- Stated there has been a lot of discussion of that and different views
- Stated they have looked into that but the creek goes close to Village Mobile Home Park boundary fence
- No room for a trail to the north side
- If wanted trail not stay on south side
- Is a trail that does the same thing 10-50 yards south
- With restoration, those areas will be more accessible
- Are informal trails that do this already
- Kayak launch – Not sure it is a priority for the Laguna Foundation
- Is informal access by Occidental Road
- Ongoing maintenance costs – this plan has everything thought of – City does not need to do each and every one of the items
- Some more urgent and necessary than others
- Portions related to public education – working with the Laguna Foundation - working with creating docent program- adopt wild space program – components within within that number that are not required that could be discretionary

Director Webster commented as follows:

- Laguna Preserve lowest cost type of park to maintain
- Other parks – level of maintenance currently provided would probably be called inadequate
- Public Works could use more resources to maintain public facilities and streets
- Receives least amount of regular City staff maintenance
- Railroad tracks - public suggested uncovering them
- Not recommend turning into actual trail for same reasons as trail on Calder Creek
- Pointing out tracks more visible and accessible when restoration occurs
- Proposing not making formal trail
- Conflict – blackberry high priority in plan – volunteer led to a lot of trouble for City
- Put that activity into larger context – larger program of habitat restoration
- Deep cut channel – not know history
- Suggested in Tomodachi Park people asked about making that bank more gentle within that valley oak stand
- Could be done but concern of valley oak
- Don't like channelization – not have ludwigia - steep sided deeper channel may have something to do with that
- Removal of branches from water – perform a lot of valuable ecological functions
- For fish provides refuge – plants have insect life – leaf litter – fish food
- Branches often used for perching

The consultant commented as follows:

- Discussed inherent frustration about state of preserve
- Comes back to interpretation
- Frustration with no money
- Funding and suggestions go towards a long ways to improving conditions
- Recommend City put funding into it
- Commitment to ongoing maintenance is a responsibility of the City
- Sidewalk on North side to Meadowlark – not in plan – agree good idea
- Met with Lynn about recommendations
- Incorporated some suggestions
- Recent 24 items provided – many have been incorporated
- Entrances to railroad forest- could go well with the plan
- Northern part not part of the preserve
- Questioned how to prevent garbage from getting into the areas at all
- Stated this goes beyond the Preserve boundary
- Suggested clear well placed receptacles at key points
- Always emptied regularly
- Short of community education campaign
- Signage in Ives Park
- Trash found throughout water shed is in homeless encampments
- Social environmental problem
- Discussed police department making regular visits
- Increased communication and efforts with police department
- PW walk trials on monthly basis for formal and informal trails

Mayor Gurney commented as follows:

- Appreciate all the remarks
- Stated the answers were thorough and responsive
- Discussed the connectivity issue and stated it can be addressed by the proposed footpath from the trail to Tomodachi park
- Discussed Councilmember Slayter's comments on a connection at the north easterly corner of bridge
- Hearing a lot of interest in volunteering to do this cleanup work and do projects
- Need something similar to Laguna Foundation
- People who work that plan with volunteers
- Everyone is educated
- Doing work that is authorized – fits into big scheme
- Highest achievement for this plan

The consultant discussed Laguna Keepers dedicated to the City.

Mayor Gurney discussed the kayak launch and stated she was thinking of someone who is carrying their boat across the parking lot to grass at Tomodachi Park at the bank that has something as an entrance and stated it would be nice if Sebastopol was identified with the water.

The consultant stated that they could add a put in place at the north end of the ball fields in the Park.

Councilmember Eder commented as follows:

- Discussed examples of frustration such as removal of vegetation over the channel
- Questioned if Department of Fish and Wildlife approval is required

- Stated the City needs to know if they way say yes or no to approval prior to doing the work
- Discussed an interest to use the water trail as a means to explore the area of not utilizing your feet and could be an alternate trail
- Questioned if the City expresses an interest in developing that trail, we would know the jurisdiction by the matrix

The consultant stated that they spoke with the agencies early on in the process and could consult with them again. The consultant reminded the Council that the City did not own the channel.

Councilmember Eder stated without the matrix these things will keep coming up.

The consultant discussed a programmatic permit.

Mayor Gurney commented that the more this plan is discussed, the more she is supportive of it.
The Council was in consensus to continue this item.
City Council Action: Continued the item to a future meeting.
Minute Order Number: 2015-190

Mayor Gurney called for a break at 9:52 pm and reconvened the meeting at 10:00 pm.

7. Discussion and Action of Approval of Sculpture Jam 2015 Temporary Sculpture Proposal (Planning Director)

Planning Director Webster presented the staff report recommending the City Council discuss and approve the Sculpture Jam 2015 Temporary Sculpture proposal.

Beth Hartman commented as follows:

- Involved in Sculpture Jam for many years
- Proposed four locations
- Have a problem with site that the City is recommending
- Discussed making of a platform – City stated they were not going to do that
- Stated the City made some in the past and they are all in use
- Stated the base is marvelous for siting sculptures
- Provides for a lot of weight
- Discussed roots of redwood trees
- Cannot get through roots
- Do installation work themselves

Mayor Gurney questioned which other choices were preferred.

Ms. Hartman replied as follows:

- Weeks Way is their first choice
- Simple to install and is far away enough from the other structures in the plaza
- Book bench by library
- West corner easy install

Mayor Gurney questioned why staff would not want to make the base.

City Manager McLaughlin stated he is surprised to hear that there is reluctance from staff to build the base but will consult with the Public Works Department. He stated he cannot commit to the work until he discusses this with Public Works.

Councilmember Eder questioned if there is a list of existing sculptures in town that are temporary in nature and have reached their end of life space on display.

Director Webster stated no. He stated the City has a good list of Sculpture Jam pieces located throughout town but some have been there longer than two years. He stated there was not a policy in place before.

Councilmember Eder questioned if there may be other optimal locations where there are existing pads that can be used.

Director Webster commented that the pads cannot be moved as they are about 4x4 thick solid bases of concrete and substantially heavy.

Councilmember Eder suggested taking out the old art and installing the new art.

Ms. Hartman stated there are four existing bases with art on them and three were sited last year.

Councilmember Eder questioned who owns the grass around the building by the Center for the Arts.

Director Webster stated it is mostly owned by the County but there is a parallel strip by the parking lot that is shared by the City and the County. The Center for the Arts is not using this space for art as they have not yet developed a program for it.

Councilmember Eder stated that is an area of interest.

Ms. Hartman stated the Center for the Arts has refused to put the pieces there.

Mayor Gurney opened for public comment. There was none.

Councilmember Slayter commented as follows:

- Prefer problematic location under redwood trees
- That location says coyote
- Weeks –least favorite
- Library – not bad
- Figure out way to accommodate base

City Manager McLaughlin commented that he will discuss this with Public Works, but will assume that if they built the bases before they can do it again.

Councilmember Jacob commented as follows:

- Stated Public Works may have lost access to materials or equipment
- May have good reason why they cannot accommodate the project
- Not know Public Works to be unaccommodating
- Little preference for location
- Likes the area near the Library reading bench

- Discussed art missing from the Library Landscape project at City Hall

Councilmember Eder stated there used to be an art sculpture at the entrance to the High Street parking lot.

Ms. Hartman stated that was removed because the art had deteriorated and was beyond the two year limit.

Councilmember Eder moved and Mayor Gurney seconded the motion to approve the Sculpture Jam 2015 Temporary Sculpture proposal and conditionally approve the location of the redwood tree area in the High street Parking lot contingent upon the construction and installation of the base for the sculpture.

Discussion:
Councilmember Jacob questioned if the motion could be amended to include a backup location.

Mayor Gurney suggested amending the motion to include a backup location and stated she would prefer the Library book bench location.

Councilmember Eder amended his motion and Mayor Gurney seconded the amended motion to approve the Sculpture Jam 2015 Temporary Sculpture proposal and conditionally approve the location of the redwood tree area in the High street Parking lot contingent upon the construction and installation of the base for the sculpture with a secondary location for installation near the book bench near the Library.
VOTE:

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

City Council Action: Approved the Sculpture Jam 2015 Temporary Sculpture proposal and conditionally approve the location of the redwood tree area in the High street Parking lot contingent upon the construction and installation of the base for the sculpture with a secondary location for installation near the book bench near the Library.
Minute Order Number: 2015-191

8. Discussion and Action for Consideration of Direction to Staff Regarding Reprioritization of Capital Improvement Budget (Engineering Manager) – *This item was continued from the December 1, 2015 City Council Meeting*

This item was continued.
City Council Action: None Taken. Item was continued.
Minute Order Number: 2015-192

9. Discussion and Action of Proposed Resolution Submitting Recommendation to Sonoma County Community Development Commission for 2016-2017 Community Development Block Grant (CDBG) (City Engineer/Engineering Manager)

City Manager McLaughlin presented the staff report recommending the City Council discuss and approve the Resolution Submitting Recommendation to Sonoma County Community Development Commission for 2016-2017 Community Development Block Grant.

Mayor Gurney opened for public comment. There was none.

Councilmember Jacob moved and Councilmember Slayter seconded the motion to approve the Resolution Submitting Recommendation to Sonoma County Community Development Commission for 2016-2017 Community Development Block Grant in the priorities as submitted in the application.

VOTE:

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

City Council Action: Approved the Resolution Submitting Recommendation to Sonoma County Community Development Commission for 2016-2017 Community Development Block Grant in the priorities as submitted in the application.
Minute Order Number: 2015-193
Resolution Number: 6064

10. Discussion and Appointment of Members to Staff Committee Appointments/Assignments and City Council Committee Appointment Assignments (City Manager/City Clerk)

This item was continued.
City Council Action: None Taken. Item Continued.
Minute Order Number: 2015-194

11. Discussion and Action for Mayor to Designate Representative(s) to Vote in the Mayor's Absence at the Mayors and Councilmembers Association Meetings and City Selection Meetings for Calendar Year 2016 (City Manager/City Clerk)

City Manager/City Attorney McLaughlin presented the staff report recommending the Mayor and City Council Designate Representative(s) to Vote in the Mayor's Absence at the Mayors and Councilmembers Association Meetings and City Selection Meetings for Calendar Year 2016.

Mayor Gurney opened for public comment. There was none.

Mayor Gurney moved and Councilmember Slayter seconded the motion to approve the Designated Representative(s) to Vote in the Mayor's Absence at the Mayors and Councilmembers Association Meetings and City Selection Meetings for Calendar Year 2016 as discussed and listed below:
Mayor Gurney
Vice Mayor Una Glass
Councilmember Patrick Slayter
Councilmember John Eder
Councilmember Robert Jacob

VOTE:

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

City Council Action: Approved the Designated Representative(s) to Vote in the Mayor's Absence at the Mayors and Councilmembers Association Meetings and City Selection Meetings for Calendar Year 2016 as discussed and listed below:
Minute Order Number: 2015-195

Item Added:
Emergency Item: Request for the City Council to Authorize the Mayor to send a letter to the California Public Utilities Commission urging them to oppose PG&E's 2016 exit fee spike.

Councilmember Slayer presented the item and provided clarification information on the item as follows:

- Discussed PG&E's proposed 95% increase of the Power Charge Indifference Adjustment (PCIA) charged to Community Choice Aggregation (CCA) customers
- Discussed Sonoma Clean Power is achieving resounding success, providing electricity that is 36% RPS eligible renewable energy sourced, 80% GHG free, at rates 6 to 9% below PG&E's rates
- The PCIA increase proposed by PG&E, which the proposed decision would approve, will drastically affect the operational viability of existing Community Choice programs in California
- Discussed that PGE has secured enough energy to sell to customers prior to CCAs like Sonoma Clean Power being developed
- Discussed excess energy with rights to resell
- Stated if not sold, customers lose
- PCIA way for PG&E to make up its losses due to loss of customers
- Largely unregulated by State
- Not great thing for SCP customers
- Stated Sonoma Clean Power is all over this
- Letter from Council good thing
- Written and ready to go for signature

Councilmember Slayter moved and Mayor Gurney seconded the motion to authorize the Mayor to send a letter to the California Public Utilities Commission urging them to oppose PG&E's 2016 exit fee spike
VOTE:
Ayes: Councilmembers Eder, Jacob, Slayter and Mayor Gurney
Noes: None
Absent: Vice Mayor Glass
Abstain: None
City Council Action:
Minute Order Number 2015-196

SCP Program
Check 16,000 to Analy

CITY COUNCIL REPORTS:
12. City Manager-Attorney/City Clerk Reports:
City of Sebastopol Holiday Luncheon – Thursday – December 17th – 11:45 am at Wischemann Hall
February 11th Mayors and Councilmembers Meeting/Dinner – Hosted by the City of Sebastopol
Director Webster announced that the Open Space District gave final approval of $382,000 Matching Grant to the City to be applied for the Skate Park project

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):
    - Report out From Pine Grove Sub-Committee

      City Manager McLaughlin presented the report as follows:

- Stated staff will be bringing this item as a potential needs item to be addressed during mid-year budget review in February
- Stated the mid-year budget review process will be similar to the budge adoption meeting last June
- Stated this item will be added to that and will be a part of the general discussion
- Stated he has directed staff to review their budgets and identify savings if any

Mayor Gurney stated the subcommittee did their due diligence and looked at the Charter School site

City Council Action: None. Update was provided to the City Council.

Minute Order Number: 2015-197

Mayor Gurney provided committee reports in writing on:

SCTA RCPA

Health Action

Mayor Gurney discussed the Keating Avenue funding and commented that although the City spent less than the grant, the funding cannot be used for any other projects and the unused funding will need to be returned. She discussed looking at the strategy for next time and creating a list of projects for use for monies.

14. Council Communications Received: There were none.
15. Future City Meeting Dates/Events (Informational Only): (See Agenda for a list of meetings)

CLOSED SESSION: NONE

Mayor Gurney adjourned the regular City Council meeting at 10:30 pm.

ADJOURNMENT: The meeting will be adjourned to a Regular City Council Meeting to be held on Tuesday, January 5, 2016, at 6:00 pm at the Sebastopol Youth Annex/Teen Center, 425 Morris Street, Sebastopol, CA. **Please Note:** City Council will be conducting interviews for openings on the Public Arts Committee beginning at 6:00 pm. The Regular City Council Meeting is tentatively scheduled to begin at 7:30 pm.

Respectfully Submitted by:

Mary C. Gourley, CMC, City Clerk