AGENDA ITEM NUMBER 2

DRAFT

City of Sebastopol City Council Regular Meeting Minutes

Meeting of May 3, 2016

6:00 pm - Convene Regular City Council Meeting, Sebastopol Community Center, 390 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 April 26, 2016.

6:00 pm Convene Regular City Council Meeting, Sebastopol Community Center, 390 Morris Street, Sebastopol, Ca

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

Roll Call

Present:	Mayor Gurney
	Vice Mayor Glass
	Councilmember Eder
	Councilmember Slayter
Absent:	Councilmember Jacob (excused per City Council approval of April 5, 2016)
Staff:	City Manager-City Attorney Larry McLaughlin
	City Clerk Mary Gourley
	Building Official Glenn Schainblatt
	Engineering Manager Henry Mikus
	Planning Director Kenyon Webster
	Superintendent of Public Works Emig

Mayor Gurney stated the Bodega Avenue traffic item has been moved to a future meeting and will not be held tonight.

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

AGENDA ITEM NUMBER 2

Mayor Gurney announced the closure of Highway 12 at the Laguna Bridge throughout the evening of Friday night, May 6th.

Mayor Gurney explained the process for tonight's meeting.

PROCLAMATION(S)/PRESENTATION(S):

The following were presented:

Years of Service Awards:

- Richard Ressler – Fire Department – 10 years
- Steven Grant – Fire Department – 25 Years

- Proclamation Endorsing the Community Resilience Challenge
- Proclamation Declaring May as Building Safety Month
- Proclamation Declaring May 2016 as Drowning Prevention Month in the City of Sebastopol
- Proclamation Declaring Annual Municipal Clerks Week, May 1 – 7, 2016
- Proclamation Recognizing Public Works Week May 15-21, 2016
- Proclamation Proclaiming May 20, 2016 as Bike to Work Day and May 16-20, 2016 as Bike to Work Week

The following comments were provided:

Colleen Fernald commented as follows:

- Fifth District Carrillo how he handled this proclamation today at the County meeting
- Discussed moving to Sebastopol
- Discussed toxic issues in Santa Rosa
- Discussed Sustainability Sebastopol Salon
- Discussed Resilience Challenge and food security
- Discussed need for moratorium on development
- Discussed turning food into medicine

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.)

Colleen Fernald commented as follows:

AGENDA ITEM NUMBER 2

- Discussed her daughter's death
- Discussed trying to do something in Ragle Park for her daughter and requested help to build project
- Discussed personal issues and evidence on phone
- Stated she wants grievances resolved
- Wants cooperation from the City
- Discussed an oversight committee for the City of Sebastopol
- Fix from the ground up
- Discussed obstruction of justice
- Discussed being represented by Mayor Gurney
- Threatened to serve papers

Mayor Gurney stated she has never represented Colleen Fernald nor was she ever her attorney.

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.

Vice Mayor Glass moved and Councilmember Slayter seconded the motion to approve the consent calendar Items Numbers 1 and 2.

VOTE:

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

CONSENT CALENDAR ITEM(s):

1. Approval of Minutes of April 19, 2016 City Council Meeting Minutes (City Clerk)

City Council Action: Approved Minutes of the April 19, 2016 City Council Meeting
Minute Order Number: 2016-100

2. Approval of Resolution for Grant Application for TDA3 Funds for Bike Paths on Local Streets (Engineering Manager)

City Council Action: Approved Resolution for Grant Application for TDA 3 funds for Bike Paths on Local Streets
Minute Order Number: 2016-101
Resolution Number: 6080

AGENDA ITEM NUMBER 2

INFORMATIONAL ITEMS/PRESENTATION: NONE

Mayor Gurney oriented the public on how the meeting would flow.

PUBLIC HEARING(s):

3. Public Hearing – Public Hearing on Appeal by Bob Jenkins Appealing the Planning Commission's approval of an Antenna Use Permit for the KOWS Radio Station to be located on Pleasant Hill Avenue (Planning Director)

Planning Director Webster presented the staff report recommending the City Council deny the appeal application and uphold the Commission approval based on the findings and conditions as set forth in the staff report, but provided other options for the City Council.

Councilmember Eder questioned if current FCC regulations don't provide for a mandate that would require the City to place additional telecommunications facilities at this location.

City Manager McLaughlin stated that is correct. He stated that the City as a public agency and as the property owner can control what goes on its site and does not have to permit co-location.

Vice Mayor Glass stated she was confused regarding making a decision within 30 days of this presentation and requested clarification.

Director Webster stated that the City Council would need to make a decision within 30 days of tonight's meeting.

Vice Mayor Glass questioned if we were to ask for additional information, the Council could continue that item.

City Manager McLaughlin commented that the applicant and the appellant are permitted to have a decision within 30 days of the date of this hearing; however if the Council desires further information or wants to continue past the 30 days, the Council would need to obtain the concurrence of the appellant and applicant.

Mayor Gurney questioned that the Council received a project that is different from the project that is appealed and questioned if that does not need to go back to the Planning Commission.

Director Webster stated the Planning Commission had similar options in front of it. He stated KOWS intent of the new tower design was to address concerns in the process. He stated this is not an uncommon thing and the Council has the ability to request further changes.

AGENDA ITEM NUMBER 2

Mayor Gurney clarified to the audience that it does not need to go to the Planning Commission and the Council is the decision maker.

The appellant, Robert Jenkins, provided the following comments:

- Provided a poster board of the items
- Discussed 11 different speakers will be speaking on different issues
- Stated he does not understand the tower switch
- Discussed having reports on one tower and stated now there is another tower proposed

Mayor Gurney clarified that it is Council's understanding from staff comments that it is somewhat routine in an appeal for the project proponent to change a project in response to issues on the appeals to make the project more appealing. She stated that this is a revised design and the Council will be the approving authority to decide and that this does not need to go back to the Planning Commission.

Mr. Jenkins commented as follows:

- Discussed an attached ladder to the antenna in a photograph provided in the materials, and stated it is not clear how many antennas will be attached to this tower
- Stated there is not enough information to know what is being looked at with the alternate proposal

Janice Belding commented as follows:

- Is part of SHARP's presentation
- 145 petition signers against the placement of a tower at Pleasant Hill Road
- 170 people who have signed an on line petition
- Most of supporters who want this item denied reside along Pleasant Hill corridor
- Diverse group of people
- Neighbors in the best sense of the word
- Voiced concern of negative impacts of proposed radio tower
- Discussed the binder presented to the City Council

Nancy Jenkins commented as follows:

- Lives at 1411 Pleasant Hill Road
- Discussed the Planning Commission meeting
- Stated she reviewed the DVD of the meeting
- Shocked to see it not mention the issues and concerns that were discussed by the Planning Commissioners: co-location (read quotes from Planning Commissioners); staff exemption under CEQA; alternate sites; CEQA not solid (Fernandez); more information and analysis was wanted; (Doyle) lone hold out
- Read KOWS notes of meetings – discussed testing of sites; alternate locations – stated KOWS had alternate locations all along
- Stated the Commission's vote was based on mis-information

- Requested an honest and complete analysis of environmental impact requirements irrespective of applicant's fiscal status and analysis of other locations

Michael Meager commented as follows:

- Discussed the alliance of SHARP members
- Stated an EIR should have be required under CEQA
- Referenced letters that were provided for in the packages provided to the Council
- Discussed tower being smaller now and a different shape
- Should have been more investigation
- Referred to Grasscetti report – discussed Classes of CEQA; discussed exemptions; stated it is a new facility; does not conform to guidelines for new facilities; discussed height of the tower; stated this is not small; discussed the City ordinance definition of minor project and major telecommunications project
- Stated staff only looked at 2 foot x 2 foot footprint – stated that has now changed
- Discussed trench; solar panel and battery and shed for housing – does not sound small – does not meet CEQA criteria of small
- Discussed a wild life survey should be required
- Discussed mitigation issues – should not be used to support exclusion in Class 1 or Class 3
- Read a quote from case law
- Stated what is not included in CEQA is a financial hardship

Vicky Wayne , lives on Pleasant Hill Road, and commented as follows:

- Discussed land use section of General Plan
- Prohibit possibility of structure of privately owned radio tower on City land
- Environmental sensitivity
- Preserving quality of life
- Putting tower on Pleasant Hill Road makes mockery of General Plan
- Is our General Plan just window dressing or does words on the pages have actual meaning to Planning Commission and City Council
- Discussed the County General Plan
- Discussed Highway 116 scenic corridor
- Showed on the map the area of the Highway 116 corridor
- Showed on the map the City property and where the tower is proposed to be located
- Discussed scenic landscape portions of Burnside Road
- Stated the County does not want a blight on scenery
- Stated KOWS had a viable alternative site
- Wonder why one radio station is such a big deal
- Need to look at greater good
- One radio tower in the middle of pasture beauty may not seem like a big thing but it represents the people who take for granted that the beauty of West County will last forever
- This represents no consideration for protecting the beauty of the scenic hills for generations to come

AGENDA ITEM NUMBER 2

- This represents that the applicants do not understand how easily natural beauty gets lost
- Represents radio station that does not care of neighbors or homes that that tower will ruin
- Represents radio station that does not care of the landscape
- Bold step in the wrong direction if this tower is allowed
- Council to act as responsible stewards – ask the best of ourselves
- Appeal to deny application for KOWS tower

Mike Ruddick, Electrical Engineer, 23 years of experience in communication and data industry, commented as follows:

- Discussed more urban location
- Discussed less tower
- Pleasant Hill site requires adjacent waiver from FCC
- Show radio interference won't interfere with FM radio stations nearby
- Use more complex radio antenna to achieve that
- 3 watt antenna is very simple and can be mounted easily
- Not require cost or complexity of dedicated towers
- Looked for modest solutions
- Left the Planning Commission meeting with the idea that KOWS had to vacate – stated they are not being asked to leave and have chosen to leave – license is good for that site until 2021
- Discussed Respini Ranch
- Stated KOWS had two viable options
- Discussed second channel adjacent waiver process
- Discussed a viable site at the Fire Station with no grey areas
- One viable downtown location and rural options
- Discussed concept of functional similarity

Anne Marie Fennell, 1245 Pleasant Hill Road, commented as follows:

- Share property line with Reservoir site
- Tower would not be invisible
- Not visually comparable to common utility pole
- 70 foot steel tower with four external antennas with ladder and solid steel plates
- Will not share a road way with automobile traffic but is surrounded by rural and diverse agricultural property
- Tanks have lower profile, easily hidden by shrubs and trees
- See tower from everywhere
- Displayed photographs to the Council – antenna tower simulations views
- Stated this would call for analysis under CEQA
- Provided mockup of KOWS photograph depicting tower and trees
- Would not have purchased property if tower was there already

- Property affords view of what was a selling factor – with tower disappointment and clear loss of property value
- Discussed response by KOWS to SHARPs appeal and quoted the response

Bob Jenkins commented as follows:

- Discussed the Antenna Zoning Book
- Stated advice is based on half truths
- Stated applicant has followed play book closely (height; photo simulation; tower surrounded by trees; applicant key emergency alert station; talk to neighbors or drop off flyers; supporters memorize lines; avoid using word tower; call it a project or antenna – deflect attention away)
- Applicant did everything the book recommended
- Discussed meeting minutes stating it is an antenna and not a tower
- Discussed KOWS vetting alternative sites and KOWS not telling the Planning Commission
- Discussed co-location and West County neighborhoods are scared to death
- Discussed strengthening of towers for co-location purposes
- Discussed a future City Council will get an application for co-location if this application gets approved
- Discussed 1994 decision to deny tower on same site
- Discussed the City Council decision for denial
- Discussed use of NIMBY
- Stated Sebastopol does not want it in their backyard
- Sebastopol should act as good neighbor and good guest in County
- Requested denial of this use permit

Nancy Jenkins commented as follows:

- Discussed EMF issues and exposure
- IEEE (established FCC current EMF exposure limits) – discussed study released
- Discussed exposure from cell towers and radio broadcast towers
- Discussed FCC limit
- Discussed radiation study conducted by KOWS – stated they forgot vineyard and orchard workers and exposure levels
- Forgot of families who will live next door to proposed site
- Harmful effects of radiation
- Discussed safe exposure limits
- Cell companies trolling for co-locations sites
- More thoughtful solution needed
- Not jeopardize families, workers, and entire neighborhoods

Andrea Schmitz commented as follows:

- Stated this is about us, not just her
- Worked in Sebastopol last 20 years

- Involved citizen
- KOWS is part of that community but a small part of community
- Antenna tower affects large part of community
- Irrevocably diminishes beauty of Pleasant Hill Road
- Industrial eyesore set in serene West County neighborhood
- Tower is unnecessary
- KOWS is streaming world wide
- Tower could financially be bad for KOWS and City
- KOWS functions as amateur radio club
- Discussed KOWS steering committee notes
- Discussed indemnity to City – stated this is worthless with the small amount of money KOWS has
- May make financial matters worse for KOWS - Will need to raise funds to build tower and protect City from future expenses – KOWS has no reserve funds
- Sebastopol has waived the Use Permit Fees to KOWS and will be giving land free to organization to serves small segment of community
- Stated KOWS is barely solvent
- Discussed the tradition of placing and questioned if the Council would you be proud of have name at base of tower
- Intention of being on City Council – dedicated a large part of your time in caring for this place
- Do not approve tower

Chris Blakeslee, certified appraiser, commented as follows:

- Specialist in appraiser consulting firm – residential and agriculture
- Retained by SHARP for diminution and value expertise
- Summarized information in binder
- Discussed studies of real estate experts
- Conclusion – 5 – 21% diminution property value due to 70 foot antenna tower
- 10-20 percent value loss likely given average value of home
- Total potential loss in view sheds could exceed a million dollars
- FHA underwriting prohibits mortgage that falls under cell site – in fall zone of proposed tower
- HUD antenna into consideration when valuing residents
- HUD – hazards and nuisances (towers)
- Property would be extremely difficult to sell
- Value of vineyard land marginal
- 20 homes visually impacted by proposed antenna tower
- Closest homes having greatest loss of value
- Buyers in Western Sonoma County pay premium for land and unobstructed views
- Perceived negative health affects home values
- Sebastopol owns reservoir site – eliminate any enhancement value to scenic corridor might convey

AGENDA ITEM NUMBER 2

Jeff Cross, property abuts Mr. Jenkins property, commented as follows:

- Discussed letter submitted to City Council by lawyer
- Pre-eminent land use litigation law firm
- Read letter into the record
- Discussed the City Council allowing KOWS to proceed with radio tower
- Why would Council give away a portion of that land to private business interest
- Unauthorized transfer of government land
- Terrible precedent to set
- What happens when other private enterprises and demand their piece of public land
- How City avoid claims of favoritism
- How City defends free advertising space
- Slippery slope
- Discussed voting, and being disenfranchised as County residents
- Discussed taxation without representation
- Stated if the City allow KOWS to proceed, residents are taxed with environmental degradation, reduced property values, health and safety issues and have no representation on City Council – outside City limits
- Throw ourselves on the Council's mercy
- Violation of due process
- Treat all members of public in fair and bias manner
- Discussed City Council's personal relationships with KOWS members
- Some members volunteered on campaigns
- City Council should put aside personal bias and act fairly
- Government Code 1900 – not give appearance of conflict of interest
- Relying on Council to judge issue fairly

Mayor Gurney called for a break at 8:34 pm and reconvened the meeting at 8:45pm.

Stewart Goodnick, KOWS relocation committee, commented as follows:

- Director of engineering
- Business owner
- Lives near the proposed tower
- Thanked the City Council and Planning Director to come before the Council to discuss this project
- Discussed the mission of KOWS
- Volunteer organization
- Discussed limited reach to Sebastopol of KOWS station
- Discussed plan to bring coverage to greater Sebastopol community
- Possibility and opportunity
- Read a prepared statement
- Discussed wide range of community and talk shows
- Discussed festivals

- Export and expand community
- Possibility of authentic voice of Sebastopol in the airwaves
- Sustain Planning Commission approval and deny appeal
- Discussed exploring alternative antenna sites
- Discussed the details of the process and constraints are described in the appeal
- Discussed statements from appellant – not an option to just turn up power at current location – FCC constraints – limited to three watts; Respini location – is a ridge line between the property and downtown Sebastopol
- Appreciate appellants' FCC work and complexity of situation
- Discussed FM signal to reach Sebastopol and surrounding area
- Discussed minimization of second channel interference
- Pleasant Hill site deemed desirable for reach of population
- Increased number of listeners – increase over potential listenership of other locations
- KOWS acknowledges concerns raised by appellant
- KOWS recognizes appellants' energy
- Appellants have exaggerated situation out of proportion to the facts
- City Council staff report responds to appeal and addresses concerns
- Clarify detail of potential impact of EMF by antenna: KOWS submitted NEAR report written by FCC certified radio engineer
- Appellants confuse this study and data
- Allow KOWS to clarify numbers in report – meets FCC requirements – proposal less than 1/2500 of FCC requirements for residents near the vicinity of the antenna
- Discussed uncontrolled exposure and micro watts
- Not correct to say someone working in vicinity would be damaged by radiation
- Discussed power density at fence line and stated it falls off quickly
- Done homework; conscious of EMF issues; confident this antenna does not pose that kind of issue for anyone in the vicinity of the antenna
- Environmental and Visual Impact of antenna structure: Staff reports puts it in reality with surroundings of the reservoir; discussed utility poles; trying to give realistic view of CAD model of antenna at appropriate scale
- Take issue with density showed by appellant
- Read comments from appellants' information
- Discussed antenna structure at Gold Ridge Fire Station
- Discussed PG&E utility poles
- KOWS wants to minimize visual impact; be best neighbors while achieving goals; continue to research different options for antenna structures
- Discussed 60 foot tapered lattice structure
- Lower in height and thinner in profile, no additional antennas can be added
- December 30, 2015 – antenna use permit to Planning Department; addresses a number of issues and concerns: discussed existing site uses, rationale for locations, neighbor notification, construction steps, reduction of visual impacts, broadcast

operations, equipment and signal, tower and antenna specific and benefits to Sebastopol community and more
- Planning Commission approved use permit application
- KOWS tries to be transparent
- Asked Council to deny appeal
- Radio EMF levels fall below conservative safety standards
- Visual impact is minimal and can be mitigated
- Use appropriate for zoning of property

John Starkey commented as follows:
- Programmer at KOWS
- Real Estate agent for 35 years in Sebastopol area
- Dispute statements of the appraiser who spoke for the appellant
- Appellant spent substantial amount of money on professionals
- Professionals tend to support the needs of the client
- Discussed property values
- Advocate ethics in practice
- Spoke to individual who is a neighbor to the area in question and is a fourth generation person and he has seen substantial changes in the area, but the main change seen is influx of vineyards and removal of orchards and use of pesticides and herbicides which have polluted some of the streams
- Been the case in certain parts of Sebastopol
- Vineyards are in neighborhood and will contribute to the diminution of value of properties in that neighborhood (would be one factor – use of pesticides and herbicides)
- Enormous number of trees in the area – will provide large amount of screening for the antenna and has also done so to a large extent for the tanks
- Anything contribute to diminution of property values in that area has already happened due to the tanks – largely visible
- Appraiser cited a 21 percent average diminution of value in the area but stated he must have been looking at a different market than has existed in this area for 35 years
- Stated there is no way there is a 21 percent diminution in value
- Visual impact not substantial on neighbors

Robert Feuer, lives in Camp Meeker, commented as follows:
- Community radio best platforms for participatory democracy
- Exercise in community sharing and bonding
- Gives town personality
- Only radio station Sebastopol residents have access to
- Effect of signal is less than carrying cell phone in pocket
- A small-town radio station is an exercise in community sharing and bonding. It can help give a town a personality, providing community members with on-air

opportunities in the field of radio, including having their own show which can be anything they want it to be.

- It'll be the only radio station that Sebastopol citizens will have easy access to, in terms of expressing their opinions, performing their music, sharing their lives, especially for those more isolated from the mainstream, like seniors and youth.

The applicant presented additional pictures to the City Council regarding antennas.

Roberta Taylor commented as follows:

- Addressed the integrity and honesty and transparency comments against this group of KOWS who are coming to the Council tonight requesting the relocation of the antenna
- Discussed insinuations regarding honesty
- Heard diminishing of who KOWS is as a radio station
- KOWS brings people and community together
- Highlighting richness and depth of community through talk shows and storytelling shows and new shows
- Shows with all different kinds of music from all around the world
- Hope people understand KOWS comes from place of integrity, vision and purpose to bring this community together and not to divide it
- Put fear and miss information aside and let facts and truth prevail

Mayor Gurney questioned what is the City's next steps and see if the Council would like to ask questions or go into public comment. The Council was in consensus to open the public hearing.

Mayor Gurney opened the public hearing.

Linda Woflfkin, (sp) Pleasant Hill Road, commented as follows:

- Lives right in front of tanks
- Not see proposed tower because of her property
- Was told when she purchased the house that only \one 3 million gallon water tank would be there but the City built a second one
- Asked the Council to have it painted green and landscape and have view not be disturbed
- City planted bad trees - have fallen a lot – takes City a couple of months to get to them
- City not doing good upkeep
- Most put out by having this tower in her backyard
- Stated there are other places to put it
- Put it in the City's backyard if they want it so badly
- Vote No

Cathy Shanahan (sp), new member to the community, commented as follows:

- Bought home in Sebastopol to get away from City
- Kids play there
- Have nature
- Jenkins family allows them to walk in vineyard with dogs
- Need Council to be their voice
- Will be a cell tower there at some point
- Opening Pandora's box
- Think of this – this is our back yard
- How many KOWS lives in neighborhood
- 600 feet notification is half of this building
- Talked of community intention and growing of earth – counter intuitive

Kim Tursmith (sp) commented as follows:

- Spoke on environmental impacts of theater in the woods
- Discussed kids power hour
- Kids grew up being heard and have place in community
- Discussed global catastrophe
- KOWS radio is tool for sharing daily vital information and home base for West County emergencies
- No one owns view or air breathing
- Discussed contaminations of ground water
- Discussed invisible threats that will give us cancer more than a tower

Steven Barncard (sp) commented as follows:

- Broadcaster
- Discussed interest in radio with KOWS
- Encouraged idea of community radio
- Love mini BBC that represents town
- Providing 24 hour service that is targeted for this community
- Radio station is about and for the community
- Radio station similar to town hall concept
- NIMBY facts totally invalid
- Showed photographs of the tower height versus power pole diagram

Shokish Monroy (sp), lives in Santa Rosa, commented as follows:

- Cannot get KOWS broadcast
- More than Sebastopol at stake
- Other communities want what KOWS gives
- Radio programmer thirty years ago during the Loma Prieta earthquake struck
- Discussed community support for programmers and through nonstop programming was able to move terrible distress from fear into community celebration
- Supporter of KOWS

AGENDA ITEM NUMBER 2

Alexander Tappate (sp), Occidental, commented as follows:

- On treasury committee of KOWS
- Programmers offer money to keep the station going – believe in it
- Look to local businesses to be under writers
- Discussed the emergency broadcasting system
- Giving and not taking away
- Give good reach of Sonoma County especially West Sonoma County
- Opportunity – love to see it fulfilled

David Dillman, Occidental, commented as follows:

- KOWS Programmer
- On Relocation Committee
- Gave appreciation to City of Sebastopol
- Planning Department did great job
- Different issues seen by both sides
- A lot of emotion – expected and natural
- Appreciation of the process is the process of looking at issues
- Thanked Council for going issue by issue
- KOWS has presented their point of view on all issues

Robert Feuer, Camp Meeker, commented as follows:

- Discussed the DVD with all comments and stated the quotes were taken out of context
- Quotes fit in meeting but not in presentation
- Discussed aesthetics
- A lot of people do not have internet to listen
- Discussed money – increased revenue from sponsorship and membership
- Appellants presented this similar to a disaster movie

Peter Van Gordner (sp) commented as follows:

- Concern of change to town
- Irreversible
- Attended last meeting
- Counted 10 logical flows and misrepresentations for argument for why this tower should not be at this location
- One is that if the City Council does not approve, it is killing the community's only radio station – flawed for emotional appeal
- People with smart phones can listen on line
- Read KOWS radio card
- Can hear on line easily
- KOWS can reach audience on line right now
- Discussed EBS – what becomes of people in West County who they are leaving

AGENDA ITEM NUMBER 2

Jim Belding (sp) commented as follows:

- Discussed second water reservoir
- Stated would be the only thing on that site
- 1994 first co-location attempt happened
- Now in midst of second co-location attempt
- Discussed credibility of Sebastopol

Tammy who stated she lives off Sexton commented as follows:

- KOWS Programmer
- Discussed play stations of I heart radio and clear hart
- When moved to Camp Meeker, found KOWS
- Have truly come home when she found KOWS
- People listen when driving more than when they are at home
- Want to hear KOWS where she is at
- Community's voice
- Diversity is important

Rob Schmidt helped to co found Many Rivers and Teas, commented as follows:

- Volunteerism is a feature not a bug
- Will bring energy to the community (KOWS)
- Voices heard further and more widely
- That is a feature
- Speak in support of KOWS

Greg Thomas, 1145 Pleasant Hill Road, commented as follows:

- Moved up from Santa Barbara
- Wanted to get away from cell towers, etc.
- Have stage 4 lymphoma
- Paid absurd amount of money for house
- Paid because want to get away from these things
- Never would have purchased home if there was a huge tower five houses down

Laurie Fifield commented as follows:

- EMF issue should not be talked about for one more minute
- Discussed transmitter to that tower
- Discussed co-location
- Property values
- Tanks do not emit anything harmful
- Addicted to KQED
- Love public radio
- Council has unique situation and have a win-win
- KOWS will still be around and be vibrant – support in other ways
- Make tower the tree height

- Relationships – major relationship between people on staff in Sebastopol and leaders of KOWS
- Pet projects should not be bulldozed through

Dorothy Morgan, lives in Santa Rosa, commented as follows:

- Came to Sonoma County because it is a place to be who she is and follow her dreams
- Dream is free speech
- Support local music and gardening tips
- People served who do not have computers or smart phones
- Give public service announcements
- Amount of pesticides will far outweigh any risk of the antenna
- Not something want to continue
- Safety is key feature for all of us in this County – paradise

Allen Horn commented as follows:

- Opposed to giant tower
- Urged the Council to deny the permit
- Cited Radiation and Human Health by Dr. John Gothman
- Concerned intense energy created will affect water quality of Sebastopol's drinking supply
- Made agreement in1994 no other use made of this property
- Planning on putting radio tower on this site flies in face of morality

Kristine Norton, lives close to proposed tower, commented as follows:

- Moved to Sebastopol
- Get away from things like radio tower
- Pro public radio
- Worried of co-location
- Important Council to not approve project and think of health

Paula Swanson commented as follows:

- Grateful to local people do no harm to community
- Stand long and tall

Lisa, lives in Occidental, commented as follows:

- Hard to hear elders of progressive community not be progressive
- Discussed antenna – saddens people who live there would not listen themselves
- Supporter of KOWS

Marge Stewart commented as follows:

- Support appeal by SHARP
- Deny construction of radio tower
- Concerned of residents closest to this proposed tower

- Not have to be subjects in dangerous experiments when exposed to low levels of non-radiation are not known
- Indicators of harm such exposures can have on humans
- Discussed IEEE definite ways for biological effects of long term low levels radiation
- No guarantee no additional antennas not added in future
- Laws do change
- Precautionary principle be used instead of subjecting a rural residential neighborhood to an eyesore

CJ commented as follows:

- Thanked the Council for their time
- Support the process
- Conversation at Planning Commission was rational and thorough
- Support that conclusion
- Neighbor of Respini- if this tower was there he would still support

Sandi Maurer, EMF Safety Network, commented as follows:

- Support appeal of SHARP
- Not fair to support KOWS
- Powerless to vote in Sebastopol
- New tower magnet for antenna co–locations
- Laws will change
- City Councils will change
- No guarantee that Sebastopol will not be forced to allow other antenna locations in the future
- Discussed the study – FCC guidelines are inadequate – not junk science the information the group has on EMG
- Not comfortable opposing a community asset
- KOWS would benefit by recognizing the radio frequencies and exposure has become a form of pollution

Roberta Tiller, hosts show on KOWS, commented as follows:

- Discussed show
- Discussed women telling personal stories of their lives
- Live in neighborhood of proposed antenna
- Support tower but had concerns
- Researched, asked questions, more importantly, able to let go of that nonsense and place of fear that clouded thinning and colored ability to be objective
- Able to absorb fact and make rational and appraise decision to support antenna

Michael Carnacchi commented as follows:

- Discussed fiscal impact of law suit coming
- Concern of good will lost
- Discussed putting money into community grants

- Supports all citizens
- Not know solution
- Concerned of fiscal impact
- Discussed EMF and stated we are a mouse in that experiment

Arnold Levine, KOWS radio, commented as follows:

- KOWS is doing something right – not bankrupt yet
- Proud to be member of radio club of KOWS
- Stated he contacted Sandi Maurer and asked if there were any issues with KOWS moving to Sebastopol and stated he has emails which stated there was no concern

Bob Neil commented as follows:

- Discussed the 1994 proposed cell tower denial
- In future, need to consider what happens if KOWS does go under, who will be responsible
- City forced to put cell sites on that tower for financing
- Need to consider that issue

Nancy Hubert commented as follows:

- Resident
- Realtor
- Human Being
- Poignant that Greg Thomas who said he had stage 4 lymphoma and moved to Sebastopol to get away from radiation and is now five houses form proposed tower
- Property values would drop
- Discussed view shed- if impaired will affect property value
- Power poles are ugly
- Radio towers are intrusive
- Concerned of City liability
- Knows EMF harmful

Debbie Hurst commented as follows:

- 30 years lived on Pleasant Hill Road
- Wanted to keep family close and moved to 1215 Pleasant Hill Road
- Two houses from site
- Love Pleasant Hill Road
- Every morning look out at the sunrise – love the view – with the balloon up by the appellant, she will be able to see the tower from everywhere on her property
- If that was there when she bought the house, she would not have purchased it

A member of the audience commented as follows:

- Discussed phrase dangerous experiment
- Discussed no access to airwaves
- Discussed applying for license

- This kind of conversation can happen on KOWS radio

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

Mayor Gurney brought the item back to the Council. She suggested continuing this matter to May 17th. She discussed the issue of the 30 day time period.

City Manager McLaughlin commented as follows:
- Thirty days commences tonight
- Both the appellant and the applicant are entitled to a decision within thirty days of tonight's meeting unless both agree to waive for a period of time to allow Council to decide after 30 days

Mayor Gurney commented the only time would be the May 17th meeting.

Councilmember Eder commented as follows:
- Preferred outcome would be to negotiate longer time frame
- If this is not the case, ready to move forward on May 17th

Vice Mayor Glass commented as follows:
- Reiterated what Councilmember Eder stated
- Prefer later date but okay with May 17th
- Deliberate on this appropriately at that time
- Hope appellant and applicant can agree to longer time frame f not May 17th

Councilmember Slayter commented as follows:
- Discussed the May 17th meeting and stated this is a fairly lengthy item
- Not want to see some items get pushed back
- Not sure what is worse
- Wondering if both parties are open to a delay
- Okay with May 17th
- Find out what parties like

Mayor Gurney stated there is also the possibility of moving this to a special meeting of May 31st.

Mayor Gurney requested the applicant and appellant discuss the potential for moving this to a later date beyond the 30 day time limit or go to a date certain.

Councilmember Slayter commented as follows:
- Discussed options
- In agreement with Councilmember Eder
- Workload of the Council has been extraordinary
- Adding another special meeting is a significant ask

- Stated other City issues need to be resolved
- Way to stay on regular schedule and leap frog into July is a preferred option
- Prefer pushing it that far out if possible

Mayor Gurney commented as follows:

- Discussed meetings in July
- Stated this would be preferable due to Council and staff workload
- Stated the Council is down one Councilmember right now
- Stated other Councilmembers are picking up those additional duties

Councilmember Eder stated if the Council has questions, should they submit those questions to the Planning Department.

Mayor Gurney stated those questions can be addressed at the next meeting.

City Manager McLaughlin stated there is no legal issue by submitting the questions to staff.

Councilmember Eder questioned that some of the questions require answers from people who provided testimony.

City Manager McLaughlin stated those questions can be directed to the Planning Department for forwarding to the appellant or applicant.

Response to 30 Day Time Period:
SHARP Response: Consensus May 31st
KOWS: Agree to continue to May 31st or July 5th but nothing later

Mayor Gurney stated this would be a special meeting.

SHARP stated they would prefer not waiving this past May 31st; however, if there extenuating circumstances or a compelling reason that the Council could not reach a decision they would be open to discussing continuation to July 5th but stated they want to hold the Council's feet to the fire.

The Council was in consensus to continue this item to the May 31st Special City Council Meeting and stated people can continue to submit additional comments on this item to the City staff prior to it coming to Council.
City Council Action: City Council continued this item to a special meeting of May 31st.
Minute Order Number: 2016-102

4. Public Hearing – Public Hearing on Mandatory Zoning Ordinance Amendments identified by the Housing Element (Planning Director)

This item was continued to the May 17, 2016 City Council Meeting to be held at 6:00 pm at the Sebastopol Youth Annex/Teen Center.

AGENDA ITEM NUMBER 2

City Council Action: Approved First Reading and Introduction of Ordinance 1085 for Mandatory Zoning Ordinance Amendments identified by the Housing Element
Minute Order Number: 2016-103

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

5. Discussion and Consideration of Letter of Interest Received for Opening on the Remote Access Network (RAN) Board. This appointment will be agendized for the May 12th Mayors' & Councilmembers' Association meeting, and the appointment will be made by the City Selection Committee. The Council is requested to provide a recommendation to the Mayor or her designated voting representative(s) for Voting at the May 12, 2016 Sonoma County Mayors and Councilmembers Association Meeting (City Manager/City Clerk)

City Manager McLaughlin presented the staff report recommending the City Council discuss the letter of interest and provide direction to the Mayor or Voting Designate.

Mayor Gurney opened for public comment. There was none.

Mayor Gurney moved and Vice Mayor Glass seconded the motion to recommendation to the Mayor or her designated voting representative(s) for Voting at the May 12, 2016 Sonoma County Mayors and Councilmembers Association Meeting.

VOTE:

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

City Council Action: Provided direction for appointment of Mayor Gina Belforte to RAN Committee
Minute Order Number: 2016-104

CITY COUNCIL REPORTS:

6. City Manager-Attorney/City Clerk Reports:

City Manager McLaughlin reported as follows:

- City Manager out of town until Friday, May 13th
- City Clerk will be Acting City Manager
- Check in mail on last remaining payment for Barnes Avenue

7. City Council Reports/Committee/Sub-Committee Meeting Reports: (Reports by Mayor/City Councilmembers Regarding Various Agency Meetings/Committee Meetings/Sub-Committee Meeting /Conferences Attended and Possible Direction to its Representatives (If Needed) on pending issues before such Boards):

Councilmember Eder reported as follows:
Attended the Russian River Water Shed Association Meeting

AGENDA ITEM NUMBER 2

Discussed the Safe Medicine Disposal Program
Close to having collected 100 tons of pills that have been kept from doing town the toilet to the water or being placed in the trash
Attended the LANTERN meeting
Receptive to multi story building

Vice Mayor Glass reported that she attended the unveiling of Patrick Amiot sculpture at Burbank Heights and Ribbon cutting at Kymara

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

Mayor Gurney adjourned the regular City Council meeting at 10:55 p.m. to the closed session.

CLOSED SESSION:
Call to Order: Mayor Gurney called the meeting to order at 11:00 p.m.
Roll Call
Present: Mayor Gurney
Vice Mayor Glass
Councilmember Eder
Councilmember Slayter
Absent: Councilmember Jacob (excused)
Staff: City Manager-City Attorney Larry McLaughlin
PUBLIC COMMENT (Prior to adjournment into Closed Session, the public may speak up to 3 minutes on items to be addressed in Closed Session). ***There were none.***

CLOSED SESSION:
10. Conference with Labor Negotiators (Government Code 54957.6)
City Designated Representative: City Manager
Employee Organizations :(SEIU/Public Works; Management, Mid Management and Unpresented; and Sebastopol Police Officers Association (SPOA)

City Council Action: No Report Out.
Minute Order Number: 2016-105

REPORT OUT OF CLOSED SESSION: There was no report out.
ADJOURNMENT OF CLOSED SESSION: Mayor Gurney adjourned the closed session at 11:30 pm to the regular City Council Meeting.

Adjournment: Mayor Gurney adjourned the regular City Council meeting of May 3, 2016 at 11:31 pm to the next City Council Meeting to be held on Tuesday, May 17th, at 6:00 pm, at the Sebastopol Teen Center/Youth Annex, 425 Morris Street, Sebastopol, CA.

Respectfully submitted,

AGENDA ITEM NUMBER 2

Mary Gourley, CMC. City Clerk