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City of Sebastopol City Council Regular Meeting Minutes

Meeting of November 15, 2016

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

The public is advised that pursuant to Government Code Section 54957.5 all writings submitted to the City Council are public records and will be made available for review.

Please note that minutes are not verbatim minutes and are meant to be the City's record of a summary of actions that took place at the meeting.

Notice: All resolutions and ordinances introduced and/or adopted under this agenda are waived of all reading of entire resolution(s) and ordinance(s).

The Sebastopol City Council welcomes you to its meetings that are generally scheduled for the 1st and 3rd Tuesday of every month. Your interest and participation are encouraged and appreciated.

A notice of the meeting was posted by the City Clerk on November 9, 2016.

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

Call to Order: Mayor Gurney called the meeting to order at 6:01 p.m.

Roll Call

Present: Mayor Gurney
Vice Mayor Glass
Councilmember Eder
Councilmember Jacob
Councilmember Slayter

Absent: None

Staff: City Manager-City Attorney Larry McLaughlin
City Clerk Mary Gourley
Planning Director Kenyon Webster
Police Chief Jeff Weaver

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

Mayor Gurney commented as follows:

- Stated this is her last meeting as Mayor

- Congratulated and thanked her fellow City Councilmembers for all the work done thta has been done
- Thanked the Council for everything that has been accomplished
- Thanked the Council for enduring the long and extra meetings that were held
- Thanked the City staff for their support and dedication
- Stated the Council and staff work as a collaborative team
- Stated the City has gotten a lot accomplished
- Discussed commitment, energy and the great success of the City

PROCLAMATION(S)/PRESENTATION(S):
The following was presented:

- Presentation to Dan Potts - Sonoma County Law Enforcement Volunteer of the Year

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.)

Robert Whittaker, Nelson Way, commented as follows:

- Discussed speeding on Bodega Avenue
- Stated that to fix speeding, suggested putting up cameras and take pictures of license plates
- Speeders would get tickets in the mail
- Stated this would cut down on people speeding

Andrea Schmitz, 1262 Logan Lane, read a prepared statement.

- Apologized for her conduct at the last Council meeting
- Sorry she stormed out of meeting
- Stated she left abruptly because of something that was said
- Discussed SHARP/KOW conflict
- Discussed comments stated about Bob and Nancy Jenkins
- Discussed Councilmember Eder's comments
- Stormed out at that point
- Discussed comments of rich versus poor
- Came to be heard
- Not matter if wealthy or not
- Public employee

- Joined SHARP
- Discussed being lucky to drive in such a beautiful area

Mayor Gurney responded to public comment as follows:

- Discussed safety issues on Bodega Avenue
- Discussed the Council's commitment to install a HAWK pedestrian activated red light as well as other items of work along that corridor
- Thanked Andrea for her comments, courage and bravery for speaking during public comment
- Assured Andrea that she was listening to her

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.

Nancy Prebilich requested Item Number 5 be removed from the Consent Calendar.

Mayor Gurney commented as follows:

- Discussed the former City Council Meeting where it was discussed that this item would be placed on the Consent Calendar unless a Councilmember notified the Assistant City Manager/City Clerk that they wanted it to be removed
- Assistant City Manager/City Clerk did not receive any requests to have this item be placed on the regular agenda
- Stated a member of the public could request a Councilmember have an item removed
- Indicated to all Councilmembers that if this item did not move forward as a consent item and was pulled, it would be placed on the regular agenda
- Stated she has not seen a request from the Council to remove this item
- Stated if a Councilmember wanted to remove this item, it would be heard at the end of the regular agenda

Craig Litwin requested that public comment be re-opened so that people can speak on this item.

Mayor Gurney commented as follows:

- Stated she will re-open public comment at the end of the regular agenda
- Stated no one at the dais has asked to remove this item
- Stated if it is not removed, the Council would act on items 1—5

Councilmember Jacob requested item number 5 be removed from the consent calendar.

Agenda Item Number 5 was removed from the consent calendar and will be heard after the regular calendar.

Councilmember Jacob moved and Vice Mayor Glass seconded the motion to approve the Consent Calendar Item Numbers 1, 2 3, and 4.

VOTE:

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

CONSENT CALENDAR ITEM(s):

1. Approval of Minutes of November 1, 2016 City Council Meeting Minutes (City Manager/Clerk)

City Council Action: Approved Minutes of November 1, 2016 City Council Meeting Minutes
Minute Order Number: 2016-252

2. Approval of Rejection of Bids for Ives Pool ADA Transition Project and Approval to Return to City Council at a Future City Council Meeting to Re-Bid the Project employing cost reduction measures (Engineering Manager)

City Council Action: Approved Rejection of Bids for Ives Pool ADA Transition Project and Approval to Return to City Council at a Future City Council Meeting to Re-Bid the Project employing cost reduction measures
Minute Order Number: 2016-253

3. Approval of Notice of Completion for 2016 Local Street Repairs – Contract 2016-03 Awarded to Bond Blacktop Inc. (Engineering Manager)

City Council Action: Approved Notice of Completion for 2016 Local Street Repairs – Contract 2016-03 Awarded to Bond Blacktop Inc.
Minute Order Number: 2016-254

4. Approval of Engineering Firm for Sewer Line Relocation Study Zimpher Creek (Engineering Manager)

City Council Action: Approved Engineering Firm for Sewer Line Relocation Study Zimpher Creek
Minute Order Number: 2016-255

5. ~~Approval and Adoption of the City of Sebastopol's General Plan and Final Environmental Impact Report (FEIR) (Planning Director)~~

INFORMATIONAL ITEMS/PRESENTATION:

6. Informational Item – Presentation to the City Council on an Update of Sonoma Clean Power (Councilmember Slayter and Geof Syphers)

Councilmember Slayter presented the report and introduced Geof Syphers from Sonoma Clean Power (SCP) who provided an informational presentation to the Council.

Mayor Gurney opened for questions of Mr. Syphers. There were no questions.

Councilmember Slayter commented as follows:

- Discussed REX which are renewable energy credits
- SCP moving towards a policy to not use REX
- Discussed being green and stated it seems like a good thing to not use REX
- May be useful for other regions that need help to get started

Mr. Syphers stated SCP was the test case for California. He stated SCP bought REXs but was not using them and stated they were informed that to not use them was illegal and had to fight regulatory battle. He stated that SCP won that challenge.

Councilmember Slayter commented as follows:

- Advocacy that SCP is taking at legislative level and higher
- Discussed PCIA – delivery charge
- Discussed lobbyist budget that was increased to have louder voice and to speak on behalf of SCP customers

Mr. Syphers discussed the Drive EV program and customer's use of EV chargers and the program of interrupting charging briefly and invited people to be a part of the solution.

Mayor Gurney opened for public comment.

Terry Ann Tomlin commented as follows:

- How does SCP have land in Sacramento for solar arrays
- What is the location of the wind turbines that are being replaced
- What is the goal for reserves

Mr. Syphers replied as follows:

- Solar project in Lemoore CA (past feed lot on I 5)
- Land not owned by Sonoma County – owned by private developer
- Federal government tax credits heavily incentivizes private ownership
- Systems owned by private companies
- Wind project north of 580 on Altamont Pass
- Audubon society got together to improve that site
- Current goal for reserves to reach 50 million dollars in ten years
- Ahead of schedule
- Back off on how fast contributing
- With Mendocino joining, may adjust again

Mayor Gurney discussed the report from SCTA – Shift Sonoma County – shifting mode of transporting and shifting fuel source. She stated the prediction is by 2027 there will be over 100,000 electric vehicles in Sonoma County.

The Council received the informational report and thanked Mr. Syphers.

City Council Action: None taken. Received the informational report.
Reference Order Number: 2016-257

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

7. Discussion and Action of Evergreen Program (Sonoma Clean Power) and Direction to Staff to Research Program Costs and Benefits for the City with Sonoma Clean Power and to return to a Future City Council Meeting with Information and Recommendation (Vice Mayor Glass)

Vice Mayor Glass presented the report recommending the City Council discuss and provide direction to staff to Research Program Costs and Benefits for the City with Sonoma Clean Power and to return to a Future City Council Meeting with Information and Recommendation. Vice Mayor Glass also introduced Geof Syphers from Sonoma Clean Power who provided further information on the program. She stated that the financial costs need to be evaluated and also the effects of switching EverGreen program on the reduction of greenhouse gas emissions.

Mayor Gurney opened for questions of staff or Mr. Syphers.

Mayor Gurney questioned if there are other cities that are Evergreen users.

Mr. Syphers stated the City of Sonoma but stated most are residential.

Mayor Gurney opened for public comment. There was none.

Mayor Gurney voiced appreciation to Vice Mayor Glass for her comments on the Climate Action Plan.

Councilmember Jacob moved and Vice Mayor Glass seconded the motion to direct staff to Research Program Costs and Benefits for the City with Sonoma Clean Power and to return to a Future City Council Meeting with Information and Recommendation.

VOTE:

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

City Council Action: Directed staff to Research Program Costs and Benefits for the City with Sonoma Clean Power and to return to a Future City Council Meeting with Information and Recommendation.
Minute Order Number: 2016-258

PUBLIC HEARING(s):

8. Public Hearing – Notice is hereby given that the City Council of the City of Sebastopol will conduct a Public Hearing on proposed amendments to the Zoning Ordinance, to increase maximum height allowances in the CD Downtown Core District from three to four stories, and to amend parking requirements in the Zoning Ordinance to allow applicants to file a Use Permit application to request greater flexibility in the use of tandem, valet, and compact parking in specified circumstances. The height amendment request is consistent with policy recommendations in the draft General Plan. These code revisions have been requested by the applicant for the Hotel Sebastopol project, which involves the development of a 66-room hotel, which will consist of multiple buildings, ranging from two to four stories with a height of 50 feet at its highest elevation at 6828 Depot Street. The project proposes to provide most of its parking will be at 6826 and 6824 Depot Street and 215 and 225 Brown Street in a valet-operated parking lot, with tandem, compact parking spaces. (Planning Director) (This item was rescheduled from the City Council Meeting of November 1, 2016).

Planning Director Webster presented the staff report recommending the City Council approve for introduction of first reading and waiving of further reading of Ordinance to increase maximum height allowances in the CD Downtown Core District from three to four stories, and to amend parking requirements in the Zoning Ordinance.

Mayor Gurney opened for questions of staff. There were none at this time.

The applicant and project team provided a presentation to the City Council as follows:

- Attended City sponsored workshop in 2004
- Vision exercise of what community wanted for Diamond Lumber site
- From that felt hotel could be good use for the site
- Held two public workshops
- Heard good feedback
- Incorporated ideas into plan
- Strong project that represents the community well
- Questions that have come up from community: Hotel just for tourists – not designed just for tourists – number of ways community can participate on property – have a lot of event spaces – free or subsidized; hostel – lower priced component of project – preference for locals; offer preferred pricing to locals
- Goals of City to keep people living and working here
- Discussed local job faire
- Hire as many local people as possible
- Hiring local kids
- Goal with wages – like to develop a program like that but that also works with the hotel
- Share Sebastopol with visitors – love collaborating – Maker camps – Three D printing – Guide for Laguna de Santa Rosa – promote town and attractions

The architect provided a presentation to the City Council.

- Discussed community meetings

- Displayed site plans

Mayor Gurney asked if the display could show a view of the parking area as it relates to business/hotel area.

The architect displayed an aerial view.

Mayor Gurney stated it looks like an empty lot with cars and does not give an animated sense of cars.

Vice Mayor Glass stated she is not seeing where solar is being brought into the project.

The architect showed the area where the solar would be placed on the roof.

Vice Mayor Glass stated there is a solar ordinance that requires solar.

Director Webster stated the project will need to comply with the solar ordinance.

Councilmember Eder questioned if it is realistic to expect the unoccupied roof would potentially be available for solar.

The architect stated yes, where there are no constraints.

Mayor Gurney questioned if there would be EV charging stations.

The architect stated there will be at least two.

Mayor Gurney stated discussed the perception related to tourism and that Sebastopol will be on the EV map such as driverless cars.

Councilmember Eder questioned that he would imagine as this process moves forward, that the developer will engage in a development agreement with the City.

The applicant stated that is correct.

City Manager McLaughlin commented as follows:

- Stated the applicant in conversations with the City discussed the possibility of having further discussions with the City regarding some requests for financial consideration to help the project move forward
- Staff informed the applicant that a request would need to go to the City Council and if the City Council were to entertain that idea, the proper way would be for the City Council to appoint a sub-committee to talk with the applicant and possibly word towards a development agreement
- Stated that was in response to the applicant stating they might ask for assistance from the City

- Stated the City has not received a request yet

Councilmember Eder questioned if the applicant anticipates or has historically sought financial considerations from municipalities.

The applicant stated in Healdsburg, there was a development agreement with the redevelopment agency that does not exist anymore. He stated they are open to the sub-committee to discuss and see if there is a way that there can be a partnership.

Councilmember Eder questioned if the applicant knew the possible ways for partnership between the City and applicant.

The applicant stated such ideas discussed are improving the Plaza; improving Brown Street and creating parking; connecting the sidewalk to the Barlow, etc.

Councilmember Eder questioned if the applicant foresees the need to ask for deferral, reduction or elimination of fees.

The applicant stated for the H2 Hotel in Healdsburg, the City of Healdsburg deferred the development fees and the City financed those fees over a five year period with a 5 percent interest.

Councilmember Eder questioned if it is conceivable that the hotel will need to retain the TOT tax generated by the project for some period of time after the opening.

The applicant stated they have not done that before, but if a sub-committee is formed, it could be on the table for discussion. He stated they want to build a beautiful project and do the best project they possibly can. He also discussed the fourth floor and stated in meetings it was indicated that a fourth floor was wanting to be seen to allow for large sidewalks and courtyards.

Councilmember Eder stated he is very pleased with the design aesthetics that the firm holds itself to and complimented the firm on the level of community engagement. He stated he appreciates the outreach.

Mayor Gurney stated this is a public hearing and that the Council is limited to discussing the parking and height amendment issues only.

Councilmember Jacob questioned if the Council approves the zoning amendment around parking requirements, would the applicant need to go back to Planning Commission for a Use Permit.

Director Webster stated no, that the Use Permit has been approved by the Planning Commission but that approval is conditioned on the Council approving these two amendments

for parking and height. He stated if the Council does not approve the project, it will need to redesigned and go back through the process.

Mayor Gurney opened the public hearing.

Terry Foutz commented as follows:

- Growth is a tricky thing
- Can manage growth or let it happen
- When let it happen, outcome is not god
- Love way folks engaged with community
- Chance to connect to the Barlow to Main Street
- Good for everyone
- Not just a big box
- From first meeting, everyone said not want Sebastopol to be Healdsburg
- Development company realized that
- Listened to the public
- Big supporter of the project

Chaney commented as follows:

- Agrees with first speaker
- Need to grow
- Need to grow responsibly and with respect
- Project fills that criteria
- Bring money to local businesses
- Bring jobs to the community
- Excited about this project
- Town needs it

Steve Einstein commented as follows:

- Questioned what rooms will rent for
- Feels like natural extension of the Barlow
- Stated he does not like the Barlow
- Stated the Barlow does not cater to our community
- Caters to outside money and outside wealth
- Daughter moved away because cannot afford to live here
- Another project to make community even less affordable for working class people
- Does not feel like it advances the people's agenda
- Advances money agenda

Bob Leahy, Russian River Keeper, commented as follows:

- Water Keeper Alliance
- Make waters more fishable swimmable and drinkable
- Positive relationship with Hotel Healdsburg

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- Environmentally conscious group
- Tell by drawings and way hotel laid out, it will improve water quality
- Conscientious about storm water and runoff
- Willing to work with them as a group
- Agrees with project
- Great group of people to work with
- With Laguna as impaired as it is, this project should be wanted in Sebastopol to help the Laguna
- Be good for the Laguna
- Taking not-local people to the Laguna and showcase the Laguna
- Very good with working with non-profits – space to hold events – don't charge

Marty Bennett, SRJC, former member of the Living Wage Coalition of Sonoma County, commented as follows:

- Discussed dramatic effects of hotel
- Believe hotel will create poverty wage jobs
- Increased job housing mismatch
- Increase greenhouse gas emissions
- Will not fix affordable housing in Sebastopol
- New City tax revenue will be offset by increased reliance of hotel workers on subsidies
- City of Sebastopol long history of sustainable development
- City passed Living Wage Ordinance
- 2015 above $16.00 an hour
- Discussed General Plan wording for living wage
- Carefully consider fiscal impacts

Susan Shaw commented as follows:

- West County resident
- Urged project to have a willingness to institute living wage
- Set Sebastopol apart
- Create sustainable community
- Important workers be given fair chance to organize and be paid fair wages

Terry Ann Tomlin commented as follows:

- Discussed having history with Sonoma County
- Thanked the previous two speakers who spoke of living wage
- Important to have and to keep holding that for a balanced community
- Concern of height for four stories
- Discussed Main Street as entering currently and it feels like a canyon
- Has lost the view across the street and into surrounding lands
- Way arranged will work well
- Not height limit being raised across the board
- Not thrilled with modern look

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- Not for Sebastopol
- Not feel right
- Like to see blend in with existing materials and architecture

Daniel Shanahan commented as follows:

- Owns property near hotel
- For hotel project, but Council should not allow variances
- Property needs to be downsized
- Discussed height
- Discussed potential penthouse
- Stated that would add another story
- Stated would be over five stories
- Density will cause parking problems
- Sebastopol Business Center has no parking
- Rented parking spaces because of no parking
- Discussed no parking on Brown Street
- Discussed cars parking around property
- Discussed 30 spaces on street
- Project too big
- Parking not going to benefit anyone

Teresa Ramondo, Chamber of Commerce, commented as follows:

- Sent letter to Planning Commission
- Highlighted portions of the letter to the City Council
- Need for hotel property servicing profile of travelers and is a good fit for community
- Way building is good fit for local flavor of community
- Providing a variety of things
- Help to bridge the new shopping retail center (Barlow) with historic downtown and plaza
- Economic value
- Great revenue
- TOT welcome addition to City as well as money spent downtown

Ty Hudson, Unite Here, hotel union, commented as follows:

- Represents workers who depend on incomes
- Not high school students
- Speak of amendments and inconsistencies with General Plan
- Encourage development of housing by giving incentives to housing developers
- Talked of residential development
- Talked of improving the jobs housing and balance
- Does not provide housing to anyone
- Granting incentives would undermine goal
- Staff recommendation makes changes to Planning Commission recommendations

- Staff called technical change - respectively disagree
- Argue that it clearly contradicts the General Plans intent
- Surface parking lot take away a piece of land downtown that could be used for housing

Jan, Gypsy Café, commented as follows:

- Hope project goes through
- Main Street façade could be enhanced by cooperating with team
- Top architects on this team
- Vision and contributions to that subcommittee could help the City move forward and develop a solid Main Street plan
- Many plans across country anchored around hotels

Lydia commented as follows:

- Speak as a community college student working for hotel in Healdsburg
- Received scholarship that helped tremendously with school
- Not a full time employee and can say that the company does offer for working with students schedules
- Have room for moving up the ladder
- Company has been tremendously supportive

Gia commented as follows:

- Sebastopol native
- Opened business at the Barlow Center
- Interesting journey moving back to Sebastopol
- Everything has changed dramatically
- Learned to embrace change
- Not provide a lot of full time living wage jobs but giving jobs to students in the community and people who have other part time jobs
- Agree with hotel bringing jobs to our community
- Appreciate bridge building between old downtown and Barlow
- Necessary for the City
- Engaged with community in thoughtful way

Marsha Sue Lustig commented as follows:

- Staunch supporter of project
- Planning Commission thought this project had chance to talk of housing on parking lot – stated that is not the case tonight
- Council could direct the subcommittee to work to secure site for housing for future of City
- Similar to Pine Grove Square project
- Look for housing developer for that site
- Consider a requirement for zoning ordinance that does not allow parking as stand-alone in downtown

- Archaic
- Valuable land
- Not want to happen again
- Mistake that got overlooked along the way
- Could happen again
- Recommend not add hotel as recommended
- Approve project as is
- Leave it the way it is
- Not set precedent
- Not the vision of the GPAC that hotels be residential
- Could adopt as is

Tanya, Live Oak Avenue, commented as follows:

- Civil Engineer
- Site layout awesome
- Well thought out
- Site sustainability thought about
- Resident – two young kids - Love connectivity of two properties
- Project provides a lot of attention to outdoor spaces
- Use this space and bring kids
- Support of project

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

Mayor Gurney asked for response to the public comment as follows:

- Cost of rooms
- Will workers be able to organize

The applicant replied as follows:

- Costs are envisioned to be in the off season in the range of $275-$285 - and weekends would be in the $350-$375 range
- Discussed organizing – small boutique hotel
- Have to deliver certain level of services and amenities
- Sell lifestyle experience
- Choose employees carefully
- Promote people that do great job
- Like flexibility of choosing staff
- Successful at doing so and providing level of service needed to execute operation

Mayor Gurney requested clarification on the height limit and talk of a penthouse.

The applicant stated there will be no penthouse.

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Mayor Gurney questioned the parking requirement of what is required and what is proposed and if parking is available for people who are not using the hotel.

Director Webster commented as follows:

- On street parking serves as resource
- Not dedicated to this project
- Free open public parking
- Code recognizes this as parking source
- Often used by patrons of businesses that have that frontage
- Addition of word hotel – as mentioned – there are different code provisions in the zoning ordinance, flood regulations that in some cases treat hotels as residential use and in others calls it a commercial use
- Ambiguity
- General Plan has list of zoning changes to look at
- Look at how hotel should be classified
- Hotel applicant applied for amendment
- No mystery of what Planning Commission understood - illustrated by recommendation of approval of zoning amendment
- This is for a residential use and therefore is consistent with proposed General Plan

City Manager McLaughlin commented as follows:

- If leave as written, it supports that this verbiage used throughout the zoning ordinance also includes hotel and motel
- Section in Zoning Ordinance that has definitions that include hotel/motel
- Recommendation leave word hotel
- Bolsters correct interpretation of Zoning Ordinance
- Can take General Plan and take this approval and link the two – will be clear and not ambiguous in the future

Mayo Gurney questioned if the zoning amendment is for this parcel only and that it is not going to change the height regulations for all of downtown.

Director Webster commented as follows:

- Stated it would change the height limit for the downtown CD district
- Is called for by the General Plan to make that height increase
- Likewise parking amendment would be available to other applicants in the City by approval of a use permit

Councilmember Eder questioned what he next step is for completion of this project (development process) assuming this project moves forward tonight.

City Manager McLaughlin commented as follows:

- Stated they would request Design Review Board approval

- Discussion of a development agreement and negotiation of benefits to hotel/City, if a City Council sub-committee is appointed this evening
- Sub-committee would meet with hotel representatives and return to the City Council with possible recommendation of a development agreement

Mayor Gurney suggested two items for discussion:

- Infusion into the façade improvement program
- Use of parking lot to have housing above

Councilmember Eder commented as follows:

- Stated the Council needs to remember what could have gone there
- 25% of projected parking is on street parking
- Questioned if there is an event at the Plaza and all the spaces are filled by non-hotel uses, is this project still adequately providing parking for City requirements for loss of those spaces

Director Webster commented as follows:

- Stated the project meets the City's parking requirements as proposed with on street parking spaces counted
- Discussed parking during the busy times downtown
- Stated the City policy allows these spaces to be counted
- Stated the parking analysis for this staff report indicated there would be adequate supply of parking provided

Councilmember Eder questioned if this project meets the parking requirements by using on street parking.

Director Webster discussed the peak parking demand and stated that the project is allowed to include the on street parking.

Mayor Gurney stated that CVS also has 64 extra public parking spaces with their new location.

The applicant commented that most cities require one parking space per room. He stated that is not necessary for hotels as they are not fully occupied or that people do not bring two cars when they are staying in a hotel. He stated the parking works well with the hotel and retail and believes the parking will be a benefit to the City.

Councilmember Eder questioned if there is 100% occupancy, which would mean 66 cars, is the overage of spaces allocated to the employees.

The applicant stated yes.

Councilmember Eder commented as follows:

- Stated this will take pressure off street parking

- Stated there has been concern that some projects plan parking such as CVS like it is December 24th year round
- Discussed a situation on Healdsburg Avenue with a restaurant and parking issues in the neighborhood
- Suggested leaving as many parking spaces as possible available

The applicant discussed promoting his employees to bike to work or to park across the street.

Vice Mayor Glass commented she believes the City is being optimistic of the parking spaces.

Director Webster stated that many cites do only require one space per room and that the City's requirements are higher than other cities typical hotel requirements.

Councilmember Jacob questioned if valet parking will be free to restaurant and hotel guests.

The applicant stated yes.

Councilmember Eder stated the he would be willing to make a motion to include the requirements for the creation of a sub-committee, and providing direction to that sub-committee. Councilmember Eder moved and Mayor Gurney seconded the motion to approve for introduction of first reading and waiving of further reading of Ordinance to increase maximum height allowances in the CD Downtown Core District from three to four stories, and to amend parking requirements in the Zoning Ordinance; creation of a sub-committee to represent the City and meet with the development proponents and toward creation of a development agreement; and give direction to the sub-committee that the negotiations result in that the parking area be retained for the surface level parking lot, and be made available for redevelopment for housing above it at a future date.

<u>Discussion:</u>
Director Webster commented that the direction to the sub-committee could be to negotiate with that in mind; however, it is not a condition of approval.

Councilmember Eder commented as follows:
- Stated there is confusion on that
- Stated is it unclear if this body is in the position this evening to impose any additional conditions of approval and requested clarification

City Manager McLaughlin commented as follows:
- Stated the Council is not in a position to place any further conditions of approval
- Stated direction can be given to the sub-committee to successfully negotiate retention of the right to build housing on that site

Councilmember Eder questioned if that is one of the goals of the City Council to have the negotiation result in that outcome and if so to give that instruction to the sub-committee.

Mayor Gurney stated the motion is compelling a result and is conditioning the project.

Councilmember Eder stated it is provided direction to the sub-committee.

Councilmember Jacob commented as follows:

- Stated there are two different things being discussed
- Stated one is the amendments
- Stated the other is a sub-committee and providing direction to the sub-committee
- Suggested having these be two separate motions

Vice Mayor Glass commented as follows:

- Stated she is confused as to the process
- Stated it seems odd to be approving a project and then moving on to the development agreement

City Manager McLaughlin commented as follows:

- Normal process in many places to approve a project first
- Project may request such things as fee deferrals
- Those would be handled in development agreement
- Can approve these zoning and parking amendments and appoint subcommittee

Councilmember Eder stated that was the intent of the motion.

Mayor Gurney recommended separate motions.

Councilmember Jacob commented as follows:

- Stated it seems backwards
- Suggested appointing a sub-committee first
- Stated there are other concerns for the City to address
- When comes to deferral of fees discussion – can talk about that
- Concern when talking of TOT kick-backs - collect taxes for reason
- TOT primary reason for approving project
- Not giving up TOT for any reason
- Highly concerned with living wage for employees
- Not as concerned with height or parking amendment request
- Concerned of parking lot creating dead space and not allowing for housing
- Create subcommittee tonight and provide direction

Mayor Gurney and Vice Mayor Glass concurred with those comments.

Councilmember Slayter commented as follows:

- Disagrees with TOT comments
- Not primary reason for approval of project

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- Primary reason for approval – significant improvement to City and its infrastructure and environs and amenities provided to residents both public and privately provided
- Remarkable how fast the tree is providing fruit when that community meeting invited the community to come and talk of what project would be supported
- Stated that was long before this group was involved
- TOT important but not top reason to support
- Deferral of TOT is at first glance not in favor of it
- Help housing situation in town
- Project like this removes a small handful of houses from online residential units
- Opening up housing rentals
- Discussed EV charging stations – good for subcommittee to address
- Be aggressive and have extras now
- Meeting space another subcommittee direction
- Securing rights of City to use
- Applicant stated it is their intent to continue that here
- That is important
- Missed opportunity with recent development in town
- Need to be written down and in an agreement
- Community meeting space is important
- Project improvements along Main Street - would like to see as significant nexus between projects
- Height limit – seems appropriate
- Direction of General Plan Update recommendation
- Higher density needs to be done to avoid sprawl
- Height limit in Zoning Ordinance can be interpreted in different ways
- Questioned if the 50 foot height limit for the project is absolute height of all parapet and equipment and equipment wells
- Needs to be firm
- Definition in Zoning Ordinance is fuzzy

Director Webster commented as follows:

- Discussed exceptions to height limits
- Certain building elements can exceed the height under the Zoning Ordinance
- Read the Zoning Ordinance exceptions

Councilmember Slayter stated he is in favor of the height and parking amendments and stated it is perfectly logical and reasonable.

Councilmember Eder withdrew his motion.

Councilmember Slayter moved and Councilmember Jacob second the motion to approve creation of a City Council sub-committee to work with the project proponents to discuss topics

such as those addressed by the City Council and in the record as well as the possibility of additional topics that are brought by the applicant.

Discussion:
Mayor Gurney discussed giving specific direction and stated that all the subcommittee can do is have a meeting and come back with a recommendation to the City Council and stated the recommendations would need to be discussed by the City Council.

Councilmember Eder commented as follows:

- Stated all topics are of equal weight
- Stated because this body cannot impose any additional condition of approval, this is the last chance this newly formed body will have to secure definite rights to develop the proposed surface level of parking space area in the development agreement
- Not know if this Council wants to restate a goal of creation of housing in the downtown
- Make more definitive statement of our desire to see that piece of property utilized for need of applicant but also used for more additional housing at some future date

Mayor Slayter stated procedurally he is not sure how that can be done tonight as the Council cannot impose any conditions tonight.

City Manager McLaughlin commented as follows:

- In the development agreement is where the City can negotiate terms
- If successful the agreement would be enforced like any other contract
- Stated the negotiations can also result in no agreement
- Project already conditioned at Planning Commission
- Council could continue item and wait the results of subcommittee

Mayor Gurney stated if this item is continued, it would be a different
Council hearing the recommendations and may make a different action.

Vice Mayor Glass questioned the process and asked if this development is not successful, what would be the outcome.

City Manager McLaughlin commented that the outcome would be if the Council approved the requested amendments, and there was no development agreement, the project would be approved and the applicant would go to Design Review. He stated there would be no benefits to the City or developer if there was no development agreement.

Mayor Gurney stated if a subcommittee were appointed, it is assumed that this item would be continued.

Councilmember Eder commented as follows:

- Order of two actions is important

- If approved tonight and then the subcommittee meets and is unsuccessful, the City has given away City rights for negotiations by having preapproved the project
- If hold negotiations first and predicate approval of these two items on successful negotiations

Mayor Gurney stated the decision is to approve creation of a City Council sub-committee to work with the project proponents to discussed topics such as addressed by the City Council and in the record as well as the possibility of additional topics that are brought by the applicant.

VOTE:
Ayes: Councilmembers Eder, Jacob, Slayter, Vice Mayor Glass and Mayor Gurney
Noes: None
Absent: None
Abstain: None
City Council Action: Approved Subcommittee to work with the project proponents to discuss topics such as those addressed by the City Council and in the record as well as the possibility of additional topics that are brought by the applicant.
Minute Order Number: 2016-059 (a)

Councilmember Slayter and Vice Mayor Glass both volunteered to be on the sub-committee.

Mayor Gurney moved and Councilmember Eder seconded the motion to appoint Vice Mayor Glass and Councilmember Slayter to the subcommittee,
VOTE:
Ayes: Councilmembers Eder, Jacob, Slayter, Vice Mayor Glass and Mayor Gurney
Noes: None
Absent: None
Abstain: None
City Council Action: Approved appointment of Vice Mayor Glass and Councilmember Slayter to the subcommittee,
Minute Order Number: 2016-059 (b)

Councilmember Jacob moved and Councilmember Eder seconded the motion to continue this until such time that the subcommittee reports back to the City Council.

Discussion:
Mayor Gurney questioned if Councilmember Jacob would like to explain his reasoning for continuing the item.

- Councilmember Jacob commented as follows:
  Discussed keeping this as a package
- Stated it is better to understand the development agreement with the product as a whole
- Stated it would be better for the new Council to have that

Mayor Gurney stated it would be left to the new Council and they will be informed of the efforts of the subcommittee.

Councilmember Eder stated it would be beneficial to the future City Council and also to the City and its citizens to delay or continue this item until such time that the outcome of the negotiations are known.

City Manager McLaughlin commented as follows:

- Discussed the number of subcommittees that are actively engaged:
- VMHP
- Rent Control
- Budget Subcommittee
- Pine Grove Square
- Discussed staff workload and stated it could be a challenge to get a quick development agreement

Mayor Gurney questioned if it was realistic that this could take six months.

City Manager McLaughlin stated the Council can direct staff to prioritize this item.

The applicant questioned if it was an option to not have the development agreement with the City.

City Manager McLaughlin commented yes, that a development agreement is only used when the applicant is asking concession of some sort such as deferral of fees.

Mayor Gurney stated the proponent could talk of a development agreement but indicates that they may not want to do it, but the City would like to have the conversation and questioned if that could happen.

City Manager McLaughlin commented as follows:

- The City cannot force an applicant to have a development agreement
- Stated the project has been approved by the Planning Commission and has received a Use Permit
- Other than text amendment approval, the City cannot force the conversation of a development agreement
- Applicant asked for some concessions in early conversations
- Negotiations is for both sides to get something
- Stated it starts with the applicant's request

Councilmember Eder questioned if the waiving of fees due to the City are financed over a period of time would it be wise to have in a development agreement.

City Manager McLaughlin stated if it is simple, the City can do that as a simple agreement without having a development agreement.

The Council was in concurrence that they would like to see this as a high priority by staff and the subcommittee and to be done as quickly as possible.

VOTE:

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

City Council Action: Approved continuation of item until such time that the Sub-committee, as representatives of the City, have met with the project proponents.
Minute Order Number: 2016-259 (c)

Mayor Gurney called for a recess at 8:54 pm and reconvened the meeting at 9:10 pm.

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

9. Discussion and Action of Way Finding Sign Program (Planning Director)

Planning Director Webster presented the staff report recommending the City Council discuss and provide final direction on the Way Finding Sign Program.

The consultant provided a presentation to the City Council.

The Council deliberated on the designs as follows:

Welcome Sign:

Image 1 – Image on right – thumbs up.

Councilmember Slayter discussed the letters being cut out allowing the concrete to show through the color band and questioned if they would be directly mounted.

The consultant stated it could be either way but would be in the final stage and all details will be called out.

Directional Signs:

Mayor Gurney questioned the word Sebastopol is reading down rather than up.

The consultant stated generally when we are looking up, we like to read from the top looking down (reading messages from top to bottom).

Mayor Gurney stated it may look like an image rather than a word.

Councilmember Slayter questioned how many small signs.

The consultant commented on the 14 primary signs.

Councilmember Eder questioned the materials.

The consultant commented she is looking at aluminum with ink jet printing to aluminum or could be painted with vinyl letters but that they will work with fabricator for their suggestions.

Councilmember Slayter commented on the single message vehicular direction signs mounted on single pole at center, the other have the blades and verbiage separate.

The consultant discussed costs and not having a large panel, but can do something like center mount.

Councilmember Slayter discussed parking directional signs have revised and are separated with the pole. He questioned to do that type of a design for single vehicle message as well.

The consultant stated it can be cost out.

The council was in concurrence with no center mount to the pole.

Pedestrian Directional Signs:

The consultant discussed the transit hub language for the sign in the downtown.

The Council was in concurrence with signs proposed.

Facility Signs:

The Council was in concurrence with the revised designs.

Parking Identification and Park Identification Signs:

Mayor Gurney stated these are harder to read (vertical).

The consultant stated this is not critical information but emphasizing the park and walk.

Councilmember Slayter discussed the base and depending where they are located (if in landscape) at great risk for weed whackers (either be elevated or protected somehow).

The consultant stated the ones in parking lots will be in the asphalt surface where in parks it would be in grass areas off the walk ways. She stated she will shore more detail in the designs.

The Council was in concurrence with the revised designs.

Map Kiosk:

The Council was in concurrence with the revised designs.

Mayor Gurney questioned the future steps.

The consultant stated the locations would be part of the implementation phase.

Mayor Gurney opened for public comment.

Ila Benavidez-Heister commented as follows:

- Hard for people who are visually impaired
- Going to have issues
- Discussed the signs and where the eyes go – stated it is junk
- Cinema – change to Rialto – or questioned if it was this way because of concern if it was sold
- Arrows – get confusing
- Have parking before Barlow
- Eye feeds into the sign
- Confusing when looking at sign when coming to town for the first time

Mr. Whitaker commented what if they cannot read and they cannot get directions from someone because they cannot hear.

The consultant replied to the comments:

- Not actual message
- Draft messaging given to staff for review
- In implementation stage – lay out each message
- Discussed different conventions
- If wanted programs for other situations, it would be something that accompanied a program like this visual program
- Cannot accommodate that in these designs
- Understand accessibility is very important
- Discussed having audio in map kiosk
- Stated that is a whole other project
- Have looked at ADA issues

Mayor Gurney questioned if the Council will have chance to review the final signs again.

The consultant stated yes. The consultant discussed the next steps (prepare design intent drawings by the end of the year; finalize sign locations plan and message inventory; prepare full size comps) leading to implementation phase. She also stated she will try to get rough costs.
City Council Action: The Council was in concurrence for approval of revised designs.

10. Discussion and Action of Request for Approval of Lease Agreement with KOWS Community Radio to construct and operate a 30-foot radio tower, with a 5-foot pole extension for a total height of 35 feet, at 1281 Pleasant Hill Road (City Manager)

City Manager McLaughlin presented the staff report recommending the City Council discuss and act on the request for approval of a lease agreement with KOWS Community Radio to construct and operate a 30-foot radio tower, with a 5-foot pole extension for a total height of 35 feet, at 1281 Pleasant Hill Road. He also stated this is not a gift of public funds and stated the lease provides for certain City benefits and stated there is significant public benefit.

Mayor Gurney opened for questions of staff. There were none at this time.

Mayor Gurney opened for public comment.

Ila Benavidez-Heaster commented as follows:

- Not in agreement with this
- Discussed her ethnic background and values to never violate the land
- Hard to watch this happen
- In disagreement

The Council discussed the list of benefits.

Councilmember Jacob stated it is a comprehensive list. Vice Mayor Glass concurred.

Councilmember Eder commented as follows:

- Stated it was broad range of benefits sand all are tangible
- Addressed ability for City to communicate better with its citizens and outreach
- See tangible benefits to City

Mayor Gurney liked the idea of broadcasting the City meetings and broadcasting agenda topics and items of interest.

Councilmember Jacob moved and Vice Mayor Glass seconded the motion to approve the lease agreement with KOWS Community Radio to construct and operate a 30-foot radio tower, with a 5-foot pole extension for a total height of 35 feet, at 1281 Pleasant Hill Road.

VOTE:

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

City Council Action: Approved the lease agreement with KOWS Community Radio to construct and operate a 30-foot radio tower, with a 5-foot pole extension for a total height of 35 feet, at 1281 Pleasant Hill Road.
Minute Order Number: 2016-261

11. Approval of Use of Council Initiative Funds to allocate funding to specific initiatives or projects. (Councilmember Eder)

Councilmember Eder presented the staff report recommending the City Council discuss and act on the request for approval of use of Council Initiative Funds to allocate funding to specific initiatives or projects.

Mayor Gurney opened for questions of staff.

Mayor Gurney stated that a continuing Council members can choose to use their funds at tonight's meeting or can choose to request use of funds at a future date. She questioned if Sebastopol World Friends bus transportation costs have been funded.

Councilmember Slayter discussed the Sebastopol World Friends increase in their community benefit grant application to cover that amount rather than having it as an unknown. He stated historically the Council has been able to use the Council initiative funds to cover that cost as well as through private donations. He stated the increased was granted during this Fiscal Year's budget.

Councilmember Jacob stated he would like to use his Council initiative funds and contribute $500 to Sebastopol World Friends.

Mayor Gurney opened for public comment. There was none.

Councilmember Eder stated he would like to contribute $500 to the Sebastopol Fire Department for purchase of an automated external defibrillator (AED).

Mayor Gurney moved and Councilmember Slayter seconded the motion to approve use of Council initiative funds as follows:

- Councilmember Eder stated he would like to contribute $500 to the Sebastopol Fire Department for purchase of an automated external defibrillator (AED).
- Councilmember Jacob stated he would like to use his Council initiative funds and contribute $500 to Sebastopol World Friends.

VOTE:
Ayes: Councilmembers Eder, Jacob, Slayter, Vice Mayor Glass and Mayor Gurney
Noes: None
Absent: None
Abstain: None
City Council Action: Approved use of Council initiative funds as follows:

- Councilmember Eder stated he would like to contribute $500 to the Sebastopol Fire Department for purchase of an automated external defibrillator (AED).
- Councilmember Jacob stated he would like to use his Council initiative funds and contribute $500 to Sebastopol World Friends.

Minute Order Number: 2016-262

The Council heard item number 5 at this time.

5. Approval and Adoption of the City of Sebastopol's General Plan and Final Environmental Impact Report (FEIR) (Planning Director)

Planning Director Webster presented the staff report recommending the City Council approve Adoption of the City of Sebastopol's General Plan and Final Environmental Impact Report.

The consultant was in attendance.

Mayor Gurney asked for questions of staff. There was none at this time.

Mayor Gurney reiterated her comments from earlier as follows:

- Discussed the former City Council Meeting where it was discussed that this item would be placed on the Consent Calendar unless a Councilmember notified the Assistant City Manager/City Clerk that they wanted it to be removed
- Assistant City Manager/City Clerk did not receive any requests to have this item be placed on the regular agenda
- Stated a member of the public could request a Councilmember have an item removed
- Indicated to all Councilmembers that if this item did not move forward as a consent item and was pulled, it would be placed on the regular agenda
- Stated she has not seen a request from the Council to remove this item

Mayor Gurney stated that Councilmember Jacob requested this item to be removed from the consent calendar tonight.

Mayor Gurney opened for public comment.

Nancy Prebilich commented as follows:

- Asked Director Webster to address the public response

Mayor Gurney stated this is not a back and forth and that the speaker had three minutes to provide her public comment.

Nancy Prebelich commented as follows:

- Stated she has been at the meetings of Land Use, General Plan Update, Planning Commission, etc.
- Spent 2 1.2 years in the process

- Met with staff about her property
- Stated she asked staff what was the best path to take (zone change or General Plan process)
- She stated staff stated the General Plan process was the best way to go
- Stated she gave a formal request to staff
- Stated she has received community support
- Demonstrated 80 years of precedent
- Issue with how discussion happened during the last Council meeting
- Asked the Council to explain to children, youth, elders, why General Plan Update is more concerned with housing than other elements (preservation of small town character, heritage, open space, green belts, etc.)
- Aware of delay tactic used tonight
- Questioned why housing always trumps
- Have procedures that need to be followed to affect change
- Stated this is like tell a child to do all their homework and ace a test but the teacher but not like them and gives then a D instead
- Stated it does not matter if she follows the rules
- Stated it does not matter what she does
- Stated she is doing the best of what she is capable of doing
- Stated it comes down to minority
- Stated she wrote a letter because she is tired of being ignored
- Discussed the obligation to represent the middle class

Brooklyn commented as follows:

- Not want this farm to go away
- Work on farm
- Learned how to castrate pigs
- Really cool experience
- Want to do again
- Doing hard work for farm and helping out this lady named Nancy

Rachel commented as follows:

- Respect everyone's opinion
- Not sure what is going on
- Anything that has to do with losing Nancy breaks her heart
- Known her forever
- Nancy's animals do more good than harm
- Not hurting anyone

Sandy commented as follows:

- Discussed Nancy's farm saving her son's life

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- Son dove in head first loving the hard work; learned how to ride a horse; learned how to milk a cow; how to build planters; move fences; works for money at other people' farms having learned skills from Nancy
- Heart of neighborhood
- Boutique farm
- Parents bring young children here
- Teenage boys come over and are put to the tasks
- Sebastopol built on rural farm lands
- About impinging real estate issues that could threaten her farm

Mr. Whitacker commented as follows:

- Walk by farm
- Good for community
- Like looking at animals
- Understand concerns
- Farm important part of Sebastopol

Louis Buckner, Pinecrest Avenue, commented as follows:

- Issue is emblematic of much bigger issue
- What really is the intrinsic quality of Sebastopol
- What makes us different
- Why we love to be here
- Farm to Table
- Healthy open space life style
- Qualities of rural and suburban interface
- Do nothing to improve the real quality of what this place means
- If preserve small open space that happens to be incredible educational small farm that benefits youth and community
- Look back 20 years – say yes to make a difference
- Not sell it out
- Not make anyone feel good when look back on it
- If built it will be ruined forever
- Chance to keep quality of land
- Keep as urban core in town
- Neighborhood supportive attribute
- Not make big policy and make it go away
- Make it retain what makes this place amazing

Martha Glaser commented as follows:

- Daughter heard of this earlier today
- In tears because of this
- Nancy closest as aunt and best friend and mentor to her daughter
- Stated her daughter got hurt and is lamenting not being able to help at the farm

- Did 6th grade project at Nancy's farm
- Seen Sebastopol change
- Some changes are regrettable
- Nancy's farm is one of these prized beloved and best thing in Sebastopol
- Nancy is a gem
- Does what she does out of tenacity, spirit, commitment, and to make a living
- Discussed Nancy's work and work ethic
- Stated Nancy should be valued

Steve Einstein commented as follows:

- Discussed the Earth flag
- Grateful to see it here
- Extension of the world we live in
- Apologize for not having studied or done homework for rationale for limiting or closing Nancy's small property
- Moved to Sebastopol for quirkiness
- Nancy is friend
- Witnessed many kids who have benefitted from this
- Many adults who go by and relate to these animals as pets in the neighborhood
- Creates warmth and welcoming
- Nancy is open to compromise and making appropriate adjustments in property or operation of small farm
- Convinced Nancy is open to making adjustments
- Hope Council can work with Nancy

Parker Litwin commented as follows:

- Nancy's place should stay open
- Like working with animals
- Works happily there

Kyle Litwin commented as follows:

- Goes to Nancy's place twice a week
- Milked cow
- Learned a lot about animals
- Enjoys it

Jacob Banks commented as follows:

- Lived in conservative urban areas
- Special thing to have in town like this
- Take care of animals
- Learned of animals
- Nice to have at front door
- Like it to be preserved

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- Like time there
- Important part of the town

David Suh commented as follows:

- Moved here from China
- Nancy is his neighbor
- Learned a lot here
- In China not be able to do stuff like this
- Lived in City in China
- Crowded and loud
- A lot of good times here

Amy Buckner commented as follows:

- Spoke of big picture of what Sebastopol is and what it can become
- Moved here a year and a half ago
- Something drew her to Nancy and her property and animals
- Feel huge investment made - financially and psychologically
- Not everyone gets chance to milk cow or hang out with animals
- Amazing thing for kids
- Living in place where City meets country
- Urged Council to make change to be agricultural area and not just be residential area

ila Benavidez-Heaster commented as follows:

- Discussed density
- Instead of high to medium or low
- Discussed students from Japan who come for extended periods of time
- Talking of more than trams-lateral skills
- Talking of what it means to love not being concrete
- Not impacting more on traffic
- Opportunity to take risk and challenge
- About health and what it means to be viable
- Important for us not to ignore the important things
- Juanita (owner of property) does not want it to be high density
- In high density what will you have accomplished
- What achieved
- Is it going to serve your town
- This is your unique moment
- Get something better in the long run
- Take the risk
- Don't build Legos
- Not have to have high density here
- Make it so people can breathe

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Karen Einstein Robinson Road

- Find confusing in approving hotel but making this issue non Sebastopol
- Threatening to take away something that is so Sebastopol
- If anything grandfather in it should be the nature of Nancy's property
- Thought of that is appalling
- See Sebastopol quirky special nature
- Why remove this special thing that is drawing the tourist here
- Not make sense
- Discussed connection with Nancy
- Nancy place refuge for daughter
- Nancy is mentor
- Take toddlers to Nancy (grandson)
- Cycle of life

A member of the audience commented as follows:

- Not understand how this allows her to only have cats, dogs and goats she cannot milk
- Explain how that is even considered while considering and approving a horrific hotel
- Non Sebastopol completely
- Do not get it
- Urged the Council to let Nancy keep farm

Bruce commented as follows:

- Moved to Sebastopol
- Lived in San Joaquin valley
- Sebastopol would like to become Healdsburg – but he does not want that
- This is combination community with apple trees
- It is nice to see a home farm/ranch and seeing neighbors working together with shared livestock and has values that comes with eating clean
- Basically the City should say this is a god model instead of paving over it
- Not interested in Council's view
- Allow them to live the way they want to live
- Urged a way to mediate and work through differences
- Not want to feel like they were robbed or beaten up

Morgan commented as follows

- Documentary filmmaker
- Documenting Nancy's life
- Thanked whole community for staying
- Thanked the Council
- Lend international perspective to this item
- Discussed documentary On Her Own
- Got to know her family
- Nancy had to put up with a lot of adversity with loss of parents

- Sister moved to Mississippi with children
- Nancy has embraced children of community and they embraced her
- Screened film all over the world
- Been received well
- Sebastopol viewed as special place
- Film is in 300 libraries
- Amazing thing small town like Sebastopol has such a strong impact globally
- Appreciate consideration of this
- Hear from community valuable thing
- Not asking to build massive structure
- Land is going to be fairly intact

Laura Litwin commented as follows:

- Thanked Robert Jacob for pulling this off the agenda
- Urged the Council to keep this in town
- Stated the farm means a lot to her

David Suh commented as follows:

- Learned a lot at Nancy's
- Keep Nancy's farm

Olivia commented as follows:

- Nancy's farm is special
- Discussed walking or riding her bike to school and passing Nancy's farm
- After school she stopped to pet the animals
- Holds a special place in heart
- If not there, there would be no new memories created by people who know the farm and no new people to discover the farm

Suzanna Banks commented as follows:

- Important and epic this farm is and what it means
- Not understand how to explain to the kids why this cannot exist in this community
- Take something so incredible and amazing away
- Not doing anything horrible

Mayor Gurney responded to public comment as follows:
Requested clarification from staff regarding the comment of advice from staff on which path to pursue

Director Webster commented as follows:

- Stated staff did meet with Nancy and identified options
- Stated participating in the General Plan process was one option
- Stated applying for a text amendment was another option

- Stated other applicants have gone through the process of text amendment
- Discussed the property on Bodega Avenue and stated it was a General Plan objective and the applicant filed an application and went through the process
- Stated his recollection of the purpose of the meeting was to identify options
- Stated the General Plan was one of those options
- Stated he does not believe that staff recommended a course of action

City Manager McLaughlin stated that Ms. Prebilich was given the option to pursue this through the General Plan process or through text amendment and stated that she indicated she would pursue this through the text amendment process. He also stated that Ms. Prebilich stated she would not be operating the farm or any other uses during the pending process.

Mayor Gurney stated as Mayor, she gave the City the Earth Flag as a gift during her term and stated it is important to have it here. She also discussed the perception that the General Plan as proposed is going to directly close down this use for one person and stated she is not sure the process could even do that.

Director Webster commented as follows:

- Current zoning does not allow some of the uses on the property
- Stated changing the General Plan designation would not directly affect those activities
- Stated an ordinance amendment would be needed to make the activities conform to City regulations
- Enforcement is different than land use designation
- Simply changing the land use designation would not necessarily change all the issues that have come up

Mayor Gurney questioned if responding positively to Nancy's request does not directly shut down operation (comments from people who feel emotionally threatened) nor does it legitimize all the things that are happening on this property.

Director Webster stated not necessarily.

Mayor Gurney stated that here are all types of animals on that property and other details with that property that the Council cannot get into details tonight.

Vice Mayor Glass questioned what was the previous land use designation for that parcel versus what is the updated Genera Plan recommendation.

The consultant commented that the 7600 Leland Street property is medium density residential which is not proposed to be changed in the General Plan. He stated the original request from Nancy was for 7605 Bodega which is currently median density residential and the General Plan is recommending high density. He stated Leland is not proposed to have a land use change with the General Plan update.

Mayor Gurney questioned the zoning – what is it now and what is it proposed – and is there a different request for a change to that property.

Director Webster commented as follows:

- Request is for low density (have couple of ag designations) allow some limited ag activities
- That is the nature of the request
- If granted Nancy would anticipate that perhaps further policy changes might be enacted in the Zoning Ordinance update to allow activities that are happening and being conducted now

Mayor Gurney questioned if the activities were approved for that zone, would that apply to all properties in that same zone.

Director Webster stated that is correct.

Mayor Gurney stated this is not person or property specific, but for the same zone.

Director Webster commented as follows:

- Stated there can be limitations on certain parcels (such as parcels above a certain size) to contain a certain number of animas for an example
- Stated there could be parameters
- Stated it would be rules for general application of the zoning district

City Manager McLaughlin commented as follows:

- Stated the discussion with Ms. Prebilich included the operation of a snack shed illegally located on City property
- Stated it violates zoning
- Stated it was discussed
- Stated it would need to take several actions to legalize everything that is occurring such as the:
- Farm Use
- Snack Shed
- Structure on City right of way
- Stated these issues were addressed by both the City Manager and Planning Director

Mayor Gurney commented as follows:

- Intent following direction from the whole Council was that this group convene tonight to approve the new General Plan
- Direction of this Council to be done on consent calendar
- Request tonight from Councilmember Jacob to remove the item
- Item was moved to the end of the agenda out of respect for the other four items
- Stated this came as a surprise to pull this off the consent calendar
- Discussed this coming forward at this late hour

- Acknowledged the number of people who came earlier thinking that this item would be discussed right away if it was taken off the consent calendar
- Acknowledged that they may not have returned tonight
- Stated this Council has done work over last two and half years
- Because of circumstances tonight, suggested that this approval of the General Plan be rolled over to the next Council and have one last haring
- Invite all people to discuss the General Plan
- Given community ample opportunity
- Council item be vetted is a priority since this was embarked upon – rather than have people feel shortchanged
- Reluctant to do that
- Know of the work the Council has done
- Commitment to approve this
- Recommendation of consultant throughout this process was to stick with it and get it done

Councilmember Slayter commented as follows:

- Discussed the Bodega Avenue property
- Should the land use designation change, is what is existing there currently stay and continue until some point in the future
- Questioned if this would be legal non-conforming use

Director Webster stated the City changed various land uses 20 years ago and stated changing the designation does not necessarily mean building, rebuilding, or demolishing items.

Councilmember Slayter commented as follows:

- Stated he understands the Zoning Ordinance and General Plan are in a weird place with the General Plan being approved and the Zoning Ordinance needing amendments
- Discussed the need for interpretation
- Questioned if property is currently zoned Medium Density Residential, it will potentially stay Medium Density Residential and not substantively change what is allowed or disallowed on that property

Director Webster stated the Zoning Ordinance may make some changes (lot sixes or use allowance) but the basic designation and description would not change substantially.

Councilmember Slayter commented as follows:

- In the current Residential Agriculture which allows for limited agricultural use, he did a search in the Code and found what was allowed and read the list of animals
- Stated he could not find where those were listed as allowed in any other zone

Director Webster commented as follows:

- Animal ordinance specifies certain agricultural type animas in certain zoning districts
- Numerical limit on animals and types of animals

- Lot size formula
- Allowances are pretty limited

Vice Mayor Glass commented as follows:

- Discussed the map
- See land use designation list and does not see Ag Res or Res Ag
- Not see any residential agriculture

Director Webster commented as follows:

- Stated in the General Plan that is correct
- Stated it is in the Zoning Ordinance
- Took designation and create within that a couple of different zoning district
- Implementation action of the General Plan

Vice Mayor Glass questioned if Res Ag applies to the Zoning as opposed to land use designation.

Mayor Gurney stated that would come later with the Zoning Ordinance amendments needed to conform to the General Plan and stated that is estimated to take a year or more of work.

Councilmember Eder commented as follows:

- Discussed the General Plan designation for this property on Leland Street is remaining the same as current is
- Stated there is a farm operating on that property
- Questioned whether it is conforming or not, is the City okay with it
- Questioned if a deal had been cut with the property owner
- Questioned if this is a separate issue
- Questioned what is the General Plan deal with for this property
- Discussed not changing the land use designation
- Discussed letting the activity on the property drive the zoning
- Stated the activity is already there
- Discussed the property on Bodega Avenue – not sure how much of the current operation of the farm latches on to that property
- Questioned whether the designation is medium or high density, it seems the only time it would be triggered for the use of the land is when the property is sold
- Discussed the operation as currently is would be existing, and unless abated by the City, would continue to be operated on that property as is despite the land use designation
- Stated it would fall to the ownership of the property if sold when the high density would be triggered if changed
- Stated the current use is not confirming and is a separate issue from the designation

Mayor Gurney commented as follows:

- Stated if the property sells, it means how the owner used the property would either end
- Stated the sale would be the trigger point if there is some interest in doing something like developing the property

- Stated that would trigger the permit process
- Questioned if a simple sale would not have that affect

Director Webster stated that is correct.

Councilmember Eder stated this is assuming that the current owner may not want high density or want to development and that it would only be triggered when sold

Vice Mayor Glass commented as follows:

- Believes the request was to down zone the property
- Questioned if downzoning to low density residential is going to make the property more likely to comply with the current zoning rules that have to do with that kind of farming activities
- Questioned if it remains the same would it make a difference

Director Webster commented as follows:

- Opens up more possibilities as far as agricultural related uses
- Stated it does not address all the issues that have happened on that property as the City Manager has indicated such as the structure along the road way
- Stated that would not be allowed in those districts
- Change would not allow the number of animals and types of animals that have been present on the property

Vice Mayor Glass questioned if the structure has anything to do with the designation.

Director Webster stated no, but stated there are some zoning ordinance amendments for allowances, but presently there are none approved for that property.

Mayor Gurney stated that either zoning will not, but that land use designation, cure the property of the problems related to the current uses.

Councilmember Slayter commented as follows:

- Read ordinance relating to animals
- Downzone would allow limited agriculture and husbandry activities
- Not to the level that has been in past
- All said tend to think losing touch with natural world
- Have this amenity and unique opportunity
- Unique property
- Has had bumpy road lately
- Bodega Avenue – interrupt zoning proposed on Bodega Avenue
- New zoning proposed map low density residential adjacent across from Leland
- Would entertain the idea of revision of the zoning map to allow the Leland property to low density residential as long as it conform so the laws
- Suggested leaving Bodega as high density residential

- Entertain Leland to low density to allow agriculture

Mayor Gurney commented as follows:

- Stated this property is not in compliance with the zoning code
- Needs to be a good faith effort to address these problems
- Stated that is the real tension
- Stated the City has rules that apply to all of us
- Rules are not being followed that relates to the current status of the property
- Stated there are problems related to that
- Stated addressing the downzoning does not solve those problems
- Discussed the Council being clear on the effects of the decision
- Stated there is a lot of support for horseback rides, pigs, etc.
- Stated a collection and number of animals would not disallow that

Councilmember Eder commented as follows:

- Discussed approving the General Plan
- Suggested medium density on Leland Street
- Suggested high density on Bodega Avenue
- Discussed if there is a way for the property on Leland Street, it is zoned as medium density, to apply for a legal nonconforming status
- Questioned if the City wanted to grandfather in generic terms, is there a process that can be applied that would grant special dispensation for that one property and still maintain the median density residential

Director Webster stated the applicant would need to apply for a General Plan or text amendment to allow for certain activities.

Mayor Gurney asked if it could be parcel specific.

Director Webster commented as follows:

- Stated only through a development agreement or subdivision approval
- Stated otherwise in most cases it is not parcel specific
- Stated a zoning ordinance change can apply within a classification of a zoning district

The consultant commented as follows:

- Discussed the ways to take what are the existing conditions right now that are not complying with the land use map or zoning code
- Discussed the planning path forward
- Stated this is a multi-step process
- First step to consider whether or not to change the land use designation
- Nancy has requested a low density residential
- Stated if it is changed as land use designation, down the road move to zoning map and zoning code revisions

- Stated the overriding rule of residential agricultural does not apply to medium density residential land use designation
- Stated it would be appropriate to apply low density residential
- Stated he would not like to have happen is years of community work that addresses larger issues of Sebastopol not get bogged down in the question of how many goats is ok
- Discussed in term soft General Plan to either leave as medium density or change to low density
- Stated if changed it allow to move to step 2
- Take up appropriate uses in residential agricultural zoning district
- Stated this will be over a 12-18 month period
- Can segment into pieces
- Move forward without slamming doors

Vice Mayor Glass commented as follows:

- In agreement with Councilmember Slayter
- Consider changing zoning of parcel to low density residential
- See parcel is right across street from yellow on map
- Surrounded by tan on map
- Biggest parcel on street
- Makes sense for what it is adjacent to
- Not creating an island
- In agreement with Councilmember Slayter

Mayor Gurney commented as follows:

- Important to realize this is not about Nancy as a person or her work in the community or contributions
- Stated this is not intended to be personalized
- Heard of personal contributions
- Not contesting that in any way
- Trying to make sure the community is informed of the next steps
- Discussed potential applicants here tonight
- Important members of Nancy's supporters understand the land use decision tonight is a global decision
- Are other parts to process that will be pursued in next year
- Engage Nancy in further processes
- Sharing that information transparent way without hope of threat
- Supportive of downzone to low density
- Maintain Bodega at high density

Councilmember Eder questioned if this Council should decide to take that move tonight, is the meeting appropriately noticed to take that action or if the Council were going to rezone a property would that generate a need for public noticing and public comment.

City Manager McLaughlin stated it has been properly noticed with respect to the General Plan and the zoning changes and process will have duly noticed meetings.

Councilmember Eder questioned if the downzone modification can be adopted tonight and this satisfies the EIR.

The consultant commented as follows:

- Stated this is two different actions
- One is related to CEQA compliance and one is related to the adoption of the General Plan
- Stated the Council can choose to adopt the General Plan with any Council directed edits that the Council see fits
- Stated the rezone is not on the table
- Suggest the motion to adopt the General Plan inclusive of any revisions

Vice Mayor Glass moved and Councilmember Slayter moved to certify and adopt the FEIR.

Discussion:
Mayor Gurney questioned if the Council could do one and not the other.

The consultant stated the Council could do that.

Mayor Gurney stated if all Councilmembers are satisfied with the amount of public comment and process this evening and do not need to continue this item.

VOTE:
Ayes: Councilmembers Eder, Jacob, Slayter, Vice Mayor Glass and Mayor Gurney
Noes: None
Absent: None
Abstain: None
City Council Action: Adopted and Certified the FEIR
Minute Order Number: 2016-056 (a)

Vice Mayor Glass oved and Councilmember Slayter seconded the motion to approve the land use designation map and land use designations specifically to property located at 7600 Leland Street from medium density residential to low density residential and approve adoption of the General Plan.
VOTE:
Ayes: Councilmembers Jacob, Slayter, Vice Mayor Glass and Mayor Gurney
Noes: None
Absent: None
Abstain: Councilmember Eder

City Council Action: Approved approve the land use designation map and land use designations specifically to property located at 7600 Leland Street from medium density residential to low density residential and approve adoption of the General Plan.
Minute Order Number: 2016-256 (b)
Resolution Numbers: 6112 and 6113

CITY COUNCIL REPORTS:

12. City Manager-Attorney/City Clerk Reports:
    - Reminder: Mayors and Councilmembers Meeting, Thursday, November 17th, Hosted by the Town of Windsor
    - Assistant City Clerk/City Manager will be attending a conference November 30 to December 2, 2016.
    - City Council received notification that Alternate Planning Commissioner Member Geoffrey Skinner has moved out of town and would therefore need to resign from the Planning Commission as he no longer meets the eligibility requirements as a member of the Planning Commission.
    - City Hall will be closed Wednesday, Thursday and Friday (November 23rd, 24th, and 25th)
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):
14. Council Communications Received: None
15. Future City Meeting Dates/Events (Informational Only): (See Agenda)

CLOSED SESSION: None

ADJOURNMENT: Mayor Gurney adjourned the regular City Council meeting at 11:30 pm. to the Regular City Council Meeting to be held on Tuesday, December 6, 2016 at 6:00 pm, at the Sebastopol Youth Annex/Teen Center, 425 Morris Street, Sebastopol, CA 95472.

Respectfully Submitted,

Mary Gourley
Assistant City Manager/City Clerk, MMC

DRAFT