

## CITY COUNCIL MEETING MINUTES

### MINUTES FOR Meeting of November 17, 2020

As Approved by the City Council at their regular meeting of December 15, 2020.

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. City Council video recording are kept for a period of one year from date of meeting.

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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.

SIMULTANEOUS MEETING COMPENSATION DISCLOSURE (Government Code § 54952.3): Members of the City Council receive no additional compensation as a result of convening a joint meeting of the City Council and Successor Agency to the Former Community Development Agency.

SB 751 Legislative bodies of local agencies must publicly report: (1) any action taken and (2) the vote or abstention on each action taken by each member present for the action at a meeting.

\*\*\*\*[GOVERNOR'S EXECUTIVE ORDER N-29-20](#)\*\*\*\*

\*\*RE CORONAVIRUS COVID-19\*\*

CITY COUNCIL MEETINGS WILL BE CONDUCTED PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS WHICH SUSPENDS CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT.

*This meeting complies with the Sonoma County Health Officer's COVID-19 Order to Shelter in Place issued on March 17, 2020, and pursuant to California Governor Newsom's Executive Order N-29-20 issued on March 17, 2020.*

#### CORONAVIRUS DISEASE (COVID-19) ADVISORY

To protect our constituents, City officials and City staff, the City requests all members of the public to follow the California Department of Health Services' guidance and the County of Sonoma's Public Health Officer Order for the Control of COVID-19 restricting group events and gatherings and maintaining social distancing.

Consistent with Executive Order N-29-20, in-person participation by the public will not be permitted and no physical location from which the public may observe the meeting will be available. Remote public participation information is available on the City website.

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 remotely to its meetings that are generally scheduled for the 1st and 3rd Tuesday of every month. Your interest and participation are encouraged and appreciated.

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City Council Regular Meetings are available in real time and archived on Livestream. Important Notice The City of Sebastopol shows both live broadcasts and Video Archive of City Council Meetings over the Internet. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice.

Here is the link: <http://bit.ly/sebcctv>

*There are times that the meetings may not be live streamed due to technical issues; if that is the case, the meeting will be video-taped and uploaded as soon as possible to the City Web Site.*

*Anyone using abusive, vulgar, offensive, threatening, or harassing language, personal attacks of any kind or offensive terms that target specific individuals or groups will be muted and removed from the meeting.*

**6:00 PM                      Convene Regular City Council Meeting (ZOOM VIRTUAL FORMAT)**

**CALL TO ORDER:** Mayor Slayter called the regular meeting to order at 6:02 p.m.

**ROLL CALL:**

Present: Mayor Patrick Slayter – By video teleconference  
Vice Mayor Una Glass – By video teleconference  
Councilmember Michael Carnacchi – By video teleconference  
Councilmember Sarah Gurney - By video teleconference  
Councilmember Neysa Hinton -By video teleconference

**Absent:** None

**Staff:** City Manager/City Attorney Larry McLaughlin  
Assistant City Manager/City Clerk Mary Gourley  
Administrative Services Director Ana Kwong  
Engineering Manager Henry Mikus  
Fire Chief Bill Braga  
Planning Director Kari Svanstrom  
Interim Police Chief Don Mort  
Public Works Superintendent Dante Del Prete

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

**PROCLAMATIONS/PRESENTATIONS:** There were none.

**PUBLIC COMMENT (for items not on the agenda).**

**Public Comments Received by Email Prior to the Meeting:**

A copy of the emails submitted prior to the City Council meeting have been made a part of the public record. A list of emails received are as follows and were made available to the City Council as well as placed on the city web site from the following persons:

- Kate Haug           General Public Comment
- zen Destiny        General Public Comment
- David Cary         Agenda Item 12, AB 571 and Local Campaign Contribution Limits

Kyle Falbo commented as follows:

- The third guiding principle in Sebastopol's General Plan is to improve traffic conditions in downtown to reduce congestion, reduce speeds, and expanded facilities for bicycles and pedestrians.
- Circulation Goal 1 provides alternatives to single occupant vehicles.
- Policy 1-3, a safety network, sees pedestrian and bicycle facilities as more important than accommodating vehicle circulation.
- It is clear that bicycle and pedestrian networks are fundamental to the General Plan for Sebastopol.
- Bodega Avenue is a road that is in critical need of both maintenance repair and upgrade to accommodate pedestrian and vehicle traffic.
- Section 17.110.030 of the municipal code, which is the schedule of off-street parking space requirements, does not seem to reflect our community values of non-vehicle focused housing that resonates in the General Plan. The proposed Bodega development consists of 84 units and based on this municipal code will require 150 parking spaces. 150 parking spaces does not suggest housing that is either pedestrian or bicycle focused.
- Across the country municipalities are recognizing that existing parking requirements that promote one vehicle per person are a self-fulfilling prophesy.
- It's likely time to change the municipal code to one that accurately reflects the value of our community. The municipal code should reflect our priorities.
- Any development on a transit line or a bicycle network should have a reduced amount of required parking spaces.
- Speaking of a bicycle network, it's my hope that Bodega Avenue will soon see bicycle lanes that are effective and safe.
- I want you to see the virtual background I display. The first slide shows the current layout of Bodega Avenue with lane sizes and a lack of any bicycle lanes. The second shows one scenario in which bicycle lanes can be squeezed into the existing roadways.
- However, likely not as inviting to bicyclists based on current traffic conditions.
- The third scenario promotes the use of bicycles and pedestrians by actively segregating this transportation away from vehicle traffic.
- Encourages this Council to explore the use of protected bicycle lanes whenever possible moving forward.

David Cary commented as follows:

- Thank you for your service and all the things do you.
- I want to make a few comments about what I see in the City Council race.

- I know that a lot of people look at that and they are focused on who's going to be elected.
- Who the winners are and who the losers are?
- From a democracy standpoint, I look at it and I kind of ask the question, how well is the election doing what it's supposed to?
- To allow voters to choose who represents them and how they delegate the members of the City Council.
- What I see is that the election didn't do very well.
- Regardless of who ends up being the winners, that only about 56% of the votes are going to count for the winners.
- The other 44% of the votes are not counting for somebody to represent voters on the City Council.
- You may think that that is the way elections are.
- We have unfortunately been taught to accept that kind of thing.
- To give you an example as a point of comparison, Amazon probably wouldn't be doing very well if they said, our goal is to make sure that 56% of the orders are filled accurately.
- Our local restaurants wouldn't be in business very long if they only fulfilled orders 56% of the time.
- You wouldn't want your pharmacy to be filling orders correctly only 56% of the time.
- That is how elections work today.
- That's a stark comparison of how we don't treat voters better as well as the way we treat people in the marketplace.
- It's an example of how using rank choice voting could help move us forward to have better, more representative elections, that the form of elections we have right now doesn't serve the voters of Sebastopol very well.

Rei Blaser commented as follows:

- I want to represent the Sebastopol Downtown Association and give a public thank you to Superintendent Del Prete and the Public Works crew for quickly and efficiently putting in the new tables along Weeks Way at the plaza.
- Also to thank again, the budget subcommittee and Council for assisting the SDA with acquiring grant money to fund those tables.
- I hope to find time to go downtown and check them out.
- I have seen people gathering at them, it's a good site. They look great.
- Thank you for your help getting these tables installed.

**STATEMENTS OF CONFLICTS OF INTEREST BY MAYOR/CITY COUNCILMEMBERS FOR ITEMS ON THE**

**AGENDA:** There were no statements of conflict of interest.

**CONSENT CALENDAR:**

Mayor Slayter read the consent calendar.

Mayor Slayter questioned if any Councilmember(s) wanted to remove any item(s) from the consent calendar.

Councilmember Gurney requested item number 8 be pulled from the consent calendar. She stated she would like to remove item number 8 to provide the Council updated information received today and also to discuss it.

Mayor Slayter asked for Public Comments on the Consent Calendar Item(s):

Public Comment on Consent Calendar: There were none.

**MOTION:**

Vice Mayor Glass moved and Councilmember Hinton seconded the motion to approve Consent Calendar Item(s) Number(s) 1, 2, 3, 4, 5, 6, 7, 9 and 10 (Item Number 8 was removed from the consent calendar).

Mayor Slayter called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

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

1. Approval of Minutes of the City Council Meeting of October 14, 2020 (City Council Special Meeting – City Budget) (Responsible Department: City Administration)

**City Council Action: Approved Minutes of the City Council Meeting of October 14, 2020 (City Council Special Meeting – City Budget)**

**Minute Order Number: 2020-229**

2. Approval of Minutes of the City Council Regular Meeting of October 20, 2020 (Responsible Department: City Administration)

**City Council Action: Approved Minutes of the City Council Regular Meeting of October 20, 2020**

**Minute Order Number: 2020-230**

3. Approval of Subcommittee Recommendation of the “Locals Who Make a Difference” Recognition Program Honoree (Responsible Department: City Council Sub-Committee/Public Works Department)

**City Council Action: Approved Subcommittee Recommendation of the “Locals Who Make a Difference” Recognition Program Honoree**

**Minute Order Number: 2020-231**

4. Approval of Contract (Contract Number: 2019-05) Park Village RV Pad Construction for a Contract Amount Not to Exceed \$89,610 and to Authorize City Manager to Execute Contract with Schaefer Engineering (Responsible Department: Engineering)

**City Council Action: Approved Contract (Contract Number: 2019-05) Park Village RV Pad Construction for a Contract Amount Not to Exceed \$89,610 and to Authorize City Manager to Execute Contract with Schaefer Engineering**

**Minute Order Number: 2020-232**

5. Approval of Acceptance of Bid for Well 7 Filter Media Replacement and Authorization to City Manager to Execute Contract for Contract Amount Not to Exceed Total \$68,400 with De Nora Water Technologies, Inc. for replacement of arsenic removal media and Fremouw Environmental Services Inc. to clean and remove media sludge from the Well 7 Backwash Vessel (Responsible Department: Public Works)

**City Council Action: Approved Acceptance of Bid for Well 7 Filter Media Replacement and Authorization to City Manager to Execute Contract for Contract Amount Not to Exceed Total \$68,400 with De Nora Water Technologies, Inc. for replacement of arsenic removal media and Fremouw Environmental Services Inc. to clean and remove media sludge from the Well 7 Backwash Vessel**

**Minute Order Number: 2020-233**

6. Approval of City Policy for Reserve Officer Uniform purchase and replacement (Responsible Department: Police)

**City Council Action: Approved City Policy for Reserve Officer Uniform purchase and replacement**

**Minute Order Number: 2020-234**

7. Approval of Revisions to the classification specification of Police Officer, effective November 17, 2020 (Responsible Department: Police/Human Resources Consultant)

**City Council Action: Approved Revisions to the classification specification of Police Officer, effective November 17, 2020**

**Minute Order Number: 2020-235**

- ~~8. Approval of PG&E Easement, Valentine Avenue and Libby Park (Responsible Department: Engineering)~~

9. Approval of Rejection of bids for ADA Curb Ramps SR116, Contract 2019-01 (Responsible Department: Engineering)

**City Council Action: Approved Rejection of bids for ADA Curb Ramps SR116, Contract 2019-01**

**Minute Order Number: 2020-237**

10. Approval of funding for Park Village Emergency Fire Damage Cleanup and Remediation Work (Responsible Department: Public Works)

**City Council Action: Approved Funding for Park Village Emergency Fire Damage Cleanup and Remediation Work**

**Minute Order Number: 2020-238**

**INFORMATIONAL ITEMS/PRESENTATION: NONE**

**PUBLIC HEARING(S): NONE**

**Item Number 8:**

8. Approval of PG&E Easement, Valentine Avenue and Libby Park (Responsible Department: Engineering)

Engineering Manager Mikus presented the agenda item recommending the City Council approve the PG&E Easement, Valentine Avenue and Libby Park.

Mayor Slayter opened for questions.

Councilmember Gurney commented as follows:

- I was reading the easement, which is page 6 of the report, and this paragraph gave me concern.
- Grantor has the right from time to time to trim or cut down any or all trees or brush in the easement area and they will have a right to cut down the brush along each side of the easement area, that may interfere with or be a hazard to the facilities installed hereunder.
- I looked at the City Engineer's red line photograph of where it was going to go.
- I was concerned because it passes through five other trees - all the trees on Valentine.
- Why are we giving PG&E this unfettered right to potentially injure or chop down our trees if they felt like it.
- He sent the answer to everybody in the group that I included when asking the question and read the email response from Joe Gaffney:
  - The red line I drew is not a precise location of the limits of the easement.
  - I drew it to give an indication of the location along Valentine Avenue.
  - I had PG&E crews take the time to check the impact on any trees.
  - The line is well clear of the trees along the north side of Libby Park.
  - In addition, I will be monitoring the job to make sure no trees are in danger.
- That report set me at ease in great measure.
- Joe Gaffney is saying the way this is intended to be done, our trees won't be hurt.

- I'm looking at a park that is mostly grass, open space and trees, and I was just curious if no trees are going to be hurt, why we are not assertively protecting the trees rather than giving PG&E this possibility.

Engineering Manager Mikus commented he thinks the easy answer is for us to redo the agreement, remove the offending paragraph, and bring it back to Council.

Councilmember Gurney commented as follows:

- That is what I was going request.
- Let's take out the chopping of trees when they feel like it and ask them to provide mitigation for any trees that are hurt.

City Manager McLaughlin commented as follows:

- Does not think it would need to return to Council.
- Staff can be directed to make that change.

Councilmember Gurney commented as follows:

- My understanding is that this easement is typical language, and as Joe Gaffney stated in a further email, that is boilerplate for an easement that is up in the air and not underground.
- We want to be updated, not go with boilerplate, and manage PG&E to our satisfaction protecting our parkland.

City Manager McLaughlin commented as follows:

- We certainly agree and I would like to assure the Council and public, that as Mr. Gaffney did, all these easements are examined for any impact to trees.
- The main operative language, they don't pay compensation, less than we want to take any tree we see.
- We'll make sure that boilerplate is not left in future agreements.

Councilmember Gurney commented as follows:

- Those changes I think would make it acceptable if we just delete that paragraph.
- That was the issue I wanted to bring before the Council today so that we are active and strategic in our interactions with PG&E.
- I think we had a similar difficulty, almost worse in the paving
- I think that was PG&E up there, and the street is not restored to the condition it was before.
- I think this is just another way to keep our City stating that trees are important in an open space park.

Mayor Slayter opened for public comment. There were none.

#### Council Deliberations:

Mayor Slayter commented as follows:

- This route was on one of my dog walks and went past there, and the aerial view that is provided in the packet, while accurate, is a little misleading in the sun angle and the sharp shadows that are shown on the photograph aren't really indicative of where the trees really are.
- The trees largely are further to the south than they appear.

- While I completely agree with Councilmember Gurney in wanting to protect our infrastructure, and I'm in favor of that simple revision, but the red line on this map looks a lot worse than it is in real life just due to the camera angle of the sun.

Councilmember Gurney commented as follows:

- That is what Joe Gaffney assured me it was.
- The trees are okay.
- Concerned with why we are still giving rights to PG&E.

MOTION:

Councilmember Gurney moved and Vice Mayor Glass seconded the motion to approve PG&E Easement, Valentine Avenue and Libby Park with the following amendment:

- Modification discussed to easement deed and to let staff move forward with that deletion.

Mayor Slayter called for a roll call vote. City staff conducted a roll call vote.

VOTE:

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

**City Council Action: Approved PG&E Easement, Valentine Avenue and Libby Park with the following amendment :**

**Modification discussed to easement deed and to let staff move forward with that deletion**

**Minute Order Number: 2020-236**

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

11. Discussion and Presentation by Amy Northam Northam, General Manager, REMIF (Redwood Empire Municipal insurance Fund). REMIF and Public Agency Risk Sharing Authority of California (PARSAC) have been working towards a merger of organizations. The merger will provide many benefits to member Cities/Towns, including eventually lower operating costs, long term stability, sustainability, and improved services, to name a few. The Transition Committee and staffs of both organizations have worked very hard to minimize impact on our cities/towns and to help ensure a seamless transition. The merged organization will be rebranded as the California Intergovernmental Risk Authority ("CIRA"), and it is our goal to begin operations on July 1, 2021. The Council will receive a presentation on the Redwood Empire Municipal Insurance Fund and the merger with Public Agency Risk Sharing Authority of California to create the California Intergovernmental Risk Authority; Discuss Joint Powers Agreement and Bylaws for the California Intergovernmental Risk Authority, which permits the merger or joining of the Redwood Empire Municipal Insurance Fund and the Public Agency Risk Sharing Authority of California; and discuss amended Joint Powers Agreement and Bylaws for Redwood Empire Municipal Insurance Fund, which permits the self-insured health program to remain under the Redwood Empire Municipal Insurance Fund  
 (Requestor: REMIF/City Manager)

Amy Northam, General Manager, Redwood Empire Municipal Insurance Fund (REMIF), presented the agenda item recommending the City Council:



1. Receive presentation on the Redwood Empire Municipal Insurance Fund and the merger with Public Agency Risk Sharing Authority of California to create the California Intergovernmental Risk Authority;
2. Discuss Joint Powers Agreement and Bylaws for the California Intergovernmental Risk Authority, which permits the merger or joining of the Redwood Empire Municipal Insurance Fund and the Public Agency Risk Sharing Authority of California
3. Discuss amended Joint Powers Agreement and Bylaws for Redwood Empire Municipal Insurance Fund, which permits the self-insured health program to remain under the Redwood Empire Municipal Insurance Fund

Mayor Slayter opened for questions.

Councilmember Gurney commented as follows:

- Mentioned that REMIF will continue with the health insurance plan but I don't know historically why PARSAC hasn't had one and why the new organization wouldn't want one, or perhaps City Manager McLaughlin understands why REMIF wants to keep it close to itself.
- Don't understand that decision.
- Can we receive additional information?

Amy Northam commented as follows:

- The health plan is actually fairly unique to public entity pools.
- There is only a handful throughout the state of California that offer the health insurance, the self-insured health plan.
- Why that is, I don't have a good answer other than it's scary to get into self-insured health.
- It's certainly a very large program to manage. A lot of pools just don't go in that direction.
- The vast majority of pools specialize in workers comp, liability, or property, but self-insured health is unique, and the REMIF members are interested in keeping it under our care, custody and control, at least for now.
- We would be open to bringing it over in the future; one of the reasons is the health plan is very important, particularly to our northern members where that is the only option, they have for health insurance for their employees.

City Manager McLaughlin commented as follows:

- The reasons may be somewhat on the emotional side.
- It's been a long learning experience for our board to deal with managing and having a health plan, and we've learned our lessons as we have gone through all that.
- We're just protective of it right now.
- I would say there is not a real distinct reason, but a reluctance to make that decision right this minute.

Councilmember Carnacchi commented as follows:

- One, in the beginning you mentioned that if all of the monies in the pool are not used up, that you return them to the city.
- How often does that actually happen?

Amy Northam commented as follows:

- It depends on the pool.
- REMIF has not returned money for quite some time.
- We dug ourselves in a bit of a hole and we needed to financially pull ourselves back out of it.
- We did have some assessments and we are starting to pull ourselves out of the hole.
- We are not in a position yet to return money.
- They have returned money to their members and sometimes the pool decides to use it for other programs or other training or stash it in a pot and use it for a rate stabilization fund so if rates one year in the future, if we see a spike in rates, we can pull money from that pot.
- It was definitely an over simplification when I was explaining that.
- PARSAC has returned money to the members, particularly from the worker's compensation fund.
- We look forward to starting fresh with them.
- Hopefully we will be able to return money to the members.

Councilmember Carnacchi commented as follows:

- Are the amounts of members claims available for other members to view?
- Can Point Arena look at Sebastopol claims and vice versa?

Amy Northam commented as follows:

- It is shared in an indirect way.
- Discussed total number needed to fund pool.
- The total number is allocated to all of the members.
- Spoke on the experience modification formula that they use.

Mayor Slayter questioned what the potential down sides to this are.

Amy Northam commented as follows:

- There are some absolute down sides.
- A lot of the down sides, we believe we have been able to work through already.
- One of the down sides is while we have similar cultures, there are differences amongst us.
- There is a sense of identity with REMIF.
- REMIF has been around since 1976.
- There is that identity.
- Are the REMIF members willing to give up that sense identity and move on to a new pool?
- While we are similar there are differences between us. We have a much different set of our board.
- They utilize a full board and an executive committee, as do we, but they have delegated a lot of responsibility to the executive committee.
- There is a difference in governance.
- Are we able and willing to give up governance?
- Each side, REMIF and PARSAC had to meet in the middle, and sometimes we pull the best from both.
- Sometimes we will pull pieces of PARSAC and sometimes we'll pull pieces of REMIF, and sometimes we start from scratch and create a process that neither one of us is doing.
- There is that sense of familiarity, REMIF has been around a long time, are we ready to change?
- We don't know what the market is going to be like.
- Of all times to do a merger, in a market like this, it's not ideal.

- This is a really, really tough market both for liability and property.
- I'm sure that everybody is familiar with the problems in the property market right now.
- This is a tough time to try to get it to go through.
- We are dedicated to make it happen and think we can still make it happen.
- We probably didn't pick the best time but is there ever a best time?

Mayor Slayter commented as follows:

- So REMIF, and I suppose PARSAC as well, there is the money that is invested, and I'm sure that is a fairly large number, does that suddenly land in some other organization's coffers?
- What is the separation between REMIF and the medical coverage and CIRA?
- I'm trying to understand the financial ramifications in a simplified way.

Amy Northam commented as follows:

- We are actually going to start CIRA with new claims starting 07.01.21.
- CIRA will start on 07.01.21 with zero money in their account and zero liability.
- We will start to collect contributions from there.
- There are old claims in workers comp and liability that will remain with REMIF and with PARSAC.

Mayor Slayter commented as follows:

- So a half-life
- Year by year by year claims will drop off.
- When all the claims are finished, hopefully there is still a pool of money left.
- What happens to the pool of money?

Amy Northam commented as follows:

- Half-life is a good description.
- Over time, the claims will diminish.
- Worker's compensation claims sometimes have a tail that can last for 30 years.
- Somebody gets injured and they need continuing medical treatment.
- Some of the claims may be open for a really long time.
- There are two things that can happen.
- One, maybe 8-10 years down the line, we look at combining all those.
- For ease of operations, bring it in to CIRA, and if there is money left over, again, we have a fairly complicated calculation that will allow us to figure out who the money belongs to and redistribute it to the members.

Mayor Slayter commented as follows:

- This is getting into some of the language.
- I am on page 157 in the full packet for the full meeting.
- I'm on page 15 of 109, the red on the bottom of the page.
- In the organization of CIRA, we have a number of documents, and this is the organization framework for CIRA and I see there is a PARSAC committee, why isn't there a REMIF committee?

Amy Northam commented as follows:

- Oddly enough when we started talking about merging with PARSAC to become CIRA, one of the major players in how the formation of CIRA would become was PERS.

- We didn't expect PERS to play such a major role in the formation of CIRA but here we are.
- From a PERS perspective, PARSAC is going to change its name to CIRA, and REMIF will join CIRA.
- For PARSAC, you will see it's formally known as.
- That will happen simultaneously.
- PARSAC will change its name and that is exclusively for the purpose of PERS.
- We had to get something in place and that is the only way we could get it to happen.

Mayor Slayter commented the larger question about that is who is looking out for the interests of the members formally known as REMIF?

Amy Northam commented:

- One of my major job responsibilities as a general manager of REMIF is to make sure that REMIF is represented fairly in all this, as well as members of the REMIF board.

Mayor Slayter commented:

- I see there are procedures here noted that executive committees and other entities within CIRA are required to have REMIF board members in leadership positions.

Amy Northam commented as follows:

- The executive committee is 13 members, and REMIF is guaranteed at least five of those positions.
- In preparation for the creation of CIRA, we put together a transition committee, and City Manager McLaughlin happens to be my board president as well as a member of the transition committee, a critical member of the transition committee, and we spent a lot of time talking about the details and the creation of CIRA.
- We are meeting about once a month because we have a lot of work to do in a short amount of time.
- City Manager McLaughlin is a member of transition committee.

Mayor Slayter commented as follows:

- One final question, this is on page 22 of 109.
- The final article, 21, power of designated party talks about restrictions upon the manner of exercising power and references the City of Sebastopol, what are these restrictions?

Amy Northam commented as follows:

- I think that is the last line in the JPA agreement.
- REMIF, as I mentioned before, is a public entity and we follow the government code.
- We don't come under the insurance code.
- We have a set of documents that tell us we have a policy on credit cards and on our finances and what not.
- Every now and then, something may come up where we don't have a formal policy on something.
- We need to look to the government code to find that answer and the government code, I'm sure as everyone is well aware on this call, is not a small document.
- It's very large and there are parts that cover counties, parts that cover special districts, school districts, and cities.
- We needed something to direct REMIF and CIRA, to portions of the government code that identify with cities and we chose the City of Rancho Cucamonga and the City of Sebastopol.

Mayor Slayter commented as follows:

- My understanding is when a JPA is created, the JPA is granted every right that the member cities have.
- A shorthand explanation of that would be if the JPA is created and the city has the right of eminent domain then the JPA also has the right of eminent domain.
- Does that organizing theory have any impact at all on this new entity?

City Manager McLaughlin commented as follows:

- We're guided by our bylaws.
- I think that restricts that to some extent.
- I always saw it as powers that are delegated to the JPA, that's why the boards meet like they do to exercise the powers that are delegated to those boards.

Mayor Slayter commented as follows:

- I can't think of a specific example where that would be relevant, but I'm also unclear, I don't know all of the different rights that individual entities have from a legal perspective and what then is sort of heritage or legacy rights that then get passed to a new entity.
- Want to make sure CIRA is not suddenly being granted rights and powers that maybe the Council would not want to grant.
- It doesn't seem like that's the case given it's largely a legacy of REMIF and we've been pleased with REMIF over the years.

Amy Northam commented as follows:

- The JPA outlines the authority CIRA has.
- If we did anything outside of that we'd have to come back to the board for approval on that.
- If we made changes to the JPA agreement it would have to come back to the cities as well.

Councilmember Hinton commented as follows:

- Somebody was bringing up claims that stay with REMIF and don't move forward and returning money to the city.
- I'm thinking the opposite because claims tend to cost more than anticipated, would we possibly have to add money to that kitty as well as our membership moving forward?
- We could be paying on two entities because claims are separated.

Amy Northam commented as follows:

- That is absolutely true. I don't want to mislead you at all.
- If there is a claim that shows up in REMIF that we haven't properly funded for we would need to gather additional monies from our members to pay for those claims.

Council Member Hinton commented as follows:

- Let's just say Sebastopol has more claims than another city.
- Is it collected from everybody because we were a group equally or would we pay more because we have more outstanding claims dragging along in the tail?

Amy Northam commented as follows:

- Both, all of the members would need to contribute.
- Sebastopol would not be singled out.
- If we got a high dollar claim from Sebastopol before the merger happens, or that's just now being reported, we would not need to collect money just from Sebastopol.
- That's the whole purpose of pooling.
- However, when we do gather all that money from all of the members, we have to come up with some sort of formula to allocate it back out, if Sebastopol claims are significantly higher, the formula we come up with to allocate everything to the cities, Sebastopol's may be higher than it has been in previous years.
- The formula that we use has capping in it, there is a ceiling and a floor.
- We smooth it out as much as we can.

City Manager McLaughlin commented as follows:

- It is smoothed out, that's the whole purpose of being in a pool.
- No one city will suffer a great detriment by reason of having a high claim.
- It is considered as part of the formula.
- It is not devastating as it might be if you were insured on your own, or self-insured.

Councilmember Gurney commented as follows:

- Just following up on Mayor Slayter's question, with the JPA as it's written, are there paragraphs that are outstanding as really new and different from how REMIF is organized or how things are covered.
- Is there something you would highlight to us as importantly new or different?

Amy Northam commented as follows:

- Generally speaking, they're very similar.
- We're not recreating the wheel.
- Our general council is actually the one that drafted the CIRA documents.
- One of the significant differences is the formation of the executive committee in its relation to the day-to-day operations.
- Under REMIF, our board of directors really decides the day-to-day operations.
- Under CIRA, a lot of that would be delegated to the executive committee.
- That's a fairly significant difference from how we would operate and how we do operate now.
- That's the primary difference I would highlight for you.

Vice Mayor Glass commented as follows:

- What exactly do you mean by day-to-day operations?
- How would you define that?

Amy Northam commented as follows:

- It is not paying the bills.
- We have a budget, and for CIRA it's actually a zero-based budget so we're starting from scratch and building our budget up.
- The budget, for example, is something under REMIF that the REMIF board would approve but under CIRA, the CIRA board would actually approve that as well.

- The settlement of claims with certain dollar amounts under REMIF has to go to our full board of directors.
- Under CIRA it would have to be a really high dollar amount before going to CIRA.
- Another difference would be my position, the review of my position right now is with the REMIF board, under CIRA it would be under the executive committee.
- The executive committee under CIRA has decision to appoint members to committees where under REMIF that's a decision of the board.
- It's those kind of day-to-day operations.
- The authority to cut checks and what not, as long as it's within the budgeted amount, that all gets delegated to staff.
- I think the board would go nuts if they had to get approval for everything.

Mayor Slayter commented on page 35 of 109, the list of proposed members, I suppose it's proposed at this point, I haven't searched out every single one of these as far as size goes, but it looks like a city the size of Rohnert Park is a large city, do you know which is the largest?

Amy Northam commented as follows:

- In the CIRA group it's Rancho Cucamonga, they would be the largest.
- Members from PARSAC would be staff from both the largest city and smallest city.
- So they have Rancho Cucamonga and Point Arena.
- Tulare county has a city that has one full-time employee.
- The City of Rancho Cucamonga is their largest with approximately 200,000 residents.

Mayor Slayter opened for public comment.

Kyle Falbo commented as follows:

- I encourage this Council to share values of police oversight, public safety, and fiscal responsibility.
- Shared governance and mutual aid are only as strong as its weakest member.
- Should Sebastopol decide to join with municipalities on this, they will be at risk to the actions or inactions of each of these municipalities. Past and pending civil litigations of these municipalities should be investigated. Any litigation involving police misconduct should be recognized as concerning and scrutinized before decisions are made especially if we're allowing settlement decisions to be in the hand of the executive board which our current board doesn't even make up a meaningful majority.

#### Council Deliberations:

City Administration commented as follows:

- We did have all the documents attached to the staff report tonight for approval if the Council did want to go ahead and approve it.
- If there was further discussion, we could bring it back to the next Council meeting, we were assuming we'd come back on consent but we had discussed attaching everything for the Council tonight.
- It would be up to the Council if they would like to approve it tonight or place it on the consent calendar of the next meeting.

Mayor Slayter commented as follows:

- That's the conversation I remember us having at agenda review was that we could do this at one meeting and then Ms. Northam said maybe it will be at our next meeting.
- Thank you for that clarification.

Councilmember Gurney requested a reply to Mr. Falbo's comments.

City Manager McLaughlin commented as follows:

- May need Ms. Northam's help here whether we'd examine the types of claims that CIRA has had with some of its member cities.
- In the present day we've had a lot of claims, besides wildfire claims and flood claims, we've had a lot of activity in the police areas in terms of court filings and so forth.
- I don't know whether there's actually been an examination of the claim's history through PARSAC or not.

Amy Northam commented as follows:

- I don't disagree with anything that Mr. Falbo shared.
- I think who we play with in the sandbox is absolutely critical.
- Who we partner with is critical?
- What happened in Arcadia matters, what happens in Sebastopol matters, what happens in Lakeport matters, because all our plains are together so it's absolutely critical that we select the correct partners in a risk-sharing pool.
- The members of REMIF and the members of PARSAC are actually incredibly similar.
- While some members of PARSAC are larger, and some members of PARSAC are smaller, we're all generally small to medium-sized cities.
- Their losses are remarkably similar to REMIF's losses.
- I'm not aware of anything that stands out as a concern or problematic, on the workers compensation claims you could swap out one REMIF city for one PARSAC city.
- One of us is slightly higher in claims count and the other one is slightly higher on average on claims count and the other is slightly higher on the cost of the claims in total.
- They're very similar.
- That's just a matter of time where one will swap with the other.
- We call that severity and frequency.
- They are absolutely remarkably similar.
- I'm not aware of anything that's a red flag at this point but if there is something that's a red flag our transition committee will be made aware of that.

Vice Mayor Glass commented as follows:

- I actually do think that is a reasonable question, particularly in today's atmosphere.
- I do wonder if it would be a good to have City Manager McLaughlin consider giving us a report on the sort of claims, if there's anything that is a red flag amongst these cities.
- In some respects, I kind of feel like when we get involved, and I hope staff is not going to strangle me for saying this, but, if when we get involved in a JPA that is where we actually can leverage our power as a little tiny city towards influencing good policy in other cities.
- If we're scrutinizing the people that we're playing with and saying we just want to play with people that have, for example, a policy of no chokeholds in their police department, those are the kinds of cities we want to do business with.



- For one, we're probably lowering our cost, lowering our liability.
- But we're also influencing globally the policies of other cities because other people are going to get on board.
- I'm just wondering if we should think about that a little more.

Mayor Slayter commented as follows:

- That's an interesting point and the other thing that we need to keep in mind is that the member cities of PARSAC and the member cities of REMIF, I'm not sure what other options exist.
- We need to have an eye on reality for all these other cities as well as ourselves and, I think the underlying or unsaid issue here is that in a lot of ways the board of REMIF have already done a significant amount of work and the ship has already, it's not left the port, but it's pretty much untied, so I don't know what other options exist if some sort of membership malfeasance is uncovered in a review, I'm not saying I'm in favor of doing it, I think it's an excellent idea, and we just need to be realistic about what that actually means.
- That's the question, are there any other options?

City Manager McLaughlin commented as follows:

- I mean, both organizations clearly examine their claims intently every year.
- We do that and I know PARSAC does that, they want to limit liability exposure.
- That helps bring down premiums.
- That helps reduce claims.
- All of the problematic areas that you can think of do lead to the potential of higher premiums.
- Both organizations definitely have the same goal in mind of reducing their liability exposure and not doing the type of things, for example, through their police organization that would bring claims.
- That's in general.
- Specifically, to look at each organization's individual claims and what types of claims, how, what are the facts that led to the claim, what was done about after the claim was settled.
- It's got to be quite difficult especially in a short period of time to do that kind of level of analysis of all of the PARSAC cities.
- We know a lot about the 15 cities that make up our pool.
- To get that same level of understanding for all of the PARSAC cities would be quite different, especially in a short period of time.
- We could provide information back about the work that's done in each organization to limit claims exposure to ascertain questionable practices and put an end to those questionable practices, again, bearing in mind, looking always at liability exposure and trying to control that.
- So both organizations I know do that, would be pretty easy to demonstrate that to the City Council.
- To examine each individual type of claim and look for trend or issues or information about a claim that happened two or three years ago in one particular city, I don't think we've done that analysis and that would be quite difficult.

Amy Northam commented as follows:

- What I could add to that is City Manager McLaughlin is absolutely right.
- I can tell you within the REMIF cities which city leans towards sidewalk claims, which city leans towards sweep claims.

- We definitely have that trending.
- That's almost a matter of chance.
- Every city will end up having a sidewalk claim.
- Trending factors that happen naturally in the course of business, I don't know the PARSAC cities well enough to say which cities are trending or not.
- I can give you a little bit more information on PARSAC but PARSAC percentage wise has less cities police than REMIF does.
- I don't have a specific number and I apologize for that but REMIF has 13 of our 15 members the percentage the PARSAC is much lower so we have a higher police exposure than they do.
- I can also share with you that our finance managers, REMIF finance manager and several excess pools have looked at all of the claims and an actuary has looked at the claims as well and the actuary that looked at the claims is the same actuary that looked at our claims and nothing has been brought up as a red flag from actuarial perimeter and mayor asked if there's other options besides REMIF and PARSAC and yes there are other options.
- One of the options one of the most realistic options for Sebastopol at this point is a group called prism, a very, very large organization, very large JPA and Sebastopol would not have a seat at the table with prism.
- They're a very large organization that is practically an insurance company and likely will be an insurance company very soon.
- That's absolutely an option for Sebastopol as well.
- The only down side is Sebastopol would not have a voice at the table just because of such a large organization prism covers counties, many cities, school districts they have a large municipality and public entities in general throughout.
- Other than that, there's not a lot of options for Sebastopol based on the deductible level Sebastopol is at.
- Sebastopol wanted to significantly increase their deductible level, right now on liability, I believe Sebastopol has a \$10,000 deductible.
- They were willing to move up to \$500,000 or \$250,000 deductible there would be more options.
- But options at that layer with that small of a deductible are pretty much REMIF and PARSAC.

Vice Mayor Glass commented as follows:

- Not wanting to do that is why we joined the pool.
- Who does the County of Sonoma work with?
- One of the pluses is that I've always had concerns that the REMIF pool is so geographically tight.
- We're in this pool that are now everybody in the pool is feeling the fire.
- Everybody in the pool is feeling the floods.
- If there's an earthquake here there's going to be an earthquake in Lake County.
- But if we are in a pool with people in Southern California, we're spreading out the risk.
- I think that is a good thing.
- But then there's other kinds of risk.
- The other kinds of risk are the behavior of our fellow people in the pool.

Amy Northam commented as follows:

- I absolutely agree with you.
- There are allowances in the JPA agreement to show a member to the door.

- If we have a member that's behaving badly and refuses to change things at the direction of the board, that member can be shown the door, and there's a REMIF member that was actually shown the door many, many years ago.
- It's not unheard of at REMIF for that to happen.
- The same is true for CIRA as well.
- If there is a member that joins CIRA or becomes problematic the board can take steps to show that member to the door.

Mayor Slayter commented as follows:

- How much information would be reasonably available to answer the questions that we're all sort of hinting at about other members that Vice Mayor Glass most eloquently described?
- Could useful information about that be reported to the Council and members of the public at our next meeting, or is that something that is more complex and more difficult and maybe even confidential in that we couldn't receive a report on?
- How good would the information be?

City Manager McLaughlin commented as follows:

- I've been on the REMIF board since 2012.
- It takes several years to know your other co-cities well enough to be able to say, wait a minute, didn't you have this kind of claim, didn't you have that kind of claim?
- To know that is time-consuming from the city that are in your own JPA.
- I'm not sure what information I'm going to be able to come up with in the next couple weeks regarding the PARSAC cities except what PARSAC does in terms of risk management, how they work to avoid and reduce liability exposure, how they try and achieve a safer workplace, better police practices, and so forth, through their risk management portions of their operations.
- As far as knowing what other cities have done, what kind of claims they've had, difficulties that were shown by those claims, I don't know how long it would take to get that information but I think it would be a lot longer than two weeks.

Amy Northam commented as follows:

- PARSAC is actually a bit stronger, I would say than REMIF in the form of risk management.
- They have a risk manager on staff and it's part of the merger with CIRA, we'll be members of CIRA.
- The intent is that that risk manager used to work for Google and now works for PARSAC and the REMIF members will have access to those risk management services.
- The intent is he will go out to the city, maybe virtually right now, but hopefully at some point face-to-face with the city and do a risk assessment with both REMIF members and PARSAC members to get a feel for what's going on, what are you doing right, what are you doing wrong, and what can we do.
- There will be a really strong risk management piece so we can really start to take a look at the missing pieces.
- From a claim's perspective, REMIF has a sidewalk claim right now, it's actually a death claim, it's more from a dollars and cents perspective than the type of claim.
- Generally speaking, these police claims are very, very difficult for cities and JPA's right now for obvious reasons.

- There are some claims that can be costly, we may look at as just a sidewalk claim, but a dangerous condition of public property is what it's called.
- You may see two claims but it's the dollar signs that are behind those that really determine how impactful a claim would be on the pool.
- We could get dollar information for you most likely, but not the specifics on the types of claims.

Mayor Slayter commented as follows:

- I'll ask the Vice Mayor since it was her question about her comfort level with asking for more information and her feeling on the usefulness of that.
- What's your sense right now in what we would be able to ascertain?

Vice Mayor Glass commented as follows:

- We have geographic risk in various forms but we also have risk involved with who's in the pool.
- I see our city as an activist city that works to move policy in a good direction, maybe not globally, but at least in our region and in the state of California.
- What kind of positive influence can we have on moving policy in a good direction?
- One of the ways you can do that has to do with JPA's and it has to do with relationships you get into with other organizations regionally.
- As a city, we are trying to move the agenda in a positive direction regarding climate change and the environment and our other issue is social justice and policing and police services.
- Is there something we can do here to move the agenda forward, to make a positive contribution in more than just our city?

Councilmember Hinton commented as follows:

- I agree philosophically with everything Vice Mayor Glass is talking about, but we are a member of a 14-city pool currently.
- I feel like our presenter was on presenting to another city before she jumped on this call.
- I thought the question was, do we decide tonight or do we push it off for couple more weeks, and then all these questions came up.
- Of course we don't want to be out there hanging on our own.
- We're kind of part of REMIF already.
- I go back to City Manager McLaughlin and ask, has this been vetted?
- Are the members generally in favor of it?
- We're just getting presentations.
- Have other cities already voted to move forward.
- We could delay but we're part of a group and what do we think that group is doing?
- Once we move forward, we can obviously have an impact.
- Should we delay?
- Or is everybody in favor?
- This is just a presentation tonight but City Manager McLaughlin has been dealing with this for months and knows the insights.

City Manager McLaughlin commented as follows:

- The other cities I think are all in favor of it.
- Sometimes the City Council's and some cities are hearing some of this for the very first time and other times they're quite knowledgeable.
- We've had some that have had a range of board member experience.

- How much cities know about the organizations of REMIF does vary, but it's been solid.
- The board has been in favor of exploring this carefully for the entire time.
- I think that it's pretty apparent that this is a merger that's going to take place.
- The second half of that thought is to assure the Council, it's very difficult to overstate how much work has gone into vetting the entire process.
- It's not just the transition committee which has been meeting for hours and hours, it's the highly skilled assistance of numerous attorneys and other experts and actuaries that have looked at this.
- Unfortunately, the situation with insurance companies, and this is not insurance company, but it is a similar situation.
- You're constantly looking at claims experience, risk management, liability exposures, it all translates down to dollars and exposures.
- Minimizing that exposure and minimizing the premiums you have to pay for outside insurance.
- It's more of that than it is the political aspect of how do they run their cities, their police force.
- You get a feeling for that once you've been on the board for a number of years because you finally see enough claims where the claim level has brought it to the executive committee or the board level.
- You receive the details about claims, and you get a better feeling at that point in time for how other cities manage their police force, their public works employees, and their risk exposure.
- We still don't know exactly what their politics are, who is on their City Council, what they were looking for when they hired their last police chief, or what their relationship is with their police union, you don't know those things.
- You don't learn those things in the course of trying to manage risk and run a claims organization.
- I would say that this has been so fully analyzed and carefully constructed that the other cities feel a high level of confidence that this has been really looked at in terms of governance, in terms of the finances, in terms of the benefits to be derived for each city from the better negotiating posture you will have as a larger organization, you're better able to smooth out your finances with more cities involved.
- From all those perspectives of saving citizens money, saving taxpayers money, to get more for your money.
- All those things are important too, and they have all been looked at in minute detail and I think the other cities have recognized that.
- I think there's universal support for this.

Mayor Slayter commented as follows:

- I'm hearing that there are two options.
- There's this option, and then there's the significantly larger no seat at the table option and I pretty much guarantee that there's going to be some communities in that other prism.
- That group that may not have alignment with what we might consider widely held community values.
- The ability for a small city like Sebastopol to move the needle in an organization like what I think is proposed here in CIRA, the ability to change the behavior of other members in a direction that is maybe a little bit more in alignment with what we like to do around here, I think that that ability is much greater in a smaller organization.
- I think we're seeing that the effect of the really small organization like REMIF really isn't a viable option these days and for all the reasons the Vice Mayor pointed out, as a very small region, we're all in the same risk pool.

- I'm quite comfortable with the CIRA model, I look at the list of cities and I think I have some experience with that group of people.
- My comfort level with that list is reasonably high.
- Not getting down into the weeds with each of them as to what's going on but we don't have a lot of options here.
- The way I look at it is that we're in a situation where REMIF and the board of REMIF and our representative of that board who is chair, who is somebody we all know and appreciate deeply is recommending this.
- That carries a lot of weight to me.

Councilmember Gurney commented as follows:

- I appreciate your comments City Manager McLaughlin, you're zeroing in on the business point of view.
- I appreciate Mayor Slayter's comments as well about the choices in front of us being pretty clear.
- I want to get back to the Vice Mayor's concern though.
- We don't know the politics of the other cities but we do want to move policy in the direction that we believe in, that's our responsibility.
- Is there some process in the JPA that would allow us the opportunity to make statements, or involve other cities in the group in that kind of conversation?
- For instance, if the on-staff risk manager can go from city to city to interview and assess things, to say this is what you do good, and this is what you need to improve.
- Is that the conduit we have to shine the light on the policies that we're particularly interested in so that they get to other cities?
- What would be the process for political people to influence other political people in the way of our community held values?

City Manager McLaughlin commented as follows:

- I could promise that we would come back to you once the JPA gets going.
- We could provide periodic reports to the Council on what their risk management practices review has disclosed, whether there's any problematic areas there and generally speaking what the conclusions are.
- They tend to look at it in terms of risk management and liability exposure more than the political process of how do you select your staff, how do you select your police chief, or what the philosophy is in terms of various police practices.
- Some of that is disclosed in a risk-management assessment.
- Some of that is not known unless you actually were in that community and were aware of the politics like we are for the other cities in Sonoma county.
- I could give some PARSAC members a rundown on most of the cities in our county pretty easily now.
- They could probably do the same on their own, from their own city.
- You have to be around a while to live with that and interact with it in order to be able to give at that level.
- This is an insurance situation even though it's not insurance.
- It is insurance in terms of risk management and liability exposure, minimizing the cost to the individual members, limiting claims and protecting citizens tax dollars.

- Those are always going to be the primary aspects of running a risk pool, like an insurance company.
- I have been involved with REMIF for a long time.
- It is in recent years, since we took the good step of hiring Ms. Northam, we have really done a lot more work in terms of our own risk manager and group individual practices, we're doing a lot more of that now than previously and I'm sure that will be the case with CIRA as well.
- We can report back to the Council on some of these things.

Vice Mayor Glass commented as follows:

- I actually don't think we have any choice other than to do this.
- I do think it's not really political.
- The risk is not a matter of politics.
- It is a risk if you have policy that puts you in a situation that makes you likely to be sued and likely to be liable.
- The better your policies are the less risk you have.
- That's not really political.
- If we allow a lot of pollutants in our water that's a risk, a member of the public can sue us because we did not adhere to, for example, Federal Water stand standards, that's a risk.
- It's a risk when we do not manage the behavior of our personnel properly, that's a risk.
- All of those things are risks.
- A lot of times these things get called political but in fact the public is paying for bad policies, bad behavior, bad pollution, which we all end up paying for.
- The risk is being paid for by all of us as the public because of the bad behavior of something that risk managers failed to identify as a risk.
- What can we do to ensure, as members of this organization, that risk management is actually looking at all of the risks and then informing our members, the members of this organization, about what kind of mitigation measures need to be taken?
- What kind of policies need to be put in place to mitigate the risk, to lower the risk?
- That's in alignment with the political things I believe.

**MOTION:**

Councilmember Hinton moved and Councilmember Gurney seconded the motion to approve the following:

1. Proposed Joint Powers Agreement and Bylaws for the California Intergovernmental Risk Authority, which permits the merger or joining of the Redwood Empire Municipal Insurance Fund and the Public Agency Risk Sharing Authority of California
2. Proposed amended Joint Powers Agreement and Bylaws for Redwood Empire Municipal Insurance Fund, which permits the self-insured health program to remain under the Redwood Empire Municipal Insurance Fund
3. Directed Staff to take appropriate steps to make the merger happen

Mayor Slayter called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

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

Abstain: None

City Council Action: Approved the following:

1. Proposed Joint Powers Agreement and Bylaws for the California Intergovernmental Risk Authority, which permits the merger or joining of the Redwood Empire Municipal Insurance Fund and the Public Agency Risk Sharing Authority of California
2. Proposed amended Joint Powers Agreement and Bylaws for Redwood Empire Municipal Insurance Fund, which permits the self-insured health program to remain under the Redwood Empire Municipal Insurance Fund
3. Directed Staff to take appropriate steps to make the merger happen

Minute Order Number: 2020-239

Mayor Slayter called for a break at 7:55 pm and reconvened the meeting at 8:05 pm.

12. Discussion and Direction to Staff Actions Related to AB 571 – Local Campaign Contribution Limits. This item is to provide information to the Council on AB 571 and Request for Direction on AB 571. It is requested the Council:
  - a) Determine whether to allow the State campaign contribution limit of \$4,700 per election to be in effect in Sebastopol, as provided by Government Code Section 85301; or
  - b) Request Staff to prepare a campaign contribution limit prior to January 1, 2021 that may be higher or lower than the \$4,700 State campaign contribution limit; or
  - c) Maintain current limits (Sebastopol does not have a limit on campaign contributions); An ordinance or resolution would need to be prepared indicating no campaign limitations (Responsible Department: City Administration)

Assistant City Manager/City Clerk Gourley presented the agenda item recommending the City Council:

- a. Determine whether to allow the State campaign contribution limit of \$4,700 per election to be in effect in Sebastopol, as provided by Government Code Section 85301; or
- b. Request Staff to prepare a campaign contribution limit prior to January 1, 2021 that may be higher or lower than the \$4,700 State campaign contribution limit; or
- c. Maintain current limits (Sebastopol does not have a limit on campaign contributions); An ordinance or resolution would need to be prepared indicating no campaign limitations

Mayor Slayter opened for questions.

Mayor Slayter commented as follows:

- To make sure that we all understand this, if we want something other than the state, either higher or lower, then we have to take action.
- If we don't take action, the state standard of \$4,700 is then the law of Sebastopol, and the FPPC will then do enforcement?

Staff stated that is correct. If the city does nothing prior to December 31, 2020, the city will default to the state guidelines. If we do something different, we would be on our own for enforcement. For each city that does have their own contribution limit, the FPPC does not enforce that.

The City Council and staff discussed the following:



- Enforcement
- Personal contributions/donation to personal campaign fund
- Election campaign cycle period for campaign contributions
- State campaign contribution limit currently is \$4,700
- Reporting of contributions on Form 460
- Discussed in kind contributions for consideration to limit
- Forgiving of debt as contribution

Mayor Slayter opened for public comment.

Kyle Falbo commented as follows:

- I appreciate the staff report and the local municipality regulation on campaign contributions.
- I'm speaking tonight to urge Council to expand on the recommendations of city staff and encourage the exploration of the Cotati campaign reform law that was established by them this year.
- Discussed the City of Cotati's campaign law.
- The law was enacted to serve three purposes.
- To ensure that the financial strength of certain individuals does not permit them to exercise a disproportionate or controlling influence of Council candidates.
- Providing a full, fair, and timely record of contributions to any candidate, committee, or towards any city ballot measure - for or against.
- Require that any mass mailings by candidates designate information regarding financial contributions to the candidates or committees responsible for such mailings.
- The reform law mandates a contribution limit of \$350 per individual, per candidate, committee, or measure per election cycle, provides explicit language to be used in any written solicitations for contributors and requires that mailings include the six largest contributors' names, identifying any large or out of town contributors, and finally the total production and postage costs of the mailing.
- Cotati addresses many of the concerns mentioned tonight.
- Encouraged the Council to explore this with more rigor.
- I hear mention of increased workload at regulating campaigns, but it is my understanding that the majority of the workload will fall on the candidates to supply accurate and detailed records.

Council Deliberations:

Mayor Slayter commented:

- If the Council decides to go with the state recommendations at this point, because we want to do additional fact finding and some research on our own and maybe bring it back to the Council with some more Sebastopol-specific recommendations, this isn't a one-time only opportunity.

City staff commented:

- If the Council wanted to maintain the status quo, you would need to bring a resolution back at the next meeting indicating that you have no campaign contribution limits and then you can

direct the item to come back at a future meeting for future discussion as to what the city would like to do for campaign contributions.

Mayor Slayter commented:

- Or we can take no action and the \$4,700 limit is then the law of Sebastopol, and the FPPC will handle enforcement until we do something else.
- There is a specific Council member that has no interest in going higher than \$4,700 and would actually like something significantly less.
- I don't feel like I have enough information to go forward with any broad, bold changes beyond the state limit.
- I am perfectly comfortable with the state limit becoming our rule.

Councilmember Carnacchi commented as follows:

- Admires what Cotati has done here.
- Petaluma has a limit of \$200 which is reasonable.
- Discussed large campaign contributions and why taking money out of politics is important.
- We have an opportunity to do it right here, and we if we want to be a county leader, I think that we should be the lowest in the county.
- Discussed transparency in campaign contributions.

Councilmember Hinton commented as follows:

- I feel like we have an opportunity to at least make this number realistic tonight.
- We should look into it further.
- Personally, having just run a campaign during COVID where direct mail was kind of required if you want to get your word out, it was more difficult and costly this time.
- Discussed State guidelines.
- Took an oath not to take more than \$250 per individual.
- I think that is a little on the low side.
- I would love to put something in tonight that is lower than \$4,700 with the option to bring it back and look at it in more detail when we have time.

Vice Mayor Glass commented as follows:

- \$4,700 is ridiculous.
- I'm thinking somewhere in the neighborhood of \$500 to \$1,000 at the most.
- Last time I ran, I spent \$3,400. The time before that I spent \$4,400.
- I'm concerned that we come at this with something where we look at what we have seen in the past, like finding the appropriate regulation for who we are, that we put it together in such a way that staff isn't overburdened so that it becomes more easy for staff to regulate.

City staff discussed the new regulation also coming up in January 2021 where campaign forms will be required to be posted online.

The Council also discussed the following:

- Lack of staff support for City Administration office.

- Council needs to take a serious look at staffing requirements in City Administration and provide appropriate support for senior staff in order to enact things like this.
- Whether or not to approve campaign limitations tonight.
- Discussed that an enforcement action policy would be needed for the City if FPPC guidelines are not followed.
- Letting the state rules take effect, knowing that this is coming back in the next month or two for a more in-depth and comprehensive conversation.
- The burden has been put on staff and staff can have some responsibility but we can't pile up too deeply.
- Spousal and domestic partner contributions.

Councilmember Gurney commented as follows:

- Likes the way that Rohnert Park talked about this.
- It's a \$500 limit but it deals with spousal contributions, and domestic partner contributions.
- If we bring it back, I think it's important to have a list of the discussion points so that we can deal with this pretty without having it linger for 6 months on the calendar.
- The contribution I was most honored to receive was from Connie Mahoney at an event with the Community Center. She walked up to me and said, I had a burrito for dinner, I want to give you the change.
- It was literally under \$5 with some coin.
- I was so impacted by that because it was the rest of her dinner money, she gave me.
- I really think we are a small town.
- In my experience for 16 years, I haven't seen a lot of big money problems in the campaigning in terms of what people would call special interest groups or political action committees.
- We are really small.
- Even when you do mailers to the 3,000 or 4,000 voters.
- I think we can handle this and it's not all that complicated because we are not that big to make it difficult.

Councilmember Hinton commented as follows:

- I would be more comfortable changing the state amount and bringing it down from \$4,700 to temporarily tackle it.
- The way I understand the law, if we just stick with the state saying yeah, there is not an election type, but somebody could write a check for \$4,700 for that election.
- That is how the law works so it will linger.
- Things probably won't come back until after the first of the year, and why not just put something in tonight?
- We're sitting here talking about it, instead of \$4,700, I would say \$2,500.
- Somebody else said, \$1,000, I am comfortable with what the majority wants.

The Council discussed the following:

- Need for additional details.
- Trying to administer something without information.

- We can default to the state limit, and that doesn't mean we can't change what we're doing in January.
- I think we should ask for more information from staff and look at these examples.
- I would like to have a little more information about what it looks like in terms of how much we actually have been spending on things as a city in elections.
- I think we need to have staff come back with a set of options.
- For example, saying who the six biggest contributors are.
- Get information from local cities.
- Costs of elections.
- The recommendation from staff is to accept the state limits.
- I think that the message has been heard loud and clear.
- The Council is looking to make some Sebastopol appropriate decisions for elections in the future, as soon as it can come back, looking at calendars in January and February.
- We will get the information from the cities, the information and ordinances and have it brought forward for council discussions.
- We will try to do it early next year if possible.

The Council directed staff to follow the State guidelines and return this item to a future City Council meeting early in the next year.

**City Council Action: Directed staff to follow the State guidelines and return this item to a future City Council meeting early in the next year**

**Minute Order Number: 2020-240**

13. Discussion and Consideration of City Council Initiative Funds. This item is to discuss and consider approval of the Use of Council Initiative Funds (\$500.00 allocated to each Councilmember) to allocate funding to specific initiatives or projects. It is recommended the City Council propose specific organizations, programs or ideas that could benefit from the use of these funds.  
(Requestor: Councilmember Carnacchi/Responsible Department: City Administration)

Councilmember Carnacchi presented the agenda item recommending the City Council approve the use of City Council Initiative Funds (\$500.00 allocated to each Councilmember) to allocate funding to specific initiatives or projects and is recommending his allocation of \$500 be distributed to the Sebastopol Downtown Association.

Mayor Slayter opened for questions. There were none.

Mayor Slayter opened for public comment.

Rei commented as follows:

- I just had a question regarding the Sebastopol Downtown Association.
- When the SDA receives funds, does the gifter weigh in on how they would like the funds to be used?
- That goes for any member when they get their funds too.

- Councilmember Carnacchi has gifted \$500 to SDA each year which has been very beneficial to the organization.

Council Deliberations:

Mayor Slayter commented as follows:

- It is not a gift.
- These are funds that are and have been in place for a long time.
- It has been the same figure for as long as I have been on the Council.
- Council members have a small amount of money to work on a project.
- I think back to any number of things and it is not a gift of public funds but a grant for a particular initiative or program.

Councilmember Hinton commented as follows:

- In 2016 when Councilmember Carnacchi and I were elected, Council members used their initiative funds prior to midyear and prior to leaving office.
- We were left without funds to gift or to work with for the second half of the year.
- I would like to that in election years all members can have initiative funds to use throughout the year.
- I would like to see that reviewed in election years when we do it for that amount.
- If someone pledges funds and leaves office, the newcomers are sitting in there with seven months of no funds to be able to work with.
- I am going to pledge my fund to the Sebastopol Firefighters Foundation tonight with a specific request, I would like them to use it towards the scholarship fund.
- I think they give three scholarships annually.
- I haven't done it before, but I would like to this year.

Councilmember Gurney commented as follows:

- I am not ready to dedicate my fund, but I just want the group to know that I have the same concern about outstanding council members and incoming ones not having the same opportunity.
- Everyone should have the same equal opportunity.
- It is my understanding that we have no policy on this, but we could set one up.

Vice Mayor Glass commented as follows:

- I want to concur that we should add \$500 to the budget for incoming City Council members to have funds.
- I am not ready to dedicate mine either.
- Things come up like pandemics or in the previous fiscal year, this calendar year, suddenly the need for face coverings was found.

Mayor Slayter commented he is also not ready to talk about where he would like my funds to be used.

MOTION:

Councilmember Hinton moved and Vice Mayor Glass seconded the motion to approve the following:

Use of Council Initiative Funds as follows:

- \$500 Sebastopol Downtown Association (Councilmember Carnacchi)
- \$500 Sebastopol Firefighter Foundation (Councilmember Hinton)
- Discuss additional funding for new Councilmember seated during the mid-year budget review

Mayor Slayter called for a roll call vote. City staff conducted a roll call vote.

**VOTE:**

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

Noes: None

Absent: None

Abstain: None

**City Council Action: Approved the following:**

**Use of Council Initiative Funds as follows:**

- **\$500 Sebastopol Downtown Association (councilmember Carnacchi)**
- **\$500 Sebastopol Firefighter Foundation (Councilmember Hinton)**
- **Discuss additional funding for new Councilmember seated during the mid-year budget review**

**Minute Order Number: 2020-241**

**CITY COUNCIL REPORTS:**

14. City Manager-Attorney/City Clerk Reports (Continued):

City Manager McLaughlin reported as follows:

- We have these documents ready this evening to hand out.
- Putting the finishing touches on a progress report to date, and that document is almost ready.
- When it is, we will send it out to the City Council and make it available.
- Highlights are that the loan program is complete.
- There have been business council meetings.
- Community organization council meetings.
- There has been a business council working group and the other item that I wanted to bring to your attention tonight it is 99.9% done.
- It will survey the effect of the pandemic on residents, for example in areas of inability to pay rent, lack of access to food, worries, loss of insurance, that kind of thing.
- There will be a number of local economy questions.
- This is to give guidance or help to our local businesses of how residents are feeling during the pandemic, what they are willing to do.

- There will be a number of questions.
- They will better inform the communities as to the current feelings of the residents at this particular point in time.
- We will survey the use of public facilities and the types of facilities, parks, et cetera, what they are using or are willing to use.
- Questions about volunteering.
- There is a series of questions as well on residents familiarity with how to reach City departments.
- Their knowledge about that and what information they need.
- What different support do they need.
- The intent of it is to try to develop a group of residents that we can return to for subsequent questions and follow up so that the opportunity to identify themselves and participate in that or not, we are still exploring the best way to get this out to as many residents as possible.
- We have not put the finishing touches on that.
- But it is almost done.
- We have not quite determined yet how to get it to all residents.
- I think we all read the news reports.
- The county health officer was in the process of attempting to have the county here and then two problems arose with that.
- Number one was a significant increase in the number of cases and that level is there in the near future.
- We are seeing what potential restrictions there are from the governor's order but tend to think that we were already there.
- That is the pandemic information.
- I want to remind Council that there is a Mayors and Councilmembers Association Meeting on Thursday night.

15. 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 Carnacchi reported as follows:

- Throughout my tenure on that particular board, I ultimately questioned why Ed was there.
- Spoke on the groundwater dependable ecosystem.
- It is right at our border.
- I asked at the last meeting with regard to the groundwater dependent ecosystem, does it include ecosystems in the Wilson Grove Highland Formations, or are they not a part of the study?
- Our focus is on groundwater mapping dependent ecosystems within the groundwater basin.
- That means no.
- My response is that the water shed is very important to Sebastopol.
- Only a few miles outside the border of the city.
- We joined thinking we would get protection.
- Why am I here, other than saving money?

- I think it is important if you are going to take that position once I am off of the Council, we need to kind of bring you up to speed because the independent agencies are also not satisfied with what they sought for us to join it but now there is a collective thing where we are really not getting anything out of being in this.
- On the agenda earlier today, we were talking about the arsenic and changing out the arsenic filters in our wells.
- The groundwater of the Santa Rosa plain basin does not have an arsenic problem.
- That is not even a consideration in the groundwater sustainability plan.
- What is the cause of that arsenic?
- It is not really a benefit to Sebastopol.
- I think we need to kind of redate that going forward and I am happy to assist in this afterwards if you get appointed to that if you want.
- That is our report from the groundwater sustainability agency.

Councilmember Gurney reported as follows:

- It is interesting that the measure passed by a good margin, 71% instead of the 67% required.
- When you look at the history of the board having such a struggle over whether or not to go ahead with active funding opposition and a lukewarm recommendation from the political consultant and pollster.
- The remarkable thing in pandemic times is that this measure and others passed.
- It was a re-up measure, not particularly controversial but it passed and we are grateful for the voter support.
- I think some of us will remember Tina from Sebastopol, the link is in the electronic report.
- You can see all of the slides.
- They really pivoted from engagement activity to educational and informational classes online.
- I am really pleased.
- Holly had a great idea to add it to her newsletter and Facebook page.
- We can get more response from our citizens in our greater area about it.
- I also want to report on the Community Center.
- The repairs are going forward with a little delay.
- The kitchen is going to be a catering kitchen that will support events once we can have events again.
- The board is working really hard.
- They have put together a class that started last Saturday.
- This is an outdoor class.
- It was quite a lot of work to figure out tenting from the outdoors to protect it from rain.
- Unfortunately, there was a member of the public in the nearby parking lot.
- This person was in the parking lot on the north end near the Laguna shouting obscenities and threatening the kids to the point of crying and making the parents quite nervous.
- The adult presence called the Police Department who said we can't do anything, this is a matter of free speech.
- There was more activity.
- They had to call a second time and they also sent over one of the instructors.
- I have known him for a long time and Mayor Slayter you might remember him.



- He is trained as a therapist and he was able to talk the fellow down.
- I mentioned to the board the \$25,000 that is reserved to see if we can implement some sort of a different response from the Police Department.
- The board was grateful to know that the Council is looking into some changes that will get a more effective response.
- LANTERN is the group interested in the library expansion so Sebastopol gets the library it deserves.
- Everybody is talking about fundraising and how to raise funds and profiles from communities and groups that have not been so active online today.
- They are working on doing that and like with the Community Center, a new website that is launching and becoming active in November.
- LANTERN is working to raise its profile in the community and potentially planning an activity that collaborates with the Center for the Arts, and potentially with schools and the library to have a public activity that could last for hours.
- It would be a LANTERN walk through of the areas that are cultural centers and potentially also downtown.
- An interesting activity is being developed.
- The disrepair at the cemetery in the northwesterly corner, the Japanese section of the cemetery, the Chief talked about the need for help for the owner up there.
- The three of us were exchanging e-mails.
- The young professional Japanese citizens in the community put together a workday cleaning up that part of the cemetery.
- They also had a Buddhist ceremony and presented flowers to the site.
- If you go by there, it is remarkably different and seems like a much more respectful place.
- Cultural exchange of our own youth, younger people, they are in touch with each other.
- I was really impressed with that.
- I wanted to send a personal thank you out to the Public Works crew.
- A really lovely spot for us to continue to enjoy the outdoors.

Vice Mayor Glass reported as follows:

- Attended a health action meeting and we adopted a budget.
- Everybody at the meeting was extremely grateful for the \$8,000 that is coming from the City.
- We talked about going after other grant and matching funds to try to beef up the amount of money that we have available to do the assessment.
- That is the primary thing that we want to do.
- Tim Miller was there.
- We definitely need an assessment to figure out exactly what the priorities will need to be and also the West county health clinic was really on board and the assistant director at the West County Clinic.
- She was very excited about moving forward on a particular model of pulling together assessment information about the kinds of wellness and health deficiencies or needs that are out there in our county.
- They are moving forward, and we have an initiative to go forward and to try to find additional grant funding.
- That assessment will be a big deal.

Mayor Slayter reported as follows:

- Sonoma Clean Power
- Everything is status quo over there.
- Not a lot going on other than significant advocacy for rate payers and the reduction of the existing fee that the incumbent investor owned utility that shall remain nameless continues to increase.
- If you look at your bills you will get an idea of what that is.
- The black curtain continues to be very, very, very slowly pulled back as to how that gets calculated.
- There is one particular staff member who has saved the customers across that incumbent utility, investors.
- I think the figure is now approaching \$300 million which has been discovered as improper fees.
- Smaller numbers locally are that the agency-owned headquarter remodel project adaptive reuse of an existing building in downtown Santa Rosa is continuing and we were hoping for actual completion in October, but clearly that is not going to happen.
- There is the storefront which is largely being funded through a state grant.
- That construction project is approaching completion.
- We are hoping for a ribbon cutting there in the next month or two. They have planned ahead and there will be COVID compliant ways to interact with that facility as well as not even needing to go there.
- It is things like virtual shopping and being able to attend cooking classes on all electric induction type of cooking.
- So, it is going to be a really, really great and useful space for the agency.
- I had a conversation with the auditors yesterday.
- A conversation about any thoughts or any feelings that I had about the agency as chair of the agency right now.
- The audit is going on and I think that there shouldn't be problems with that.
- There are any number of items that I wish that people of Sebastopol were able to take advantage of but we are unable to with time of use due to our restriction on meters.
- I think that is something that we need to take a look at.
- There are other environmental measures and activities that we are shut out from.
- I think that we need to weigh all of the pros and the cons on those things.
- We can talk about that sometime in the future.
- The new executive director at the senior center is doing wonderful work.
- She is already running with that baton and doing great things for the senior center.
- Katie Davis was the activities director and has hit the ground running and is doing great stuff.
- Tried to schedule a group visit with the government of Japan, but due to the pandemic and the United States extremely elevated numbers, we are not invited there right now.
- The student group experienced a disappointment and had their funds refunded.
- That is kind of pending, there is talk of two groups going at one time.
- I don't know how that works with that number of kids all at once.
- One-half of them would be two years older.

- It is really a shame that the current class wasn't able to travel like every other class before them was able to travel and the life altering experience wasn't had of visiting Japan and living in a Japanese family for a week plus.

16. Council Communications Received

Mayor Slayter reported as follows:

- Spoke on a thank you note the Council received about the City's support of bike to wherever days and the measures of the Sonoma County Bicycle Commission.

16. Council Communications Received

Mayor Slayter reported as follows:

- received this thank you note, a handmade on recycled it says a simple solution.
- Thank you for being a part of it.
- A hand drawn bicycle.
- To the City council of Sebastopol, thank you for your support of bike to wherever days and the belief of the measures of the Sonoma county bicycle commission.

17. Future City Meeting Dates/Events (Informational Only): (See Agenda Below City Web site for Up to Date Meeting Dates/Times)

**CLOSED SESSION: NONE**

**ADJOURNMENT OF REGULAR CITY COUNCIL MEETING:**

- Meeting will be adjourned to the City Council Regular Meeting of December 1, 2020. (VIRTUAL ZOOM PLATFORM)
- Mayor Slayter adjourned the meeting at 9:36 pm.
- Meeting was adjourned to the Next Regularly Scheduled City Council Meeting, which is scheduled for Tuesday, December 1, 2020 at 6:00 pm. (VIRTUAL ZOOM PLATFORM)

Respectfully Submitted:



Mary C. Gourley  
Assistant City Manager/City Clerk, MMC