

CITY COUNCIL MEETING MINUTES

MINUTES FOR Meeting of July 21, 2020

As Approved by the City Council at their regular meeting of August 4, 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.

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 COUNCL 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 follows this agenda.

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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 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.

6:00 pm CONVENE CITY COUNCIL REGULAR MEETING by Teleconference Only Per Shelter in Place Directive

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

ROLL CALL:

Present: Mayor Slayter – By video teleconference
Vice Mayor Glass – By video teleconference
Councilmember Carnacchi – By video teleconference
Councilmember Gurney - By video teleconference (arrived 6:07 pm)
Councilmember 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
Henry Mikus, Engineering Manager
Kari Svanstrom, Planning Director
Greg DeVore, Acting Police Chief

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

PROCLAMATIONS/PRESENTATIONS: NONE

PUBLIC COMMENT (At this time, members of the public may comment on any item not appearing on the agenda. It is recommended that you keep your comments to three minutes or less. Under State Law, unless otherwise permitted under the Ralph M. Brown Act, the merits of the matters presented under this item cannot be discussed or acted upon by the City Council at this time. For items appearing on the agenda, the public will be invited to make comments at the time the item comes up for Council consideration.)

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:

Alison commented as follows:

- Member of the California Public Banking Alliance and the Local Sonoma County Friends of Public Banking and some divestment groups, and pleased to say that we have a new bill that has been developed for a California state public bank right now, which is a very exciting way to bring our money out of Wall Street and eliminate the profit and the institutionalized racism going on with some of the lending during COVID and the loss of money from our communities.
- Asking is if the City Council would please look at the resolution for endorsing the bill.
- Passed along information about the bill and welcome any questions or clarifications, and also passed along a template to endorse the resolution, and requested that Sebastopol be one of the cities that endorses this bill as it goes through legislation in the next couple of weeks.

Andrew Cone commented as follows:

- Wanted to give my views a bit on the signs that are on the fence around what I guess what's to become the Hotel Sebastopol.
- The signs run an interesting gamut from inspirational, unifying messages to some messages that I find pretty disturbing and divisive.
- Troubled by the vitriol directed at the police.
- Troubled at what I see as an increasingly, not just on those signs, but manifested on those signs in particular, sort of a casual racism that has become socially acceptable, or even fashionable among particularly more liberal circles.
- Especially don't like that it appears, and this based on conversations I've had with someone who would know, that the signs were not placed there with consent of the hotel owner, who later kind of gave consent under something like duress, and this bodes ill, I think.
- Think that there are agendas and ideologies that are seeping into what is otherwise a pretty wholesome movement.
- That should trouble us a lot.
- In particular, while there are important questions and public discourses that need to be had around how we can do policing in our society in general, not just in Sebastopol better, I guess I find a sort of sanctimony and vitriol to be not just off-putting, but possibly the beginning of something very dangerous.
- Think that I recently have had a very strong change of heart about a lot of the kind of rhetoric that you see on those signs.
- Let it be known that he removed a lot of the more offensive signs, the ones that say that "all cops are bastards," the ones that say that, what was it, that compare cops to pigs.
- People who study genocide know that comparison of people to animals is one of the more reliable warning signs -- I removed a variety of other ones.
- Don't remember all of them. Didn't feel good about doing that.
- Don't like removing things people put up in the public discourse that feels bad, but I feel like some of the messages there are so vile and so unacceptable, that I felt compelled to do so as a private citizen.
- Wanted to let people know that I did that and express my unease about the situation.

City staff read a list of names of persons who submitted public comment and the written comments have been made part of the public record.

- Cheryl Witteman – How to address the needs of the young people while social distancing
- Jann Eyrich – Support utilizing the parking lanes for businesses
- Rob Scheid - Support tables in the parking lanes for businesses
- Jorge Rebagliati – Economic and politics of vaccines
- Andrew Cone – Public Comment – Signs on Fence
- John Davis – Comments on Florence Avenue Agenda Item #10
- Kate Haug – Moratorium Agenda Item #9
- Honora Russell – Systemic racism and oppression; support of mural/donations for mural
- Kate Haug – Consideration of part-time employee (community vitality) – Agenda Item Number 12
- Andrea Caron – Support for CoMission Funding Request – Agenda Item Number 12
- Laura Tew – Support for CoMission Funding Request – Agenda Item Number 12
- Brandy Leigh Mow – Support for distributing funds to small businesses (not in support of CoMission Funding Request) – Agenda Item Number 12
- Debbie Ramirez – Support for CoMission Funding Request – Agenda Item Number 12
- Rei Blaser – Agenda Item Number 12 – Agenda Item Number 12 – Oppose Funding Request
- Linda Civitello – Agenda Item Number 12 – Oppose Funding Request or reduced amount
- Jennifer Balletto – Agenda Item Number 12 – Oppose Funding Request

STATEMENTS OF CONFLICTS OF INTEREST BY MAYOR/CITY COUNCILMEMBERS FOR ITEMS ON THE AGENDA (This is the time for the Mayor or City Councilmembers to indicate any statements of conflicts of interests for any item listed on this agenda) Councilmember Hinton stated she has a conflict with Agenda Item Number - *Councilmember Hinton stated she had a conflict of interest with Agenda Item Number 9 and would be recusing herself from meeting for this agenda item.*

CONSENT CALENDAR:

- The consent agenda consists of items that are routine in nature and do not require additional discussion by the City Council or have been reviewed by the City Council previously. These items may be approved by one motion without discussion unless a member of the City Council requests that the item be taken off the consent calendar.
- The Mayor will read the consent calendar items; ask if a Councilmember wishes to remove one or more items from the consent calendar; and then open public comment to the members of the public in attendance. At this time, a member of the public may speak for up to three minutes on the entire consent calendar and request at that time that an agenda item or items be removed for discussion.
- If an item or items are removed from the consent calendar, the item shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tern.
- Council Members may comment on Consent Calendar items or ask for minor clarifications without the need for pulling the item for separate consideration. Items requiring deliberation should be pulled for separate consideration and shall be placed at the end of the regular agenda items unless otherwise determined by the Mayor or Mayor Pro Tern.

Mayor Slayter read the consent calendar.

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

Councilmember Carnacchi stated he had some minor questions/comments for Item Number 4.

Discussion of Item Number 4:

Councilmember Carnacchi commented as follows:

- Question is on the actual resolution in item number 4
- Discussed determination of disability - first bullet point underneath where it says, "A statement certifying under penalty of perjury, that determination was not used as a substitute for the disciplinary process."
- Request clarification – not understanding the statement
- Does this particular pertain to the police department

City Manager McLaughlin stated that is correct that it does relate to the police department.

Councilmember Carnacchi commented as follows:

- Questioned if it would be that the employee at the police department, rather than going through the disciplinary process, they faked an injury
- Questioned if that is what he is hearing
- Questioned if they were given an early retirement

City Manager McLaughlin commented that a city cannot settle a disciplinary matter by substituting for the disciplinary matter, a disability.

Councilmember Carnacchi discussed typos in the resolution.

Mayor Slayter asked for Public Comments: There were none at this time.

Councilmember Gurney moved and Vice Mayor Glass seconded the motion to approve Consent Calendar Item(s) Number(s) 1, 2, 3, 4, 5, 6 and 7 with correction of typos in Item Number 4.

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

CONSENT CALENDAR:

1. Approval of Minutes of City Council Special Meeting of June 30, 2020 (Responsible Department: City Administration)

City Council Action: Approved Minutes of City Council Special Meeting of June 30, 2020 (

Minute Order Number: 2020-151

2. Approval of Minutes of the City Council Meeting of July 7, 2020 (Responsible Department: City Administration)

City Council Action: Approved Minutes of the City Council Meeting of July 7, 2020

Minute Order Number: 2020-152

3. Approval of Minutes of the City Council Special Meeting of July 8, 2020 (Interviews for Opening on the Public Arts Committee) (Responsible Department: City Administration)

City Council Action: Approved Minutes of the City Council Special Meeting of July 8, 2020 (Interviews for Opening on the Public Arts Committee)

Minute Order Number: 2020-153

4. Approval of Resolution designating the authority and updating the process, and procedures in the determination of disability retirements for safety employees (Responsible Department: RGS Personnel Consultant/Administrative Services Director)

City Council Action: Approved Resolution designating the authority and updating the process, and procedures in the determination of disability retirements for safety employees

Minute Order Number: 2020-154

Resolution Number: 6306-2020

5. Approval of Amendment to Lease for Sebastopol Community Cultural Center (SCCC): Amendment is to include Lease of Outdoor Space (Responsible Department: City Administration)

City Council Action: Approved Amendment to Lease for Sebastopol Community Cultural Center (SCCC): Amendment is to include Lease of Outdoor Space

Minute Order Number: 2020-155

6. Approval of D Amendment to Lease for Sebastopol Community Cultural Center (SCCC): Amendment is to include Lease of Outdoor Space (Responsible Department: Planning)

City Council Action: Approved Amendment to Lease for Sebastopol Community Cultural Center (SCCC): Amendment is to include Lease of Outdoor Space

Minute Order Number: 2020-156

7. Approval of Award of Contract (Contract Number 2020-02) Sebastopol Community Cultural Center Kitchen Rehabilitation and Upgrade and Authorization to City Manager or designee to sign contract documents with approval of bid base price of \$71,398; an added allowance of \$10,000 for stove hood modifications; and \$12,240 for contingency, with total not to exceed \$93,818.00 (Responsible Department Engineering)

City Council Action: Approved Award of Contract (Contract Number 2020-02) Sebastopol Community Cultural Center Kitchen Rehabilitation and Upgrade and Authorization to City Manager or designee to sign contract documents with approval of bid base price of \$71,398; an added allowance of \$10,000 for stove hood modifications; and \$12,240 for contingency, with total not to exceed \$93,818.00

Minute Order Number: 2020-157

Councilmember Gurney thanked the Council for approval of the items related to the Community Center.

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

8. Appointment of Member of the Public Arts Committee – One Opening (Interviews were conducted July 8th with appointment to be at this meeting tonight)

Mayor Slayter presented the agenda item recommending the City Council discuss and consider appointment to the one opening on the Public Arts Committee: Public Arts Committee (One Four Year Term: Category 2 (Term: July 1, 2020 – June 30, 2024)

Mayor Slayter opened for questions. There were none.

Mayor Slayter opened for public comments. There were none.

Council Deliberations:

Vice Mayor Glass commented as follows:

- This was another one of those really tough things that seems to be happening lately.
- We get this incredible list of really wonderfully qualified people.
- Trying to make a decision becomes very, very hard, because we wish we could appoint every single person, because they're so great.
- Thinking that since the Public Arts Commission is working very well together, they were talking about how the Public Arts Commission has really come together, and that they're functioning extremely well as a unit.
- Marghe is actually the longest serving member and is a person who truly has institutional memory on that Commission – tending to think that we want to reappoint Marghe, because she's doing such a great job right now.
- She has institutional memory because she was one of the founding members of it and losing that kind of institutional memory on a commission, I think is really problematic.
- Advocating that we keep our incumbent, because our incumbents doing a great job, but I also think that we had so many great applicants that we might consider agendizing in the future, whether we should expand that Commission, because there seems like there is great interest and a lot of really qualified people that want to participate.
- We want to get those people that want to participate participating, but in the meantime, let's not lose this great person that's on there now.

Mayor Slayter commented as follows:

- Was actually something that I was going to bring up myself
- Everything from the Supreme Court to our new Climate Action Committee has a variable number of members.
- The Technical Advisory Committee for Sonoma Clean Power has a variable number of members.
- Think that would probably serve us well, would be to move into that kind of a model.

Councilmember Carnacchi commented as follows:

- Actually liking Robert Brent of the applicants.
- Think that it would be nice to give it a little bit of a change-up on the Art Commission.
- It's kind of like refreshing art on your walls from time to time.
- Think that having some fresh input might be beneficial to the Commission and that I've known Marghe for a long time, and she does have a lot of institutional knowledge, that's for sure, but I'm not afraid to maybe get some new blood on there, and I really like Robert.
- I've known him for a long time.
- Think he would be a valuable asset to the Commission.

Councilmember Gurney commented as follows:

- Seems like the Mayor and Vice Mayor have both suggested, before I could, consideration of expanding this committee, because we really are a community with great wealth when we have this quality of applicants for a position in our art world, which is one of our economic engines and certainly one way in which our public finds to belong to that community, this greater community that we are.
- Enjoyed Robert's interview.
- A powerhouse and a fundraiser - very, very impressed with his energy.
- Liked Barbara Harris because she represented to me that pizzazz and fun.
- If you remember how she talked about her varied experience in the art world, and how much she's done, particularly county-wide.

- Enjoyed Deborah's interview as well. I thought she brought a wonderful kind of seriousness, and it's kind of an academic look at art, which is also valuable.
- Going to go with the incumbent, Marghe, because of the care with which she spoke in her interview, that real slow expression that she gave to all of her thoughts.
- She also spoke very genuinely about how the relationship amongst the board members has taken a while to come together.
- Really liked the real care that she exhibited for the role, and I think that's quite valuable.
- Just can't dash people in and out and expect to have a high functioning group.
- Don't think our world works quite like that.
- What happens when you dash around like that is you go one direction and then another direction.
- Think Marghe is going to provide that constancy and that real commitment, that very deep commitment.
- I'm much in favor of reappointing her and having her continue.

Councilmember Hinton commented as follows:

- Wanted to say, it was exactly a very tough interview, and I do recall actually, Council Member Gurney bringing up expanding this in our interview process.
- What a great idea, seven people really makes sense to me.
- Robert was out the gate, our first interview, and so impressive.
- Tonight, I would go with the longest serving.
- She has not served that long, because this Commission hasn't been around that long.
- Nice to have a long-serving member, but I would like to come back to agenda and expand it to two additional people, and hopefully these three would reapply because they were all great applicants.

Mayor Slayter commented as follows:

- Take on it is perhaps a little different
- Had an interesting perspective and observation.
- Went back and looked at notes and Deborah Kirklin was the only one who mentioned proactively the engagement of people of color in the arts world, and actively seeking those voices, and right now that is clearly something that we are all hyper-aware of.
- Real positive point that we had somebody who was considering the broader context of public art, and how it is promulgated in our community -- where it goes, what it is, and all those things.
- Discussed her experience of being a teacher for her full career at the junior college, recently retired she said, and the calm professionalism that Councilmember Gurney mentioned as well.
- Really great kind of calmness about her entire persona, is very calm and deliberative.
- Think that Barbara Harris bring would bring a spark, a real interest, and energy.
- Good positive energy
- Art speaks a common language
- Seniors plus youth
- All of these things are just exactly the kinds of people we want.
- Robert Brent, long history in our community.
- He is, as was just said, a fundraising powerhouse.
- He is deeply, deeply connected in our community and has everybody's phone numbers – that would be incredibly useful.

- His experience, while not currently on the board at the Center for the Arts, but certainly has a long history with the Center for the Arts, and the ability to perhaps be able to act as a bridge between the two entities is really valuable.
- Marghe who has been on the Committee since it was empaneled, and that's been more than a decade, and as it was noted, the interfacing and the work that that committee is doing right now is excellent. They're an extremely high-functioning group. They have projects that they're working on proactively.
- Certainly, willing to accommodate or to go along with what I'm hearing is a bit of a consensus around a reappointment of Margie. Think that's not a bad choice.
- None of these are a bad choice, but I think that the other three applicants must be contacted by, and I would say, the chair of the committee and ask them to become working members of subcommittees and to bring that knowledge and energy into the group as it is now.
- Would also ask if, anybody who's going to make a motion would like to keep the other three applicants as active so that we would not need to re-interview them, should the Council bring that back.
- Discussed possible expansion of the committee.
- Discussed not having to go through the interview process with these other three individuals again, because we've all just talked with them.

Vice Mayor Glass moved Councilmember Gurney seconded the motion to approve re-appointment of Marghe Mills Thyssen to the Public Arts Committee.

Public Arts Committee (One Four Year Term: Category 2 (Term: July 1, 2020 – June 30, 2024))

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 Marghe Mills Thyssen to the Public Arts Committee.

Public Arts Committee (One Four Year Term: Category 2 (Term: July 1, 2020 – June 30, 2024))

Minute Order Number: 2020-158

Vice Mayor Glass moved Councilmember Gurney seconded the motion to approve authorizing the retention of the current applications on file and directing staff to provide recommendations for consideration of the expansion of the current Public Arts Committee.

Discussion:

Councilmember Gurney questioned if the recommendation could go through the Public Arts Committee first for their input.

Staff stated the Planning Director would be asked to have this item reviewed by the Public Arts Committee first with a recommendation to the City Council.

Vice Mayor Glass asked, if the committee were expanded, if the notice would need to be published and go through the process.

Staff stated that first it would come back to the City Council for consideration of approval of expansion of the committee and then if approved the City would notice the expansion of those additional seats, whichever it is that the council would decide on. Staff would recommend holding these current applications but also opening it up for a period of four to six weeks as we normally do.

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 authorizing the retention of the current applications on file and directing staff to provide recommendations for consideration of the expansion of the current Public Arts Committee.

Minute Order Number: 2020-159

INFORMATIONAL ITEMS/PRESENTATION: None

PUBLIC HEARING(s):

Councilmember Hinton stated she had a conflict of interest with the following item and recused herself and departed the meeting for this item.

9. Public Hearing – To Conduct a Public Hearing for Consideration of Approval of Extension of Moratorium on the Establishment of Non-Hosted Vacation Rentals of Greater Than 30 Days Per Year (Responsible Department: Planning Department)

Planning Director Svanstrom presented the agenda item recommending the City Council discuss and consider Approval of Extension of Moratorium on the Establishment of Non-Hosted Vacation Rentals of Greater Than 30 Days Per Year and stated this requires 4/5th vote (in this case, 4-0 vote with Councilmember Hinton recused).

Mayor Slayter opened for questions.

Mayor Slayter asked a question about the SB funds.

Director Svanstrom commented as follows:

- That is a planning grant we have applied for.
- It's a \$160,000 grant to support planning work related to housing production or protection of existing housing, because the whole reason this issue has come up is taking houses that are available for long-term residents and converting them into short term rentals takes them off the market for longer term residents in the middle of the housing crisis.
- State did approve use of funds for the consultant, which will be less than \$10,000 for his scope of work.
- The contract will not be coming to this body, but some of those funds were approved for that project.

Mayor Slayter questioned if within the City if there are any non-hosted vacation rentals currently approved.

Director Svanstrom commented as follows:

- The City does have a number of them.
- Think it's in the range of 12 to 15 or so that are approved.
- Last year the City engaged with a group that does code compliance related to short term rentals or vacation rentals called Host Compliance and they actually found quite a few both hosted and known non hosted rentals that did not have the proper business license.
- It used to be only a business license was required; now an administrative or planning use permit is required.
- A number of those non-hosted rentals have stopped operation and, where they were hosted, we are working on the administrative permit to fully license those.

Mayor Slayter commented as follows:

- Discussed County and outlying areas
- Because we're so intrinsically linked due to our small physical size with the counties and the outlying areas, do you have any even anecdotal data about what the County is doing with non-hosted rentals.

Director Svanstrom commented as follows:

- They have vacation rental exclusion zones where they just don't allow vacation rentals or they're limited to a certain extent. Those are based on areas.
- Do not know if they are supervisory districts or less than supervisory districts. We do not have any of those zones in the Fifth District.
- There are no prohibitions against it in the West County currently.
- Before COVID hit, they were starting to look at potential revisions to it, but they have not gotten as far as we have on that.

Mayor Slayter opened the public hearing.

Omar Figueroa commented as follows:

- Think what I'm trying to understand are we talking about like Airbnb and those kinds of services?
- There's a housing crisis and many locals when they lose their lease are scrambling to find housing and whatever the City can do to accommodate our local citizens, it's incumbent upon us to look out for the people who live here in Sebastopol and be very mindful of them.
- At the same time, being understanding of people who want to host these vacation rentals, doing it the right way, going from being completely unregulated and unpermitted to being permitted, taxed and licensed is the way to go.
- In many ways, this is reminiscent of cannabis and people going from the unregulated cannabis market to a regulated market.
- Sometimes people don't like to follow the rules, but the rules are there to protect us all.
- Think that the City should go forward with extending the moratorium.
- It looks like we're running out of time and this is a problem that is going to be confronted.
- When will this issue arise again? Because this is the third and final moratorium if I understand correctly.
- What would be the decision next for the City and what does the City have to think about next in the long-term is something that we should all start considering.

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

Mayor Slayter commented as follows:

- This is our final extension of this moratorium.
- Where we are with this is that the first extension is good for a limited period of time.
- The second one is good for a slightly longer period of time, and then the third extension or final extension's the most lengthy.
- The planning grant that the Planning Director noted--those funds are being used for a consultant to help us work on a permanent ordinance that the Planning Commission is scheduled to work on.
- The permanent ordinance will be returning to the Council well before this final extension.
- We've got plenty of time to do the work that we need to do.

Council Deliberations:

Vice Mayor Glass commented as follows:

- When we first enacted this, it's kind of outrageous the idea that we would have local residents having to compete for housing to be able to get a house when they're competing with people that are paying daily rates that are \$200 or \$300 a day.
- That is just so not okay.
- We have a crisis in housing.
- We need to maintain particularly our housing that we have, particularly smaller units that are getting bought up for Airbnb's.
- This isn't somebody having someone, stay in their back room in order to subsidize their mortgage.
- This is about people buying real estate and basically turning their own house, an owned house into a hotel in the middle of a residential neighborhood.
- Having all the problems that go with that in terms of the neighbors, but on top of that, making a huge amount of money on it at the expense of people that actually need regular full-time housing.
- Totally in favor of reauthorizing this moratorium and hope that our Planning Director is able to come up with a really strong ordinance so that we can solve this problem going forward in the future.

Councilmember Gurney commented as follows:

- We've had a long discussion about this. In fact, several times we've had a long discussion.
- Think Vice Mayor Glass just did a good job summarizing that.
- The only reason we haven't seen an ordinance yet our Planning Director mentioned was that COVID has interrupted a lot of our processes.
- Think we'd be considering that now or earlier, have things come through the way we intended.
- So, extending this for that procedural reason is perfectly in line with all of our conversations, our earlier votes and the values that we've expressed.
- In favor of the extension too.

Councilmember Gurney moved and Mayor Slayter seconded the motion to approve an Extension of Moratorium on the Establishment of Non-Hosted Vacation Rentals of Greater Than 30 Days Per Year.

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

VOTE:

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

Noes: None

Absent: Councilmember Hinton

Abstain: None

City Council Action: Approved Extension of Moratorium on the Establishment of Non-Hosted Vacation Rentals of Greater Than 30 Days Per Year.

Minute Order Number: 2020-160

Councilmember Hinton returned to the meeting at 6:53 pm.

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

10. Discussion and Consideration of Results from W-Trans regarding Florence Avenue (Responsible Department: Police)

Acting Police Chief DeVore presented the agenda item recommending the City Council discuss and consider Results from W-Trans regarding Florence Avenue.

Steve Weinberger discussed the memo provided (attached to staff report).

- As Chief Devore mentioned, the police department provided recommendations for parking and asked us to look at two issues, which was addressed in the memo that was submitted in May.
- The first issue was the change in red curbing on the Northern section of Florence, just South of Healdsburg Avenue.
- We're provided with existing red curbing locations, the East side of the street along the cohousing development is red curbed.
- The police department provided us with a proposed change of shifting the red curb to the West side of the street, which is the residents' driveway side and then shifting the parking to the East side. This is after the slight curve in the road, a couple of hundred feet South of Healdsburg.
- We agreed with the police department.
- It's curved sections about 26 feet wide and then as it hits the straightaway it widens out to about 28 feet. But that change would improve visibility, especially for those driveways that are located in close proximity to the curve in the road.
- We supported the change
- The second issue was there was a proposal that the police department provided that was to red curve, about eight or nine addresses for requests to a red curb on either side of each driveway.
- Typically, there's about two parking spaces in front of each residence and the red curbing on either side of the driveway would eliminate about one parking space on each, essentially.
- There'd only be one parking space in front of each residence.
- We did a site distance analysis and found that those changes it would increase sight distance, but only by 10 to 20 feet.
- Given the speeds would not create a measurable difference in certain terms of visibility.
- Due to that issue and the loss of parking we estimated that there'd be a loss for every driveway you did this, there'd be a loss of one parking space.
- Discussed the lost parking and the precedent it would set
- Discussed recommending the request for this change be rejected

Mayor Slayter opened for questions.

Vice Mayor Glass commented as follows:

- Looking at a letter from some residents that feel that the red curbs on either side of their driveway are a good idea
- Questioned if the consultant is saying that you only think that's a good idea right at the very, very, very northern part where that curve is, but not like a little bit further down?

Mr. Weinberger commented as follows:

- There were two sets, distinct sets, of recommendations and proposals that the police department provided us with.
- The first was the red curbing through the curve at the north ends.
- Specifically, I'm looking at diagrams provided where the existing red curbing on the east side, which extends to just north of 444 Florence would move, that would shift the no-parking to the west side and create additional parking spaces.
- There are no driveways on the east side, so more spaces would be created on the east side.
- For those residents on the west side that now pull out of their driveways that are in close proximity to the curve, there would now be red curbing to provide sight distance through the narrowest and curved section of the road.
- We supported those changes.
- The second set was nine residents who requested no parking on either side of the driveway.
- In our view, these are all on the straightaway section where the curved section is far enough away to not create the benefit, but the eliminating one parking space on either side of the driveway on these other residences in, based on our measurements, only increased sight distance by 10 to 20 feet.
- Given the speed, the low speeds on the street, that increase in sight distance, doesn't provide a measurable benefit.
- It does provide an increase, a slight increase in sight distance, but that combined with the loss of parking, the precedent it would set, our discussions with staff and public works, we, and as a group, decided to suggest rejection of that change.

Vice Mayor Glass questioned if there are any other residential street that is this narrow or has this much through traffic.

Mr. Weinberger commented as follows:

- There are other streets that are this narrow
- Do not carry amount of traffic

Councilmember Gurney discussed Johnson Street also.

Councilmember Gurney commented as follows:

- Really interested in hearing more from the residents of Florence Avenue, if they're participating this evening.
- Since you got this assignment, a number of cities have created what is known as a slow street.
- In fact, Petaluma has some as an example where the street is closed to through traffic, allowing residential traffic only.
- Those are more successful when the street itself is on the way to a destination or a destination, or right ending at a destination, like a park.

- Florence is a bypass of our main street because it's connecting Bodega and Healdsburg Avenue.
- People get to avoid all the traffic lights and congestion downtown, slipping through Florence and Murphy.
- Questioned thoughts on closing Florence Avenue

Mr. Weinberger commented as follows:

- If you're thinking about closing any portion of Florence to through traffic, other streets are going to experience an increase, such as Murphy.
- Number two, although not documented necessarily in our memo, I live on a 29 foot wide street in Sebastopol that has parking on both sides, and one thing traveling on a street like that, two cars generally, although physically can pass one another at the same time between two parked cars, the width is tight enough where generally one car usually looks for a driveway to pull into while the other one goes by, which is a great sort of traffic calming feature of streets like that.
- One thing that's not documented in the letter is taking a straight away since it's Florence and doing the larger sections of red curb creates a lot more open pavement and more opportunity for vehicles to pass one another because you're not just relying on driveways.
- You have a driveway plus another parking space on either side of that driveway and think there would be a concern for potentially increased speeds with a fewer amount of cars parked on the street.

Vice Mayor Glass commented as follows:

- Hoping that in public comment, when we hear from residents of the neighborhood, that they can refer to the actual requests, as opposed to the issues
- Which things they think are going to work for their street.
- Really interested in what people who live there think is going to do the best.
- Think that people who live on Florence really know a lot about trying to back down their driveway and how hard that is and what kind of visibility they have and how fast or slow people don't go.
- Hoping we hear from the public precisely which of these requests they think will mitigate their problem.

Councilmember Gurney commented as follows:

- Also, if people are speaking, it would be helpful if they're willing to identify their street number because our packet had pictures of all the houses that are talked about with the address on it.
- Otherwise, if you would like to identify your house by the sculpture in the front yard it'll help us place you on the street.

Mayor Slayter opened for public comments.

Charlie and Darleen Ward commented as follows:

- First, was a little confused about the comment that 10 to 20 feet.
- Any kind of distance would be an advantage.
- Part of that comment was that the slow traffic that goes down the street, no, that's a false hood.
- Cars do not go down slow down the street.
- It's been quieter now, since the pandemic and since Peter Lowe's is closed, then the schools are closed.
- We don't have as much parking now as we did, but we still have people racing down the street.

- We still, the other day there was a 50, I looked out the window and there's a 53-foot truck and trailer going down the street in front of the house.
- We need that extra sight.
- If you put an SUV parked up next to the driveway, even with the amount of red that's there now, you can't see.
- Been honked at because you have to inch out and if somebody's coming down, you can't see them.
- We need space on each side of the driveway in order that we can actually get out either face first, nose of the car first, or back out.
- Given up the back out, but we need that.
- We need the red linage on the driveways.
- Enough so that we can actually see and feel safe.

Marilyn Dolce Davis commented as follows:

- The house is where they're on the west side, where the red light that has been approved by the transportation engineer would stop right before our house.
- Would like to take issue with several comments that were made by the transportation engineer.
- Florence Avenue is not a residential street.
- It used to be, but it is now a commercial street for trucks and trailer. Trucks, big trucks that go by. A restaurant, a yoga studio, a photographer studio, all sorts of businesses.
- Since Peter Lowe's closed and the pandemic has closed the businesses, we've gotten a reprieve, but it is not a residential street, at least on the North end in any way, shape, or form.
- Also take issue with the low speed.
- A week ago, one of our beloved neighborhood cats was killed and left to die in the middle of the street, right in front of my house from a speeding car.
- What happens is they turn on to Florence from Healdsburg Avenue or they stop at the stop sign and they gun it and they hit their peak speed right in front of our house.
- It's not a slow-moving street.
- It also was said that 450 Florence Avenue right next door to us, which is going to be in the proposed plan that none of the residents had anything to do with is straight.
- It's no narrower than our houses. It's part of the straightway.
- Don't know why that's being claimed.
- The other comment is that we thought long and hard in making our proposal that there be red on either side of everybody's driveway so that only one car could park. That was deliberate on our part. We did not want to add parking to Florence Avenue.
- We wanted it to be less parking, but our main reason was that safety.
- We have one car driveways and when two SUVs, which is 80% of the parking that parks in front of our house, is parked up beyond the lines, right nose to the end of our driveway. We cannot see anything from either direction.
- We've had large SUVs parked out here for three or four days in a row without ever moving.
- That is why we want the red curb.
- We want to be able to back out safely.

John Davis commented as follows:

- It's an issue.
- It's an issue of safety and there were two issues that got evaluated by W-Trans.

- The increasing the parking on Florence Avenue. I don't know who came up with that issue.
- That I was involved in was 13 neighbors, 13 homeowners on Florence Avenue got together.
- We had two meetings in people's houses. We all decided that we were going to ask for one thing from the city, which was red curbs on our driveways because of safety.
- That was the only thing we were going to ask for.
- We got together a proposal.
- We had two meetings with folks from the police department, Mr. Devore and Mr. Connor.
- We met with the City Council as well.
- We were all asking for just one thing, which is these red curbs because it is dangerous.
- Girls sit in the back of my wife's SUV, which is generally parked in our driveway.
- When she pulls out blind, there has been several near misses and several road rage incidents.
- It's really disturbing.
- My wife had to explain what the raised middle finger means after somebody slammed on their brakes because they couldn't see us coming out and yelled profanities and raised their finger at my wife.
- That really drove us into action. The neighbors got together on that.
- Any red curb is going to help. Any more visibility is going to help.
- Not only would we have more visibility coming out, but the folks coming towards us from either direction would also have increased visibility because there would be only one car in the middle of the stretch rather than two cars covering the stretch.
- Moving the red to the other side of the street definitely does open up visibility for us, but it does not address what our original proposal was for the red on either side of our driveways, so that two cars wouldn't be stuffed in there.
- If some houses are going to get red curbs, the ones to the extreme North end, were not part of our group and were not asking for it, as far as I knew.
- Maybe that extra red could be extended down Florence Avenue for the folks who were asking for it. Because the folks on the North end, across from the Lofts, they didn't join up with us.
- We asked them and they just weren't interested and I'm not even sure they want red curbs in front of their house.

Jude Kreissman commented as follows:

- Want to support my neighbors that have spoken up, and I also want to address the issue of precedent, which is certainly something that we can all appreciate. That you don't want to start something that then every single person and their cat is begging you for the same thing.
- However, Florence Avenue is very unique and this has to be considered.
- We have a development at the end of the street that should never have been approved without parking.
- The whole Peter Lowe development was a disaster as far as parking goes, there was never adequate parking for the Lofts and for all of the businesses that have subsequently gone in there.
- We are reaping the benefits of a mistake.
- The second thing is with the art, the wonderful art and being part of wonderful Sebastopol pedestrian walking trails, which I totally support. We have huge amounts of influx of traffic that other streets do not. We're a destination.
- People either rip up and down the street, they creep up and down the street, inch by inch. Very few of them actually walked.
- We have a load of cars on the street that other streets don't.
- I'm 348 Florence, which is the three jugglers' sculpture.

- I am up the street and I definitely support my neighbors down the street and the people who are really impacted are the ones down that narrow curve.
- What happens when you take mitigation efforts down there is the traffic bumps up the street and we are flooded.
- The pandemic has given us relief too, but a red stripe, we requested red edging to the curbing because we can't see either.
- When we get out of our driveway we too have been honked at, even though we're not in this terrible position that the neighbors down the street are a block away.
- We're used as a shortcut for traffic. A lot of people are, it's not low speed, not by a long shot. People are ripping through here.
- 10 to 20 feet of visibility is a lot. That's a lot of viewing. So, I'm not going to throw that out as just doesn't matter because it's only 10 to 20 feet of visibility, it's a huge amount. It makes a difference between hitting a pedestrian.
- Makes a difference between running into a car.
- Just wanted to bring up the unique capacities, the unique features of Florence.
- You do not have to worry about precedent because there's no other street that really has a set of particular set of qualities.
- Wanted to bring that up as an issue for government because I know you have to consider the whole town when you make an exception or when you make a decision.
- I love proposal about the slow street. I think that's a fabulous idea. We close the street at Halloween. People couldn't be happier.
- The street couldn't be happier and it's wonderful for the town. It's wonderful for the town. It's very healthy.

Kyle Falbo commented as follows:

- Discussion symptom of much larger issue
- I'm at 7667 Bodega. I'm a little outside of Florence but being back in the area over the last couple years, a few things have been pretty apparent.
- This discussion is a symptom of a much larger issue that I'm really not so sure that the council is actually willing to address.
- Sebastopol has a traffic problem. It's not just Florence Avenue. It's not just Florence Avenue's problem. The city has a much larger problem.
- It's the intersection of two major highways, but it's not clear based on the decisions made by this council that they're actually capable of tackling this larger issue.
- There was a previous speaker who's correct when she stated that Florence Avenue is no longer a residential street.
- Many of our streets have been co-opted as commercial thoroughfares as a result of the decisions regarding traffic control in downtown Sebastopol that this council has made.
- Now, I don't have the answer for this particular street, but I assure you, this is going to open up a can of worms where every single one of these previously residential streets that are now commercial thoroughfares that are dodging the downtown traffic are going to be coming to this council, asking for similar requests along the way.
- Is this City going to make these types of accommodations and make these types of improvements and adjustments to every single one of these residential streets?
- Or are they going to actually tackle the traffic problem?
- I'm going to give one quick example of this and I think it's a very meaningful example.

- If you were to be at the intersection of Bodega and Main Street, and you were to be crossing Main Street onto Bodega.
- We have these smart traffic crossing lights that will give some time for pedestrians to cross into the intersection before it allows light to turn green for the thorough traffic. However, it is impossible for a vehicle to turn right onto Main Street. And it is impossible for a vehicle to turn left onto Main Street without that green light coming on.
- Why is there a five second delay at every single light on Bodega and Main to allow for pedestrians to cross when there is zero reason, because there is zero impact of a vehicle stepping into those intersections.
- These are the types of decisions that this council is making that are affecting traffic all around the city.
- Hope that this council takes those issues into consideration and not just these small Florence Avenue symptoms of that larger problem.

Omar Figueroa commented as follows:

- Homeowner.
- Live on Murphy.
- Parent and a small business owner here in town and living on Murphy can be quite terrifying at times.
- Cars reach their top speed when they go by my house.
- Murphy, like Florence is a shortcut that's used by traffic, all sorts of traffic.
- We have like big trucks.
- We have pickup trucks, we have every imaginable vehicle, even the fire trucks use it as a shortcut.
- Mr. Weinberger's absolutely right, the cars that are trying to make it through oncoming traffic have to kind of like pull over to the driveways, and thread through oncoming traffic and it's a pretty scary traffic calming device.
- Thinking perhaps we could consider speed bumps to slow down the traffic and discourage using these streets as a shortcut.
- Like the idea of having a slow street because I think that is consonant with Sebastopol being a slow city and something that for me, was very attractive about Sebastopol and the reason that I made it my home is because of the cheetah slow principles that we don't just want to get from one place to another.
- The journey is part of the whole process and we want people to appreciate our city.
- Perhaps we could consider traffic calming devices like in cities where there's artwork used as a traffic calming device in a way we kind of have that on Florence, where we have all of the tourists who come in and they don't really get out of their cars.
- Love walking to Florence because I live right on Murphy and it's right down a short walk through right down the street and I see so many drivers are distracted.
- They're looking around at the artwork.
- I love the sculptures.
- That's why I go there, but I like to walk.
- If there were some sort of way that we could encourage all those art appreciators to get out of their vehicles and not be driving, they wouldn't pose, while looking at the art, they wouldn't pose a hazard to all the residents trying to get out of their homes.
- One solution could be a one-way street, maybe with bike lanes.
- If that were the case, perhaps half the red curbs would be required to slow things down.

- Don't know what the solution is, but I think maybe we should consider some other creative possibilities.
- Do know that having these two way streets where the oncoming traffic is basically going into a game of chicken and then you veer off into the driveway and then you play another game of chicken until you get to the next vehicle.
- That's perhaps not the best way to navigate the traffic, but that's what we have on Murphy and on Florence and also on Johnson.

Council Deliberations:

Councilmember Hinton commented as follows:

- I didn't really understand - we are removing five, but adding eight – so adding three more
- Is that the recommendation
- We're adding more, I'm seeing shaking hands or heads.
- That is not what I thought the direction we were going when we asked for the traffic study.
- Requested clarification on the recommendations

Mr. Weinberger commented as follows:

- To be clear, I know there was some questions about how the Northern set of recommendations relate to the set of resident suggestions and maybe Chief Devore can answer that.
- I was brought in after all the discussions with residents to evaluate the police department's proposals.
- Can't answer that, but on the Northern section set of recommendations that is intended to improve sight distance through the narrow curve at the North, there is eight parking spaces would be installed on the East side of the street.
- Five parking spaces would be removed on the West side of the street.

Councilmember Hinton questioned if I might it solve the problem that we heard from the public earlier if we just kept it at five and didn't add the three?

Mr. Weinberger commented as follows:

- The reason that there's eight added is because the parking, the red curb shifts to the West side where there are driveways.
- Parking is then moved to the East side of the street on that Northern section where there are no driveways.
- There's more curb frontage that gets you the extra three spaces.

Councilmember Gurney commented as follows:

- Think that the council has heard complaints about inadequate parking on Florence due to the restaurant customers and employees parking up their street from Healdsburg Avenue.
- That's probably where the idea of attaining more parking came from, at least in my memory, to deal with that extra pressure because this residential street has that commercial end to it.
- That's creeping up into the homes in there.

Mayor Slayter commented as follows:

- Would agree with that, that that's been a concern in the past.
- Think that it's, it may be a legacy concern given the current status of things.

- Maybe the pressure is reduced a bit, but also remember the added parking pressures continuing to Murphy.

Acting Chief Devore commented as follows:

- That was actually part of the concern.
- Listening to multiple residents on the street, part of the issue was the safety of pulling out driveways and some of the residents have the concerns over parking, a lack of parking on the street.
- The two proposals were a way to kind of basically take care of both of the issues.
- The only way we saw that we could add any parking was by the moving of that red zone.

Councilmember Gurney commented as follows:

- Recommendation and item, one gets five extra places.
- Following the neighborhood preference, allowing the red curb markings, driveway markings takes away five places, then we have [crosstalk] same number of parking places.
- The red curbs are going to take out five according to the staff report an adding three

Mr. Weinberger stated there are three extra spaces.

Councilmember Gurney stated we lose two overall.

Mr. Weinberger

- The Northern section through the curve proposal, a net gain is three spaces because parking has moved to the East side.
- The second set of proposals, which is the one parking space on either side of each frontage of each home is one parking space times how many homes that you put red curbs on.
- Believe there was nine requests, so that's a loss of nine spaces.
- That would be a loss of nine in a two-block area, not on the one block because that also incorporated some of the residents on the next block up.
- The memo lists all the properties that requested red curb
- Are not contiguous. They're spread throughout the street from 444 down to 313.

Mayor Slayter commented as follows:

- Simply going through the request list from all residents, both blocks - talking about North and South blocks - that that would eliminate 13 parking places and bring none.
- It would be net less 13 parking places, which is by a rough estimation, one full face of the block between Huntley and Mary's Lane would be completely gone for parking - that's 13 parking places.
- Think that that would be even in COVID days of reduced activity, would be a significant
- If it were economy humming and schools open and all the other activity that's going on with people, visitors going to look at the artwork, et cetera, we'd definitely notice that.

Councilmember Carnacchi commented as follows:

- Wanted to point out something that lends itself to what Kyle was saying with regard to our policy in the city, is that part of what compounded the problem with the parking here on Florence is that when we put in the bike lanes, we lost 37 parking spots on Healdsburg Avenue, which was predominantly for all the restaurants.

- It was a lot of parking spots headed North.
- Discussed Healdsburg Avenue for the bike lane that is largely not used by bicyclist going West.
- They're usually using the West County Regional Trail.
- Think that that's part of something that we didn't consider when we did that.

Mr. Weinberger commented as follows:

- Don't think that's the case.
- Know the design maintained all the parking on the South side of Healdsburg Avenue, where all the commercial uses were.
- That number sounds high to me.
- There was some loss of parking in various locations
- Know the Healdsburg Avenue, South side, all the parking was maintained.

Mayor Slayter commented as follows:

- Think that for me, this is a little easier to parse out North of Mary's Lane and South of Mary's Lane.
- The North of Mary's Lane, clearly there are some issues there and this is something that we've talked about time and again.
- If the goal is to have greater line of sight, and I'm speaking as somebody who lives on a very narrow street near a very busy corner with an extremely difficult back out condition, I know exactly what it's like to have people zoom up behind you.
- The addition of it, of sight distance, I think is key.
- Anything we can do to increase that sight distance is what we need to do.
- When we talked about this in September, we also talked about some additional signage and to make sure that the prohibition on commercial vehicles was well-stated along there and to make sure that those signs have gone up and that we have enforcement.
- Realized that it's difficult, that we have a small police force and to devote an officer to sit there and wait for the delivery, slightly oversized delivery truck to go down there and grab them.
- I wish we could do that, but we just don't have the staffing for that.
- But increased presence I think would be helpful.
- Maybe that word gets around delivery drivers.
- I don't know if that works that way, but whatever we can do there.
- Increase of the sight distance I think is absolutely maximized by removing all the parking on the West side and moving it to the East side.
- That way, there are no cars along that entire frontage and the sight distances are increased.
- And I know that that is somewhat counter to what we have proposed by the residents where it's a red zone here and a red zone there and red zone, red zone everywhere.
- And the wholesale shifting of it to the East side, I think does nothing but increase sight distances and I agree with what was said by the residents at 444 and needing to make sure that the backup zone for that residence, and I'm looking at page nine of 46, which is the present condition and then you go to page 10 of 46, which would show the proposed change.
- And if the additional parking stalls, if we're moving five and then adding three for eight across the street, maybe we can get by with five or six or seven and maybe not go the full thing and provide a little bit additional backup zone and eliminate the parking stall that's closest to 429 and make that a wider spot in the road, which would allow the residents at 444 to have easier ingress and egress from their narrow driveway.
- And then it not needing to maneuver with such care allows for.

- You can get along with things, a little speedier if you're not having to go inch by inch by inch.
- Then just to move the discussion along, on the North end, or excuse me, the South end, that block, I see a difficulty in setting precedent, honestly.
- The narrowness of the street, the number of cars, and the amount of traffic is something that many residences across the city experience.
- Concerned about a precedent that's set that the Council, this Council and future Councils would be extremely- it could turn into a real problem for the Council and the city as a whole, where all those special people over on Johnson, what's so great about them?
- Why do they get red zones and we don't get them over here on Sunset or whatever?
- So that's my concern with those spots.

Vice Mayor Glass commented as follows:

- It's so hard to figure out how to fix problems that have been just compounded over the years and short of completely redoing things.
- Think that Florence is the most unusual because it does have that attraction of the tourist attraction of the artwork, where people are driving along, not paying attention, looking at stuff, and kind of acting like bozos while they're rubbernecking at the art and not looking where they're going in combination with other people that are commercial drivers, driving stuff to the businesses that are driving really fast.
- Even worse situation than we have on Murphy, but I know we have a bad situation on Murphy too.
- Would like to in particular, move all that traffic, move the parking onto the East side.
- Would like to accommodate the people on the North sections desire for the additional red markings to limit the amount of parking in front of, give some more line of sight in front of each house.
- Think long run, I really think we need to think about how are we going to deal with these traffic issues on these thoroughfare streets?
- The streets that are the pass throughs because what's the point of the street?
- What's the primary use of the street when it's, when there's a bunch of residences on a street what's, who are we trying to accommodate?
- Are we trying to accommodate that commercial traffic that's driving through a residential area?
- Or are we accommodating the tourists who are driving through?
- It seems to me that what, the first, our first obligation is to accommodate the people that live in the neighborhood and their safety.
- I think that's our number one priority.
- Didn't quite hear from the public about the notion of moving the parking all onto the East side versus the West side.
- Didn't hear anybody saying that was a problem.
- If not hearing from anyone in the public saying, "That's a problem", then I think we should do that.
- Think we should accommodate and yeah, we're going to lose some parking spots, but are we going to, are we more concerned with parking spots than we are safety?
- Think we have to be more concerned with parking spots.
- Understand our traffic engineer's perspective, but I think that people - the residents have more data.
- Data is that people drive through in these two really crazy ways, driving along, not looking where they're going, or driving along really fast because there's commercial vehicles on the street.

- Then the last thing I want to know is did we ever put up the signage that says no commercial traffic?
- Discussed talking about signage – did we ever put up that signage?
- Think we need to have that signage on these streets that are the pass-through streets.
- Think we need to get together with our planning director and start taking a look at these being slow streets, or no through traffic kind of streets.
- What can we do because this is going to just keep getting worse and worse over time?
- The more traffic we have, the more people use these bypasses.
- Certainly, find on those few times when I'm not actually using it as a bypass, but I'm coming up from the pharmacy or from City Hall. When I'm turning left from Wilton onto Florence, even there, there's another curve there. Try and turn left there.
- There are people driving around that curve really fast and you're trying to make a left turn so that I can get down by the fire department and people drive like idiots.
- These streets are a problem and we need to figure out how to slow it down.
- Put the parking on the East side, accommodate the Northern section of the street that want additional red in front of their house and put up the no commercial traffic signs and start thinking about how are we going to deal with this several of these through streets that we have for a long-term solution.

Acting Chief DeVore commented as follows:

- EVA Access
- Fire Chief looked and stated this would allow room for their engines to get through there.

Director Svanstrom commented as follows:

- Understanding from the Fire Chief is that there needs to be a certain amount of space maintained for emergency vehicles.
- The reason there isn't parking there right now is because there wouldn't be adequate emergency access.
- Want to make sure that the design being proposed would still maintain the adequate space.
- It doesn't mean it can't shift from one side to the other or move.
- I just know that the Fire Chief has a minimum width required for emergency vehicle.

Councilmember Gurney commented as follows:

- My experience of the streets that we're talking about is that locals are using these heavily as well and often speeding.
- Think of Murphy, for instance, it's on the way to Brookhaven School.
- Parkside from Parkside to Brookhaven, there's a lot of local traffic zipping over there trying to do the drop-offs. This is in the days when our schools had regular hours going to appear in person.
- Look at South High Street, another one.
- When Pinecrest was a public school, we heard the same complaints on South High from Calder all the way to Hayden.
- Want to check back on this speed question for Florence.
- What I know about Florence is there's quite a lot of speed on the South end coming to the fire department, that block that has the church in the parking lot and the red curb, and then you get sort of over the hill and then to this Northern end that we're talking about more.

Mr. Weinberger commented as follows:

- Know that the speed has been in discussion, a lot of anecdotal information I haven't seen or been provided with any speed data on the street.
- There's just to throw another idea into the ring here, the city does have a traffic calming guideline.
- They're getting a little dusty on the shelf, but at the time it was developed more than 10 years ago, the idea was if residents came forward with requests for speed reduction devices, and whether that's speed bumps or other things to slow traffic down, that there was a policy adopted at the time to do a speed survey and if the 85th percentile speed was more than five miles an hour above the speed limit, in this case 25, then the city would entertain some changes.
- If what I've been hearing is a lot, their attentiveness issue.
- The city does have a vehicle to examine that, to look at the speeds.
- Guarantee you the speeds are going to be different on different sections of that street.
- But "if there truly is data that shows that, Hey, this the 85% of the traffic is traveling more than five miles an hour above the speed limit", then maybe that's when you entertain some, some of these ideas, measures to reduce speeds.
- Which if the speeds can come down and I think the visibility issue is certainly improved.

Councilmember Gurney requested clarification.

Mr. Weinberger commented as follows:

- The guidelines were written at the time to provide a policy so that if say a street or residents for requesting, say they were requesting something like a speed bump, and there are none in the city right now.
- They are the only ones in proximity are actually in the county right now, but the guidelines were written so that there was a methodology for addressing that rather than sort of anecdotal information.
- Speed's surveys would be done.
- A minimum number would be accomplished.
- Those would be compared against the speed limit.
- If it were more than five miles an hour above the speed limit, then the city would then consider measures or devices to reduce speed.
- Do have a vehicle to measure that from a, with facts rather than, I'm not discounting the anecdotal information.
- That's very valuable, but sometimes it's nice to have the data.

Councilmember Gurney commented as follows:

- That might be an interesting next step.
- Think we want to address the parking issues, address the line of sight issues, address the speed and safety issues, and honor the neighbor's concerns to have their red curbs painted.
- Think it's our responsibility to do this and maybe we try it for six months and if the neighbors have trouble, they're going to come back to us.
- Think it's important to deal with the issues that keep returning to the council.
- It may not be the professional resolution, but the anecdotal one.
- Think we need to go with anecdotal solutions right now.
- That's what our people want.
- This is an exceptional street.
- It's not going to create a precedent.

- There's no other street like it.
- Other streets may have their own unique elements, but that's for that street to come up with it.
- If it has some problem, right now, we've got a really unusual, unique street drawing in a lot of people wanting to appreciate the artwork, whether those are locals like Omar walking down there with his family or tourists coming to see what's so well known, see what's in the calendar.
- Think we do both recommendations.

Vice Mayor Glass commented as follows:

- There's an issue of like averages.
- Think that getting data is a good idea, but all it takes, if we have, if you live on that street and 100 people drive by your house and 98 of them are going, what's the normal speed limit?
- But all it takes is one or two people every hour or two that are going really fast to kill the neighborhood cat.
- It's not really a matter of averages.
- Believe in looking at averages when you're looking at highways, I think that really makes sense.
- That makes a lot of sense to me when you're looking at a long straightaway, like Bodega Highway, and you have to look at the prevailing speed and all of that stuff.
- But in a residential, like really narrow street, I think you have to look at more than just averages.
- You have to look at people that are not adhering to the rules in a significant way.
- It's not like they're just going like 31 miles an hour.
- There are these jerks that just gun it, going through.
- And those are the real problems.

Councilmember Gurney commented it is a quality of life issue and character of the residential neighborhood.

Councilmember Carnacchi commented as follows:

- Actually 29 parking spots that were removed from Healdsburg.
- Aren't talking about parking issues and I did hear one of the public commenters say that part of the problem is that the employees at the restaurants are parking on the side street.
- There's nothing you can do to make me believe that when you remove 29 parking spots from the main road going to town, that those parking spots aren't going to be taken on the side streets.
- Think that that is part of the issue.
- Wanted to be clear about that.
- Need to think through it more thoroughly before we decide to do and remove parking spots in the future.

Councilmember Hinton asked if the signs had been installed.

Acting Chief DeVore stated not yet.

Councilmember Gurney moved and Vice Mayor Glass seconded the recommendation as listed in the staff report issue number one, to maximize the street parking on the north end of Florence Avenue and as to issue number two, increase the line of sight distances for the residential driveways on Florence Avenue (creation of red zones) for the addresses that are listed in the staff report and noted below:

444

432

422
410
348
318
429
313

Discussion:

Mayor Slayter commented as follows:

- Propose that instead of eight parking places, we produce seven parking places on the east side and leave that first one closest to the north side of the driveway of the house at 429, because we're creating a line of sight issue there.
- Can address that now, rather than it becoming a problem and having it to come back to us.
- Think that that would be a significant help to the residence at 429 since we're somewhat cherry picking with the addresses that we're addressing.
- The residences that we're looking at, and the line of sight there, is going to become an issue if there's a parking place jam right up against that north side
- Produce 7 parking spaces
- Page 10 – 429 – should be red zone first 20 feet (parking space north end of driveway)

444
432
422

Councilmember Gurney amended her motion and Vice Mayor Glass seconded the amended motion approving the recommendation as listed in the staff report issue number one, to maximize the street parking on the north end of Florence Avenue and as to issue number two, increase the line of sight distances for the residential driveways on Florence Avenue (creation of red zones) for the addresses that are listed in the staff report and noted below:

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313:
and

- Produce 7 parking spaces
- Page 10 – 429 – should be red zone first 20 feet (parking space north end of driveway)

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 (with strong hesitation about us doing this action on the south end, and creating a precedent that we may have difficulty with)

Noes: None

Absent: None

Abstain: None

City Council Action: Approved approving the recommendation as listed in the staff report issue number one, to maximize the street parking on the north end of Florence Avenue and as to issue number two, increase the line of sight distances for the residential driveways on Florence Avenue (creation of red zones) for the addresses that are listed in the staff report and noted below:

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- Produce 7 parking spaces
- Page 10 – 429 – should be red zone first 20 feet (parking space north end of driveway)

Minute Order Number: 2020-161

Mayor Slayter called for a break at 8:09 pm and reconvened the meeting at 8:20 pm.

11. Discussion and Consideration of Approval of Budget and Scope of Work for Consultant Contract – Jerry Threet; Budget Range of \$30,000 - \$40,000) and Direct Initial Limited Scope of Work In Response to Council and Community Input at the Special City Council Meeting of June 30, 2020. (Community Policing) (Requestor: Mayor/Vice Mayor)

Mayor Slayter and Vice Mayor Glass presented the agenda item recommending the City Council discuss and consider Approval of Budget and Scope of Work for Consultant Contract – Jerry Threet; Budget Range of \$30,000 - \$40,000) and Direct Initial Limited Scope of Work In Response to Council and Community Input at the Special City Council Meeting of June 30, 2020.

City Manager McLaughlin provided the following comments:

- The mayor, and vice mayor and city staff, including the city manager and the assistant city manager have been meeting on several occasions to put the agenda item together.
- What you see before you this evening is also a result of the special meetings we had and the things that we heard at those special meetings.
- We've been in several discussions with Jerry Threet.
- What's before you this evening, primarily brought to you again by the mayor and vice mayor, is a proposal to do a three-phase scope of work to be performed by Mr. Threet.
- The general outline of work that's to be done are contained on pages two and three of the staff report.
- The overall goal is to make sure that our law enforcement services are being provided in accordance with our community values.
- We heard a lot about what our values are or what they should be or could be.
- In those special meetings, the scope of work, especially phase one is to do an examination of a number of areas at the police department, where Mr. Threet will be [inaudible] and the person designated to work with him at the police department, to provide this information for his review.
- At the top of page three of the staff report is a pretty rough estimate on the amount of time that Mr. Threet would have to spend doing the tasks in phase one.

- We thought it was important to bring to the council a not-to-exceed figure, but it is difficult to estimate the amount of time that will be necessary to do phase one, but would be easier in the future to do the other phases because by that time, Mr. Threet would have reviewed enough information about the police department to be able to understand better the scope and the extent of the work that's required to do the other phases.
- In some discussions we've had over these phases, I think he feels comfortable and he's here this evening to speak to that.
- Think he feels comfortable with a budgeted range in the 30 to \$40,000 range estimated.
- The agreement with him would be proposing a not-to-exceed figure of \$40,000.
- Recommended that the mayor and vice mayor go through the few other details of how this scope of work was developed, and then perhaps hear from Mr. Threet and answer any questions that perhaps the council has on this proposed process.

Mayor Slayter commented as follows:

- The way that we were looking at this is the same approach that we were taking in the public meetings, the special meetings rather.
- First, we need to find out where we are, and that is accomplished in a variety of ways.
- The first would be some internal review at the police department done by an expert.
- Then there would also be the track of community input and facilitation of public meetings.
- We said that we would hope to have a proposal for a facilitator at our special meeting, brought back at this meeting.
- We've continued to reach out to folks and everybody is really busy right now in his field of work.
- We don't have a formal proposal for that portion of the work.
- That will be returning very soon as we're able to get that put together.
- Where we are with this is that the fact finding of some review of our law enforcement policies, procedures, trainings.
- All those things that we've talked about for seven plus hours at the two special meetings are reflected here.
- We've gone very carefully through our notes.
- We've gone very carefully through the minutes of the meetings.
- It is the city manager, the assistant city manager, myself, the vice mayor, as well as Mr. Threet, we all went through this and came up with a fairly focused proposal for the council to consider.
- And it's difficult to positively say that it's going to take X number of hours, because we don't know.
- I'll use parlance of my trade. If a contractor opens up a wall and doesn't find anything wrong, well, you close it back up. If the foundation doesn't need to be replaced, you don't need to jack the whole house up and install a new foundation. So, you don't know what you're into until you get into it.
- So that's what this item is.
- What this proposal shows is for us to undertake what would be the phase one.
- Then the other phases are clearly laid out in the staff report and that the consultant could begin as soon as a contract would be finalized and get this part of the work underway.
- The community track portion may not require the length of time.
- Feeling like we're in a good place with getting this part of it done or underway prior to undertaking some of the community meetings, which are of equal importance but perhaps shorter in length.

Vice Mayor Glass commented as follows:

- As the mayor said, our approach on this was to look at kind of a critical path of what needs to be done.
- The first is to evaluate what are our existing policies, procedures, training requirements, et cetera.
- Then look at in more detail, whether we are actually adhering to those policies, procedures, etc.
- Lastly, whether those policies, procedures, etc., are actually in alignment with what our community values are.
- And then of course, a report out, so that we can evaluate what to do next.
- So that was our general approach.
- It's my feeling that this is a very reasonable budget item, given the breadth of what needs to be done.
- Think, as council members, it's actually our most weighty responsibility to ensure that our policies and roles regarding law enforcement are in alignment with our values and what we believe in.
- I take that responsibility very very seriously.
- It's the most important or weighty responsibility that I have.
- If our policies are such that it costs one life or that our actions result in even one lawsuit, this expense is an extremely good investment.
- Think I have a moral responsibility as an elected official to ensure that we have the policies and procedures and that we're adhering to those, that we have confidence in.

Mayor Slayter commented as follows:

- It is the city's goal that the overarching work is to ensure law enforcement services are provided in accordance with widely held community values.
- We're in no way saying that there's a problem.
- We're not saying there isn't a problem.
- We're not saying anything at this point.
- What we're doing is heading down a fact-finding mission first.
- If something needs revision, then we're in a great place because we have all the information and data, and we're able to make that change and to have this kind of a statement that we continue to hold as a bit of a North Star, as far as this process goes.
- Think that it's helpful for everyone.
- t's helpful for us as elected.
- Think it's helpful for the community, and I think it's also helpful for our law enforcement professionals who are doing great work.
- The Sebastopol police department is widely respected, widely held in great esteem for good reason.
- What this is a kind of a statement that can be referred to that, "Hey, we are all actually pulling on the same end of the rope here." We're not looking at this as a big contentious issue, but as the vice mayor stated, I am in agreement with her
- Would agree that this is what I would say, put me personally as an elected, that this is, "Probably the most important work that I've been involved with since I was elected to the council."
- This is something that is of vital importance.
- If we can figure out how to deliver services that our community desires in a better way, then it's on us to figure that out.
- We can't just continue the status quo, assuming that it's the best path.
- We don't know if it is, we don't know if it isn't.

- And a fact-finding mission is how we get there.
- This is the most important work involved in since elected to Council
- Vital importance
- Figure out best way to provide services for our community

Mayor Slayter opened for questions.

Councilmember Hinton commented as follows:

- Observed use of force on Tuesday morning
- Was the taser deployed in that episode

Chief Devore commented as follows:

- Stated it was in that case, dry stun.
- Barbs were not shot out and stuck into person
- Contact points that are pushed against the body and activated

Councilmember Hinton commented as follows:

- Sebastopol police follows a camera activation policy, correct For patrol officers.
- Is that a mandate or what's the body cam situation that we currently use?

Chief DeVore commented patrol officers are required to activate their body cameras when they are responding to calls and to record what happens during those incidents.

Councilmember Hinton commented as follows:

- Stated it is her understanding that we have a system for every stop, and that the result of that stop is logged into a system.
- Is that correct

Chief DeVore commented as follows:

- Discussed traffic stops
- We have a computer system, a database, it's called, RIMS.
- It's a record management system and all incidents; any phone calls we get, anything that the officers do are logged in there in a certain way.
- When an officer makes a traffic stop, an incident is created saying that the officer was stopping somebody.
- The data that's in the incident would only cover what information the officer put out at the time.
- It's usually the location of the stop, the vehicle, the license plate.
- There would be more information if the officer runs out the driver, the driver's information would be in there.
- If you're looking for the race, gender, things like that, of the driver, that stuff is not documented in there. That's documented on the citation.
- That information would only be available if there was a citation.

Councilmember Hinton commented as follows:

- In one of our community meetings, a council member asked for some records
- Has anybody requested those records formerly?

Chief DeVore commented as follows:

- Councilmember Carnacchi asked me if I could give him an update on where I was at.
- Gave him a printout of where we were at, at the time, which I believe all of the council people have a copy of, at this point.
- Where we were at on that was within a ten-year computer search using certain words to basically look up uses of force.
- Don't know if you have a copy in front of you, if you were to go through the pages, there would be things like pepper spray, less lethal, baton, taser...
- 148, which is our code section for obstructing an officer.
- We did a computer search, which gave us all of our cases over 10 years, which was a search of 18,633 records.
- That gave us multiple pages of cases that had those words in them.
- I had my records people go through those, an initial check to go through them and see how many of those they could weed out, basically show that there was no use of force, just the word was used in those reports.
- That's where we're at.
- That's the copy that went to all of you in the council.
- If you're looking at it, all of the lined-out cases are cases where there is no use of force.
- The others there aren't lined out or there's things written next to, are cases that we would have to go through, or myself would have to go through - Actually read and see what use of force, if any was used.

Councilmember Hinton commented what does the police department think about an open audit.

Chief DeVore commented as follows:

- The police department is not against an open audit.
- We believe an open audit would show that you have a very good and well-trained department with very few issues.
- I will be honest, my personal opinion and the opinions of my officers are, what we would request, is that somebody other than Jerry Threet, be used to do this audit work.
- We're open for an unbiased look at our police department.
- We do not believe that we would get that from Jerry Threet.

Councilmember Carnacchi commented as follows:

- Questioned if the \$30,000 - \$40,000 proposed is just phase one or is that for all three phases
- Stated it was not clear in the report

Mayor Slayte stated it was for phase 1.

Councilmember Carnacchi commented as follows:

- It was after I had met with former Police Chief Jeff Weaver and Dennis Colthurst, who is the only officer to use lethal force in the history of the department -We sat down there with the police policy, which is quite thick – there are about 466 pages
- But at that point, it was Chief Weaver that suggested that with the RIMS software system, that we could indeed and that we should ask for 10 years of data and do keyword searches.
- The department took it upon themselves to do that.
- When I asked for the update, that is what I sent all my colleagues. You all saw that.

- The initial question of course, is going to be, from the general public and maybe the Chief could answer to this.
- The public would say, "Well, how can we trust what you're doing?"
- The cases that you're eliminating where they only use the word, how do we know that that's not a coverup?"

Chief DeVore commented as follows:

- What I would say is all of those records are retained within our computer database on our servers.
- If you were to go through this report and look at a case number that we had crossed off, it would be very easy for somebody to look at that report and see whether or not we were being upfront and honest with it.
- Me personally, just to be honest, if I were to lie, let's say or be on truthful in a report like this, that's my job. That's my retirement.
- That's not worth it to us.
- Plus, as I said, we don't think you're going to find anything in there that is worth hiding.
- We are more than willing to be above board and transparent and I'm willing to prove that through an audit.

Councilmember Carnacchi commented as follows:

- I'd like to talk about your time with ILERO
- I'm curious as to how many audits that you actually performed with ILERO for the Sheriff's department.
- Do you have an idea on the number of case audits?

Mr. Threet commented as follows:

- It was around 50
- Majority of which were reviews of investigations of use of force.
- There was a variety of other things but that was the bulk of them.

Councilmember Carnacchi questioned if Mr. Threet audited the Jeremiah Chasse case?

Mr. Threet commented no that case was long before ILERO was established and the resolution of that case would have taken place almost a decade before ILERO was established.

Councilmember Carnacchi questioned if Mr. Threet audited the Andy Lopez case?

Mr. Threet commented no that was done in 2013. He stated that the audits that are done by ILERO are the administrative investigations and those investigations are trying to decide whether there should be discipline for an officer who's an employee of the Sheriff's Office. There's a one-year statute of limitations on any discipline of an officer under the Peace Officer, Bill of Rights. That's how long you have to complete that process. The Sheriff's Office had decided there would be no discipline for Sheriff Gelhaus long before I started that process in ILERO. That was not an opportunity to review that.

Councilmember Carnacchi asked Mr. Threet to expand on the incomplete cases.

Mr. Threet commented as follows:

- There were some cases that were left on my notes here that were incomplete.
- Think that I have a number that I counted at 26 incomplete audits.
- ILERO was opened with a staff of two people, the Director who's the auditor, and the administrative support staff.
- It was recommended the office be opened with a staff of four.
- The Board of Supervisors chose not to do that.
- Almost immediately in my tenure, there developed an ongoing backlog of audits because there were more cases to audit than there was time to audit the cases.
- During the entire time I was the director, I advocated for additional staff.
- The board chose not to provide that additional staff.
- Most recently, they provided one more additional staff for community engagement for the current director.
- She too has an ongoing backlog of cases to audit because the investigations are completed.
- It takes a certain amount of time to audit them just to make sure that there's certain criteria to audit, including that they are complete. All the evidence has been looked at.
- They've been done in a timely way and has been done in a fair and unbiased way.
- The investigation that took the most time that I did took 180 hours over three months.
- It took the Sheriff's office a year to complete that investigation.
- There are some relatively complex things that come to be audited at that office.
- That's the reason for that backlog.

Councilmember Carnacchi commented as follows:

- To the Chief's point Mr. Threet, he feels like you're biased against the police.
- If you could speak a little bit about that and your relationship with the Sheriffs or the former Sheriffs.

Mr. Threet commented as follows:

- Just say that I don't have any bias against the police but it's easy to say either that someone is biased or is not biased.
- The way I see the work involved in civilian oversight is that you take a look at the evidence that's presented about how the agency's being operated.
- Look at it carefully, examine it, analyze it.
- Over the course of my entire career, I've worked regularly with law enforcement officers and I enjoy working with them.
- I generally like police officers and those who do that work, I think it's valuable work.
- I went into the work at ILERO with the Sheriff's office.
- Looking forward to that and made some friends in the Sheriff's office and I will say that in the last year of my work, things went south with the Sheriff when I put out a report that focused on the way the sheriff did their internal investigations.
- There were a number of investigations that were very problematic, the way they were performed.
- The one I just mentioned to you that took on maybe hours involved a lawsuit, a Federal lawsuit that was settled by the Sheriff's Office for one \$1.7 million.
- It's referred to the Jail Yard counseling lawsuit.
- That's an example of one of the investigations that was deficient.
- It was extremely biased in favor of the Department.

- The investigator asked very leading questions designed to come to an outcome of all the depth that he questioned.
- He asked very hostile questions to all of the inmates at the jail that were in line with the type of bullying you would see on the cross examination and trial on TV.
- When that report came out and identified those deficiencies and internal affairs investigations by the Sheriff's Office, the Sheriff basically went ballistic, tried to squash that report, keep it from being published.
- When it was published, he decided to go public and alleged that I was biased against police officers and against the police agency that he was the head of.
- That's where we get this allegation that I'm biased.
- It came from a report that was very well supported by the evidence and that drew those conclusions from that evidence.
- It's not a matter of bias.
- It's just like when a judge is sitting with a case and all the evidence is presented to them, that judge at the end has to make a determination on what that evidence shows.
- Once they make the determination, decide that the evidence is against may say that the judge was biased, that it's based on the evidence.

Councilmember Carnacchi commented as follows:

- The City of Sebastopol, to my recollection, received a Public Records Act request, I think the beginning of December from you with regard to the David Ward case.
- The David Ward happened on the 27th of November and the City of Sebastopol received your public records as requesting the body cam videos on December 4th and that you were given those body camera videos, I think it was the 14th.
- What was your intention at that point?
- What were you interested in seeing the body cam videos?
- Know you're an attorney.
- Were you thinking about suing the City or representing the Board family?
- This is a question that I don't know the answer to.

Mr. Threet commented as follows:

- No, I continue to have an interest in what happens in police agencies and the incidents that happen in the County.
- I made the same request from the Sheriff's Office, and as you know, the Ward family is represented by someone else, not me.
- I don't do that kind of litigation.
- I never have and I don't plan to do it now.

Councilmember Carnacchi commented as follows:

- With regard to the staff reports, I would like to have seen more concrete type actions that we can take.
- Laid it out of several of those that we don't really need an auditor such as yourself to actually enact it.
- We can do them right now.
- Wondering why there isn't more talk about some concrete actions that would happen with regard to your review of the Police Department.

Mr. Threet commented as follows:

- Don't understand your question.
- There's quite detailed scope of work provided with the packet.
- Could ask a more specific question
- Not sure what you're looking for.

Councilmember Carnacchi stated he would direct his question to staff.

Councilmember Hinton commented as follows:

- Since this is phase one that's on our agenda tonight, we've already really gone through phase one because he led our community meetings.
- I'm interested in what has been spent so far financially and because that was really phase one and then now, we're looking at what I see as phase two.
- I've asked this actually of City Staff today and we have not received a bill.
- Could you give us an estimate of what that bill looks like for what we've contracted with you so far?

Mr. Threet stated it is about \$3,000 to \$4,000 so far.

Councilmember Carnacchi commented as follows:

- Question with regard to cost on the police recruitment up to this point.
- Do we have a figure on how much we spend and the cost for the Police Chief recruitment?

City Manager McLaughlin commented as follows:

- The Police Chief recruitment is a lump sum payment in the amount of \$25,000 that runs the range from a relatively short routine recruitment that brings you a successful candidate immediately, to the other end of the scale, which is a lengthy recruitment with no viable candidate and completely redoing the recruitment.
- The \$25,000 buys you enough recruitment to bring yourself a successful candidate, even if it has to be repeated but it is a lump sum payment in which I consider given the amount of services and my knowledge for this particular recruiter is a bargain.

Councilmember Carnacchi commented as follows:

- Now that we have an idea of what the scope would be that we shouldn't go out for an RFP on this and get a request for proposal as a matter of being more transparent?
- I think with regard to the public and given the concerns of the Police Chief and the Police Department's concern about this particular auditor, is there a reason why we can't go out?
- Can this agenda item be used in order to springboard off of this to go out for an RFP and then come back with a request for proposal?

City Manager McLaughlin commented as follows:

- Think the item is broad enough that the Council could give lots of different types of direction this evening.
- Will comment that there is no legal requirement to do an RFP or an RFQ process to select the consultant.
- Had that examined independently by a law firm several years ago.

- In response to that particular question, it is up to the public agency to decide in the case what they believe to be the most proper method that they wish to utilize in that particular situation, to find a consultant.
- Consultants are chosen based on their expertise and experience.
- If you have a consultant with the requisite experience and the requisite expertise, you believe that consultant is best suited for the job, you need not go through a particular process.
- You can just enter into an agreement with that consultant.
- In other cases, there may be a large number of individuals or firms that could do a particular job.
- In which case, you may do an RFQ or an RFP process and go through the relative merits of numbers of applicants and interview them and so forth.
- We do it all different ways.
- The council has to decide what the expertise level that they need and who possesses that and how to find that person.
- I don't think it's a matter of transparency because everything that is done in this situation is designed to be transparent.
- Ultimately, the results will be analyzed and known.
- Whether you do an RFP process or you don't, I believe it will be transparent.

Councilmember Carnacchi asked Chief DeVore to speak to the morale at the police department.

Chief Devore commented as follows:

- Right now, to be quite honest, the morale of the Police Department is very low with everything that's going on.
- We're already shorthanded three positions out of 14.
- Right now, to be honest, I've heard I have two officers that are looking to go other places because of what's going on.
- That's going to cost this department in a way.
- I'm not sure how we're going to deal with it.
- Right now, recruitment is very hard.
- I think the main thing we're going back to with this department is, and I hate to hound on it, is I'll put it out there again for my people is who we're using for this particular audit.

City Manager McLaughlin commented as follows:

- Want to report to the council that the Assistant City Manager and I have met with the officers of the Police Officers' Association on several occasions.
- They have expressed that they do have those issues that the Chief alluded to but they also feel that they have the backing and the support of the City's Administrative staff and they have told us so.
- We support them.
- We always have.
- We think that we have a very excellent police force and they know we feel that way and we have very good relations with our officers.
- Retention in the police force is always an issue.
- It's been an issue ever since I've been here.
- It continues to be an issue.
- The main reason is police officers are in short supply these days.
- It's difficult to recruit good officers and it's difficult to keep good officers.

- You have only to open the magazines that police officers subscribed to see full page ads from cities all over the state offer large bonuses if experienced police officers will leave where they are now and go work elsewhere.
- There's a lot of heavy-duty recruitment going on and we have always had the issue of retaining our officers.
- I believe our officers know that they have the support of City Staff, that we value their services.
- We want to retain them.
- We have always been as generous as we possibly could be in our salary and work benefit issues.
- There's always a very complicated subject, the subject of retaining police officers.

Councilmember Carnacchi commented as follows:

- First – question to the Chief – do you think that your department, if we went out for an RFP, that would help with the morale in the Police Department?
- Second – question to the City Manager - if that is the case, then would you support going out for an RFP as the City Manager?
- Would you make that recommendation?

Chief DeVore commented as follows:

- My personal belief is yes it would help the morale if we were to go out and look and see who's out there and see if there's somebody else that could do that.
- Yes, I believe that would help the morale of this Department.

City Manager McLaughlin commented as follows:

- My answer is that there are a large number of factors that play in the selection of a consultant.
- I alluded to that earlier.
- There's more than one thing you need to bear in mind as you choose a consultant and it's up to the Council to decide what weight to give all those particular elements.
- There are the morale issues with our police officers these days.
- There is a challenge in retention area, which I mentioned before but the Council also wishes to address the challenge as expressed in the staff report of ascertaining in a way that the public trusts that our police force is trained, that they are the type of people that can be trusted to adhere to the widely held community values that we have in Sebastopol that we've been hearing in the special meetings.
- It's up to the council to decide, I think, how to weigh all those different elements and decide by what process to choose.

Councilmember Hinton commented as follows:

- I understand our policy is that a consultant can be obtained without an RFP and basically there's no limit of spending.
- What is our limit to go out for the normal three bids on street projects and other things that we buy because sitting on budget subcommittee, I can recall buying a motorcycle and I know for a fact that we got three bids.
- What's typically our physical limit because for transparency, I think they are related.

City Manager McLaughlin commented as follows:

- The way it works is there's a public contract code.

- For city public works process bid projects, you have to adhere to certain figures above which you have to go the traditional three bid process and so forth.
- There's also purchasing of property, purchasing of vehicles, purchasing of equipment.
- All cities need to have purchasing policies and the cities devise their own policies for that.
- There is no state code that says how you buy equipment.
- Cities determine how they buy equipment and they set different levels.
- Above certain level, you have to do more search.
- Cities decide how to do that.
- Then there's the issue of which I've already discussed about how you choose your consultant.
- Consultants are not chosen on whose work is the lowest price
- The consultants are chosen based solely on their expertise.
- When you choose a consultant, you choose the best one able to do the work.
- After choosing that person, then you start negotiating how much they're going to cost you.
- If you don't have enough budget to pay for it, that could be a problem but that's the order that you do that.
- For public works projects, above which you need to do a bid, but I just want to point out you're talking about three different things there.
- When I'm ready to approve something, I always go have the City Clerk help me look it up to make sure we're adhering to all of our City Council adopted policies on my spending authority, our department spending authority and so forth.
- Also, the public contracts were expanded in recent years to allow more informal bid procedures where you have previously approved certain contractors for certain types of work.
- Then you don't necessarily need to adhere to every rule in terms of the bid process that was put on the books for many years.
- It's quite a complex thing to decide what your public works process is going to be to, to let a job public works project.

Councilmember Gurney commented as follows:

- Actually, I have more comments than I can remember at this point after this much discussion but I think for starters, I'm going to say let's be real.
- Morale has been low in the Police Department for a long time.
- It may be low for different reasons now but it's been low earlier.
- I'm not going to dwell on those facts.
- I think we all know what I'm talking about.
- I'm checking with you as to that being another potential purpose that you share.

Mayor Slayter commented as follows:

- The residents of Sebastopol are who we have been elected to represent.
- The seven plus hours of the special meetings, I would agree with your supposition that we heard loud and clear that some internal review, some external review was required.
- Requested maybe would be a better term than required and that having somebody do that review that has community support, it's up to us to represent the community and to take that action to choose somebody with integrity that the community can trust.

Vice Mayor Glass commented as follows:

- I think that why we were interested and have decided to put forward engaging Mr. Threet was because he had the confidence of our community.

- He has the confidence of people that are active in social justice and civil rights issues in this County.
- Frankly, I've never been to a public meeting and have one of our departments tell us who we're supposed to hire or who we're not supposed to hire.
- It's kind of unprecedented.
- Who's the boss here?
- We chose this individual because he had the confidence of the act of the community that are concerned with these issues.
- If we hire some firm that is going to be an organization that is a rubber stamp organization, our community is not going to accept the results.
- It's very important that we hire somebody to do this kind of work that has the confidence of people that have been concerned about these issues for many years in this community.
- Otherwise, we're going to end up with a lot of really unhappy people and more unrest in our community.
- That's why I want to hire somebody that has the experience and the integrity and the resume to do this work.

Councilmember Carnacchi commented as follows:

- Question for the Finance Director – with regard to best practices for city spending, would it be best to put out an RFP, a Request for Proposal, to make sure that we're spending the moneys in a best practices' way?
- What are the best practices for the City when we talk about hiring consultants?

Mayor Slayter stated the City Manager laid that to rest and it is up to the City Manager to decide best practices.

Vice Mayor Glass questioned how many city resources have been used in preparing this information and these questions to undercut the city's potential choice of a consultant?

Councilmember Hinton commented for her none.

Mayor Slayter opened for public comments.

Robert Edmonds commented as follows:

I'm Robert Edmonds.

- I'm on Bollinger Lane in Sebastopol.
- I served as vice-chair of the Coyote Task Force, as well as the committee that created ILERO
- Served on the hiring committee for the first director who was Jerry Threet.
- The County conducted a national search and a lengthy interview process of multiple highly qualified candidates of those interviewees.
- Mr. Jerry Threet was hands down the most qualified and well-received of all those interviewed across all of the different people from different sectors that participated in that committee.
- When he was eventually hired as director and established the community advisory council.
- I didn't always agree with his decisions or assessment of the sheriff in that office, but I came to respect that he had the intelligence, compassion, integrity, and evenness that he brought forward into this work of auditing and reporting on the business, the politics and the culture of policing and Sonoma County.

- Having myself spent the better part of 20 years working toward reform of local system of policing and from a somewhat radical outsider position for most of those years.
- I know that my way is probably not the way to inspire police to want to change themselves.
- But also in my experience in research into enacting policy reform and in shifting culture, I know that there must be a diplomatic yet honest, critical, and integrated approach to understanding the ways in which police function now and the ways in which the community demands that our police function in the future.
- Jerry Threet brings the necessary skillset and resources to the job of analyzing Sebastopol's policing.
- He has a deep understanding of the values of our local communities as a member of that community and have established evidence-based and emerging research on best practices and policy reform, community policing, implicit bias, and equitable representation in the hiring and engagement in the community.
- But I also just in observing the meeting and listening, I'm a little bit disturbed at what I see in terms of the need for this outside look and audit.
- When we started talking about weeding out [inaudible] that are defined by the chief of police, as our methodology for accountability for use of force, that is not a best practice.
- This is not how we need to be analyzing what our police are doing and how they're reporting on themselves.
- There's a difference between unbiased and uncritical.
- The police are always going to have issues with whoever is chosen as an auditor, especially when any disagreement arises.
- So, going out for an RFP and trying to bring somebody in from the outside that has no knowledge and understanding of this community...
- And I already know from having gone through this process in the County, there's a very limited pool of people who even have the necessary qualities and professionalism to conduct such an audit.
- So, moving away from Jerry Threet at this point is just shooting ourselves in the foot.

Terri commented as follows:

- In listening to the public comment and the questions from the council, my concern is more in line with wanting to be sure that the examination is a fair and transparent look at the policies and procedures associated with policing in the community.
- Have some concern with the record-keeping on uses of force as I was listening in.
- Think there's an opportunity to improve the processes and procedures.
- However, the Chief has clearly expressed that he's open to a fair and impartial examination without asking to select the party examining.
- However, wanting to be sure that there's fairness and transparency and that all voices are heard in the process, which I believe is reasonable from his standpoint.
- Would ask that the council take a careful examination of who they're selecting as the definitive community voice, to make sure that that voice is nonpartisan and fair and represents all aspects of the issue, and that the problem statement is clearly defined.
- Phase one and opening for community comment, is a great place to start.
- Engaging the community in the advisory council process, is an excellent next step.
- And conducting a thorough and rigorous audit using accepted audit practices and methodology, and a clear problem statement, I think will deliver the information where it needs to go.
- Share the concern that this does not at all appear to be impartial.

- It appears to be a solicitation for services with an agenda.
- Can understand the Chief's concern.
- Believe that probably a lot of other citizens may feel likewise.
- Thanks to the council, for taking a look at this request and considering seeking out other input.

Todd Swindell commented as follows:

- I've been a resident here in Sebastopol for 17 years, and I've sat through these discussions
- For people that maybe haven't been through the previous two long discussions that we had here on Zoom, that there was a general consensus from public comment in support of Mr. Threet.
- Want to support and echo what Mr. Edmonds just said.
- We are very lucky to have Mr. Threet be a resident in Sebastopol.
- Want to say with all due respect to the Chief and the officers in the Sebastopol Police Department, I feel the fact that they feel uncomfortable with him is perhaps the best recommendation why we should move forward with this.
- We've had this discussion over and over and we really want to get to some facts and some resolutions.

Omar Figueroa commented as follows:

- Graduate of the Sebastopol's Police Department at Citizens Police Academy.
- Been a freedom defense lawyer for more than 20 years.
- Come to know Jerry Threet, living in this community, not as a lawyer doing litigation, it's because my son and his daughter are in the same class and I've spent time with him at children's birthday parties.
- Did not talk to him before today, nor did he ask me to speak out on his behalf, but I can tell you that I trust Jerry Threet and our community also trust him.
- Would trust him with my children if I were called away in an emergency in the middle of a birthday party.
- Know he is a deeply empathetic person and he does not bear any ill will.
- He will be objective and professional, especially since he now has to address skepticism about his ability to be objective.
- Know that he is somebody who will rise to the occasion and we are to start the process of introspection immediately.
- Don't think there's a reason to not put out an RFP and then have some sort of firm that's owned by a former law enforcement try to undercut Mr. Threet by offering low-grade introspection.
- Think we need difficult introspection, a deep look within the Sebastopol Police Department.
- It may not be comfortable, but I guarantee you that Jerry is going to tell you the reasons.
- It's not going to be just bias; it's not going to be anything that would make us second-guess our decision to entrust him with our tax dollars.
- It's also important that we're supporting somebody who is a local, who lives within city limits, and who's raising his family here and has located here.
- He is directly impacted by the Sebastopol Police Department.
- He has an interest in its long-term future and how it engages in policing.
- Know that we both have children of color here in Sebastopol who may be subject to Sebastopol Police Department policing in the future.
- We're thinking ahead, and I trust him to not bring short-term interests, but a long-term vision to this process.

- Did not think I was going to come here and advocate on Jerry's behalf, but I guess I've just done it and I hope we start the process immediately.

Renata Brillinger commented as follows:

- I just wanted to thank Vice Mayor for bringing forward this proposal and to Mr. Threet for his willingness to be considered as a candidate.
- I don't know his work personally.
- I've read about his work in the paper.
- I did hear, like many others have said, a lot of support for him in the meetings leading up to this.
- It is hard to imagine in a small area like this, where this kind of service is in high demand at the moment, that we could do much better.
- Some other things I think we heard in public comment were a sense of urgency, which I think speaks against delaying any further to go out for some imaginary other candidate.
- We are also a small town with a small staff and the council members' time is valuable as well.
- I don't see that we would gain much by delaying.
- I think Mr. Threet's demonstrated willingness to come forward with findings in previous cases that antagonize or upset law enforcement is not a disqualifier at all.
- In fact, as someone previously said, perhaps an indication of his integrity and willingness to take risks and he's a community member, so he's got even more to risk, I think personally.
- And I think we could trust that he would look to seeking that balance point.
- I mean, I understand the discomfort in being scrutinized and being held to account and going through an audit.
- I couldn't reconcile the Acting Chief's assurance that there will be no issues found with his concern about bias.
- Just didn't see how those two could coexist.
- If there aren't concerns to be found, then I don't think bias will be an issue here.
- Discussed the morale of the force.
- I don't know the history around what the issues have been there, but frankly weighed against the era that we're in right now, the high stakes, our personal responsibility, our community responsibility to seek justice and hold ourselves accountable, especially as a predominantly white community are very, very high.
- It doesn't register on the scale for me, whether police officers have a hard time with this or not, I'm much more concerned about people of color in our community having a hard time in all kinds of ways.
- Would urge the council to vote in favor of this proposal and move forward expeditiously.

Kyle Falbo commented as follows:

- Here we are.
- It's nearing the end of July.
- A month ago, this council began holding special meetings to take on a topic of national importance, police violence, police oversight, police funding.
- This council saw sold-out attendance, breaking the Zoom meeting capacity, and an overwhelming amount of support given to investigating and discussing these matters further.
- From the abundance of public comment over those meetings, the message is clear; Sebastopol Police needs further investigation and it needs it now.
- Unfortunately, if my understanding is correct, this council decided the backburner this item by pushing any real action on the matter until after Labor Day, which is a shame.

- This council has the opportunity to take action on the researching and investigating a matter of public interest that has more support than any other.
- You'd think that taking bold and decisive action here would not even be a question.
- During the first special meeting on June 23rd, Acting Chief DeVore was requested by this council to produce reports on certain enforcement and procedure particulars.
- Chief DeVore replied that these things would take about two to three weeks to produce.
- However, two to three weeks later, as far as I know, these reports were not brought forward or if they were, they weren't made public at any council meetings.
- Tonight's reference by the Acting Chief is the first update of any publicly requested reports that I'm aware of.
- This is exactly the reason why we need an independent investigation into our police services.
- Our city has requested for a serious look at police, any attempt to avoid or delay or deflect this any further is not going to be forgotten.
- Sebastopol has 45% of its annual budget going to the police services.
- Many of the highest-paid city employees are the police force.
- We're looking at significant reductions in city revenue this year, in the report in the form of sales tax receipts.
- Yet, no significant budget cuts are being suggested at this point.
- Having an independent consultant looking at the police budget has the potential of overwhelming savings.
- And it turns out, as I suspect, the police budget can be reduced significantly.
- As was already mentioned tonight, finding people to do this work is difficult.
- They're all quite busy as this is a national discussion.
- The idea of comparing the process of hiring a specialized consultant, to buying a motorcycle, is an insult to the expertise that the consultant provides.
- Don't delay on your chance to employ Mr. Threet's services.
- The time to act is now.

Sequoia commented on support for Mr. Threet.

Diana Rich commented as follows:

- Very fortunate to live here on the same street in Sebastopol as Jerry Threet and his children and his partner.
- Here to comment very clearly that I feel strongly that Jerry Threet is an excellent asset to our town.
- He is an incredible expert that we are fortunate to have available here in Sebastopol.
- Think we should embrace his offer to do a serious audit of our police department, and we should embrace it as quickly as possible.
- There's urgency here and the entire council is aware of that.
- Think especially given comments that we've heard here, and my personal confidence in the ability of our staff and our council, to look into the qualifications of anyone who's hired as a consultant.
- This is the guy.
- He knows our town.
- He is giving us, I have to say, a great price.
- He is an expert that people look to nationally and we are very fortunate.

- Think we can trust him because I know him to be a compassionate, kind, hardworking, thorough individual who will set his ego aside and will give the advice that this community needs without any holds barred, but without any intent to hurt feelings or show any lack of respect.
- I urge the council to accept him as the person who will look closely at our process, our policies, and our people.
- He'll end up leaving us in a better spot.

Dom commented as follows:

- We had this one chance to get this right.
- We cannot pass up this opportunity to show the black people and POC, that we are residents of our town and that we take this seriously and we will do our best to move in a timely way to protect our citizens.

Council Deliberations:

Vice Mayor Glass commented as follows:

- I just want to make one comment in response to something said by a member of the public.
- That was something about our scope of work as being a solicitation for services.
- Wanted to make it clear that the staff report and the scope of services was requested of Mr. Threet.
- He did not solicit us for those services, that we asked him to do a scope of work and that's what's in the staff report.

Mayor Slayter moved and Councilmember Gurney seconded the motion to approve Budget and Scope of Work for Consultant Contract – Jerry Threet; Budget Range of \$30,000 - \$40,000) and Direct Initial Limited Scope of Work In Response to Council and Community Input at the Special City Council Meeting of June 30, 2020 and add that the contract be a form that Mr. Threet serve in the capacity as attorney to perform review of Sebastopol police department.

Discussion:

Councilmember Carnacchi commented as follows:

- Couple of thoughts that came up from the comments from public comment.
- There was one from Mr. Edmonds about moving away from Jerry Threet.
- I'm not suggesting that we move away from Jerry Threet.
- I just suggest that we look at if there's anything else that's available and do a comparison.
- That's the only thing that I'm saying there.
- With regard to Vice Mayor Glass, with regard to your comment about since when does the department decide whether we like an auditor or not, or who is really the boss here?
- I think that the city undergoes an audit every year and we want to trust that auditor.
- We want to feel comfortable with that auditor.
- We want to be in a good relationship with that auditor.
- Think that there's a little bit of a comparison there.
- Going to oppose this motion on the grounds that I think that we should go out for an RFP just to be more transparent, to be best practices, and to see what's actually out there.

Councilmember Hinton commented as follows:

- I feel it's a moral obligation as well.

- For colleagues that know me, I have been concerned about the spending of the Police Department at 45% of our budget for some time.
- I do believe we need a look, but I think we need a fair and transparent look.
- It sounds like we're going to retain Mr. Threet tonight, but I have had concerns and I'm going to be frank about it.
- I follow him on social media and it does not surprise me what the Police Department is saying because he does not seem unbiased.
- Part of the whole discussion that we're having about people of color, the police department is about being fair, transparent, coming at things in a fairness way.
- Want to be really clear that what my expectation is, is if we're going to, as a community, look at any large segment of our city, that it is a fair look.
- Things that I've seen posted on social media have felt bias.
- Want to make that comment tonight, and I do follow Mr. Threet on Facebook and I've been following him for some time ever since he was introduced to us as a council.
- Want to put that out there.
- Need to make sure.
- It's my obligation as an elected official to be fair to everyone involved in this process.

Councilmember Carnacchi commented as follows:

- Want to talk about some concrete actions that I had mentioned at previous meetings, and I think that we should take immediately and they're not that difficult.
- We are the lawmakers and when you look at the police policy manual under use of force, there is a subsection that says duty to intercede.
- I've mentioned this before.
- Duty to intercede is to speak on behalf of someone in trouble
- Our officers have the duty to speak up, but there should be immediately after that a new subsection put in and we shouldn't wait on this, we should do it now.
- We shouldn't have to wait.
- It's a simple thing to put in; it should be duty to intervene.
- Intervene means that you come between so that when intercession fails, it is your duty to intervene.
- So, in the case of David Ward, for instance, it would have been our officer's duty

City Attorney Mclaughlin commented as follows:

- Request to you and the rest of the council, not refer to the David Ward case or any issue involved in the David Ward case.
- As you know, the City is in litigation with the Ward family.
- Would prefer, under those circumstances, the council not comment openly on any issue in that particular case, nor refer to that case.

Councilmember Carnacchi commented as follows:

- In addition to putting in that extra subsection there, which would really be a positive step and concrete action to protect people.
- We can have that done in no time at all.
- We should bring back the Citizens Police Academy.
- That's a concrete action that we can do.
- We had the midnight basketball program.

- We could ask that the officers do some civil rights education or viewing of particular films that would give them a sense of empathy on how other persons may feel about the law enforcement when they're pulled over.
- So that way they have a better understanding.
- Think they could have management of fear and discretion of anger courses.
- Have made that recommendation that we could ourselves get that 10 years of data.
- It seems that's totally doable.
- So that could have already been had
- It's practically there already.

Councilmember Gurney commented as follows:

- Wondering if we have any estimate of how long phase one will take?
- Asking that question because there've been many messages of urgency, there have been other people who have said the council is delaying and making some decision after Labor Day.
- I didn't quite understand that remark, but I'm just wondering if there's any expectation of a timeline here?
- I'm imagining the work is somewhat unpredictable

Mayor Slayter commented as follows:

- Would agree with you that the work is somewhat unpredictable.
- I'm not aware of any kind of firm schedule other than Mr. Threet is well aware of the city's or the Vice Mayor and myself.
- We have expressed the need to move with aplomb, and that this really needs to get underway in order to be responsive to the now approaching nine hours of discussion about this item.

Mr. Threet commented as follows:

- As mentioned, when we discussed this, I think with the full council and also with the Vice Mayor and the Mayor, the amount of time I have available for this particular project is a maximum of 20 hours a week.
- Given the estimate of amount of time it would take, this first phase would be around 10 weeks at a minimum.
- It could be a little longer because that's the lower estimate of the time required for the first phase.
- Should say that these estimates are based on some assumptions about how long these things will take and how complex it will be.
- The main uncertainty from my perspective is how complex and how numerous the internal affairs investigations may be, that I need to look at.
- That can vary from department to department.
- They might be relatively simple, and it could be easier to review them.
- Don't know until I look at them.
- But the first phase, it would be at least 10 weeks.
- It could be 12 or 14 weeks.
- It's hard to say at this point.

Mayor Slayter commented as follows:

- For Councilmember Carnacchi, appreciate the suggestions.
- Interested in taking a look at them.

- Will also say that that's not what's on tonight's agenda.
- Without having the input of professionals who are in the field, something may sound great and then I find, well, maybe that's not the greatest idea.
- Think of Montana all those years ago when their speed limit was reasonable and prudent, and what that means to one person is completely different than it means to somebody else.
- Why can't we have that on Highway Five - Maybe not the best idea - need the input of others.
- Not discounting ideas - just need them presented with more data.
- It would need it to be its own kind of an item.
- Not here to say tonight that, "Yes, I agree" or "No, I don't agree".
- Think the city attorney would probably agree that making those kinds of changes tonight is infeasible, and that we would need to do it in another way.
- Am wholeheartedly in favor of listening to them and discussing them.
- If there are things that we need to change, that's the process that is proposed to get underway here.
- We're all pulling on the same end of the rope here.

Councilmember Carnacchi commented he would bring this forward as an agenda item.

Councilmember Hinton commented as follows:

- I'm planning to vote yes, tonight, but I want to, once again, request that in phase two, we need a financial audit so that we can move into that and really get at what I hear the public talking about, which is on our screen tonight, 45% of budget.
- If this is the direction we're going, once again, we need a financial audit in phase two.

Mayor Slayter commented as follows:

- Included in this, and it maybe wasn't specified in the motion, would be for the financial side of it - for the budget subcommittee, as the two electeds to take a look at the financial side of it
- It's not that it's a cost savings, but it is kind of a cost savings to have community volunteers do the work.
- It's easy for me to say because I'm not on the budget subcommittee, but to have that entity take a look, a deep dive into the budget.
- That work can be done in parallel, or honestly, it's the same work as going through the annual city budget, which we did just a carryover, and we're doing a budget part due very soon.

Vice Mayor Glass commented as follows:

- Wanted to point out that the largest line item in the budget as with all of our city departments really is personnel.
- Part of the scope of work is looking at calls for service, looking at how the department's time is expanded, how much are we spending on radio equipment, or how much are we spending on gasoline or whatever.
- It's how is the department spending its time?
- We can't evaluate that as the budget subcommittee until we get some of that information that is coming out of the procedural audit that Jerry is...
- It's part of his scope to do.
- Yes, we need to take a look at the finances, but we have to collect some information first.

City Manager McLaughlin commented as follows:

- To clarify for the council, the direction would be the city attorney to meet and the city manager to meet with Jerry Threet to negotiate an agreement of some sort.
- As the council may know, we do have outside legal counsel involved in a number of ongoing personnel matters in the city.
- She and I conferred the other day.
- She has recommended that she and I both talked to Jerry in the next day or two to make sure that we preserve the integrity of those particular personnel matters and don't adversely affect them, i.e. maintain confidentiality where needed.
- So, she has recommended that she and I both talk to Jerry.
- I'm going to endeavor to have that conversation the next couple of days.
- So, we do contemplate execution of an agreement with Mr. Threet.
- We would like the authority to do that once we've ironed out those few issues.

Mayor Slayter commented as follows:

- Inherent in motion
- Direction to staff and city manager and assistant city manager to contract with Jerry as an attorney to perform the review.

The City Clerk reread the motion as follows:

Mayor Slayter moved and Councilmember Gurney seconded the motion to approve Budget and Scope of Work for Consultant Contract – Jerry Threet; Budget Range of \$30,000 - \$40,000 for Phase 1 and Direct Initial Limited Scope of Work In Response to Council and Community Input at the Special City Council Meeting of June 30, 2020 and that City staff (City Manager and Assistant City Manager) is directed to meet with the City Manager and outside City Legal Counsel to meet with Mr. Threet and contemplate execution of an agreement with Mr. Threet as attorney to perform review of Sebastopol Police Department and that the Budget Subcommittee is directed to conduct a financial audit of the police department.

Discussion:

Councilmember Carnacchi commented as follows:

- Before I vote, I just want to say that under the caveat that it's not because I'm against an audit and it's not because I'm against Mr. Threet or the scope of the work, but it's because I think that we need to go out for a request for proposal for best financial best practices for the city.
- Going to vote no.

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

VOTE:

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

Noes: Councilmember Carnacchi

Absent: None

Abstain: None

City Council Action: Approved Budget and Scope of Work for Consultant Contract – Jerry Threet; Budget Range of \$30,000 - \$40,000 for Phase 1 and Direct Initial Limited Scope of Work In Response to Council and Community Input at the Special City Council Meeting of June 30, 2020 and that City staff (City Manager and Assistant City Manager) is directed to meet with the City Manager and outside City Legal Counsel to meet with Mr. Threet and contemplate execution of an agreement

with Mr. Threet as attorney to perform review of Sebastopol Police Department and that the Budget Subcommittee is directed to conduct a financial audit of the police department.

Minute Order Number: 2020-162

12. Discussion and Consideration of Request for Contract Budget Amendment for a Budget Range of \$85,000 - \$125,000 for City Consultant CoMission (Community Vitality/Economic Vitality Consultant) (Requestor: City Administration)

City Manager McLaughlin presented the agenda item recommending the City Council discuss and consider Approval of Request for Contract Budget Amendment for a Budget Range of \$85,000 - \$125,000 for City Consultant CoMission (Community Vitality/Economic Vitality Consultant).

- Bringing this item two this evening because the work contemplated by the original agreement with CoMission and budget for CoMission has been largely completed.
- At this point in time, the services will basically come to an end in the very near future, unless we have additional budget for their work.
- By going back and recapping how did we get to where we are today, we began the search for the community vitality, economic vitality consultant prior to the pandemic.
- At that time, just to clarify for some public confusion perhaps on this point, we never contemplated hiring an employee.
- At all times, we were doing an RFP process to find a consultant, a person who would be an independent contractor and would operate independently with direction from staff, but would not be an employee, would be a consultant.
- We were primarily interviewing individuals in that regard.
- First and foremost, to the list of duties that, that person would have been involved in prior to the beginning of the pandemic would have been the Ombudsman position, providing a linkage between city staff and city decisions and city projects and ongoing things the city's involved in and the business community and the community at large.
- So, a better communication, better understanding on both sides, make sure the process and the communication was open and really lead to better relationships with our business community.
- But the pandemic struck, and we, in the meantime, as well had received the application from the CoMission, which was a group.
- CoMission is an organization that brings many resources to the table, a number of different individuals with specialties.
- During the course of the initial stages of pandemic, it occurred to us that this was a better approach that could provide some assistance to our community, some assistance to our businesses during the pandemic and the great stresses that are being brought on our business community as a result of the Shelter-in-Place orders and the shutting of many businesses.
- We felt that this work could be best changed and looked at in a new way to provide some immediate help and an immediate assistance to our business community.
- So, we came back to the council on May 5th with a proposal at that time to change the scope of work.
- We went away from the original scope of work that was developed, I think, back in February or thereabouts, in January and February.
- We went to a new scope of work, which was going to provide that relief to our business community or that assistance that was needed right now with the pandemic and the Shelter-in-Place orders.

- The council at that meeting on May 5th did approve the change in the scope of services and CoMission was retained.
- They've done a number of things that you're going to hear a record about this evening.
- This required that they do a great amount of difficult work using multiple employees in a short period of time.
- Frankly, a budget that had been proposed that might've lasted through to perhaps the entire fall.
- If we had a single consultant doing the work as it was contemplated back in January and February, that work was compressed into a very short time period of great intensity.
- What happened in that situation, as you've been informed, when we came back for a status report a few weeks after the beginning of the work resulted in the expenditure of the initial budget that the council had put aside for this work.
- For them to do additional work at this point would require a new budget.
- Hence, we bring you the item this evening.
- At the same time, what you've heard last meeting when a loan proposal was brought to you, CoMission has performed a survey of our business community, but they have not been able to present that to the council yet in a study session.
- The information derived from that survey is of great value and needs to be looked at and heard about, but they've not had the opportunity to present that to the council.
- In addition, they have other work that they propose to perform, which will continue the work that they've begun to assist our business community; and to do the other work that they've also been given as part of that May 5th revision of the scope that is to work with our Community Benefit Organizations, and try and look at how some of them can be potentially organized in a new way to better serve themselves and better serve our public.
- So, they've done an intense amount of work in a short time and proposed to continue the work.
- With that short introduction, what we wanted to do this evening is have CoMission take you briefly through an overview of the measures that they have done to date and what they've proposed doing in the future, and the council discuss and give further direction about additional budget or proposed for CoMission's work and to continue that work in the coming months.
- So, with that introduction, we would like to have CoMission staff present this evening the report on where they are to date and what work they contemplate doing in the future.

CoMission commented as follows:

Craig Litwin and Johnny Nolen were in attendance and provided the following information:

- Want to say thank you for the opportunity to serve this community through this project for the past three months.
- Had the opportunity to connect directly with many local independent business operators.
- It's been incredibly gratifying to help them navigate the federal funds and the confusing local and state shelter guidelines, which, as you know, have been constantly changing as the conditions of the pandemic spread changes.
- We have some really wonderful people providing goods and services in our community that are very scared about their ability to survive this event.
- Truly grateful that I have the opportunity to connect with them and help them feel safer and more confident during this unprecedented time.
- It's really special to see their letters of support come through in the public comment.
- Also, for everyone that wrote in or that is speaking tonight, my greatest gratitude for you.
- Like to start by giving update on all the items from the original scope.

- Would like to point out, as Larry said, that this contract started right around the time that the pandemic hit and the shelter orders came in.
- So, there are a number of items on here that moved to a future plan.
- As we were beginning the contract, the pandemic was identified as an immediate, highest priority, as well as adding the work that we could do to support the Community Benefit Organizations in Sebastopol.
- So, those two received the most focus.
- So, starting with the pandemic and the business support for the shelter orders.
- The first thing that we did, which all of you have seen the report for, is that we completed a massive survey of 160 local businesses, which also included a major outreach campaign of emailing, calling and even some on-foot outreach to get in touch with the business owners, let them know about our projects, introduce ourselves, and try and drive engagement in the survey.
- We are still hoping to get a city council study session scheduled to discuss the findings of that survey.
- We have had ongoing business outreach, and there's a lot of collaboration in full swing right now with the July event that we have watched the Sip, Shop and Savor event, which is a major social media cross-promotion campaign throughout the month of July to help drive awareness and local support for businesses, and helping encourage residents in Sebastopol and the 95472 areas to prioritize local business support over the online ordering and major big box business support.
- We have also created a business resources page on our website to get easy access to all of the biggest requests and needs we identified through the business triage support that we conducted.
- We have hosted two economic vitality webinars.
- The first one, to help clarify state and local reopening guidelines for businesses on the phase-two and phase-three reopening.
- Then the second one, which happened last Wednesday, was presented in collaboration with Debbie Ramirez of Jitterbug Communication.
- So, aside from the business direct outreach and support, we tackled the bigger picture of community vitality and arranged some stakeholder engagement.
- We looked at three different main goals for this outreach.
- The first one is in the business council, which we started weekly, and we've moved through monthly meeting with local business leaders, including the Sebastopol Chamber of Commerce, Sebastopol Downtown Association, the Sonoma West Times and several other members of the business community.
- The second one is the Community Benefit Council, which includes civic agencies and nonprofits in Sebastopol.
- We hosted the first group last week with representatives from the Community Center, Center for the Arts, the Laguna Foundation, the Library and LANTERN, and a couple others.
- It was really wonderful to see city leadership with such an interest in the Community Benefit agencies
- It was an incredibly productive meeting to bring all of the agencies together and talk about collaboration and needs and look towards building a better future and collaborative vision.
- Council that we put together is the Food Security Council.
- We met once early in the month to identify early priorities for a longer-term aspect of this project.
- As this project was identified to be a lower priority and delayed after addressing the business and nonprofits.

- The original scope also included visioning sessions, outreach community and gather community voice and ideas and needs and desires.
- The visioning sessions were delayed or adjusted in their approach for now.
- We can plan to hook these on Zoom and do digital in the near future as the pandemic doesn't appear to be lifting anytime soon in the United States.
- Then, we will be able to use these venues to gather community input for what they would like to see as the direction of this project and the city overall.
- The next item on the original scope was the role of Ombudsman.
- We were directed to make this a lower priority in its establishment, but we were able to leverage our efforts in outreach during the survey to introduce ourselves and establish rapport with many of the local businesses.
- We look forward to solidifying those relationships in the future as the project progresses.
- Another bullet in the original scope was exploring tourism development in Sebastopol.
- This of course, has been delayed and would look at a lower priority as we engage them going forward.
- Finally, a little bit more on the nonprofit and Community Benefit Organizations.
- It has been a little bit difficult to gather all of the community organizations in the city as they are all rambling to address the needs of our community during the pandemic and the shelter order.
- However, it was an excellent experience to bring them all together finally this month.
- I think that that is one of the most inspiring aspects of this project right now, as those incredible leaders of our community meeting together was one of the greatest meetings that I've been a part of in quite some time.
- Should say that not all of these steps are things that we can do.
- These are things that we've identified that need to be done, or at least need to be explored and considered.
- We're here to rip the Band-Aid off a little bit because there are a lot of things that are talked about in a small town about, "Oh, we should do this or think about that." So, we're here to put it on a report and lay it out in the open so the council and the community can decide how they wish to proceed; and for the things that are not yet right, that need to wait before we pick that fruit, we wait and we delay that project.
- Our immediate recommendation is that we need to follow up with a micro survey.
- This was developed in consult with the city manager for the purpose of identifying the best ways that we can administer and distribute and identify the amount of a loan program.
- So, the loan program is a big, big concept.
- There's a lot of work that needs to go into making sure it's done right.
- We explored being able to administer that program, understanding that the city doesn't have the administrative capacity to do that.
- We also would not be able to administer that program.
- But fortunately, Johnny has a good relationship over at Community First Credit Union and worked with them to find out that they, in fact, could do it for a very nominal fee.
- So at least, that part looks like it could be taken care of.
- As far as how many people specifically would want a loan, what amount that loan should be, what are the terms on the payback as far as the number of years, we're assuming 0%, but is that in fact, the case.
- These are all very, very straightforward questions, but that need to be asked, and that we could do quickly where we need to do a follow-up survey.

- We anticipate that the contents of that survey, the micro survey, and what we've done originally would make up the contents of the council study session, which we'd like to schedule with you as soon as we possibly can, to open up the conversation and the dialogue with the council, to invite the public to come in and speak about the things that they would like to see as well.
- The other things that we can do in this micro survey or a series of them because it won't take us much time at all now that we have adequate contacts to a few follow-up surveys with people who've participated the first time is to find out, would there be additional use for increased downtown outdoor dining options?
- Is there a calling for the rent and eviction relief?
- Specifically, how can we do that?
- We know that there were a lot of people in the original survey who wanted to see this, but any more specificity that we can get, we'll empower the council to make those decisions that protect our local business community.
- The other thing that we'd like to do right away should the funds be available would be to spend some of the staff time and looking for more funds.
- Part of that wouldn't just be to help offset the cost of this contract, but there are many, many needs that the city has for community vitality.
- We're but one part in the solution.
- Empowering the Chamber of Commerce, helping the chamber to find additional funding is something that we identified as a critical need.
- The chamber, it is the business group that has tied together the Barlow and the Sebastopol Downtown.
- As much as it's hard to say at times, there's a rift seemingly between the downtown and the Barlow because there's the shiny Barlow and there's the quaint downtown.
- Well, it's one downtown.
- It's time that we start treating it that way.
- We found such a weird undercurrent of divisiveness around that subject alone.
- It took up many, many staff hours, which is part of the reason why we ended up donating over \$8,000 in our last invoice time because it took a lot more time to deal with the undercurrents of ill will towards certain concepts than we had originally thought.
- It's hard.
- It's hard to say these things.
- Had to build up my courage because it's not easy to say that we feel divided.
- When we look at what's happening at the national level right now, and we consider just the lack of any focused plan on what we need to do for our health, and that ripples down to our local level.
- There are so many places where it feels divided.
- The one thing that we have as community vitality consultants, but as a city and as residents who care, the ability to bring people back together.
- That's what we can focus on.
- That is our primary focus.
- So, part of this report is to really spur that conversation of how do we expand the Sebastopol Downtown Association to include the Barlow and possibly looking even larger to all of the businesses in town.
- This will bring in some additional revenues that could help leverage additional business funding.

- So, some of the other things here that we would like to do on the community benefit organization recommendations, we want to identify ways that the CDOs can leverage each other's resources and save money.
- So, we already started that process.
- We don't anticipate that we need to do a whole lot.
- We would like to participate in the monthly meeting as part of this contract with the CDOs to keep the conversation going.
- But clearly there's such wonderful leadership here for the local nonprofits that as long as we have that container of a monthly meeting, we feel confident that those sorts of synergies will take place.
- Take for example at the CDO meeting, the Community and Cultural Center is going to be hosting the community calendar now.
- There are other local calendars.
- It was mentioned in that meeting about the Sebastopol Downtown Association's calendar, "How do we integrate those different calendars so there's more communication faster in a virtual time?"
- That's an area where we can lend our support.
- We can also lend our support as commissioned to outline or promote a monthly newsletter for the CDOs.
- To include what all the different nonprofit organizations are, kind of the highlights of their month, what they want to promote.
- We got a commitment from the CDOs to help cross promote each other's organizations and events.
- Not doing too much on that, everyone has to stay focused on their own nonprofit, but at least having a central place where we could cross promote each other is really a step in the right direction.
- Then the next band-aid, right, exploring the merging of some local nonprofit organizations.
- In this report, there's some details talking about how one of the most widely discussed things, the whisper campaign, if you will, that everybody talked to us about, but nobody wants to say out loud is the Community Center and the Center for the Arts really need to look at if now is a good time to come together as a nonprofit.
- It may not be, they may have that conversation and decide that they don't want to do it, but it may very well be a wonderful thing to do.
- To look at those two nonprofits, which serve our community in such wonderful ways, to look at the pros and cons of both sides of whether or not to do that and take a hard look and really just do a truthful assessment if it makes sense, is an important function of what we can recommend for community vitality.
- In this time of sharing resources, it would sure save a lot if we could bring those two wonderful nonprofits under the same umbrella.
- On the food security recommendations.
- As far as we are aware, there isn't a comprehensive inventory of what our true food security needs are.
- That was the first thing we kind of figured out on our inaugural food security council meeting.
- There isn't a kind of a real assessment of how many people are hungry and who and where, and if there is and we haven't found it yet, please do share that with us.
- We're working very hard not to recreate any wheels, but to take what's already existing and add to it.

- Some of the members who came to the food security council are the best and the brightest, folks who've started up and done work through Series and the Sonoma County seed exchange and the Sebastopol Grange and farmer's market.
- I mean, the leaders who are already here at our doorstep.
- So, we picture a visioning session for the food security recommendations and also maintaining a monthly program.
- So, there's a lot, and I'm going to kind of stop here so we can move on with the discussion.
- Sure, we can weave in some other components of what we're offering, but by and large....
- Actually, pardon, one last collaborative thing, scrolling down the report here.
- Another place where there's been some division that we feel we can help create more unity, especially considering all of the wonderful council relationships with our current board of supervisor is bringing the County and the city together.
- And if, considering that we're one zip code, 95472.
- And while we did the Sip, Shop, Savor campaign, which is increasingly getting more support, it's hard during a pandemic, but it's getting more support.
- And one of the biggest questions we were asked during it was, "Well, what about a business that's not in the city?"
- What about a consumer who's not in the city?
- And so we decided early on, we are 95472.
- We are Sebastopol.
- The business owners often live out in the country.
- The consumers are all around us.
- And so, what better way to emulate our vision of community vitality and working together, then working with our Board of Supervisors to bring the kind of a visioning session together for what Sebastopol could be.
- So that's a lot of work and that's led us to our request of the range of \$85,000 to \$120,000 to take us through the rest of the year.
- We don't want to come back and have to ask for money at another time, we want to set this and get back to work.
- There are so many needs right now.
- And we feel confident that at that range, we can give you what is needed for that, what the community is asking for essentially, what are clearly the needs.
- If we have to adjust that amount, we'd have to look at the work plan and adjust things either on timing or on what's delivered, but all in all with the community vitality, being food, business, and nonprofits, focused on those three, that's the best work we can do right now to bring people together.

Mayor Slayter opened for questions.

Mayor Slayter commented as follows:

- This is something that has been of great interest, I think, for the council for a lot of years.
- Then we finally got it in our annual budget for our community vitality position.
- Then as you said a number of times, suddenly we find ourselves in the middle of a pandemic meeting over the Internet at 10:21.
- It's a brave new world in that respect.
- One question at this point is about you did the business survey, which I think has been well documented.

- Everybody, I think, who knows it happened knows that it has happened.
- What about the resident survey for the other portion of our community that we're trying to vitalize?

Mr. Litwin commented as follows:

- We had to delay that one based upon budget constraints.
- So, there wasn't enough budget to put it out into the field.
- And then depending on how this meeting goes to fulfill our communication with those folks.
- We didn't want the city to look poorly if we started a survey and couldn't wrap it up at the end.

Mayor Slayter commented as follows:

- Related to our previous item and the need to have community input in regards to a law enforcement review and policies, procedures, to make sure they're in alignment with community values, if the community resident survey goes forward, would it be possible for us to piggyback some of that work with the other part of a survey?

Mr. Litwin commented as follows:

- Absolutely
- Preference would be to submit a draft survey to the full council for a public discussion so that every council member, all five of you, have an opportunity to weigh in on what you'd like to see included.

Mayor Slayter commented as follows:

- Discussed the budget range provided.
- It's up to the council to determine, and actually it could be anywhere from zero up to the 120,000 maximum that's noted here in the staff report.
- You are directed by the city manager, your workload is directed by the city manager.
- The city manager is in, of course, close contact with the city council and understands the desires of the council.
- So, if the council decides on some number of budget you will essentially tailor your services to that number?

Mr. Litwin stated that is correct.

- There's a lot of work that's recommended on here that's going to take longer than till the end of the year.
- And it will be led by people other than ourselves.
- It will take a lot of leaders in the community coming together to hit even half of those goals.

City Manager McLaughlin commented as follows:

- If the budget request is reduced, then we'll have to figure out what additional work we need to do with CoMission to kind of finalize that.
- If some of the work tasks are deleted then we would ask CoMission to re-budget their work, to do the lesser number of tasks or the different list of tasks.
- If the budget is simply reduced, then we would work with CoMission to decide how to prioritize the money that is put towards the budget.
- Could theoretically give us authority to complete that work, or you could direct that it comes back to the council.

- Don't know where this item is going tonight.
- Could see talking about the services, and or I could see talking about the dollar amounts.
- Whatever we do, we should end up with direction this evening to make sure that the work is properly prioritized.
- That the work can be done within the budgeted figure and meets the needs of the council.
- Should bear that in mind as to whether it's coming back or whether staff is just given direction to complete it, there's a number of approaches to council could take.

Councilmember Gurney commented as follows:

- Want to make sure we all understand because there are a lot of members of the company and they go through money fairly quickly.
- Questioned the comment by the end of this year, are you talking about the end of 2020 or the end of this fiscal year?

Mr. Litwin commented end of 2020.

Councilmember Carnacchi questioned do you know how many licensed businesses we have in the city and did you use the report from the City?

Vice Mayor Glass stated it is listed in the report.

Mr. Nolen commented as follows:

- We originally received the contact list from the city's business license list.
- A great number of those contacts were unused or outdated.
- So that was what was the impetus behind our outreach campaign.
- And we replaced a large number of contacts and were able to get in touch with much more of them than initially.
- The initial call through the city's list only yielded 40 responses.
- And so, we were able to bring in an additional 120 responses through outreach.
- And up the list there's 900 and something licenses and only 600 or so have contact even in the list, because I believe of just the pattern of, if you're going to do a construction job in the city you need a business license from the city.
- So, there's a lot of sort of latent inactive business licenses on that one.

Mayor Slayter opened for public comments.

Jill, Sebastopol Cultural Community Center, commented as follows:

- Just speaking on behalf since I hold many hats, I'm speaking on behalf of the Sebastopol Community Cultural Center as president of the board.
- Honestly, I feel that something that Craig said left me a little perplexed.
- At a loss for words because I think that before suggesting that two nonprofits should merge, really there should be a discussion with the boards at a separate occasion and have that discussion where two separate nonprofits.
- Know this has come up at city council before, someone has mentioned that before.
- Just going to say the same thing that we've said before is that as independent nonprofits, it's really important for you to have a discussion with each board and show the board members the respect that they deserve.

- Can tell you from the last time this happened, that it was very upsetting for the board.
- As you can tell, I'm a little upset to hear that.
- We all worked very hard and just for clarity, we are not scrambling.
- I can't speak for other nonprofits, but we're very solid.
- We're a working board.
- We're very involved with everything.
- Our eyes are on the future.
- And during this time where we are not able to be open, we are working very closely with the city on a number of projects, in addition to looking at our strategy and every day we're trying to figure out how we can open.
- I know we've kind of driven Mary and Larry crazy with all of our questions, but I just want everyone to understand and know that the Community Center is very solid and strong and we are excited about the day then we can open up again.
- And certainly, if anyone wants to discuss having a merger with nonprofits, I think it's really important to have that private conversation with the boards first.

Linda Collins commented as follows:

- I've had the opportunity to work with CoMission almost probably since the inception and it's been a very nice run.
- I've had a lot of support from them, a lot of great ideas.
- And they are connecting the dots.
- I, like everybody else, are concerned about the dollars in these trying times that we have but thank you.
- And thanked the City Manager for the outreach and doing all of this to put it together.

Rei Blaser commented as follows:

- I wanted to just reiterate some questions, points I had in my letter to the council from this afternoon.
- I spent time looking at the contract that was signed between the city and CoMission, and I'm concerned about this item coming forward to just vote on extending monies when in the contract it was only contracted for \$40,000 through the end of the year.
- And how to extend monies when this would involve writing a new contract.
- It's, I want to say, disconcerting to look at city documents and to think that they're not being followed and could just be easily adjusted from what the public was aware of or what is going to be followed here.
- So, the scope of work as well, Johnny went over a list, but it was different than what the scope of work was from the May 5th document that was put to the council.
- So, there were different things on that list and they sounded like they all got accomplished, but on the actual list from May [inaudible] accomplished.
- So, from the contract, can somebody turn off that noise please.
- Sorry, I lost my train of thought here.
- So additional services are being looked at now and that would involve another contract it seems.
- And then so with the new budget so it'd be starting this fiscal year.
- So that's in July.
- So, we'd be looking at \$40,000 is what's budgeted for the general fund for 2021.
- So, with that, then there'd only be \$40,000 for them to work with for the rest of this year.

- And in looking at the situation, pandemic situation, the quarantine, and what's put on the pressures on the businesses right now, it doesn't seem right to look at that as an issue right now and maybe in January.
- But secondly, I want to get back to something Craig said.
- So that there is a rift in that Barlow in the downtown, said that there are undercurrents.
- I want to bring everybody's attention back to the economic vitality group that has been meeting since March of 2018 for over two years.
- These core groups, SDA, Chamber in the Barlow, along with Sonoma West Times & News, Larry from the city and council member Carnacchi had been meeting, and Carla from the farmer's market, working together and collaborating and not at any time did CoMission reach out to our group and ask us, "Can we meet with you? Are you meeting still? We would like to engage with you."
- All of a sudden they're creating a business group umbrella.
- Our group has collaborated.
- We've a project together.
- It is an undermining of our work that we've already been doing to lift the economic vitality of the downtown of Sebastopol as a whole.
- And so, feeling divided, it doesn't make sense.
- And I do not concur with those thoughts because it's not how I have experienced it with the SDA in relation with the Chamber, nor with the Barlow.

Jann commented as follows:

- Has a couple problems - ability of reaching 160 businesses when there are according to the EDB 777 and these other figures of 900 are floating around. Let's say it gets down to 600.
- These are major business owners.
- They're people I work with, but they haven't heard of these guys.
- And I'm sorry, Craig, but I think that it could be better.
- You need to do the ombudsman thing.
- You need to make that personal connection and I don't see it.
- I haven't seen the follow through and a little spooked by the request tonight.
- You have a list that's not reasonable.
- This is not something you're going to accomplish, not in any real way.
- Discussed data drawn from that very sketchy survey.
- Now you're going to do a micro survey on top of that.
- You've missed the human contact. You've missed the questions.
- That survey could have been anywhere.
- I'm not the only one saying this and I think that you may want to listen to the people who are running the businesses, who are sinking into debt and are strapped and are looking for some kind of cohesiveness.
- The fact that Rei brought this up with the business council versus a business council that's been going for years, is only indicative of this confusion.
- The fact that you would offer a Sip, Savor and Shop campaign in the midst of what SDA I'm sure spent precious money on their advertising campaign for Saturdays.
- This is mixed messages. There's confusion, and it's a waste of money.
- I urge all of you to think through this, get some concrete scope and a budget at accordingly.
- The figures hourly are astonishing.

Council Deliberations:

Councilmember Carnacchi commented as follows:

- So, would it be possible to have a survey of businesses to see how they feel about CoMission serving them before we go forward?
- Can we approve an initial \$10,000 and then get that survey back to make sure that the community and the nonprofits and everybody feel like they're really being served and that this is a good expense on the part of the city, and then bring it back to council for the additional, if it's a positive result?

Vice Mayor Glass commented as follows:

- One of the things that CoMission kind of mentioned in their report was the need to bring people together.
- And so, I just heard things about how "Let's do a survey to see if they did the survey right."
- And let's do a survey to see if this person's thinking, being the Monday morning quarterback to figure out if they carried the ball right." I mean, there's a lot of different ways to do practically everything, but we've been so adept in this community of always arguing and having one team over here and one team over there and not getting on the same team together.
- As I'm listening to these comments about why didn't they engage with the vitality committee
- Know what my response was, I don't know, nine months ago or a year ago or something I heard about some branding stuff that that committee had done.
- But when I talked to people that had engaged in the branding stuff, they knew absolutely zero about the work that had been done with Cittaslow.
- They didn't know anything about the community calendar.
- They didn't know about a website that had to do with walking around Sebastopol and hiking and Sebastopol that somebody brought up to me when I was in Los Angeles because they thought it was such a great website and this was a communications company in LA.
- So okay, I could sit there and hold that against like, "Oh my goodness.
- I can't believe they did that.
- They didn't know about the foundational work that Cittaslow did, off with their heads.
- That was bad." So, I could continue to do that and just be mad about it, or I can say, "Hey, we've done some work here.
- Can we bring people together?" And we got some information, so are we going to just criticize everybody that tries to do something?
- Discussed the list of 900 business licenses, you have to have a business license if you drive your truck through town.
- That's why those lists are so funky is because people like UPS get a license with us, but they spent a lot of time and trying to engage more people in this survey and maybe they miss some people.
- Instead of engaging with people and saying, "How can I communicate with them?" And say, "Wow, I think you really miss something here.
- How can I help you understand that you missed this, this and this, and how can I help you engage in that additional information?" But instead we're doing the same thing we always do in Sebastopol, which is let's get mad and have this group over here be mad at this group over here.
- And how are we going to bring this information together?
- There there's been a lot of foundational work done between all these different organizations.
- The chamber has done a lot of work.

- Downtown's done a lot of work.
- I remember when I worked on the downtown plan, the chamber didn't get along with the downtown association, it was this gigantic rift.
- Can we just hang it up and just let's try to figure out how to pull people together and take this information that we've been bringing together, and let's talk about what we can afford, and how we can be including more people instead of being mad at everybody.
- I could go back 30 years of, this person missed the ball here, but how can we bring this information together and move forward as a city.
- Because we're in really deep trouble. We all know it.
- Frankly, I get really defensive and angry when I hear people say the city is not doing anything for us, when I spend every single morning on weekdays talking with the mayor and City Manager and Assistant City Manager about the restaurants downtown are doing pickup service, but Caltrans is being so impossible with their trucks in the way.
- What can we do?
- What can we do to make pickup zones so that the restaurants can get people picked up?
- The city actually is doing a lot of stuff, but we don't have the time to run around, run it down to our friends at the times and news, who are wonderful, but we don't have time to tell them every single day, we talked about pickup zones today, or we talked about crosswalks.
- Let's try to support each other and not get mad.

Councilmember Carnacchi commented as follows:

- We need to have some matrix here.
- If we're going to judge success, what are our matrix?
- That's a lot of money.
- Where and how do we have matrix?
- And when do we, if it's not working, what mechanism do we have to put the brakes on?
- I would like to see something like that in this contract going forward.
- If we're going to go forward than there needs to be a point in time where we say, okay, and what is the matrix, the metrics, by which we're going to measure that success?
- Is it going to be the sales receipts?
- Is it going to be more people participating in our meetings?
- Is it going to be less people arguing?
- Less people mad at each other?
- What are going to be the metrics in order for us to judge that there's a success here?
- Because we did have some emails that were concerned that this is a lot of money to be spending and uncertain times for our budget.
- Maybe I'm looking to my colleagues and to staff and to CoMission for some sort of an answer to that for matrix.

City Manager McLaughlin commented as follows:

- Going to point out that we're happy to continue what we've been doing.
- I'm looking back in my CoMission file.
- We've been giving the council regular reports.
- We've been hearing an average of once a month, talking with the council about the work underway, what's been working, what has not been working.

- You also get reports every council meeting and the weeks in between that touch on some of the same areas.
- We're fine with coming back and giving the council periodic updates.
- It's not easy to judge the success of work when you consider the huge challenges, we're operating under these days with everybody's business stressed to the max, changing orders weekly, et cetera.
- But we're happy to come back and give reports as we've been doing.

Councilmember Hinton commented as follows:

- Feel like we've got a lot of good things going that CoMission's been doing for us.
- I am concerned about the rate of money that they spent and how fast we've gone through it.
- In sitting on the budget subcommittee, I feel extremely concerned.
- It wasn't so long ago we were only allowing \$40,000 when our economy looked really strong at this position that was supposed to last a year.
- I think most of us thought we'd have to up that, so let's call it \$60,000.
- And now what we're looking at is we've just really gone through \$40,000 very quickly.
- We've got over \$100,000 proposed just through December.
- Doesn't even get us through next year.
- That rate of burn concerns me in a big way.
- I think that I'd feel a lot more comfortable to maybe authorize a smaller number out for a couple months and try to stretch it out monthly.
- When I've reviewed CoMission's bills, they've got pretty much four people working a month on their staff, and maybe we need to have them cut that back to have people focused on Sebastopol that are with the company, instead of all four.
- I want to bring the community together.
- I've had a nice couple of conversations.
- I like the Sip program.
- I like a program that's happening out in our community at this tough time when retail is struggling and restaurants are struggling.
- But yeah, this is really a lot of money to authorize when we haven't really dug into the budget to see what is happening with our sales tax revenues.
- That concerns me, to make a big commitment right now.

Councilmember Gurney commented as follows:

- Was going to answer Councilmember Carnacchi's question about metrics in this way - think this is a situation, Larry, very similar to Holly Hanson's position.
- We assigned to Holly work that our staff couldn't do that the council wanted to be done for the city. I'm just going to call it public relations. That's sending out messages informing the world, informing our citizens, promoting our government really positively.
- The potential work that CoMission has is endless, It's more than his business can do. There's so much to consider doing.
- It's set up in a way similar to Holly, where CoMission will be reporting to the City Manager and it will be monitored on a monthly basis.
- There's that same sort of activity taking care of the work that the council says is really important to the community, particularly, I think, our business community and our nonprofits is a priority, and letting it unfold.
- I don't think there's any way we cannot go forward.

- For me, I have some priorities that are higher than other things, like having the study session on the survey report is important.
- Looking at the pandemic recovery actions, these are in the staff report.
- Working on the pilot loan program.
- Outdoor dining, if that's even possible.
- Rent relief, eviction relief, that seems more important than outdoor dining because one week we can do outdoor dining, the next week we can't.
- Looking at alternative funding sources to help pay for this work, to me, that's a real high priority.
- The other listings under that don't come to the same level, like visioning sessions in August, September, and October, I would love to be able to do those.
- It seems like we have so much that is urgent right now that we need to focus our resources fully on the most urgent things, the most urgent problems, the most needy people we have, to see if we can find some solutions and get our economy recovering, or just even having some kind of foothold.
- For me, those would be my most important steps right now for the next couple of months.

Vice Mayor Glass commented as follows:

- I actually agreed with the list that Council Member Gurney said, in terms of what priorities are, but I think we would be better equipped to have focus on those, on what that list is, if we'd already had our study session, because I think our study session will make it more clear what our priorities should be, and we can give feedback to our City Manager on what those priorities should be.
- Encapsulated in that is also what Council Member Gurney said about putting CoMission on the mission of finding co-partners that can help fund our economic recovery.
- Because the truth is, I think if you're paying attention, we're in really deep trouble.
- This is depression level trouble.
- We don't know what kind of state and federal assistance there is going to be.
- That's going to depend on what happens in November.
- The outcomes are going to be different.
- There isn't a definitive pathway, just like there's not a definitive pathway through a global pandemic, because it changes all the time.
- So, we have to be really nimble.
- But that's why when we first engaged with this, that the mayor and I, along with Larry and Mary said, oh my goodness, we need to pivot what our community vitality people are going to do at first, because suddenly we were in this pandemic and probably the best thing we could do for our businesses was help them get assistance from the feds, because that's where the biggest pot of money was.
- So that's what they worked on.
- Now, if we're going to look at a loan program, we probably want to leverage that.
- Any kind of loan program needs to be done in the context of, hey, what can we do with the EDB, with the county's economic development board?
- What kind of matching funding can we get out of the county?
- It's not going to be as simple as just let's go spend some money.
- It's going to be, what partnerships do we need to develop?
- But I think part of these ideas are going to come out of all of us, the five of us, sitting around in a study session to bounce these ideas around and to figure out what our priorities are.
- I'm feeling a bit like, first of all, I do want to make a correction.

- We have budgeted \$40,000 the 19/20 budget, and that's what we've gone through.
- Now we've got \$40,000 in the 20/21 budget.
- Where should we spend this money next?
- The point of spending this money is an investment to leverage the money that will hopefully result in more money for our economy, that will result in business, that will result in our nonprofits staying viable.
- But I would feel better about moving forward with figuring out what we're going to do and what the budget looks like, if we had already gone through our study session and figured out what our priorities are, then also have CoMission say, us be able to say, if we're going to do a community survey, how much is that going to cost versus what our other priorities are?
- If we can go through our priorities first, allocate maybe a smaller amount now, and then look at what our priorities are in terms of what we're going to invest in order to get a result that's going to generate more money over the next six months for our businesses and for our community, I think that's a better way to go.
- I'm not quite sure what CoMission going to say about that, or what that number looks like, but I think we have to consider, A, also we don't know what our sales tax numbers look like right now.
- What does the city revenue look like?
- I think we need to weigh all of these things.
- I don't want to look at CoMission as just, we're spending money.
- Because it's not just about spending money.
- This is supposed to be an investment in order to help our business and our local economy be viable.
- I think that's important, but we need to figure out what are those things that we can do that are going to make it most viable and we need to do it fast and we need to not wait for six freaking months to do it.
- We need to figure out what the priorities are in the near future.
- I'm open to juggling the money, but I'm also very interested in us figuring out our priorities.

Mayor Slayter commented as follows:

- I think that the difficulties that I've had with this particular item is, and it's a circular argument where we need to know what the budget is.
- We need more information about, more data about, what tasks are going to be done, but we don't know what tasks are going to be done because the pandemic is changing everything, and the reason for the increase in the budget.
- I understand the inherent difficulty in trying to chase your own tail there.
- It's crazy making, I acknowledge that.
- I also acknowledge that we have businesses that are suffering and having extreme difficulties.
- If it were up to me, I would go way out on a limb here and say that if the city had unlimited funds, guess what, we'd have no failing businesses in town.
- But it's about us being as prudent as we can with our resources and providing the services that will help the greatest number of residents, as well as businesses, have a good quality of life.
- This is a community vitality position.
- This isn't a business economic vitality position.
- This isn't housing vitality.
- This is community vitality.
- What we need to do is figure out what data do we need in order to further the ends that we're all looking for.

- I'm glad you pointed out clearly for everybody, Vice Mayor Glass, that because there've been a lot of questions in emails and I think even in some of the comments this evening.
- We had \$40,000 in our 19-20 fiscal year budget, that has recently come to an end.
- Now we're into the carry over budget, which is the virtual carbon copy of last year's budget, which included \$40,000 more, and at this point the community vitality position is funded for \$40,000 for fiscal year 2020/2021.

Councilmember Hinton requested clarification.

Director Kwong commented the budget was carried over.

City Manager McLaughlin commented it is listed as a line item in the current fiscal year's budget.

Councilmember Carnacchi commented as follows:

- That means then at the amount that is not funded, where it says no, actually, on the staff report, you're saying that \$40,000 is funded, is that correct?
- There's a correction to a staff report, is that correct?
- We're looking for additional funding of would \$85,000 - \$125,000 minus the approved \$45,000 in the budget?

City Manager McLaughlin commented that Councilmember Carnacchi is correct and that we are halfway there already.

Mayor Slayter commented as follows:

- What I'm hearing is that there's interest in this work and there's an acknowledgement that the work needs to get done.
- It's a matter of, I think, a greater definition, more granular work plan, and we're not able, six minutes after 11:00 after a full day of work for all of us, so we're not going to come up with that kind of a quality list this evening, that is impossible given our current, I will look across the gallery here and I will say fatigued state, is what I'm seeing.
- So, what I will propose is that, given that there is the \$40,000 for the current fiscal year in that hold over flat line budget.
- I don't know where we are in work plan.
- I don't know where we are in workflow.
- I don't know what dies on the vine if it doesn't get funding.
- I don't know what doesn't get started if it doesn't get funding at this point.
- But my assumption is that that is at least enough funding to continue.
- I'll look to the City Manager, because the work plan is largely directed by him, given input from the council.
- The current approved funding, my hunch is that it's adequate to get us to a point where we can then readdress this and look at a detailed work plan, perhaps following the study session, and not have the needle swing so wide in each direction.

Councilmember Gurney commented as follows:

- I think as I'm reading the council this evening, listening to the council comments, I'd say the first thing on both the CoMission work list, as well as council member comments, is to return as soon as possible with the survey.

- That would inform the council of the results of that and the council can then have a discussion about setting priorities.
- Frankly, I was not aware until right now, thank you mayor, that we already have funding to the extent that we do.
- So with that in mind, I propose a quick return with the survey results, but we would want to do, or propose to do, a number of other things, so we'd like to return with that as soon as we possibly could.
- In that survey, I think that, for me, the discussion of the business loan and the efficacy of that program, I don't want to go through that and then it not produce the results.
- I don't know if that's part of the survey or not.

Councilmember Gurney commented as follows:

- I think since we have paid for CoMission's work and there's work product pending that we want to see, we need to see that and be informed rather than run ahead with decisions about the loan program when we don't know what the business survey is giving us.
- I think our next priority ought to be the study session and talk about, as Craig indicated, what are our priorities?
- There's a lot of conversation we need to have, and that way we can organize the workflow and then we can get the workflow parsed out with price tags on it, I'm going to say.
- Can we do all this in a condensed time and turn this around quickly so that we have a study session, I'm just going to suggest sooner in August rather than later in September, because we just can't wait forever.
- We have businesses that are so frustrated they're sending screamer emails to the council.
- We really need to hit the topic of how we can help.
- What do we do for loans?
- What services can we give?
- What collaborative work can we do?
- We need to get there and get there sooner.
- That would be my recommendation.
- We send Craig off on the micro survey, plan the study session, get that scheduled through Mary and put the decisions in front of us, so we're choosing, and we're choosing how we spend our money.
- What's the most important thing?
- I've already said my top priorities from a long list, all of which was attractive.

Vice Mayor Glass commented as follows:

- I think the most important, if I were directing CoMission, I would ask that they have the survey results very well collated and the information ready to present along with their micro survey, I think it's follow-up survey work that is with the contacts that they have made in the execution of the original survey to get to drill down on what specific things the city could do to help businesses.
- If we're going to have a loan program, what would be effective?
- What level of loans do people need?
- What's the minimum threshold for a loan that would be effective and helpful?
- What other services do they continue to need?
- I think we already know they need help with all the health orders and how to comply and all of those kinds of things, what other kinds of things might they need?

- Actually, hopefully, we're going to be looking a few months out.
- Are there going to be additional financial stimulus monies, et cetera?
- Do they think they might need help with that in another few months down the road?
- That's what I would say.
- First thing, we schedule a study session, not just a presentation.
- I want a study session.
- I want all of us to be able to discuss this and go around the block a bunch of times and pick it apart and argue and say we're all in agreement or whatever.
- But I think we need a study session that's not a 30-minute presentation.
- We need to get drill down on this stuff and figure out what we can do.
- But we need to make sure that CoMission is going to come with the original survey, plus the additional outreach that they're going to do in this micro thing.
- As soon as possible.

Mayor Slayter commented as follows:

- Think we've reached a point where I think staff has a good idea.
- I think the agenda setting committee has a good idea.
- I think CoMission has a good idea of where we're going with this and where we need to be in a very condensed timeframe.
- Looking at the community calendar, we have most likely a series of community workshops surrounding law enforcement review and police services.
- And we have this work ahead of us as far as facilitating community meetings.
- And these are not meetings that I want to hold on the Internet, but we don't have a choice.
- So we will suffer through those, but we all need to be cognizant of our limited staff capacity to organize these things, and as far as the study session goes, that's something I'll just go ahead and put that right on you, Craig.
- As far as we can discuss the organization of that and how we're going to do that.
- I know that zoom has breakout room capacities.
- I don't know a thing about how the platform functions, but I know that those capacities exist and maybe that's something that we can look at that would help facilitate useful conversations.
- So, we'll need to strategize on that.
- But from a council and staff perspective, we all need to be aware of the big ask that we've got going on right now with our staff.
- I meant to add up the number of pages of meeting minutes that our city clerk has put together for us, that we approved in the consent calendar. This is a heavy load right now.
- We need to be aware of that and continue to try to help as much as the five of us can.
- Know Craig understands staff and their workload also.
- Think we're good on this item for now.
- We will end this item.

City Council Action: No Formal vote.

Minute Order Number: 2020-163

CITY COUNCIL REPORTS:

13. City Manager-Attorney/City Clerk Reports (Continued):
 - Update on COVID 19 Activities. The City Manager will provide an update on status of activities related to COVID 19 Pandemic.

- I gave you a preamble of this, I think in a previous report, but I think you've read in the paper that we're going to be taking a look at enhanced enforcement of the masking and other public health orders.
- All the city attorneys met last week with County council.
- That item is going before the board of supervisors this week, the meeting with County council was quite excellent.
- Everybody was in accord.
- What you are looking at here is there would be essentially as it's presently thought of.
- And there would be a single hotline number with people who could call with complaints about businesses or masking issues, that we would develop an administrative citation program.
- So that others besides law enforcement could theoretically be involved in enforcement of these orders and that we will continue to utilize education, but that we will develop a process for enhanced enforcement.
- The board of supervisors I believe is going to give that direction in the next day or two, and we will continue the discussions with County council, but it does seem like a better, more streamlined approach, far more effective in utilizing staff other than law enforcement to help get the word out.
- And if there's one thing that we've received a lot of complaints about at city hall that is enforcement complaints, which leads me to my second point.
- We continue to have many issues at the skate park.
- I had told you a couple of weeks ago that we did close the skate park for several days.
- That was absolutely no compliance at the skate park with any of the public health rules on social distancing, mask use, et cetera.
- There was none.
- Our public works employees when they were trying to do work in the skate park were being abused and law enforcement was a constant presence there.
- So, we did close the skate park for a few days as a warning.
- Other reports and complaints that I'm receiving lately, show that nothing, unfortunately, nothing has changed out at the skate park.
- So, I'm assuming that is correct.
- I would anticipate another closure of the skate park in the near future.
- This being for an indefinite period of time.
- We just cannot get compliance out there, and I cannot subject our public works employees to the continued abuse that they are receiving.
- I'm telling you about this because when we do close the skate park, we get an avalanche of bad comments on social media.
- So, we have to be prepared for that.
- That's what happens when we do that.
- So, I'll send the council an email.
- I'm going to confer with staff tomorrow and decide what to do, and then I'll let the council know so you'll be prepared in the event we close the park again.
- There'll be a lot of comments about that.
- Finally, I did want to tell you a little bit of information about the issues with doing the parklets with doing the outdoor dining on the state highways.
- We have a real issue with Caltrans in doing that.

- They have put so many restrictions on us that basically the program wouldn't even work.
- Everything you'd want to do an outdoor dining out there; Caltrans is not going to allow at the present time.
- That's problem one.
- That became clear just in the last couple of days when we really pushed the issue with Caltrans.
- The other problem is, in order to do it at all, we have to have an executive order from Governor Newsom.
- So, believe it or not, those are the actual issues we're facing in trying to do an outdoor dining program, utilizing the parking spaces or any portion of our state highways.
- It has been difficult for us to ascertain the actual need or desire for these out in the community.
- We've heard criticism that we haven't done it, but when we reached out to try and generate some interest in it, the interest really hasn't been there.
- Part of the problem has been that the public health orders, as we all know, change daily.
- One minute you can do indoor dining, the next minute you can.
- Everything changes so frequently.
- And the problem is that when they come from the state level, a lot of what we learn about what you can and cannot do comes directly from the Governor through Facebook.
- And quite frankly, he doesn't exactly use the same terms the County council does.
- When they start writing up a health order, we have immediate issues with interpretation.
- We had one of those issues when the last order came out- shopping malls, does that mean you still can do retail when governor said malls, what exactly did he mean?
- Well, we were able to ascertain he meant indoor malls.
- So, there wasn't any effect on retail, but when he initially closed malls several weeks ago, he meant all malls.
- Now, all retail closed.
- So, we have a problem sometimes with interpretation of some of these orders as well.
- So those are some of the challenges we've been facing.

- Report on Status of Applications Received for SCTA/RCPA Citizen Representative:
Deadline for Applications: July 21st, 2020

- One application has been received and an interview has been scheduled for the August 4, 2020 City Council Meeting.

Minute Order Number: 2020-164

14. 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:

- Just briefly to piggyback off of what city manager was saying about the trouble with the lane closure there, we did bring that up during our weekly meeting with Caltrans, and we're trying to go with another roundabout way where we're actually treated as a lane closure, where we'll put up concrete barricades
- So, we do have a different contact at Caltrans for another way rather than waiting for the Governor to do something.
- And we'll see if there's interest by the merchants or the restaurant
- And we're just talking about the one section of Main Street on the West side
- So, if there's no support for it, there's no sense of pursuing it.
- But I did put in a call to that person to see if we could arrange for that to happen and I'll report back.

Councilmember Gurney reported on the following:

- Very short report from the SCTA, the board voted 11 to one to pass on the re-up measure M issue to the board of supervisors.
- They'll be hearing it in August.
- The one no vote was from Windsor.

Councilmember Hinton reported on the following:

- Had a legislative committee meeting last Friday.
- We hadn't had a meeting in a couple months, so there really wasn't too much up.
- I think there's going to be a more major meeting next month, but it was kind of a round robin, mostly about what all of the cities have been doing.
- Additionally, to just give some feedback, I did talk to a couple of restaurants.
- I've been talking to restaurants because of my restaurant walk that's coming up this Saturday, and regarding the closing of the lane, the people I talked to had heard about it, and somebody suggested that maybe we would, with barricades, have pedestrians walk in the streets and could use the sidewalks for the tables because the feedback was who wants to really eating a meal right next to a car passing by at a really high rate of speed.
- I am familiar with kind of walking out in barricades in San Francisco when I worked in San Francisco.
- I didn't think that was a bad idea.
- I just kind of throw it out as that was the discussion I heard down from the restaurants on Main.
- Then that brings me to my walk. I'm hosting a walk.
- It's a combination of a self-guided map walk with face masks and your small social distancing person, if you want to walk.
- Then a zoom meeting and think a restaurant highlights similar to like a cooking show kind of thing, talking about their food on zoom on Saturday.
- We have a zoom link and that will be from 10 to noon.
- We're working on I'm working on that.

Mayor Slayter reported on the following:

- Mayors and council members mayor's group continues to meet on Fridays.
- Brought up with Supervisor Gorin on Friday, some ideas that I've heard about, perhaps ways that the county could help the region rather than the region, minus other places like cities.
- We need to work at this collaboratively.

- And those suggestions as far as maybe a regional business loan program administered by the county, which may make a whole lot of sense.
 - And there wasn't a lot of traction there with the supervisor and as overworked and as overburdened as we feel we are, and our staff is, the sense that I'm getting from the county is that there's actually some significant unraveling going on and we need to be aware of that.
15. Council Communications Received: None
16. Future City Meeting Dates/Events (Informational Only): (See Agenda on City Web site for Up to Date Meeting Dates/Times)

ADJOURNMENT OF REGULAR MEETING:

Mayor Slayter adjourned the meeting at 11:30 pm. Meeting was adjourned to the City Council Regular Meeting scheduled for Tuesday, August 4, 2020 at 5:30 pm (virtual meeting).

Respectfully Submitted:



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