

CITY OF SEBASTOPOL



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SEBASTOPOL
Local Flavor. Global Vision.

MAYOR
Sarah Glade Gurney

CITY COUNCIL
Guy Wilson, Vice Mayor
Linda Kelley
Larry Robinson
Kathleen Shaffer

MINUTES OF THE SEBASTOPOL CITY COUNCIL MEETING OF December 1, 2009

As approved by the City Council at their meeting of December 15, 2009

CITY OF SEBASTOPOL CITY COUNCIL

MINUTES OF MEETING OF December 1, 2009

SEBASTOPOL YOUTH ANNEX, 425 Morris Street, Sebastopol, CA 95472

The Notice of the Meeting was posted on the City Hall Bulletin Board by the City Clerk on November 25, 2009.

6:00 pm – CONVENE CITY COUNCIL MEETING

CALL TO ORDER: Mayor Gurney called the meeting of December 1, 2009 to order at 6:02 pm.

ROLL CALL

Present: Councilmembers Robinson, Wilson, Shaffer, Vice Mayor Kelley and Mayor Gurney
Absent: None
Staff: City Manager Griffin, City Clerk Gourley, City Attorney McLaughlin, Engineering Director Kelly, and Planning Director Webster

- Outgoing Message by Mayor: Mayor Gurney provided an outgoing message to the community with the following highlights of her accomplishments as Mayor during 2009:
 - To be community oriented and have the City Council accessible to the community
 - To have a Council that works together to have open and thorough deliberations
 - Proclamation of Sebastopol as Peacetown, USA
 - Discussed the challenges of Sebastopol
 - Discussed her gratitude minutes
 - Discussed acceptance of invitations and official appearances
 - Discussed use of public transportation and walking around town
 - Dine Out Sebastopol Program
 - Continue of Sebastopol Walks Program
 - City Town Hall Meetings on the Center of the City and use of City owned real estate
 - Would like to see 2010 as:
 - to continue community building
 - year of grace
 - year of sustainability
 - continuation of water subcommittee

- change culture in town so that the perception is one of safety to walk, bus or bike around town
- accepting of Dr. Rob Eidler’s suggestion of shaping the financial future
- maintaining a commitment to affordable housing

Mayor Gurney presented an Earth Day Flag to the City.

➤ Election of Mayor

Mayor Gurney called for nominations for Mayor.

Vice Mayor Kelley moved and Councilmember Wilson seconded the motion to nominate for re-election Councilmember Glade Gurney as Mayor.

Discussion:

Councilmember Wilson stated that he would like to express his gratitude for Mayor Gurney’s role as Mayor this past year and has made this year for him an easy year and made him feel welcome as a new Councilmember and also has created community participation.

VOTE:

Ayes: Councilmembers Wilson, Shaffer, Gurney and Vice Mayor Kelley
 Noes: Councilmember Robinson
 Absent: None
 Abstain: None

City Council Action: Re-elected Sarah Glade Gurney as Mayor of the City of Sebastopol
 Minute Order Number: 234-09

➤ Election of Vice Mayor

Mayor Gurney called for nominations for Vice Mayor.

Councilmember Robinson moved and Councilmember Shaffer seconded the motion to nominate Councilmember Shaffer as Vice Mayor.

VOTE:

Ayes: Councilmembers Robinson and Shaffer
 Noes: Councilmember Wilson, Kelley and Mayor Gurney
 The motion fails.

Councilmember Kelley moved and Councilmember Wilson seconded the motion to nominate Councilmember Wilson as Vice Mayor.

VOTE:

Ayes: Councilmembers Robinson, Shaffer, Kelley, Wilson and Mayor Gurney
 Noes: None
 Absent: None
 Abstain: None

City Council Action: Elected Councilmember Wilson as Vice Mayor of the City of Sebastopol.
 Minute Order Number: 235-09

➤ Presentation to Outgoing Mayor: City Manager Griffin presented a plaque and gavel to Mayor Gurney.

ADJOURN CITY COUNCIL MEETING: Mayor Gurney adjourned the City Council Meeting at 6:19 pm to the Community Development Agency Meeting.

RECONVENE CITY COUNCIL MEETING

Mayor Gurney reconvened the City Council Meeting at 7:56 pm.

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

PROCLAMATION(S)/PRESENTATION(s): None
APPROVAL OF MINUTES OF: November 17, 2009

Vice Mayor Wilson moved and Councilmember Kelley seconded the motion to approve the November 17, 2009 City Council Minutes as submitted.

VOTE:

Ayes: Councilmembers Robinson, Shaffer, Kelley, Vice Mayor Wilson and Mayor Gurney
Noes: None
Absent: None
Abstain: None

COUNCILMEMBER ANNOUNCEMENTS(s) (This is an opportunity for any Councilmember to make a brief announcement to the community)

Mayor Gurney announced the following:

- In the Water Bills is the Step Newsletter and on the reverse is the 2010 Walks Calendar
- Community Newsletter from the Economic Summit
- Design Review Board Meeting of December 2, 2009 at 3:00 pm at the Veteran's Building discussing the 200 Morris Street project.
- December 3, 2009 – Dine Out for Life
- December 3, 2009 – Holiday Tree Lighting in the Downtown Plaza – 5:00 – 8:00 pm
- December 3, 2009 – Skate Park/Community Garden Meeting – 7:30 pm Youth Annex
- December 5th- H1N1 Flu Shots at Palm Drive Hospital
- December 7, 2009 – Village Park/Laguna Open Space Community Meeting, 7:00 pm Community Center

Councilmember Shaffer discussed food collections and the outpouring of support and encouraged people to keep up the good work.

PUBLIC COMMENT(S) (This is an opportunity for the public to address the Council on items that are not listed on the agenda. This time is set aside to receive comments from the public regarding matters of general interest not on the agenda, but related to Council business. Pursuant to the Brown Act, however, the Council cannot consider any issues or take action on any requests during this comment period. Speakers are encouraged to limit their comments to 3 minutes maximum so that all speakers have an opportunity to address the City Council

Teresa Ramondo, Sebastopol Area Chamber of Commerce, discussed the following:

- December 3rd – Tree Lighting Ceremony and invited the Mayor to light the tree.
- Distributed Chamber Membership Listing
- Super Saturday City Wide, December 5th, and stated it will be the first Saturday of every month.
- Sebastopol Dollars

Colleen Fernald discussed her request to the City of Santa Rosa to seek out Sebastopol on their resolutions for a cease fire. Stated she was dismayed with the President's choices. Requested a call for cease fire for the new administration and requested the return of troops by December 21st to be home for the Holidays. Stated the local government should speak out as a loud voice for the community.

Joan Schwan, Strout Street, discussed leaf blowers; stated the cost of blowing leaves is high and the benefits are not obvious; questioned if this is what Sebastopol wants done at all; does not see the value of blowing leaves every morning and requested the City not blow or do on a reduced schedule. She stated this is an opportunity for the City to take the lead and choose alternate ways instead of blowing leaves.

Nancy Hubert, discussed leaf blowers; stated many cities have enacted a leaf blowing ban; important to protect citizens from noise and pollution; stated this is a quality of life issue; and stated businesses have other options.

Sheppard Bliss, Cunningham Road, discussed the leaf blower issue and requested further research be conducted on the health effects of leaf blowers.

Jeff Schook, discussed the Green Gardner Incentive Program, suggested conducting an outreach campaign to the benefits of having restrictions; discussed education and informing the public and read an article from the Ukiah paper on this issue. He stated blowing of leaves is a threat to cyclists and the benefits are not as great as the cost.

John Jenkel, stated he did not allow leaf blowing on his farm; discussed Sheriff's confiscation of his acreage; discuss Paul Hobbs' purchase of his property; and discussed harassment against the 9-11 Truth Campaign.

City Manager Griffin stated the leaf blower issue will be returning to the City Council in January with various recommendations.

CONSENT CALENDAR ITEM(S): The following items listed on the Consent Calendar are considered routine and action will be taken by the City Council by a single motion. A Councilmember, staff or the public may request that an item be removed from the Consent Calendar and action taken separately. In the event an item is removed, it shall be considered as the first scheduled item in the agenda. Members from the public wishing to speak on a Consent Agenda item should notify the Mayor

Vice Mayor Wilson requested item numbers 8 and 9 be removed from the consent calendar.

Vice Mayor Wilson moved and Councilmember Kelley seconded the motion to approve Consent Calendar Item Numbers 7 and 10.

VOTE:

Ayes: Councilmembers Robinson, Shaffer, Kelley, Vice Mayor Wilson and Mayor Gurney

Noes: None

Absent: None

Abstain: None

7. Acceptance of Improvements; Approval of Change Order and Authorization for Staff to File Notice of Completion for the Sebastopol Police Station Roof Replacement, Contract No. 2009-01 (Superintendent of Public Works)

City Council Action: Approved Acceptance of Improvements; Approval of Change Order and Authorization for Staff to File Notice of Completion for the Sebastopol Police Station Roof Replacement, Contract No. 2009-01

Minute Order Number: 244-09

10. Approval of Contract Amendment with Green Valley Consulting Engineers to provide Engineering Design and Construction Management Services for Prop. 1B Street Resurfacing (2010) (Engineering Director)

City Council Action: Approved Contract Amendment with Green Valley Consulting Engineers to provide Engineering Design and Construction Management Services for Prop. 1B Street Resurfacing (2010)

Minute Order Number: 245-09

8. Approval of Resolution Opposing PG&E Ballot Initiative Entitled "New Two-Thirds Vote Requirement for Local Public Electricity Providers (Councilmember Robinson)

Vice Mayor Wilson stated he supports the resolution but concerned with focusing attention on one item, especially during an election year, and stated these are measures for the voters to consider. He stated if the Council takes a stand in support or opposition, the purpose should be to raise public awareness and getting the message across to the voters. He discussed inviting a spokesman from PG&E to ask questions on both sides of the issue. He stated there are other ways to get the message across.

Councilmember Shaffer stated she spoke with the Climate Protection Campaign who stated that this was a challenge for Sebastopol. She stated they urged Sebastopol to take a stand and support this item.

Councilmember Robinson moved and Vice Mayor Wilson seconded the motion to approve the Resolution Opposing PG&E Ballot Initiative Entitled “New Two-Thirds Vote Requirement for Local Public Electricity Providers.

Discussion:

Vice Mayor Wilson stated that this is a confusing issue and wanted to ensure that people understood that this resolution opposes PGE’s initiative and is more for public awareness and knowledge.

Councilmember Robinson stated there are a number of jurisdictions that are pursuing the Community Choice Aggregation which allows local jurisdictions to purchase, generate and resell electrical power. He stated that Sonoma County is able to general 100-120% of electrical needs and can resell the surplus. He stated that PGE business model favors long distance transmission which’s least efficient. He stated there is a strong local campaign against this initiative.

Mayor Gurney questioned who is part of the campaign.

Councilmember Robinson stated it involves CPC, City Councilmembers from other cities, Supervisor Zane, Dave Brennan as a few.

Vice Mayor Wilson stated he appreciates these efforts and stated this initiative is not being done in good faith by the utility.

VOTE:

Ayes: Councilmembers Robinson, Shaffer, Kelley, Vice Mayor Wilson and Mayor Gurney
Noes: None
Absent: None
Abstain:None

City Council Action: Approved Resolution Opposing PG&E Ballot Initiative Entitled “New Two-Thirds Vote Requirement for Local Public Electricity Providers

Resolution Number: 5779

9. Approval of Resolution in Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 (City Manager)

Vice Mayor Wilson stated his comments are similar to the previous issue and suggested revisiting this item as appropriate and inviting a spokesperson.

City Manager Griffin stated that this is sponsored by the League of California Cities to protect the revenues and impose constitutional requirements on the State.

Vice Mayor Wilson moved and Councilmember Robinson seconded the motion to approve the Resolution in Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010.

VOTE:

Ayes: Councilmembers Robinson, Shaffer, Kelley, Vice Mayor Wilson and Mayor Gurney
Noes: None
Absent: None
Abstain:None

City Council Action: Approved Resolution in Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010

Resolution Number: 5780

PRESENTATION(S):

11. Presentation by West County Community Services Executive Director Katrina Thurman

Katrina Thurman, West County Community Services, provided a presentation with the following highlights:

- Discussed Mission, Vision and Values

- History and Legacy of Service
- Who We Are Today
- Services Provided
- Employment Services and Job Assistance
- Mental Health, Counseling and Prevention
- After-School and Youth Enrichment
- Senior Support Services
- Emergency Food and Housing
- Fiscal Agent for Other NonProfits

Mayor Gurney questioned if the Community Services charged fees for administration. Ms. Thurman stated it was a small fee.

Councilmember Shaffer questioned if there is a need for a winter shelter in Sebastopol. Ms. Thurman stated there are more homeless in Sebastopol than anyone is aware of; however, there is an emergency shelter in Santa Rosa that is easily reached from Sebastopol; however, the same cannot be said for the homeless in the River area.

Councilmember Shaffer questioned how many mental health people are serviced.

Ms. Thurman stated they service over 300 youth a year and approximately 20-40 individuals on a one on one basis per month.

Councilmember Kelley questioned how people can donate food and has the public been invited to participate.

Ms. Thurman stated she has not conducted a City campaign yet for donations, however, the public can donate either at the office on Petaluma Avenue during business hours or to the Food Bank.

City Council Action: None – Informational Only

Reference Order Number: 246-09

PUBLIC HEARING(s): None

INFORMATIONAL REPORTS (No Action Required by the City Council):

12. Information from Discussions with Northeast-Area Property Owners (Planning Director)

Vice Mayor Wilson discussed the Barlow property application and requested clarification on the process.

Director Webster discussed the Design Review process for this project. He stated the Board will hear a staff report; hear from the applicant; ask questions of staff and the applicant; open to the public for comment; and then act on the application. He stated that this may take multiple meetings as certain aspects such as signage, colors, landscaping/irrigation, will need to be returned to the Board. He stated that this item can be appealed to the City Council.

Vice Mayor Wilson questioned that there was no need for an EIR. He stated the project is proposing major work on the site and asked for an explanation of why there is no EIR.

Director Webster explained the CEQA process and stated that this project would be exempt from CEQA as it is replacing the existing square footage.

Mayor Gurney asked staff to explain the appeal process.

Director Webster stated that the Design Review Board decision can be appealed within five working days of the decision and can be appealed to the City Council.

Vice Mayor Wilson questioned if an appellant can raise an item only before the Board or can the appellant bring up new items.

Director Webster stated the appellant can raise issues related to the Design Review Board application, but does not need to be in attendance at the meeting.

Councilmember Shaffer questioned if the project could be phased in or does the applicant need to accomplish everything before anything can happen.

Director Webster stated that all aspects of Design Review will need to be completed first.

Mayor Gurney opened for public comment.

Jean Ritas, Leland Street, encouraged that CEQA review be required for this project; discussed concerns with traffic, storm water; groundwater contamination; daylighting the creek; and that the Farmer's Market is not included on the plans. She stated she is a member of the Sebastopol Creek Stewards Group and stated this is a perfect opportunity to look at daylighting.

Peter Schurch, Leland Street, questioned why McKinley Street needs to go all the way through.

Mayor Gurney stated those items are not before the City Council and should be addressed to the Design Review Board.

City Council Action: None – Informational Only

Reference Order Number: 247-09

DISCUSSION AND/OR ACTION ITEM(s):

13. Consideration of City of Sebastopol as Lead Sponsor for next year's Earth Day celebration – April 18, 2010 to be held at the Sebastopol Community Center (Councilmember Robinson)

Councilmember Robinson presented the staff report recommending that the City Council be the Lead Sponsor for next year's Earth Day celebration – April 18, 2010 to be held at the Sebastopol Community Center

Councilmember Robinson moved and Councilmember Kelley seconded the motion for the City of Sebastopol to be the lead sponsor for next year's Earth Day Celebration and approved sponsorship in the amount of \$500.00.

Discussion:

Mayor Gurney questioned if Earth Elder's is aware of this and will be participating. Councilmember Robinson stated yes and that they are looking at honoring Connie Mahoney.

Mayor Gurney questioned if Councilmember Robinson is on the planning committee. Councilmember Robinson stated he and Councilmember Shaffer are both on the committee.

VOTE:

Ayes: Councilmembers Robinson, Shaffer, Kelley, Vice Mayor Wilson and Mayor Gurney

Noes: None

Absent: None

Abstain: None

City Council Action: Approved City of Sebastopol as the lead sponsor for next year's Earth Day Celebration and approved sponsorship in the amount of \$500.00.

Minute Order Number: 248-09

14. Consideration of Support of "Slow Down Sebastopol" Campaign (Gurney/Shaffer/Police Chief)

Mayor Gurney and Councilmember Shaffer presented the staff report recommending that the City Council support the "Slow Down Sebastopol" Campaign. Mayor Gurney stated the Police Chief was not in attendance but was in full support of this program.

Mayor Gurney opened for public comment.

Christine Nelson discussed unification of sign in Sebastopol. She stated the wayfinding sign program is to clean up signs in town and to beautify Sebastopol and stated this large sign is ugly and questioned if it had to be that large.

Mayor Gurney stated these are temporary signs that will be up for about six weeks starting in January and then also in August/September when school starts.

Councilmember Kelley questioned who will decide which neighborhood will have the signs and will the signs be returned to staff once the six weeks are over. She also questioned if the City will be seeking donations before tapping into the Traffic Impact Fee Fund.

City Manager Griffin stated that there are funds in the Traffic Impact Fee account to cover these signs, but that donations are being solicited for these signs.

Councilmember Shaffer stated that flyers will be going out in the water bills.

Mayor Gurney stated there will be a labor cost for Public Works to install. She stated there will also be a campaign in the paper on this program.

Councilmember Shaffer stated that everyone is excited. She stated speeding has been brought up many times during the neighborhood meetings and stated that this shows the Community that the City is interested and cares.

Councilmember Robinson suggested that the signs be returned and kept in a safe place.

Councilmember Shaffer moved and Councilmember Robinson seconded the motion to Support of "Slow Down Sebastopol" Campaign and authorized funding from the Traffic Impact Fees.

VOTE:

Ayes: Councilmembers Robinson, Shaffer, Kelley, Vice Mayor Wilson and Mayor Gurney

Noes: None

Absent: None

Abstain: None

City Council Action: Authorized Support of "Slow Down Sebastopol" Campaign and authorized funding from the Traffic Impact Fees.

Minute Order Number: 249-09

CITY COUNCIL REPORTS

15. City Manager Reports: City Manager Griffin discussed the Board of Supervisor's Meeting, December 8th on the Landfill Issue

Councilmember Shaffer distributed an email received from the Climate Protection Campaign and urged the Council to support their recommendations. Councilmember Shaffer stated she would be attending as an individual.

Councilmember Robinson authorized Councilmember Shaffer to speak on his behalf.

16. City Council Committees: Councilmember Shaffer discussed the Sun Dragon Art Committee and stated there will be a meeting on Wednesday at City Hall. She discussed why this was call the Sun Dragon and stated it is a landmark.
17. Council Reports: There were none.
18. Council Correspondence: There were none.

CLOSED SESSION: This item was cancelled.

~~19. Conference with Legal Counsel—Anticipated Litigation:~~

~~————— Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9: One Case~~

~~————— Potential Litigation~~

ADJOURNMENT: Mayor Gurney adjourned the City Council meeting of December 1, 2009 at 9:50 pm to the next regular City Council meeting to be held December 15, 2009 at 6:00 pm, at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, Ca.

Respectfully Submitted,

Mary C Gourley

Mary Gourley
City Clerk