

CITY COUNCIL MEETING MINUTES

MINUTES FOR Meeting of October 15, 2019

As Approved by the City Council at their Rescheduled regular meeting of October 29, 2019.

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.

A notice of the meeting was posted by the City Clerk on October 10, 2019.

5:00 pm CONVENE CITY COUNCIL REGULAR MEETING, Sebastopol Community Cultural Center, 390 Morris Street, Sebastopol, CA

CALL TO ORDER: Vice Mayor Slayter called the regular meeting to order at 5:03 p.m.

ROLL CALL

Present: Mayor Hinton (arrived 5:10 pm)
Vice Mayor Slayter
Councilmember Carnacchi
Councilmember Glass
Councilmember Gurney

Absent: None

Staff: City Manager/City Attorney Larry McLaughlin
Assistant City Manager/City Clerk Mary Gourley
Building Official Glenn Schainblatt
Finance Director Ana Kwong
Police Chief James Conner
Public Works Superintendent Dante Del Prete

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

Vice Mayor Slayter discussed the PG&E shut off from last week and discussed needing to be well prepared. He discussed the Map your Neighborhood Program and CERT program and that everyone should prepare themselves for emergencies.

PROCLAMATIONS/PRESENTATIONS:

The following were presented:

Years of Service Award(s):

- Nathan Sutton – Department of Public Works - 20 years

Proclamations:

- ❖ Proclamation – Recognizing October 13-16, 2019 as Freedom From Work Place Bullies
- ❖ Proclamation - Recognizing October 24, 2019 as World Polio Day in Sebastopol
- ❖ Proclamation – Recognizing October 2019 as Domestic Violence Awareness Month
- ❖ Proclamation – Recognizing October 2019 as Chamber Awareness Month
- ❖ Proclamation – Recognizing October 2019 as Pomo Honoring Month

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.)

There was none.

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 Glass stated she would recuse herself from discussion related to any funding for the Center for the Arts (Agenda Item Number 6).

CONSENT CALENDAR:

- o 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.
- o 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.
- o 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.
- o 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 Hinton read the consent calendar items. Mayor Hinton questioned if any Councilmembers wanted to remove an item from the consent calendar. There was none.

Mayor Hinton asked for public comment on the consent calendar items. There was none.

Councilmember Glass moved and Councilmember Gurney seconded the motion to approve Consent Calendar Item(s) Number(s) 1, 2, 3, 4, and 5.

VOTE:

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

Noes: None

Absent: None

Abstain:None

CONSENT CALENDAR:

1. Approval of Minutes of the City Council Meeting of September 17, 2019 (Responsible Department: City Administration)

City Council Action: Approved Minutes of the City Council Meeting of September 17, 2019

Minute Order Number: 2019-234

2. Approval of Minutes of the City Council Special Meeting (Closed Session) of September 25, 2019 (Responsible Department: City Administration)

City Council Action: Approved Minutes of the City Council Special Meeting (Closed Session) of September 25, 2019

Minute Order Number: 2019-235

3. Approval of Resolution to Authorize the City Manager to sign a Maintenance Agreement with Caltrans for Ned Kahn Public Art (Responsible Department: Planning Department)

City Council Action: Approved Resolution to Authorize the City Manager to sign a Maintenance Agreement with Caltrans for Ned Kahn Public Art

Resolution Number: 6263-2019

Minute Order Number: 2019-236

4. Approval of Resolution for Prop 68 Grant Application(s) (Responsible Department: Planning Director)

City Council Action: Approved Resolution for Prop 68 Grant Application(s)

Resolution Number: 6264-2019

Minute Order Number: 2019-237

5. Approval of Traffic and Parking Modifications – Flynn Street (Red Curb/No Parking) (Responsible Department: Police Department)

City Council Action: Approved Traffic and Parking Modifications – Flynn Street (Red Curb/No Parking)

Minute Order Number: 2019-238

INFORMATIONAL ITEMS/PRESENTATION: None

PUBLIC HEARING(S): None

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

6. Consideration of Budget Sub-Committee recommendations for use of State Assistance from the State of California State Budget 2019-20 Assistance of Grant Funding for Flood Recovery Activity (Budget Sub-Committee; Responsible Department: Administrative Services Director)

Administrative Services Director Kwong presented the agenda item as follows recommending the City Council consider the recommendations from the Budget Sub-Committee for use of State Assistance from the State of California State Budget 2019-20 Assistance of Grant Funding for Flood Recovery Activity.

- The item is to request the City council consider the proposed recommendations for use \$1.5M from the state of California in response to our 2019 flood event.
- The City Council directed the Budget Subcommittee to review the current flood damages and estimates, as well as study other possible options to mitigate any future flooding that may occur if another major disaster event happens. It is critical that the \$1.5M is used for flood recovery.
- The Budget subcommittee met multiple times with department directors and the Sebastopol Community center board and staff to discuss recommendations for use of these funds. Based on those meetings, the Budget subcommittee is proposing the list of expenditures to be funded from the 1.5M
- The total cost incurred for flood damage was \$735K, Hartford insurance reimbursed the city \$269K. the difference labeled reimburse the GF was the recommendation of the budget subcommittee to make GF whole. The rest of the items on the table were identified by staff as necessary precautionary expenses to mitigate future nature disasters.
- Additionally, as stated in the staff report, the City also submitted to FEMA and CalOES (California Office of Emergency Services) for potential reimbursement in the amount of \$113K. That process will take some time to work itself through the system.
- It is recommended that until such time that the City knows the full amount of reimbursement between FEMA and our insurance (redwood empire municipal fund insurance), the budget subcommittee recommended the City Council approve \$466K reimbursement to the GF, \$483K precautionary expense to mitigate future nature disasters and the residual balance of \$550K to be set aside in the Building, Infrastructure, and Replacement Fund.

Mayor Hinton asked for comments from the Budget Sub-Committee.

Councilmember Glass commented as follows:

- Budget subcommittee met multiple times
- Looked at lists of items proposed
- List is not the final verdict of what is going to be spent
- How are we expending the money that was given to use by the State of California to mitigate our flood situation
- Recover from flood damage
- Mitigation work for future floods
- Government gives us funding in certain buckets
- Working on figuring out how to expend the funding on the things that are permissible
- Accounting game
- Have to reimburse our General Fund – fund that City Council has discretion on
- What expenses did the City incur and City partners occur
- What was expended on flood recovery
- Funding can only be spent on flood related items
- City is paying itself back
- Need to restore what was there
- Discussed flood mitigation – cannot fund something new

- City will have more flexibility of how to spend in the future
- Moving \$466,000 into the General Fund
- As get to mid-year budget changes, have more money to spend
- Invest in items such as replacing manhole covers – have liability if we have manhole covers that float away and pollute the Laguna
- Reducing City liability
- Portable generators for future disaster events
- Not spend all the money all at once
- Looking at to get some of our money reimbursed
- Not know how much we are getting
- This is not the final word on how the City is expending money
- Investing in this building (SCCC) and flood mitigation
- Discussed critical path to making it so we can invest more in this building
- Discussed local hazard mitigation plan
- Hire consultants
- Need to get permits for next stage of this building
- Need to invest in this plan
- Cannot apply for funding sources without having this plan in place or get permits for some of the things wanted for this building (SCCC)
- Discussed the aqua dam – need plan in place first – put funding aside for it
- No point in investing in something that will flood again
- Need to invest in something that will prevent flooding next time
- All in favor of investing more to have the facilities we need
- Critical path to get there
- Need to take certain path to get there

Mayor Hinton commented as follows:

- Money is for flood mitigation recovery
- This is the reason why the City was given this money
- On board with the Community Center
- Funding will be audited by the State
- Need to put money in right pots
- Need to protect the Community Center from future floods
- First priority is the \$80,000 for the local hazard mitigation plan
- Then can get funding from FEMA
- That has to roll out first
- Future discussion on use of funds

Mayor Hinton asked for questions.

Councilmember Gurney commented as follows:

- Liaison to Community Center

- Hopeful the Community Center will be able to share same understanding of information heard
- Appreciate description of work and process
- Local hazard mitigation plan is first step
- Need timeline – critical
- Been connected to community center and board
- Not heard in public presence from community center
- Valuable as collective body and audience to hear from the community center

Mayor Hinton comments as follows:

- Meetings have been held and items discussed in detail with the community center
- This has been vetted in multiple meetings

Building Official Schainblatt commented as follows:

- Discussed the local hazard mitigation plan - Plan expired two years ago
- Working on RFP for consultant
- Will also help to get funding
- Lengthy process
- 9-12 months to go through the entire process
- Need plan in place to get funding from FEMA
- Different from disaster grants that are being worked on
- Last plan – fortunate had ABAG help the city to create the plan

Councilmember Gurney commented as follows:

- Discussed the information of items submitted for reimbursement
- How long are we waiting for that final determination
- Do we know that timeline

Director Kwong commented as follows:

- Everything has been submitted to FEMA
- May take a year or longer to go through the process

Councilmember Gurney commented as follows:

- Discussed timelines
- Asked staff to pull timelines together to review
- Discussed staff report and reimbursements

Building Official Schainblatt commented as follows:

- Could be up to one year or more to get the plan done
- Could take a year or more to go through the FEMA process
- Took 3 years to get paid for the last earthquake
- FEMA does not care about our timeline

Councilmember Gurney commented as follows:

- Discussed the \$550,000 – held back to be put into the building infrastructure replacement funds
- Discussed the limited recommendations
- Questioned what where the other choices not put on the list

Mayor Hinton commented as follows:

- No recommendations past this list
- Many recommendations do not qualify for this money
- Needs to be in General Fund
- Council will then have more discretion

Councilmember Glass commented as follows:

- Discussed that there are a lot of things that are critical to the community center
- Discussed the timing of the plan and reimbursements
- Discussed next steps – start working on getting flood barriers (some type of dam) in place
- Not want to start work on a commercial kitchen if it floods in February
- Do whatever it takes to speed up that process
- Discussed investing in the community center
- Discussed processes
- Discussed timeline
- Look at giving loan to the community center to make improvements
- If we can do that, we can move up the time frame
- Aqua dam is critical

Councilmember Gurney commented as follows:

- Discussed moving money into the General Fund
- Questioned if the City could be able to spend that at mid-year
- Come back at mid-year budget review and put in for top items at SCCC

Mayor Hinton commented as follows:

- Discussed moving \$466,000 into the General Fund
- Discussed moving \$550,000 into the Building Infrastructure Reserve Fund

Councilmember Gurney questioned if the \$55,0000 is not available until the hazard mitigation plan has been completed.

Mayor Hinton commented as follows:

- \$550,000 needs to be spent per State of California
- Money for Flood mitigation
- Money for Flood recovery
- Needs to be allocated a certain way

Councilmember Gurney commented as follows:

- Discussed needs

- Discussed timelines
- Stated this is the first conversation to figure out how to spend the funds
- Helpful to have diagram of timeline/projects

Mayor Hinton commented as follows:

- \$466,000 recommendation tonight to move to the General Fund
- Return later to look at future ideas
- Can discuss use of those funds later

Vice Mayor Slayter questioned the life span of a local hazard mitigation plan. Building Official Schainblatt stated five years.

Vice Mayor Slayter commented as follows:

- Asked for clarification of the chart in the staff report
- \$1.5 for flood mitigation and restoration
- Firm rigid fences around it as to what it can be spent on
- Discussed FEMA reimbursement
- Discussed Cal OES reimbursement

Director Kwong commented as follows:

- Discussed the reimbursement allocations of FEMA and Cal OES
- FEMA = 75%
- Cal OES = 10 ¾ %
- City – Remaining percentage
- If the \$113,000 is approved, and all those items are deemed eligible expenses to be reimbursed, the percentage distribution will be as listed above

Vice Mayor Slayter commented as follows:

- Stated the City is not sure what is due to us
- Process has to go through the government
- Not sure what we are going to see for reimbursement in one or two years
- Reason for recommendations/set asides/ear marking the funds
- Need to take care of flood mitigation measures
- Protect our facilities
- Future investments to be protected from potential disaster
- Timeline of many balls in the air at the same time
- Discussed the chart on page 2
- \$466,000 – hard costs the City has expended during the flood
- Some of that is eligible to be reimbursed
- Budget process – allocated \$200,000 plus \$100,000 for upgrades/repairs to this building
- \$300,000 not included in this \$466,000
- Still allocated for flood repair in the budget
- Pay for that from the \$1.5 million rather than General Fund

Director Kwong commented that the City used the reserve funding so the City can use the \$1.5 to pay for that.

Mayor Hinton commented that would need to be returned to the Council for formal approval.

Vice Mayor Slayter stated the net result would be \$250,000. He stated the projects would be eligible to be paid out of the \$1.5 million.

Mayor Hinton stated the City is proposing a total of \$500,000 for the community center and the City can discuss this further in the future.

Councilmember Gurney discussed reimbursement to the General Fund as well as \$300,000 to the building fund.

Public Works Superintendent Del Prete commented on the funding for the roof and remodel of the building and discussed the need for generators.

Councilmember Carnacchi asked staff to elaborate on the what the local hazard mitigation plan encompasses.

Building Official Schainblatt commented as follows:

- Discussed earthquake fault, flood, and wildfires
- Identify procedures for flood mitigation
- Put in place legislative items
- Items rolled into the General Plan
- To get mitigation funding have to have plan approved by FEMA

Councilmember Carnacchi commented as follows:

- Discussed the aqua dam
- Discussed other options for flood barriers
- Discussed the need for a larger forklift
- Discussed displacement of fill – if the City did a system such as an aqua dam, this would redistribute the water
- Could Flynn street be higher at that time

Building Official Schainblatt commented as follows:

- Other options can be looked at
- Placeholder for the money
- No forklift big enough
- Part of plan would be to gather personnel to install it
- Engineering designed
- Has to do hydraulic calcs

Councilmember Carnacchi commented as follows:

- Submitted different items for the use of the funds
- Discussed the outfalls – which are the creeks and storm drains – all end up in the Laguna
- What is the major outfall that affects the downtown storm drains
- Which one is the most important

Superintendent Del Prete commented as follows:

- Calder Creek is significantly impacted by vegetation
- Started plan to get permits in place for improvements
- Discussed costs of actual work
- Stated it will be a tremendous amount of money
- Permits could cost as much as \$30,00 - \$50,000
- Stated it would be upwards of a million dollars to get permits and finalize the projects

Councilmember Carnacchi commented as follows:

- Questioned if the City has skin in the game to invest towards cleaning out the outfalls
- Does that benefit the City in getting grant funding

Superintendent Del Prete commented as follows:

- Stated he has researched grants
- Has worked with local engineering firms
- Discussed issues related to the outfalls
- Discussed work in water ways
- Goal is to get permitting started

Councilmember Carnacchi questioned how important is it to future flood mitigation to have the outfalls cleaned out.

Superintendent Del Prete commented as follows:

- Diminished capacity in system
- Very important
- Asked for it in CIP to get process started
- Timelines/floods – no way of telling how it will impact

Mayor Hinton opened for public comment.

Children's Bija Choir provided a song to the City Council.

Cordelia Holst commented as follows:

- Provided a presentation to the City Council
- Urged the Council to endorse the vision
- Urged the Council to fund the SCCC top priorities

Nancy commented as follows:

- Supportive member of the Community Center
- Feels like time has compressed
- Discussed being a board member in past years
- Explored other sights for the community center
- Thanked Council for looking into this
- Earlier board did the homework

Gordon Stewart commented as follows:

- Building is in a flood plain
- Discussed flood ordinance
- Investment for this building includes flood protection compensation
- Discussed water filled dam
- Paraphrased the aqua dam web site
- Discussed inventory of the dam
- Discussed proposal from aqua dam
- Reasonably priced
- Used by FEMA

Alexis Persinger commented as follows:

- Architect
- Firm does pro bono work through the City
- Working with community center
- All agree how important the community center is
- Discussed the process
- Got amazing windfall
- Recover money for General Fund
- Commit money \$300,000 plus \$200,000 to future improvements
- Does not change city financial picture
- City would be making a commitment to the community center

Lindsey commented as follows:

- Discussed needs for teenagers
- Wasted opportunity
- Provide space for teens to go after school
- Food for teen and relaxing spaces
- Create café
- Allocate funding for flood mitigation and basic improvements

Alana commented as follows:

- Palm Drive Health Care District – Approved \$5,000 for infrastructure for the teen center
- Center important for teens

- Important for health and safety
- Hopefully donate more funds in the future
- Hate to see funding go to wayside
- Make place where teens want to come

Rob commented as follows:

- Own catering business
- Resident
- Catered in this kitchen
- Had to work in other kitchens to bring food in
- Did many events such as Celtic festival, Tour d'Organics, Fundraisers
- Speak to need for real commercial kitchen
- Function with walk in refrigerator
- Café is an amazing idea

Chris Anderegg commented as follows:

- Discussed getting flood mitigation in place
- Board happy to work with City to get process rolling
- Discussed engineering evaluations
- Will be an approval process
- Can start this right away
- Establish zero waste – cannot do that with real kitchen
- Revenue cut dramatically by the state of this room
- Revenue is key from rentals on weekends
- Problematic when it starts raining
- Revenue is challenging

Jill commented as follows:

- Concerned of finances
- Discussed being on the disaster team during the fires
- Discussed coordinating with the Red Cross during the fires
- Challenge of kitchen and showers
- Coordinated for food and showers
- Taught culinary class
- Parents asking about next year but no kitchen to teach a culinary class

Jim Corbett commented as follows:

- Discussed the building needing a facelift
- Jewel to the community
- 25-year flood
- Pulled up floor four times
- Not want to do it again

- Get aqua dam
- Floods happen
- Use private funds to get community center remodeled faster
- Use local contractors

Cloud Moss commented as follows:

- Discussed the flood of 1995
- Discussed concerts done at SCCC
- Discussed acoustics – Unseen - Not visual
- Discussed altering the acoustics of this room
- Discussed the dropped ceiling being gone
- Room not repaired
- Need the acoustics
- Nothing on calendar after this Friday for concerts

Mina Cooper commented as follows:

- Acoustics is important
- Played a lot of shows here and toured a lot
- Need stage that feels professional
- World class musicians come here
- Need soft chairs
- Need restrooms
- Bring in programs for kids
- Sebastopol has best audience
- Deserve good venue

A member of the audience commented as follows:

- Good place here
- Held an event
- Discussed the black plastic
- Discussed the restrooms
- Discussed catering
- Nice place to have events
- Would recommend it to other people but not now
- Plastic shows in the pictures
- Fix this building and make it a beautiful place

Teresa Torres commented as follows:

- Works at SCCC – discussed events held at SCCC
- Building looks the same for the last 30 years
- SCCC fills an important role in the community
- Renters unhappy

- No commercial kitchen
- Have to give back substantial discounts
- Make this place beautiful

Facility Manager commented as follows:

- Trying to make it presentable
- No walls
- Critters walking and flying in
- Invest and improve the facility

Anne Marie Sullivan commented as follows:

- Leading jazzercise
- Longest running class since 1983
- Supporters in attendance
- Love proposed café
- Would like to have showers
- Concerned of students
- Corporate wants a Boutique looking facility
- Hate for them to see the state of this place

Zumba instructor commented as follows:

- Discussed the classes
- Small room
- Difficult floor to dance on
- Moved to youth annex building
- Feel bad for state of this building
- Need to protect the center from flooding

Susan Ball commented as follows:

- Want to see this place moved and bulldozed
- Create a place where the vision can happen
- Cannot happen where we have built in a flood plain
- Idiotic to rebuild here
- Have money to find place
- Will flood again
- Discussed climate crisis
- Should not be a building here
- Water will always be here
- We need to pay attention to that
- Money lost because we do not have the facilities
- Tons of money being lost

Amy commented as follows:

- Work in the Barlow
- Did leasing for the Barlow
- Discussed commercial kitchens
- Discussed food incubator
- Discussed administration – commercial property owners not take that on
- Opportunity here with the SCCC staff

Bernadette commented as follows:

- Miracle to be in this building tonight
- Testament to staff
- Center is heart of the community
- Discussed the 2017 fires
- Serves as the heart of community response
- Discussed the local hazard mitigation plan
- Discussed request for proposals
- Discussed timelines
- Discussed contracts

Mary commented as follows:

- New resident
- Child advocate
- Volunteer
- Never seen a community more impassioned in focus of gratitude and collectively orientate for the good of all
- Passion of helping the youth
- Need to support youth and family – otherwise they are not staying
- Nothing for teenagers to do
- Do not delay
- Investment losing money
- Get creative with money

Mayor Hinton called for a break at 7:26 pm and reconvened the meeting at 7:39 pm.

Council Deliberations:

Councilmember Gurney commented as follows:

- Discussed possible legitimate claim to be filed such as loss of revenues
- Discussed SCCC as City parks and rec department
- Injured by flood and cannot function
- Losing revenue
- Cancellations
- Classes in jeopardy
- Is it possible to put in a claim for lost revenue

- Discussed acoustics
- Can replace something but not necessarily the quality
- Want what we used to have and not get it
- Want to restore acoustics
- Look to making a claim that is not so narrow minded in scope and definition
- As injured city can more fully recover
- Make ourselves whole
- Can we add more in to help us to move forward

City Manager McLaughlin commented as follows:

- Discussed use of monies
- Political question not legal question
- Discussed use of public monies
- Not from source that has requirement from it on terms of use
- General use for flood impact to the city
- Can you justify the use of the money in some way that is related to the flood
- SCCC is defacto City park and rec
- If it impacts SCCC it impacts the City
- Take larger view of the use of the monies
- Considerable amount of leeway
- Can spend money on restoring acoustics
- Discussed lost revenues - Debate over that item
- Discussed no law or statute that violates the terms of the money
- There are no terms
- Leaving it up to the discretion of the City Council to decide
- Mitigate flood impact
- Gives deference to the City Council
- Can see making an argument for use of funds
- Safer to have limited view – no one could challenge the accounting
- Can make a broader argument

Councilmember Glass commented as follows:

- Did apply for insurance company and FEMA for loss revenue
- Loss revenues were denied
- City did go through the cycle
- Maximize money from insurance company and FEMA

City Manager McLaughlin commented as follows:

- Want insurance company to pay
- FEMA tougher rules/regulations
- Not know requirements
- Not sure why they did not reimburse lost revenues

Mayor Hinton commented as follows:

- City could be audited
- Watch what we recommend

City Manager McLaughlin commented as follows:

- City is audited yearly
- Not know if an audit is attached to the \$1.5 million

Councilmember Glass commented as follows:

- Any money received from the State can be audited
- Can be audited by the Department of Finance

City Manager McLaughlin commented as follows:

- Starting point is what are the terms of what you received
- This funding come with no such provisions to give the City guidance
- Speculative
- Have you done right by the use of the public monies
- SCCC Provide function of the City
- Could have broader view
- What is worst case scenario – would need to pay the money back

Councilmember Gurney commented as follows:

- Think more in that direction
- Capture money sooner
- Is it possible that renting a trailer that is bathrooms and showers could be covered
- Do not have use that we would otherwise have
- Temporary replacement costs covered

City Manager McLaughlin commented as follows:

- Barlow uses those types of restrooms
- Not know if insurance will cover that
- May take the narrow view of whether that was an actual City department or not
- Funding came with no discussion of use

Councilmember Gurney commented if this is a legitimate expense and if there is no requirement on the money.

City Manager McLaughlin commented that if this has been impacted by a flood, the City could make the argument in favor of a broader view of the use of the money.

Councilmember Gurney commented as follows:

- Stated we have testimony tonight that the City could think of this more broadly
- Discussed risks as part of having vision

- Part of doing business
- If we limit ourselves and play it in the safest way, we could cripple the community center to collapse become of timelines
- Otherwise we are putting a band aid on something the community wants

Councilmember Glass commented as follows:

- Stated the budget sub-committee did discuss these issues
- Already allocated funding to repair the bathrooms that are here
- Have funding for fixing the restrooms (existing)

City Manager McLaughlin commented as follows:

- Stated that showers are part of the wish list to enhance future operations
- Discussed having funding to remodel the existing bathrooms

Councilmember Glass suggested fixing the bathrooms right away rather than blowing money on porta potties.

Councilmember Gurney stated we cannot do much without the local hazard mitigation plan.

City Manager McLaughlin commented as follows:

- Discussed what triggers FEMA mitigation or ADA
- Exhaust insurance coverage first
- Finalized insurance just a few weeks ago
- Still have REMIF insurance policy as well
- Not yet informed on how that will take place
- Comes down to how access deductible question
- If want to pay for upgrading restrooms – flood related
- Spending more money than what insurance would pay

Councilmember Glass commented as follows:

- Discussed making a loan to the community center
- Do work that needs to be done
- Not expended the money
- Continue to pursue funding from the insurance company

City Manager McLaughlin commented as follows:

- Discussed a loan proposal
- Obtain terms of the loan to assure repayment
- Otherwise grant

Councilmember Glass commented as follows:

- Need to play it smart
- Understand need for community center

- Understand need for speed
- Discussed insurance claim process

Mayor Hinton commented she would like to verify that the restroom remodel is already funded.

Staff stated that is correct and the project is out to bid.

Vice Mayor Slayter commented as follows:

- Discussed what triggers ADA
 - Discussed FEMA mitigation
 - Discussed all new work needs to be compliant with current regulations
 - Spending 20% of project total costs on accessibility upgrades
 - General rule of thumb for tenant improvements
 - Not see how loss of revenue on the part of the community center is not a direct liability that they had incurred due to the disaster
 - Suggested funding the revenue loss
 - Reasonable use of public funds
 - This is a good use of public funds and monies
 - Other items are recommendations and in agreement with the recommendations
 - Items are prudent and needed
-
- Discussed the need for the local hazard mitigation plan and ear mark for future flood prevention
 - Have to be done first before we can do anything else
 - In agreement so many unknowns
 - Putting balance in the building infrastructure fund to wait for other chips to fall to know what we are doing
 - Not see why there is not a way to figure out how to make this work
 - Too many unknowns tonight

Councilmember Gurney commented as follows:

- Suggested funding for loss revenue
- Discussed putting in a claim for loss revenue
- Discussed ear marking the \$550,000 for the future
- Questioned future revenue loss

Mayor Hinton commented as follows:

- Conversation is not ending tonight
- Making the city whole with the \$446,000 recommendation

City Manager McLaughlin commented as follows:

- Will return as topic at mid-year budget review
- Will re-discuss in January

Councilmember Glass commented as follows:

- Agree on lost revenue
- Understand that the community center is going to be under water again from lack of revenue
- Concern of how long it is going to take
- Concern of where they will be in the future
- SCCC did great job of presenting the vision
- Endorses the vision
- Other things are extremely expensive also
- Need for additional sewer infrastructure
- Get to point to get to work to create the vision (\$270,000) – grease traps, sewer, etc.
- SCCC needs to get back to being competitive and viable
- Not just leap at giving the all this money right now
- Not enough even if gave all of this money to SCCC – would not be enough
- Be prudent to leverage what we get from FEMA, Cal OES and other grand sources
- Discussed private fund raising
- Need approach to maximize the money we get
- Keep eye on how much money is needed
- Seven-month time frame or run out of money
- Understand that
- Think of this in creative ways
- Could show resolve on part of the City to invest in SCCC
- Raise more private money
- Need to understand it is bigger than the money we have right now

Vice Mayor Slayter commented as follows:

- Discussed fixing the building
- Discussed upcoming flooding
- Discussed mitigation plan
- Discussed not having any protection in place from flooding
- Discussed mitigation measures needed to feel good about investing a significant amount of money

Councilmember Gurney commented as follows:

- Agree with the recommendations of the budget sub-committee
- Welcome the idea of funding the loss revenue
- SCCC can come back in January for a mid-year budget request
- Would like to see a timeline of all agencies that the city is waiting on (insurance, FEMA, Cal OES, local hazard mitigation plan)
- Endorse the vision of the community center
- Key component
- Need to endorse vision to empower community center
- Damage from flood had motivated public to express support

*CITY COUNCIL MEETING MINUTES DRAFT
Minutes of October 15, 2019*

- Council needs to express confidence that SCCC will be back with great service
- Heard that Councilmember Glass also endorses the vision
- How will that lay into future requests

Mayor Hinton commented as follows:

- She also endorses the vision
- Discussed funding needed (such as power, sewer, grease traps) (page 65) \$270,000 before build anything
- Big project
- Long term project
- Build base work
- Endorsement for sub-committee recommendations
- Add \$44000 reimbursement to SCCC
- \$564,288 to SCCC tonight
- \$200,000 (aqua dam)
- \$19936.94 – item 69
- \$44351.09 – loss of revenue
- \$300,000 pledged previously

Councilmember Glass commented as follows:

- Discussed aqua dam
- Discussed working on projects and finding out what was budgeted for was not enough
- Look at how to pay for the remaining items

Mayor Hinton commented as follows:

- Discussed seeing a bid tonight for a taller dam
- Stated this was not discussed at the budget sub-committee
- Last minute add
- Need to vet it

Vice Mayor Slayter commented as follows:

- Get things going for engineering
- Can come back in three months to discuss budget amendments

Councilmember Gurney commented as follows:

- Three months is right around the corner
- Need some time to learn how to use it and train personnel
- Need done prior to the raining season
- Suggest \$250,000 for the aqua dam

Vice Mayor Slayter stated if it does not align with the mid-year budget it can be dealt with as a separate agenda item.

Councilmember Gurney suggested this coming back as soon as possible.

Superintendent Del Prete commented as follows:

- Discussed the need for the mitigation plan
- Discussed flood barriers
- Stated the plans have to be approved in sequence

City Manager McLaughlin commented as follows:

- Stated staff will need to review the aqua dam
- Need to check with the Building Official on the process/procedures for the aqua dam or flood barriers
- Carry out mitigation first and foremost and make it happen

Councilmember Carnacchi commented as follows:

- Not looked at other options
- Not sure aqua dam is the right thing
- Filled with toxins
- May only be used once
- Are other systems
- Jumping the gun
- Set aside funding for mitigation yet to be determined
- Can be punctured by a knife

Mayor Hinton commented as follows:

- Stated it is up to the SCCC and City staff to find the best solution
- Discussed seeing what other communities have done

City Manager McLaughlin commented as follows:

- Designed to pump water out of the water source
- Not fill from fire hydrant
- Discussed engineering aspects
- Need approval to do it
- Building Official is not in attendance now to answer that
- Could be a doable thing
- Do not guarantee it can be used a second time
- Need to be careful – can be damaged

Councilmember Carnacchi discussed the reusable options for flood barriers.

The council discussed the following funding:

- \$250,000 for flood mitigation
- \$19937 – service pro
- \$44351 – loss revenue

- \$314288 approved earmarked for SCCC
- In addition to other recommendations

Cordelia Holst stated the \$44351 includes the \$19937. She also stated this was expenditures and not loss of revenues. She stated SCCC is down from last year by \$45,000 for revenue.

The council discussed the following:

- \$19936.00
- \$45000.00
- \$24414.00
- \$250,000.00

\$339,000 total

Vice Mayor Slayter moved and Councilmember Gurney seconded the motion to approve the budget sub-committee recommendations as listed in the staff report and as amended below:
\$339,351.00 to SCCC.

Discussion:

Councilmember Glass stated she would need to recuse herself from the vote of the Arts Center item was included.

Vice Mayor Slayter amended the motion and Councilmember Gurney seconded the motion to approve the budget sub-committee recommendations as listed in the staff report and as amended below:
\$339,351.00 to SCCC

Line Number 65 (Art Center) to be discussed separately

VOTE:

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

Noes: None

Absent: None

Abstain:None

Vice Mayor Slayter moved and Councilmember Gurney seconded the motion to approve the budget sub-committee recommendation to allocate \$23,000 to the Center for the Arts and authorize staff to designate another building if needed if the Center for the Arts cannot be accommodated/wired for the new generator.

VOTE:

Ayes: Councilmembers Carnacchi, Gurney, Vice Mayor Slayter and Mayor Hinton

Noes: None

Absent: Councilmember Glass

Abstain:None

City Council Action: Approved the budget sub-committee recommendations as listed in the staff report and as amended below:

\$339,351.00 to SCCC

Line Number 65 (Art Center) to be discussed separately; and

budget sub-committee recommendation to allocate \$23,000 to the Center for the Arts and authorize staff to designate another building if needed if the Center for the Arts cannot be accommodated/wired for the new generator.

Minute Order Number: 2019-239

CITY COUNCIL REPORTS:

7. City Manager-Attorney/City Clerk Reports: None
8. 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):

Mayor Hinton reported as follows:

Mayor was appointed to the Sonoma County Fair Board and sworn in at the Board of Supervisors Meeting

9. Council Communications Received: None
10. Future City Meeting Dates/Events (Informational Only): (See Agenda and City Web site for Up to Date Meeting Dates/Times)

CLOSED SESSION: None

ADJOURNMENT OF REGULAR MEETING: Mayor Hinton adjourned the City Council Meeting at 8:40 pm.

The Next Regular City Council Meeting which will be held on Tuesday, October 29, 2019, at 6:00 pm at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol, CA. This meeting was rescheduled from the regular City Council meeting of October 1, 2019.

Respectfully Submitted:

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