

Sebastopol City Council Meeting – April 30, 2013 – Synopsis and Commentary

Vice Mayor Jacob was absent.

Mayor Kyes announced that public comments on item #2, the Railroad Forest Stabilization Project would take place after discussion.

Consent Calendar

Two members of the business outreach committee have resigned and applications will be available on the City website for a period of approximately five weeks (May 9th through June 10th).

Discussion and Action Items

This was initiated by Council Member Gurney to discuss the “**Railroad Forest Stabilization Project.**” Notice that it is no longer called a “volunteer clean-up effort.”

The City has received “communications of concern” from both the [Open Space District](#) and the [State Regional Water Quality Control Board](#). Their concerns were the timing, possibility of erosion and the impact on water quality. The Open Space District has stated that other than erosion control, no other work is to be done without a plan and consultation with the District. The erosion control has been accomplished at City expense and with City staff labor.

Roughly, this is the City plan:

1. Identify and implement actions to address potential water quality issues where the volunteer work occurred.
2. Identify and implement actions to control the non-native species where the work occurred.
3. Plant native plants in the disturbed area.
4. Create a maintenance program for the area.
5. Consult with the Open Space District about all of the above.

This has yet to be budgeted and the estimated cost has gone up from \$4000.00 up to maybe

as high as \$7,500.00. Of course these numbers can be made to look small if the City gets whacked with a five or six digit fine from the Water Board.

Mayor Kyes:

Seemed to have no fear of that as he indicated that the City owns the property and it can do what it chooses with it.

What he wanted to do first was spray the now fast growing shoots with [Garlon4](#).

He also indicated that since the project has already started it can just continue to go forward City doesn't necessarily have to obtain any permissions. (Are we working on another law suit here?)

Stated that it will take more than one year but will not affect the water in the Laguna.

Said it was "unlikely" there was any erosion

Council Member Gurney:

Thanked the volunteers

Noted that the City hasn't been "charged with anything."

Also noted the City has many witnesses to testify in its behalf.

Regretted the City didn't have a plan before the rain came

Wants to slow down and work with the agencies.

Need a sophisticated plan

Not sure of why the berries were cleared earlier than May

Council Member Eder:

When he came to office thought the City had a "green-light" from all agencies

Might have withheld his support had he known the full situation

Expressed suspicion that the site was inspected a day after the rain

City needs a short term and long term plan

The City needs a process for things like this

Whatever the City does, make sure all the relevant agencies are notified first

Council Member Slater:

Ask Open Space how the City can mitigate the new sprouting vines

Work on a short term plan

Afterward work on a long term plan for the whole area

Public Comments made by those closest to organizing this work thought that they could refute the letters sent to the City. They felt that the judgments by the consultants “don't stand up” and the agencies did a “slipshod” investigation and were trying to “cover their butt.”

Others were more conciliatory and cautioned about reseeding with “native grasses,” using something other than Garlon4 and getting everything down on paper and everyone together.

In the end, even though it appeared as if Mayor Kyes was ready to strap on his pump sprayer full of Garlon4, the other Council Members convinced him to postpone spraying and follow the plan mentioned above. It passed on a 4:0 vote.

This is no time to display a pugnacious attitude. The City is not in a good position and should be seeking cooperation not confrontation.

Item 3, introduced by Council Member Slater was to seek enclosing another point of view about **Fluoridation** with **The Next Step Newsletter**. Whoa! Another point of view?!! Not in Sebastopol! He already had decided to abandon the idea and change the wording and reorganize it to better reflect his intent. He does not support fluoridation and stated that with our water system it would be “virtually impossible to implement” anyway. He also expressed dismay over the number of people who emailed him objecting to even disseminating that other point of view.

OK, so now no one is advocating fluoridation or even the idea that there was more than one point of view about it. It was withdrawn and absolutely nothing was going to happen.

So just when we thought democracy was in complete decay in Sebastopol, the City Attorney advised us that we would have to endure another round of **Public Comments**. (Although it

was phrased more delicately.)

It was not something for the weak of heart. At least eight people rose to sink their teeth into the democratic process and chew their way through topics that included fluoridation (of all things), dangers of corporations, various plots, bribes, Wi-Fi, violations of the Geneva Convention and ticks. You can't fill those egos easily. All but a few went well over their time and/or well off the topic.

Plan Bay Area was the last item on the agenda. [Plan Bay Area](#) is an integrated long-range transportation and land-use/housing plan for the San Francisco Bay Area. In essence, funding is used to encourage development along 101 to reduce greenhouse gas by moving people efficiently. (It's much more than that. Please check the link above.) Sebastopol may find less funding when it is enacted.

Closed Session

Conference with legal counsel - existing litigation

Name of case: Longs Drug Stores, California v. City of Sebastopol, et al.

Meeting Duration: 3.5 hours (It just seemed like more)

Note: Mayor Kyes left the meeting just before the fluoride item. He announced at the meeting start that he just had surgery and would probably have to leave early.

John Necker