



MINUTES
REGULAR CITY COUNCIL MEETING AND JOINT MEETING OF THE CITY
COUNCIL AND THE BOARD OF DIRECTORS OF THE COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF COTATI
WEDNESDAY JANUARY 14, 2009
6:30 PM CLOSED SESSION
7:00 PM REGULAR SESSION
City Council Chambers, City Hall, 201 W. Sierra Avenue

6:30 PM CLOSED SESSION

Mayor Gilardi called the meeting to order at 6:30 p.m.

Councilmembers present: Barich, Coleman-Senghor, Guardino, Orchard, Mayor Gilardi

Staff present: Assistant to the City Manager Lustig, Deputy City Clerk Taylor, City Manager Thompson.

Mayor Gilardi opened the floor to public comments; there being no one wishing to speak she closed the public comment period and adjourned to closed session.

CALL TO ORDER AND ROLL CALL FOR CLOSED SESSION (CITY COUNCIL CHAMBERS)

ADJOURNMENT TO CLOSED SESSION (CITY MANAGER'S OFFICE)

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

City Designated Representative: City Manager or designee

Employee Organizations: (1) Cotati Employees Association (2) Cotati Police Officers Management Association (3) Cotati Police Officers Association

7:00 PM (REGULAR SESSION)

CALL TO ORDER OF REGULAR CITY COUNCIL MEETING

Mayor Gilardi called the meeting to order at 7:02 p.m.

ROLL CALL

Councilmembers present: Barich, Coleman-Senghor, Guardino, Orchard, Mayor Gilardi

Staff present: Administrative Services Director Jone Hayes, City Attorney Rich Rudnansky, Deputy City Clerk Tamara Taylor, City Manager Dianne Thompson.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

Mayor Gilardi led the pledge of allegiance and called for a moment of silence.

1. APPROVAL OF MINUTES OF DECEMBER 10, 2008 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (Action)

Moved by Councilmember Orchard, seconded by Councilmember Barich, and passed unanimously to approve the minutes of the December 10, 2008 regular meeting as presented and to waive reading of all resolutions and ordinances introduced and/or adopted under this agenda.

2. REORGANIZATION OF CITY COUNCIL

Mayor Gilardi announced that City Manager Thompson would preside over this item.

City Manager Thompson opened the floor to public comments.

Joan Simon of Cotati commended Mayor Gilardi and Vice Mayor Guardino for their past performance and expressed support for Councilmember Guardino for Mayor and Councilmember Coleman-Senghor for Vice Mayor.

Ken Coleman of Cotati commended Mayor Gilardi and Vice Mayor Guardino for their work over the past year and indicated support for Councilmember Barich for Vice Mayor.

There being no one else wishing to speak, City Manager Thompson closed the public comment period.

2.1 COMMENTS FROM MAYOR PAT GILARDI

Mayor Gilardi commented that she was proud that this Council worked together in a professional and friendly manner over the past year of challenges and economic hardships and that it has been an honor to serve as Mayor.

2.2 ELECTION OF MAYOR

City Manager Thompson called for nominations for Mayor.

Moved by Mayor Gilardi, seconded by Councilmember Orchard, and passed unanimously to nominate Vice Mayor Guardino for the position of Mayor.

There being no further nominations, a roll-call vote was taken on the nomination of Vice Mayor Guardino for Mayor:

Barich: Yes Coleman-Senghor: Yes Guardino: Yes Orchard: Yes

Gilardi: Yes

City Manager Thompson congratulated newly elected Mayor John Guardino.

2.3 ELECTION OF VICE MAYOR

City Manager Thompson called for nominations for Vice Mayor.

Moved by Councilmember Orchard, seconded by Councilmember Gilardi, and passed 4-0-1 to nominate Councilmember Coleman-Senghor for the position of Vice Mayor.

There being no further nominations, a roll-call vote was taken on the nomination of Councilmember Coleman-Senghor for Vice Mayor:

Barich: Yes Coleman-Senghor: Abstain Guardino: Yes Orchard: Yes

Gilardi: Yes

City Manager Thompson congratulated newly elected Vice Mayor Coleman-Senghor.

2.4 COMMENTS FROM NEWLY ELECTED MAYOR

Mayor John Guardino thanked his colleagues for the honor of serving as Mayor. He congratulated Vice Mayor Coleman-Senghor and Councilmembers Barich and Orchard for their victories in the November 2008 election and commended Councilmember Gilardi for her service as Mayor over the past year. He indicated that he looks forward to serving the community in the coming year, noting that the challenges that lie ahead should be viewed as opportunities.

Councilmember Orchard commended Councilmember Gilardi for her leadership as Mayor.

Councilmember Barich commended Vice Mayor Coleman-Senghor and congratulated Mayor Guardino and said he was proud of his accomplishments in a short amount of time.

RECEPTION

Mayor Guardino called a recess at 7:22 p.m. and invited the public to enjoy refreshments at a brief reception in honor of the outgoing and incoming Mayor and Vice Mayor.

RECONVENE REGULAR CITY COUNCIL MEETING

Mayor Guardino reconvened the meeting at 7:47 p.m.

APPROVAL OF FINAL AGENDA

Mayor Guardino announced that the Honorary Mayor's report would be heard next.

STUDENT HONORARY MAYOR REPORT

Joseph Pearson of Mountain Shadows Middle School provided a verbal report to Council. He introduced his parents and principal and responded to questions from the Council.

CITY MANAGER'S REPORT

City Manager Dianne Thompson reported the following

- Staff is reviewing pre-construction submittals for the East Cotati Overlay project. The contractor (Ghilotti Construction) is expected to begin preliminary work next week. The work consists of the construction of two pedestrian islands and repair of failing roadway sections and repaving the roadway.
- The city's budget is in the midst of a budget crises. Sales ales tax has been down 20% for both the 2nd & 3rd quarters of the last year, there is little or no development activity and state budget uncertainty continues. The City has made several budget cuts, including reduction of janitorial landscape maintenance contracts. The mid-year fiscal 08-09 budget study session is scheduled for January 26.
- The Police Department master plan study is complete. A presentation of the master plan has been scheduled for the January 28 City Council meeting. It will be posted on the City's website in advance of the meeting.
- Cotati Police Office Andrew Lyssand and his wife are the proud parents of a new son born on January 13.

CITIZEN BUSINESS

Yvonne Van Dyke of Cotati noted that Councilmember Barich had office hours; she asked for more information and asked whether any other Councilmembers planned to do the same.

Michele Berman of Cotati thanked Councilmember Barich for holding office hours and encouraged other Councilmembers to do the same. She asked about the status of the dog focus group recommendations. She noted that Putnam Park closes at sunset, but the off-leash hours are 8-10 p.m. She said that the leash law is not being enforced. She suggested letting dogs be off-leash all the time while giving kids using the field priority.

Tony Adler of Cotati addressed the Council regarding liberty and justice for all as it pertains to the process that the city uses to bill for sewer use. He suggested a two-tier billing system where citizens would not be billed sewer charges for water used for landscape watering and pools.

Councilmembers explained that they all welcome communication with citizens. Such can take place via drop-in office hours, specific appointments to meet with individuals or via telephone

and email, according to the individual Councilmembers' preference and time availability.

Mayor Guardino noted that the off-leash hours are in a trial period and will be reviewed by the dog focus group. Councilmember Barich indicated that the leash law needs to be updated.

Mayor Guardino noted that water and sewer rates will be reviewed at a future meeting. Councilmember Gilardi requested, and the Council concurred, that an explanation of water and sewer bills, as well as information on the City's low-income water program, be posted on the City's website.

Discussion ensued regarding future agenda items. Councilmember Barich requested that the following be scheduled: 1. Review of the water shut-off policy. 2. Add one additional City Council meeting per month with fewer staff members present to deal with ceremonial items. 3. Re-open Citizens' Business at the end of the meeting.

Further discussion ensued. Council concurred to review items 1 and 2 above during the upcoming City Council goal-setting study session and that whether to re-open Citizens' Business for those individuals who had not yet spoken is up to the Mayor to decide.

ORAL AND WRITTEN COMMUNICATIONS

ANNOUNCEMENTS

Kids Day Tee shirt Contest: Enter to win this year's Kids Day Tee shirt contest by submitting your design by Friday, January 16. The contest is open to all kids ages 5 – 18 years old; please only one entry per person. This year's theme is "Rock N' Roll through the Ages". For complete details and rules visit the city's website at ci.cotati.ca.us

The Winter Recreation Schedule can be viewed on the City's website at ci.cotati.ca.us To request a paper copy please feel free to call the Recreation Department at 792-4600 ext. 669.

PROCLAMATION

3. PROCLAIMING JANUARY, 2009 TO BE HUMAN TRAFFICKING AWARENESS MONTH IN COTATI

Christine Brenner of the Sonoma County Commission on the Status of Women and Chris Rody of the Human Rights Commission received the proclamation.

CONSENT CALENDAR

Item no. 4 on the Consent Calendar was pulled for discussion.

4. ADOPTION OF STATE VIDEO SERVICES FRANCHISE ORDINANCE (City Manager) (Action)

Marsha Sue Lustig, Assistant to the City Manager presented the staff report.

Responding to a question from the Council, City Attorney Rudnansky noted State law limits the fee to 1% because of our arrangement with Comcast, which had no PEG fee.

Mayor Guardino opened the floor to public comments.

Adrienne Lauby of Cotati spoke in support of obtaining public media facilities.

There being no one else wishing to speak, Mayor Guardino closed the public comment period.

Moved by Councilmember Orchard, seconded by Councilmember Barich, and passed unanimously to adopt Ordinance No. 820 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI ADDING CHAPTER 5.22 TO TITLE 5 OF THE COTATI MUNICIPAL CODE, RELATING TO REGULATIONS FOR THE PROVISION OF VIDEO SERVICE BY STATE FRANCHISE HOLDERS.

REGULAR AGENDA

5. COUNCIL ASSIGNMENTS AS REPRESENTATIVES AND LIAISONS TO VARIOUS COMMITTEES AND COMMISSIONS (City Manager) (Action)

City Manager Dianne Thompson presented staff report. She and City Attorney Rudnansky responded to questions and concerns of the Council regarding the ad hoc committees recommended to be disbanded.

Discussion ensued regarding the ad hoc committees that are recommended to be disbanded.

Civic center & museum subcommittee.

Mayor Guardino opened the floor to public comments.

Joan Simon of Cotati requested a copy of the list of committees.

Mayor Guardino called a recessed at 8:50 p.m. in order for copies to be made and distributed.

Mayor Guardino reconvened the meeting at 8:59 p.m. and re-opened the floor to public comments.

Joan Simon of Cotati stated her opinion that Councilmembers Orchard and Gilardi continue on the same committees as they are willing. She pointed out that Pat Gilardi is the first person from Cotati to be appointed to the Executive Committee of the Sonoma County Transportation Authority. She expressed support for Councilmember Coleman-Senghor as the legislative liaison and Councilmember Barich for Solar Sonoma County and the Subregional Wastewater Policy Advisory Committee.

Neil Hancock of Cotati requested that the description of California Tiger Salamander Committee (CTS) be expanded and the duties clarified.

There being no one else wishing to speak, Mayor Guardino closed the public comment period.

Discussion ensued regarding the committees. Council concurred to disband all ad hoc committees except the Civic Center and Museum Subcommittee and to appoint representatives as follows:

Civic Center & Museum Subcommittee: Councilmembers Gilardi and Barich

AB 939 Local Task Force: Linda Christopher (no change)

Assoc. of Bay Area Governments (ABAG): Councilmember Orchard; Vice Mayor Coleman-Senghor, alternate.

California Tiger Salamander (CTS): Mayor Guardino and Councilmember Orchard (no change)

County-Wide Bicycle Advisory Committee: Marsha Sue Lustig; City to advertise for citizen representative.

Library Advisory Board: Vice Mayor Coleman-Senghor.

Marin/Sonoma Mosquito Abatement Dist.: Henry Fuhs (appointed December 10, 2008)

REMIF Board of Directors: Jone Hayes (no change).

Russian River Watershed Association: Councilmember Orchard (no change)

Sonoma Co. Transportation Authority (SCTA): Councilmember Gilardi; Councilmember Barich, alternate.

Sonoma Co. Waste Management Agency (SCWMA): Dianne Thompson; Marsha Sue Lustig and Damien O'Bid, alternates.

Southern Laguna Watershed Master Plan: Mayor Guardino; Dianne Thompson, alternate.

Subregional Wastewater Policy Advisory Committee: Mayor Guardino; Councilmember Barich, alternate.

Water Advisory Committee: Mayor Guardino; Councilmember Orchard, alternate.

Solar Sonoma County: Vice Mayor Coleman-Senghor

City Selection Committee: Mayor Guardino and Vice Mayor Coleman-Senghor (established by Gov't Code § 50270 et seq)

Legislative Liaison: Vice Mayor Coleman-Senghor

League of California Cities' Voting Delegate: Assigned by meeting.

County Ag. Preservation/Open Space District Advisory Committee: Appointment to be made by Mayors' and Councilmembers' Association.

North Bay Div., League of California Cities' Executive Board: Appointment to be made by Mayors' and Councilmembers' Association.

Chamber of Commerce liaison: Mayor Guardino and Vice Mayor Coleman-Senghor

Community and Environment Commission: Councilmember Orchard.

Planning Commission: Mayor Guardino

Design Review Committee: Councilmember Gilardi

Moved by Councilmember Gilardi, seconded by Vice Mayor Coleman-Senghor, and passed unanimously to 1) assign representatives and liaisons to various committees and commissions for 2009 as described above and 2) disband the Cable Agreement Subcommittee, the Living Wage Subcommittee, the Mobile Home Parks, the Santero Way

Subcommittee, the School District & SSU/City Coordinating Committee and the Solid Waste Subcommittee.

6. RECOMMENDATION FOR THE MAYORS' AND COUNCILMEMBERS' ASSOCIATION CITY SELECTION COMMITTEE FOR NOMINATION TO THE COASTAL COMMISSION (City Manager) (Action)

City Manager Thompson presented the staff report.

Mayor Guardino opened the floor to public comments.

Chris Cone of Cotati expressed support for Mayor Sarah Gurney

There being no one else wishing to speak, Mayor Guardino closed the public comment period.

Moved by Vice Mayor Coleman-Senghor, seconded by Councilmember Gilardi, and passed unanimously to recommend Sarah Glade Gurney to the Mayors' and Councilmembers' Association City Selection Committee for nomination to the Coastal Commission.

7. ADOPT A RESOLUTION CONSENTING TO INCLUSION OF COTATI INTO COUNTY OF SONOMA'S CONTRACTUAL ASSESSMENT PROGRAM PER AB 811 (Public Works/Engineering) (Action)

Director of Public Works/City Engineer Damien O'Bid presented staff report. He and City Manager Thompson responded to questions from the Council regarding the type of improvements allowed to be financed under AB 811, concerns regarding financed improvements that have fallen into disrepair, impacts to the City and whether there are other programs that might fulfill a similar purpose.

Discussion ensued relative to this program as a tool for economic stimulus and to reduce greenhouse gasses.

Mayor Guardino opened the floor to public comments. .

Chris Cone of Cotati summarized the proposed program from her perspective as an energy consultant and volunteer efforts. She indicated support for the program.

Adrienne Lauby of Cotati indicated support for the item as a way for people who would not otherwise be able to afford energy improvements for their home.

Neil Hancock of Cotati spoke in support of the item as a way for Cotati to take advantage of the opportunity.

Michelle Berman of Cotati spoke in support of the proposed program as a way for local contractors to benefit.

There being no one else wishing to speak, Mayor Guardino closed the public comment period.

Moved by Councilmember Orchard, seconded by Councilmember Gilardi to adopt a resolution consenting to the inclusion of properties within the City of Cotati's incorporated area in the County of Sonoma's contractual assessment program to finance distributed

generation renewable energy sources and energy efficiency improvements. Mayor Guardino called for a roll-call vote:

Barich: Yes Coleman-Senghor: Yes Guardino: Yes Orchard: Yes

Gilardi: Yes

The City Council unanimously adopted Resolution No. 2009-01 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S INCORPORATED AREA IN THE COUNTY OF SONOMA'S CONTRACTUAL ASSESSMENT PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY EFFICIENCY IMPROVEMENTS.

PUBLIC HEARING

8. ADOPTION OF A RESOLUTION APPROVING INCREASE IN MAXIMUM GARBAGE AND RUBBISH DISPOSAL RATE REDWOOD EMPIRE DISPOSAL MAY CHARGE EFFECTIVE JANUARY 1, 2009 (City Manager) (Action)

Assistant to the City Manager Marsha Sue Lustig presented staff report.

Mayor Guardino opened the floor to public comments. .

Tim Ritter of Cotati asked the Council whether this rate increase was for commercial customers only.

Michelle Berman of Cotati expressed opposition to the proposal.

There being no one else wishing to speak, Mayor Guardino closed the public comment period.

Mayor Guardino confirmed that the rate increase was limited to commercial, not residential, customers.

Moved by Vice Mayor Coleman-Senghor, seconded by Councilmember Orchard, and passed unanimously to adopt Resolution No. 2009-02 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING AN INCREASE IN MAXIMUM GARBAGE AND RUBBISH DISPOSAL RATE THAT REDWOOD EMPIRE DISPOSAL MAY CHARGE EFFECTIVE JANUARY 1, 2009.

ADJOURNMENT OF REGULAR MEETING OF THE CITY COUNCIL AND CALL TO ORDER OF JOINT MEETING OF CITY COUNCIL AND COMMUNITY REDEVELOPMENT AGENCY BOARD OF DIRECTORS

Mayor Guardino adjourned the regular City Council meeting and called the joint meeting to order at 10:21 p.m.

CONSENT CALENDAR

MOVED by Councilmember Orchard, seconded by Councilmember Gilardi and passed unanimously to approve item 9 on the consent calendar.

**9. WARRANTS AND AUDITED CLAIMS FOR NOVEMBER 26TH, 2008 –
DECEMBER 10TH, 2008 (Administrative Services) (Action)**

This motion receives and files warrants and audited claims for November 26th, 2008 –
December 10th, 2008.

**ADJOURNMENT OF JOINT MEETING; RECONVENING OF REGULAR MEETING
OF CITY COUNCIL**

Mayor Guardino adjourned the joint meeting and reconvened the regular meeting to order at
10:21 p.m.

**CITY COUNCIL REPORTS AND DIRECTION ON FUTURE AGENDA ITEMS
(Discussion)**

Councilmembers discussed recent correspondence and reported on recent and upcoming
activities, including reports from meetings attended at City expense.

Vice Mayor Coleman-Senghor requested, and Council concurred, to schedule a discussion
regarding the ‘Moment of Silence’ portion of the City Council agenda. The Council further
concurred to discuss the addition of a standing committee for City/Rancho Adobe Fire District
and banning plastic bags during goal-setting sessions.

ADJOURNMENT OF REGULAR CITY COUNCIL MEETING

Mayor Guardino adjourned the regular meeting at 10:42 p.m. to the City Manager’s office to
continue the closed session.

Respectfully Submitted,

Tamara Taylor, Deputy City Clerk