



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 MARCH 25, 2009
6:00 PM CLOSED SESSION
7:00 PM REGULAR SESSION
City Council Chambers, City Hall, 201 W. Sierra Avenue

6:00 PM CALL TO ORDER AND ROLL CALL FOR CLOSED SESSION

Mayor Guardino called the meeting to order at 6:02 p.m.

Councilmembers present at roll call: Barich, Gilardi, Coleman-Senghor, Mayor Guardino.

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

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

CLOSED SESSION (CITY MANAGER'S OFFICE)

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

City Designated Representative: City Manager

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

7:00 PM (REGULAR SESSION)

CALL TO ORDER OF REGULAR CITY COUNCIL MEETING

Mayor Guardino called the meeting to order at 7:05 p.m.

ROLL CALL

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

Staff present: Administrative Services Director Jone Hayes, Assistant to the City Manager/Acting Community Development Director Marsha Sue Lustig, Director of Public Works/City Engineer Damien O'Bid, City Attorney Rich Rudnansky, Chief of Police Robert Stewart, Deputy City Clerk Tamara Taylor, City Manager Dianne Thompson.

PLEDGE OF ALLEGIANCE

Mayor Guardino led the pledge of allegiance.

1. APPROVAL OF MINUTES OF MARCH 11, 2009 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (*Action*)

Moved by Councilmember Gilardi seconded by Councilmember Orchard, and passed unanimously to approve the minutes of the March 11, 2009 regular meeting as corrected (Narrative of Mayor corrected on page 3) and to waive the reading of all resolutions and ordinances introduced and/or adopted under this agenda.

ANNOUNCEMENTS

The Cotati Planning Commission will receive comments on the Downtown Specific Plan Environmental Impact Report at its meeting on April 6, 2009.

City Council meeting audio recordings are now available via podcast. Link to the podcast from the City's website at ci.cotati.ca.us.

The Ray Miller Community Center is now a site for Santa Rosa Junior College's ACTIVE SENIORS PROGRAM. Santa Rosa Junior College offers noncredit classes designed specifically for active seniors as part of its goal to provide lifelong learning: Sign up for a class by going directly to the location & the instructor will give you an application. No age limit for seniors' classes, though they are geared for older adults. Classes are ongoing, so students may apply at any time and there is no fee for these classes. For a complete list check the community guide or visit the city's website at ci.cotati.ca.us.

The Spring/Summer Recreation Schedule is available on the City's aforementioned website. To request a paper copy please feel free to visit or call the Recreation Department at 792-4600 ext. 669

Councilmember Gilardi announced that the Rancho Cotati High School band will be California's sole musical representative at the re-dedication of the Lincoln Memorial in Washington, D.C. in May. This was a competitive process and we are proud that our band was selected. They need to raise \$60,000 to attend the event. Contributions in any amount are encouraged and can be made to Rancho Cotati Music Boosters 5450 Snyder Lane, Rohnert Park, CA 94928

SONOMA STATE UNIVERSITY REPRESENTATIVE REPORT

Sonoma State University Student representative Dylan Reed provided a verbal report to Council.

STUDENT HONORARY MAYOR REPORT

Adam Nelson of Creekside Middle School provided a verbal report to Council and responded to questions from the Council. He introduced his parents and principal. Mayor Guardino invited him back to the April 8th meeting for an additional report.

CITY MANAGER'S REPORT

City Manager Dianne Thompson reported the following:

- Update on East Cotati Avenue overly project: Work continues on the pedestrian islands; striping will follow over the next few weeks.
- Cotati will receive \$81,000 through Community Development Block Grant (CDBG) for ADA improvements.
- Federal stimulus funding update: The project list has been posted on the web

City Manager Thompson and City Attorney Rudnansky responded to questions from the Council regarding a report on Putnam Park and Councilmember attendance at Planning Commission meetings.

APPROVAL OF FINAL AGENDA

No changes.

CITIZEN BUSINESS

Rudy Renzel of Petaluma addressed the Council regarding the City's City letterhead/stationery policy.

Oso Koenigshofer, owner of property in Cotati, commented on the cost of his development application and indicated opposition to Cotati's deposit-based fee schedule.

Joan Simon of Cotati asked for an update on her request for not having links to personal blogs and webpages from the Council biography web page.

Cheryl Nixon of Cotati addressed the Council to express that she was offended by Councilmember Barich's blog.

Andre Morrow of Cotati asked for Councilmember Barich's resignation from the City Council and asked the four other Councilmembers to distance themselves from the storm that is coming.

John Moore of Cotati indicated agreement with Mr. Morrow's comments regarding requesting Councilmember Barich's resignation and asked Council to request that he remove his website.

Ken Coleman of Cotati thanked Police officer Jason Yarnall and the dispatchers for enforcing the speed limit on his street. He addressed the Council about Putnam Park, the budget and freedom of speech.

Michelle Berman of Cotati expressed tough love to Councilmember Barich. She said that politics makes strange bedfellows and encouraged him to seek medical help. She cannot condone what he's doing as a Councilmember.

Adrienne Lauby of Cotati congratulated the City on obtaining grant funding for streets and indicated that it is troubling that Councilmember Barich voted against it. She stated that his blog is distasteful but encouraged Council not to get distracted.

Councilmembers briefly responded to comments made during Citizens' Business.

DIRECTION ON FUTURE AGENDA ITEMS

Discussion ensued relative to the City logo and the costs that may be incurred to research and report on how to restrict its use. Council concurred that Vice Mayor Coleman-Senghor and City Attorney Rich Rudnansky would meet to discuss options for limiting use of the City logo.

Mayor Guardino indicated that a report on the safety of Putnam Park will be presented at a future meeting.

Discussion ensued relative to requests to schedule webcasting and broadcasting of Council meetings and putting a complaint form on the City's website. Mayor Guardino noted that webcasting will be on a City Council agenda in the near future and that the other items would be discussed during the Council's goal setting study session.

CONSENT CALENDAR

Mayor Guardino asked whether anyone wanted to pull any consent items for discussion; no one indicated that they wanted to do so. Mayor Guardino called for a motion to approve the Consent Calendar.

Moved by Councilmember Gilardi, seconded by Councilmember Orchard, and passed unanimously to approve items 2 through 6 on the Consent Calendar

2. APPROVAL FOR THE USE OF LA PLAZA PARK AND THE BANDSTAND ON SATURDAY, JULY 11, 2009, TO ACCOMMODATE THE 3RD ANNUAL REDWOOD EMPIRE WEIGHTLIFTING CHAMPIONSHIPS; AUTHORIZING THE USE OF AMPLIFIED MUSIC AND THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES (Police) (Action)

This motion 1) Approves the use of La Plaza Park and the Bandstand on Saturday, July 11, 2009 from 7:00 AM and 8:00 PM for the Redwood Empire Weightlifting Championships; 2) Authorizes amplified announcing and music in La Plaza Park from 9:30 AM and 7:00 PM; 3) Authorizes the sale and consumption of Alcoholic Beverages in La Plaza Park; and 4) Authorizes the temporary closure of four parking spaces to the rear of the Bandstand

3. **ADOPTION OF A RESOLUTION AUTHORIZING TEMPORARY CLOSURE OF CERTAIN STREETS TO FACILITATE THE 2009 ACCORDION FESTIVAL; AUTHORIZE USE OF LA PLAZA PARK FOR THE ANNUAL ACCORDION FESTIVAL ON SATURDAY, AUGUST 22, 2009 AND SUNDAY, AUGUST 23, 2009 WITH AMPLIFIED MUSIC, PERIMETER FENCING AND ALCOHOLIC BEVERAGE SALES AND CONSUMPTION (Police) (Action)**

Resolution No. 2009-06 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING TEMPORARY CLOSURE OF CERTAIN STREETS ON FRIDAY, AUGUST 21, 2009, THROUGH MONDAY, AUGUST 24, 2009, TO FACILITATE THE ACCORDION FESTIVAL

4. **AUTHORIZE CITY MANAGER TO APPLY FOR FUNDS ADMINISTERED BY THE U.S DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICING SERVICES (COPS) THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 (Police) (Action)**

This motion authorizes the City Manager to apply for funds administered by the U.S. Department of Justice, Community Oriented Policing Services (COPS) through the American Recovery and Reinvestment Act of 2009.

5. **SIDEWALK ADA IMPROVEMENTS FY 2007-2008, PROJECT NO. E07-14 – ADVERTISE FOR BIDS (Public Works/Engineering) (Action)**

Resolution No. 2009-07 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI 1) MAKING FINDINGS REGARDING EXPERIENCE REQUIREMENTS; 2) ADOPTING PLANS AND SPECIFICATIONS FOR THE SIDEWALK ADA IMPROVEMENTS FY 2007-2008, PROJECT NO. E07-14; AND 3) AUTHORIZING ADVERTISEMENT FOR BIDS TO BE RECEIVED BY THURSDAY, APRIL 16, 2009.

6. **ADOPTION OF RESOLUTION TO ESTABLISH A CODE OF ETHICS CITY COUNCIL POLICY – Continued from March 11, 2009 (City Manager) (Action)**

Resolution No. 2009-08 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ESTABLISHING A CODE OF ETHICS CITY COUNCIL POLICY

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 7:56 p.m.

CONSENT CALENDAR

Mayor Guardino asked whether anyone wanted to pull any consent items for discussion; no one indicated that they wanted to do so. Mayor Guardino called for a motion to approve the Consent Calendar.

Moved by Councilmember Gilardi, seconded by Councilmember Orchard and passed unanimously to approve items 7 and 8 on the Consent Calendar.

7. WARRANTS AND AUDITED CLAIMS FOR FEBRUARY 26TH, 2009 – MARCH 11TH, 2009 (Administrative Services) (Action)

This motion receives and files warrants and audited claims for February 26th, 2009 – March 11th, 2009.

8. UPDATE TO THE CITY/AGENCY OFFICERS' BANKING SIGNATURES (Administrative Services) (Action)

Resolution No. 2009-09 and CRA-209 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AND THE COTATI COMMUNITY REDEVELOPMENT AGENCY BOARD OF DIRECTORS DESIGNATING SIGNATURES FOR ORDERS FOR PAYMENT OF MONIES DRAWN AGAINST THE CITY OF COTATI AND THE COTATI COMMUNITY REDEVELOPMENT AGENCY ON EXISTING ACCOUNTS AT THE EXCHANGE BANK, RBC DAIN RAUSCHER, SONOMA COUNTY INVESTMENT TRUST FUND, AND CALIFORNIA STATE LOCAL AGENCY INVESTMENT FUND

Resolution No. 2009-10 and CRA-210 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AND THE COTATI COMMUNITY REDEVELOPMENT AGENCY BOARD OF DIRECTORS DESIGNATING SIGNATURES FOR WIRE TRANSFER SERVICES WITH EXCHANGE BANK

Resolution No. 2009-11 and CRA 211 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AND THE COTATI COMMUNITY REDEVELOPMENT AGENCY BOARD OF DIRECTORS DESIGNATING SIGNATURES FOR ACCESS TO SAFE DEPOSIT BOX AT EXCHANGE BANK

REGULAR AGENDA

9. APPROVAL OF 2009 AFFORDABLE HOUSING PROGRAM AND DIRECTION TO STAFF TO DEVELOP FUNDING AGREEMENTS - CONTINUED FROM FEBRUARY 25, 2009 (City Manager) (Action)

Discussion ensued relative to whether Vice Mayor Coleman-Senghor should recuse himself from discussion of one or both of the proposed projects.

Vice Mayor Coleman-Senghor indicated that he would remain at the dais during the staff presentation, then recuse himself from the discussion. He indicated that he would participate

as a member of the public for the E. School Street project and would recuse himself from Council deliberation of both projects.

Marsha Sue Lustig, Assistant to the City Manager and Acting Community Development Director, presented the staff report and responded to questions from Council.

Dev Goetchus, Executive Director of Housing Land Trust of Sonoma County described the role of the Housing Land Trust in various affordable housing projects in Sonoma County as well as the proposed projects.

Patrick Carter, a homeowner through a Housing Land Trust project in Petaluma addressed the Council regarding the importance of the City's participation in the project.

Mayor Guardino called a recess at 8:27 p.m. and reconvened at 8:44 p.m.

City Attorney Rudnansky announced that Vice Mayor Coleman-Senghor will recuse himself at this time from deliberation of the E. School and Woodland Hills Drive projects and that he may participate in citizen comments as a citizen. He will leave the room during Council deliberation.

Mayor Guardino announced that he lives within 500 ft of the East School Street project but will not recuse himself as he has no financial interest.

Vice Mayor Coleman-Senghor left the dais and sat as a member of the audience.

Marsha Sue Lustig continued the staff presentation. She and Ms. Goetchus responded to questions from the Council relative to use of redevelopment funds outside of the City's redevelopment area, changes in housing prices, the identification of buyers as the home is being built, the retention of affordability by the means of the land remaining in trust, the financing process, the penalties that would be imposed by the state if the city does not use the money, the number of very-low, low, and median income homes and use of matching funds from other agencies

Mayor Guardino opened the floor to public comment.

Neil Hancock of Cotati spoke in support of the proposal as a way to reduce transportation costs for the homeowners.

Robert Coleman-Senghor of Cotati addressed the Council regarding the number of units proposed on E. School Street and expressed concern regarding traffic circulation and parking.

Michelle Berman of Cotati discussed other possible low-income housing sites and indicated support for the proposals.

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

Vice Mayor Coleman-Senghor left the chamber at this time.

Discussion ensued relative to the process of committing to a conceptual proposal prior to a planning application being submitted, the amount of parking needed for affordable housing projects being typically less than market-rate projects, the 'affordability in perpetuity' aspect of the proposal, the proposed density of the affordable housing proposal and a previous proposal on the same E. School Street site.

Moved by Councilmember Orchard seconded by Councilmember Gilardi and passed 4-0-1 (Vice Mayor Coleman-Senghor abstaining) to adopt:

Resolution No. 2009-12 entitled: RESOLUTION OF THE CITY OF COTATI CITY COUNCIL ADOPTING FINDINGS PURSUANT TO CALIFORNIA COMMUNITY REDEVELOPMENT LAW SECTION 33334.2(g) FOR THE USE OF LOW AND MODERATE INCOME HOUSING FUNDS OUTSIDE THE COTATI REDEVELOPMENT PROJECT AREA (LOCATION: 22 WOODLAND HILLS DRIVE)

Resolution No. 2009-13 entitled: RESOLUTION OF THE CITY OF COTATI CITY COUNCIL ADOPTING FINDINGS PURSUANT TO CALIFORNIA COMMUNITY REDEVELOPMENT LAW SECTION 33334.2(g) FOR THE USE OF LOW AND MODERATE INCOME HOUSING FUNDS OUTSIDE THE COTATI REDEVELOPMENT PROJECT AREA (LOCATION: 343 EAST SCHOOL STREET)

Moved by Councilmember Orchard seconded by Councilmember Gilardi and passed 4-0-1 (Vice Mayor Coleman-Senghor abstaining) to adopt:

Resolution No. CRA-212 entitled: RESOLUTION OF THE COTATI COMMUNITY REDEVELOPMENT AGENCY ADOPTING FINDINGS PURSUANT TO CALIFORNIA COMMUNITY REDEVELOPMENT SECTION 33334.2(g) FOR THE USE OF LOW AND MODERATE INCOME HOUSING FUNDS OUTSIDE THE COTATI REDEVELOPMENT PROJECT (LOCATION: 22 WOODLAND HILLS DRIVE)

Resolution No. CRA-213 entitled: RESOLUTION OF THE COTATI COMMUNITY REDEVELOPMENT AGENCY ADOPTING FINDINGS PURSUANT TO CALIFORNIA COMMUNITY REDEVELOPMENT SECTION 33334.2(g) FOR THE USE OF LOW AND MODERATE INCOME HOUSING FUNDS OUTSIDE THE COTATI REDEVELOPMENT PROJECT AREA (LOCATION: 343 EAST SCHOOL STREET)

Vice Mayor Coleman-Senghor returned to the chamber and resumed participation in the meeting at this time.

Ms. Lustig presented the Burbank Housing and Downtown Specific Plan portion of the proposal and responded to questions from the Council relative to the possible locations for this project within the Downtown Specific Plan area, the partnership nature between the developer and the City with affordable housing projects, and the approval of this concept as intent to provide affordable housing in Cotati.

Mayor Guardino opened the floor to public comment.

Pascal Sisich of Burbank Housing described the process of bringing its project to the Council.

Michelle Berman of Cotati expressed concern regarding the age range of the future residents of the Burbank Housing project; she expressed opposition to isolating residents based on age and concern about how Charles Street Village is being run.

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

Mr. Sisich described how the various methods of funding dictate the age range of the residents and type of housing projects that are constructed.

Moved by Councilmember Orchard, seconded by Vice Mayor Coleman-Senghor and passed unanimously to direct staff to return to CCRA with a Project Proposal and funding agreement with Burbank Housing or some other entity for an affordable housing project within the Downtown Specific Plan area.

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

Mayor Guardino adjourned the joint meeting and reconvened the regular meeting at 9:56 p.m.

REGULAR AGENDA

10. WATER SHORTAGE CONTINGENCY PLAN – STAGE 1 VOLUNTARY CONSERVATION (Public Works/Engineering) (Action)

Damien O’Bid, Director of Public Works/City Engineer, presented the staff report. In response to questions from Council he noted that the voluntary conservation would stand until the Water Agency and staff determined that there was enough water. Announcements for additional conservation, outreach and publicity for conservation would be done as needed.

Council concurred to contact the ‘Daily Acts’ organization for a proposal for outreach.

Mayor Guardino opened the floor to public comment.

Neil Hancock of Cotati expressed support for various outreach efforts, including to local retailers to indicate how much water a product might require, encouraging the use of gray water and real-time feedback on water use.

Judith Newton of Cotati expressed support for working with the Daily Acts organization and volunteered the Transition Cotati organization for outreach

Michelle Berman of Cotati asked whether there was stimulus money for gray water capturing and asked Council to require the capturing of rainwater in future developments.

Jenny Blaker of Cotati announced that a class was taking place in August on water conservation.

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

Discussion ensued relative the use of stimulus funds for outreach to citizens for water conservation, the Santa Rosa groundwater management plan, the effect of conservation on water rates.

Moved by Vice Mayor Coleman-Senghor, seconded by Councilmember Gilardi and passed unanimously to adopt:

Resolution No. 2009-14 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI CALLING FOR STAGE 1 VOLUNTARY CONSERVATION AND DIRECT STAFF TO INCREASE OUTREACH TO THE COMMUNITY ON WATER CONSERVATION AND RELATED CITY ASSISTANCE PROGRAMS

In response to a question from the audience, Mayor Guardino and City Manager Thompson reviewed the approval of the Consent Calendar, including item 6, the Code of Ethics. Councilmember Barich indicated that he had intended to pull it and that City Attorney Rudnansky had advised him that it would be unwise to revisit it as members of the public may have gone home.

11. RECOMMENDATIONS FOR APPOINTMENTS TO MAYORS' AND COUNCILMEMBERS' ASSOCIATION COMMITTEES (City Manager) (Action)

Dianne Thompson, City Manager, presented the staff report and responded to questions from Council.

Mayor Guardino opened the floor to public comment.

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

Discussion ensued regarding the letters of interest and the applicants. Council agreed to recommend applicants as follows:

Local Agency Formation Commission (one position): Teresa Barrett of Petaluma by a unanimous vote.

Local Agency Formation Commission (alternate) (one position): Pam Stafford of Rohnert Park by a 4-1 vote (Councilmember Barich voting for Joe Callinan of Rohnert Park).

ABAG Executive Board (one position): Pamela Torliatt of Petaluma by a 4-1 vote (Councilmember Barich voting no).

ABAG Executive Board (alternate) (one position) Susan Gorin of Santa Rosa by a unanimous vote.

Co. Agricultural Preservation & Open Space District Advisory Committee. (three positions) Laurie Gallian of Sonoma and Janet Orchard of Cotati by a unanimous vote.

Moved by Councilmember Orchard, seconded by Councilmember Gilardi and passed unanimously to adopt a motion to support its choices from those Sonoma County Councilmembers who have submitted letters of interest for various appointments of the Sonoma County Mayors' and Councilmembers' Association Board of Directors and the Mayor's City Selection Committee.

CITY COUNCIL REPORTS (*Discussion*)

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

ADJOURNMENT OF REGULAR CITY COUNCIL MEETING

Mayor Guardino adjourned the regular meeting at 10:40 p.m.

Respectfully submitted,

/s/Tamara Taylor, Deputy City Clerk