



**AGENDA**  
**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 MAY 13, 2009**  
**6:00 PM CLOSED SESSION**  
**7:00 PM REGULAR SESSION**  
**City Council Chambers, City Hall, 201 W. Sierra Avenue**

The Cotati City Council welcomes you to its meetings that are generally scheduled for the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday (or as otherwise noticed) of every month. Your interest and participation are encouraged and appreciated.

*City Council meeting agendas, minutes and audio recordings (podcast) are posted on the City's website at [www.ci.cotati.ca.us](http://www.ci.cotati.ca.us)*

*To receive the City Council Agenda by e-mail, provide your e-mail address to the City Manager's office, or e-mail your request to the Deputy City Clerk at [ttaylor@ci.cotati.ca.us](mailto:ttaylor@ci.cotati.ca.us)*

Notice is hereby given that Council may discuss and/or take action on any or all of the items listed on this agenda.

Any writings or documents provided to a majority of the Cotati City Council regarding any item on this agenda will be made available for public inspection in the City Manager's office located at 201 West Sierra Avenue, Cotati, California, during normal business hours.

Disabled Accommodation: Upon request, this agenda will be made available in appropriate formats to persons with disabilities as required by Section 202 of the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should contact the Deputy City Clerk at (707) 665-3622 at least 48 hours in advance of the meeting.

Waiver Warning: If you challenge decisions/direction of the City Council of the City of Cotati in court, you may be limited to raising only those issues you or someone else raised at public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Cotati at, or prior to, the public hearing(s).

***Those wishing to address the Council are asked to sign the speaker's sign-up sheet and limit discussion to one presentation per individual and to keep comments to between 3 and 5 minutes; when you are called, step to the podium and state your name and address for the record. Persons wishing to address the Council are not required to identify themselves (Gov't. Code § 54953.3); however, this information assists the Mayor by ensuring that all persons wishing to address the Council are recognized and it assists the Deputy City Clerk in preparing the City Council meeting minutes.***

**6:00 PM CALL TO ORDER AND ROLL CALL FOR 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**

## **ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES OF APRIL 8, 2009 REGULAR MEETING AND APRIL 15, 2009 SPECCIAL JOINT MEETING, AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (*Action*)**

### **ANNOUNCEMENTS**

City Council meeting audio recordings are now available via podcast. Link to the podcast from the City's website at [ci.cotati.ca.us](http://ci.cotati.ca.us).

The Cotati City Council invites applicants for appointment to the City's Design Review Committee (DRC). There is currently one vacancy on the DRC for a licensed architect position. Applicants for this position are NOT required to live in Cotati. Download an application from the City's website or call 665-3622 to request an application by mail.

Bike To Work Day is tomorrow - Thursday, May 14. Our annual City of Cotati La Plaza Energizer Station will be open from 6am - 8:30am with water and snacks.

The Education Foundation of Cotati and Rohnert Park is hosting its first annual dog faire on Saturday May 30. For more information contact Mike Mondeau at 665-9575 or visit the Foundation's website at [efcrp.org](http://efcrp.org).

### **SONOMA STATE UNIVERSITY REPRESENTATIVE REPORT**

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

### **STUDENT HONORARY MAYOR REPORT**

Ms. Lee Watson of Technology High School and Victoria Grande of El Camino High School will each provide a verbal report to Council.

### **COTATI-ROHNERT PARK LIBRARY REPORT**

Nancy Kleban, Branch Manager, will provide a verbal report to Council.

- 2. PROCLAMATIONS**

Children's Memorial Day - May 15, 2009

Affordable Housing Week – May 10-May 16, 2009

## **CITY MANAGER'S REPORT**

### **APPROVAL OF FINAL AGENDA**

### **CITIZEN BUSINESS**

Any item raised by a member of the public which is not listed on the agenda but may require Council action shall be automatically referred to City staff for investigation and disposition unless the item requires action to be taken by the Council at the meeting during which it was raised and constitutes an emergency, or the need to take such action arose after the posting of the agendas within the meaning of Government Code Section 54954.2(b). In either event, the Council is entitled to discuss the matter before making the determination required under said Government Code provision, and if either finding is made may take action thereon. Please confine your comments during this portion of the agenda to matters not already on the agenda. The public will be given an opportunity to speak on each agenda item at the time it is called.

### **DIRECTION ON FUTURE AGENDA ITEMS**

### **CONSENT CALENDAR**

**3. AUTHORIZE MAYOR TO SIGN A LETTER OF OPPOSITION TO ASSEMBLY BILL 128 (COTO) – WORKERS' COMPENSATION EXTENDED CANCER PRESUMPTION (City Manager) (Action)**

This motion authorizes the Mayor to sign a letter to the state legislature in opposition to Assembly Bill 128 (Coto) – Workers' Compensation extended cancer presumption.

**4. AUTHORIZE USE OF LA PLAZA PARK FOR A FARMER'S MARKET (Police) (Action)**

It is recommended that the City Council adopt a resolution, authorizing the temporary closure of La Plaza Avenue between W. Sierra Avenue and W. Cotati Avenue on Thursdays beginning June 4, 2009 and ending October 1, 2009, between the hours of 3:00 p.m. and 8:00 p.m.; It is further recommended that the City Council adopt a motion to 1) authorize amplified music in La Plaza Park during the same time period; 2) authorize selling and consumption of Alcoholic Beverages in La Plaza Park; and 3) approve the Proposal dated March 5, 2009 from the Cotati Chamber of Commerce for the Use of La Plaza Park for a Farmers Market; and 4) waive all fees and subsidize costs estimated at \$1,882.86.

**5. AMENDMENT TO THE LOAN GUIDELINES FOR THE ICMA DEFERRED COMPENSATION PLAN (Administrative Services) (Action)**

It is recommended that the City Council adopt a resolution approving the amendment to the loan guidelines for the ICMA Deferred Compensation Plan.

**6. REQUEST FOR A ONE (1) YEAR EXTENSION OF THE VESTING TENTATIVE MAP FOR THE VILLAGE AT COTATI COMMONS (Community Development) (Action)**

It is recommended that the Council adopt a motion to approve the request to extend the Vesting Tentative Map for the Village at Cotati Commons for one (1) year. The new expiration date of the map would be June 13, 2010.

**7. AWARD OF THE COTATI SIDEWALK ADA IMPROVEMENTS, FY 2007-2008, PROJECT NO. E07-14 TO COASTSIDE CONCRETE (Public Works/Engineering) (Action)**

It is recommended that the Council adopt a resolution accepting the lowest responsible and responsive bid for the Cotati Sidewalk ADA Improvements, FY 2007-2008, Project No. E07-14 and let the contract for construction to Coastside Concrete.

**8. AUTHORIZING MAYOR TO SIGN NEW RACE-CONSCIOUS DISADVANTAGED BUSINESS ENTERPRISE AGREEMENT (Public Works/Engineering) (Action)**

It is recommended that the Council adopt a motion to authorize the Mayor to sign the new "race-conscious" Disadvantage Business Enterprise Implementation Agreement on behalf of the City.

**REGULAR AGENDA**

**9. PRESENTATION OF COMMUNITY SURVEY RESULTS AND POSSIBLE DIRECTION TO STAFF REGARDING A POTENTIAL REVENUE MEASURE (City Manager) (Action)**

Council will receive a presentation by the Community Survey Assessment consultant team. Following the presentation, it is recommended that Council determine if they wish staff to prepare a staff report and resolution for a potential revenue measure.

**10. WATER SHORTAGE CONTINGENCY PLAN – STAGE 2 MANDATORY CONSERVATION (Public Works/Engineering) (Action)**

It is recommended that the Council adopt a resolution calling for Stage 2 Mandatory Conservation, implement a 35% overall reduction for commercial accounts, direct staff to develop water conservation budgets, enhance water conservation measures, and continue outreach to the community on water conservation and related City assistance programs.

**11. DESIGN REVIEW COMMITTEE APPOINTMENTS (Community Development) (Action)**

It is recommended that the Mayor make two appointments to the Design Review Committee and that the Council adopt motion to ratify the Mayor's appointments.

**12. AUTHORIZE THE MAYOR TO EXECUTE THE COOPERATIVE AGREEMENT TO IMPLEMENT THE SONOMA COUNTY ENERGY INDEPENDENCE PROGRAM (SCEIP) (Public Works/Engineering) (Action)**

It is recommended that the Council authorize the Mayor to execute the Cooperative Agreement to Implement the Sonoma County Energy Independence Program (SCEIP) on behalf of the City.

**13. DISCUSSION AND POSSIBLE ACTION REGARDING CONDUCT OF COUNCILMEMBER BARICH (City Manager) (Action)**

The Council may wish to discuss possible action regarding the conduct of Councilmember Barich. Council may provide direction to staff.

**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**

**CONSENT CALENDAR**

**14. WARRANTS AND AUDITED CLAIMS FOR APRIL 2<sup>ND</sup>, 2009 – APRIL 22<sup>ND</sup>, 2009 (Administrative Services) (Action)**

This motion receives and files warrants and audited claims for April 2<sup>nd</sup>, 2009 – April 22<sup>nd</sup>, 2009.

**15. RECEIVE AND FILE 2007-2008 AUDITED FINANCIAL STATEMENTS (Administrative Services) (Action)**

This motion receives and files the 2007-08 audited financial statements.

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

**CITY COUNCIL REPORTS (Discussion)**

**ADJOURNMENT OF REGULAR CITY COUNCIL MEETING**

Certification of Posting of the Agenda: I declare under penalty of perjury that I am employed by the City of Cotati and that I posted this agenda on the bulletin boards of City Hall, Veterans' Memorial Building and the U.S. Post Office on or before May 8, 2009

/s/Tamara Taylor, Deputy City Clerk

