



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 MAY 27, 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 6:03 p.m. in the City Council Chamber.

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

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

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 in the City Manager's office.

CLOSED SESSION (CITY MANAGER'S OFFICE)

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION (Government Code Section 54956.9(a))

City of Cotati vs. Gilman Ranch, LLC; et. al. (Sonoma County Case # 244542)

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 7:08 p.m.

ROLL CALL

Councilmembers present: Barich, Gilardi, Orchard, Vice Mayor Coleman-Senghor, 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, Chief of Police Robert Stewart, Deputy City Clerk Tamara Taylor, City Manager Dianne Thompson, Attorney Nancy Thorington.

PLEDGE OF ALLEGIANCE

Mayor Guardino led the pledge of allegiance.

1. APPROVAL OF MINUTES OF MAY 13, 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 Barich seconded by Councilmember Gilardi and passed unanimously to approve the minutes of the May 13, 2009 Regular meeting as amended (Councilmember Barich's comments added to items 7 and 8) and to waive the reading of all ordinances introduced and/or adopted under this agenda.

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.

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.

Free e-waste electronics recycling event on Saturday & Sunday June 13-14 8:30am to 4:30pm at the Cotati Park & Ride lot located at Hwy. 116 at Redwood Dr. visit the City's website or pick up a brochure for details about what items are accepted.

Cotati Spring/Summer Recreation programs include Art Nights and Writers of the West. The spring/summer recreation schedule is available at City Hall or online at the City's website.

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.

The Rohnert Park-Cotati Friends of the Library is hosting a summer book sale on Friday and Saturday June 5th and 6th at the library from 10am to 5:30 p.m.

Please Support Cotati Kids Day Parade and Festival by attending a Dine & Donate Fundraiser entitled "Rock & Roll Through the Ages" at Redwood Café and Café Salsa on Wednesday, June 3, 2009. A flyer is required - copies are located on the back table.

SONOMA STATE UNIVERSITY REPRESENTATIVE REPORT

Sonoma State University Student representative Cameron Baxter provided a verbal report to Council.

SONOMA COUNTY WATER AGENCY REPORT

Grant Davis, Don Seymour and Jay Jasper of the Sonoma County Water Agency (SCWA) presented a report to the Council.

Councilmembers commented on the presentation and expressed concern regarding the cost of the various strategies for water delivery.

Jay Jasper responded to questions from Council regarding balancing cost and strategies and SCWA's relationship with Marin Municipal Water District.

Mayor Guardino opened the floor to public comment. The following individuals spoke:

Joan Simon

John King of Petaluma

Adrienne Lauby

Phil Maher

Emily Straub

Ken Coleman

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

Mr. Jasper and Mr. Davis responded to public speakers' questions regarding conservation programs, public outreach and groundwater disputes.

Mayor Guardino called a recess at 8:24 p.m. and reconvened at 8:38 p.m.

CITY MANAGER'S REPORT

City Manager Dianne Thompson announced upcoming meetings as follows:

- Budget Crisis meeting Saturday May 30, 2009 from 9:00 to 11:00 a.m. in the City Council chamber.
- Budget study session Wednesday June 3, 2009 at 7:00 p.m. in the City Council chamber

- Tentative budget study session scheduled for June 17th.

Councilmembers commented regarding the Budget Crisis meeting.

APPROVAL OF FINAL AGENDA

No changes

CITIZEN BUSINESS

Mayor Guardino recognized Michelle Berman for making and bringing the banana bread.

Pat McCarty, Vice President of the Cotati Chamber of Commerce presented Council and staff with a year's supply of notepads and described the Chamber's new website, shopcotati.org.

Jan Kurvers of Cotati requested additional outreach for the budget crisis meeting.

Adrienne Lauby of Cotati indicated agreement with Ms. Kurvers.

Cheryl Nixon of Cotati thanked Mr. McCarty and encouraged listeners to shop in Cotati.

Michelle Berman of Cotati discussed her history as a member of the audience at Council meetings and as a former supporter of Councilmember Barich. She submitted a notice of intent to circulate a petition to recall Councilmember Barich.

Donna Frank addressed the Council regarding her past and efforts to acquire a use permit for a medical marijuana dispensary permit and indicated that she will be applying for one again.

Phil Maher discussed the Budget Crisis meeting and his purchases outside California.

Ken Coleman of Cotati addressed the Council regarding eradication of gophers on Cater Field and submitted information regarding. He's looking for a hero on the Council to take a pay and benefits cut.

Joan Simon of Cotati addressed Council regarding her concerns for potential politicking on City property and various activities of Councilmember Barich.

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

Councilmembers briefly discussed comments made during Citizens' Business.

DIRECTION ON FUTURE AGENDA ITEMS

Moved by Vice Mayor Coleman-Senghor, seconded by Councilmember Barich to agendize discussion of gophers in Cater Park. The motion failed 2-3 (Councilmembers Gilardi and Orchard and Mayor Guardino voting no). The majority of Council concurred to await staff input regarding liability.

Brief discussion ensued regarding comments on report items.

Further discussion ensued as to whether to agendaize discussion of the elimination of City Council member's salary and benefits. The majority of Council concurred to not agendaize this discussion.

CONSENT CALENDAR

Consent Calendar item 2 was pulled for discussion.

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

Chief of Police Robert Stewart presented the staff report and responded to questions from the Council.

Mayor Guardino opened the floor to public comment.

Phil Maher of Cotati discussed various Farmers' Markets.

Suzanne Whipple of the Chamber of Commerce addressed the Council regarding the business licenses required for the vendors of the Farmers' Market.

Joan Simon of Cotati discussed Mr. Maher's comments and other Farmers' Markets in Sonoma County.

Ken Coleman of Cotati discussed the fees charged by the City for the Market.

Rupinder Garcha spoke in support of the Market.

Patrick McCarty, Vice President of the Cotati Chamber of Commerce spoke in support of the Market.

Michelle Berman of Cotati addressed the Council regarding businesses that aren't part of the Chamber of Commerce and expressed support for the Market and encouraged it to expand.

Linda Ritter of Cotati spoke in support of the Market and in support of Chamber of Commerce; she encouraged businesses to join it.

Susan Harvey of Cotati spoke in support of the Market as a way to help people in the community.

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

Discussion ensued regarding the City waiving of fees rather than contributing funds, how the market benefits the community, the Chamber of Commerce, reasons that businesses have left Cotati, the budget crisis, splitting the fees between the City and the Chamber of

Commerce, the goods available in the market, the variety of shopping experiences and the event as economic development.

Moved by Vice Mayor Coleman-Senghor, seconded by Councilmember Gilardi and passed 4-1 (Councilmember Barich voting no) to adopt Resolution No. 2009-18 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING THE TEMPORARY CLOSURE OF LA PLAZA AVENUE BETWEEN W. SIERRA AVENUE AND W. COTATI AVENUE ON THURSDAYS BEGINNING JUNE 4, 2009 AND ENDING ON OCTOBER 1, 2009 TO FACILITATE THE COTATI FARMERS MARKET

REGULAR AGENDA

3. WATER SHORTAGE CONTINGENCY PLAN – VOLUNTARY 20% WATER CONSERVATION (Public Works/Engineering) (Action)

Director of Public Works/City Engineer Damien O'Bid presented the staff report and responded to questions from the Council.

Mayor Guardino opened the floor to public comment.

Linell Hardy of Cotati asked for clarification as to the baseline of measuring conservation, given her prior efforts to conserve.

John King of Petaluma addressed the Council regarding the citizens of rural Sonoma County, the lack of credits for conserving water and groundwater exports. He submitted information regarding Sonoma County groundwater issues for distribution.

Joan Simon of Cotati asked for clarification as to the baseline for conservation based on prior use.

Michelle Berman of Cotati discussed water use in other areas of California, addressing water use as a region, the difficulties involved in establishing graywater use and requiring energy and water conserving elements in new development.

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

Mr. O'Bid responded to questions regarding the calculation of the 20% conservation and graywater use systems.

Discussion ensued regarding the use of gray water, rainwater catchments, and technology that is available to conserve water,

Councilmember Barich expressed concern regarding the possible negative effect of conservation on public health, businesses and food safety, and the lack of language in the resolution about exporting water to Marin and building a reverse osmosis treatment facility.

Mayor Guardino commented on reverse osmosis systems.

Moved by Vice Mayor Coleman-Senghor, seconded by Councilmember Orchard and passed 4-1 (Councilmember Barich voting no) to adopt RESOLUTION NO. 2009-19 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI CALLING FOR VOLUNTARY 20% WATER CONSERVATION, DIRECT STAFF TO DEVELOP WATER CONSERVATION BUDGETS, ENHANCE WATER CONSERVATION MEASURES AND CONTINUE OUTREACH TO THE COMMUNITY ON WATER CONSERVATION AND RELATED CITY ASSISTANCE PROGRAM

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 10:39 p.m.

CONSENT CALENDAR

There being no one wishing to comment, Mayor Guardino called for a motion to approve the Consent Calendar.

Moved by Councilmember Orchard seconded by Councilmember Gilardi and passed unanimously to approve item 4 on the Consent Calendar.

4. WARRANTS AND AUDITED CLAIMS FOR APRIL 23RD, 2009 –MAY 12TH, 2009 (Administrative Services) (Action)

This motion receives and files warrants and audited claims for April 23rd, 2009 – May 12th, 2009.

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 10:40 p.m.

CITY COUNCIL REPORTS (Discussion)

Councilmembers 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 10:42 p.m. to closed session.

Respectfully Submitted,

/s/Tamara Taylor, Deputy City Clerk