



**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  
JULY 9, 2008  
City Council Chambers, City Hall, 201 W. Sierra Avenue**

**7:00 PM (CITY COUNCIL CHAMBERS)**

**CALL TO ORDER OF REGULAR CITY COUNCIL MEETING**

Mayor Gilardi called the regular meeting to order at 7:00 p.m.

**ROLL CALL**

Councilmembers present: Fox, Guardino, Minnis, Orchard and Mayor Gilardi  
Staff present: Hayes, O'Bid, Rudnansky, Taylor, 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 JUNE 25, 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 Vice Mayor Guardino and passed unanimously to approve the minutes of the June 25, 2008 Regular meeting and to waive the reading of all resolutions and ordinances introduced and/or adopted under this agenda.

**APPROVAL OF FINAL AGENDA**

Mayor Gilardi announced that item no. 4 (freeway soundwall) was removed from the agenda.

**CITY MANAGER'S REPORT**

City Manager Dianne Thompson reported the following:

- Item 4 (soundwall) was removed from the agenda as a result of new information from Caltrans which indicated that a stepped-down soundwall may cause a pulsating noise, the effects of which has not been quantified. The staff recommendation is for the full-height soundwall; no Council action is necessary.
- Cotati K-9 Jango and his handler Officer Chris Kaupe participated in the Sonoma County Sheriff's Association recent K-9 trials held at the Sonoma County Fairgrounds. Out 35 Police dogs, Jango won third place in obedience and ninth place overall.

- Cotati was well-represented in the recent Penngrove Parade. The float was constructed as a joint effort between staff and citizens and will also be in the upcoming Kids Day parade.
- City Manager Thompson noted that health officials have issued an air quality advisory due to the warm temperatures and smoke from wildfires. She noted several indoor public places, such as the mall, City Hall and the library, where individuals could seek temporary relief from the heat.

## **CITIZEN BUSINESS**

Adrian Lauby of Cotati requested that the City do outreach to inform citizens about city hall being a heat refuge.

George Barich of Cotati addressed the Council regarding his previous request for a show of hands by Councilmembers in response to his question about moving an item to the end of the agenda. He commented on the right to free speech and what it means to him. He charged that Mayor Gilardi violated the Councilmembers' civil rights and right to free speech to comment on citizen's questions and asked for an apology from the Mayor.

Colleen Fernald expressed her support for Council's right to support and defend the constitution and commented on municipal and state finances. She encouraged Council to support Congresswoman Lynn Woolsey's request to cities to adopt resolutions to pull out of Iraq.

Lillian Payne-Vaughn requested that the Council officially respond to the heat emergency.

Duane Bellinger expressed concern about the comments of a previous speaker. He discussed the response to the Katrina hurricane in New Orleans and the need for the National Guard to be available for domestic emergencies.

An unidentified speaker encouraged dignity among the citizen speakers.

Mayor Gilardi indicated that the Councilmembers' right to free speech was not violated.

## **COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS (*Discussion*)**

None.

## **ORAL AND WRITTEN COMMUNICATIONS**

### **ANNOUNCEMENTS**

The Cotati Farmers Market runs Thursdays through September 11, from 4:30 to 7:30 p.m. in La Plaza Park.

The City's Design Review Committee has a vacancy for an alternate position with landscape design experience. Interested individuals can download an application from the City's website at [ci.cotati.ca.us](http://ci.cotati.ca.us) or call 665-3623 to receive an application by mail.

Individuals who are committed to working for the betterment of the City of Cotati are invited to apply for appointment to the City's Community and Environment Commission. Download an application from the City's website at [ci.cotati.ca.us](http://ci.cotati.ca.us) or call 665-3623 to receive an application by mail.

The 16th annual Cotati Kids Parade & Festival is this Saturday July 12, starting with a 7:00 a.m. pancake breakfast. The parade is at 10:00 a.m. and is followed by the festival. Get details about this and other summer recreation programs on the web at [ci.cotati.ca.us](http://ci.cotati.ca.us) or call the Recreation Department at 792-4600 ext. 640.

## CONSENT CALENDAR

No Consent Calendar items.

## REGULAR AGENDA

### 2. **CONSIDERATION OF REQUEST TO ADOPT A RESOLUTION TO INITIATE PROCEEDINGS FOR THE IMPEACHMENT OF PRESIDENT BUSH AND VICE PRESIDENT CHENEY** (*Action*)

City Manager Dianne Thompson indicated that this item is a request of the Sonoma County Resolution to Impeach Coalition to adopt a resolution petitioning Congress to initiate proceedings for the impeachment of President Bush and Vice President Cheney.

Dawna Gallagher of Rohnert Park submitted a petition containing 266 signatures and briefly described the proposal.

Tayna Alva of Cotati read aloud a resolution of impeachment of President Bush and Vice President Cheney.

Terra Freedman addressed the Council regarding the procedure of impeachment investigation, indicating that Congress impeaches and the City Council may approve a resolution adopting a petition of impeachment.

Dan (last name not discernible) of Santa Rosa read aloud the oath of office taken by the Councilmembers and addressed the Council regarding the history and meaning of the oath of office.

Peggy Caulkins of Santa Rosa described the history and process of impeachment proceedings.

Members of the Coalition displayed a 40' scroll containing information regarding this item.

Mayor Gilardi opened the floor to public comment.

The individuals listed below spoke in support of approval of a resolution to adopt a petition to impeach the president and vice president:

Colleen Fernald.

Tanya Alva. She displayed a copy of 35 articles of impeachment and a book supporting impeachment.

Robin Birdsong of Cotati.

Carol Solomon Bryant. She temporarily submitted to the Council the passport of her mother-in-law who had been a victim of Nazi Germany.

Lorenzo Dugge of Cotati.

Jerry Price of Petaluma.

Patricia Waters of Cotati.

Duane Bellinger.

Preva (last name not discernible) of Sonoma County.

John Jenkel of Graton.

Donna Norton of Petaluma.

Marsha Vas Dupre of Santa Rosa.

Ken F. of Cotati.

Dave of Cotati.

Julie Ford of Cotati.

Michelle Berman of Cotati.

Robert Coleman-Senghor.

Jenny Blaker of Cotati.

George Aurthur of Cotati.

Adrian Lauby.

Peter Chernoff.

Marlena (last name not discernible).

The individuals listed below spoke in opposition to the petition to initiate impeachment proceedings:

Mike Worthington of Cotati.

Tim Ritter of Cotati.

George Barich of Cotati.

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

Discussion ensued relative to the proposal. The Council commended the speakers for their commitment to this issue.

The majority of Councilmembers supported the petition to initiate impeachment proceedings.

Councilmembers Fox and Minnis expressed opposition to the proposal. Councilmember Fox indicated disagreement with the contents of the petition. Councilmember Minnis stated that although she is not against impeachment, she believes that the timing of the petition would draw focus away from the upcoming election.

**Moved** by Councilmember Orchard, seconded by Vice Mayor Guardino and passed 3-2 (Councilmembers Fox and Minnis voting no) to adopt Resolution No. 08-46 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ADOPTING A PETITION TO IMPEACH PRESIDENT GEORGE W. BUSH AND VICE PRESIDENT RICHARD CHENEY

**3. SONOMA-MARIN WATERSAVING PARTNERSHIP MEMORANDUM OF UNDERSTANDING (Action)**

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

Mayor Gilardi opened the floor to public comment.

George Barich of Cotati expressed concern that the Sonoma County Water Agency penalized Cotati Citizens financially for conserving water by raising their rates.

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

**Moved** by Vice Mayor Guardino, seconded by Councilmember Minnis and passed unanimously to adopt a motion approving the Memorandum of Understanding Regarding the Sonoma-Marin Watersaving Partnership and authorize the Mayor to sign the memorandum of understanding on behalf of the City.

City Engineer O'Bid demonstrated an 'edible aquifer' using soda pop, ice, ice cream, chocolate syrup and sprinkles and responded to questions from the audience and Council.

Mayor Gilardi called a recess at 9:28 p.m. and invited everyone to enjoy an edible aquifer. She recovered the meeting at 9:42 p.m.

**4. ADOPT RESOLUTION NO. 08-24 APPROVING STEPPED-DOWN SOUNDWALL ON WEST SIERRA AVENUE OVERPASS (Action)**

This item was removed from the agenda.

**PUBLIC HEARINGS**

**5. CONSIDER OBJECTIONS TO OUTSTANDING BACKFLOW TESTING CHARGES AND ADOPTION OF RESOLUTION DIRECTING LEVYING OF ASSESSMENTS FOR FISCAL YEAR 2008-2009 (Action)**

Director of Administrative Services Jone Hayes presented the staff report.

Mayor Gilardi opened the public hearing.

There being no one wishing to speak, Mayor Gilardi closed the public hearing.

Moved by Councilmember Minnis, seconded by Vice Mayor Guardino and passed unanimously, to adopt Resolution No. 08-47 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ORDERING THE ESTABLISHMENT OF OUTSTANDING BACKFLOW TESTING CHARGES AND DIRECTING LEVYING OF ASSESSMENTS FOR FISCAL YEAR 2008-2009.

**6. CONSIDERATION OF OBJECTIONS TO REPORT OF WATER / SEWER CHARGES OUTSTANDING; ADOPTION OF A RESOLUTION APPROVING ITEMIZED REPORT OF WATER / SEWER CHARGES OUTSTANDING AND DIRECTING LEVYING OF ASSESSMENTS (Action)**

Director of Administrative Services Jone Hayes presented the staff report.

Mayor Gilardi opened the public hearing.

There being no one wishing to speak, Mayor Gilardi closed the public hearing

Moved by Councilmember Fox, seconded by Councilmember Orchard and passed unanimously, to adopt Resolution No. 08-48 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ESTABLISHING THE OUTSTANDING WATER/SEWER CHARGES AND DIRECTING LEVYING OF ASSESSMENTS FOR FISCAL YEAR 2008-09.

**7. CONSIDER PROTESTS TO WEED ABATEMENT REPORT AND ASSESSMENTS; ADOPTION OF A RESOLUTION, APPROVING ITEMIZED REPORT OF COSTS FOR WEED ABATEMENT AND DIRECTING LEVY OF ASSESSMENTS (Action)**

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

Mayor Gilardi opened the public hearing.

Robert Coleman-Senghor asked if property owners could be sent notice that their weeds would be cut on a particular day.

George Barich spoke in support of the weed abatement process.

There being no one else wishing to speak, Mayor Gilardi closed the public hearing.

Councilmember Fox pointed out that property owners were sent notices informing them of what day their weeds would be cut.

Moved by Councilmember Fox, seconded by Councilmember Minnis and passed unanimously, to adopt Resolution No. 08-47 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING ITEMIZED REPORT OF COSTS OF WEED ABATEMENT AND DIRECTING LEVY OF ASSESSMENTS.

**8. HEARING ON ADOPTION OF RESOLUTIONS ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-09 AND ORDERING THE ESTABLISHMENT OF LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS FOR FISCAL YEAR 2008-09 AS STATED THEREIN FOR THE FOR THE VALPARAISO VISTA SUBDIVISION, QUAIL HOLLOW IV SUBDIVISION, SOMMERS SUBDIVISION, MACKLIN I SUBDIVISION, SIERRA MEADOWS SUBDIVISION, OAK KNOLLS SUBDIVISION, GARDEN GATE SUBDIVISION, PARK MEADOWS SUBDIVISION, SANTERO WAY DEVELOPMENTS, AND ALTMAN ACRES SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS FOR FISCAL YEAR 2008-09 (*Action*)**

Director of Administrative Services Jone Hayes presented the staff report.

Mayor Gilardi opened the public hearing.

There being no one wishing to speak, Mayor Gilardi closed the public hearing.

**Moved** by Councilmember Orchard, seconded by Councilmember Minnis and passed unanimously to adopt:

Resolution No. 80-50 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE VALPARAISO VISTA SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN;

Resolution No. 08-51 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE QUAIL HOLLOW SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN;

Resolution No. 08-52 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE SOMMERS SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN;

Resolution No. 08-53 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE MACKLIN PHASE I SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN;

Resolution No. 08-54 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE SIERRA MEADOWS SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN;

Resolution No. 08-55 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE OAK KNOLL SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN;

Resolution No. 08-56 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE GARDEN GATE SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN;

Resolution No. 08-57 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE PARK MEADOWS SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN;

Resolution No. 08-58 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE SANTERO WAY SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN; and

Resolution No. 08-59 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AND APPROVING THE ENGINEER'S REPORT FOR FISCAL YEAR 2008-2009 FOR THE ALTMAN ACRES SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT, AND ORDERING THE ESTABLISHMENT OF THE ASSESSMENT RATES, AS STATED THEREIN.

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

Mayor Gilardi adjourned the regular meeting and called the joint meeting to order at 9:59 p.m.

**CONSENT CALENDAR**

**9. WARRANTS AND AUDITED CLAIMS FOR JUNE 12, 2008 – JUNE 25, 2008 (*Action*)**

Moved by Councilmember Orchard, seconded by Councilmember Fox and passed unanimously, to receive and file warrants and audited claims for June 12, 2008 – June 25, 2008.

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

Mayor Gilardi adjourned the joint meeting and reconvened the regular meeting at 9:59 p.m.

**CITY COUNCIL REPORTS AND COMMENTS**

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

The Council directed staff to research ways to inform the community about resources to help them with the impacts of the unusually warm temperatures and smoke from wildfires.

**ADJOURNMENT OF REGULAR CITY COUNCIL MEETING**

Mayor Gilardi adjourned the meeting at 10:05 p.m.

Respectfully Submitted,

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Deputy City Clerk