



**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 JULY 22, 2009**  
**6:00 PM CLOSED SESSION**  
**7:00 PM REGULAR SESSION**

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

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION (California Government Code Section 54957), CONFERENCE WITH LABOR NEGOTIATORS (California Government Code Section 54957.6)**

Title: City Attorney

Agency Representative: Mayor or City Manager

Unrepresented Employee: City Attorney

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION (California Government Code Section 54957)**

Title: City Manager

**7:00 PM (REGULAR SESSION)**

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

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

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

**ANNOUNCEMENTS**

The August 12 regular meeting of the Cotati City Council has been cancelled; the next regular meeting is scheduled for August 26.

The Downtown Specific Plan and the Downtown Specific Plan Environmental Impact Report were approved by the Planning Commission on July 13 and will be considered by the City Council at its regular meeting on August 26.

**SONOMA STATE UNIVERSITY REPRESENTATIVE REPORT**

Sonoma State University Student representative Jesse Schwartz will provide a verbal report to Council.

**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**

### **2. NOTICE OF COMPLETION FOR THE EAST COTATI AVENUE IMPROVEMENTS, PROJECT NO. E06-25B (Public Works/Engineering) (Action)**

It is recommended that the City Council adopt a resolution accepting the improvements and authorizing the filing of the Notice of Completion (NOC) for the East Cotati Avenue Improvements, Project No. E06-25B.

## **REGULAR AGENDA**

### **3. RECOMMENDATION FOR APPOINTMENT BY SONOMA COUNTY MAYORS' AND COUNCILMEMBERS' ASSOCIATION ABAG (ASSOCIATION OF BAY AREA GOVERNMENTS) REGIONAL PLANNING COMMITTEE (City Manager) (Action)**

It is recommended that the Council adopt a motion to support its choice from those Sonoma County Councilmembers who have submitted letters of interest for appointment the Sonoma County Mayors' and Councilmembers' Association to the Association of Bay Area Governments (ABAG) Regional Planning Committee.

## **PUBLIC HEARINGS**

### **4. ADOPTION OF A RESOLUTION MAKING FINDINGS THAT, BECAUSE OF AN EXISTING EMERGENCY, AN ELECTION ON A PROPOSED NEW TAX MUST OCCUR BEFORE THE NEXT REGULAR MUNICIPAL ELECTION; AND**

**ADOPTION OF A RESOLUTION CALLING AN ELECTION ON NOVEMBER 3, 2009 TO ASK THE VOTERS TO APPROVE A ONE HALF CENT TRANSACTIONS AND USE TAX, WITH THE TAX "SUNSETTING" IN 5 YEARS; AND**

**ADOPTION OF RESOLUTION ESTABLISHING A GENERAL FUND RESERVE (Administrative Services) (Action)**

It is recommended that the City Council adopt three resolutions: 1) finding and declaring that the City's current financial situation is an emergency requiring an election on a proposed transactions and use tax before the next regular municipal election; 2) calling an election on November 3, 2009 to ask the Voters to approve a one half cent transactions and use tax, with the tax "sunsetting" in five years; and 3) establishing a General Fund reserve 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**

## **CONSENT CALENDAR**

### **5. WARRANTS AND AUDITED CLAIMS (Administrative Services) (*Action*)**

This motion receives and files warrants and audited claims for June 25<sup>th</sup>, 2009 – July 9<sup>th</sup>, 2009.

### **6. CONSIDERATION OF ADOPTION OF RESOLUTION OF THE CITY COUNCIL / BOARD OF DIRECTORS CONTINUING THE FY 08-09 BUDGET TO AUGUST 26, 2009 (Administrative Services) (*Action*)**

It is recommended that the City Council / Board Directors Adopt a Resolution Continuing the FY 08-09 Budget to August 26, 2009.

## **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 July 17, 2009

/s/ Tamara Taylor, Deputy City Clerk