



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
NOVEMBER 12, 2008
7:00 PM
City Council Chambers, City Hall, 201 W. Sierra Avenue

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

City Council Agenda and Minutes can be viewed at the City's website: 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: 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) 665-3623 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 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.

6:30 PM CLOSED SESSION

CALL TO ORDER (CITY COUNCIL CHAMBERS)

ADJOURNMENT TO CLOSED SESSION (CITY MANAGER'S OFFICE)

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

Agency Designated Representative: Mayor Pat Gilardi or Council Member designee

Unrepresented Employee: City Manager

7:00 PM (REGULAR SESSION)

CALL TO ORDER OF REGULAR CITY COUNCIL MEETING

ROLL CALL

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

**1. APPROVAL OF MINUTES OF OCTOBER 22, 2008 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA
(Action)**

APPROVAL OF FINAL AGENDA

CITY MANAGER'S REPORT

- Introduction of Shiko Njuno, Engineering Technician

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.

COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS (Discussion)

ORAL AND WRITTEN COMMUNICATIONS

ANNOUNCEMENTS

The full Fall/Winter Recreation Schedule can be viewed on the City's website at www.ci.cotati.ca.us To request a paper copy please feel free to call the Recreation Department at 792-4600 ext. 669.

STUDENT HONORARY MAYOR REPORT

Antonia Pearson of Rancho Cotate High School will provide a verbal report to Council.

2. PROCLAMATIONS

COMMENDING COTATI CHAMBER OF COMMERCE

COMMENDING ACCORDION FESTIVAL

CONSENT CALENDAR

Matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

- 3. APPROVAL FOR THE COTATI CHAMBER OF COMMERCE TO HOST AN “ELEGANT EVENING” EVENT IN DOWNTOWN COTATI INVOLVING A HORSE DRAWN CARRIAGE AND THE USE OF ELEVEN PARKING SPACES THROUGHOUT THE DOWNTOWN AREA AS CARRIAGE STOPS (Police) (Action)**

This motion approves the use eleven parking spaces in three different locations of downtown Cotati as carriage stops for a horse drawn carriage on Saturday December 6, 2008 between the hours of 4:00 PM and 8:00 PM for the 2nd Annual “Elegant Event.”

- 4. CONSTRUCTION OBSERVATION AND PROJECT MANAGEMENT SERVICES, EAST COTATI AVENUE IMPROVEMENTS PROJECT (Public Works/Engineering) (Action)**

This resolution authorizes the City Manager to execute the Construction Observation and Project Management Services Agreement with Green Valley Consulting Engineers for the East Cotati Avenue Improvements Project for an amount not to exceed \$58,130.

- 5. REGIONAL CLIMATE PROTECTION CHARTER (City Manager) (Action)**

This resolution supports the creation of a Regional Climate Protection Coordination Plan and authorizes the City Manager to take actions as necessary including the execution of any documents to carry out the intent of this resolution.

PUBLIC HEARING

- 6. ADOPTION OF AN URGENCY ORDINANCE AMENDING CHAPTER 15.04 (FLOODPLAIN MANAGEMENT) OF TITLE 15 OF THE COTATI MUNICIPAL CODE, AND PROVIDING FOR THE REGULATION OF PROPERTIES LOCATED WITHIN FLOOD PRONE, MUDSLIDE (I.E. MUDFLOW) OR FLOOD RELATED EROSION AREAS OF THE CITY (Public Works/Engineering) (Action)**

It is recommended that the Council adopt an urgency ordinance amending Chapter 15.04 of Title 15 of the Cotati Municipal Code, thereby updating Cotati’s existing Floodplain Management Ordinance and ensuring continued compliance with the National Flood Insurance Program.

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

CONSENT CALENDAR

7. WARRANTS AND AUDITED CLAIMS FOR OCTOBER 8TH, 2008 – OCTOBER 23, 2008 (Administrative Services) (Action)

This motion receives and files warrants and audited claims for October 8th, 2008 – October 23, 2008.

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

CITY COUNCIL REPORTS AND COMMENTS

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 November 7, 2008.

Deputy City Clerk

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Subject to approval.



**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
OCTOBER 22, 2008
7:00 PM
City Council Chambers, City Hall, 201 W. Sierra Avenue**

7:00 PM (REGULAR SESSION).

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: Guardino, Minnis, Orchard and Mayor Gilardi

Staff present: Hayes, Lustig, Rudnansky, Taylor, Thompson

Mayor Gilardi announced that Geoff Fox has resigned from the City Council due to relocation outside of the city limits.

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 SEPTEMBER 24, 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 Councilmember Minnis and passed unanimously to approve the minutes of the September 24, 2008 regular meeting as presented.

APPROVAL OF FINAL AGENDA

Item 8 (Bicycle and Pedestrian Master Plan was continued to December 10, 2008

CITY MANAGER'S REPORT

- City Manager Dianne Thompson reported that she had returned from vacation; Administrative Services Director Jone Hayes was Acting City Manager in her absence. City Manager Thompson further stated that the demonstration garden site preparation is on schedule and that planting will be done by volunteers on November 14th and 15th.

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Subject to approval.

CITIZEN BUSINESS

Jenny Blaker, representing Cotati Creek Critters, reported a successful creek cleanup event on October 11 and noted that creek stewardship would soon recommence.

Neil Hancock requested a presentation on the Bicycle and Pedestrian Master plan when it comes before Council.

Robert Coleman-Senghor addressed the Council regarding his concerns about obtaining information from the city as a City Council candidate and as a citizen. He discussed interaction between police officers and our citizens and requested that a 'frequently asked questions' section be put on the City's website.

George Barich of Cotati requested behavior guidelines for the City Council meeting audience.

Mayor Gilardi responded to Mr. Barich, explaining that she is able to see the audience from the dais and if needed, would direct that distracting conversations in the audience be moved outside the Chambers. Councilmembers have an alert button on the dais to alert the Police Department should they feel that they or anyone else is threatened and she would ask that an officer be present during discussion of items where she believes that emotions might run high.

City Manager Thompson responded to Mr. Coleman-Senghor that staff will respond immediately to questions to the extent that they have the information available; other questions are routed to the City Manager so that the information can be provided to all candidates.

Administrative Services Director Jone Hayes noted that an 'FAQ' section for the website is being reviewed for cost and staff time.

COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS (*Discussion*)

Councilmember Minnis asked about the status of water bill review.

Staff responded that a review of water bills is on a future agenda; the Capital Improvement Program (CIP) needed to be updated before a rate study could commence. The CIP update is near completion and the rate study is underway.

ORAL AND WRITTEN COMMUNICATIONS

ANNOUNCEMENTS

"Halloween in Cotati" Friday, Oct 24 6:00 – 9:00 p.m. at the Ray Miller Community Center. Come join the fun with Halloween treats, crafts and games. Activities for all age groups, even a haunted house! This evening is in partnership with the City of Cotati Recreation Dept, assorted Sonoma State University clubs and Thomas Page PTA. If you would like to help with the decorations, please call 792-4600, ext 640/669. Costumes are encouraged for all ages... please nothing too scary!!

DRAFT

Subject to approval.

Redwood Writers Present: “Writers of the West” Saturday, Oct 25 1:30 – 3:30 p.m. at the Ray Miller Community Center in the Stony Point Room. Hear poems, stories, and essays written and read by local authors. Chat with these writers and other folks interested in reading and writing.

The full Fall/Winter Recreation Schedule can be viewed on the city’s website at www.ci.cotati.ca.us To request a paper copy please feel free to call the Recreation Department at 792-4600 ext. 669.

A Cotati Community Cleanup event for fall is scheduled for Saturday & Sunday, November 1st & 2nd from 9:00 a.m. to 3:00 p.m. This event is for Cotati residents and will take place in the Park N’ Ride Lot (St. Josephs Way). For more information call 800-243-0291 or visit www.unicycler.com.

STUDENT HONORARY MAYOR REPORT

No report.

CITY HIRING PRACTICES REPORT

Jone Hayes, Director of the Administrative Services Department, provided an update on City hiring practices.

Councilmember Minnis indicated that she would like to see the personnel rules. She requested that temporary employees and interns be hired for a specific time limit and that the Council be notified when intern positions are made permanent. She requested hiring priority for volunteers and Community and Environment Commission and expressed concern that police positions hired with grant funding continue employment when the grant funding is no longer available. She asked that this item to come back to Council with written hiring standards.

Mayor Gilardi opened the floor to public comments; there being no one wishing to speak, she closed the public comment period.

Discussion ensued regarding the standardization of hiring practices over the past two years, temporary employees and part-time temporary employees with specialized experience, such as the building official.

Council concurred to calendar this item on a future agenda and asked that the employee memorandum of understanding and the employee rules and regulations be provided.

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Subject to approval.

2. DOG FOCUS GROUP REPORT

Recreation Manager Terry Dutra presented the recommendations of the Dog Focus Group, including establishing off-leash hours in Putnam Park and Draper Park for a six-month trial period.

Responding to a question from Council, she described various possible water sources in parks for dogs.

Mayor Gilardi opened the floor to public comments.

An unidentified speaker objected to the amount of dog waste on the creek path.

Jenny Blaker of Cotati asked if the Council could prevent people from letting their dogs run into the creek.

George Barich of Cotati discussed various methods of enforcing the leash law. He opposed brochures in the parks during winter. He indicated his belief that Cotati's leash law is archaic.

Susan Harvey of Cotati spoke in support of the trial off-leash hours proposed by the dog focus group.

Robert Coleman-Senghor discussed his experience with dogs and expressed support for the leash law. He expressed concern for dogs running loose where kids play soccer. He supports separate area for dogs and asked if the sunset closing time will be enforced in Putnam park

Robin Birdfeather of Cotati indicated support for the leash law or a separate area for dogs.

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

Discussion ensued regarding the proposed off-leash hours trial and the other recommendations of the focus group. Council concurred with the group's recommendations and directed that, should the trial period be successful, this item would return to Council for approval for permanent off-leash hours.

3. PROCLAMATIONS

Mayor Gilardi presented Robert Abramson, Membership Chair for the United Nations Association of Sonoma County with a proclamation declaring October 24, 2008 'United Nations Day'. Mr. Abramson distributed information about upcoming U.N. Day events and presented Mayor Gilardi with a United Nations flag to be flown at City Hall during this week in observance of United Nations Day.

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Subject to approval.

CONSENT CALENDAR

Items 5 and 7 were pulled from the Consent Calendar for discussion.

Councilmember Minnis recused herself from item 7 because her business is located within 500 feet of the subject site.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed unanimously to approve items 4 and 6 on the Consent Calendar.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed 3-0-1 (Councilmember Minnis abstaining) to approve item 7 on the Consent Calendar.

4. ADOPTION OF A RESOLUTION ESTABLISHING AN IDENTITY THEFT PREVENTION PROGRAM (Administrative Services) (Action)

Resolution No. 08-71 entitled: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ESTABLISHING AN IDENTITY THEFT PREVENTION PROGRAM

5. AUTHORIZATION OF HOLIDAY SCHEDULE FOR CITY HALL (City Manager)(Action)

City Manager Thompson presented the staff report.

Mayor Gilardi opened the floor to public comments.

George Barich of Cotati requested that the 2nd meeting in December be rescheduled as a workshop to discuss city finances.

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

Moved by Councilmember Orchard, seconded by Councilmember Minnis and passed unanimously to implement a holiday schedule for City Hall consisting of the cancellation of the regular City Council meeting of December 24, 2008 and the closure of City Hall during the period of December 22, 2008 through January 2, 2009.

6. BIENNIAL UPDATE OF THE CITY OF COTATI'S CONFLICT OF INTEREST CODE (City Manager) (Action)

Resolution No. 08-72 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI RESCINDING RESOLUTION NO. 06-82 AND AMENDING THE CONFLICT OF INTEREST CODE

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Subject to approval.

7. AWARD OF THE EAST COTATI AVENUE IMPROVEMENTS, PROJECT NO. E06-25B TO GHILOTTI CONSTRUCTION COMPANY (Public Works/Engineering) (Action)

Resolution No. 08-73 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING THE LOWEST RESPONSIBLE AND RESPONSIVE BID FOR THE EAST COTATI AVENUE IMPROVEMENTS, PROJECT NO. E06-25B AND LETTING THE CONTRACT FOR CONSTRUCTION TO GHILOTTI CONSTRUCTION COMPANY

PUBLIC HEARING

8. ADOPTION OF BICYCLE AND PEDESTRIAN MASTER PLAN (Community Development) (Action)

This item was continued to December 10, 2008.

Mayor Gilardi called a recess at 8:20 p.m., reconvening at 8:30 p.m.

REGULAR AGENDA

9. MEMORANDUM OF UNDERSTANDING WITH NISSAN MOTOR COMPANY, LTD. AND NISSAN NORTH AMERICA, INC. (NISSAN) (Public Works/Engineering) (Action)

City Engineer/Director of Public Works Damien O'Bid presented the staff report and responded to questions from the Council regarding why an American car company has not been considered, noting that other car companies have not proposed similar programs that would offer the possibility or reduced cost of vehicles and would assist the city in reducing greenhouse gasses by 2010, which it is mandated to do.

Mayor Gilardi opened the public comment period.

George Barich of Cotati expressed concern regarding staff time spent in discussion with Nissan and that there will be more companies coming to the city and wanting to talk. Preference should be given to local vendors.

Robert Coleman-Senghor noted that Sonoma State University has an agreement with Pepsi so you can't buy Coca Cola on campus. He wants to be sure that people can be informed that the cars work properly. He said Sebastopol has an agreement and we should look at what happens there.

Neil Hancock of Cotati expressed support for the confidentiality agreement.

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

Discussion ensued regarding the proposal; the majority of Councilmembers concurred in support. Councilmember Minnis expressed opposition. She requested that the city postpone

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Subject to approval.

discussions with Nissan and wait for American car company and suggested that the City of Vacaville be contacted about their program.

Damien clarified that discussions would be with 8 Sonoma County cities and that any proposal would return to Council. He noted that there are many good ideas to reduce emissions, including Sebastopol's electric ride program.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed 3-1-0 (Councilmember Minnis voting no) to adopt **Resolution No. 08-74** entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING WITH NISSAN ON BEHALF OF THE CITY OF COTATI

10. FIFTH AMENDMENT TO THE MASTER AGREEMENT FOR THE USE OF SANTA ROSA SUBREGIONAL SEWERAGE SYSTEM (Public Works/Engineering) (Action)

City Engineer/Director of Public Works Damien O'Bid presented the staff report and narrated a visual presentation. He introduced Dan Carlson of the City of Santa Rosa who narrated a presentation of the overall subregional water recycling system.

Mayor Gilardi opened the public comment period.

George Barich asked what other options were available to the Council this evening.

Robert Coleman-Senghor asked for clarification on the budget concerns, and technical terms such as 'diffuser'. He asked why Cotati is paying for capacity it is not meeting.

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

City Engineer O'Bid clarified that a diffuser slows and spreads out the effluent flow into the river. The rates noted are not the rates that Cotati citizens would pay for water; they are what the City would pay. The cost to citizens would be reviewed during the sewer rate study discussion.

Mr. Carlson said that all of the previous agreements have been unanimously signed. If Council disagreed with the amendment it would be returned to the TAC (made up of City Engineers) with direction to staff regarding how the agreement would be modified. Responding to a question from Council he explained CalPine's bankruptcy.

Moved by Councilmember Orchard, seconded by Councilmember Minnis and passed unanimously to authorize the Mayor to sign the Fifth Amendment to the Master Agreement for the Use of Santa Rosa Subregional Sewerage System on behalf of the City of Cotati.

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Subject to approval.

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 reconvened the joint meeting at 9:25 p.m.

CONSENT CALENDAR

Administrative Services Director Hayes responded to questions regarding K-9 t-shirts.

Moved by Councilmember Minnis, seconded by Vice Mayor Guardino and passed unanimously to adopt item 11 on the Consent Calendar.

11. WARRANTS AND AUDITED CLAIMS FOR SEPTEMBER 10, 2008 – OCTOBER 8TH, 2008 (Administrative Services) (Action)

Motion to receive and file warrants and audited claims for September 10, 2008 – October 8th, 2008.

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

Mayor Gilardi adjourned the joint meeting and reconvened the regular meeting at 9:27 p.m.

CITY COUNCIL REPORTS AND COMMENTS

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

Councilmember Orchard reported that she had received a request to become a government partner in the Climate Protection Campaign's Climate All-Stars conference taking place on Friday November 7. The cost of the partnership is \$200. Council concurred to partner in the event.

ADJOURNMENT OF REGULAR CITY COUNCIL MEETING

Mayor Gilardi adjourned the regular meeting at 9:37 p.m.

Respectfully Submitted,

Tamara Taylor, Deputy City Clerk

**PROCLAMATION OF THE CITY COUNCIL OF THE
CITY OF COTATI COMMENDING THE
COTATI CHAMBER OF COMMERCE**



WHEREAS, the Chamber of Commerce of the City of Cotati is a notable organization of the City of Cotati; and

WHEREAS, the Chamber of Commerce promotes the City and local businesses to visitors to and residents of the City of Cotati; and

WHEREAS, the Chamber of Commerce works with local businesses and service clubs to promote City and Chamber events and activities including the annual Farmers Market, Jazz Festival and Oktoberfest; and

WHEREAS, the Chamber Board, staff, sponsors, volunteers, and participants in the Chamber of Commerce events utilize their time and talent to make these events a true success; and

WHEREAS, the citizens of Cotati appreciate the efforts of the Chamber of Commerce and wish to recognize them for their commitment to community service.

THEREFORE LET IT BE PROCLAIMED that the City Council of the City of Cotati hereby recognizes the efforts of the Cotati Chamber of Commerce for their hard work and dedication to the City of Cotati.

Dated: November 12, 2008

Approved: _____
Pat Gilardi, Mayor

**PROCLAMATION OF THE CITY COUNCIL OF THE
CITY OF COTATI COMMENDING THE
COTATI ACCORDION FESTIVAL**



WHEREAS, the Cotati Accordion Festival is a notable feature of the City of Cotati; and

WHEREAS, the Cotati Accordion Festival attracts visitors from around the world to the City of Cotati; and

WHEREAS, the Cotati Accordion Festival has provided entertainment to residents and visitors annually for eighteen years; and

WHEREAS, the staff, volunteers and participants in the Cotati Accordion Festival utilize their time and talent to make these events a true success; and

WHEREAS, the citizens of Cotati appreciate the efforts of the Cotati Accordion Festival staff, volunteers and participants and wish to recognize them for their commitment to community service.

THEREFORE LET IT BE PROCLAIMED that the City Council of the City of Cotati hereby recognizes the efforts of the Board of Directors and staff of the Cotati Accordion Festival for their hard work and dedication to the City of Cotati.

Dated: November 12, 2008

Approved: _____
Pat Gilardi, Mayor

City Council Agenda Consent Calendar

Subject: Approval for the Cotati Chamber of Commerce to host an “Elegant Evening” event in downtown Cotati involving a horse drawn carriage and the use of eleven parking spaces throughout the downtown area as carriage stops.

Date: November 12, 2008

Written By: Robert Stewart, Chief of Police

RECOMMENDATION:

It is recommended that the City Council adopt a motion to approve the use eleven parking spaces in three different locations of downtown Cotati as carriage stops for a horse drawn carriage on Saturday December 6, 2008 between the hours of 4:00 PM and 8:00 PM for the 2nd Annual “Elegant Event.”

Background:

On December 6, 2008 the 2nd Annual “Elegant Evening” will be hosted by the Cotati Chamber of Commerce in conjunction with several downtown businesses. The event will involve the use of a horse drawn carriage.

Analysis/Discussion:

The Cotati Chamber of Commerce and several downtown businesses have organized the “Elegant Evening” event in an effort to increase shopping and dining in the downtown area during the holiday season. The primary attraction of this event will be a horse drawn carriage which will be used to provide rides between three carriage stops, providing access to the downtown shopping and dining area. This event is being provided free of charge to the public.

As a result of this event, a total of eleven parking spaces in three sections of downtown will need to be designated as “No Parking” zones on December 6, 2008 between 4:00 PM and 8:00 PM. Posting of this area will need to be completed by Public Works Department staff 24 hours in advance to comply with State law.

The horse drawn carriage will be equipped with a red light to the rear and a white light at its front. There will be two turn around locations for the carriage. The first will be at the

intersection of West Cotati Avenue and La Plaza and the second will be at the intersection of Old Redwood Highway and Page Street. There will be volunteers stationed at each carriage stop, roadway crossing, and at the turn around locations to ensure public safety.

The Cotati Chamber of Commerce will be required to provide evidence of insurance coverage sufficient to meet the requirements set forth by the City's insurance pool. The Chamber of Commerce must also provide at least one volunteer at each carriage stop, roadway crossing, and turn around location whose sole job will be to ensure public safety. All volunteers assigned to safety shall wear a reflective vest which will be provided by the Police Department.

Financial Considerations:

Public Works Department staff will be required to post "No Parking" signs at least 24 hours in advance of the event and to distribute barricades/cones at each carriage stop to allow for them to be blocked off as needed during the event.

Environmental Issues:

None

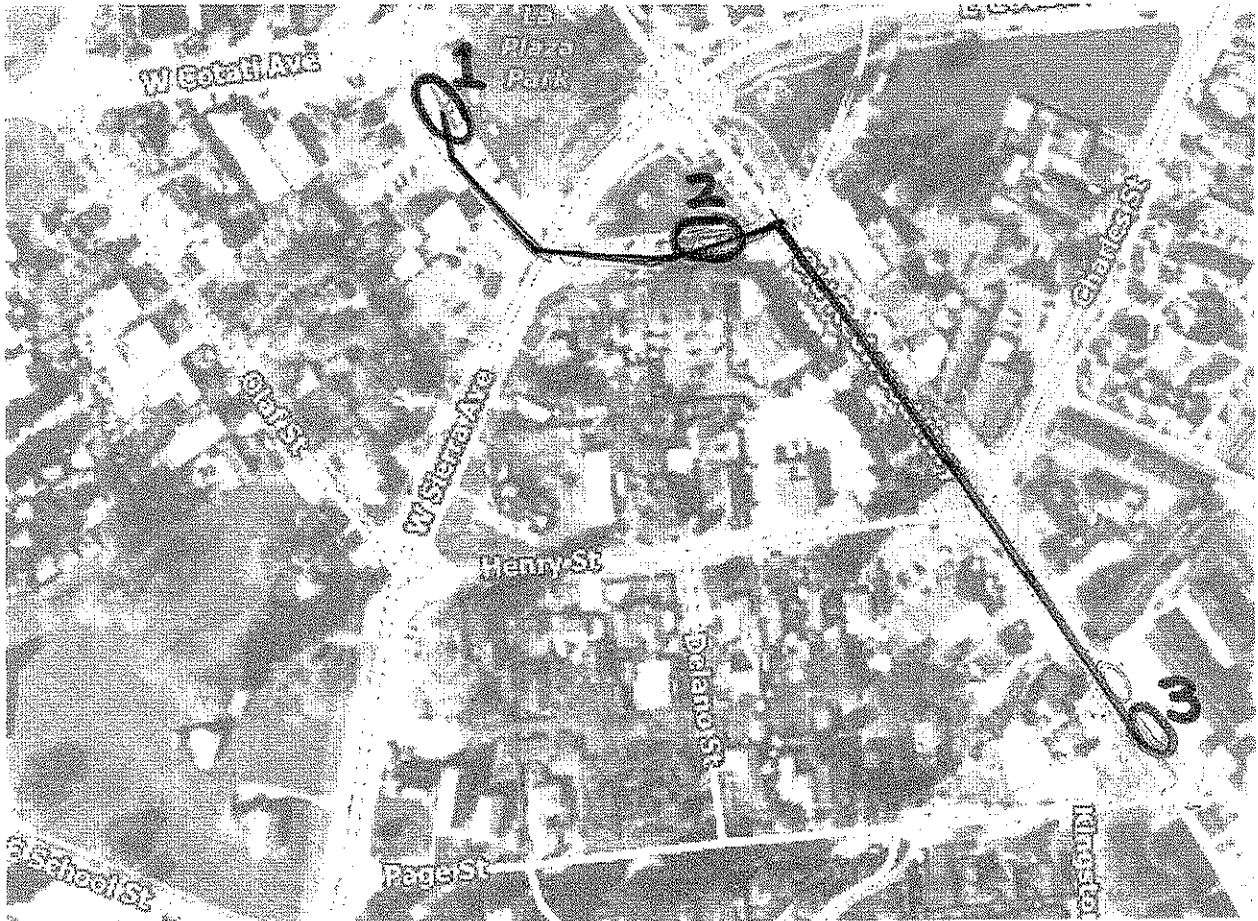
Attachment:

Horse and Carriage route map.

Horse and Carriage Route Map
Saturday December 6 4 - 8 PM
Elegant Evening, Downtown Holiday Shopping Night

Carriage stops. Each stop will require the use of parking spaces that will be blocked off. Each stop and intersection will have lighting and volunteers to ensure public safety.

- #1 - Starting on La Plaza in front of The Apple Crate. (using parking spaces adjacent to the park)
- #2 - 1818 La Plaza in front of Radiant Skin Spa (using parking spaces directly across from building)
- #3 - Old Redwood Hwy in front of Copy Mail & more (using parking spaces directly in front of building.)



Thank you for your help.

For additional information please contact:

- Louise Petersen 664-1469
- Sandy Knottenbelt 888-1142
- Suzanne Whipple 795-5508

City Council Agenda Consent Calendar

Subject: Construction Observation and Project Management Services, East Cotati Avenue Improvements Project

Date: November 12, 2008

Written by: Damien O'Bid, City Engineer / Director of Public Works

Recommendation

It is recommended that the Council adopt a resolution authorizing the City Manager to execute the Construction Observation and Project Management Services Agreement with Green Valley Consulting Engineers for the East Cotati Avenue Improvements Project for an amount not to exceed \$58,130.

Background

On October 22, 2008, the City Council awarded the East Cotati Avenue Improvements Project to Ghilotti Construction. The administration of this construction contract requires review of a variety of submittals, including product submittals, requests for information, requests for payment, and processing any required change orders. In addition, this project will require regular on-site observation to ensure general conformance with the contract requirements, organization of weekly field meetings, and responding to various information requests by the public.

Green Valley Consulting Engineers (Green Valley) offers both construction observation and construction administration services, which they proposed to do for a fee not to exceed \$58,130. Other construction observation consultants contacted were not able to provide services at this time due to other obligations.

In accordance with Title 2, Chapter 2.12.122 (Approve and sign contracts) of the Cotati Municipal Code, this agreement exceeds the City Managers signing authority of \$25,000, so it therefore must be brought before the City Council for consideration.

Analysis/Discussion

Administration of construction contracts is time intensive, which detracts from the limited staff time available to work on other critical or required tasks. When construction is administered by

a consultant, City staff are still extensively involved in the construction process, but are free from the daily routine tasks that consume significant time.

Although the contract time is 6 months, it is expected that active construction will occur over approximately 3 months. Of the 3 months, on-site construction observation will be approximately half-time for 2 months and full time for 1 month. Full time inspection will be necessary during the roadway rehabilitation and overlay portions of the work due to the fast pace and staffs desire for continuous observation to ensure the desired work quality. The proposed scope of work with Green Valley reflects this projected level of effort.

Financial Considerations

The professional services agreement will be funded out of the Redevelopment Agency's Tax Allocation Bond (TAB) fund (Fund 36, Department 900), which includes \$1,422,300 for the East Cotati Avenue Improvements Project in the adopted FY 08-09 budget. The lowest responsible and responsive bid for the construction work came in at \$899,026, which was significantly lower than the engineer's estimate of \$1,214,310. Therefore, the combined construction bid and construction observation services are still significantly under the total budgeted amounts.

Environmental Issues

None.

Attachments:

1. Proposed resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONSTRUCTION OBSERVATION AND PROJECT MANAGEMENT SERVICES AGREEMENT WITH GREEN VALLEY CONSULTING ENGINEERS FOR THE EAST COTATI AVENUE IMPROVEMENTS PROJECT FOR AN AMOUNT NOT TO EXCEED \$58,130.

WHEREAS, on October 22, 2008, the City Council authorized staff to award the East Cotati Avenue Improvements Project to Ghilotti Construction; and

WHEREAS, the administration of this construction contract requires review of a variety of submittals, including product submittals, requests for information, requests for payment, processing any required change orders, regular on-site observation to ensure general conformance with the contract requirements, organization of weekly field meetings, and responding to various information requests by the public; and

WHEREAS, City staff do not have sufficient time to conduct the routine tasks necessary to administer this construction project; and

WHEREAS, Green Valley Consulting Engineers (Green Valley) offers both construction observation and construction administration services, which Green Valley proposed to do for a fee not to exceed fee \$58,130.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cotati that the City Manager is authorized to execute an agreement for Construction Observation and Project Management Services with Green Valley for a fee not to exceed \$58,130.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly introduced and legally adopted at a regular meeting of the City Council of the City of Cotati held on the 12th day of November, 2008 by the following vote, to wit:

GILARDI _____
GUARDINO _____
MINNIS _____
ORCHARD _____

Approved: _____
Mayor

Attest: _____
Deputy City Clerk

Approved as to form:

City Attorney

City Council Agenda Consent Calendar

Subject: Regional Climate Protection Coordination Plan

Date: November 12, 2008

Written by: Dianne Thompson, City Manager

Recommendation

It is recommended that the Council adopt a resolution supporting the creation of a Regional Climate Protection Coordination Plan and authorizes the City Manager to take actions as necessary including the execution of any documents to carry out the intent of this resolution.

Background

In October 2004, the Council adopted resolution 04-88, which set a Greenhouse Gas (GHG) reduction goal for municipal operations of 20% over 2000 levels by 2010. On July 23, 2008, the City Council took further actions towards GHG reductions by adopting a motion to approve the Climate Protection Charter and Organizational structure and approving Resolution No. 08-62, adopting the Greenhouse Gas Emissions Reduction Action Plan Analysis Plan B (GHG Plan).

Other cities and agencies in the region are also committed to the reduction of greenhouse gas emissions and climate protection. In an effort to organize and streamline regional climate protection issues, local elected and administrative leaders have proposed a regional coordination plan.

Analysis/Discussion

Since the Regional Climate Protection Coordination Plan (RCPCP) was approved by the Council last July, the document has been modified. That is the reason the document is being brought back to Council for consideration.

Just as Cotati has set a greenhouse gas emission reduction goal for municipal operations, the RCPCP proposal does much the same on a county-wide level. The mission statement for the plan is to organize and focus all county-wide efforts to reduce greenhouse gas (GHG) emissions in Sonoma County to 25% below 1990 levels by the year 2015. The scope of the RCPCP includes:

- GHG emission reduction
- Energy efficiency/conservation

- Development of renewable energy
- Transportation
- Waste reduction
- Response to AB 32, SB375 and other legislation

The proposed resolution would demonstrate the City's support for the creation of the Regional Climate Protection Coordination Plan and authorizes the City Manager to take action as necessary including the execution of any documents to carry out the intent of this resolution.

Financial Considerations

There are no financial considerations at this time. SCTA will develop the budget for this regional approach and present the anticipated costs and potential funding options in the near future. At that point, the Council will be asked if they want to continue to participate in the RCPCP and contribute funding accordingly.

Environmental Issues

None.

Attachments:

1. Proposed resolution
2. RCPCP Executive Summary and Organizational Structure

DT:tt

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI SUPPORTING A REGIONAL CLIMATE PROTECTION COORDINATION PLAN AND AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY FOR ITS COMPLETION

WHEREAS, in October 2004, the Council adopted resolution 04-88, which set a Greenhouse Gas (GHG) reduction goal for municipal operations of 20% over 2000 levels by 2010; and

WHEREAS, the City has been mandated to implement GHG reduction measures by 2010 with a minimal impact to the General Fund; and

WHEREAS, on July 23, 2008, the City Council adopted a motion to approve the Climate Protection Charter and Organizational structure; and

WHEREAS, on July 23, 2008, the City Council approved Resolution No. 08-62, adopting the Greenhouse Gas Emissions Reduction Action Plan Analysis Plan B (GHG Plan) which identified a total of 27 individual measures combined into 5 action plans that could result in net GHG emission reductions of 23% or more; and

WHEREAS, the Regional Climate Protection Coordination Plan's goals are to reduce greenhouse gas emissions, promote energy efficiency, the development of renewable energy, alternative transportation, waste reduction and respond to legislation on a county-wide level; and

WHEREAS, the City has an opportunity to "lead by example" in promoting the Regional Climate Protection Coordination Plan.

WHEREAS, the Regional Climate Protection Coordination Plan will include and account for the reduction measures already implemented by the constituent entities; and,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cotati supports the creation of a Regional Climate Protection Coordination Plan.

BE IT FURTHER RESOLVED that the City Council of the City of Cotati hereby authorizes the City Manager to take actions as necessary to carry out the intent of this resolution.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly introduced and legally adopted at a regular meeting of the City Council of the City of Cotati held on the 12th day of November, 2008 by the following vote, to wit:

GILARDI _____
GUARDINO _____
MINNIS _____
ORCHARD _____

Approved: _____
Mayor

Attest: _____
Deputy City Clerk

Approved as to form:

City Attorney

REGIONAL CLIMATE PROTECTION COORDINATION PLAN (RCPCP) EXECUTIVE SUMMARY

Mission Statement

To organize and focus all County-wide efforts to reduce greenhouse gas emissions in Sonoma County to 25% below 1990 levels by the year 2015.

Overview

The RCPCP was conceived by the local administrative and elected leaders of Sonoma County to strategically address the issues related to climate change. The formation of this structure is in response to our obligation as stewards of the public resources to achieve effective results in a cost efficient manner. These resources include cultural, environmental, and fiscal. The RCPCP also recognizes and incorporates the individual actions taken by each entity within the county.

For the beginning and near term, the RCPCP effort will be implemented under the auspices of the Sonoma County Transportation Authority which will serve at its Policy Committee. This is viewed to be an expeditious and logical place to start. This "home" may change in the future as conditions dictate. The Policy Advisory Committee of SCTA for the RCPCP shall produce a report on the RCPCP progress to date within one year. The report will be issued to involved cities and the County with a request to give governing body direction to their Mayor or Chair in time for a decision to be made on future Policy Committee structure at the January 2010 meeting of the Sonoma County Mayors' and Councilmembers' Association.

Project Scope

The RCPCP aims to embrace the following key issues and challenges facing all entities and residents of Sonoma County:

- GHG emission reduction
- Energy efficiency/conservation
- Development of renewable energy
- Transportation
- Waste Reduction
- Response to AB 32, SB 375, and other legislation.

Plan Phases

The RCPCP is broken into three phases.

Phase I: Planning (October 2008 - December 2008). Elements include:

- Scope of work
- Resource identification
- Task identification
- Timeline
- Budget development

Review and approval of draft work products by involved local governments. Review and comment by public and involved CBO's – Climate Protection Campaign, Solar Sonoma County, Sonoma County Alliance, etc.

Phase II: Plan Development (January 2009 – December 2009). Elements may include:

- Outreach to relevant entities
- Review of existing inventories and inventory of actions taken to date
- Identification of best practices
- Identification and test flights of measurement system
- Identification of legislative requirements
- Analysis of proposed actions
- Development of an implementation work plan with timelines
- Grant identification for group or individual implementation

Review and approval of draft work products by involved local governments. Review and comment by public and involved CBO's – Climate Protection Campaign, Solar Sonoma County, Sonoma County Alliance, etc.

Phase III: Implementation (January 2010 – and on-going). Elements may include:

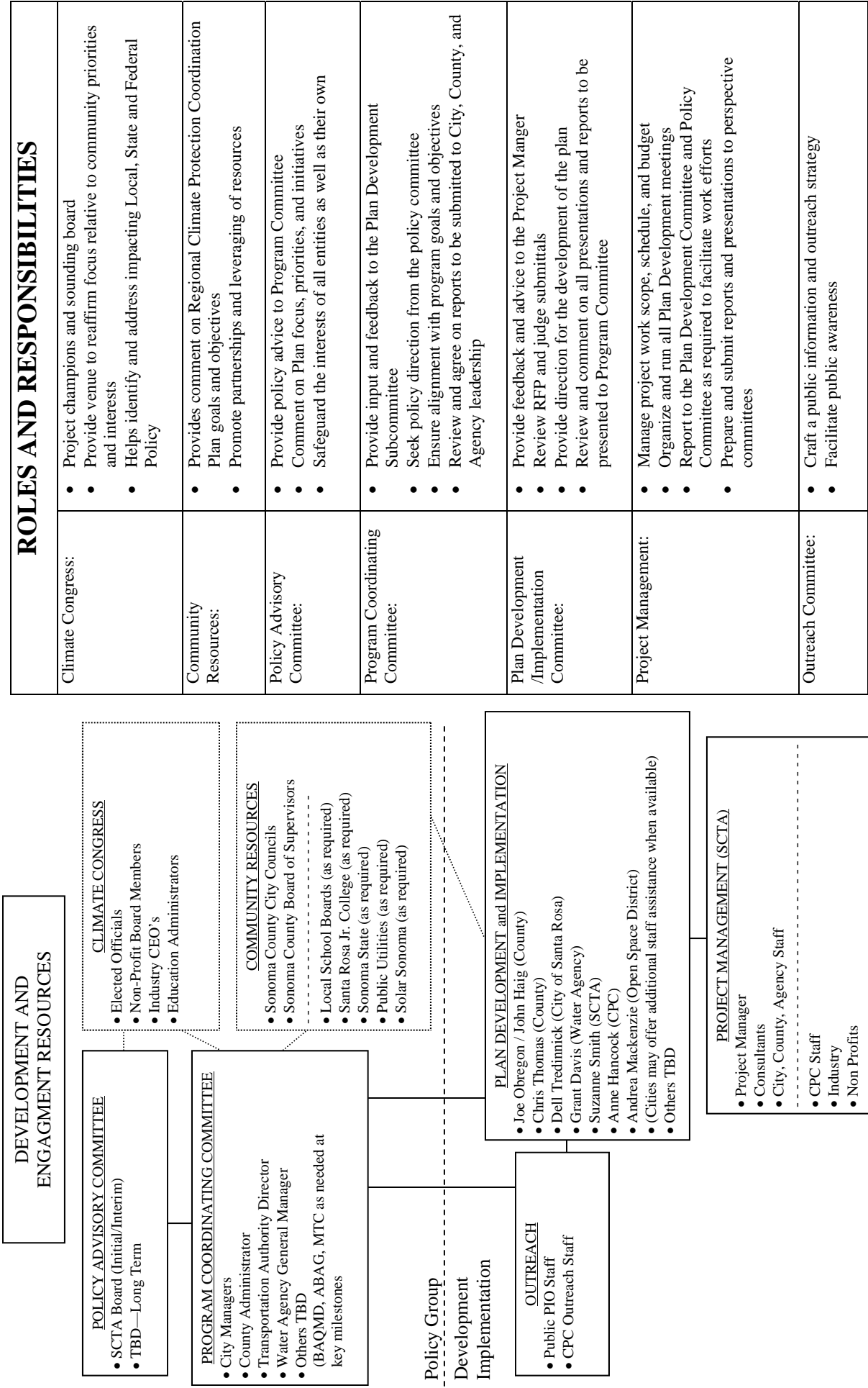
- Continued outreach initiatives
- Refinement of existing relevant policies and best practices
- Response to existing and emerging legislation
- Development of new actions
- Review of actions taken
- Full quantification of actions taken
- Continued implementation efforts

This Plan provides a coherent framework to harness the tools, resources, and energy needed to effectively implement its elements, measure success, and make course corrections. The Plan is designed to serve all cities and the county. By pooling our expertise and scarce resources, all will benefit from the resources and knowledge gained as a whole.

The RCPCP will involve all County-wide or regional stakeholders who have a role in the production, reduction, and measurement of GHG emissions. Because this is a very broad and diverse group, the plan has identified key players/groups that can effectively represent categories and successfully implement the work items to achieve the results we need.

Regional Climate Protection Coordination Plan

-Draft-



ROLES AND RESPONSIBILITIES

Climate Congress:	<ul style="list-style-type: none"> Project champions and sounding board Provide venue to reaffirm focus relative to community priorities and interests Helps identify and address impacting Local, State and Federal Policy
Community Resources:	<ul style="list-style-type: none"> Provides comment on Regional Climate Protection Coordination Plan goals and objectives Promote partnerships and leveraging of resources
Policy Advisory Committee:	<ul style="list-style-type: none"> Provide policy advice to Program Committee Comment on Plan focus, priorities, and initiatives Safeguard the interests of all entities as well as their own
Program Coordinating Committee:	<ul style="list-style-type: none"> Provide input and feedback to the Plan Development Subcommittee Seek policy direction from the policy committee Ensure alignment with program goals and objectives Review and agree on reports to be submitted to City, County, and Agency leadership
Plan Development /Implementation Committee:	<ul style="list-style-type: none"> Provide feedback and advice to the Project Manger Review RFP and judge submittals Provide direction for the development of the plan Review and comment on all presentations and reports to be presented to Program Committee
Project Management:	<ul style="list-style-type: none"> Manage project work scope, schedule, and budget Organize and run all Plan Development meetings Report to the Plan Development Committee and Policy Committee as required to facilitate work efforts Prepare and submit reports and presentations to perspective committees
Outreach Committee:	<ul style="list-style-type: none"> Craft a public information and outreach strategy Facilitate public awareness

City Council Agenda Public Hearing

Subject: Adoption of an urgency ordinance amending Chapter 15.04 (Floodplain Management) of Title 15 of the Cotati Municipal Code, and providing for the regulation of properties located within flood prone, mudslide (i.e. mudflow) or flood related erosion areas of the City.

Date: November 12, 2008

Written by: Damien O’Bid, Director of Public Works / City Engineer

Recommendation

It is recommended that the Council adopt an urgency ordinance amending Chapter 15.04 of Title 15 of the Cotati Municipal Code, thereby updating Cotati’s existing Floodplain Management Ordinance and ensuring continued compliance with the National Flood Insurance Program.

Background

The National Flood Insurance Program (NFIP) was created by Congress in 1968 to protect lives and property and to reduce the financial burden of providing disaster assistance. The NFIP is administered by the Federal Emergency Management Agency (FEMA). Nationwide, over 20,000 communities participate in the NFIP, and nearly all of California’s flood-prone communities participate.

The NFIP is based on mutual agreement between the Federal Government and communities, including the City of Cotati (Cotati). Communities that participate agree to regulate floodplain development according to certain criteria and standards. The partnership involves:

1. **Flood Hazard Maps.** FEMA prepares maps that are used by communities, insurance agents, and others.
2. **Flood Insurance.** Property owners in participating communities are eligible to purchase Federal flood insurance for buildings and contents.
3. **Regulations.** Communities must adopt and enforce minimum floodplain management regulations so that development, including buildings, is undertaken in ways that reduce exposure to flooding.

Cotati’s existing floodplain management regulations are found in Title 15, Chapter 15.04 of the municipal code. This ordinance was last updated in 1997, and now requires updating to meet the

minimum requirements of the NFIP. The new Flood Insurance Rate Maps (FIRM) become effective on December 2, 2008, and Cotati is required to update its municipal code ensure continued eligibility in the NFIP for properties within the city limits.

In California, the Department of Water Resources has developed model ordinances for coastal and non-coastal communities to assist in meeting the NFIP requirements. The attached ordinance mirrors the DWR model ordinance, and therefore is compliant with the current NFIP requirements.

To promote “health, safety and welfare” of the residents of Cotati, the attached ordinance can be enacted as an urgency measure pursuant to the Cotati’s police power as granted broadly under Article XI, Section 7 of the California Constitution, and in accordance with Government Code §36937(b) with a four-fifths vote of the City Council.

Analysis/Discussion

The primary revisions to the existing floodplain management regulations (Title 15, Chapter 15.04 of the Cotati Municipal Code) include:

1. Various revisions, deletions and additions to the defined terms
2. Addition of a severability clause
3. Criteria for garages and low cost accessory structures
4. Stricter development requirements for development in floodways
5. Substantial revisions to the variance procedures and the addition of provisions for an appeal board
6. Designating the Director of Public Works as the floodplain administrator, which was previously held by the “building inspector”

In accordance with the Government Code §36931 through §36937, ordinances typically are heard at a public hearing and then adopted at a normal council meeting no less than 5 days following the first hearing. The ordinance would then not take effect until 30 days after adoption. In this case, the City must adopt the updated floodplain management regulations and they must be in effect no later than December 2, 2008. Timely adoption of this ordinance will ensure continued eligibility in the NFIP.

Financial Considerations

None.

Environmental Issues

Updating the floodplain management ordinance will not have a significant effect on the environment because the ordinance will impose greater limitations on development in Cotati, and will thereby serve to reduce potential significant adverse environmental impacts. It is therefore

exempt from California Environmental Quality Act (CEQA) review pursuant to Title 14, Chapter 3, Article 5, Section 15061(b)(3) of the California Code of Regulations.

Attachments:

1. Proposed ordinance.

ORDINANCE NO. _____

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI AMENDING CHAPTER 15.04 (FLOODPLAIN MANAGEMENT) OF TITLE 15 OF THE COTATI MUNICIPAL CODE, PROVIDING FOR THE REGULATION OF PROPERTIES LOCATED WITHIN FLOOD PRONE, MUDSLIDE (I.E. MUDFLOW) OR FLOOD RELATED EROSION AREAS OF THE CITY, AND DECLARING THE URGENCY THEREOF.

WHEREAS, the Federal Emergency Management Agency (FEMA) require the City to update its existing Floodplain Management Ordinance (Ordinance) not later than December 2, 2008, in order for residents of the City of Cotati (Cotati) to be able to continue to participate in the National Flood Insurance Program (NFIP), and;

WHEREAS, participation in the NFIP will result in substantial flood insurance benefits to the citizens of Cotati, and;

WHEREAS, the Ordinance is intended to, and will, promote the public health, safety, and general welfare and minimize public and private losses due to flood conditions in specific areas by updating the municipal code (Attachment A), and applying the provisions uniformly throughout the community to all land located within flood prone, mudslide or flood related erosion areas, and;

WHEREAS, the Ordinance can be enacted as an urgency measure pursuant to the Cotati's police power as granted broadly under Article XI, Section 7 of the California Constitution, in order to promote health, safety and welfare of the residents of the Cotati, and in accordance with Government Code §36937(b) with a four-fifths vote of the City Council.

WHEREAS, the Ordinance will impose greater limitations on development in Cotati, and will thereby serve to reduce potential significant adverse environmental impacts. It is therefore exempt from California Environmental Quality Act (CEQA) review pursuant to Title 14, Chapter 3, Article 5, Section 15061(b)(3) of the California Code of Regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Cotati that the City Council does hereby find that the adoption of this Ordinance, and the regulations established herein, will not have a significant effect on the environment.

BE IT FURTHER RESOLVED by the City Council of the City of Cotati on the basis of the findings that this Ordinance must go into effect immediately pursuant to Government Code §36937(b) in order to preserve public peace, health and safety.

THE CITY COUNCIL OF THE CITY OF COTATI DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals Adopted. The foregoing recitals are true and correct and made a part of this ordinance.

SECTION 2. Title 15 of the City of Cotati Municipal Code is hereby amended in its entirety as follows:

ARTICLE I - STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

15.04.010. STATUTORY AUTHORIZATION.

The Legislature of the State of California has in Government Code Sections 65302, 65560, and 65800 conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City Council of the City of Cotati does hereby adopt the following floodplain management regulations.

15.04.020. FINDINGS OF FACT.

- A.** The flood hazard areas of the City of Cotati are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- B.** These flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities also contributes to flood losses.

15.04.030. STATEMENT OF PURPOSE.

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood prone, mudslide [i.e. mudflow] or flood related erosion areas. These regulations are designed to:

- A.** Protect human life and health;
- B.** Minimize expenditure of public money for costly flood control projects;
- C.** Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D.** Minimize prolonged business interruptions;
- E.** Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;
- F.** Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;

- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

15.04.040. METHODS OF REDUCING FLOOD LOSSES.

In order to accomplish its purposes, this ordinance includes regulations to:

- A. Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Control filling, grading, dredging, and other development which may increase flood damage;
- E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas; and

ARTICLE II - DEFINITIONS

15.04.050. DEFINITIONS.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"**A zone**" - see "**Special flood hazard area**".

"**Accessory structure**" means a structure that is either:

1. Solely for the parking of no more than 2 cars; or
2. A small, low cost shed for limited storage, less than 150 square feet and \$1,500 in value.

"**Accessory use**" means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

"**Alluvial fan**" means a geomorphologic feature characterized by a cone or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition, and channel migration.

"**Apex**" means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

"**Appeal**" means a request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

"**Area of shallow flooding**" means a designated AO or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

"**Area of special flood hazard**" - See "Special flood hazard area."

"**Base flood**" means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood"). Base flood is the term used throughout this ordinance.

"**Base flood elevation**" (BFE) means the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

"**Basement**" means any area of the building having its floor subgrade - i.e., below ground level - on all sides.

"**Breakaway walls**" are any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material which is not part of the structural support of the building and which is designed to break away under abnormally high tides or wave action without causing any damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters. A breakaway wall shall have a safe design loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls must be certified by a registered engineer or architect and shall meet the following conditions:

1. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
2. The elevated portion of the building shall not incur any structural damage due to the effects of wind and water loads acting simultaneously in the event of the base flood.

"**Building**" - see "**Structure**".

"**Coastal high hazard area**" means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. It is an area subject to high velocity waters, including

coastal and tidal inundation or tsunamis. The area is designated on a Flood Insurance Rate Map (FIRM) as Zone V1-V30, VE, or V.

"Development" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

"Encroachment" means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

"Existing manufactured home park or subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before 1997.

"Expansion to an existing manufactured home park or subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood, flooding, or flood water" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e., mudflows); and
2. The condition resulting from flood-related erosion.

"Flood Boundary and Floodway Map (FBFM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the floodway.

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

"Floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source - see **"Flooding."**

"Floodplain Administrator" is the community official designated by title to administer and enforce the floodplain management regulations.

"Floodplain management" means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

"Floodplain management regulations" means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot. Also referred to as "Regulatory Floodway."

"Floodway fringe" is that area of the floodplain on either side of the "Regulatory Floodway" where encroachment may be permitted.

"Fraud and victimization" as related to Article VI of this ordinance, means that the variance granted must not cause fraud on or victimization of the public. In examining this requirement, the City Council will consider the fact that every newly constructed building adds to government responsibilities and remains a part of the community for fifty to one-hundred years. Buildings that are permitted to be constructed below the base flood elevation are subject during all those years to increased risk of damage from floods, while future owners of the property and the community as a whole are subject to all the costs, inconvenience, danger, and suffering that those increased flood damages bring. In addition, future owners may purchase the property, unaware that it is subject to potential flood damage, and can be insured only at very high flood insurance rates.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

"Governing body" is the local governing unit, i.e. county or municipality, that is empowered to adopt and implement regulations to provide for the public health, safety and general welfare of its citizenry.

"Hardship" as related to Article VI of this ordinance means the exceptional hardship that would result from a failure to grant the requested variance. The City Council requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative

is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement (see **"Basement"** definition).

1. An unfinished or flood resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided it conforms to applicable non-elevation design requirements, including, but not limited to:
 - a. The flood openings standard in Article V, Section 15.04.170(C)(3);
 - b. The anchoring standards in Article V, Section 15.04.170(A);
 - c. The construction materials and methods standards in Article V, Section 15.04.170(B); and
 - d. The standards for utilities in Article V, Section 15.04.180.

2. For residential structures, all subgrade enclosed areas are prohibited as they are considered to be basements (see “**Basement**” definition). This prohibition includes below-grade garages and storage areas.

"**Manufactured home**" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

"**Manufactured home park or subdivision**" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"**Market value**" is defined in the City of Cotati substantial damage/improvement procedures. See Article IV, Section 15.04.140(B)(1).

"**Mean sea level**" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"**New construction**", for floodplain management purposes, means structures for which the "start of construction" commenced on or after 1997, and includes any subsequent improvements to such structures.

"**New manufactured home park or subdivision**" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after 1997.

"**Obstruction**" includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

"**One-hundred-year flood**" or "100-year flood" - see "**Base flood**."

"**Primary frontal dune**" means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively mild slope.

"**Program deficiency**" means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations.

"Public safety and nuisance" as related to Article VI of this ordinance, means that the granting of a variance must not result in anything which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

"Recreational vehicle" means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light-duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

"Regulatory floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Remedy a violation" means to bring the structure or other development into compliance with State or local floodplain management regulations, or if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing State or Federal financial exposure with regard to the structure or other development.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Sand dunes" mean naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Sheet flow area" - see **"Area of shallow flooding."**

"Special flood hazard area (SFHA)" means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on an FHBM or FIRM as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

"Start of construction" includes substantial improvement and other proposed new development and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for

a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building that is principally above ground; this includes a gas or liquid storage tank or a manufactured home.

"Substantial damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial improvement" means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

"V zone" - see **"Coastal high hazard area."**

"Variance" means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

"Violation" means the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

"Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

"Watercourse" means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

ARTICLE III - GENERAL PROVISIONS

15.04.060. LANDS TO WHICH THIS ORDINANCE APPLIES.

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City of Cotati.

15.04.070. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the "Flood Insurance Study (FIS) for the City of Cotati, California" dated December 5, 1996, with accompanying Flood Insurance Rate Maps (FIRM's) and Flood Boundary and Floodway Maps (FBFM's), dated December 5, 1996, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this ordinance. This FIS and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the City Council by the Floodplain Administrator. The study, FIRM's and FBFM's are on file at City Hall, 201 West Sierra Avenue, Cotati, CA 94931.

15.04.080. COMPLIANCE.

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the requirements (including violations of conditions and safeguards) shall constitute a misdemeanor. Nothing herein shall prevent the City Council from taking such lawful action as is necessary to prevent or remedy any violation.

15.04.090. ABROGATION AND GREATER RESTRICTIONS.

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

15.04.100. INTERPRETATION.

In the interpretation and application of this ordinance, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes.

15.04.110. WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does

not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City Council, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

15.04.120. SEVERABILITY.

If any section, subsection, sentence, clause or phrase or word in this Ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed and adopted this Ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions may be declared unconstitutional, unlawful or otherwise invalid.

ARTICLE IV - ADMINISTRATION

15.04.130. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR.

The Director of Public Works is hereby appointed to administer, implement, and enforce this ordinance by granting or denying development permits in accord with its provisions.

15.04.140. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.

The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to the following:

A. Permit Review.

Review all development permits to determine:

1. Permit requirements of this ordinance have been satisfied, including determination of substantial improvement and substantial damage of existing structures;
2. All other required state and federal permits have been obtained;
3. The site is reasonably safe from flooding;
4. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than 1 foot at any point within the City of Cotati; and

5. All Letters of Map Revision (LOMR's) for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

B. Development of Substantial Improvement and Substantial Damage Procedures.

1. Using FEMA publication FEMA 213, "Answers to Questions About Substantially Damaged Buildings," develop detailed procedures for identifying and administering requirements for substantial improvement and substantial damage, to include defining "Market Value."
2. Assure procedures are coordinated with other departments/divisions and implemented by community staff.

C. Review, Use and Development of Other Base Flood Data.

When base flood elevation data has not been provided in accordance with Article III, Section 15.04.070, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal or state agency, or other source, in order to administer Article V.

NOTE: A base flood elevation may be obtained using one of two methods from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100-year) Flood Elevations" dated July 1995.

D. Notification of Other Agencies.

1. Alteration or relocation of a watercourse:
 - a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;
 - b. Submit evidence of such notification to the Federal Emergency Management Agency; and
 - c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.
2. Base Flood Elevation changes due to physical alterations:
 - a. Within 6 months of information becoming available or project completion, whichever comes first, the floodplain administrator shall submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).

- b. All LOMR's for flood control projects are approved prior to the issuance of building permits. Building Permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.

3. Changes in corporate boundaries:

Notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the community clearly delineating the new corporate limits.

E. Documentation of Floodplain Development.

Obtain and maintain for public inspection and make available as needed the following:

1. Certification required by Article V, Section 15.04.170(C)(1) and Article V, Section 15.04.200 lowest floor elevations);
2. Certification required by Article V, Section 15.04.170(C)(2) (elevation or floodproofing of nonresidential structures);
3. Certification required by Article V, Section 15.04.170(C)(3) (wet floodproofing standard);
4. Certification of elevation required by Article V, Section 15.04.190(A)(3) (subdivisions and other proposed development standards);
5. Certification required by Article V, Section 15.04.220(B) (floodway encroachments);
6. Information required by Article V, Section 15.04.230(F) (coastal construction standards); and
7. Maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

F. Map Determination.

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazard, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Article IV, Section 15.04.160.

G. Remedial Action.

Take action to remedy violations of this ordinance as specified in Article III, Section 15.04.080.

H. Biennial Report.

Complete and submit Biennial Report to FEMA.

I. Planning.

Assure community's General Plan is consistent with floodplain management objectives herein.

15.04.150. DEVELOPMENT PERMIT.

A development permit shall be obtained before any construction or other development, including manufactured homes, within any area of special flood hazard established in Article III, Section 15.04.070. Application for a development permit shall be made on forms furnished by the City of Cotati. The applicant shall provide the following minimum information:

A. Plans in duplicate, drawn to scale, showing:

1. Location, dimensions, and elevation of the area in question, existing or proposed structures, storage of materials and equipment and their location;
2. Proposed locations of water supply, sanitary sewer, and other utilities;
3. Grading information showing existing and proposed contours, any proposed fill, and drainage facilities;
4. Location of the regulatory floodway when applicable;
5. Base flood elevation information as specified in Article III, Section 15.04.070 or Article IV, Section 15.04.140(C);
6. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; and
7. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed, as required in Article V, Section 15.04.170(C)(2) of this ordinance and detailed in FEMA Technical Bulletin TB 3-93.

- B. Certification from a registered civil engineer or architect that the nonresidential floodproofed building meets the floodproofing criteria in Article V, Section 15.04.170(C)(2).
- C. For a crawl-space foundation, location and total net area of foundation openings as required in Article V, Section 15.04.170(C)(3) of this ordinance and detailed in FEMA Technical Bulletins 1-93 and 7-93.
- D. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
- E. All appropriate certifications listed in Article IV, Section 15.04.140(E) of this ordinance.

15.04.160. APPEALS.

The City Council of the City of Cotati shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.

ARTICLE V - PROVISIONS FOR FLOOD HAZARD REDUCTION

15.04.170. STANDARDS OF CONSTRUCTION.

In all areas of special flood hazards the following standards are required:

A. Anchoring.

All new construction and substantial improvements of structures, including manufactured homes, shall be adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

B. Construction Materials and Methods.

All new construction and substantial improvements of structures, including manufactured homes, shall be constructed:

1. With flood resistant materials, and utility equipment resistant to flood damage for areas below the base flood elevation;
2. Using methods and practices that minimize flood damage;
3. With electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding; and

4. Within Zones AH or AO, so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.

C. Elevation and Floodproofing.

1. Residential construction.

All new construction or substantial improvements of residential structures shall have the lowest floor, including basement:

- a. In AE, AH, A1-30 Zones, elevated to or above the base flood elevation.
- b. In an AO zone, elevated above the highest adjacent grade to a height equal to or exceeding the depth number specified in feet on the FIRM, or elevated at least 2 feet above the highest adjacent grade if no depth number is specified.
- c. In an A zone, without BFE's specified on the FIRM [unnumbered A zone], elevated to or above the base flood elevation; as determined under Article IV, Section 15.04.140(C).

Upon the completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

2. Nonresidential construction.

All new construction or substantial improvements of nonresidential structures shall either be elevated to conform with Article V, Section 15.04.170(C)(1) or:

- a. Be floodproofed, together with attendant utility and sanitary facilities, below the elevation recommended under Article V, Section 15.04.170(C)(1), so that the structure is watertight with walls substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- c. Be certified by a registered civil engineer or architect that the standards of Article V, Section 15.04.170(C)(2)(a) & (b) are satisfied. Such certification shall be provided to the Floodplain Administrator.

3. Flood openings.

All new construction and substantial improvements of structures with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed

to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must meet the following minimum criteria:

- a. For non-engineered openings:
 1. Have a minimum of two openings on different sides having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 2. The bottom of all openings shall be no higher than one foot above grade;
 3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwater; and
 4. Buildings with more than one enclosed area must have openings on exterior walls for each area to allow flood water to directly enter; or
- b. Be certified by a registered civil engineer or architect.

4. **Manufactured homes.**

- a. See Article V, Section 15.04.200.

5. **Garages and low cost accessory structures.**

- a. Attached garages.
 1. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry of flood waters. See Article V, Section 15.04.170(C)(3). Areas of the garage below the BFE must be constructed with flood resistant materials. See Article V, Section 15.04.170(B).
 2. A garage attached to a nonresidential structure must meet the above requirements or be dry floodproofed. For guidance on below grade parking areas, see FEMA Technical Bulletin TB-6.
- b. Detached garages and accessory structures.
 1. "Accessory structures" used solely for parking (2 car detached garages or smaller) or limited storage (small, low-cost sheds), as defined in Article II, may be constructed such that its floor is below the base flood elevation (BFE), provided the structure is designed and constructed in accordance with the following requirements:
 - a) Use of the accessory structure must be limited to parking or limited storage;

- b) The portions of the accessory structure located below the BFE must be built using flood-resistant materials;
 - c) The accessory structure must be adequately anchored to prevent flotation, collapse and lateral movement;
 - d) Any mechanical and utility equipment in the accessory structure must be elevated or floodproofed to or above the BFE;
 - e) The accessory structure must comply with floodplain encroachment provisions in Article V, Section 15.04.220; and
 - f) The accessory structure must be designed to allow for the automatic entry of flood waters in accordance with Article V, Section 15.04.170(C)(3).
2. Detached garages and accessory structures not meeting the above standards must be constructed in accordance with all applicable standards in Article V, Section 15.04.170.

15.04.180. STANDARDS FOR UTILITIES.

- A.** All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate:
 - 1. Infiltration of flood waters into the systems; and
 - 2. Discharge from the systems into flood waters.
- B.** On-site waste disposal systems shall be located to avoid impairment to them, or contamination from them during flooding.

15.04.190. STANDARDS FOR SUBDIVISIONS AND OTHER PROPOSED DEVELOPMENT.

- A.** All new subdivisions proposals and other proposed development, including proposals for manufactured home parks and subdivisions, greater than 50 lots or 5 acres, whichever is the lesser, shall:
 - 1. Identify the Special Flood Hazard Areas (SFHA) and Base Flood Elevations (BFE).
 - 2. Identify the elevations of lowest floors of all proposed structures and pads on the final plans.
 - 3. If the site is filled above the base flood elevation, the following as-built information for each structure shall be certified by a registered civil engineer or licensed land surveyor

and provided as part of an application for a Letter of Map Revision based on Fill (LOMR-F) to the Floodplain Administrator:

- a. Lowest floor elevation.
 - b. Pad elevation.
 - c. Lowest adjacent grade.
- B.** All subdivision proposals and other proposed development shall be consistent with the need to minimize flood damage.
- C.** All subdivision proposals and other proposed development shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
- D.** All subdivisions and other proposed development shall provide adequate drainage to reduce exposure to flood hazards.

15.04.200. STANDARDS FOR MANUFACTURED HOMES.

- A.** All manufactured homes that are placed or substantially improved, on sites located: (1) outside of a manufactured home park or subdivision; (2) in a new manufactured home park or subdivision; (3) in an expansion to an existing manufactured home park or subdivision; or (4) in an existing manufactured home park or subdivision upon which a manufactured home has incurred "substantial damage" as the result of a flood, shall:
1. Within Zones A1-30, AH, and AE on the community's Flood Insurance Rate Map, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
 2. Within Zones V1-30, V, and VE on the community's Flood Insurance Rate Map, meet the requirements of Article V, Section 15.04.230.
- B.** All manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, AE, V1-30, V, and VE on the community's Flood Insurance Rate Map that are not subject to the provisions of Article V, Section 15.04.200(A) will be securely fastened to an adequately anchored foundation system to resist flotation, collapse, and lateral movement, and be elevated so that either the:
1. Lowest floor of the manufactured home is at or above the base flood elevation; or
 2. Manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade.

Upon the completion of the structure, the elevation of the lowest floor including basement shall be certified by a registered civil engineer or licensed land surveyor, and verified by the community building inspector to be properly elevated. Such certification and verification shall be provided to the Floodplain Administrator.

15.04.210. STANDARDS FOR RECREATIONAL VEHICLES.

- A.** All recreational vehicles placed in Zones A1-30, AH, AE, V1-30 and VE will either:
 - 1. Be on the site for fewer than 180 consecutive days; or
 - 2. Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - 3. Meet the permit requirements of Article IV, Section 15.04.150 of this ordinance and the elevation and anchoring requirements for manufactured homes in Article V, Section 15.04.200.
- B.** Recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's Flood Insurance Rate Map will meet the requirements of Article V, Section 15.04.210(A) and Article V, Section 15.04.230.

15.04.220. FLOODWAYS.

Since floodways are an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A.** Until a regulatory floodway is adopted, no new construction, substantial development, or other development (including fill) shall be permitted within Zones A1-30 and AE, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other development, will not increase the water surface elevation of the base flood more than 1 foot at any point within the City of Cotati.
- B.** Within an adopted regulatory floodway, the City of Cotati shall prohibit encroachments, including fill, new construction, substantial improvements, and other development, unless certification by a registered civil engineer is provided demonstrating that the proposed encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- C.** If Article V, Section 15.04.220(A) & (B) are satisfied, all new construction, substantial improvement, and other proposed new development shall comply with all other applicable flood hazard reduction provisions of Article V.

15.04.230. COASTAL HIGH HAZARD AREAS.

Within coastal high hazard areas, Zones V, V1-30, and VE, as established under Article III, Section 15.04.070, the following standards shall apply:

- A.** All new residential and non-residential construction, including substantial improvement/damage, shall be elevated on adequately anchored pilings or columns and securely anchored to such pilings or columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable state or local building standards.
- B.** All new construction and other development shall be located on the landward side of the reach of mean high tide.
- C.** All new construction and substantial improvement shall have the space below the lowest floor free of obstructions or constructed with breakaway walls as defined in Article II of this ordinance. Such enclosed space shall not be used for human habitation and will be usable solely for parking of vehicles, building access or storage.
- D.** Fill shall not be used for structural support of buildings.
- E.** Man-made alteration of sand dunes which would increase potential flood damage is prohibited.
- F.** The Floodplain Administrator shall obtain and maintain the following records:
 - 1. Certification by a registered engineer or architect that a proposed structure complies with Article V, Section 15.04.230(A); and
 - 2. The elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings or columns) of all new and substantially improved structures, and whether such structures contain a basement.

ARTICLE VI - VARIANCE PROCEDURE

15.04.240. NATURE OF VARIANCES.

The issuance of a variance is for floodplain management purposes only. Insurance premium rates are determined by statute according to actuarial risk and will not be modified by the granting of a variance.

The variance criteria set forth in this section of the ordinance are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be granted for a parcel of property with physical characteristics so unusual that complying with the requirements of this ordinance would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners.

It is the duty of the City Council to help protect its citizens from flooding. This need is so compelling and the implications of the cost of insuring a structure built below flood level are so serious that variances from the flood elevation or from other requirements in the flood ordinance are quite rare. The long term goal of preventing and reducing flood loss and damage can only be met if variances are strictly limited. Therefore, the variance guidelines provided in this ordinance are more detailed and contain multiple provisions that must be met before a variance can be properly granted. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

15.04.250 CONDITIONS FOR VARIANCES.

- A.** Generally, variances may be issued for new construction, substantial improvement, and other proposed new development to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing that the procedures of Articles IV and V of this ordinance have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

- B.** Variances may be issued for the repair or rehabilitation of "**historic structures**" (as defined in Article II of this ordinance) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

- C.** Variances shall not be issued within any mapped regulatory floodway if any increase in flood levels during the base flood discharge would result.

- D.** Variances shall only be issued upon a determination that the variance is the "minimum necessary" considering the flood hazard, to afford relief. "Minimum necessary" means to afford relief with a minimum of deviation from the requirements of this ordinance. For example, in the case of variances to an elevation requirement, this means the City Council need not grant permission for the applicant to build at grade, or even to whatever elevation the applicant proposes, but only to that elevation which the City Council believes will both provide relief and preserve the integrity of the local ordinance.

- E.** Any applicant to whom a variance is granted shall be given written notice over the signature of a community official that:

1. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
 2. Such construction below the base flood level increases risks to life and property. It is recommended that a copy of the notice shall be recorded by the Floodplain Administrator in the Office of the Sonoma County Recorder and shall be recorded in a manner so that it appears in the chain of title of the affected parcel of land.
- F. The Floodplain Administrator will maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its biennial report submitted to the Federal Emergency Management Agency.

15.04.260. APPEAL BOARD.

- A. In passing upon requests for variances, the City Council shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and the:
1. Danger that materials may be swept onto other lands to the injury of others;
 2. Danger of life and property due to flooding or erosion damage;
 3. Susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the existing individual owner and future owners of the property;
 4. Importance of the services provided by the proposed facility to the community;
 5. Necessity to the facility of a waterfront location, where applicable;
 6. Availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 7. Compatibility of the proposed use with existing and anticipated development;
 8. Relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 9. Safety of access to the property in time of flood for ordinary and emergency vehicles;
 10. Expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters expected at the site; and
 11. Costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water system, and streets and bridges.

B. Variances shall only be issued upon a:

1. Showing of good and sufficient cause;
2. Determination that failure to grant the variance would result in exceptional **"hardship"** to the applicant; and
3. Determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create a nuisance (see **"Public safety and nuisance"**), cause **"fraud and victimization"** of the public, or conflict with existing local laws or ordinances.

C. Variances may be issued for new construction, substantial improvement, and other proposed new development necessary for the conduct of a functionally dependent use provided that the provisions of Article VI, Section 15.04.260(A) through VI, Section 15.04.260(D) are satisfied and that the structure or other development is protected by methods that minimize flood damages during the base flood and does not result in additional threats to public safety and does not create a public nuisance.

D. Upon consideration of the factors of Article VI, Section 15.04.250(A) and the purposes of this ordinance, the City Council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.

SECTION 3. Effective Date.

This Ordinance shall become effective immediately upon adoption at least four-fifths vote of the City Council.

IT IS HEREBY CERTIFIED that the foregoing resolution was duly and legally adopted at a regular meeting of the City Council of the City of Cotati held on the 12th day of November, 2008 by the following vote, to wit:

GILARDI _____
 GUARDINO _____
 MINNIS _____
 ORCHARD _____

Approved: _____
 Mayor

Attest: _____
 Deputy City Clerk

Approved as to form:

 City Attorney

Joint Meeting of City Council and Redevelopment Agency Board of Directors Agenda Consent Calendar

Subject: Receive and File Warrants and Audited Claims for October 9th, 2008 – October 23rd, 2008

Date: November 12, 2008

Written by: Jone Hayes, Director of Administrative Services

Recommendation

It is recommended that the City Council receive and file the warrants and audited claims (the A/P Check Registers) as submitted.

Background

Warrants (checks) are created by City Staff in compliance with the following Municipal Code Sections:

2.12.160 Expenditure control--Purchasing.

It shall be the duty of the city manager to see that no expenditures shall be submitted or recommended to the city council except on approval of the city manager or his authorized representative. The city manager, or his authorized representative, shall be responsible for the purchase of all supplies for all the departments or divisions of the city. (Ord. 97 §7.9, 1968).

3.36.010 Expenditures--Compliance required.

All expenditures of city funds in connection with purchases must be made strictly in accordance with the duly adopted budget, and in order that budgetary control may be effectively exercised, the procedures in this chapter shall be followed. (Ord. 575 §1(part), 1992).

Analysis/Discussion

Warrants and Audited Claims listings (now identified as the A/P Check Registers) list all warrants issued for the period indicated. Per Council action on July 11, 2007 all warrants are released as they are created.

All expenditures of City funds in connection with wages and benefits and purchases of services or materials are strictly in accordance with the duly adopted budget and / or Council actions

amending the adopted budget. Expenditures have been approved for payment by either the City Manager or by Department Heads.

Financial Considerations

The following are the totals for the Warrants and Audited Claims (the A/P Check Registers) issued for the period of October 9th 2008 – October 23rd, 2008:

Oct 22, 2008	\$ 340,615.81
Oct 24, 2008	200.00
Oct 14, 2008	<u>75.00</u>
	\$ 340,890.81

Environmental Issues

None.

Attachments:

1. Check Registers dated 10/14, 10/22, 10/24

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A / P CHECK REGISTER

PAGE: 1

PACKET: 00251 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
ACC04	ACCURINT-ACCT#1022911 I-20080831 I-20080930	MISC INFO SEARCHES - AUG 2008 MISC INFO SEARCHES - SEPT 2008	R	10/22/2008 10/22/2008		30.00CR 30.00CR	056765 056765	60.00
ACT01	ACTION SPORTS & POWER EQUIPMENT I-26598 I-26679	BLOWER STRAP BLOWER STRAPS (2)	R	10/22/2008 10/22/2008		20.63CR 41.26CR	056766 056766	61.89
AFL01	AFLAC I-275908	P6156 EMP PREM 10/1-10/15/08	R	10/22/2008		708.71CR	056767	708.71
ALL02	ALL STATE POLICE EQUIPMENT CO. INC. I-65245	AMMUNITION	R	10/22/2008		1,454.63CR	056768	1,454.63
AME08	AMERICAN MEDICAL RESPONSE I-115146	BLOOD DRAW - CR#08-0895	R	10/22/2008		100.00CR	056769	100.00
ARA03	APAMARK UNIFORM SVCS. INC I-100308	#11859000 - SEPT 2008	R	10/22/2008		654.49CR	056770	654.49
ASS04	ASSOCIATION OF CALIFORNIA WATER AGENCIES I-101008	2009 DUES - PREV PD BY SCWA	R	10/22/2008		8,085.00CR	056771	8,085.00
ATT08	AT&T / MCI I-T8556968	707-793-8562-690	R	10/22/2008		15.51CR	056772	15.51
ATT09	AT&T LONG DISTANCE I-100408	817507218	R	10/22/2008		33.64CR	056773	33.64
ATT10	AT&T I-267590	0650617150598 8/22 - 9/21/08	R	10/22/2008		40.86CR	056774	40.86
BES01	BESS TEST LAB, INC. I-101608	REFUND ENCROACHMENT DEPOSIT	R	10/22/2008		1,600.00CR	056775	1,600.00
BRO08	BRODIE'S TIRE & BRAKE, INC. I-184551	PD VEHICLE SVC - TAHOE	R	10/22/2008		1,483.08CR	056776	1,483.08
BWS01	B.W.S. DISTRIBUTORS, INC. I-97307985	MARKING PAINT - PW	R	10/22/2008		66.53CR	056777	66.53
CAL07	CALIFORNIA PEACE OFFICERS ASSOCIATION I-102108	2009 CPOA MEMBERSHIP DUES	R	10/22/2008		480.00CR	056778	480.00

PACKET: 00251 Regular Payments
 VENDOR SET: 01
 BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
CAL42	CAL STEAM I-31138	SUPPLY-REC CTR RESTROOM	R	10/22/2008		71.06	056779	71.06
CHA01	CHAMPION CHEMICAL CO. I-23813	GRAFFITI REMOVER	R	10/22/2008		351.24	056780	351.24
CHE02	PICHMONY CHEYKIM I-102208	RFD RM RENTAL DEPOSIT-8/8/08	R	10/22/2008		350.00	056781	350.00
CIT05	CITY OF ROHNERT PARK I-20294	ANIMAL SVCS - OCT 2008	R	10/22/2008		1,414.39	056782	1,414.39
CIT09	CITY OF SANTA ROSA I-105277	SUBREG WSTWTR SYSTEM-OCT 2008	R	10/22/2008		130,410.62	056783	130,410.62
CIT19	CITY OF ROHNERT PARK I-100808 I-100808A	8789-000 8/1 - 9/30/08 8789-001 8/1 - 9/30/08	R	10/22/2008 10/22/2008		193.31 261.35	056784 056784	454.66
CRE02	CREDIT CHECK I-55464 I-55465	MCCOLLOUGH - PD VOLUNTEER JANSSEN - PD VOLUNTEER	R	10/22/2008 10/22/2008		25.00 25.00	056785 056785	50.00
DAI01	DAILY JOURNAL CORPORATION I-B1445443	BIKE/PED MASTER PLAN	R	10/22/2008		68.82	056786	68.82
DAV08	DAVEY TREE EXPERT COMPANY I-901745618	REMOVAL/TRIM-8225 ORH/VALP LMD	R	10/22/2008		2,245.00	056787	2,245.00
DAW02	JENNIFER DAWES I-100608	RFD RM RENTAL DEPOSIT-10/2/08	R	10/22/2008		350.00	056788	350.00
DEP10	DEPARTMENT OF JUSTICE I-702613	FINGERPRINT APPS - SEPT 2008	R	10/22/2008		217.00	056789	217.00
DEV03	DEVOTO PLUMBING, INC. I-6689 I-6705 I-6719 / 6720 I-6721	315 E COTATI AVE RETROFIT (5) 8927 CLOTHIER LN RETROFIT (2) 769 RICHARDSON/52 CREEK SURVEY 8252 WINDMILL FARMS RETRO (2)	R	10/22/2008 10/22/2008 10/22/2008 10/22/2008		1,575.00 630.00 240.00 630.00	056790 056790 056790 056790	3,075.00
DRA01	DR ASSOCIATES INTERNATIONAL I-5898	BACKGROUND CHECK - NJUNO	R	10/22/2008		380.00	056791	380.00

PACKET: 00251 Regular Payments
 VENDOR SET: 01
 BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
ELE03	ELECTRONIC INNOVATIONS							
	I-44426	GATE REPAIR - PD	R	10/22/2008		188.00CR	056792	
	I-44509	GATE REPAIR - PD	R	10/22/2008		407.00CR	056792	595.00
FED03	FEDCO							
	I-102008	REIMB HYDRANT MTR DEP LESS H20	R	10/22/2008		91.97CR	056793	91.97
GRA01	GRAINGER, INC.							
	I-9749184504	HAND SOAP - PW	R	10/22/2008		77.58CR	056794	
	I-9751857674	LIGHT BULB - CITY HALL	R	10/22/2008		31.48CR	056794	
	I-9752662313	SUPPLIES - CORP YARD RESTROOM	R	10/22/2008		32.24CR	056794	141.30
GRO05	GROENIGER AND COMPANY							
	I-4004485-00	PW SUPPLIES	R	10/22/2008		97.62CR	056795	
	I-4004540-00	PW SUPPLIES	R	10/22/2008		135.54CR	056795	233.16
HAN01	HANSEL FORD							
	I-F28074	SILVER TAURUS SVC / REPAIR	R	10/22/2008		998.70CR	056796	
	I-F28888	GREEN TAURUS REPAIR	R	10/22/2008		800.00CR	056796	
	I-F29404	#12-TRANSMISSION REPLACE	R	10/22/2008		2,468.26CR	056796	
	I-F29889	#19 - REPAIR	R	10/22/2008		379.36CR	056796	
	I-F30057	#18 - REAR AXLE REPLACE	R	10/22/2008		1,239.43CR	056796	
	I-G29562	#16 - BRAKE ROTOR REPAIR	R	10/22/2008		253.50CR	056796	
	I-G30735	#18 - DOOR REPAIR	R	10/22/2008		170.48CR	056796	
	I-G30921	#17 - REPLACE LIGHTING CONTROL	R	10/22/2008		630.11CR	056796	6,939.84
HIN01	HINES SIGNS							
	I-14373	MDO SIGN - DEMO GARDEN	R	10/22/2008		370.66CR	056797	370.66
HOR02	HORIZON/AUTOMATIC RAIN							
	I-10564884-00	PW SUPPLIES	R	10/22/2008		24.41CR	056798	24.41
HSE01	HSEC BUSINESS SOLUTIONS							
	I-44961	BATTERIES - REC	R	10/22/2008		10.76CR	056799	
	I-73224	CORP YARD SUPPLIES	R	10/22/2008		96.13CR	056799	106.89
INF01	INFOSTOR, INC.							
	I-77675	RECORD DESTRUCTION - PD	R	10/22/2008		100.50CR	056800	100.50
INF02	INFOSEND, INC.							
	I-33657	STMT PRINTING/REC INSERT-SEPT	R	10/22/2008		1,635.51CR	056801	1,635.51

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A / P CHECK REGISTER

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PACKET: 00251 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
INT14	I-70862	INTERACTIVE COMPUTER DESIGNS INC. INSITE TRANS FEES 7/1-9/30/08	R	10/22/2008		202.50CR	056802	202.50
JOH03	I-59316848	JOHNSON CONTROLS INC. PREV MAINT 10/1 - 12/31/08	R	10/22/2008		1,334.00CR	056803	1,334.00
JUD01	I-9542	JUDICIAL DATA SYSTEM CORP PARKING CITATIONS - SEPT 2008	R	10/22/2008		216.28CR	056804	216.28
KAU01	CHRIS KAUPE I-102008 I-102008A I-102108	RFD PAYROLL REIMB IN ERROR GPS - K9 UNIT PER DIEM-K9 TRNG 10/27-11/28	R	10/22/2008		1,194.56CR 215.49CR 1,160.00CR	056805 056805 056805	2,570.05
LAT01	BERT LATHROP I-101508	REFUND DEPOSIT ACCOUNT	R	10/22/2008		2,950.00CR	056806	2,950.00
LIE01	LIEBERT CASSIDY WHITMORE I-94169	CO200 00001 RSW - GENERAL	R	10/22/2008		858.00CR	056807	858.00
MAS02	MASTER K-9, INC. I-4928 I-4929	K9 / 2 YR HEALTH DEFECT GUAR K9 HANDLERS CRSE 10/27-11/28	R	10/22/2008		8,835.00CR 4,000.00CR	056808 056808	12,835.00
MCL01	MCLEA'S TIRE & AUTOMOTIVE C-6012264 I-6012438 I-6012848	REIMB OVERCHGS - LOF SVC #20 - LUBE/OIL/FILTER #16 - LUBE/OIL/FILTER	R	10/22/2008		19.40 39.36CR 38.63CR	056809 056809 056809	58.59
MED02	MEDIA GRAPHICS, INC. I-13006 I-13007	FOUND PROPERTY CARDS (1000) EVIDENCE CARDS (3000)	R	10/22/2008		70.45CR 203.07CR	056810 056810	273.52
MEY02	MEYERS NAVE I-2008081069 I-2008081071 I-2008081072 I-2008081073 I-2008081074 I-2008081243 I-2008090395 I-2008090396 I-2008090398 I-2008090400 I-2008090402	LEGAL SVCS - AUG 2008 DSP - AUG 2008 FALLETTI PROPERTY - AUG 2008 MHP CONVERSION ORD - AUG 2008 PLF - AUG 2008 COST RECOVERY - AUG 2008 DSP - SEPT 2008 FALLETTI PROPERTY - SEPT 2008 PLF - SEPT 2008 LEGAL SVCS - SEPT 2008 COST RECOVERY - SEPT 2008	R	10/22/2008		10,600.00CR 6,179.80CR 9,033.85CR 2,448.60CR 20,037.18CR 3,323.10CR 7,160.30CR 2,862.00CR 8,450.32CR 10,600.00CR 1,117.77CR	056811 056811 056811 056811 056811 056811 056811 056811 056811 056811 056811 056811	81,812.92

PACKET: 00251 Regular Payments
 VENDOR SET: 01
 BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
MIC05	MICHAEL'S HARLEY DAVIDSON I-96504695	CLUTCH LEVER/BATTERY/KICKSTAND	R	10/22/2008		337.01CR	056812	337.01
MOB01	MOBILE VISION, INC. I-129005	GRILL LIGHTS (6) - PD	R	10/22/2008		405.52CR	056813	405.52
MYE01	MYERS-STEVENS & TOOHEY CO I-771445	PD DISABILITY - NOV 2008	R	10/22/2008		351.00CR	056814	351.00
NAV01	ESMERELDA NAVARRO I-100608	RFD RM RENTAL DEPOSIT-10/4/08	R	10/22/2008		350.00CR	056815	350.00
NEO01	NEOPOST LEASING I-5269180	11/2/08 - 2/1/09	R	10/22/2008		927.08CR	056816	927.08
NEX01	NEXTEL COMMUNICATIONS I-262519522-053	9/7 - 10/6/08	R	10/22/2008		285.80CR	056817	285.80
NOO01	NOODLE, INC. I-292	PHONE LINE DISCONNECTS	R	10/22/2008		252.50CR	056818	252.50
NOR36	NORCAL FPO'S I-101408	BUILDING CODE SEMINAR	R	10/22/2008		185.00CR	056819	185.00
OFF09	OFFICE DEPOT I-446204092-001 I-446204575-001 I-446569528-001 I-447109004-001 I-447109417-001	OFFICE SUPPLIES OFFICE SUPPLIES OFFICE SUPPLIES - PD OFFICE SUPPLIES - PW OFFICE SUPPLIES	R	10/22/2008		3.28CR 198.13CR 36.94CR 21.32CR 157.08CR	056820	416.75
PEL01	VALOILETI PELETI I-101508	HULA INSTRUCTOR - SEPT 2008	R	10/22/2008		273.00CR	056821	273.00
PHI02	THE PHILLIPS GROUP I-8590	BUILDING INSPECTIONS - 9/30/08	R	10/22/2008		212.50CR	056822	212.50
PMC01	PMC I-26829	PLANNING SVCS - SEPT 2008	R	10/22/2008		13,125.00CR	056823	13,125.00
PRO08	PROFORCE LAW ENFORCEMENT I-48179	TASER CARTRIDGES	R	10/22/2008		680.82CR	056824	680.82

PACKET: 00251 Regular Payments
 VENDOR SET: 01
 BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
PRO09	MAPLE PROFANT I-101408	RETRO REBATE - 8537 LARCH AVE	R	10/22/2008		150.00CR	056825	150.00
REM01	R.E.M.I.F I-101008	LTD/LIFE/DENTAL/VISION/EAP	R	10/22/2008		6,368.37CR	056826	6,368.37
REP01	REPUBLIC ITS I-809462 I-809463	TRAFFIC SIGNAL REPAIRS - SEPT TRAFFIC SIGNAL MAINT - SEPT	R	10/22/2008 10/22/2008		360.68CR 514.40CR	056827 056827	875.08
ROY02	ROYAL COACH CAR WASH I-100108	PD CARWASH - SEPT 2008	R	10/22/2008		131.50CR	056828	131.50
RUI01	ANTONIO RUIZ I-102208	DEP LESS SVC CHG/NON-RES/CLNG	R	10/22/2008		250.00CR	056829	250.00
SAL02	SALLY TOMATOES I-101408	CATERING - K9 FUNDRAISER	R	10/22/2008		350.00CR	056830	350.00
SCP01	S.C. PHILLIPS I-20083124 I-20084126	GENERATOR SVC JUL/AUG 2008 GEN SVC-SEPT / LOAD TEST	R	10/22/2008 10/22/2008		200.00CR 600.00CR	056831 056831	800.00
SEV01	SEVERN TRENT SERVICE I-1119364 I-1119450	WELL 3 REPAIR WELL 3 REPAIR	R	10/22/2008 10/22/2008		1,987.16CR 1,138.00CR	056832 056832	3,125.16
SON08	SONOMA COUNTY WATER AGENCY I-29105	AQUEDUCT USAGE 8/27 - 9/30/08	R	10/22/2008		12,505.32CR	056833	12,505.32
SON19	SONOMA CTY SUPERIOR COURT I-092208	PARKING VIOLATIONS - AUG 2008	R	10/22/2008		140.00CR	056834	140.00
SON38	SONOMA COUNTY TRANSPORTATION AUTHORITY I-100708	FY 08/09 CITY CONTRIBUTION	R	10/22/2008		4,118.00CR	056835	4,118.00
STE03	ROBERT STEWART I-102008	VERN LOSH RETIREMENT DINNER	R	10/22/2008		35.00CR	056836	35.00
SUN03	SUN BADGE CO. I-298727	BADGES - PD (2-DJANGO)	R	10/22/2008		132.37CR	056837	132.37

PACKET: 00251 Regular Payments
 VENDOR SET: 01
 BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
TAY03	TAMI TAYLOR I-101108	UNREIMBURSED MEDICAL	R	10/22/2008		204.83CR	056838	204.83
TER01	TERMINIX PROCESSING CENTER I-281114566 I-281114567 I-281114568	REC / COTATI RM - OCT 2008 CITY HALL - OCT 2008 PD - OCT 2008	R	10/22/2008		52.00CR 47.00CR 54.00CR	056839 056839 056839	153.00
TRU01	TRUGREEN LANDCARE I-6298477	LANDSCAPE SVCS - OCT 2008	R	10/22/2008		9,677.92CR	056840	9,677.92
UNI07	UNITED SITE SERVICES, INC. I-622969	PORTOLET RENTAL - VETS PARK	R	10/22/2008		103.03CR	056841	103.03
USB01	U.S. BANK CORPORATE PAYMENT SYSTEM I-092208	4246-0445-5564-9833 - SEPT	R	10/22/2008		5,667.62CR	056842	5,667.62
VER02	VERIZON WIRELESS I-0693642462	270579820-00001-8/22-9/21/08	R	10/22/2008		831.03CR	056843	831.03
WAL04	DENNIS WALLACH I-101408 I-101408A I-102108	MILEAGE REIMB - 10/6-10/8/08 MILEAGE REIMB - 9/11-9/13/08 REIMB BRIDGE TOLL - SLI TRNG	R	10/22/2008		90.68CR 87.75CR 11.00CR	056844 056844 056844	189.43
WHI04	WHITLOCK & WEINBERGER INC I-10884 I-10885 I-10887	W COTATI TRAFFIC MONITORING ECA CROSSING 8/23 - 9/25/08 100 VALPARAISO/INTERMODAL FAC	R	10/22/2008		2,305.00CR 5,222.50CR 104.87CR	056845 056845 056845	7,632.37
WIN05	WINZLER & KELLY I-39897 I-39898 I-40089	RRWA SUPPORT THRU 9/28/08 BRUCE LLA THRU 9/28/08 BICKEL SUB THRU 9/28/08	R	10/22/2008		456.00CR 121.50CR 302.00CR	056846 056846 056846	879.50
YAR02	JASON YARNALL I-102008	RFD PAYROLL REIMB IN ERROR	R	10/22/2008		862.07CR	056847	862.07

* * T O T A L S * *		NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	83	0.00	340,615.81	340,615.81	
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00	
PRE-WRITE CHECKS:	0	0.00	0.00	0.00	
DRAFTS:	0	0.00	0.00	0.00	
VOID CHECKS:	0	0.00	0.00	0.00	
NON CHECKS:	0	0.00	0.00	0.00	
CORRECTIONS:	0	0.00	0.00	0.00	
REGISTER TOTALS:	83	0.00	340,615.81	340,615.81	

PACKET: 00253 CLIMATE PROTECTION CAMPAIGN
 VENDOR SET: 01
 BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
CLI03	I-102308	CLIMATE PROTECTION CAMPAIGN	R	10/23/2008		200.00CR	056848	200.00

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	1	0.00	200.00	200.00
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	1	0.00	200.00	200.00

TOTAL ERRORS: 0

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A / P CHECK REGISTER

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PACKET: 00247 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
FID01	I-101408	FIDELITY NATIONAL TITLE COMPANY TITLE INSURANCE-FALLETTI RANCH R 10/14/2008				75.00CR	056764	75.00

* * T O T A L S * *

REGULAR CHECKS:	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
HANDWRITTEN CHECKS:	1	0.00	75.00	75.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	1	0.00	75.00	75.00

TOTAL ERRORS: 0

