



**AGENDA**  
**REGULAR CITY COUNCIL MEETING, JOINT MEETING OF THE CITY COUNCIL**  
**AND THE BOARD OF DIRECTORS OF THE COTATI COMMUNITY**  
**REDEVELOPMENT AGENCY**  
**WEDNESDAY JANUARY 25, 2012**  
**7:00 PM REGULAR SESSION**  
**City Council Chambers, City Hall, 201 W. Sierra Avenue**

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

City Council meeting agendas, minutes and audio recordings (podcast) are posted on the City's website at [www.ci.cotati.ca.us](http://www.ci.cotati.ca.us). For questions about the agenda or to receive the City Council Agenda by e-mail, contact the Deputy City Clerk at [taylor@ci.cotati.ca.us](mailto:taylor@ci.cotati.ca.us) or 707-665-3622.

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

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

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

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

***Those wishing to address the Council are asked to complete a speaker card and give it to the Deputy City Clerk. Please limit comments to three minutes or as the Mayor directs. 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.***

**7:00 PM REGULAR SESSION**

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

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES OF JANUARY 25, 2012 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (City Manager) (Action)**

## **ANNOUNCEMENTS**

The Friends of the Rohnert Park-Cotati Library book sale takes place on Friday and Saturday February 3<sup>rd</sup> and 4<sup>th</sup>. The Rohnert Park-Cotati Library offers a variety of programs for all ages. All events are free and open to the public. For more information about the book sale or library programs, call 584-9121 or visit [sonomalibrary.org](http://sonomalibrary.org).

Cotati Creek Critters will be holding Creek Stewardship Days on the first Saturday and the third Sunday of each month through May. Volunteers are welcomed to participate in planting and caring for native trees and shrubs alongside the Laguna de Santa Rosa channel. For details call 707-792-4222 or log onto the web at [CotatiCreekCritters.info](http://CotatiCreekCritters.info).

The Cotati Historical Society Museum is open regularly on Saturdays from 1:00 – 4:00 p.m. and the 2<sup>nd</sup> Wednesday of each month from 5:30-8:00 p.m. For more information call 707-794-0304.

The Rohnert Park-Cotati Library is accepting applications to fill a vacancy on the Library Advisory Board. For more information contact Nancy Kleban at 584-9121, extension 11.

## **HONORARY MAYOR**

Mary Nguyen of Lawrence E. Jones Middle School

## **CITY MANAGER'S REPORT**

## **APPROVAL OF FINAL AGENDA**

## **CITIZEN BUSINESS**

Any member of the public wishing to speak to the Council on any item or items listed on the Consent Calendar or any item or items not listed on the agenda that are within the subject matter jurisdiction of the Council may do so at this time. Pursuant to the Brown Act, the Council is not allowed to consider issues or take action on any item not listed on the agenda during this period. Comments of any member of the public are normally restricted to a total of three (3) minutes in length per person for matters not on the agenda and a total of three (3) minutes per person in length for items on the Consent Calendar.

## **DIRECTION ON FUTURE AGENDA ITEMS**

## **CONSENT CALENDAR**

### **2. NOTICE OF COMPLETION FOR CHARLES STREET SIDEWALK IMPROVEMENTS PROJECT, PROJECT NO. E11-1 (Public Works/Engineering) (Action)**

It is recommended that the Council adopt a resolution to accept the improvements and authorize filing of the Notice of Completion (NOC) for the *Charles Street Sidewalk Improvements Project, Project No. E11-1*.

**3. INSTALLATION OF 3 ELECTRIC VEHICLE CHARGING STATIONS, CHARGEPOINT AMERICA PROGRAM (Public Works/Engineering) (Action)**

It is recommended that the Council adopt a resolution authorizing the City Manager to execute the attached award agreement and master services agreement with Coulomb Technologies for the installation of 3 electric vehicle charging stations at City Hall (201 West Sierra Avenue).

**4. ENDORSEMENT OF HR 192 (S. 179), THE GULF OF THE FARALLONES AND CORDELL BANK NATIONAL MARINE SANCTUARIES BOUNDARY MODIFICATION AND PROTECTION ACT (City Manager) (Action)**

It is recommended that the City Council adopt a motion to endorse HR 192 (S. 179), The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act and direct staff to prepare and send a letter of support to the Honorable Lynn Woolsey.

**REGULAR AGENDA**

**5. RECOMMENDATION TO CITY SELECTION COMMITTEE OF APPOINTMENTS TO ASSOCIATION OF BAY AREA GOVERNMENT (ABAG) SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION AND REMOTE ACCESS NETWORK (RAN) BOARD (City Manager) (Action)**

It is recommended that the City Council adopt a motion to support its choices from those Sonoma County City Council members who have submitted letters of interest for appointment by the City Selection Committee to the Association of Bay Area Government (ABAG) San Francisco Bay Conservation and Development Commission and Remote Access Network (RAN) Board.

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

**CONSENT CALENDAR (JOINT MEETING)**

The following items listed on the Consent Calendar are considered routine in nature and require little or no further discussion by the Council, public or applicant and action may be taken by the City Council by a single motion. Unless already having done so under Citizen Business, any member of the public may comment at this time on items on this Consent Calendar prior to the Council's consideration of the Consent Calendar. Comments on the Consent Calendar are normally restricted to a total of three (3) minutes in length per person. Any member of the Council may request that any listed item be removed from the Consent Calendar. That item shall be placed on the Regular Agenda section of the Council meeting and considered by the Council as other matters on the Regular Agenda portion of the Agenda.

**6. WARRANTS AND AUDITED CLAIMS FOR DECEMBER 16, 2011 – JANUARY 11, 2012 (Administrative Services) (Action)**

This motion receives and files the warrants and audited claims (the A/P Check Registers) as submitted.

**7. APPROVAL OF A RESOLUTION AMENDING THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (EOPS) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34169 (Administrative Services) (Action)**

It is recommended that the City Council/Redevelopment Agency approve a resolution of the Cotati Community Redevelopment Agency amending the Enforceable Obligation Payment Schedule adopted on January 11, 2012 to include June 2012.

**8. ADOPTION OF RESOLUTIONS REGARDING FORGIVENESS OF LOANS, ADVANCE OR INDEBTEDNESS TO A PUBLIC BODY, REGARDING FORGIVENESS OF LOANS, ADVANCE OR INDEBTEDNESS TO THE COTATI COMMUNITY REDEVELOPMENT AGENCY (Administrative Services) (Action)**

It is recommended that the City Council adopt two resolutions pursuant to AB 936, Health and Safety Code Section 33354.8: 1) A resolution Regarding Forgiveness of Loans, Advance or Indebtedness to a Public Body; and 2) Regarding Forgiveness of Loans, Advance or Indebtedness to the Cotati Community Redevelopment Agency.

**9. ADOPTION OF A RESOLUTION DETERMINING THAT THE CITY OF COTATI ELECTS TO, AND SHALL, RETAIN THE HOUSING ASSETS AND FUNCTIONS OF THE COTATI COMMUNITY REDEVELOPMENT AGENCY (CCRA) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34176(A) (Administrative Services) (Action)**

It is recommended that the City Council adopt a resolution determining that the City of Cotati elects to, and shall, retain the Housing assets and Functions of the Cotati Community Redevelopment Agency (CCRA) pursuant to Health and Safety Code Section 34176(a).

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

**CITY COUNCIL REPORTS (Discussion)**

**ADJOURNMENT**

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 January 20, 2012.

/s/ Tamara Taylor, Deputy City Clerk



**MINUTES**  
**REGULAR CITY COUNCIL MEETING, JOINT MEETING OF THE CITY COUNCIL**  
**AND THE BOARD OF DIRECTORS OF THE COTATI COMMUNITY**  
**REDEVELOPMENT AGENCY**  
**WEDNESDAY JANUARY 11, 2012**  
**6:30 PM CLOSED SESSION**  
**7:00 PM REGULAR SESSION**  
**City Council Chambers, City Hall, 201 W. Sierra Avenue**

**6:30 PM CLOSED SESSION**

**CALL TO ORDER (CITY COUNCIL CHAMBERS)**

Mayor Orchard called the closed session to order at 6:31 p.m.

Councilmembers present: Dell'Osso, Gilardi, and Landman, Vice Mayor Harvey and Mayor Orchard.

Mayor Orchard opened the floor to public comment on the closed session items; there being no one wishing to speak, Mayor Orchard closed the public comment period and adjourned to closed session

**CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

City Designated Representative: City Manager or designee

Employee Organizations: (1) Cotati Employees Association (2) Cotati Police Management Association  
(3) Cotati Police Officers Association

**7:00 PM REGULAR SESSION**

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

Mayor Orchard called the meeting to order at 7:03 p.m.

Mayor Orchard stated that there was nothing to report out of Closed Session.

**ROLL CALL**

Councilmembers present: Dell'Osso, Gilardi, and Landman, Vice Mayor Harvey and Mayor Orchard.

Staff present:, Director of Administrative Services Jone Hayes, Assistant to the City Manager Marsha Sue Lustig, City Engineer/Director of Public Works Damien O'Bid, Police Chief Michael Parish, City Attorney Rich Rudnansky

**PLEDGE OF ALLEGIANCE**

Mayor Orchard led the pledge of allegiance.

- 1. APPROVAL OF MINUTES OF DECEMBER 14, 2011 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (City Manager) (Action)**

**Moved** by Councilmember Dell'Osso, seconded by Vice Mayor Harvey and passed unanimously to approve the minutes of the December 14, 2011 Regular meeting as presented and to waive reading of all resolutions and ordinances introduced and/or adopted under this agenda.

## **REORGANIZATION OF CITY COUNCIL**

City Manager Dianne Thompson opened the floor to public comment.

### **ELECTION OF MAYOR**

**Moved** by Councilmember Gilardi, seconded by Councilmember Landman to nominate Vice Mayor Harvey for Mayor. The motion passed unanimously.

### **ELECTION OF VICE MAYOR**

**Moved** by Councilmember Orchard, seconded by Councilmember Dell'Osso to nominate Councilmember Gilardi for Vice Mayor. The motion passed unanimously.

### **COMMENTS FROM NEWLY ELECTED MAYOR SUSAN HARVEY**

Mayor Susan Harvey commended Councilmember Orchard and summarized Councilmember Orchard's work as Mayor during the past year, after which Mayor Harvey presented Councilmember Orchard with a commemorative plaque.

### **COMMENTS FROM FORMER MAYOR JANET ORCHARD**

Councilmember Orchard commented on her year as Mayor and congratulated new Mayor Susan Harvey and new Vice Mayor Pat Gilardi.

Councilmembers commended Councilmember Orchard for her work as Mayor during the past year.

City Manager Thompson expressed appreciation on behalf of herself and City staff for Councilmember Orchard's work during her term as Mayor.

Mayor Harvey provided final comments and called a recess at 7:10 p.m.

## **RECEPTION**

Reception for the incoming and outgoing Mayor and Vice Mayor.

Mayor Harvey reconvened the meeting at 7:34 p.m.

## **ANNOUNCEMENTS**

The Rohnert Park-Cotati Library News offers a variety of programs for all ages. All events are free and open to the public. For more information, call the library at 584-9121 or visit [sonomalibrary.org](http://sonomalibrary.org).

On Thursday, January 12th at 7:00 p.m. the Cotati Creek Critters will host a presentation: The Laguna de Santa Rosa: Past, Present, and Future. The presenter is Denise Cadman, Natural Resource Specialist for the City of Santa Rosa. The event will take place in the Cotati Room at the Ray Miller Community Center. For additional information call 707-792-4222 or log onto CotatiCreekCritters.info

The Cotati Historical Society Museum is open regularly on Saturdays from 1:00 – 4:00 p.m. and the 2<sup>nd</sup> Wednesday of each month from 5:30-8:00 p.m. For more information call 707-794-0304.

### **HONORARY MAYOR**

Mary Nguyen of Lawrence E. Jones Middle School presented a verbal report to the Council and responded to questions.

### **PRESENTATION**

Cordell Stillman, Deputy Chief Engineer with the Sonoma County Water Agency presented the Community Choice Aggregation Feasibility Study to the City Council and responded to questions.

### **CITY MANAGER'S REPORT**

City Manager Dianne Thompson reported on the latest information regarding Redevelopment Agency changes and dissolution, noted that mid-year budget review and strategic planning dates will be scheduled soon and reviewed Cotati's highlights of 2011.

### **APPROVAL OF FINAL AGENDA**

No changes.

### **CITIZEN BUSINESS**

The following individuals addressed the Council regarding items not on the agenda or regarding the presentation:

Greg Karraker

George Barich

Jan Kravitz

Kathryn Wickstrom

Councilmembers commented briefly on statements made during Citizen Business.

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

None.

## **CONSENT CALENDAR**

**Moved** by Vice Mayor Gilardi, seconded by Councilmember Orchard and passed unanimously to approve item 2 on the Consent Calendar.

### **2. ADOPTION OF AN ORDINANCE AMENDING AND RENUMBERING CHAPTER 2.32, PERSONNEL, OF THE COTATI MUNICIPAL CODE (Administrative Services) (Action)**

Ordinance No. 834 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI AMENDING AND RENUMBERING CHAPTER 2.32 OF THE COTATI MUNICIPAL CODE RELATING TO PERSONNEL

## **REGULAR AGENDA**

### **3. COUNCIL ASSIGNMENTS AS REPRESENTATIVES AND LIAISONS TO VARIOUS COMMITTEES AND COMMISSIONS (City Manager) (Action)**

City Manager Thompson presented the staff report.

Mayor Harvey opened the floor to public comment.

George Barich commented regarding the code of ethics committee.

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

Discussion ensued, with the Council agreeing to the following changes:

- ◆ Sonoma County Health Action: Councilmember Orchard as alternate;
- ◆ Mayors' and Councilmembers' Association Legislative Liaison: Councilmember Orchard and Mayor Harvey as member and alternate, respectively.
- ◆ Planning Commission Liaison: Councilmember Dell'Osso

**Moved** by Vice Mayor Gilardi, seconded by Councilmember Orchard and passed unanimously to assign representatives and liaisons to various committees and commissions for 2012.

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

Mayor Harvey adjourned the regular meeting and called to order the joint meeting at 8:45 p.m.

## **CONSENT CALENDAR (JOINT MEETING)**

Mayor Harvey opened the floor to public comment on the joint consent calendar.

The following individuals addressed the Council regarding items on the joint consent calendar.

Greg Karraker spoke in support of item 5.

George Barich spoke in support of item 5.

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

**Moved** by Councilmember Landman, seconded by Councilmember Orchard and passed unanimously to approve items 4 - 6 on the consent calendar (joint meeting).

**4. APPROVAL OF A RESOLUTION AMENDING THE ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (EOPS) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34169 (Administrative Services) (Action)**

Resolutions No. 2011-73 and CRA 240 entitled: A RESOLUTION OF THE COTATI COMMUNITY REDEVELOPMENT AGENCY AMENDING THE ADOPTED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

**5. ADOPTION OF A RESOLUTION DETERMINING THAT THE CITY OF COTATI ELECTS TO, AND SHALL, SERVE AS THE SUCCESSOR AGENCY TO THE DISSOLVED COTATI COMMUNITY REDEVELOPMENT AGENCY (CCRA) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34173 (Administrative Services) (Action)**

Resolution No. 2011-74 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI DETERMINING THAT THE CITY OF COTATI ELECTS TO, AND SHALL, SERVE AS THE SUCCESSOR AGENCY TO THE DISSOLVED COTATI COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34173

**6. WARRANTS AND AUDITED CLAIMS WARRANTS AND AUDITED CLAIMS FOR NOVEMBER 23, 2011 – DECEMBER 15, 2011 (Administrative Services) (Action)**

This motion receives and files the warrants and audited claims (the A/P Check Registers) as submitted.

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

Mayor Harvey adjourned the joint meeting and reconvened the regular meeting at 8:52 p.m.

**CITY COUNCIL REPORTS (Discussion)**

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

**ADJOURNMENT**

Mayor Harvey moved, and Council concurred, to adjourn the meeting at 8:54 p.m.

Respectfully submitted,



## City Council Agenda Consent Calendar

**Subject:** Notice of Completion for Charles Street Sidewalk Improvements Project, Project No. E11-1

**Date:** January 25, 2012

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

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### **Recommendation**

It is recommended that the Council adopt a resolution to accept the improvements and authorize filing of the Notice of Completion (NOC) for the *Charles Street Sidewalk Improvements Project, Project No. E11-1*.

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### **Background**

At the May 25, 2011 City Council meeting, the Council authorized staff to advertise and award a construction contract for accessibility improvements to Charles Street and West School Street. This work primarily consisted of constructing new sidewalk on the south side of Charles Street, between Ross Street and Old Redwood Highway. Other improvements included reconstruction of the path between the pedestrian tunnel under US 101 and West School Street, including reconstruction of a non-ADA compliant driveway apron.

The City of Cotati was awarded a Community Development Block Grant (CDBG), which are federal funds distributed by the U.S. Department of Housing and Urban Development (HUD) to the Sonoma County Community Development Commission, which in turn distributes and administers the funds locally. The CDBG funding can only be used for projects which address accessibility improvements, as described under the federal Americans with Disabilities Act (ADA). In this case, the CDBG was for \$81,602, and could be used for design, environmental, and construction. After design and environmental costs, \$65,000 was available for construction.

On July 1, 2011, the contract was awarded to Wildcat Engineering, the lowest responsible and responsive bidder with a total base bid of \$39,370. Wildcat Engineering was issued a Notice to Proceed for October 3, 2011.

### **Analysis/Discussion**

During the course of construction, the City elected to proceed with bid alternate work under the contract. This work primarily consisted of the additional accessibility improvements on West School Street.

The final contract amount, after deductive and additive change orders, was \$53,620.00, which is under the Council authorized appropriation limit of \$65,000.00. The City is currently holding the minimum 10% retention (\$5,362.00).

### **Financial Considerations**

The project was completed within the available grant funds. CDBG funds do not require any City match. Therefore, no General Fund revenue, or any other City funds, were used for this project.

### **Environmental Issues**

None.

Attachments:

1. Proposed Resolution
2. Notice of Completion

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING AS COMPLETE THE CHARLES STREET SIDEWALK IMPROVEMENTS PROJECT, PROJECT NO. E11-1**

**WHEREAS**, The Notice to Proceed was issued for the *Charles Street Sidewalk Improvements Project, Project No. E11-1* to Wildcat Engineering on October 3, 2011; and

**WHEREAS**, Wildcat Engineering has completed the work specified in the contract to the satisfaction of the City Engineer / Director of Public Works.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cotati hereby accepts the contract work performed on the *Charles Street Sidewalk Improvements Project, Project No. E11-1*; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Cotati that the City Clerk is hereby directed to record a Notice of Completion for said contract work; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Cotati that the City Manager is hereby authorized to release any remaining contract retention to Wildcat Engineering, thirty-five (35) days after the recordation of the Notice of Completion, provided that no liens or stop notices have been filed against the project.

**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 25<sup>th</sup> day of January, 2012 by the following vote, to wit:

HARVEY	_____
DELL'OSSO	_____
GILARDI	_____
LANDMAN	_____
ORCHARD	_____

Approved: \_\_\_\_\_  
Susan Harvey, Mayor

Attest: \_\_\_\_\_  
Tamara Taylor, Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
Rich Rudnansky, City Attorney

**RECORDING REQUESTED BY:**

City Clerk  
City of Cotati  
201 W. Sierra Ave.  
Cotati, CA 94931

**Attachment 2**

**WHEN RECORDED RETURN TO:**

City Clerk  
City of Cotati  
201 W. Sierra Ave.  
Cotati, CA 94931

No fee due for recordation pursuant to Gov't. Code §6103

**NOTICE OF COMPLETION**

**(ACCEPTANCE OF IMPROVEMENTS)**

NOTICE IS HEREBY GIVEN THAT:

1. The City Council of the City of Cotati has accepted the improvements at the City Council meeting of **January 25, 2012** for the *Charles Street Sidewalk Improvements Project (Project No. E11-1)*.
2. The improvements included the construction of new sidewalk on Charles Street, between Ross Street and Old Redwood Highway, and a reconstructed path and driveway apron on West School Street in Cotati, California.
3. The improvements were completed and deemed complete by the Director of Public Works/City Engineer on January 25, 2012..
4. The name of the original contractor for the work of improvement was **Wildcat Engineering.**
5. The final contract amount is **\$53,620.00**.
6. A maintenance bond and guaranty in the amount of \$5,362.00 is in place for a period of one (1) year from the date of City Council acceptance of the improvements.
7. This Notice of Completion constitutes the City's acceptance of the improvements for this project.

I am the City Manager for the **City of Cotati**, a Municipal Corporation. I make this verification on behalf of the **City of Cotati**. I have read the Notice and know its contents. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Dianne Thompson  
City Manager

Approved as to technical content:

\_\_\_\_\_  
Damien O'Bid  
Director of Public Works/City Engineer

## City Council Agenda Consent Calendar

**Subject:** Installation of 3 Electric Vehicle Charging Stations, ChargePoint America Program

**Date:** January 25, 2012

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

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### **Recommendation**

It is recommended that the Council adopt a resolution authorizing the City Manager to execute the attached award agreement and master services agreement with Coulomb Technologies for the installation of 3 electric vehicle charging stations at City Hall (201 West Sierra Avenue).

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### **Background**

Coulomb Technologies, a manufacturer of electric vehicle charging stations, partnered with the County of Sonoma (County) and was the recipient of two separate grants to install electric vehicle charging stations in Sonoma County. One grant is from the Department of Energy, and was funded through the federal stimulus (ARRA) program. This grant is for the purchase of electric vehicle chargers. The other grant is from the California Energy Commission, and is for the installation of the chargers.

Through this program, each City in Sonoma County is eligible to receive a minimum of 3 electric vehicle charging stations. The County of Sonoma is funding the site design of the charging stations. The design primarily describes the work necessary to ensure a consistent installation across the County, and related signage, trenching, electric work, and ADA accessibility.

The ChargePoint America program is just one of 3 electric vehicle charging station grant programs currently being managed by the County. In the Northern Air District (Healdsburg and all cities north), the County is implementing a similar but separate program. The County is also moving forward on installing electric vehicle charging stations at County facilities throughout the County. In Cotati, these chargers are tentatively slated for installation at the Veterans Hall. These chargers may be installed later in 2012.

### **Analysis/Discussion**

Under the ChargePoint program, the City would have 3 Coulomb electric vehicle charging stations installed at City Hall at no cost to the City. During design, the City would only be liable for costs related to our existing electrical service panel, if it is insufficient to support the charging stations for some reason, and needs to be upgraded.

By executing the award and master services agreement, the City would commit to operating the 3 electrical vehicle charging stations until December 31, 2013. During this initial operation period, the subscription costs to Coulomb is covered by the grants, so there would be no cost to the City other than the cost of electricity to operate the charging stations. The related equipment warranty would cover the cost of any equipment or manufacturing defects. During this initial operation period, the City would be responsible for repairing damage that is not covered by the warranty. An example of non-warranty damage would be if the charging stations were vandalized and rendered non-operational.

The subscription service allows for potential customers to see the status of the charging station from a web page, so they know if the units are functional and can reserve the charging station before they leave their home to ensure it's available when they arrive in Cotati. It also allows for the setting of a charging fee. If the City elects to set a fee to charge, it would be processed by Coulomb and remitted to the City. There is currently a County working group discussing this topic, with the goal of setting a uniform fee (if any) County-wide.

Installation would occur in the first half of 2012, and would be done by County crews. After December 31, 2014, the City can elect to continue to operate the charging stations, in which case the City would need to pay the subscription fee to Coulomb. The City could also elect to terminate the subscription and dismantle the charging stations at that time, as there are no further obligations under the grants.

### **Financial Considerations**

Except for the cost of the electricity, the installation and operation of the 3 electrical vehicle chargers are expected to have no cost impacts to the City. However, during installation, it's possible that the City's existing electrical panel could need to be upgraded. If this is the case, and even if the City chooses to fully replace the electrical panel, it is expected to cost under \$2,000.

In the event that a charger is vandalized and if it is completely destroyed, it could cost up to approximately \$5,500 to purchase a new electrical vehicle charger. However, based on the County's experience to date with publicly accessible electrical vehicle chargers, this is unlikely. The chargers would also be located in a highly visible location, which would be less likely to be vandalized.

As mentioned earlier, the City would only be obligated to operate, repair, etc. the charging stations until December 31, 2013. After that date, the City has no further obligations under the agreements.

If necessary, any cost for an upgraded electrical panel or repair of a damaged charging station would come from the General Capital Outlay Fund. Otherwise, the only expected expense will be the additional electrical costs related to the operation of these charging stations. Electrical costs for City Hall are allocated across the primary City funds that support City Hall operations, including the General Fund, the Enterprise Funds, and the RDA funds.

### **Environmental Issues**

None (the project is exempt from CEQA).

#### Attachments:

1. Proposed resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI  
AUTHORIZING THE CITY MANAGER TO EXECUTE THE AWARD AND MASTER  
SERVICES AGREEMENTS WITH COULOMB TECHNOLOGIES FOR THE  
INSTALLATION OF 3 ELECTRIC VEHICLE CHARGING STATIONS AT CITY HALL**

**WHEREAS**, encouraging the use of electric and plug-in hybrid vehicles through installation of charging stations is consistent with the City goals to reduce greenhouse gas emissions; and

**WHEREAS**, Coulomb Technologies, in partnership with the County of Sonoma, has been awarded grants from the Department of Energy and the California Energy Commission for the installation of electric vehicle charging stations in Sonoma County; and

**WHEREAS**, the grant program, referred to as ChargePoint America, is just one of 3 programs managed by the County of Sonoma for the installation of electric vehicle charging stations throughout Sonoma County, including at City and County facilities; and

**WHEREAS**, the County of Sonoma will be providing all design and construction services for the installation of 3 electric vehicle charging stations at City Hall in Cotati; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Cotati hereby authorizes the City Manager to execute, on behalf of the City, the Award and Master Services Agreements with Coulomb Technologies for the installation and operation of 3 electric vehicle charging stations at the City Hall in Cotati.

**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 25<sup>th</sup> day of January, 2012 by the following vote, to wit:

HARVEY \_\_\_\_\_  
DELL'OSSO \_\_\_\_\_  
GILARDI \_\_\_\_\_  
LANDMAN \_\_\_\_\_  
ORCHARD \_\_\_\_\_

Approved: \_\_\_\_\_  
Susan Harvey, Mayor

Attest: \_\_\_\_\_  
Tamara Taylor, Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
Rich Rudnansky, City Attorney

## City Council Agenda Consent Calendar

**Subject:** Endorsement of HR 192 (S. 179), The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act.

**Date:** January 25, 2012

**Written by:** Dianne Thompson, City Manager

---

### **Recommendation**

It is recommended that the City Council adopt a motion to endorse HR 192 (S. 179), The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act and direct staff to prepare and send a letter of support to the Honorable Lynn Woolsey.

---

### **Background**

This legislation would expand the boundaries of the two sanctuaries off the Marin coast up through Sonoma and southern Mendocino to Pt. Arena. The bill passed the House a few years ago, at which time the City supported it; however it stalled in the Senate, so another push is being made. It is widely supported by local elected officials, sport and commercial fishing groups, and environmental groups, including locally by California State Assembly members Jared Huffman, Michael Allen and Wes Chesbro, California State Senators Mark Leno and Noreen Evans, the Counties of Sonoma, Marin and Mendocino and the Sonoma County Cities of Rohnert Park, Petaluma and Sebastopol.

### **Analysis/Discussion**

Please see attachment 2 (Description of The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act) for a detailed analysis of the bill.

### **Financial Considerations**

N/A

**Environmental Issues**

N/A

Attachments:

1. Proposed (draft) letter of support
2. Description of The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act
3. Sanctuary expansion map

DT:tl

January 26, 2012

DRAFT

Attachment 1

The Honorable Lynn Woolsey  
United States House of Representatives  
1101 College Ave., #200  
Santa Rosa, CA 95404

Re: Support for HR 192

Dear Congresswoman Woolsey:

The City of Cotati is committed to protecting the unique and rich array of marine resources along our coast. This letter is to confirm its support of the reintroduction of HR 192 (S. 179), The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act.

The expansion of the boundaries places no additional restrictions on the fishing community, does not conflict with existing or future regulation from the California Department of Fish and Game, and does not interfere with vessel traffic lanes. In addition, the expansion helps maintain important commercial and sport fishing enterprises as well as helps to protect local jobs, existing oyster operations and native fisheries. It both safeguards and enhances our extremely valuable tourism industry and the vital ocean and fisheries research conducted by the University of California's Bodega Marine Laboratory.

This bill would extend these sanctuaries north and westward to protect the Sonoma and southern Mendocino Coast's natural beauty and significant bio-diversity. These waters will protect the California Upwelling Ecosystem (CUE), one of only four major coastal upwelling systems on Earth, the only such system in the United States, comprising only 1 percent of the ocean but producing 20 percent of the world's fish. Not only is this region one of the most important 'natural laboratories' in the world, its coastal estuaries are critical passages for endangered salmon and steelhead, essential haulouts for seals and sea lions, and prolific nurseries for hundreds, perhaps thousands, of aquatic species.

We pleased to give this bill a clear endorsement and look forward to helping ensure its passage into law.

Sincerely,

Susan Harvey  
Mayor

Cc:

The Honorable Barbara Boxer

The Honorable Dianne Feinstein

The Honorable Doc Hastings, Chair, House Natural Resources Committee

The Honorable Edward J. Markey, Ranking Member

The Honorable John D. Rockefeller, Chair, Senate Committee on Commerce, Science, and Transportation

The Honorable Kay Bailey Hutchison, Ranking Member

## The Gulf of the Farallones and Cordell Bank National Marine Sanctuaries Boundary Modification and Protection Act

**Purpose:** To protect the rich biological life in the coastal waters and estuaries of Sonoma and southern Mendocino Counties, California. These marine environments support high levels of biological diversity exceeding the biological productivity of tropical rain forests.

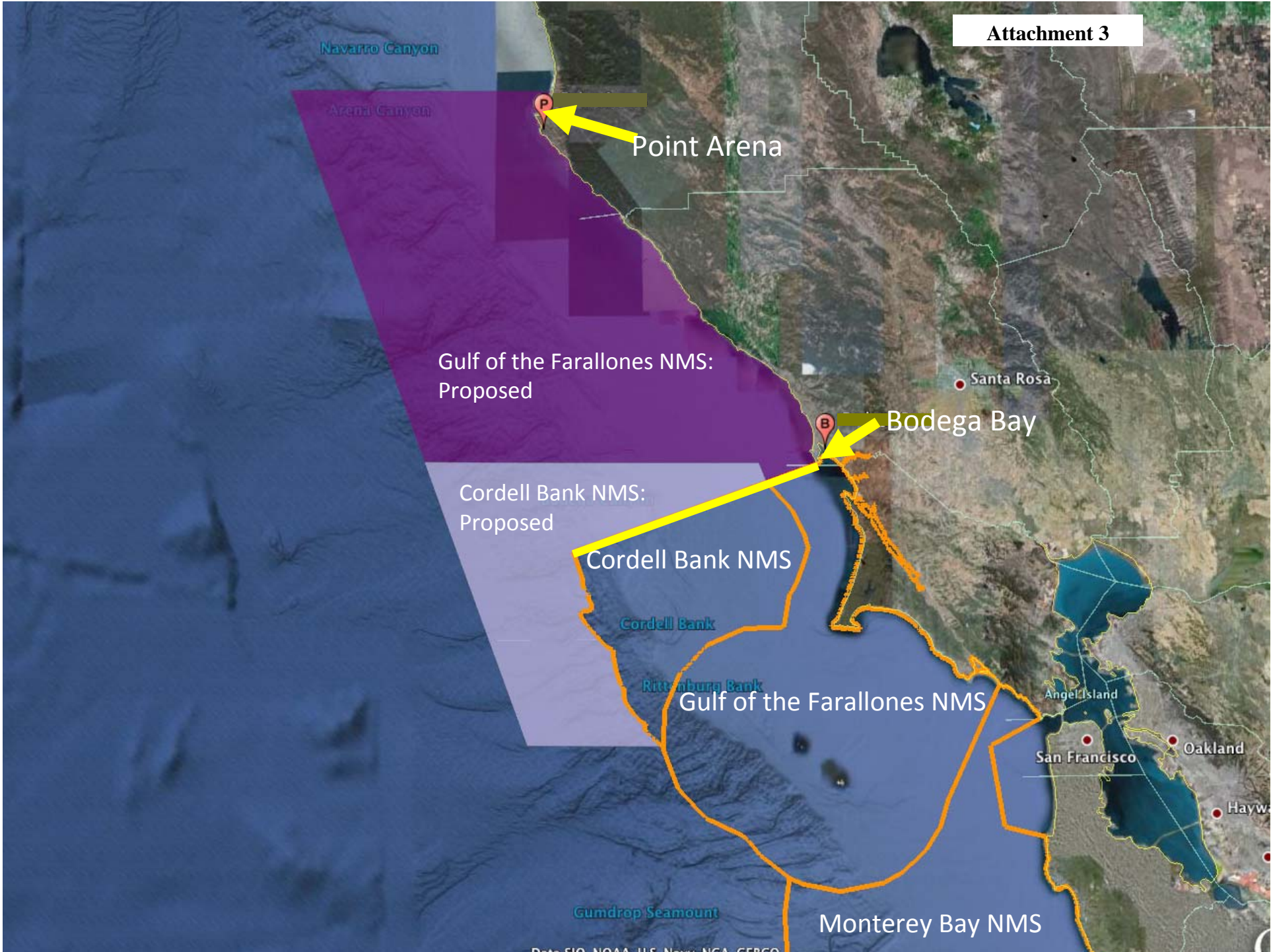
While the Northern California coast just south of Bodega Head is protected by the Gulf of the Farallones and the Cordell Bank National Marine Sanctuaries, the biologically productive Sonoma and southern Mendocino Coast deserve protection from oil spills and land-based pollution. The bill would also extend protection to the rich estuaries of the Russian and Gualala Rivers.

The bill would adjust the boundary of the two existing sanctuaries north and westward. The westward adjustment will take the sanctuaries out into deeper water making it more difficult to extract oil from the ocean floor. The northern adjustment for Cordell Bank will add an area called the Bodega Canyon, the vortex for much of the nutrient-rich upwelling along this coast. Moving the boundary of the Gulf of the Farallones northward would bring it just past Point Arena in Mendocino.

National Marine Sanctuaries are designated in areas that have special biological significance. The Sonoma and southern Mendocino Coast is one of the most biologically productive regions in the world. It is within one of the four coastal upwelling zones on the planet, comprising only 1 percent of the ocean, but producing 20 percent of the world's fish. Nutrient-rich water rises from deeper levels to replace the surface water that has drifted away, and these nutrients support the large fish population found in this area. Additionally, the coastal estuaries are important passages for endangered salmon and steelhead, essential haulouts for seals and sea lions, and prolific nurseries for hundreds of aquatic species.

This bill does not add any additional regulations to fishing. That will be left to the State of California, which has jurisdiction in state waters, and to the Pacific Fisheries Management Council, which already has federal jurisdiction.

By protecting the Sonoma and southern Mendocino coast and estuaries, the bill will protect the Bodega Marine Laboratory investment in marine research, jobs that are dependent on a tourist economy. And, because the bill will protect fish habitat, it will protect the livelihoods of fishermen.



Navarro Canyon

Arena Canyon

Point Arena

Gulf of the Farallones NMS:  
Proposed

Santa Rosa

Bodega Bay

Cordell Bank NMS:  
Proposed

Cordell Bank NMS

Cordell Bank

Rittenburg Bank

Gulf of the Farallones NMS

Angel Island

San Francisco

Oakland

Hayward

Gumdrop Seamount

Monterey Bay NMS



## City Council Agenda Regular Agenda

**Subject:** Recommendation to City Selection Committee of Appointments to Association of Bay Area Government (ABAG) San Francisco Bay Conservation and Development Commission and Remote Access Network (RAN) Board

**Date:** January 25, 2012

**Written by:** Dianne Thompson, City Manager

---

### **Recommendation**

It is recommended that the City Council adopt a motion to support its choices from those Sonoma County City Council members who have submitted letters of interest for appointment by the City Selection Committee to the Association of Bay Area Government (ABAG) San Francisco Bay Conservation and Development Commission and Remote Access Network (RAN) Board.

### **Background**

At its February 9, 2012 meeting the Sonoma County Board of Supervisors City Selection Committee will appoint representatives to the Association of Bay Area Government (ABAG) San Francisco Bay Conservation and Development Commission (only nominees from the City of Petaluma are eligible for this appointment) and Remote Access Network (RAN) Board (this position may only be filled by a mayor).

### **Analysis/Discussion**

Letters of interest have been received from Petaluma Councilmember Teresa Barrett for appointment to the ABAG SF Bay Conservation and Development Commission (only nominees from the City of Petaluma are eligible for this appointment) and Rohnert Park Mayor Jake Mackenzie of Rohnert Park for the RAN Board (this position may only be filled by a mayor).

### **Financial Considerations**

None.

### **Environmental Issues**

None.

Attachment:

1. Letters from Sonoma County Board of Supervisors and Association of Bay Area Government requesting letters of interest
2. Letters of interest from Teresa Barrett of Petaluma (for ABAG SF Bay Conservation and Development Commission) and Jake Mackenzie of Rohnert Park (RAN Board)

COUNTY OF SONOMA  
BOARD OF SUPERVISORS

575 ADMINISTRATION DRIVE, RM. 100A  
SANTA ROSA, CALIFORNIA 95403

(707) 565-2241  
FAX (707) 565-3778



Attachment 1

MEMBERS OF THE BOARD

Efren Carrillo  
CHAIR

Shirlee Zane  
VICE CHAIR

Valerie Brown

David Rabbitt

Mike McGuire

November 10, 2011

Mayor Laurie Gallian  
City of Sonoma  
No. 1 The Plaza  
Sonoma, CA 95476-9000

Dear Mayor Gallian:

The City Selection Committee will hold its regular yearly meeting on February 9, 2012. At that meeting, the Committee will consider making appointments and recommendations to the following Boards and Commissions:

City Selection Chair – Laurie Gallian's term expires January 2012 (one year term).

City Selection Vice-Chair – Steve Allen's term expires January 2012 (one year term).

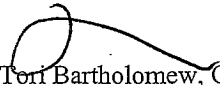
Remote Access Network (RAN) Board – to replace Gina Belforte (no specific term, but must be filled by a Mayor)

The City Selection Committee will need to receive letters of interest to facilitate the nomination process at the February 9, 2012 meeting no later than **January 6, 2012**. I ask that you please send a request for letters of interest to the Mayors in the Sonoma County Mayors' and Councilmembers' Association. Letters should be sent to my attention and mailed to:

Tori Bartholomew, Clerk  
City Selection Committee  
575 Administration Drive, Room 100A  
Santa Rosa, CA 95403

Should you have any questions, please contact me at 707-565-2241.

Sincerely,

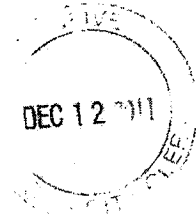
  
Tori Bartholomew, Clerk  
City Selection Committee

# ASSOCIATION OF BAY AREA GOVERNMENTS

Celebrating 50 Years of Service to the Region



December 8, 2011



Laurie Gallian  
Mayor, City of Sonoma  
Chair, Sonoma County City Selection Committee  
No. 1 The Plaza  
Sonoma, CA 95476

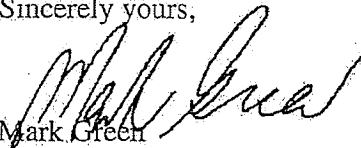
Dear Mayor Gallian:

The Association of Bay Area Governments is seeking nominations to fill the North Bay representative seat on San Francisco Bay Conservation and Development Commission. Nominations from the City Selection Committees from the counties of Marin, Sonoma, Napa, and Solano will be considered for ABAG's appointment to this seat.

In Sonoma County, nominees from Petaluma are eligible for consideration.

Please submit the name of your nominee to Ezra Rapport, ABAG Executive Director, at your earliest convenience. Interviews will be held with nominees from all four counties. Approval of the appointment will be made by the ABAG Executive Board. If you have any questions, please contact Pat Jones, ABAG Assistant Executive Director, at 510 464 7933.

Sincerely yours,

  
Mark Green  
ABAG President  
Mayor, City of Union City

Copy:  
Gay Johann

Representing City and County Governments of the San Francisco Bay Area

Mailing Address: P.O. Box 2050 Oakland, California 94604-2050 (510) 464-7900 Fax: (510) 464-7985 info@abag.ca.gov  
Location: Joseph P. Bort MetroCenter 101 Eighth Street Oakland, California 94607-4756

COUNTY OF SONOMA  
BOARD OF SUPERVISORS

575 ADMINISTRATION DRIVE, RM. 100A  
SANTA ROSA, CALIFORNIA 95403

(707) 565-2241  
FAX (707) 565-3778



MEMBERS OF THE BOARD

EFREN CARRILLO  
CHAIR  
SHIRLEE ZANE  
VICE CHAIR  
VALERIE BROWN  
DAVID RABBITT  
MIKE MCGUIRE

December 20, 2011

David Glass, Mayor  
City of Petaluma  
11 English Street  
Petaluma, CA 94952

Re: Letters of Interest for ABAG San Francisco Bay Conservation and Development  
Commission

Dear Mayor Glass:

The City Selection Committee received a letter dated December 8, 2011 from Mark Green, President of the Association of Bay Area Governments (ABAG) requesting nominations for a North Bay Representative seat on the San Francisco Bay Conservation and Development Commission. In Sonoma County, nominees from the City of Petaluma are only eligible. ABAG is requesting to receive names of nominees prior to their January 19, 2012 Board meeting, however should someone from Petaluma express interest, ABAG has indicated that they will delay the nominee interview process until March 2012.

I ask that you please send a request for letters of interest for the Commission mentioned above to the City of Petaluma Councilmembers. **The City Selection Committee will need to receive letters of interest to facilitate the nomination process by January 6, 2012.** If letters of interest are received by the deadline, the City Selection Committee will consider making nominations to the ABAG San Francisco Bay Conservation and Development Commission at the February 9, 2012 meeting.

Letters should be mailed to:

Chris Anderson, Clerk  
City Selection Committee  
575 Administration Drive, Room 100A  
Santa Rosa, CA 95403

Should you have any questions, please contact me at 707-565-2241.

Sincerely,

*Michelle Arellano*

Michelle Arellano  
City Selection Committee

C: Laurie Gallian, Chair, City Selection Committee

Enclosure: Association of Bay Area Governments letter dated December 8, 2011



# CITY OF PETALUMA

POST OFFICE BOX 61  
PETALUMA, CA 94953-0061

30 December 2011

Teresa Barrett  
Councilmember

Dear Mayors and Councilmembers,

I am asking for your City's support as Sonoma County's City Select Committee nominee for the Association of Bay Area Government's appointment to the Bay Conservation and Development Commission (BCDC).

BCDC deals with policy and land use issue along the San Francisco Bay and its tidal influences. My background as a Petaluma City Councilmember, Petaluma Planning Commissioner, Sonoma County Local Agency Formation Commissioner (LAFCO) and Committee member on Sonoma County Water Agency's Zone 2A makes me uniquely qualified for this position to serve on BCDC. As a San Francisco native, I am very familiar with the Bay Area.

I am aware this position requires a time commitment to travel to and from San Francisco which I am prepared to undertake. I am familiar with the issues before the Commission including implementation of the recent approval of the Vulnerability and Adaptation Strategy for the Bay Area, balancing business interests with public access along the shorelines, bay land restorations and permitting challenges. BCDC also works closely with the other three regional agencies, the Metropolitan Transportation Commission, Bay Area Air Quality Management District and Association of Bay Area Governments.

It is important to be involved in decision making on regional committees as well as those of our city. To this end, I seek this nomination and know I will listen to divergent interests and make good decisions for the entire bay area. Regional planning and coordination on these important issues are necessary for the sustainable long term vision of the San Francisco Bay Area.

If you have any questions, please contact me by phone at 707.953.0846 or at [teresa4petaluma@comcast.net](mailto:teresa4petaluma@comcast.net)

Again, I would appreciate your support for this appointment. Thank you for your consideration.

Sincerely,

Teresa Barrett  
Councilmember  
City of Petaluma

Petaluma City Hall  
11 English Street  
Petaluma, CA 94952

Phone (707) 778-4345  
Fax (707) 778-4419

E-Mail  
[teresa4petaluma@comcast.net](mailto:teresa4petaluma@comcast.net)



**RECEIVED**

**DEC 20 2011**

**BOARD OF SUPERVISORS  
COUNTY OF SONOMA**

**City Council**

December 14, 2012

Jake Mackenzie  
*Mayor*

Tori Bartholomew, Clerk  
City Selection Committee  
575 Administration Drive, Room 100A  
Santa Rosa, CA 95403

Pam Stafford  
*Vice-Mayor*

Amy O. Ahanotu  
Gina Belforte  
Joseph T. Callinan

Subject: Remote Access Network (RAN) Board

Council Members

To Whom It May Concern:

Gabriel Gonzalez  
*City Manager*

I am submitting my name for appointment to the Remote Access Network (RAN) Board.

Carol Adams  
*Interim City Clerk*

Michelle Marchetta Kenyon  
*City Attorney*

I note that one of the positions on the Board, required under Section 9250.19, must be filled by a Mayor appointed by the City Selection Committee. I am the current Mayor of the City of Rohnert Park.

Alexandra Barnhill  
*Assistant City Attorneys*

Thank you for your consideration. I look forward to your support.

Darrin W. Jenkins  
*Director of Development Services /  
City Engineer*

Sincerely,

Sandra M. Lipitz  
*Director of Administrative Services*

A handwritten signature in black ink that reads "Jake Mackenzie". The signature is written over a horizontal line and extends slightly below it.

Brian Masterson  
*Director of Public Safety*

Jake Mackenzie,  
Mayor

John McArthur  
*Director of Public Works &  
Community Services*

JM/bl  
Mayor Laurie Gallian, City of Sonoma  
Rohnert Park City Council  
Gabriel Gonzalez, City Manager

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

**Subject:** Receive and File Warrants and Audited Claims for December 16, 2011 – January 11, 2012

**Date:** January 25, 2012

**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 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 is the totals for the Warrants and Audited Claims (the A/P Check Register) issued for the period of December 16, 2011 – January 11, 2012:

January 11, 2012	\$ 224,738.99
January 11, 2012	<u>180.91</u>
Total	\$ 224,738.99

Check #61412 to the County of Sonoma from last check run voided due to pending elimination of pending Redevelopment Agencies

**Environmental Issues**

None.

Attachment:

1. Check Registers dated 01/11/12



PACKET: 00569 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#
CIT12	CITY OF SEBASTOPOL I-123111	BLDG OFFICIAL SVCS - DEC 2011	R	1/11/2012		1,370.88CR	061492
CIT19	CITY OF ROHNERT PARK I-120811 I-120811A	008789-000 10/1 - 11/30/11 008789-001 10/1 - 11/30/11	R R	1/11/2012 1/11/2012		398.42CR 411.35CR	061493 061493
COM05	COMCAST I-121111	8155 30 0410042329 12/16-1/15	R	1/11/2012		82.50CR	061494
COM05	COMCAST I-121111A	8155 30 0410042469 12/16-1/15	R	1/11/2012		41.24CR	061495
COM05	COMCAST I-121911	8155 30 0410044085 12/24-1/23	R	1/11/2012		45.35CR	061496
COM21	COMMERCIAL MAINTENANCE CHEMICAL CORP I-63564	LIFT STATION DEGREASER	R	1/11/2012		583.22CR	061497
COT01	COTATI CHAMBER OF COMMERCE I-010312 I-120111	ECONOMIC DEV SVCS - JAN 2012 ECONOMIC DEV SVCS - DEC 2011	R R	1/11/2012 1/11/2012		3,000.00CR 3,000.00CR	061498 061498
COT02	COTATI OAKS TRUE VALUE HARDWARE I-122511	#725-10018 PW SUPPLIES	R	1/11/2012		40.39CR	061499
COT14	COTATI-RP UNIFIED SCHOOL DIST. I-121311	11/12 PER AMENDED AGREEMENT	R	1/11/2012		37,480.45CR	061500
CRA03	SCOTT CRAMER PLUMBING I-963	BACKFLOW TESTS/REPAIRS (4)	R	1/11/2012		5,456.00CR	061501
CRI01	CRITICAL REACH I-12-121	2012 SUPPORT FEES	R	1/11/2012		135.00CR	061502
CUL01	CULLIGAN I-121611	#98186 WELL 2 HI-CAP RENTAL	R	1/11/2012		39.25CR	061503
DAI02	DAILY ACTS I-080511 I-092811	WATER CONS EDUCATION SVCS WATER CONS EDUCATION SVCS	R R	1/11/2012 1/11/2012		11,650.00CR 6,383.46CR	061504 061504

PACKET: 00569 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#
DEN06	DE NOVO PLANNING GROUP I-1242	GENERAL PLAN UPDATE - NOV 2011	R	1/11/2012		11,205.00CR	061505
DEP02	DEPT. OF CONSERVATION I-010912	SEISMIC FEE REPRT OCT-DEC 2011	R	1/11/2012		7.05CR	061506
DEV03	DEVOTO PLUMBING, INC. I-10095	SURV-11/14 HILLVIEW/300 MAPLE	R	1/11/2012		360.00CR	061507
	I-10098	RETRO - 43 CREEK CT.	R	1/11/2012		409.00CR	061507
	I-10166	RETRO - 8020 SUNFLOWER DR	R	1/11/2012		409.00CR	061507
	I-10167	RETRO - 14 HILLVIEW DR.	R	1/11/2012		409.00CR	061507
	I-10168	RETRO - 300 MAPLE AVE	R	1/11/2012		409.00CR	061507
	I-10173	RETRO - 11 HILLVIEW DR.	R	1/11/2012		818.00CR	061507
	I-10190	RETRO - 108 KEPPEL WAY	R	1/11/2012		818.00CR	061507
	I-10191	RETRO - 8452 LAKEWOOD AVE.	R	1/11/2012		409.00CR	061507
	I-10192	RETRO - 8912 CLOTHIER LN.	R	1/11/2012		818.00CR	061507
	I-10206	RETRO - 21 MEADOWBROOK CT	R	1/11/2012		409.00CR	061507
EMP06	EMPLOYEE RELATIONS NETWORK I-58203	PRE-EMP BACKGROUND - PW INTERN	R	1/11/2012		60.75CR	061508
FIS01	FISHMAN SUPPLY CO. I-860405	JANITORIAL SUPPLIES - PD	R	1/11/2012		62.12CR	061509
	I-861014	JANITORIAL SUPP - CH / PARKS	R	1/11/2012		190.64CR	061509
FLE01	FLEET SERVICES I-28162963	0201-00-105456-8 DEC 2011 FUEL	R	1/11/2012		2,853.81CR	061510
FLI01	FLINT TRADING CO. I-138895	PW SUPPLIES - ECA @ ADRIAN	R	1/11/2012		294.20CR	061511
FRO04	FRONTLINE MANAGEMENT, INC. I-5163	TRANSDUCER FOR W SIERRA TANK	R	1/11/2012		925.84CR	061512
GCC01	GCCI, INC. I-4	CH/COMM CTR RSTRM REMODEL	R	1/11/2012		405.00CR	061513
	I-5	CH/COMM CTR RSTRMS-RETAINAGE	R	1/11/2012		8,178.10CR	061513
GRA01	GRAINGER, INC. I-9713557768	PW SUPPLIES - DRILL SET	R	1/11/2012		83.98CR	061514
	I-9713557776	PW SUPPLIES	R	1/11/2012		34.86CR	061514

PACKET: 00569 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#
GRE05	GREEN MARY I-120711	"GREENING SVCS"-TREE LIGHTING	R	1/11/2012		150.00CR	061515
GRO05	GROENIGER AND COMPANY I-5057915-00	PW SUPPLIES	R	1/11/2012		141.05CR	061516
IKO01	IKON OFFICE SOLUTIONS I-86231985	332003 COPIER RENT 1/30-2/28	R	1/11/2012		1,832.00CR	061517
INF01	INFOSTOR, INC. I-121595	RECORD STORAGE - JAN 2012	R	1/11/2012		330.56CR	061518
INF02	INFOSEND, INC. I-55539	STATEMENT PRINTING - DEC 2011	R	1/11/2012		433.34CR	061519
INT14	INTERACTIVE COMPUTER DESIGNS INC. I-025-34275	INSITE FEES - DEC 2011	R	1/11/2012		117.00CR	061520
JUD01	JUDICIAL DATA SYSTEM CORP I-2605	PARKING CITATIONS - NOV 2011	R	1/11/2012		100.00CR	061521
KAI01	KAISER FOUNDATION HEALTH PLAN, INC. I-010912	15832-0000 - FEBRUARY 2012	R	1/11/2012		18,006.00CR	061522
LEX04	LEXISNEXIS RISK DATA MANAGEMENT INC. I-1022911-20111130	MISC INFO SEARCHES - NOV 2011	R	1/11/2012		30.00CR	061523
LIE01	LIEBERT CASSIDY WHITMORE I-143544	CO200-00001 GENERAL	R	1/11/2012		57.00CR	061524
	I-143545	CO200-00014 - PD INVESTIGATION	R	1/11/2012		3,201.66CR	061524
LOO02	MONIKA LOOSE I-010512	HIGH-EFFICIENCY WASHER REBATE	R	1/11/2012		75.00CR	061525
MCC09	MCCAULEY BROTHERS TERMITE & PEST SVC I-13408814	PEST CONTROL	R	1/11/2012		145.00CR	061526
MCL01	MCLEA'S TIRE & AUTOMOTIVE I-6043418	#14 LUBE/OIL/FILTER	R	1/11/2012		44.55CR	061527
MED02	MEDIA GRAPHICS, INC. I-14771	DOG LICENSE FORMS (700)	R	1/11/2012		276.54CR	061528

PACKET: 00569 Regular Payments  
 VENDOR SET: 01  
 BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#
MES02	JEFFREY A MESTON I-011012	CONSULT - ORH PROJECT	R	1/11/2012		1,045.00CR	061529
MYE01	MYERS-STEVENSON & TOOHEY CO C-977825 I-977867	PD DISABILITY - DEC 2011 PD DISABILITY - JAN 2012	R R	1/11/2012 1/11/2012		39.00 292.50CR	061530 061530
NEL07	NELSON NYGAARD I-55958	TRAFFIC REVIEW - ORH PROJECT	R	1/11/2012		6,749.48CR	061531
NEX01	NEXTEL COMMUNICATIONS I-262519522-091	11/7 - 12/6/11	R	1/11/2012		264.24CR	061532
OFF09	OFFICE DEPOT I-588649911001 I-589647476001 I-589647755001 I-590588288001	OFFICE SUPPLIES OFFICE SUPPLIES - PD OFFICE SUPPLIES - PD OFFICE SUPPLIES	R R R R	1/11/2012 1/11/2012 1/11/2012 1/11/2012		105.80CR 10.55CR 137.68CR 353.58CR	061533 061533 061533 061533
OFF12	OFFICEMAX INC. I-584691	COPY PAPER - 40 CASES	R	1/11/2012		1,317.20CR	061534
OMN01	OMNI-MEANS I-31872	DSP - NOV 2011	R	1/11/2012		23,777.29CR	061535
PAC07	PACIFIC HEATING & AIR CONDITIONING I-7474	COMM DEV HVAC SVC	R	1/11/2012		100.00CR	061536
PAR14	MICHAEL PARISH I-010512	REIMB EXPENSE - BLUE TOOTH	R	1/11/2012		54.24CR	061537
PAR15	VICKI PARKER I-010512	REIMB EXP-INTERMODAL FACILITY	R	1/11/2012		21.70CR	061538
PCD01	PCD, INC. I-4104	CHAMBERS AUDIO SYSTEM SVC	R	1/11/2012		127.50CR	061539
PET15	PETROTECH I-010512	REFUND OF DEPOSIT ACCOUNT	R	1/11/2012		1,248.08CR	061540
PGE01	PG&E I-122311	6345507202-3 11/18 - 12/22/11	R	1/11/2012		11,963.31CR	061541

PACKET: 00569 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#
PIT01	PITNEY BOWES GLOBAL FINANCIAL SVCS LLC I-1402322-DC11	#1402322 1/10 - 4/10/12	R	1/11/2012		856.07CR	061542
REM01	R.E.M.I.F I-010312	11/12 WC QUARTERLY PREMIUM	R	1/11/2012		19,304.75CR	061543
	I-010912	LTD/LIFE/DENTAL/VISION/EAP	R	1/11/2012		5,228.14CR	061543
REP01	REPUBLIC ITS I-122831	SIGNAL MAINT - NOV 2011	R	1/11/2012		740.11CR	061544
ROY02	ROYAL COACH CAR WASH I-010312	PD CARWASH - DEC 2011	R	1/11/2012		60.00CR	061545
RUS02	JORDAN & KAREN RUSSELL I-011012	HIGH-EFFICIENCY WASHER REBATE	R	1/11/2012		75.00CR	061546
SAK03	RENNE SLOAN HOLTZMAN SAKAI LLP I-19894	JEFF WALTERS CALPERS APPEAL	R	1/11/2012		5,426.03CR	061547
SAN09	SANTA ROSA AUTO PARTS I-685529	PW SUPPLIES - VAC TRUCK	R	1/11/2012		16.74CR	061548
	I-688678	PW SUPPLIES - CHIPPER	R	1/11/2012		178.06CR	061548
SAN10	SANTA ROSA FIRE EQUIPMENT SVC INC I-140720	EXTINGUISHER SVC - CORP YARD	R	1/11/2012		119.35CR	061549
SAN13	SANTA ROSA JUNIOR COLLEGE I-AR12-00815	PD TRAINING (6) - 12/13/11	R	1/11/2012		108.00CR	061550
SCL01	SCLECA - C/O CHIEF KEVIN BURKE I-122211	2012 MEMBERSHIP DUES	R	1/11/2012		200.00CR	061551
SCO06	SCOTT SIGNS I-121511	#3 - FULL GRAPHICS	R	1/11/2012		304.73CR	061552
SCP01	S.C. PHILLIPS ENTERPRISES, LLC I-20111217	GENERATOR SVC - 4TH QTR 2011	R	1/11/2012		390.00CR	061553
SEA03	SEABROOK & ASSOCIATES, INC. I-10886	BLDG INSPECTIONS 12/12, 12/14	R	1/11/2012		467.50CR	061554
SON19	SONOMA COUNTY AUDITOR-CONTROLLER I-122011	PARKING CITATIONS - NOV 2011	R	1/11/2012		150.00CR	061555

PACKET: 00569 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#
SON31	SONOMA COUNTY PUBLIC SAFETY CONSORTIUM I-12-19	CAD/RMS O&S 20% 2ND QUARTER	R	1/11/2012		9,153.00CR	061556
SON45	SONOMARIN LANDSCAPE I-P60644	FENCE SUPPLIES - MCGINNIS	R	1/11/2012		154.44CR	061557
TRA11	TRACTION OF SANTA ROSA I-213490045	PW SUPPLIES - TRAILER	R	1/11/2012		11.28CR	061558
TRU01	TRUGREEN LANDCARE - WEST I-7222715	LANDSCAPE SVCS - JAN 2012	R	1/11/2012		3,900.00CR	061559
UND01	UNDERGROUND SERVICE ALERT I-11120004	UTILITY MARKING FAXES OCT/NOV	R	1/11/2012		120.00CR	061560
VER02	VERIZON WIRELESS I-1041889325	#270579820-00001 11/22-12/21	R	1/11/2012		438.93CR	061561
YOU03	YOUR COMPUTER HEROES, LLC I-5049	SERVER RENTAL FEB-DEC 2011	R	1/11/2012		748.00CR	061562

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	84	0.00	224,558.08	224,558.08
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:	84	0.00	224,558.08	224,558.08

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

PACKET: 00569 Regular Payments

VENDOR SET: 01

BANK : AP AP - CASH CLEARING (POOL)

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#
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\*\* POSTING PERIOD RECAP \*\*

FUND	PERIOD	AMOUNT
001	1/2012	80,323.71CR
003	1/2012	8,583.10CR
008	1/2012	170.78CR
012	1/2012	36,124.91CR
013	1/2012	723.52CR
018	1/2012	11,387.60CR
019	1/2012	5,064.63CR
034	1/2012	26,123.62CR
035	1/2012	52,754.96CR
036	1/2012	21.70CR
037	1/2012	891.06CR
070	1/2012	1,248.08CR
201	1/2012	1,140.41CR
=====		
ALL		224,558.08CR

PACKET: 00567 US - Refund  
 VENDOR SET: 01 City of Cotati  
 BANK: AP AP - CASH CLEARING (POOL)

VENDOR	I.D.	NAME	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#
1	I-000201112150357	KLINE, JOSHUA KLINE, JOSHUA	R	1/11/2012		180.91	061478

* * B A N K T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	1	0.00	180.91	180.91
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
BANK TOTALS:	1	0.00	180.91	180.91

PACKET: 00567 US - Refund  
VENDOR SET: 01 City of Cotati  
BANK: ALL

\*\* REGISTER GRAND TOTALS \*

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	1	0.00	180.91	180.91
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	180.91	180.91

\*\* POSTING PERIOD RECAP \*\*

FUND	PERIOD	AMOUNT
012	1/2012	180.91CR
=====		
ALL		180.91CR

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

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

**Subject:** Approval of a Resolution Amending the Enforceable Obligation Payment Schedule (EOPS) Pursuant to Health and Safety Code Section 34169

**Date:** January 25, 2012

**Written By:** Jone Hayes, Director of Administrative Services

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**RECOMMENDATION:**

It is recommended that the City Council/Redevelopment Agency approve a Resolution of the Cotati Community Redevelopment Agency Amending the Enforceable Obligation Payment Schedule adopted on January 11, 2012 to include June 2012

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**Background:**

California Redevelopment Law Section 34169(g) (enacted pursuant to Assembly Bill 1X 26) requires the Agency to adopt an Enforceable Obligation Payment Schedule that lists all of the obligations that are “enforceable obligations” within the meaning of subdivision (d) of Section 34167 of the CRL and which include the following information about each such obligation:

- (A) The project name associated with the obligation.
- (B) The payee.
- (C) A short description of the nature of the work, product, service, facility, or other thing of value for which payment is to be made.
- (D) The amount of payments obligated to be made, by month, through December 2011.

The EOPS was brought forward to Council /Agency Board for consideration on August 8, 2011 and Resolution 2011-58 CRA 237, approving the EOPS, was adopted.

The City/Agency subsequently completed the required preliminary draft Initial Recognized Obligation Payment Schedule (IROPS), due by September 30, and reported the completion to the California Department of Finance. The preliminary ROPS listed the minimum amounts that must be paid by the successor agency (if the redevelopment agency was dissolved prior to December 31<sup>st</sup>), to fulfill enforceable obligations during the period from January 1, 2012 to June 30, 2012. The schedule also required identification of the source of payment for each recognized obligation.

The recent Supreme Court decision finding AB 1X 26 to be constitutional, upheld the State's ability to dissolve redevelopment agencies, but extended the deadline for dissolution to February 1, 2012. The draft formal ROPS is not due until March 1, and will need to be submitted to the successor agency oversight board for approval, and then forwarded to the California State Controller, and the Department of Finance by April 15.

Therefore, in order for the Agency to make payments through January 31 and the successor agency to make payments before formal approval of the ROPS, an amended EOPS needs to be adopted to add the period from January 1, 2012 to June 30, 2012.

An amended EOPS was brought forward at the last meeting. Although June 2012 was referenced in the staff report and resolution, the spreadsheet did not show a column for June 2012. This has been rectified on the attached EOPS. Also, some adjustments have been made to allocate items across all months, and some items have had the cost redistributed.

**Analysis/Discussion**

Adoption of the schedule will allow the City and Agency to comply with state law.

Enforceable obligations include contracts, administration costs, bonds, loans, and set aside reserves as required for bonds.

**Financial Considerations:**

Adoption of the resolution ensures that all required payments can be made.

**Environmental Issues:**

None.

Attachments:

1. Proposed Resolution with EOPS attached

**RESOLUTION NO. \_\_\_\_\_ AND CRA - \_\_\_\_\_**

**A RESOLUTION OF THE COTATI COMMUNITY REDEVELOPMENT AGENCY  
AMENDING THE ADOPTED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE**

**WHEREAS**, the Cotati Community Redevelopment Agency (“Agency”) is a redevelopment agency formed, existing and exercising its powers pursuant to California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.* (“CRL”);

**WHEREAS**, pursuant to subdivision (g) of Section 34169 of the CRL (enacted pursuant to Assembly Bill 1X 26), the Agency was required to adopt an Enforceable Obligation Payment Schedule (EOPS) that lists all of the obligations that are “enforceable obligations” within the meaning of subdivision (d) of Section 34167 of the CRL and which includes the following information about each such obligation:

(A) The project name associated with the obligation.

(B) The payee.

(C) A short description of the nature of the work, product, service, facility, or other thing of value for which payment is to be made.

(D) The amount of payments obligated to be made, by month, through December 2011; and,

**WHEREAS**, an Enforceable Obligation Payment Schedule was presented to, and adopted by, the Agency on August 8, 2011; and,

**WHEREAS**, based on the recent California Supreme Court decision upholding AB 1X 26, and the related extension of the deadline for dissolution of California Redevelopment Agencies until February 1, 2012, the Agency was required to amend the adopted Enforceable Obligation Payment Schedule to add the period from January 1, 2012 to June 30, 2012; and,

**WHEREAS**, an Enforceable Obligation Payment Schedule was presented to, and adopted by, the Agency on January 11, 2012, but the Enforceable Obligation Payment Schedule adopted at that time did not include a column for June 2012;

**WHEREAS**, the Agency reserved the right to further amend the Enforceable Obligation Payment Schedule, and now desires to amend the Enforceable Obligation Payment Schedule adopted on January 11, 2012, to include obligations due in June 2012, to adjust allocations, and to incorporate updated information; and

**WHEREAS**, the Agency reserves the right to further amend the Enforceable Obligation Payment Schedule; and

**WHEREAS**, in amending the Enforceable Obligation Payment Schedule, the Agency does not intend to waive, nor shall the Agency be deemed to have waived any rights the Agency or its successor may have pursuant to or in connection with any obligation listed on such Schedule,

including without limitation, the right to modify, amend, terminate or challenge any obligation listed on such Schedule.

**NOW, THEREFORE, BE IT RESOLVED** by the Cotati Community Redevelopment Agency that it hereby:

1. Finds that the Recitals set forth above are true and correct, and are incorporated herein by reference.

2. Adopts the Amended Enforceable Obligation Payment Schedule attached hereto, subject to all reservations of rights and contingencies set forth above.

3. Authorizes the Agency’s Executive Director or designee to take all actions necessary to implement this Resolution, including without limitation, the posting of this Resolution and the amend Enforceable Obligation Payment Schedule on City’s website, and the provision of notice of adoption of this Resolution and such Schedule to the County Auditor-Controller, the State Controller and the State Department of Finance.

4. Declares that if any provision, sentence, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such finding shall affect only such provision, sentence, clause, section or part, and shall not affect or impair any of the remaining parts.

**IT IS HEREBY CERTIFIED** that the foregoing resolution was duly introduced and legally adopted at a regular joint meeting of the City Council and the Community Redevelopment Agency Board of the City of Cotati held on the 25<sup>th</sup> day of January, 2012 by the following vote, to wit:

HARVEY \_\_\_\_\_  
DELL’OSSO \_\_\_\_\_  
GILARDI \_\_\_\_\_  
LANDMAN \_\_\_\_\_  
ORCHARD \_\_\_\_\_

Approved: \_\_\_\_\_  
Susan Harvey, Mayor

Attest: \_\_\_\_\_  
Tamara Taylor, Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
Rich Rudnansky, City Attorney

Amended Enforceable Obligation  
Payment Schedule  
To Follow



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

**Subject:** Adoption of Resolutions Regarding Forgiveness of Loans, Advance or Indebtedness to a Public Body and Regarding Forgiveness of Loans, Advance or Indebtedness to the Cotati Community Redevelopment Agency

**Date:** January 25, 2012

**Written by:** Jone I. Hayes, Administrative Services Director

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### **Recommendation**

It is recommended that the City Council adopt two resolutions pursuant to AB 936, Health and Safety Code Section 33354.8: 1) Regarding Forgiveness of Loans, Advance or Indebtedness to a Public Body; and 2) Regarding Forgiveness of Loans, Advance or Indebtedness to the Cotati Community Redevelopment Agency

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### **Background**

On September 6, 2011 the Governor signed AB 936, a measure requiring public disclosure of any Redevelopment Agency loans to public entities that the Agency forgave between January 1, 2010 and December 31, 2011. The measure also requires that the City adopt a resolution stating whether it forgave any Agency debt during the same time period. AB 936 went into effect on January 1, 2012 and requires Cities and Agencies to adopt resolutions providing the required disclosure by February 1, 2012.

### **Analysis/Discussion**

Between January 1, 2010 and December 31, 2011 the Cotati Community Redevelopment Agency did not forgive any loans, advances or indebtedness to any public agency. Between January 1, 2010 and December 31, 2011 the City of Cotati did not forgive any loans, advances or indebtedness to the Cotati Community Redevelopment Agency.

Although neither the City, nor the Agency, forgave subject loans, AB 936 requires adoption of resolutions disclosing this information.

**Financial Considerations**

None.

**Environmental Issues**

Not applicable.

Attachments:

1. Proposed Resolutions (2)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI PURSUANT TO HEALTH AND SAFETY CODE SECTION 33354.8 REGARDING FORGIVENESS OF A LOAN, ADVANCE OR INDEBTEDNESS OWED BY A REDEVELOPMENT AGENCY**

**WHEREAS**, the Cotati Community Redevelopment Agency (the “Agency”) is a redevelopment agency engaged in redevelopment activities pursuant to the California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.*; and

**WHEREAS**, effective January 1, 2012, Health and Safety Code Section 33354.8 requires that the City of Cotati (the “City”) adopt a resolution, on or before February 1, 2012, declaring whether or not it has forgiven, during the period of time commencing January 1, 2010, through December 31, 2011 (the “Reporting Period”) the repayment, wholly or partially, of a loan, advance, or indebtedness that has been owed to the City by the Agency.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Cotati hereby:

1. Declares that the City has not forgiven, during the Reporting Period, the repayment, wholly or partially, of any loans, advances or indebtedness owed to the City by the Agency.
2. Directs the City Clerk to transmit a copy of this Resolution to the California State Controller within ten days of its adoption.

**IT IS HEREBY CERTIFIED** that the foregoing resolution was duly adopted at a regular meeting of the City Council / Agency Board of the City of Cotati held on the 25<sup>th</sup> day of January, 2012 by the following vote, to wit:

HARVEY  
DELL’OSSO  
GILARDI  
LANDMAN  
ORCHARD

Approved: \_\_\_\_\_  
Susan Harvey, Mayor

Attest: \_\_\_\_\_  
Tamara Taylor, Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
Rich Rudnansky, City Attorney

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI PURSUANT TO HEALTH AND SAFETY CODE SECTION 33354.8 REGARDING FORGIVENESS OF A LOAN, ADVANCE OR INDEBTEDNESS OWED BY A REDEVELOPMENT AGENCY**

**WHEREAS**, the Cotati Community Redevelopment Agency (the “Agency”) is a redevelopment agency engaged in redevelopment activities pursuant to the California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.*; and

**WHEREAS**, effective January 1, 2012, Health and Safety Code Section 33354.8 requires that the City of Cotati (the “City”) adopt a resolution, on or before February 1, 2012, declaring whether or not it has forgiven, during the period of time commencing January 1, 2010, through December 31, 2011 (the “Reporting Period”) the repayment, wholly or partially, of a loan, advance, or indebtedness that has been owed to the City by the Agency.

**NOW THEREFORE, BE IT RESOLVED** that the City Council of the City of Cotati hereby:

1. Declares that the City has not forgiven, during the Reporting Period, the repayment, wholly or partially, of any loans, advances or indebtedness owed to the City by the Agency.
2. Directs the City Clerk to transmit a copy of this Resolution to the California State Controller within ten days of its adoption.

**IT IS HEREBY CERTIFIED** that the foregoing resolution was duly adopted at a regular meeting of the City Council / Agency Board of the City of Cotati held on the 25<sup>th</sup> day of January, 2012 by the following vote, to wit:

HARVEY  
DELL’OSSO  
GILARDI  
LANDMAN  
ORCHARD

Approved: \_\_\_\_\_  
Susan Harvey, Mayor

Attest: \_\_\_\_\_  
Tamara Taylor, Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
Rich Rudnansky, City Attorney

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

**Subject:** Adoption of a Resolution Determining that the City of Cotati Elects to, and shall, Retain the Housing Assets and Functions of the Cotati Community Redevelopment Agency (CCRA) pursuant to Health and Safety Code Section 34176(a)

**Date:** January 25, 2012

**Written by:** Jone I. Hayes, Administrative Services Director

---

### **Recommendation**

It is recommended that the City Council adopt a resolution determining that the City of Cotati elects to, and shall, retain the Housing assets and Functions of the Cotati Community Redevelopment Agency (CCRA) pursuant to Health and Safety Code Section 34176(a).

---

### **Background**

On December 29, 2011, the California Supreme Court issued its opinion in *CRA v. Matosantos* and upheld the validity of AB1x26, the bill that dissolves all the redevelopment agencies in the State, and invalidated AB1x27, the bill that would have allowed redevelopment agencies to remain in operation by making a payment to assist the state budget. As a result of the Court's ruling, the dissolution of redevelopment agencies will be effective as of February 1, 2012.

The City Council adopted a resolution, on January 11, 2012, electing to serve as the Successor Agency to the CCRA and assuming the responsibility of winding up its affairs, preparing various payment schedules, and taking on the other administrative tasks required.

### **Analysis/Discussion**

The AB1x26 also authorizes the City to elect to become the Successor Housing Agency of the former redevelopment agency, and to retain the housing assets (other than any existing housing fund balance) and affordable housing functions of the former Agency. If the City does not elect to become the Successor Housing Agency, then the Sonoma County Housing Authority (or if there is no local Housing Authority, the California Department of Housing and Community Development) will become the Successor Housing Agency.

The decision on whether to keep the housing function is less clear than the decision to become the Successor Agency. There are many unresolved issues about what will happen to the housing responsibilities of the City which are prescribed by law and what, if any, funding will be available.

These issues, coupled with the fact that it may be difficult or impossible to reverse the decision if the City elects to not become the Successor Housing Agency, are the justifications for the recommendation that the housing function be retained, at least until more information becomes available.

### **Financial Considerations**

There is no provision for an “administrative payment” for the Successor Housing Agency. At this time further clarification is required before meaningful financial information can be provided.

### **Environmental Issues**

None.

Attachment:

1. Proposed Resolution

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ELECTING TO RETAIN THE HOUSING ASSETS AND FUNCTIONS OF THE COTATI COMMUNITY REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION 34176(a)**

**WHEREAS**, the City Council of the City of Cotati (“City”) approved and adopted the Redevelopment Plan for the Cotati Redevelopment Project (“Redevelopment Plan”) covering certain property within the City (“Project Area”), pursuant to the California Community Redevelopment Law (Health and Safety Code Section 33000 *et seq.*) (the “CRL”); and

**WHEREAS**, the Cotati Community Redevelopment Agency (“Agency”) is a redevelopment agency engaged in activities to execute and implement the Redevelopment Plan pursuant to the CRL; and

**WHEREAS**, the California Legislature adopted, the Governor signed, and the California Supreme Court, in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, has upheld ABX1 26, legislation that amends the CRL; provides that the Agency will be dissolved effective as of February 1, 2012; and further provides that the City may elect to retain the responsibility for performing housing functions previously performed by the Agency, in which event all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the Agency, excluding any amounts in its Low and Moderate Income Housing Fund, shall be transferred to the City in accordance with the provisions of Health and Safety Code Section 34176(a); and

**WHEREAS**, pursuant to Health and Safety Code Section 34176(b), in the event that the City does not elect to retain the Agency’s housing assets and functions, the transferee is the local housing authority in the territorial jurisdiction of the former redevelopment agency, which in this instance is the Sonoma County Housing Authority, or, if there is no local housing authority in the territorial jurisdiction, the transferee would be the State Department of Housing and Community Development; and

**WHEREAS**, the City Council of the City of Cotati believes that it is in the best interest of the community for the City to retain the housing assets and functions previously performed by the Agency.

**NOW THEREFORE**, the City Council of the City of Cotati resolves as follows:

Section 1. All of the recitals above are true and correct and incorporated herein.

Section 2. Based on the foregoing recitals and the information provided to the City Council by City staff, the City Council hereby declares that the City of Cotati elects to retain the housing assets and functions previously performed by the Cotati Community Redevelopment Agency and to assume the transfer thereof in accordance with Health and Safety Code Section 34176(a) and other applicable law; provided however, that the City Council reserves the right to rescind this election if the City

determines that insufficient resources are available to enable the City to fulfill such duties and obligations.

Section 3. The City Manager and her authorized designees are hereby authorized and directed to take such other and further actions and sign such other and further documents as is necessary and proper to implement this Resolution on behalf of the City.

Section 4. This Resolution is effective on the day of its adoption.

Section 5. If any provision, clause, section or part of this Resolution is found to be unconstitutional, illegal or invalid, such finding shall affect only such provision, sentence, clause, section or part, and shall not affect or impair any of the remaining parts.

**IT IS HEREBY CERTIFIED** that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Cotati held on the 25<sup>th</sup> day of January, 2012 by the following vote, to wit:

HARVEY \_\_\_\_\_  
DELL'OSSO \_\_\_\_\_  
GILARDI \_\_\_\_\_  
LANDMAN \_\_\_\_\_  
ORCHARD \_\_\_\_\_

Approved: \_\_\_\_\_  
Susan Harvey, Mayor

Attest: \_\_\_\_\_  
Tamara Taylor, Deputy City Clerk

Approved as to Form:

\_\_\_\_\_  
Rich Rudnansky, City Attorney