



**MINUTES  
REGULAR CITY COUNCIL MEETING, JOINT MEETING OF THE CITY COUNCIL  
AND THE BOARD OF DIRECTORS OF THE COTATI COMMUNITY  
REDEVELOPMENT AGENCY  
WEDNESDAY MARCH 23, 2011  
7:00 PM REGULAR SESSION  
City Council Chambers, City Hall, 201 W. Sierra Avenue**

**6:00 PM CLOSED SESSION CALL TO ORDER (CITY COUNCIL CHAMBERS)**

Mayor Orchard called the closed session to order at 6:02 p.m.

**PUBLIC COMMENT ON CLOSED SESSION**

None.

**ADJOURNMENT TO CLOSED SESSION (CITY MANAGER'S OFFICE)**

Mayor Orchard adjourned to closed session at 6:02 p.m.

**CONFERENCE WITH LEGAL COUNSEL**

Initiation of Litigation (Government Code Section 54956.9(c)) (One Potential Matter)

**7:00 PM REGULAR SESSION**

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

Mayor Orchard called the Regular session to order at 7:01 p.m.

**REPORT OUT OF CLOSED SESSION**

Nothing to report.

**ROLL CALL**

Councilmembers present: Councilmembers Coleman-Senghor, Gilardi, and Landman, Vice Mayor Harvey and Mayor Orchard.

Staff present: Director of Administrative Services Jone Hayes, Acting Community Development Director/Assistant to the City Manager Marsha Sue Lustig, City Engineer/Director of Public Works Damien O'Bid, Police Chief Michael Parish, City Attorney Robin Donoghue, Deputy City Clerk Tamara Taylor and City Manager Dianne Thompson.

**PLEDGE OF ALLEGIANCE**

Mayor Orchard led the pledge of allegiance.

**1. APPROVAL OF MINUTES OF THE MARCH 9, 2011 REGULAR MEETING AND MARCH 15, 2011 SPECIAL MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (*Action*)**

**Moved** by Councilmember Gilardi, seconded by Vice Mayor Susan Harvey and passed unanimously to approve the minutes of the March 9, 2011 Regular meeting minutes and the March 15, 2011 special meeting minutes presented.

**ANNOUNCEMENTS**

Blood Bank of the Redwoods is conducting a mobile blood drive on Saturday March 26 from 10:00 a.m. to 1:30 p.m. at Oliver's Market, located at 546 E.Cotati Avenue.

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 5:30-8:30 p.m.

The second Open House workshop for the Old Redwood Highway Downtown Street Improvement project will be on Tuesday March 29, at 7:00 p.m. in the City Council chamber.

A General Plan Vision Workshop will be held on Wednesday, April 6, 2011 from 2 to 4 pm in the City Council Chamber. Details can be found on the web at [cotati.generalplan.org](http://cotati.generalplan.org).

**PROCLAMATION**

**DECLARING APRIL 2011 AS CHILD ABUSE PREVENTION MONTH**

Mayor Orchard read the proclamation and presented it to Robin Bowen, Executive Director of the California Parenting Institute, who briefly addressed the Council.

**CITY MANAGER'S REPORT**

City Manager Dianne Thompson updated the City Council on the City Hall men's restroom remodeling project, general plan kickoff meeting, commencement of the Strategic planning process with a study session on April 4, 2011 and climate protection events.

Chief Parish responded to questions from the Council regarding vandalism.

**APPROVAL OF FINAL AGENDA**

Item 4 (Sidewalk and Vegetation Maintenance Program) was removed from the agenda.

**CITIZEN BUSINESS**

Greg Karraker addressed the Council regarding a recent article in 'Watch Sonoma County' about tax extensions and Cotati Community Redevelopment Agency funds.

George Barich commented on the economy, recovery from the recession and comments previously made by Councilmember Robert Coleman-Senghor when he was mayor.

Council and staff briefly discussed comments made during Citizen Business.

## **DIRECTION ON FUTURE AGENDA ITEMS**

Mayor Orchard announced that Supervisor David Rabbitt will be making a presentation to the Council at its April 13, 2011 meeting.

## **CONSENT CALENDAR**

Mayor Orchard opened the floor to public comments on Consent Calendar items.

George Barich commented on item 3, noting that he feels more time should be spent on mid-year budget review and the CIP (Capital Improvement Program).

**Moved** by Councilmember Robert Coleman-Senghor, seconded by Councilmember Landman and passed unanimously to approve items 2 and 3 on the consent calendar.

### **2. SECOND READING AND ADOPTION OF TWO ORDINANCES ADOPTING AMENDMENTS TO THE STATE BUILDING AND FIRE CODES AND AMENDING MUNICIPAL CODE SECTION 14.04 BUILDING CODES, AND ADDING SECTION 14.06 REPAIR OF DAMAGED STRUCTURES (Community Development) (Action)**

Ordinance No. 829 entitled: AN ORDINANCE OF THE COUNCIL OF THE CITY OF COTATI AMENDING CHAPTER 14.04 OF THE COTATI MUNICIPAL CODE IN ITS ENTIRETY AND, ADOPTING BY REFERENCE THE FOLLOWING CODES: 2010 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, CALIFORNIA CODE OF REGULATIONS TITLE 24, PART 1 - 2010 CALIFORNIA ADMINISTRATIVE CODE; PART 2 - 2010 CALIFORNIA BUILDING CODE BASED ON THE 2009 INTERNATIONAL BUILDING CODE; 2010 CALIFORNIA RESIDENTIAL CODE BASED ON THE 2009 INTERNATIONAL RESIDENTIAL CODE; 2010 CALIFORNIA ELECTRICAL CODE BASED ON THE 2008 NATIONAL ELECTRICAL CODE; PART 4 - 2010 CALIFORNIA MECHANICAL CODE BASED ON THE 2009 UNIFORM MECHANICAL CODE; PART 5 - 2010 CALIFORNIA PLUMBING CODE BASED ON THE 2009 UNIFORM PLUMBING CODE; PART 6 - 2010 CALIFORNIA ENERGY CODE; PART 9 – 2010 CALIFORNIA FIRE CODE, BASED ON THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE; PART 10 - 2010 CALIFORNIA EXISTING BUILDING CODE BASED ON THE 2009 INTERNATIONAL EXISTING BUILDING CODE; PART 11 CALIFORNIA GREEN BUILDING STANDARDS CODE; PART 12 - 2010 CALIFORNIA REFERENCED STANDARDS CODE, APPENDIX CHAPTER J (GRADING) AMENDED BY DELETING J103.2 EXCEPTIONS 1 H (SIGNS) AND I (PATIO COVERS) OF THE CALIFORNIA BUILDING CODE; APPENDIX CHAPTER A (CODE STANDARD 6-2) OF THE CALIFORNIA MECHANICAL CODE; AND OF THE CALIFORNIA PLUMBING CODE AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL and;

Ordinance No. 830 entitled: AN ORDINANCE OF THE CITY OF COTATI ADDING A NEW CHAPTER 14.06 TO TITLE 14 OF THE MUNICIPAL CODE RELATING TO REPAIR OF DAMAGED STRUCTURES

**3. RESOLUTION ACCEPTING THE PARK IMPROVEMENTS FOR SANTERO WAY PARK AND ACCEPTING THE OFFER OF DEDICATION (Community Development) (Action)**

Resolution No. 2011-10 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING THE PARK IMPROVEMENTS FOR SANTERO WAY PARK AND ACCEPTING THE OFFER OF DEDICATION THEREOF

**REGULAR AGENDA**

**4. SIDEWALK AND VEGETATION MAINTENANCE PROGRAM (Engineering/Public Works) (Report)**

This item was pulled from the agenda.

**5. REQUEST TO RENEW AN ANNUAL LICENSE FOR A MEDICAL MARIJUANA DISPENSARY LICENSE AT 7950 REDWOOD DRIVE, SUITE 8 (APN: 144-060-006)**

Assistant to the City Manager/Acting Community Development Director Marsha Sue Lustig presented the staff report and responded to questions from the Council regarding the applicant's March 15, 2011 letter.

Karen Mantelli, representing the applicant, spoke in support of the license renewal. She noted that the Mercy Wellness Center is anticipating working with the City on its future expansion. She requested minor corrections to the proposed resolution and exhibit as follows:

- In the 3<sup>rd</sup> paragraph of the resolution, change 'Whereas on March 9' to 'Whereas on March 10';
- In the exhibit paragraph 6 change '1.8% of sales' to '1.8% of gross sales'.

Mayor Orchard opened the floor to public comment.

George Barich spoke in opposition to the licensing fee.

Kathryn Wickstrom commented on licensing fee.

Greg Karraker addressed the Council regarding the development approval process of the dispensary.

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

Discussion ensued relative to the lengthy and public process of drafting and approving of the medical marijuana dispensary ordinance, the development process of the subject dispensary, the potential costs to the City associated with a medical marijuana dispensary, the nature of the licensing fee, and the responsibility of a business in the development process.

**Moved** by Councilmember Robert Coleman-Senghor, seconded by Councilmember Gilardi and passed unanimously to adopt Resolution No. 2011-11 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING THE RENEWAL OF A MEDICAL MARIJUANA DISPENSARY LICENSE AT 7950 REDWOOD DRIVE, SUITE 8. APN 144-060-006 – PA# 30/09 – Lucas/Mercy Wellness of Cotati, with the minor corrections listed above.

Greg Lucas, the applicant, commended staff for their assistance with the license renewal.

**6. APPOINTMENTS TO MAYORS' AND COUNCILMEMBERS' ASSOCIATION AND CITY SELECTION COMMITTEES**

City Manager Dianne Thompson presented the staff report.

Discussion ensued regarding the subject positions, with Council concurring to direct Mayor Orchard to support its choices for appointment as follows:

Airport Land Use Commission: Sam Salmon (Windsor);

Local Agency Formation Commission (LAFCO) (Alternate Member): Mark Landman (Cotati)/

At this time Mayor Orchard opened the floor to public comment; there being no one wishing to speak, she closed the public comment period. The Council continued with the discussion and concurred to direct Mayor Orchard to support its choices for the rest of the appointments as follows:

California Coastal Commission: Sarah Glade Gurney (Sebastopol);

Association of Bay Area Government (ABAG) Executive Board (2 positions): Primary, Susan Gorin (Santa Rosa); alternate: Tiffany Renee (Petaluma);

Sonoma County Agricultural Preservation and Open Space District (3 positions) Janet Orchard (Cotati), Guy Wilson (Sebastopol) and Laurie Gallian (Sonoma).

**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 Orchard adjourned the Regular meeting and called to order the joint meeting at 8:02 p.m.

**CONSENT CALENDAR (JOINT MEETING)**

**Moved** by Vice Mayor/Board member Harvey, seconded by Councilmember/Board member Landman, and passed unanimously to approve item 7 on the consent calendar.

**7. WARRANTS AND AUDITED CLAIMS FEBRUARY 25th, 2011 – March 9th 2011  
(Administrative Services) (Action)**

This motion receives and files warrants and audited claims for February 25th, 2011 – March 9th, 2011.

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

Mayor Orchard adjourned the Joint meeting and reconvened the Regular meeting at 8:03 p.m.

Mayor Orchard opened the floor to Scoutmaster Keith Schoenthal, who introduced Jacob Austing, senior patrol leader of Boy Scouts of America Troop 4. Senior Patrol Leader Austring greeted the Council on behalf of the Troop and explained that they are working towards a merit badge, and responded to questions from the Council. Each troop member present introduced himself to the Council.

Councilmembers commented briefly on the Boy Scouts of America organization.

**CITY COUNCIL REPORTS (Discussion)**

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

**ADJOURNMENT**

Mayor Orchard adjourned the meeting at 8:19 p.m.

Respectfully submitted,

/s/ Tamara Taylor, Deputy City Clerk