



MINUTES
REGULAR CITY COUNCIL MEETING, JOINT MEETING OF THE CITY COUNCIL
AND THE BOARD OF DIRECTORS OF THE COMMUNITY REDEVELOPMENT
AGENCY OF THE CITY OF COTATI
WEDNESDAY MAY 12, 2010, 6:30 PM CLOSED SESSION
7:00 PM REGULAR MEETING
City Council Chambers, City Hall, 201 W. Sierra Avenue

6:30 PM CLOSED SESSION CALL TO ORDER (CITY COUNCIL CHAMBERS)

Mayor Coleman-Senghor called the meeting to order at 6:30 p.m. There being no one wishing to comment, he adjourned to closed session in the City Manager's office.

ADJOURNMENT TO CLOSED SESSION (CITY MANAGER'S OFFICE)

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 Officers Management Association (3) Cotati Police Officers Association

PUBLIC EMPLOYEE PERFORMANCE EVALUATION (California Government Code Section 54957)

Title: City Manager

7:00 PM REGULAR SESSION

CALL TO ORDER OF REGULAR CITY COUNCIL MEETING

Mayor Coleman-Senghor called the meeting to order at 7:02 p.m.

ROLL CALL

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

Staff present: Administrative Services Director Jone Hayes, Acting Community Development Director/Assistant to the City Manager Marsha Sue Lustig, City Engineer/Director of Public Works Damien O'Bid, City Attorney Rich Rudnansky Police Chief Robert Stewart, Deputy City Clerk Tamara Taylor, City Manager Dianne Thompson

PLEDGE OF ALLEGIANCE

EduardoDiaz led the pledge of allegiance.

1. APPROVAL OF MINUTES OF APRIL 28, 2010 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (*Action*)

The Mayor recognized George Barich, who requested a correction to the minutes relative to comments made by Joyce Garcia during Citizen Business.

Moved by Councilmember Gilardi, seconded by Vice Mayor Orchard and passed unanimously, to approve the minutes of the April 28, 2010 Regular meetings as submitted.

ANNOUNCEMENTS

Redwood Empire Disposal is sponsoring a Cotati Spring Community Cleanup for Cotati residents on Saturday May 15 and Saturday May 22 from 8:00 a.m. to 2:00 p.m. at the Park 'n Ride lot at St. Joseph's Way. See the Cotati event calendar on the web or go to unicycler.com for more information.

The 'iGrow 350 Gardens Challenge' weekend takes place on May 15-16. This event is sponsored by the Sonoma County Department of Health Services Health Action. See igrowsonoma.org for details.

The Cotati Farmers Market starts June 3rd and will run every Thursday through September 16 from 4:30 to 7:30 p.m. in La Plaza Park.

Bike to Work Day is Thursday May 13. Transition Cotati, the Hub Cyclery and Oliver's Market will be hosting Cotati's energizer station.

HONORARY MAYOR

Honorary Mayor Marissa Gilardi of Phoenix High School provided a report to Council.

SONOMA STATE UNIVERSITY REPRESENTATIVE REPORT

No report.

CITY MANAGER'S REPORT

City Manager Dianne Thompson reported the following:

- City of Cotati has submitted a payment of \$1.3 million in redevelopment funds to the State.
- The State budget revision is expected to be announced on May 15.
- The Planning Commission will consider a Massage Therapy ordinance at its next meeting on May 17.
- The Cotati Historical Society Museum is now open with regular hours.

City Engineer/Director of Public Works provided an update on the Hwy 101 widening project.

APPROVAL OF FINAL AGENDA

City Manager Thompson announced that item 14 (AT&T) has been pulled.

CITIZEN BUSINESS

Emily Straub addressed the Council regarding the SMART train, freight train sound fencing and the condition of the Windmill Farms complex.

Greg Karraker summarized several requests for information regarding the flagpole across the street from the Fire Department, contract with Daily Acts, the status of a policy regarding ethics and the Mayor saluting the flag. He submitted written requests.

George Barich commented on the City Manager's report, the City's finances the length of the agenda and staff assistance with the public's concerns.

Staff briefly responded to questions from the Council regarding comments made during Citizen Business.

DIRECTION ON FUTURE AGENDA ITEMS

None.

PRESENTATION

IGROW 350 GARDENS CHALLENGE

Trathen ? Cotati from Sonoma County Department of Health Services Health Action and Judith Newton of Transition presented information regarding the iGrow 350 Gardens Challenge.

CONSENT CALENDAR

George Barich requested that items 2, 3, 4, 5, 6 and 7 be pulled for discussion regarding the criteria for waiving fees and other concerns that may arise during discussion.

City Attorney Rudnansky clarified the Brown Act regarding citizen comment on consent items.

Mayor Coleman-Senghor announced that he would take comments regarding the consent calendar as a whole rather than each item individually.

Chief of Police Robert Stewart presented the staff report for items 2 through 7.

Mayor Coleman-Senghor opened the floor to public comments.

Gerard Guidice of the Chamber of Commerce spoke in support of items No. 2 (Jazz Festival) and 3 (Farmers Market).

George Barich commented on economic development in Cotati and the Economic Development Subcommittee.

Monica Diaz spoke in support of Item No. 5 (Iglesia Josue de las Asambleas de Dios Church Festival).

Edwardo Diaz asked how long the license was for item 6 (Medical marijuana).

Police Chief Stewart responded to questions regarding the licensing.

Council concurred in support and commented briefly on economic development

Moved by Councilmember Gilardi seconded by Vice Mayor Orchard and passed unanimously to adopt items 2 through 7 on the Consent Calendar.

2. **AUTHORIZATION OF TEMPORARY STREET CLOSURE, AMPLIFIED MUSIC AND SALE OF FOOD AND ALCOHOLIC BEVERAGES IN LA PLAZA PARK ON SATURDAY, JUNE 19, 2010 AND WAIVING OF USE FEES FOR 30TH ANNUAL COTATI JAZZ AND ANTIQUES FESTIVAL (Police) (Action)**

Resolution No. 2010-15 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING THE TEMPORARY STREET CLOSURE OF SPECIFIC STREETS ON SATURDAY JUNE 19, 2010, TO FACILITATE THE 30TH ANNUAL COTATI JAZZ AND ARTS FESTIVAL IN LA PLAZA PARK; AUTHORIZE THE USE OF AMPLIFIED MUSIC AND THE SALES OF ALCOHOLIC BEVERAGES AND WAIVE ALL FEES

3. **AUTHORIZATION OF TEMPORARY STREET CLOSURE, AMPLIFIED MUSIC AND SALE OF FOOD AND ALCOHOLIC BEVERAGES IN LA PLAZA PARK; AND APPROVAL OF PROPOSAL AND WAIVING OF FEES AND SUBSIDIZE COSTS FOR THE COTATI FARMERS MARKET ON THURSDAYS JUNE 3 THROUGH SEPTEMBER 16, 2010 (Police) (Action)**

Resolution No. 2010-16 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING THE TEMPORARY CLOSURE OF LA PLAZA AVENUE BETWEEN W. SIERRA AVENUE AND W. COTATI AVENUE ON THURSDAYS BEGINNING JUNE 3, 2010 AND ENDING ON SEPTEMBER 16, 2010 TO FACILITATE THE COTATI FARMERS MARKET; AUTHORIZE THE USE OF AMPLIFIED MUSIC AND THE SALES OF ALCOHOLIC BEVERAGES AND WAIVE ALL FEES

4. **AUTHORIZE THE USE OF LA PLAZA PARK FOR A BARK FOR LIFE CANINE FUNDRAISING EVENT TO FIGHT CANCER ON SATURDAY MAY 22, 2010 AND FURTHER AUTHORIZE THE USE OF AMPLIFIED MUSIC DURING THE EVENT (Police) (Action)**

Motion authorizing the use of La Plaza Park on Saturday May 22, 2010 between the hours of 8:00 a.m. and 3:00 p.m. for a Bark for Life canine fundraising event to fight cancer and further allow the use of amplified music beginning at 10:00 a.m.

5. APPROVAL OF THE USE OF LA PLAZA PARK FOR THE IGLESIA JOSUE DE LAS ASAMBLEAS DE DIOS CHURCH TO HOLD A FESTIVAL; AUTHORIZING THE USE OF AMPLIFIED MUSIC AND ANNOUNCING (Police) (Action)

Motion to 1) Approve the use of La Plaza Park and the Bandstand on Saturday, June 12, 2010 between the hours of 8:00 AM and 8:00 PM for the Iglesia Josue de las Asambleas de Dios Church Festival; 2) Authorize amplified announcing and music in La Plaza Park between the hours of 10:00 AM and 6:00 PM; and authorize the temporary closure of four parking spaces to the rear of the Bandstand to serve as an equipment loading and unloading zone.

6. AUTHORIZATION OF THE RELEASE OF CRIMINAL HISTORY INFORMATION FROM THE STATE DEPARTMENT OF JUSTICE TO THE POLICE DEPARTMENT FOR THE PURPOSES OF EMPLOYMENT, LICENSING AND CERTIFICATION OF MESSAGE OR MEDICAL MARIJUANA ESTABLISHMENTS (Police) (Action)

Resolution No. 2010- 17 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING CRIMINAL HISTORY INFORMATION RELEASE TO THE POLICE DEPARTMENT FOR THE PURPOSES OF EMPLOYMENT, LICENSING OR CERTIFICATION OF MESSAGE OR MEDICAL MARIJUANA ESTABLISHMENTS

7. HEALTH ACTION SAFE ROUTES TO SCHOOL AND IGROW 350 GARDENS (City Manager) (Action)

Resolution 2010-18 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI SUPPORTING HEALTH ACTION'S SAFE ROUTES TO SCHOOL INITIATIVE

Resolution No. 2010-19 entitled: A RESOLUTION OF THE CITY COUNCIL ENDORSING THE GOALS OF HEALTH ACTION AND SUPPORTING THE CITY OF COTATI'S PARTICPATION IN iGROW

PUBLIC HEARING

8. AMENDMENT OF COTATI MUNICIPAL 17.34 (LANDSCAPING STANDARDS) TO INCORPORATE WATER EFFICIENT LANDSCAPING STANDARDS (Public Works/Engineering) (Action)

Engineering Technician Kevin Fredrickson presented the staff report.

Mayor Coleman-Senghor opened the public hearing.

There being no one wishing to speak, Mayor Coleman-Senghor closed the public hearing.

Moved by Vice Mayor Orchard, seconded by Councilmember Gilardi and passed unanimously to introduce an ordinance entitled: ORDINANCE OF THE COUNCIL OF THE CITY OF COTATI REPEALING AND REENACTING EXISTING COTATI CITY CODE CHAPTER 17.34 LANDSCAPING STANDARDS, AND AMENDING PORTIONS OF CHAPTER 17.90

DEFINITIONS AND THE TABLE OF CONTENTS OF THE CITY OF COTATI LAND USE
CODE

REGULAR AGENDA

9. THE PIANO PROJECT (Community Development) (Action)

Acting Community Development Director/Assistant to the City Manager Marsha Sue Lustig presented the staff report. She recommended that the conditions of approval include a specific time for the pianos to be secured at night.

Discussion ensued regarding the size and location of the pianos.

Andre Morrow with the Cotati Chamber of Commerce and Cotati Arts Project described the project and responded to questions from the Council.

Discussion ensued regarding when pianos would be closed down for the night. Council concurred on 11:00 p.m. as the time for pianos in front of bars to be secured.

Mayor Coleman-Senghor opened the floor to public comment.

There being no one wishing to speak, Mayor Coleman-Senghor closed the public comment period.

The City Council expressed unanimous support for the project.

Moved by Councilmember Gilardi, seconded by Councilmember Landman and passed unanimously to adopt **Resolution No. 2010-20** entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING THE PIANO PROJECT

10. APPROVAL OF USE OF LA PLAZA PARK, AMPLIFIED MUSIC, SALE OF FOOD AND ALCOHOLIC BEVERAGES AND WAIVING OF FEES FOR THE COTATI OKTOBERFEST ON SATURDAY OCTOBER 9, 2010 (Police) (Action)

Chief of Police Robert Stewart presented the staff report and responded to questions from the Council regarding potential impacts to the Police Department.

Mayor Coleman-Senghor opened the floor to public comment.

There being no one wishing to speak, Mayor Coleman-Senghor closed the public comment period.

Council concurred in support of the proposal.

Moved by Vice Mayor Orchard, seconded by Councilmember Gilardi and passed unanimously to approve the use of La Plaza Park between the hours of 7:00 a.m. and 8:00 p.m. on Saturday October 9, 2010, for the Cotati Oktoberfest, including the use of amplified music in La Plaza Park, the sale of food and alcoholic beverages, and the waiving of all use fees.

11. GROUNDWATER BANKING FEASIBILITY STUDY (Public Works/Engineering) (Action)

City Engineer/Director of Community Development Damien O'Bid presented the staff report.

Mayor Coleman-Senghor opened the floor to public comment.

There being no one wishing to speak, Mayor Coleman-Senghor closed the public comment period.

Moved by Councilmember Landman seconded by Councilmember Harvey and passed unanimously to authorize the City Manager to execute the Groundwater Banking Feasibility Study Cooperative Agreement with the Sonoma County Water Agency.

12. CITY OF COTATI WELL 1A / WELL 3 WATER TREATMENT FACILITIES REHABILITATION PROJECT – AUTHORIZE CITY MANAGER TO AWARD AND EXECUTE CONSTRUCTION AGREEMENT (Public Works/Engineering) (Action)

City Engineer/Director of Public Works Damien O'Bid presented the staff report.

Mayor Coleman-Senghor opened the floor to public comment.

There being no one wishing to speak, Mayor Coleman-Senghor closed the public comment period.

Moved by Councilmember Harvey seconded by Councilmember Landman and passed unanimously to adopt **Resolution No. 2010-21** entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI 1) AUTHORIZING AWARD TO THE LOWEST RESPONSIBLE AND RESPONSIVE BIDDER; AND 2) AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT AND CONSTRUCTION CHANGE ORDERS PROVIDED THE TOTAL CONSTRUCTION AMOUNT DOES NOT EXCEED \$200,000

13. AGREEMENT TO UPDATE THE URBAN WATER MANAGEMENT PLAN, THE WATER SYSTEM MASTER PLAN, THE SANITARY SEWER SYSTEM MASTER PLAN, AND CREATION OF GEOGRAPHIC INFORMATION SYSTEM (Public Works/Engineering) (Action)

City Engineer/Director of Public Works Damien O'Bid presented the staff report.

Mayor Coleman-Senghor opened the floor to public comment.

George Barich requested clarification on the bidding process.

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

Mr. O'Bid summarized the competitive bidding process.

Moved by Councilmember Landman seconded by Councilmember Harvey and passed unanimously to authorize the City Manager to execute an agreement with Carollo Engineers, P.C. for the preparation of updates to the Urban Water Management Plan, the Water System Master Plan, the

Sanitary Sewer System Master Plan, and the creation of a Geographic Information System. Management Plan, the Water System Master Plan, the Sanitary Sewer System Master Plan, and the creation of a Geographic Information System.

**14. DESIGN REVIEW FOR AT&T BROADBAND INFRASTRUCTURE EXPANSION
(Community Development - Planning) (Action)**

This item was pulled from the agenda.

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

Mayor Coleman-Senghor adjourned the Regular meeting and called to order the joint meeting at 8:59 p.m.

CONSENT CALENDAR

Moved by Vice Mayor Orchard, seconded by Councilmember Gilardi and passed unanimously to adopt item 15 on the Consent Calendar.

15. WARRANTS AND AUDITED CLAIMS (Administrative Services) (Action)

This motion receives and files warrants and audited claims for March 25th, 2010 – April 28th, 2010.

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

Mayor Coleman-Senghor adjourned the Joint meeting and called to order the Regular meeting at 9:00 p.m.

CORRESPONDENCE AND PENDING LEGISLATION (Discussion and possible Action)

None.

CITY COUNCIL REPORTS (Discussion)

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

ADJOURNMENT

Mayor Coleman-Senghor adjourned the meeting at 9:02 p.m. to closed session in the City Manager's office.

Respectfully submitted,

/s/ Tamara Taylor, Deputy City Clerk