



**MINUTES  
REGULAR CITY COUNCIL MEETING AND JOINT MEETING OF THE CITY  
COUNCIL AND THE BOARD OF DIRECTORS OF THE COMMUNITY  
REDEVELOPMENT AGENCY OF THE CITY OF COTATI  
WEDNESDAY JANUARY 13, 2010  
7:00 PM REGULAR SESSION**

**6:30 PM CLOSED SESSION**

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

Vice Mayor Coleman-Senghor called the meeting to order at 6:31 p.m.

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

Staff present: Administrative Services Director Jone Hayes, City Attorney Rich Rudnansky, Deputy City Clerk Tamara Taylor, City Manager Dianne Thompson.

City Attorney Rudnansky announced the closed session topics and Mayor Coleman-Senghor invited comments.; there being no one wishing to speak, he adjourned the regular meeting to closed session at 6:32 p.m.

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

**CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION (California Government Code Section 54954.5(c))**

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One (1) potential case

**CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION (Government Code Section 54956.9(a) )**

City of Cotati vs. Gilman Ranch, LLC; et. al. (Sonoma County Case # 244542)

**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, Assistant to the City Manager/Acting Community Development Director Marsha Sue Lustig, Director of Public Works/City Engineer Damien O'Bid, City Attorney Rich Rudnansky, Sergeant Steve Bourns, Deputy City Clerk Tamara Taylor, City Manager Dianne Thompson.

### **PLEDGE OF ALLEGIANCE**

Cotati historian Prue Draper led the Pledge of Allegiance.

City Attorney Rich Rudnansky announced that there was nothing to report out of closed session.

### **1. APPROVAL OF MINUTES OF NOVEMBER 25 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (*Action*)**

**Moved** by Councilmember Orchard, seconded by Councilmember Gilardi and passed unanimously to approve the minutes of the November 25<sup>th</sup>, 2009 regular meeting.

### **ANNOUNCEMENTS**

Cotati Creek Critters will hold Creek Stewardship days on the second Saturday and the last Sunday of every month from October to May. The Cotati Creek Critters also hosts the Inside/Outside Nature Education Series. Contact the Cotati Creek Critters by phone at 792-4422 or on the web at CotatiCreekCritters.info for details on these programs.

### **HONORARY MAYOR**

Honorary Mayor Erica Ruiz of Mountain Shadows Middle School provided a verbal report to Council.

### **SONOMA STATE UNIVERSITY REPRESENTATIVE REPORT**

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

## **CITY MANAGER'S REPORT**

City Manager Dianne Thompson reported on the Hwy 101 widening project and regional climate protection activities.

Councilmember Gilardi commented on the City Manager's report.

## **APPROVAL OF FINAL AGENDA**

**Moved** by Councilmember Orchard, seconded by Councilmember Landman and passed unanimously to approve the final agenda.

## **CITIZEN BUSINESS**

Nicholas Alva discussed policies of the federal government and their impact on society.

Adrienne Lauby addressed the Council regarding California state budget cuts impacting the disabled and elderly and requested a letter of support from the Council to keep these programs, to increase state revenue and have the federal military budget back to the state.

Jan Kravitz addressed the Council regarding pedestrian islands.

George Barich addressed the Council regarding the year 2009.

Joyce Garcia addressed the Council regarding fiscal responsibility and the Code of Ethics.

Philip Salazar commented on increasing revenue in the Building Department.

Prue Draper discussed the Cotati Historical Society museum and announced February 28<sup>th</sup> as the tentative date for its official opening.

City Attorney commented briefly on the difference between a license agreement and a lease agreement.

## **DIRECTION ON FUTURE AGENDA ITEMS**

Mayor Coleman-Senghor moved to take up the ethics conduct complaint [submitted on December 9<sup>th</sup>] regarding the then Vice Mayor and now Mayor, and to direct staff to prepare documents relative to that. Councilmember Harvey seconded the motion. Brief discussion ensued as to whether a vote would be required. Mayor Coleman-Senghor called for a vote. The motion passed 4-1 (Councilmember Orchard voting no).

## **CONSENT CALENDAR**

None.

## **REGULAR AGENDA**

### **2. APPOINTMENT OF COUNCILMEMBERS AS MEMBER AND ALTERNATE TO SONOMA COUNTY TASK FORCE FOR LONG-TERM REGIONAL SOLID WASTE MANAGEMENT OPTIONS AND PROJECTS (City Manager) (Action)**

City Manager Thompson presented the staff report.

Discussion ensued relative to the time commitment of the appointment and the upcoming study session. Vice Mayor Orchard agreed to attend the study session and report back as to the commitment level expected. Councilmembers Landman and Harvey indicated willingness to be the representative. The council concurred to appoint Councilmember Landman as primary and Councilmember Harvey as representatives to the Sonoma County Landfill Task Force and to decide which member would be the primary and alternate member as additional information regarding the time commitment becomes available.

Mayor Coleman-Senghor opened the floor to public comment.

An unidentified speaker commented briefly on the item.

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

## **PUBLIC HEARING**

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

**ADOPTION OF A RESOLUTION CALLING AN ELECTION ON APRIL 13, 2010 TO ASK THE VOTERS TO APPROVE A ONE HALF CENT TRANSACTIONS AND USE TAX, WITH THE TAX "SUNSETTING" IN 5 YEARS (Administrative Services) (Action)**

City Manager Dianne Thompson and Director of Administrative Services Jone Hayes presented the staff report and responded to questions from the Council.

Mayor Coleman-Senghor opened the public hearing.

The following individuals spoke regarding the item:

George Barich (opposed)

John Moore (in favor)

Lori-Ann Barbour (in favor)

Chuck Daymond (in favor)

Chris Parker, representing the Cotati Police Management Association (in favor)

Prue Draper (in favor)

John Dell'Osso for himself and on behalf of Rick Stewart (in favor)

Joyce Garcia (opposed)

Jan Kravitz (in favor)

Adrienne Lauby (in favor)

Nicolas Alva (opposed)

Philip Salazar (commented on the item)

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

Staff responded to questions regarding revenue projections and the borrowing of funds should the sales tax measure be passed and the effect of sales tax decreases due to bankrupt businesses.

Discussion ensued relative to the budget cuts already made by the City, the importance of citizens having the chance to decide on a tax measure, staff's presentation, the findings of the emergency resolution, the reasonableness of the tax for the services it would assist in providing.

**Moved** by Vice Mayor Orchard, seconded by Councilmember Harvey and passed unanimously to adopt:

Resolution 2010-01 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI FINDING AND DECLARING THAT AN EMERGENCY EXISTS THAT REQUIRES ASKING THE VOTERS TO APPROVE A TRANSACTIONS AND USE TAX BEFORE THE NEXT REGULAR ELECTION FOR THE CITY COUNCIL; and

Resolution 2010-02 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI CALLING AN ELECTION TO ASK THE VOTERS OF THE CITY OF COTATI TO APPROVE A 5-YEAR GENERAL TRANSACTIONS AND USE TAX OF ONE HALF CENT; AND REQUESTING THAT THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA CONSOLIDATE THE ELECTION WITH THE ESTABLISHED ELECTION TO BE HELD ON TUESDAY, APRIL 13 2010, AND DIRECT THE COUNTY ELECTIONS DEPARTMENT TO CONDUCT THE ELECTION ON THE CITY'S BEHALF

Mayor Coleman-Senghor called a recess at 9:11 p.m. and reconvened at 9:22 p.m.

**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 convened the joint meeting to order at 9:22 p.m.

**CONSENT CALENDAR**

**Moved** by Councilmember Gilardi, seconded by Vice Mayor Orchard and passed unanimously to adopt items 4 and 5 on the Consent Calendar.

**4. WARRANTS AND AUDITED CLAIMS (Administrative Services) (Action)**

This motion receives and files warrants and audited claims for December 2nd, 2009 – December 8th, 2009

**5. 2008-2009 AUDITED FINANCIAL STATEMENTS (Administrative Services) (Action)**

This motion receives and files audited 2008-2009 audited financial statements.

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

Mayor Coleman-Senghor adjourned the joint meeting and convened the regular meeting to order at 9:23 p.m.

**6. 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 TO CLOSED SESSION (City Manager's Office)**

City Attorney Rudnansky announced the closed session topic and Mayor Coleman-Senghor invited comments.; there being no one wishing to speak, he adjourned the regular meeting to closed session at 9:25 p.m.

Respectfully submitted,

/s/ Tamara Taylor, Deputy City Clerk