

# City of Cotati



**MINUTES  
REGULAR CITY COUNCIL MEETING AND  
JOINT MEETING OF THE CITY COUNCIL  
AND COTATI REDEVELOPMENT AGENCY BOARD OF DIRECTORS  
JANUARY 22, 2008  
City Council Chambers, City Hall, 201 W. Sierra Avenue**

## **7:00 PM (CITY COUNCIL CHAMBERS)**

### **1. CALL TO ORDER OF REGULAR CITY COUNCIL MEETING**

Mayor Gilardi called the meeting to order at 7:04 p.m.

### **2. ROLL CALL**

Councilmembers present: Minnis and Orchard, Vice Mayor Guardino, Mayor Gilardi.  
(Councilmember Fox arrived at 7:40 p.m.)

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

### **3. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

### **4. APPROVAL OF MINUTES OF JANUARY 9, 2008 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA**

Moved by Janet Orchard to approve the minutes of the January 9, 2008 Regular meeting as presented and to waive the reading of all ordinances introduced and/or adopted under this agenda.

Mayor Gilardi opened the floor to public comments:

George Barich of Cotati requested that his comments regarding Item 5.1 be changed to reflect his opposition Mayor Gilardi's acceptance of nomination to the office of Mayor as he believes that the opportunity to serve in the ceremonial office of Mayor should be given to someone who hasn't yet served as Mayor.

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

Councilmember Orchard amended the motion in include Mr. Barich's comments in the minutes. The motion was seconded by Vice Mayor Guardino and passed 5-0-1 (Councilmember Fox absent).

### **5. APPROVAL OF FINAL AGENDA**

City Manager Thompson announced that after the agenda was posted, the City received a Request for Use of Outdoor Facilities from the Paulekas family to conduct a memorial

service at La Plaza Park on Sunday, January 27, 2008. Because the request includes amplified music, it requires Council approval. Staff recommends that this item be added as No. 14A to the Consent Calendar.

The matter came to the attention of the City after the agenda was posted and that the Council needs to take immediate action before the next meeting

**Moved** by Councilmember Orchard, seconded by Vice Mayor Guardino to add item 14.A, Request Approval for Amplified Movie at La Plaza Park on January 27, 2008, to the consent calendar, because this matter came to the attention of the City after the agenda was posted and Council needs to take immediate action before the next meeting. The motion passed 5-0-1 (Councilmember Fox absent)

## **6. CITIZEN BUSINESS**

Jacqueline Dell'Osso of Cotati commented regarding the need for dogs to run off-leash. She invited Councilmembers to accompany her and her off-leash dog on a walk and requested that the Council consider approving off-leash hours.

George Barich of Cotati noted his belief that the Cotati Municipal Code is outdated and encouraged the Council to have it updated. He expressed concern regarding the noticing of Council's discussions about, and the City's enforcement of, the leash law.

Teresa Eaton of Cotati encouraged citizens to review Sonoma County's requirements for Cities to have leash laws.

Lisa Gygax of Forestville discussed the Medical Marijuana ordinance and updated the Council on an application for a medical marijuana dispensary on which she represents the applicant and requested it be placed on the Council agenda. She also provided a legislative update regarding medical marijuana dispensaries and requested that the Council adopt a resolution in support of the legislation.

Tony Adler of Cotati—the former Cotati Animal Control officer noted that all Sonoma County cities have a leash law and indicated his support for Cotati's leash law.

Anastasia Todoravich described her recent experience where an off-leash dog attacked her dog. She encouraged the Council to consider setting aside times and places for off-leash exercise and pointed out Rohnert Park's practice of having separate areas for large dogs and small dogs.

Robert Coleman-Senghor of Cotati suggested various ways of approaching the leash law issue, including a dog park and updating the Municipal Code. He updated the Council regarding his efforts in researching the Darfur situation and requested that the Council consider the adoption of a resolution as he has previously requested.

Councilmember Fox arrived at 7:40 p.m.

Michelle Berman of Cotati discussed the leash law and indicated agreement with Mr. Coleman-Senghor's comments. She spoke in support of the application for a medical

marijuana dispensary and indicated her support of its fair enforcement. She requested that a signs be installed in La Plaza Park informing that dogs are not allowed.

Adrienne Lauby of Cotati discussed comments made by previous speakers. She commented on the leash law, administration of fines, and the damage that dogs can do to the environment.

Gayle (last name not given) of Cotati is appalled at the gossip and mudslinging going on about the leash law issue and expressed concern about dogs swimming and chasing ducks.

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

Robert Stewart, Chief of Police, responded to questions from the Council regarding the concerns of the public speakers about the leash law and the amount of the fines.

City Manager Thompson pointed out that staff is researching recreation opportunities for dogs and will be bringing up alternatives to discuss at the budget review.

## **7. COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS**

Council concurred to schedule discussion of the on the following on a future agenda:

- Off-leash hours for dogs and off-leash dog parks and, including the use of the ball-park in the off-season.
- Association of Bay Area Governments (ABAG) letter regarding support of stricter toxic-waste (particularly e-waste) take back laws.

City Manager Thompson summarized the review process for medical marijuana applications and agreed to discuss Ms. Gyax's concerns with Mayor Gilardi.

## **ORAL AND WRITTEN COMMUNICATIONS**

### **8. ANNOUNCEMENTS**

The next Cotati Creek Critters' Community Planting Day is Sunday, January 27 at 10:00 a.m. Meet at City well lot #2 on Lakewood Avenue. For additional details visit their website at [www.cotaticreekcritters.info](http://www.cotaticreekcritters.info).

January is National Blood Donor Month; donate blood during the Blood Bank of the Redwoods' 3rd Annual Mayor's Challenge. Your blood donation in January will count toward your Mayor, regardless of where you donate. For blood drive locations, see the Blood Bank of the Redwoods' upcoming blood drives at [www.bbr.org](http://www.bbr.org).

The 2nd regular Planning Commission for January has been rescheduled for January 28, 2008.

**9. REPORT BY SONOMA STATE UNIVERSITY REPRESENTATIVE** (*Nicole Schlossberg, Student Representative, Sonoma State University*)

No report.

**10. REPORT BY STUDENT HONORARY MAYOR** (*Jack Witt, Creekside Middle School*)

Jack Witt of Creekside Middle School, Student Honorary Mayor, reported that that some of the things that students think are positive about Cotati are that many services are within walking distance. He requested that a basketball hoop be installed at Putnam park. Additional concerns are drainage problems at the dog park and the abandoned look of the former Tubbies and Shell gas station sites. He introduced his family in the audience. Mayor Gilardi encouraged him to talk with Recreation Manager Terry Dutra regarding the basketball hoop. She presented him with a certificate of commendation and invited him to walk with the City Council in the annual Kids' Day parade.

**11. CITY MANAGER'S REPORT**

City Manager Thompson announced that the recruitment for Director of Public Works/City Engineer has successfully concluded and introduced Damien O'Bid, the successful candidate.

**12. PROCLAMATION IN HONOR OF KATHI BRISBINE**

Mayor Gilardi read the proclamation of appreciation to Kathy Brisbine for her service with the City of Cotati, and commended Kathi for her years of service to the City.

Council commended Kathi for her years of outstanding service to the City and wished her well for her future endeavors

Kathi Brisbine offered her thanks to the Council the community, and her past and present co-workers

**CONSENT CALENDAR**

- 13.** Approval of the Third Amended Cooperative Agreement to Provide Funding and Support Information for the Santa Rosa Plain Groundwater Study and Authorize FY 2008/09 Appropriation Not-to-Exceed \$17,000 (File #E03-04) (*City Engineer*)

- 14.** Adoption of Resolution 08-02 Delegating Authorization to the City Manager to Execute Funding Agreements and Related Documents for Transportation Projects that Receive Federal and/or State Funding (*City Engineer*)

Resolution No. 08-2 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI DELEGATING AUTHORIZATION TO THE CITY MANAGER TO EXECUTE MASTER AGREEMENTS, PROGRAM SUPPLEMENTAL AGREEMENTS, FUND TRANSFER AGREEMENTS AND ANY AMENDMENTS THERETO WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION

**14A.** Request Approval for Amplified Movie at La Plaza Park on January 27, 2008

**Moved** by Councilmember Orchard, seconded by Vice Mayor Guardino and passed 5-0-1 (Councilmember Fox absent) to approve items 13, 14, and 14A on the consent calendar.

**PUBLIC HEARINGS**

- 15.** Introduction of Ordinances adopting the State Building and Fire Code by Reference Including Amendments thereto. (Continued from November 28, 2007. **NOTE:** this item is recommended to be continued to a date uncertain.) (*Building Official*)

Mayor Gilardi opened the public hearing

George Barich of Cotati discussed concerns of the Rancho Adobe Fire District Board of Directors regarding this item and requested an explanation as to why it is continued.

Michelle Berman indicated her support for this item, noting that as a fire sprinkler installer, she believes that fire sprinklers save lives.

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

City Manager Thompson indicated that this item would be brought back to Council in the near future, likely in February or March.

Council concurred to continue this item to a date uncertain.

- 16.** Adoption of Resolution No. 07-81, Approving a Mitigated Negative Declaration and Mitigation Monitoring Program, Adoption of Resolution No. 07-82, Approving a Tentative Map for creation of two (2) Single-family Lots, and adoption of Resolution No. 07-83, Design Review for two single family homes on the resulting lots 1 and 2 of the Perceviski Subdivision (PA #20//06) located at 301 Valparaiso Avenue (APN 144-392-006). (Continued from December 12, 2007. **NOTE:** This item is recommended to be continued to a date uncertain.) (*Director of Planning*)

Mayor Gilardi opened the public hearing

There being no one wishing to speak, Mayor Gilardi closed the public hearing.

Council concurred to continue this item to a date uncertain.

**REGULAR AGENDA**

- 17.** Council Direction on Habitat for Humanity's Request for Funding for a Proposed Project at 22 Woodland Hills Drive

Vice Mayor Guardino recused himself because he lives within 500 feet of the subject site.

Mayor Gilardi called a recess at 8:25 p.m. and reconvened at 8:37 p.m.

Jone Hayes, Director of Administrative Services, presented the staff report.

Diane Estrin, Executive Director of Habitat for Humanity of Sonoma County summarized the organization's efforts in Sonoma County.

Gene Devol, a Civil Engineer who volunteers with Habitat for Humanity to help move the projects through the approval process of local jurisdiction, summarized the progression of the application through Cotati's development review process

Mayor Gilardi opened the floor for public comment.

Robert Coleman-Senghor of Cotati expressed concern that the City providing matching funds would create a conflict of interest for the City and that the City does not have the funds to grant. He requested that notice of the project be provided to neighboring residents.

George Barich of Cotati expressed concerns regarding the issue of a conflict of interest, subsidized housing, entitlements and the City's budget issues. He pointed out that Cotati doesn't have a homeless shelter.

Michelle Berman of Cotati expressed concern regarding the proposed location, which is right near the freeway and has drainage issues, and it's possible effect on the health of the future residents. She noted that the in-kind cost of construction seemed close to regular home prices.

Linnell Hardy of Cotati requested clarification of the budget and asked whether the best use for this money is to help five families, or should other programs be reviewed to benefit as many people as possible.

Adrienne Lauby of Cotati requested information about the size of the homes and what happens when the mortgage is paid. She requested that this item be continued with additional notice and suggested alternative locations for the project.

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

Mayor Gilardi clarified that only the funding and not the project itself, is on the agenda.

Director of Administrative Services Hayes responded to questions regarding Council direction for this item, funding, for-sale versus rental properties and the amount and purpose of the in-lieu housing fund. She further noted that Habitat for Humanity is requesting a commitment of funding, rather than the actual funding, at this time.

Interim City Attorney Rudnansky clarified that the proposed funding would be conditional

Mr. Devol responded to questions about other funding sources and amounts noting the contributions of Sebastopol, Healdsburg and Santa Rosa. He further noted that generally jurisdiction funds are not used for the house itself, but for infrastructure, streets, sewer water, fees, etc.

In response to Mr. Barich's concern about homeless shelters, Councilmember Fox explained that homeless shelters have to be built near services for the homeless, which Cotati does not have at this time.

Discussion ensued regarding the opportunity to use in-lieu funds, the funding sources and amounts, the concern about a possible conflict of interest to the City, and how this proposal compares to previous efforts with Burbank Housing Corporation.

The majority of the Council concurred that this project is the type that the in-lieu fund was designed for; however more information is needed before a commitment to the project could be made.. Councilmember Minnis expressed concern that more people could be helped by using the money differently.

Council concurred to continue this item to a date uncertain in order to allow staff and the applicant to provide additional information, including a comparison of Burbank Housing projects, other City's experiences with Habitat for Humanity, and details of the funding sources and the proposed use of Cotati's funds.

**18. RECESS OF REGULAR CITY COUNCIL MEETING AND CALL TO ORDER OF JOINT MEETING OF CITY COUNCIL AND REDEVELOPMENT AGENCY BOARD OF DIRECTORS**

Mayor Gilardi recessed the Regular City Council meeting and called to order the joint meeting of the City Council and Redevelopment Agency Board of Directors at 9:25 p.m.

**19. ROLL CALL FOR JOINT MEETING**

Members present: Fox, Minnis and Orchard, Vice Chair Guardino, Chair Gilardi  
Staff present: Thompson, Rudnansky, Hayes, Taylor

**CONSENT CALENDAR**

- 20.** Receive and File Warrants and Audited Claims for December 13, 2007 – January 10, 2008  
(*Director of Finance*)

**Moved** by Member Orchard, seconded by Member Fox and passed unanimously to approve item 20 on the Consent Calendar.

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

Mayor Gilardi adjourned the joint meeting of the City Council and Redevelopment Agency Board of Directors and reconvened the Regular City Council meeting at 9:26 p.m.

**22. CITY COUNCIL REPORTS AND COMMENTS**

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

**23. ADJOURNMENT OF REGULAR CITY COUNCIL MEETING AND CONVENE TO CLOSED SESSION**

Mayor Gilardi adjourned the Regular City Council meeting at 9:29 p.m. to Closed Session.

**CLOSED SESSION**

- 24. Public Employment (Government Code § 54957)**  
Legal Counsel

**25. ADJOURNMENT OF CLOSED SESSION**

Respectfully Submitted,

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Deputy City Clerk

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