

# City of Cotati



**MINUTES  
REGULAR CITY COUNCIL MEETING AND  
JOINT MEETING OF THE CITY COUNCIL  
AND COTATI REDEVELOPMENT AGENCY BOARD OF DIRECTORS  
MARCH 12, 2008  
City Council Chambers, City Hall, 201 W. Sierra Avenue**

**7:00 PM**

**CALL TO ORDER**

Mayor Gilardi called the meeting to order at 7:00 p.m.

**ROLL CALL**

Councilmembers present: Fox, Guardino, Minnis, Orchard and Mayor Gilardi  
Staff present: Hayes, Lustig, O'Bid, Rudnansky, Stewart, Taylor, Thompson

**PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**

Mayor Gilardi led the pledge of allegiance and called for a moment of silence.

**1. APPROVAL OF MINUTES OF FEBRUARY 27, 2008 REGULAR MEETING AND  
NOTICE OF WAIVING OF READING OF ALL ORDINANCES INTRODUCED  
AND/OR ADOPTED UNDER THIS AGENDA (*Action*)**

Moved by Councilmember Orchard, seconded by Councilmember Fox and passed unanimously to approve the minutes of the February 27, 2008 Regular meeting as presented and to waive the reading of all ordinances introduced and/or adopted under this agenda.

**APPROVAL OF FINAL AGENDA**

**CITY MANAGER'S REPORT**

City Manager Dianne Thompson reported the following:

- The Cotati computer lab project has been completed by the Rohnert Park-Cotati Rotary Club and a dedication /ribbon cutting ceremony will take place at 5:30 p.m. on Monday, March 24.
- The March 17 Planning Commission has been cancelled because the chair will not be in attendance. The medical cannabis dispensary originally scheduled for that agenda will be heard at the next regular Planning Commission meeting on April 7.
- The East Cotati Avenue water main replacement is expected to be completed by Wednesday, March 19; the East Cotati Avenue overlay project is scheduled to commence in April.

- The annual weed abatement program is underway, with the public hearing to be scheduled for the April 23 City Council meeting.
- On Monday March 10 the City Council voted unanimously to appoint Rich Rudnansky of Meyers Nave as City Attorney. Approval of his contract will be scheduled on the March 26, 2008 City Council consent calendar.

## **CITIZEN BUSINESS**

Lisa Gygax of Forestville addressed the City Council regarding the review process of her [medical marijuana dispensary] application.

Philip Salazar of Cotati commented about his fence line and concerns regarding a neighboring property owner.

Robert Coleman of Cotati addressed Council regarding Councilmembers' comments at the February 27, 2008 public hearing on the Planning Commission appointment process and discussed concerns that members of the public are not allowed to exchange dialogue with Councilmembers during Citizen Business.

George Barich of Cotati indicated agreement with Mr. Coleman. He addressed the Council regarding its previous discussion of a proposed toll on Doyle Drive in San Francisco and questioned the need for representative on the Golden Gate Bridge Highway and Transportation District.

Michelle Berman of Cotati indicated interest and concern regarding Ms. Gygax' application. She pointed out that the City of Cotati has adopted an ordinance allowing medical cannabis dispensaries and noted her own experiences trying to obtain information from the City. She discussed her and Council's comments at the February 27, 2008 public hearing on the Planning Commission appointment process.

City Manager Thompson responded to issues raised during Citizen's Comments. She stated that she would contact Mr. Salazar regarding his concerns. She explained that the medical cannabis dispensary application was being duly processed according to the ordinance and would be brought before the Planning Commission at the April 7, 2008 meeting (the March 17 meeting having been cancelled because the Chairman is on vacation).

City Attorney Rudnansky noted the applicant wanted to proceed with the medical cannabis dispensary application despite staff's attempts to point out what, in their opinion, were deficiencies in the application based on the ordinance. The approval of a medical cannabis dispensary is at the discretion of the Council; it is not a ministerial action.

## **COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS (*Discussion*)**

None.

## **ORAL AND WRITTEN COMMUNICATIONS**

### **ANNOUNCEMENTS**

The next Cotati Creek Critters' Community Planting Day is March 30 at 10:00 a.m. Meet at City well lot #2 on Lakewood Avenue. For additional details and events call 792-4422 or visit their website at [www.cotaticreekcritters.info](http://www.cotaticreekcritters.info).

The Rohnert Park-Cotati Little League opening day and parade will be on Saturday March 15, starting at 9:30 a.m. Call the Little League hotline at 795-7974 for more information.

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

Sonoma State University Student representative Jonathan T. White reported on activities and events at Sonoma State University.

### **STUDENT HONORARY MAYOR REPORT**

Rachelle Dorn of Mountain Shadows Middle School and Honorary Mayor for the month of March, discussed her background, introduced her family and Principal and responded to questions from the City Council.

## **2. COTATI CHAMBER OF COMMERCE SEMI-ANNUAL REPORT FOR PERIOD ENDING DECEMBER 31, 2007**

Gerard Giudice, President of the Cotati Chamber of Commerce Board of Directors, provided a report on activities in economic development contract with the City for the period ending December 31, 2007. Mr. Giudice introduced Andrew Hutchins and Suzanne Whipple of the Cotati Chamber of Commerce.

Mayor Gilardi opened the floor to public comments.

George Barich of Cotati indicated his belief that the Chamber of Commerce should not receive money from the city.

### **CONSENT CALENDAR**

Mayor Gilardi opened the floor to public comment regarding items listed in the Consent Calendar to pull for discussion.

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

**Moved** by Councilmember Orchard, seconded by Councilmember Minnis and passed unanimously to approve items 3 through 5 on the Consent Calendar as noted below.

**3. ORDINANCE ADOPTION FOR PLANNING COMMISSION APPOINTMENT PROCESS (*Action*)**

Ordinance No. 813 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI AMENDING THE CITY OF COTATI MUNICIPAL CODE, INCLUDING SECTIONS 2.16.010 CREATED – MEMBERSHIP; 2.16.020 – TERMS; 2.16.030 REMOVAL – VACANCY; 2.16.050 – QUALIFICATIONS; AND 2.21.020 REMOVAL FOR ABSENCES TO ESTABLISH THE PROCESS FOR EACH COUNCILMEMBER TO APPOINT ONE (1) PLANNING COMMISSIONER

**4. ORDINANCE ADOPTION AMENDING SECTION 2.32.060 OF THE COTATI MUNICIPAL CODE EXCLUDING DEPARTMENT HEAD POSITIONS FILLED AFTER JANUARY 1, 2008 FROM COMPETITIVE SERVICE (*Action*)**

Ordinance No. 814 entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI AMENDING SECTION 2.32.060 OF THE COTATI MUNICIPAL CODE

**5. RESOLUTION SUPPORTING THE SAVE OUR STATE PARKS CAMPAIGN (*Action*)**

Resolution No. 08-05 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI SUPPORTING THE SAVE OUR STATE PARKS CAMPAIGN

**PUBLIC HEARINGS**

**6. ADOPTION OF POLICY FOR USE OF PARKS (*Action*)**

Terry Dutra, Recreation Manager, presented the staff report.

Mayor Gilardi opened the public hearing.

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

Ms. Dutra responded to questions regarding using the park versus renting the park.

**Moved** by Councilmember Orchard and seconded by Councilmember Fox to adopt a policy for the use of City of Cotati Parks.

Yes: 5      No: 0      Abstain: 0

**7. ESTABLISHING FEES AND CHARGES FOR FISCAL YEAR 2007-2008 (*Action*)**

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

Mayor Gilardi opened the public hearing

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

City Attorney Rudnansky clarified that the resolution would take effect 60 days from the date of adoption.

**Moved** by Councilmember Orchard and seconded by Vice Mayor Guardino to adopt Resolution No. 08-06 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI, CALIFORNIA, SUPERSEDING RESOLUTION NO. 07-62, ESTABLISHING THE FEES AND CHARGES FOR CITY SERVICES

Yes: 5      No: 0      Abstain: 0

## **REGULAR AGENDA**

### **8. PURCHASE OF EQUIPMENT AND AUTHORIZATION TO CITY MANAGER TO SIGN AN AGREEMENT WITH PUBLIC BENEFIT TECHNOLOGIES FOR CONSULTING AND WEB HOSTING SERVICES RELATED TO THE LIVE WEBCAST OF CITY COUNCIL MEETINGS (*Action*)**

Tamara Taylor, Deputy City Clerk, presented the staff report and responded to questions from the Council.

Mayor Gilardi opened the floor to public comment.

George Barich indicated his belief that additional information, such as a presentation from the vendor, should be provided due to the amount of money being spent and the technical nature of the equipment and process.

Michelle Berman of Cotati indicated agreement with Mr. Barich's comments. She discussed the proposal and noted that the webcasting other Commission and Committee meetings would allow citizens to participate who would not be able to come to City Hall.

Robert Coleman of Cotati addressed the City Council regarding previous discussions and comments about the webcasting of Council meetings.

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

Mayor Gilardi explained that the Council subcommittee had seen presentations from vendors and were confident in the information in the packet.

Discussion ensued regarding the use of three cameras versus a single camera, the expected lifespan of the equipment, the monthly costs of both the webhosting service and the audio visual equipment operator, the different vendors that offer webcasting and archiving services, and the possibility and the cost of offering closed caption services.

City Attorney Rudnansky noted in response to questions from Council that closed captioning of webcasts is not mandated; is one of several ways to offer accessibility to the hearing impaired. Few, if any cities in Sonoma County offer the service. Should closed captioning become necessary in the future it could be provided at such time.

Director of Administrative Services Hayes responded to questions from the Council regarding the cost of the service and explained that the budgeted funds are allocated from previous cable franchise fees.

Vice-Mayor Guardino indicated that he would abstain from this item because he does not have enough information about it.

Moved by Councilmember Minnis and seconded by Councilmember Orchard to approve the purchase of equipment and authorize the City Manager to sign an agreement with Public Benefit Technologies (PBTech) for consulting and hosting/archiving services related to the live webcast of City Council meetings at a cost not to exceed the amount of \$36,311 approved in the fiscal year 2007-2008 budget.

Yes: 4      No: 0      Abstain: 1 (Vice Mayor Guardino)

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

Mayor Gilardi adjourned to the joint meeting at 9:41 p.m.

**CALL TO ORDER AND ROLL CALL FOR JOINT MEETING**

Mayor/Chair Gilardi called the joint meeting to order at 9:41 p.m.

Members present: Fox, Guardino, Minnis, Orchard, and Chair/Mayor Gilardi

Staff present: Hayes, Rudnansky, Taylor, Thompson

**CONSENT CALENDAR**

**MAYOR GILARDI OPENED THE FLOOR FOR PUBLIC COMMENT.**

Linell Hardy asked for clarification on the unreimbursed medical expenses.

In response to Ms. Hardy, Administrative Services Director Hayes explained that some employees participate in a health-care payroll deduction program and they are reimbursed from funds that have been deducted from their pay under this plan.

**Moved** by Member x, seconded by Vice Chair/Vice Mayor Member x and passed x to approve items 9 and 10 on the Consent Calendar as follows:

**9. WARRANTS AND AUDITED CLAIMS (*Action*)**

Motion to receive and file Warrants and Audited Claims for February 16th, 2008 – February 28th, 2008.

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

Chair/Mayor Gilardi adjourned the joint meeting at x p.m. and reconvened the regular City Council meeting.

**CITY COUNCIL REPORTS AND COMMENTS (*Discussion*)**

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

**ADJOURNMENT**

Mayor Gilardi adjourned the meeting at 8:49 p.m.

Respectfully submitted,

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Deputy City Clerk