



**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 APRIL 8, 2009**  
**6:00 PM CLOSED SESSION**  
**7:00 PM REGULAR SESSION**  
**City Council Chambers, City Hall, 201 W. Sierra Avenue**

**6:00 PM CALL TO ORDER AND ROLL CALL FOR CLOSED SESSION**

Mayor Guardino called the meeting to order at 6:07 p.m.

Councilmembers present at roll call: Orchard, Coleman-Senghor, Mayor Guardino.

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

Mayor Guardino opened the floor to public comments; there being no one wishing to speak he closed the public comment period and adjourned to closed session.

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

**CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)**

City Designated Representative: City Manager

Employee Organizations: (1) Cotati Employees Association (2) Cotati Police Officers Association (3) Cotati Police Management Association

**7:00 PM (REGULAR SESSION)**

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

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

**ROLL CALL**

Councilmembers present: Barich, Coleman-Senghor, Gilardi, Orchard, Mayor Guardino

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, Chief of Police Robert Stewart, Deputy City Clerk Tamara Taylor, City Manager Dianne Thompson.

**PLEDGE OF ALLEGIANCE**

Mayor Guardino led the pledge of allegiance.

**1. APPROVAL OF MINUTES OF MARCH 25, 2009 REGULAR 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 Coleman-Senghor, and passed unanimously to approve the minutes of the March 25, 2009 regular meeting as presented and to waive the reading of all resolutions and ordinances introduced and/or adopted under this agenda.

**ANNOUNCEMENTS**

City Council meeting audio recordings are now available via podcast. Link to the podcast from the City's website at [ci.cotati.ca.us](http://ci.cotati.ca.us).

The Ray Miller Community Center is now a site for Santa Rosa Junior College's ACTIVE SENIORS PROGRAM. Santa Rosa Junior College offers noncredit classes designed specifically for active seniors as part of its goal to provide lifelong learning: Sign up for a class by going directly to the location & the instructor will give you an application. No age limit for seniors' classes, though they are geared for older adults. Classes are ongoing, so students may apply at any time and there is no fee for these classes. For a complete list check the community guide or visit the city's website at [ci.cotati.ca.us](http://ci.cotati.ca.us).

The Spring/Summer Recreation Schedule is available on the City's aforementioned website. To request a paper copy please feel free to visit or call the Recreation Department at 792-4600 ext. 669

**SONOMA STATE UNIVERSITY REPRESENTATIVE REPORT**

Sonoma State University Student representative Dylan Reed provided a verbal report to Council.

**STUDENT HONORARY MAYOR REPORT**

Adam Nelson of Creekside Middle School was unable to attend the meeting. Ms. Lee Watson of Technology High School provided a verbal report to Council. Ms. Watson introduced her father in the audience and responded to questions from the Council.

**CITY MANAGER'S REPORT**

City Manager Dianne Thompson provided progress reports on the East Cotati Avenue overlay project, federal stimulus projects and the Downtown Specific Plan environmental impact report. She announced a strategic planning meeting scheduled for April 15.

**APPROVAL OF FINAL AGENDA**

Approved.

## **CITIZEN BUSINESS**

Marian Koglin addressed the Council to eulogize Katherine Roberts, former Mayor of Cotati, who passed away on April 7, 2009.

Kay (last name not discernible) addressed the Council in support of Councilmember Barich's photo on his website.

Dr. Greg Anderson of Cotati commented on why individuals do the things they do and encouraged the Council to do something as doing nothing is unacceptable.

An unidentified speaker, of Sonoma County, indicated his belief that Councilmember Barich's photo is racist; as a black man he believes he is qualified to know. He encouraged the Council address Councilmember Barich's action.

Mavis Jutes and her husband, Bob Hudson, both of Cotati, requested Councilmember Barich's resignation and encouraged the other Councilmembers to respond and citizens to initiate support to remove him from office.

Marion Walker of 100 Black Men of Sonoma County summarized his organization's activities. He questioned Councilmember Barich's judgment as a political leader.

Andre Morrow discussed his concerns regarding Councilmember Barich and asked the citizens to participate in a recall.

Carol Williams of Cotati commented on Joan Simon's and a member of a Jewish congregation's letters in the Press Democrat. Her husband was the first African-American member of the Cotati City Council. She expressed opposition to Councilmember Barich's behavior.

Harold Berkemeier noted that he served on the City Council with Katherine Roberts, who instituted the honorary Mayor. He encouraged George Barich to resign or he would do all he can to recall him.

Colleen Fernault of Sebastopol, formerly of Cotati commented on the charm of Cotati. She discussed Councilmember Barich's abuse of the City logo and stationery. She believes he impacts the town in a negative way. She said that he had been banned from certain internet boards. She called for a resignation or a recall. She asked that stimulus money be used to oppose the war in Iraq and asked for a cease fire.

Joan Simon of Cotati requested that the Council censure Councilmember Barich. She expressed her concerns regarding his forging City letterhead and encouraged a recall.

Ken Coleman of Cotati expressed outrage about the City Manager's report on Putnam park gopher holes and asked that it be placed on the agenda.

Lindy Reese expressed shame and embarrassment for our City. She asked Councilmember Barich to step down.

John Jenkel of Graton spoke in opposition to unauthorized use of force in Iraq.

Carl N. Spoke regarding the distress that Councilmember Barich has caused the town of Cotati.

Paul F. expressed concerns about the Planning Department and Councilmember Barich's judgment.

Louie Callas addressed the Council regarding Councilmember Barich and indicated that he should be chastised.

Ella urged her elected officials to speak on her behalf. She discussed the rules in her preschool about apologizing if someone is offended.

Beverly Sonoda of Cotati quoted Martin Luther King, Jr.

Rudolph Renzel addressed the Council regarding the City seal and logo and various seals for the California state assembly and senate and U.S. Congress and California state university system.

Cheryl Nixon of Cotati spoke in opposition to Councilmember Barich's blog and discussed recalling him.

Mayor Guardino called a recess at 8:26 p.m. and reconvened at 8:39 p.m.

Ann Wallace Rock of Cotati discussed her acquaintances' impressions of Cotati and requested Councilmember Barich to stop it.

Emily Straub of Cotati discussed her experience as Civil Rights officer for the Coast Guard. She expressed shame that her former co-workers are getting this impression of Cotati.

Mayor Guardino called Councilmember Barich to order during Ms. Straub's comments.

Ed Sheffield, staff member for an elected official for the state assembly, corrected an earlier comment regarding the state assembly seal and stationery. He noted that its use must be vetted by Counsel at the state and federal level.

An unidentified speaker called Councilmember Barich a racist.

John Rock requested assistance regarding the updated flood plain map and his concerns about flooding. He discussed equal opportunity and free speech and requested that the Council tell Councilmember Barich that he is being inappropriate.

Phil Maher indicated his belief that Councilmember Barich is not racist but inexperienced.

John Moore of Cotati said that citizens were looking for direction from council. He asked for an update on the code of ethics adopted 2 weeks ago and indicated that Councilmember Barich should resign and save the City money by not forcing a recall.

An unidentified speaker spoke in support of Councilmember Barich and his karaoke business.

(Name not discernible) of Pine Tree Circle encouraged public servants, to be vigilant against racism.

Suzanne Whipple of Cotati address the Council regarding Councilmember Barich's behavior and indicated her belief that Councilmember Barich should apologize to those he has offended.

Susan Harvey of Cotati noted that that we need to put this behind us so the city can solve the problems it faces.

(Name not discernible) addressed the Council regarding Councilmember Barich and pointed out that stepping down would be his decision.

Katie (last name not discernible) urged Councilmember Barich to research why blackface is considered racist.

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

Councilmembers briefly commented on statements made during Citizens' Business.

#### **DIRECTION ON FUTURE AGENDA ITEMS**

Councilmembers Orchard and Gilardi asked to schedule an official condemnation of Councilmember Barich's behavior, including use of logo and stationery, on a future City Council agenda. Councilmember Orchard indicated endorsement of a recall.

Vice Mayor Coleman-Senghor read a statement, "On Barich and the Limits of Indignation" and submitted a copy for the meeting record.

Mayor Guardino acknowledged the concerns that he has heard from the public regarding Councilmember Barich's behavior.

Councilmember Barich requested that use of Volunteers and discussion of the safety of Helen Putnam Park be placed on the agenda for discussion.

Council concurred to discuss volunteers during the goal setting process. Discussion ensued regarding the process of scheduling items on the agenda. Mayor Guardino noted that REMIF has indicated that Putnam Park safety should not be further discussed due to liability concerns. Additional discussion ensued relative to review of the ordinance regulating sidewalk signs, a report of city costs resulting from Councilmember Barich, equal opportunity, Robert's Rules of Order, and priorities of staff time.

Vice Mayor Coleman-Senghor read a statement regarding Councilmember Barich's conduct and submitted a copy for the meeting record.

Mayor Guardino called a recess at 10:02 p.m. and reconvened at 10:22 p.m.

## REGULAR AGENDA

### 2. **COMMUNITY IDENTITY SIGN PROGRAM: DEMONSTRATION GARDEN PROJECT AND THE LAGUNA DE SANTA ROSA RESTORATION PROJECT (Community Development) (Action)**

Marsha Sue Lustig, Assistant to the City Manager/Acting Community Development Director, presented the staff report and responded to questions regarding the logo, project funding, marquee replacement, ongoing maintenance, the possibility of vandalism and the distribution of brochures.

Jenny Blaker of Cotati Creek Critters presented the interpretive sign program.

Mayor Guardino opened the floor to public comments.

Phil Maher addressed the Council regarding maintenance of the demonstration garden and concerns about vandalism of the signs.

Neil Hancock of Cotati spoke in support of the proposed sign program.

There being no one else wishing to speak, Mayor Guardino closed the floor to public comments.

City Engineer/Director of Public Works Damien O'Bid responded to questions regarding the maintenance of the demonstration garden.

**Moved** by Councilmember Orchard, seconded by Vice Mayor Coleman-Senghor, to adopt a motion to approve: 1) Demonstration Garden Sign Program and Brochure; 2) Laguna de Santa Rosa Interpretive Sign Program; and 3) Community Identity Sign Program.

Discussion ensued regarding funding, native plants, weeds and water use.

Councilmember Orchard agreed to amend the motion to include funding information on the brochure. Vice Mayor Coleman-Senghor seconded the amended motion.

The motion as amended passed 4-1 (Councilmember Barich voting no).

### 3. **MOTION AUTHORIZING MAYOR TO SIGN A LETTER OF OPPOSITION TO ASSEMBLY BILL 155 (MENDOZA-ARTESIA) (City Manager)**

City Manager Dianne Thompson presented the staff report and responded to questions from the Council regarding AB155.

Discussion ensued as to the contents of the bill.

Mayor Guardino opened the floor to public comments.

There being no one wishing to speak, Mayor Guardino closed the floor to public comments.

**Moved** by Councilmember Orchard, seconded by Councilmember Gilardi and passed unanimously to adopt a motion to authorize the Mayor to sign a letter to the state legislature in opposition to Assembly Bill 155 (Mendoza-Artesia).

**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 Guardino adjourned the regular City Council meeting and called the joint meeting to order at 11:05 p.m.

**CONSENT CALENDAR**

Mayor Guardino asked whether anyone wanted to pull any consent items for discussion; there being no one wishing to pull an item for discussion, Mayor Guardino called for a motion to approve the Consent Calendar.

**Moved** by Councilmember Orchard, seconded by Councilmember Gilardi and passed unanimously to approve item 4 on the Consent Calendar.

**4. WARRANTS AND AUDITED CLAIMS FOR MARCH 12<sup>TH</sup>, 2009 – MARCH 31<sup>ST</sup>, 2009 (Administrative Services) (Action)**

This motion receives and files warrants and audited claims for March 12<sup>th</sup>, 2009 – March 31<sup>st</sup>, 2009.

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

Mayor Guardino adjourned the joint meeting and reconvened the regular meeting at 11:08 p.m.

**CITY COUNCIL REPORTS (Discussion)**

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

**ADJOURNMENT OF REGULAR CITY COUNCIL MEETING**

Mayor Guardino adjourned the regular meeting at 11:23 p.m. in memory of Katherine Roberts.

Respectfully submitted,

/s/Tamara Taylor, Deputy City Clerk