



**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
JUNE 25, 2008
City Council Chambers, City Hall, 201 W. Sierra Avenue**

7:00 PM (CITY COUNCIL CHAMBERS)

CALL TO ORDER OF REGULAR CITY COUNCIL MEETING

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

ROLL CALL

Councilmembers present: Fox, Guardino, Minnis, Orchard and Mayor Gilardi
Staff present: Hayes, O'Bid, Pianca, 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 JUNE 11, 2008 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 Minnis and passed unanimously to approve the minutes of the June 11, 2008 Regular meeting and to waive the reading of all resolutions and ordinances introduced and/or adopted under this agenda.

APPROVAL OF FINAL AGENDA

Mayor Gilardi announced that The 'Councilmember Direction on Future Agenda Items' portion of the agenda would be moved to after the 'Presentation' item.

CITY MANAGER'S REPORT

City Manager Dianne Thompson reported the following:

- The 'Councilmember Direction on Future Agenda Items' portion of the agenda has been moved to after the 'Presentation' item;
- Item no. 12 (Adoption of Resolution Approving Fiscal Year 2008-09 Budget) has been moved to the City Council meeting agenda for July 2, 2008.

CITIZEN BUSINESS

Adrian Lauby of Cotati confirmed that public comments would be heard regarding the Presentation item.

George Barich of Cotati addressed the Council regarding the “citizens’ filibuster” process of public comments. He indicated opposition that the presentation item was placed on the agenda. He further expressed opposition that it was placed at the beginning of the meeting and requested that it be moved to the end of the agenda.

Michelle Berman of Cotati indicated that she has had to wait during City Council meetings for a particular item to be heard, and she noted that sometimes that is the way it is. She commented that the air quality is bad because of the fires and expressed concern for older people who may find it difficult to stay inside because their homes have no air conditioning.

Mayor Gilardi explained that the presentation has been scheduled so that the Council will have the opportunity to decide whether to schedule it on a future agenda for action, and further noted that individuals are welcome to come to City Hall for respite from the heat.

COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS (*Discussion*)

This item was moved to below ‘Presentation’.

ORAL AND WRITTEN COMMUNICATIONS

ANNOUNCEMENTS

The Cotati Farmers Market runs Thursdays through September 11, from 4:30 to 7:30 p.m. in La Plaza Park.

Individuals who are committed to working for the betterment of the City of Cotati are invited to apply for appointment to the City's Design Review Committee (alternate position with landscape design experience) or Community and Environment Commission. Download an application at www.ci.cotati.ca.us or call 665-3623 to receive an application by mail.

Summer fun in Cotati includes Movies in the Park showing the first and third Fridays through September 19th (except for July 4) in La Plaza Park after sundown and the 16th annual Cotati Kids Parade & Festival on Saturday, July 12. Get details about these and other summer recreation programs on the web at www.ci.cotati.ca.us or call the Recreation Department at 792-4600 ext. 640.

Mayor Gilardi stated that older folks having trouble breathing can come to cityhall. Also have been invited to comewhen its hot.

PRESENTATION

SONOMA COUNTY RESOLUTION TO IMPEACH COALITION

Donna Gallagher of Rohnert Park, along with Tricia Baretta and Lorenzo D. (last name not discernable) of Cotati, representing the Sonoma County Resolution to Impeach Coalition, presented a verbal report to Council and requested that the Council consider a resolution that Congress initiate the impeachment of President Bush and Vice President Cheney at the July 9th, 2008 City Council meeting.

Mayor Gilardi acknowledged the Coalition supporters in the audience holding a large display of information and a signed petition. Upon her request the presenters submitted 8 ½ x 11 inch size signed petitions.

Mayor Gilardi opened the floor to public comment.

The following individuals spoke in support of placing this item on a City Council agenda:

Patricia Waters of Cotati;

Michelle Berman of Cotati;

Duane (last name not discernible), from the Petaluma area;

Donna Norton;

Adrian Lauby of Cotati, speaking for herself and on behalf of Beverly Sonoda;

Robert Coleman-Senghor of Cotati.

George Barich of Cotati addressed the Council to express his opposition to placing this item on a City Council agenda.

Robin Birdfeather of Cotati spoke in support of a censure of the President.

There being no one else wishing to speak, Mayor Gilardi closed the public comment period, and indicated that Council would consider the Coalition's request during the next item (Councilmember Direction on Future Agenda Items).

COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS (*Discussion*)

Discussion ensued regarding the presentation and request made by the Sonoma County Resolution to Impeach Coalition. The majority of Councilmembers concurred to place the item on the July 9, 2008 City Council agenda and requested that factual evidence, other than media reports, be submitted for Council's review.

Councilmember Minnis expressed opposition to Council's consideration of this item; she stated that it is too late in the presidential term; changes are being made and that Speaker of the House Nancy Pelosi has indicated that impeachment is off the table.

Mayor Gilardi directed staff to schedule consideration of a resolution that Congress initiate the impeachment of President Bush and Vice President Cheney on the July 9th, 2008 City Council meeting agenda.

Vice Mayor Guardino referring to a June 9, 2008 letter from Senator Alex Padilla, 20th District, requested that a discussion regarding SB 1420, which seeks to require certain restaurants to provide nutrition information on menus and boards. After a brief discussion regarding addressing this issue on a local, rather than state, level, Council directed Assistant City Attorney to research whether cities can adopt ordinances require certain restaurants to provide nutrition information on menus and boards.

CONSENT CALENDAR

Councilmember Minnis requested that the votes for items 4 and 5 (Police Officers and Police Management Association MOUs) be taken by roll call.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed unanimously to approve items 2, 3, 6 and 7 on the Consent Calendar.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed 4-1 (Councilmember Minnis voting no) to approve items 4 and 5 on the Consent Calendar.

2. ADOPTION OF RESOLUTIONS TO SET A PUBLIC HEARING DATE FOR ESTABLISHING LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT RATES FOR THE VALPARAISO VISTA SUBDIVISION, QUAIL HOLLOW IV SUBDIVISION, SOMMERS SUBDIVISION, MACKLIN I SUBDIVISION, SIERRA MEADOWS SUBDIVISION, OAK KNOLLS SUBDIVISION, GARDEN GATE SUBDIVISION, PARK MEADOWS SUBDIVISION, SANTERO WAY DEVELOPMENTS, AND ALTMAN ACRES SUBDIVISION LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS FOR FISCAL YEAR 2008-09 (Action)

Resolutions No. 08-27 through 08-36 respectively, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI SETTING A PUBLIC HEARING DATE FOR ESTABLISHING THE LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT RATE FOR:

- 1) VALPARAISO VISTA SUBDIVISION (RESOLUTION NO. 08-27);
- 2) QUAIL HOLLOW IV SUBDIVISION (RESOLUTION NO. 08-28);
- 3) SOMMERS SUBDIVISION (RESOLUTION NO. 08-29);
- 4) MACKLIN I SUBDIVISION (RESOLUTION NO. 08-30);
- 5) SIERRA MEADOWS SUBDIVISION (RESOLUTION NO. 08-31);
- 6) OAK KNOLLS SUBDIVISION (RESOLUTION NO. 08-32);
- 7) GARDEN GATE SUBDIVISION (RESOLUTION NO. 08-33);
- 8) PARK MEADOWS SUBDIVISION (RESOLUTION NO. 08-34);
- 9) SANTERO WAY DEVELOPMENTS (RESOLUTION NO. 08-35); AND

10) ALTMAN ACRES SUBDIVISION (RESOLUTION NO. 08-36) LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2008-09

3. ADOPTION OF RESOLUTION SETTING A PUBLIC HEARING DATE FOR ESTABLISHING OUTSTANDING SEWER CHARGE FOR FISCAL YEAR 2008-2009 (Action)

Resolution No. 08-37 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI SETTING A PUBLIC HEARING DATE FOR ESTABLISHING THE OUTSTANDING WATER/SEWER CHARGES AND DIRECTING LEVYING OF ASSESSMENTS FOR FISCAL YEAR 2008-2009

4. ADOPTION OF RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND EMPLOYEES REPRESENTED BY THE COTATI POLICE OFFICER ASSOCIATION (CPOA) (Action)

Resolution No. 08-38, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF COTATI AND ITS EMPLOYEES REPRESENTED BY COTATI POLICE OFFICER ASSOCIATION (CPOA)

5. ADOPTION OF RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND EMPLOYEES REPRESENTED BY THE COTATI POLICE MANAGEMENT ASSOCIATION (CPMA) (Action)

Resolution No. 08-39, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF COTATI AND ITS EMPLOYEES REPRESENTED BY COTATI POLICE MANAGEMENT ASSOCIATION (CPMA)

6. AUTHORIZE THE CITY MANAGER TO SIGN A LETTER OF AGREEMENT TO THE CURRENT MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE COTATI EMPLOYEES ASSOCIATION (CEA) REVISING SECTION 7.01A RETIREE MEDICAL BENEFITS (Action)

This motion, recommended by the Department of Administrative Services, authorizes the City Manager to sign a letter of agreement to the current Memorandum of Understanding between the City and the Cotati Employees Association (CEA) revising Section 7.01a Retiree Medical Benefits.

7. ADOPTION OF A RESOLUTION CALLING A GENERAL MUNICIPAL ELECTION AND REQUESTING THE SONOMA COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE THE ELECTION (Action)

Resolution No. 08-40, entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI, CALIFORNIA, CALLING A GENERAL MUNICIPAL ELECTION

TO BE HELD IN THE CITY OF COTATI ON NOVEMBER 4, 2008 AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA TO CONSOLIDATE THE ELECTION WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THAT DATE, PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

PUBLIC HEARING

8. ADOPTION OF A RESOLUTION ADJUSTING BUILDING PERMIT FEES IN ACCORDANCE WITH ORDINANCE NO. 815 (ADOPTING THE 2007 CALIFORNIA BUILDING CODES FOR THE CITY OF COTATI) (Action)

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

Mayor Gilardi opened the public hearing.

George Barich of Cotati requested that his emails not be taken out of context.

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

Moved by Councilmember Orchard, seconded by Councilmember Minnis and passed unanimously to adopt Resolution No. 08-41 entitled, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI PROVIDING FOR PERMIT FEES IN ACCORDANCE WITH ORDINANCE NO. 815 ADOPTING THE 2007 CALIFORNIA BUILDING CODES FOR THE CITY OF COTATI

REGULAR AGENDA

9. RESOLUTION ADOPTING THE AHWAHNEE PRINCIPLES (Action)

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

Mayor Gilardi opened the floor to public comment.

Adrian Lauby of Cotati expressed that the Principles appear to be based on common sense; however, carrying them out day to day may be difficult.

Michelle Berman of Cotati indicated that she been a supporter of many of the actions proposed in the Principles.

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

Discussion ensued regarding whether the Principles are binding, rather than guiding principles. Assistant City Attorney Pianca indicated that the Principles are non-binding.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed unanimously to approve Resolution No. 08-42 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI TO ADOPT THE AHWAHNEE PRINCIPLES FOR RESOURCE EFFICIENT COMMUNITIES, THE AHWAHNEE PRINCIPLES FOR

**ECONOMIC DEVELOPMENT, AND THE AHWAHNEE WATER PRINCIPLES FOR
RESOURCE EFFICIENT LAND USE**

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

CONSENT CALENDAR

Moved by Councilmember Fox, seconded by Vice Mayor Guardino and passed unanimously to approve items 10 and 11 on the Consent Calendar.

10. WARRANTS AND AUDITED CLAIMS FOR MAY 29, 2008 – JUNE 11, 2008 (*Action*)

This motion, receives and files warrants and audited claims for May 29, 2008 – June 11, 2008.

**11. ADOPTION OF A RESOLUTION ESTABLISHING AN APPROPRIATIONS
LIMIT FOR FISCAL YEAR 2008-09 PURSUANT TO ARTICLE XIII.B OF THE
CALIFORNIA CONSTITUTION AS AMENDED BY PROPOSITION 111 (*Action*)**

Resolution No. 08-43 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AND THE BOARD OF DIRECTORS OF THE COTATI REDEVELOPMENT AGENCY ESTABLISHING AN APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2008 - 2009 PURSUANT TO ARTICLE XIII.B OF THE CALIFORNIA CONSTITUTION, AS AMENDED BY PROPOSITION 111.

REGULAR AGENDA

**12. ADOPTION OF RESOLUTION ADOPTING THE FISCAL YEAR 2008-2009
BUDGET (*Action*)**

This item was removed from the agenda.

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

Mayor Gilardi adjourned the joint meeting and reconvened the regular meeting at 8:21 p.m.

CITY COUNCIL REPORTS AND COMMENTS

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

ADJOURNMENT OF REGULAR CITY COUNCIL MEETING

Mayor Gilardi adjourned the meeting at 8:26 p.m. in the memory of Santa Rosa Mayor Bob Blanchard.

Respectfully submitted,

Deputy City Clerk