



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
OCTOBER 22, 2008
7:00 PM
City Council Chambers, City Hall, 201 W. Sierra Avenue

7:00 PM (REGULAR SESSION).

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: Guardino, Minnis, Orchard and Mayor Gilardi

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

Mayor Gilardi announced that Geoff Fox has resigned from the City Council due to relocation outside of the city limits.

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 SEPTEMBER 24, 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 September 24, 2008 regular meeting as presented.

APPROVAL OF FINAL AGENDA

Item 8 (Bicycle and Pedestrian Master Plan was continued to December 10, 2008

CITY MANAGER'S REPORT

- City Manager Dianne Thompson reported that she had returned from vacation; Administrative Services Director Jone Hayes was Acting City Manager in her absence. City Manager Thompson further stated that the demonstration garden site preparation is on schedule and that planting will be done by volunteers on November 14th and 15th.

CITIZEN BUSINESS

Jenny Blaker, representing Cotati Creek Critters, reported a successful creek cleanup event on October 11 and noted that creek stewardship would soon recommence.

Neil Hancock requested a presentation on the Bicycle and Pedestrian Master plan when it comes before Council.

Robert Coleman-Senghor addressed the Council regarding his concerns about obtaining information from the city as a City Council candidate and as a citizen. He discussed interaction between police officers and our citizens and requested that a 'frequently asked questions' section be put on the City's website.

George Barich of Cotati requested behavior guidelines for the City Council meeting audience.

Mayor Gilardi responded to Mr. Barich, explaining that she is able to see the audience from the dais and if needed, would direct that distracting conversations in the audience be moved outside the Chambers. Councilmembers have an alert button on the dais to alert the Police Department should they feel that they or anyone else is threatened and she would ask that an officer be present during discussion of items where she believes that emotions might run high.

City Manager Thompson responded to Mr. Coleman-Senghor that staff will respond immediately to questions to the extent that they have the information available; other questions are routed to the City Manager so that the information can be provided to all candidates.

Administrative Services Director Jone Hayes noted that an 'FAQ' section for the website is being reviewed for cost and staff time.

COUNCILMEMBER DIRECTION ON FUTURE AGENDA ITEMS (*Discussion*)

Councilmember Minnis asked about the status of water bill review.

Staff responded that a review of water bills is on a future agenda; the Capital Improvement Program (CIP) needed to be updated before a rate study could commence. The CIP update is near completion and the rate study is underway.

ORAL AND WRITTEN COMMUNICATIONS

ANNOUNCEMENTS

"Halloween in Cotati" Friday, Oct 24 6:00 – 9:00 p.m. at the Ray Miller Community Center. Come join the fun with Halloween treats, crafts and games. Activities for all age groups, even a haunted house! This evening is in partnership with the City of Cotati Recreation Dept, assorted Sonoma State University clubs and Thomas Page PTA. If you would like to help with the decorations, please call 792-4600, ext 640/669. Costumes are encouraged for all ages... please nothing too scary!!

Redwood Writers Present: “Writers of the West” Saturday, Oct 25 1:30 – 3:30 p.m. at the Ray Miller Community Center in the Stony Point Room. Hear poems, stories, and essays written and read by local authors. Chat with these writers and other folks interested in reading and writing.

The full Fall/Winter Recreation Schedule can be viewed on the city’s website at www.ci.cotati.ca.us To request a paper copy please feel free to call the Recreation Department at 792-4600 ext. 669.

A Cotati Community Cleanup event for fall is scheduled for Saturday & Sunday, November 1st & 2nd from 9:00 a.m. to 3:00 p.m. This event is for Cotati residents and will take place in the Park N’ Ride Lot (St. Josephs Way). For more information call 800-243-0291 or visit www.unicycler.com.

STUDENT HONORARY MAYOR REPORT

No report.

CITY HIRING PRACTICES REPORT

Jone Hayes, Director of the Administrative Services Department, provided an update on City hiring practices.

Councilmember Minnis indicated that she would like to see the personnel rules. She requested that temporary employees and interns be hired for a specific time limit and that the Council be notified when intern positions are made permanent. She requested hiring priority for volunteers and Community and Environment Commission and expressed concern that police positions hired with grant funding continue employment when the grant funding is no longer available. She asked that this item to come back to Council with written hiring standards.

Mayor Gilardi opened the floor to public comments; there being no one wishing to speak, she closed the public comment period.

Discussion ensued regarding the standardization of hiring practices over the past two years, temporary employees and part-time temporary employees with specialized experience, such as the building official.

Council concurred to calendar this item on a future agenda and asked that the employee memorandum of understanding and the employee rules and regulations be provided.

2. DOG FOCUS GROUP REPORT

Recreation Manager Terry Dutra presented the recommendations of the Dog Focus Group, including establishing off-leash hours in Putnam Park and Draper Park for a six-month trial period.

Responding to a question from Council, she described various possible water sources in parks for dogs.

Mayor Gilardi opened the floor to public comments.

An unidentified speaker objected to the amount of dog waste on the creek path.

Jenny Blaker of Cotati asked if the Council could prevent people from letting their dogs run into the creek.

George Barich of Cotati discussed various methods of enforcing the leash law. He opposed brochures in the parks during winter. He indicated his belief that Cotati's leash law is archaic.

Susan Harvey of Cotati spoke in support of the trial off-leash hours proposed by the dog focus group.

Robert Coleman-Senghor discussed his experience with dogs and expressed support for the leash law. He expressed concern for dogs running loose where kids play soccer. He supports separate area for dogs and asked if the sunset closing time will be enforced in Putnam park

Robin Birdfeather of Cotati indicated support for the leash law or a separate area for dogs.

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

Discussion ensued regarding the proposed off-leash hours trial and the other recommendations of the focus group. Council concurred with the group's recommendations and directed that, should the trial period be successful, this item would return to Council for approval for permanent off-leash hours.

3. PROCLAMATIONS

Mayor Gilardi presented Robert Abramson, Membership Chair for the United Nations Association of Sonoma County with a proclamation declaring October 24, 2008 'United Nations Day'. Mr. Abramson distributed information about upcoming U.N. Day events and presented Mayor Gilardi with a United Nations flag to be flown at City Hall during this week in observance of United Nations Day.

CONSENT CALENDAR

Items 5 and 7 were pulled from the Consent Calendar for discussion.

Councilmember Minnis recused herself from item 7 because her business is located within 500 feet of the subject site.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed unanimously to approve items 4 and 6 on the Consent Calendar.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed 3-0-1 (Councilmember Minnis abstaining) to approve item 7 on the Consent Calendar.

4. ADOPTION OF A RESOLUTION ESTABLISHING AN IDENTITY THEFT PREVENTION PROGRAM (Administrative Services) (Action)

Resolution No. 08-71 entitled: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ESTABLISHING AN IDENTITY THEFT PREVENTION PROGRAM

5. AUTHORIZATION OF HOLIDAY SCHEDULE FOR CITY HALL (City Manager)(Action)

City Manager Thompson presented the staff report.

Mayor Gilardi opened the floor to public comments.

George Barich of Cotati requested that the 2nd meeting in December be rescheduled as a workshop to discuss city finances.

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

Moved by Councilmember Orchard, seconded by Councilmember Minnis and passed unanimously to implement a holiday schedule for City Hall consisting of the cancellation of the regular City Council meeting of December 24, 2008 and the closure of City Hall during the period of December 22, 2008 through January 2, 2009.

6. BIENNIAL UPDATE OF THE CITY OF COTATI'S CONFLICT OF INTEREST CODE (City Manager) (Action)

Resolution No. 08-72 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI RESCINDING RESOLUTION NO. 06-82 AND AMENDING THE CONFLICT OF INTEREST CODE

7. AWARD OF THE EAST COTATI AVENUE IMPROVEMENTS, PROJECT NO. E06-25B TO GHILOTTI CONSTRUCTION COMPANY (Public Works/Engineering) (Action)

Resolution No. 08-73 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ACCEPTING THE LOWEST RESPONSIBLE AND RESPONSIVE BID FOR THE EAST COTATI AVENUE IMPROVEMENTS, PROJECT NO. E06-25B AND LETTING THE CONTRACT FOR CONSTRUCTION TO GHILOTTI CONSTRUCTION COMPANY

PUBLIC HEARING

8. ADOPTION OF BICYCLE AND PEDESTRIAN MASTER PLAN (Community Development) (Action)

This item was continued to December 10, 2008.

Mayor Gilardi called a recess at 8:20 p.m., reconvening at 8:30 p.m.

REGULAR AGENDA

9. MEMORANDUM OF UNDERSTANDING WITH NISSAN MOTOR COMPANY, LTD. AND NISSAN NORTH AMERICA, INC. (NISSAN) (Public Works/Engineering) (Action)

City Engineer/Director of Public Works Damien O'Bid presented the staff report and responded to questions from the Council regarding why an American car company has not been considered, noting that other car companies have not proposed similar programs that would offer the possibility or reduced cost of vehicles and would assist the city in reducing greenhouse gasses by 2010, which it is mandated to do.

Mayor Gilardi opened the public comment period.

George Barich of Cotati expressed concern regarding staff time spent in discussion with Nissan and that there will be more companies coming to the city and wanting to talk. Preference should be given to local vendors.

Robert Coleman-Senghor noted that Sonoma State University has an agreement with Pepsi so you can't buy Coca Cola on campus. He wants to be sure that people can be informed that the cars work properly. He said Sebastopol has an agreement and we should look at what happens there.

Neil Hancock of Cotati expressed support for the confidentiality agreement.

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

Discussion ensued regarding the proposal; the majority of Councilmembers concurred in support. Councilmember Minnis expressed opposition. She requested that the city postpone

discussions with Nissan and wait for American car company and suggested that the City of Vacaville be contacted about their program.

Damien clarified that discussions would be with 8 Sonoma County cities and that any proposal would return to Council. He noted that there are many good ideas to reduce emissions, including Sebastopol's electric ride program.

Moved by Councilmember Orchard, seconded by Vice Mayor Guardino and passed 3-1-0 (Councilmember Minnis voting no) to adopt **Resolution No. 08-74** entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING THE MAYOR TO SIGN THE MEMORANDUM OF UNDERSTANDING WITH NISSAN ON BEHALF OF THE CITY OF COTATI

10. FIFTH AMENDMENT TO THE MASTER AGREEMENT FOR THE USE OF SANTA ROSA SUBREGIONAL SEWERAGE SYSTEM (Public Works/Engineering) (Action)

City Engineer/Director of Public Works Damien O'Bid presented the staff report and narrated a visual presentation. He introduced Dan Carlson of the City of Santa Rosa who narrated a presentation of the overall subregional water recycling system.

Mayor Gilardi opened the public comment period.

George Barich asked what other options were available to the Council this evening.

Robert Coleman-Senghor asked for clarification on the budget concerns, and technical terms such as 'diffuser'. He asked why Cotati is paying for capacity it is not meeting.

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

City Engineer O'Bid clarified that a diffuser slows and spreads out the effluent flow into the river. The rates noted are not the rates that Cotati citizens would pay for water; they are what the City would pay. The cost to citizens would be reviewed during the sewer rate study discussion.

Mr. Carlson said that all of the previous agreements have been unanimously signed. If Council disagreed with the amendment it would be returned to the TAC (made up of City Engineers) with direction to staff regarding how the agreement would be modified. Responding to a question from Council he explained CalPine's bankruptcy.

Moved by Councilmember Orchard, seconded by Councilmember Minnis and passed unanimously to authorize the Mayor to sign the Fifth Amendment to the Master Agreement for the Use of Santa Rosa Subregional Sewerage System on behalf of the City of Cotati.

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

Mayor Gilardi adjourned the regular meeting and reconvened the joint meeting at 9:25 p.m.

CONSENT CALENDAR

Administrative Services Director Hayes responded to questions regarding K-9 t-shirts.

Moved by Councilmember Minnis, seconded by Vice Mayor Guardino and passed unanimously to adopt item 11 on the Consent Calendar.

11. WARRANTS AND AUDITED CLAIMS FOR SEPTEMBER 10, 2008 – OCTOBER 8TH, 2008 (Administrative Services) (Action)

Motion to receive and file warrants and audited claims for September 10, 2008 – October 8th, 2008.

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

Mayor Gilardi adjourned the joint meeting and reconvened the regular meeting at 9:27 p.m.

CITY COUNCIL REPORTS AND COMMENTS

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

Councilmember Orchard reported that she had received a request to become a government partner in the Climate Protection Campaign's Climate All-Stars conference taking place on Friday November 7. The cost of the partnership is \$200. Council concurred to partner in the event.

ADJOURNMENT OF REGULAR CITY COUNCIL MEETING

Mayor Gilardi adjourned the regular meeting at 9:37 p.m.

Respectfully Submitted,

Tamara Taylor, Deputy City Clerk