



**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 DECEMBER 10, 2008**  
**6:30 PM CLOSED SESSION**  
**7:00 PM REGULAR SESSION**  
**City Council Chambers, City Hall, 201 W. Sierra Avenue**

**6:30 PM CLOSED SESSION**

**CALL TO ORDER AND ROLL CALL FOR CLOSED SESSION (CITY COUNCIL CHAMBERS)**

Mayor Gilardi called the meeting to order at 6:36 p.m.

Councilmembers present: Guardino, Minnis, Orchard, Mayor Gilardi

Staff present: Assistant City Attorney Duplicki, Administrative Services Director Hayes, City Attorney Rudnansky, Deputy City Clerk Taylor, City Manager Thompson.

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

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

**CONFERENCE WITH LEGAL COUNSEL**

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One (1) potential case

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

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

Mayor Gilardi called the special meeting to order at 7:02 p.m.

**ROLL CALL**

Councilmembers present: Guardino, Minnis, Orchard, Mayor Gilardi

Staff present: Administrative Services Director Jone Hayes, City Attorney Rich Rudnansky, Deputy City Clerk Tamara Taylor, City Manager Dianne 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 NOVEMBER 25, 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 Minnis, seconded by Vice Mayor Guardino, and passed unanimously to approve the minutes of the November 25, 2008 regular meeting as presented and to waive reading of all resolutions and ordinances introduced and/or adopted under this agenda.

**2. DECLARATION OF RESULTS OF GENERAL MUNICIPAL ELECTION AND SWEARING IN OF NEW COUNCILMEMBERS**

**RECEIVE AND FILE OFFICIAL STATEMENT OF VOTES CAST FOR THE NOVEMBER 4, 2008 GENERAL MUNICIPAL ELECTION**

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

**Moved** by Councilmember Orchard, seconded by Vice Mayor Guardino and passed unanimously to receive and files the Sonoma County Clerk's Statement of the Votes Cast at the City of Cotati Election held on November 4, 2008.

**ADOPTION OF RESOLUTION DECLARING THE RESULTS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 4, 2008**

**Moved** by Vice Mayor Guardino, seconded by Councilmember Orchard and passed unanimously to adopt Resolution No. 08-80 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI DECLARING THE RESULTS OF THE CONSOLIDATED GENERAL ELECTION OF NOVEMBER 4, 2008.

**ADOPTION OF RESOLUTION COMMENDING FORMER COUNCILMEMBER GEOFF FOX**

Former Councilmember Geoff Fox received the resolution and thanked the Councilmembers and staff for their service with him and his family for their patience. He congratulated incoming Councilmembers George Barich and Bob Coleman-Senghor. The Council commended him for his service.

Mayor Gilardi opened the floor to public comments.

Michelle Berman of Cotati addressed the Council to commend Mr. Fox for appointing Linell Hardy to the Planning Commission and for opening the process for Cotati citizens who previously felt left out of the process.

Jenny Blaker of Cotati commended Mr. Fox for his support of the Cotati Creek Critters.

Joan Simon of Cotati commended Mr. Fox on behalf of herself and her partner Ed.

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

**Moved** by Councilmember Orchard, seconded by Vice Mayor Guardino and passed unanimously to adopt Resolution No. 08-81 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI COMMENDING COUNCILMEMBER GEOFF FOX FOR HIS SERVICE TO THE CITY OF COTATI

**ADOPTION OF RESOLUTION COMMENDING OUTGOING COUNCILMEMBER PATTY MINNIS**

Councilmembers commended Councilmember Minnis for her vigilance, tenacity and service on the City Council.

Councilmember Minnis addressed the Council, noting that it has been a pleasure to serve on the Council in this diverse community.

Mayor Gilardi opened the floor to comments.

Michelle Berman and Adrian Lauby of Cotati presented a resolution of commendation to Councilmember Minnis.

Patricia Jonas Lugaris, formerly of Cotati requested that Councilmember Minnis be made honorary mayor this evening.

Ken Coleman of Cotati commended Councilmember Minnis for the change she has brought to the city.

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

**Moved** by Councilmember Orchard, seconded by Vice Mayor Guardino and passed unanimously to adopt Resolution No. 08-82 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI COMMENDING COUNCILMEMBER PATTY MINNIS FOR HER SERVICE TO THE CITY OF COTATI

**ADMINISTRATION OF OATH OF OFFICE TO NEW COUNCILMEMBERS AND PRESENTATION OF CERTIFICATES OF ELECTION**

Deputy City Clerk Tamara Taylor administered the oath of office and presented certificates of election to newly elected Councilmembers Janet Orchard, Robert Coleman and George Barich.

Mayor Gilardi called a recess at 7:25 p.m. and invited the public to a reception for incoming and outgoing Councilmembers.

## **RECEPTION**

### **RECONVENE REGULAR CITY COUNCIL MEETING**

Mayor Gilardi reconvened the meeting 7:50 p.m.

### **ROLL CALL**

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

Staff present: Assistant City Attorney Duplicki, Administrative Services Director Hayes, City Attorney Rudnansky, Deputy City Clerk Taylor, City Manager Thompson.

### **ANNOUNCEMENT OF PLANNING COMMISSION APPOINTMENTS**

Councilmembers announced their appointments to the Planning Commission:

Councilmember Barich: Tim Ritter

Councilmember Coleman-Senghor: Neil Hancock

Councilmember Orchard: Susan Harvey

Vice Mayor Guardino: Linell Hardy

### **APPROVAL OF FINAL AGENDA**

**MOVED** by Councilmember Orchard, seconded by Vice Mayor Guardino and passed unanimously to add items 5A, 5B and 5C to the agenda, noting that information pertaining to need for Council action before its next meeting came to the City's attention after the agenda was posted.

### **CITY MANAGER'S REPORT**

Police Chief Robert Stewart introduced new Police Department volunteer Luke Kindt. He then introduced Officer Chris Kaupa and new police K-9 Koda. Officer Kaupa responded to questions from the Council and public.

City Manager Thompson indicated appreciation for staff's efforts in fundraising on their own time. She announced that City Hall would be closed from December 22, 2008 through January 2, 2009 and welcomed newly elected Councilmembers Barich, Coleman-Senghor and Orchard.

## **CITIZEN BUSINESS**

Jeanine of Cotati encouraged the City Council and citizens of Cotati to clean up tagging and graffiti and distributed graffiti cleanup kits for the Councilmembers. She indicated appreciation for the Police Department and the Public Works Department for their assistance in removing graffiti.

Jenny Blaker commended Jeanine for her efforts in removing graffiti in Cotati.

Lori Ann Barbour encouraged the Council to continue to consider an ordinance to allow chickens in residential areas.

Ken Coleman of Cotati described several areas in town where he had seen graffiti. He encouraged the formation of a subcommittee for graffiti.

Adrian Lauby of Cotati expressed concern regarding the number of homes in Cotati with lockboxes and encouraged Cotati to review the city of Philadelphia's program for homeowners in foreclosure.

Michelle Berman of Cotati asked whether the Police Department had obtained Council's permission to raise funds and purchase a K-9. She indicated that fundraising efforts should be extended to maintain the K-9 and to purchase a vehicle. She suggested that the Falletti property be turned into an egg farm and offered suggestions for working with graffiti artists to reduce graffiti. She congratulated the new Councilmembers and discussed campaign spending.

robin birdfeather of Cotati spoke in support of Ms. Barbour's comments regarding chickens and Ms. Berman's comments regarding graffiti. She asked if Cotati's graffiti was gang activity or random vandalism.

Joan Simon of Cotati encouraged cautious spending and being aware of long term budget impacts.

Mike Kurvers of Cotati requested that Council act to ban plastic bags in Cotati as have the cities of Seattle and San Jose.

Linda Ritter of Cotati indicated agreement with Mr. Kurvers and requested that Styrofoam be added.

Eric Kirchmann of Cotati spoke in support of hope and change in the new administration.

There being no one else wishing to speak, Mayor Gilardi closed the floor to citizens' business.

Mayor Gilardi responded to citizen comments, noting that the police dog has been fully funded, including training and that Council was informed. There are currently no plans for a K-9 vehicle. She indicated that the City would look into programs about reducing blight from empty houses due to foreclosures.

Police Chief Robert Stewart explained the Police Department's graffiti program. Most graffiti in Cotati is not gang related.

Councilmember Coleman-Senghor commented on graffiti concerns.

Councilmember Barich discussed the comments of citizens during citizens' business and requested that their comments be addressed.

City Attorney Rich Rudnansky discussed the requirements of the Brown Act and noted that the agenda contains a section for direction regarding future agenda items.

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

Councilmember Coleman-Senghor requested a discussion of the sustainability of the K-9 and its value and drawbacks. He noted that a ban of Styrofoam and plastic bags could contribute to an overall green policy. He encouraged the establishment of a citizens committee for graffiti and a review of allowing poultry within the city limits.

Vice Mayor Guardino indicated agreement with Councilmember Coleman-Senghor. He noted that these projects could be addressed in a strategic planning session.

Councilmember Orchard indicated agreement, noting that the poultry issue is high priority.

City Manager Thompson indicated that a Council goal setting in January would lead into the strategic planning. She pointed out that an ordinance banning plastic bags would involve a substantial staff effort. She noted further that K-9 information could be provided in a report to Council.

Councilmember Barich indicated agreement with Councilmember Coleman-Senghor and Vice Mayor Guardino. He requested that the issue of term limits be discussed and rolling back water and sewer rates be addressed.

### **ORAL AND WRITTEN COMMUNICATIONS**

#### **ANNOUNCEMENTS**

The full Fall/Winter Recreation Schedule can be viewed on the City's website at [www.ci.cotati.ca.us](http://www.ci.cotati.ca.us) To request a paper copy please feel free to call the Recreation Department at 792-4600 ext. 669.

Donations to the Holiday Partnership Toy Drive are being accepted at the Cotati Police Department. The Toy Drive is a joint effort of the Rotary Clubs of Rohnert Park-Cotati and Rancho Cotati, along with the Rancho Adobe Fire District, Cotati Police Officer's and Management Association and the Rohnert Park Chapter of Realtors. To request assistance for your family or someone you know who resides in Rohnert Park, Cotati or Penngrove, please call the voicemail system for the Rotary

Club of Rohnert Park-Cotati at (707) 765-4898. Donations of cash and toys are being accepted at the Cotati Police Department and at the Rancho Adobe Fire Department.

### **3. CLIMATE ACTION PLAN**

Ann Hancock and Renata Brillinger of the Community Climate Action Plan presented the proposed Community Climate Action Plan for Sonoma County and responded to questions from the Council.

Mayor Gilardi opened the floor to public comments.

Chris Cone of Cotati spoke in support of the Community Climate Action Plan.

robin birdfeather asked whether Burbank Housing Corporation could be included in retrofitting and to require other green practices, such as solar panels.

Neil Hancock of Cotati spoke in support of the Community Climate Action Plan and additional self-monitoring of water use.

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

Councilmember Barich asked if staff could be directed to review whether Burbank Housing could be included in a retrofit.

Administrative Services Director Hayes indicated that staff would be speaking with Burbank Housing Corporation regarding other issues and would broach the subject of green retrofitting with them.

### **CONSENT CALENDAR**

**MOVED** by Vice Mayor Guardino, seconded by Councilmember Orchard and passed unanimously to approve items 4, 5, 5A and 5C on the consent calendar.

#### **4. EXTENSION OF VILLAGE WALK SUBDIVISION IMPROVEMENT AGREEMENT (Public Works/Engineering) (Action)**

Resolution No. 08-83 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI TO EXTEND THE VILLAGE WALK SUBDIVISION IMPROVEMENT AGREEMENT

#### **5. RECEIVE AND FILE CAPITAL IMPROVEMENT PROGRAM (Public Works/Engineering) (Action)**

Motion to receive and file the City of Cotati Capital Improvement Program.

**5A. ENDORSEMENT OF THE CITY OF COTATI'S APPLICATION FOR PROGRAM YEAR 2009-2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS (City Manager) (Action)**

Resolution No. 08-84 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI TO ENDORSE THE CITY OF COTATI'S APPLICATION FOR PROGRAM YEAR 2009-2010 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

**5C. NAMING PATTY MINNIS HONORARY MAYOR**

Motion to make Patty Minnis Honorary Mayor for the meeting.

**REGULAR AGENDA**

**5B. RE-APPOINTMENT OF HENRY FUHS TO THE MARIN/SONOMA MOSQUITO AND VECTOR CONTROL DISTRICT (City Manager) (Action)**

City Manager Dianne Thompson presented staff report.

Assistant to the City Manager Marsha Sue Lustig responded to questions regarding the appointment process of the District and noted that there have historically been no other applicants for the position other than Mr. Fuhs.

Discussion ensued regarding the District's appointment process.

Mayor Gilardi opened the floor to public comments.

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

Council concurred to review the process for future appointments to this District.

Councilmember Orchard commended Henry Fuhs for his work with the District.

Mayor Gilardi reappointed Henry Fuhs as Cotati's representative to the Marin/Sonoma Mosquito And Vector Control District and called for a motion to ratify the appointment.

**MOVED** by Councilmember Orchard, seconded by Councilmember Coleman-Senghor and passed unanimously to ratify Mayor Gilardi's re-appointment of Henry Fuhs to the Marin/Sonoma Mosquito and Vector Control District for a two-year appointment expiring December 31, 2010.

Mayor Gilardi called a recess at 9:39 p.m., reconvening at 9:49 p.m.

## **PUBLIC HEARINGS**

### **6. BICYCLE AND PEDESTRIAN MASTER PLAN (Community Development) (Action)**

Assistant to the City Manager Marsha Sue Lustig presented the staff report.

Brief discussion ensued regarding the shortcomings of the pedestrian portion of the draft plan; it was pointed out that there would be future opportunities to improve the plan

Mayor Gilardi opened the floor to public comments.

Jone Simon of Cotati noted that many citizens were involved; she commended Neil Hancock and Jenny Blaker for their work on the plan and noted that there would be future opportunities for citizen input.

robin birdfeather spoke regarding the need for alternatives to walking as people grow older.

Neil Hancock commended staff and the Sonoma County Bicycle Coalition. He spoke in support of the draft plan. He noted that the main concern of citizens was safety of roadways and walkways.

Adrian Lauby of Cotati spoke in support of the draft plan and addressed the Council regarding accessibility issues in the plan. She requested a copy of the sidewalk plan.

Michelle Berman spoke in support of lighted crosswalks, particularly at the mobilehome parks on West Sierra Ave.

Jenny Blaker of Cotati commended staff and spoke in support of the draft plan. She requested that there be a process for recording comments regarding accessibility.

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

Vice Mayor Guardino indicated that this was an excellent model for community input and expressed support for the plan.

Councilmember Coleman-Senghor expressed concern regarding the need for safety for children and the need to accommodate pedestrians, bicyclists and skateboarders. He spoke in support for coordinating the sidewalk plan and this draft plan together. He spoke in support for a crosswalk/intersection safety plan as well.

Councilmember Orchard indicated agreement with Councilmember Coleman-Senghor and commended staff.

Councilmember Barich commended staff and the members of the public who support the plan.

**MOVED** by Councilmember Orchard, seconded by Councilmember Barich and passed unanimously to adopt Resolution No. 08-85 entitled: RESOLUTION OF THE CITY OF COTATI ADOPTING THE COTATI BICYCLE AND PEDESTRIAN MASTER PLAN AS PART OF THE SONOMA COUNTY TRANSPORTATION AUTHORITY'S 2008 COUNTYWIDE BICYCLE AND PEDESTRIAN MASTER PLAN

**7. INTRODUCTION OF STATE VIDEO SERVICES FRANCHISE ORDINANCE  
(City Manager) (Action)**

Assistant to the City Manager Marsha Sue Lustig presented the staff report. She and City Attorney Rudnansky and responded to questions from the Council regarding CEQA and PEG channels.

Council concurred for Councilmember Coleman-Senghor to research Sonoma State University resources for programming with the understanding that city staff and resources would be at the expense of other programs.

Mayor Gilardi opened the floor to public comments.

Michelle Berman of Cotati advocated the use of volunteers for a media center and urged the City to take advantage of any and all free equipment.

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

**MOVED** by Councilmember Barich, seconded by Councilmember Orchard and passed unanimously to introduce and ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI ADDING CHAPTER 5.22 TO TITLE 5 OF THE COTATI MUNICIPAL CODE, RELATING TO REGULATIONS FOR THE PROVISION OF VIDEO SERVICE BY STATE FRANCHISE HOLDERS

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

Mayor Gilardi adjourned the regular City Council meeting and called the joint meeting to order at 10:35 p.m.

**CONSENT CALENDAR**

**MOVED** by Councilmember Orchard, seconded by Councilmember Coleman-Senghor and passed unanimously to approve item 8 on the consent calendar.

**8. WARRANTS AND AUDITED CLAIMS FOR NOVEMBER 13TH, 2008 – NOVEMBER 25TH, 2008 (Administrative Services) (*Action*)**

Motion to receive and file warrants and audited claims for November 13th, 2008 – November 25th, 2008.

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

Mayor Gilardi adjourned the joint meeting and reconvened the regular meeting to order at 10:37 p.m.

**CITY COUNCIL REPORTS AND COMMENTS**

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

Mayor Gilardi read aloud a thank-you note from Honorary Mayor Atonia Pearson.

**ADJOURNMENT OF REGULAR CITY COUNCIL MEETING**

Mayor Gilardi adjourned the regular meeting at 10:46 p.m.

Respectfully submitted,

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Tamara Taylor, Deputy City Clerk