



**MINUTES
REGULAR CITY COUNCIL MEETING, JOINT MEETING OF THE CITY COUNCIL
AND THE BOARD OF DIRECTORS OF THE
COTATI COMMUNITY REDEVELOPMENT AGENCY
WEDNESDAY AUGUST 10, 2011
6:00 PM CLOSED SESSION, 7:00 PM REGULAR SESSION
City Council Chambers, City Hall, 201 W. Sierra Avenue**

6:00 PM CLOSED SESSION

CALL TO ORDER (CITY COUNCIL CHAMBERS)

Mayor Orchard called the closed session to order at x p.m.

Councilmembers present: Dell'Osso, Gilardi, and Landman, Vice Mayor Harvey and Mayor Orchard.

Mayor Orchard opened the floor to public comment on the closed session items; there being no one wishing to speak, Mayor Orchard closed the public comment period and adjourned to closed session.

ADJOURNMENT TO CLOSED SESSION (CITY MANAGER'S OFFICE)

CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION (Government Code Section 54956.9(a)) City of Cotati vs. Gilman Ranch, LLC; et. al. (Sonoma County Case # 244542)

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation (Subdivision (a) of Section 54956.9) Name of case: In re Walter and Cotati, PERS Case No. 2010-0142

CONFERENCE WITH REAL PROPERTY NEGOTIATORS: Property: 7883 Old Redwood Hwy (APN 144-200-001); Agency Negotiator: City Manager or designee; Negotiating Party: Paul Oliva or designee; Under Negotiations: Price and terms

7:00 PM REGULAR SESSION

CALL TO ORDER OF REGULAR CITY COUNCIL MEETING

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

REPORT OUT OF CLOSED SESSION

None.

ROLL CALL

Councilmembers present: Dell’Osso, Gilardi, and Landman, Vice Mayor Harvey and Mayor Orchard.

Staff present: Director of Administrative Services Jone Hayes, City Engineer/Director of Public Works Damien O’Bid, Community Development Director Vicki Parker, Police Chief Michael Parish, City Attorney Rich Rudnansky, Deputy City Clerk Tamara Taylor and City Manager Dianne Thompson.

PLEDGE OF ALLEGIANCE

Mayor Orchard led the pledge of allegiance.

1. APPROVAL OF MINUTES OF JULY 27, 2011 REGULAR MEETING AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (City Manager) (Action)

Moved by Councilmember Gilardi, seconded by Vice Mayor Susan Harvey and passed 4-0-1 (Councilmember Dell’Osso abstaining) to approve the minutes of the July 27, 2011 Regular meeting as presented and to waive reading of all resolutions and ordinances introduced and/or adopted under this agenda.

ANNOUNCEMENTS

The Cotati Historical Society Museum is open regularly on Saturdays from 1:00 – 4:00 p.m. and the 2nd Wednesday of each month from 5:30-8:30 p.m.

The Cotati Farmers Market, sponsored by the Cotati Chamber of Commerce, takes place in La Plaza Park from 4:30 to 7:30 every Thursday afternoon through September 15th. For additional information call 707-795-5508.

CITY MANAGER’S REPORT

City Manager Dianne Thompson reported the following:

- The Cotati Police Department staff will be participating in the safety fair at the upcoming Farmers Market;
- Windsor Vice Mayor Debra Fudge has requested a proclamation declaring September 24, 2011 to be Russian River Cleanup Day, and noted where people can sign up to participate.

APPROVAL OF FINAL AGENDA

No changes.

CITIZEN BUSINESS

Greg Karraker addressed the Council regarding payment for the upcoming Mayors’ and Councilmembers’ Association meeting.

George Barich spoke his opinion of how order is kept in the meeting.

Councilmembers briefly discussed comments made during Citizen Business.

DIRECTION ON FUTURE AGENDA ITEMS

None.

PRESENTATION

COMMUNITY CHOICE AGGREGATION

Stillman Cordell, Deputy Chief Engineer of the Sonoma County Water Agency presented information regarding the option of Community Choice Aggregation (CCA) to meet municipal electrical energy needs and responded to questions from the Council regarding issues from PG&E encountered by participating agencies and resulting policies regarding CCAs, the sources of power supply that the feasibility study would review, the method of distribution and billing, and future presentation of the feasibility study should it be approved

Mayor Orchard opened the floor to public comment.

Ann Hancock with the Climate Protection Campaign spoke in support of CCA.

Maddy Hirshfield spoke in support of CCA.

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

CONSENT CALENDAR

Mayor Orchard opened the floor to public comment.

George Barich spoke regarding item 2; he requested information on the type of vehicles and suggested alternatives to leasing new vehicles. Regarding item 3, he indicated opposition to canceling the August 24 City Council meeting.

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

Moved by Councilmember Gilardi, seconded by Councilmember Landman and passed unanimously to approve items 2, 3 and 4 on the consent calendar.

2. ADOPTION OF A RESOLUTION APPROVING A MASTER LEASE/PURCHASE AGREEMENT TO FINANCE THE ACQUISITION OF THREE NEW POLICE VEHICLES AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT (Administrative Services) (Action)

Resolution No. 2011-56 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING A MASTER LEASE/PURCHASE AGREEMENT TO FINANCE THE ACQUISITION OF THREE NEW POLICE VEHICLES AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT

3. CANCELLATION OF AUGUST 24, 2011 REGULAR CITY COUNCIL MEETING (City Manager) (Action)

This motion cancels the Regular City Council meeting of August 24, 2011.

4. APPROVAL OF 2011 ACCORDION FESTIVAL AND ASSOCIATED STREET CLOSURES (Community Development) (Action)

Resolution No. 2011-57 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI APPROVING THE 21ST ANNUAL COTATI ACCORDION FESTIVAL; AUTHORIZING THE TEMPORARY CLOSURE OF CERTAIN STREETS, THE USE OF AMPLIFIED LIVE ENTERTAINMENT AND THE SALES OF ALCOHOLIC BEVERAGES IN LA PLAZA PARK

REGULAR AGENDA

5. APPOINTMENT OF A VOTING DELEGATE AND ALTERNATE TO THE 2011 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE (City Manager) (Action)

City Manager Dianne Thompson presented the staff report.

Mayor Orchard opened the floor to public comment.

Joyce Garcia commented on the Oath of Office taken by Councilmembers and interpretation of the U.S. Constitution, and indicated opposition to Cotati's participation in the League of California Cities.

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

Moved by Councilmember Gilardi, seconded by Councilmember Dell'Osso and passed unanimously to appoint Mayor Orchard as Voting Delegate and Vice Mayor Susan Harvey and Councilmember Landman as Alternates to the 2011 League of California Cities Annual Conference and authorize the Mayor to sign the 2011 Annual Conference Voting Delegate Form.

6. AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR FINAL DESIGN AND CONSTRUCTION SUPPORT FOR THE COTATI INTERMODAL FACILITY (Engineering/Public Works) (Action)

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

Mayor Orchard opened the floor to public comment.

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

Moved by Councilmember Gilardi, seconded by Vice Mayor Susan Harvey and passed unanimously to adopt a motion authorizing the City Manager to execute a design agreement to finish the design of the Cotati Intermodal Facility and provide construction support.

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

Mayor Orchard adjourned the regular meeting and called to order the joint meeting at 7:46 p.m.

CONSENT CALENDAR (JOINT MEETING)

Mayor Orchard opened the floor to public comment on the joint consent calendar.

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

Moved by Councilmember Landman, seconded by Vice Mayor Susan Harvey and passed unanimously to approve item 7 on the consent calendar (joint meeting).

7. APPROVAL OF RESOLUTION ADOPTING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34169 (Administrative Services) (Action)

Resolutions No. 2011-58 and CRA 237 entitled: A RESOLUTION OF THE COTATI COMMUNITY REDEVELOPMENT AGENCY ADOPTING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34169

REGULAR AGENDA

8. APPROVAL OF AGREEMENT WITH OWNER OF PROPERTY LOCATED AT 7883 OLD REDWOOD HIGHWAY AND A PORTION OF THE PROPERTY LOCATED AT 7971 OLD REDWOOD HIGHWAY (APN 144-200-001 AND PORTION OF APN 144-200-004) FOR EXCLUSIVE RIGHT TO NEGOTIATE AND AUTHORIZATION OF CITY MANAGER TO EXECUTE THE AGREEMENT (City Manager) (Action)

City Manager Dianne Thompson presented the staff report.

Mayor Orchard opened the floor to public comment.

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

Moved by Councilmember Dell'Osso, seconded by Councilmember Gilardi and passed unanimously to approve an agreement with the owner of property located at 7883 Old Redwood Highway and a Portion of the Property Located at 7971 Old Redwood Highway (APN 144-200-001 and portion of APN 144-200-004) for exclusive right to negotiate and to authorize the City Manager to execute the agreement.

PUBLIC HEARING (JOINT MEETING)

9. FISCAL YEAR 2011-2012 CAPITAL IMPROVEMENT PROGRAM (Engineering/Public Works) (Action)

City Engineer/Director of Public Works Damien O'Bid presented the staff report and received comments and answered questions from the Council related to public outreach on the Capital Improvement Program (CIP).

Mayor Orchard opened the public hearing.

George Barich spoke in opposition to the prioritization and timeframe of the projects listed in the CIP.

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

Brief discussion ensued, with Councilmembers indicating disagreement with comments made during the public hearing.

Moved by Councilmember Landman, seconded by Vice Mayor Harvey and passed unanimously to adopt a Resolutions No. 2011-59 and CRA 238 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COTATI ADOPTING THE FISCAL YEAR 2011-2012 CAPITAL IMPROVEMENT PROGRAM

10. INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING THE CITY TO MAKE CERTAIN REMITTANCES TO THE COUNTY AUDITOR CONTROLLER IN ACCORDANCE WITH HEALTH AND SAFETY CODE SECTION 34194 AND TO TAKE ALL OTHER ACTIONS REQUIRED IN ORDER TO CONTINUE REDEVELOPMENT ACTIVITIES IN THE CITY OF COTATI (Administrative Services) (Action)

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

Mayor Orchard opened the public hearing.

George Barich indicated support for the proposed ordinance and commented on the City's, schools' and State's budgets.

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

The Council concurred that the City has managed its Redevelopment funds wisely and in its disagreement with the State requiring payment of local Redevelopment funds that would otherwise help create jobs in increase economic development, which in turn would benefit the State.

Moved by Councilmember Gilardi, seconded by Councilmember Dell'Osso and passed unanimously, to introduce an ordinance entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COTATI AUTHORIZING THE CITY TO MAKE CERTAIN REMITTANCES TO

THE COUNTY AUDITOR CONTROLLER IN ACCORDANCE WITH HEALTH AND SAFETY
CODE SECTION 34194 AND TO TAKE ALL OTHER ACTIONS REQUIRED IN ORDER TO
CONTINUE REDEVELOPMENT ACTIVITIES IN THE CITY OF COTATI

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

Mayor Orchard adjourned the joint meeting and reconvened the regular meeting at 8:23 p.m.

CITY COUNCIL REPORTS (*Discussion*)

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

ADJOURNMENT

Mayor Orchard adjourned the meeting at 8:55 p.m. in the memory of Arch Stewart (1929–2011).

Respectfully submitted,

/s/ Tamara Taylor, Deputy City Clerk