



MINUTES
REGULAR CITY COUNCIL MEETING, JOINT MEETING OF THE CITY COUNCIL
AND THE BOARD OF DIRECTORS OF THE COTATI COMMUNITY
REDEVELOPMENT AGENCY
WEDNESDAY AUGUST 11, 2010, 6:00 PM CLOSED SESSION
7:00 PM REGULAR MEETING
City Council Chambers, City Hall, 201 W. Sierra Avenue

6:00 PM CLOSED SESSION CALL TO ORDER (CITY COUNCIL CHAMBERS)

Mayor Coleman-Senghor called the meeting to order at 6:01 p.m. in the City Council chamber. He announced that a closed session item was being added to the agenda as an emergency item.

City Attorney Rich Rudnansky announced that the following closed session item was being added to the agenda as an emergency item due to the fact that the necessity for Council action before the next City Council meeting arose after the agenda was posted:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))

Mead vs. City of Cotati et. al. (U.S. District Court of Appeals Case # CV 083585)

Mayor Coleman-Senghor opened the floor to public comment. There being no one wishing to speak, he adjourned to closed session in the City Manager's office.

ADJOURNMENT TO CLOSED SESSION (CITY MANAGER'S OFFICE)

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

City Designated Representative: City Manager or designee

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

Emergency item added:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Government Code Section 54956.9(a))

Mead vs. City of Cotati et. al. (U.S. District Court of Appeals Case # CV 083585)

7:00 PM REGULAR SESSION

CALL TO ORDER OF REGULAR CITY COUNCIL MEETING

Mayor Coleman-Senghor called the meeting to order at 7:02 p.m. He indicated that there was nothing to report out of the closed session.

ROLL CALL

Councilmembers present: Councilmembers Gilardi, Harvey, Landman, Vice Mayor Orchard and Mayor Coleman-Senghor.

Staff present: Police Sergeant Steven Bournes, Administrative Services Director Jone Hayes, Acting Community Development Director/Assistant to the City Manager Marsha Sue Lustig, City Engineer/Director of Public Works Damien O'Bid, City Attorney Rich Rudnansky, Deputy City Clerk Tamara Taylor, City Manager Dianne Thompson

PLEDGE OF ALLEGIANCE

Carlton Hinkle led the pledge of allegiance.

1. APPROVAL OF MINUTES OF JUNE 23 AND JULY 14, 2010 REGULAR MEETINGS AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (*Action*)

Moved by Councilmember Harvey seconded by Councilmember Gilardi and passed unanimously, to approve the minutes of the June 23 Regular meeting minutes as revised and the July 14, 2010 Regular meeting minutes as corrected (Joan Simon's name corrected under Pledge of Allegiance.)

ANNOUNCEMENTS

The Cotati Historical Society Museum is open from 5:30 to 7:30 p.m. on City Council meeting nights.

Cotati's 20th annual Accordion Festival is coming up on Saturday and Sunday, August 21st and 22nd at La Plaza Park.

The City is seeking applicants for the Design Review Board. The Board currently has positions in the Architecture, Energy/Solar and Design Professional fields. Cotati residency is not a requirement. Applications are available to download from the City's website at ci.cotati.ca.us, or contact the Deputy City Clerk at 707-665-3622.

The Cotati Chamber of Commerce presents the Cotati Farmers Market, which takes place every Thursday through September 16 from 4:30 to 7:30 p.m. in La Plaza Park.

PRESENTATIONS

GO LOCAL: CURRENCY ALTERNATIVES

Art Warmouth of Sonoma County GoLocal Cooperative presented information regarding currency alternatives and responded to questions from the audience and Council members.

COTATI INDEPENDENT BUSINESS ADVISORY GROUP

Max Scheder-Bieschin of the Cotati Independent Advisory Group (CIBAG) presented information on local economic development. He concluded with a request to Council to schedule a study session regarding economic development, and responded to questions from the Council and audience.

CITY MANAGER'S REPORT

City Manager Dianne Thompson reported the following:

- A Police department staffing report is scheduled for the next City Council meeting.
- In response to a recent complaint, the District Attorney reported findings to that the City is in compliance with the Brown Act.
- A report regarding the Roblar Road Quarry will be scheduled for the next City Council meeting.
- Captain Jim Berg of the City of Novato is functioning as interim Police Chief during Chief Jones' absence.

APPROVAL OF FINAL AGENDA

Mayor Coleman-Senghor indicated that item 5 (Cotati Police Officers' Association (CPOA) Memorandum of Understanding (MOU)) would be moved to the top of the Regular Agenda immediately prior to item 2. Council concurred

Moved by Councilmember Gilardi, seconded by Councilmember Susan Harvey and passed unanimously to approve the final agenda as noted above.

CITIZEN BUSINESS

Mayor Coleman-Senghor reminded the audience that any member of the public wishing to speak to the Council on any item or items listed on the Consent Calendar or any item or items not listed on the agenda may do so at this time. Pursuant to the Brown Act, the Council is not allowed to consider issues or take action on any item not listed on the agenda during this period. Comments of any member of the public is normally restricted to three (3) minutes in length.

City Attorney Rudnansky commented that the Council would be considering item 3, formation of an ad hoc subcommittee to address City Council Protocol, and that until such time that Council adopts a protocol policy that may include public comment practice, members of the public wishing to speak to the Council on any item or items listed on the Consent Calendar or any item or items not listed on the agenda may do so during Citizen Business.

Pamela Torliatt, Mayor of Petaluma, addressed the Council regarding the Economic Strategic Plan.

Sue Buxton addressed the Council regarding potential liability and indemnification of cities and local residents regarding the Roblar Road landfill.

Debbie Omiela introduced herself as the new owner of Spancky's.

Greg Karraker commented on the proposed new staffing for the Police department and funding for the K9 unit.

Eric Kirchmann addressed the Council regarding a point of order relative to citizen comments.

Edith Goss commended the City and the Police department regarding their help with her concerns with noise from a local bar near her home.

DIRECTION ON FUTURE AGENDA ITEMS

After brief discussion, the Council reaching agreement to direct staff to organize a study session as requested by the Cotati Independent Business Advisory Group (CIBAG) and to follow up on possible permitting for PG&E Smart Meters.

Discussion ensued relative to addressing liability issues surrounding the Roblar Road landfill when the Roblar Road Quarry issue is brought before Council. City Attorney Rich Rudnansky indicated that, pursuant to the Brown Act, the threat of litigation may need to be resolved before litigation concerns can be discussed in a public meeting.

REGULAR AGENDA

Item no. 5 (CPOA MOU) was heard at this time.

2. APPOINTMENT OF A VOTING DELEGATE AND ALTERNATE TO THE 2010 LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE (City Manager) (Action)

City Manager Dianne Thompson presented the staff report.

Mayor Coleman-Senghor opened the floor to public comment.

There being no one wishing to speak, Mayor Coleman-Senghor closed the public comment period.

Moved by Vice Mayor Orchard, seconded by Councilmember Susan Harvey and passed unanimously to adopt a motion appointing Mayor Coleman-Senghor as Voting Delegate and City Manager Dianne Thompson as Alternate to the 2010 League of California Cities Annual Conference and authorize the Mayor to sign the 2010 Annual Conference Voting Delegate Form.

Mayor Coleman-Senghor called a recess at 7:52 p.m. and reconvened at 8:04 p.m.

3. CITY COUNCIL PROTOCOL POLICY SUBCOMMITTEE (City Manager) (Action)

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

Discussion ensued relative to research and resources for a Council protocol document and membership of the subcommittee. The Council reached consensus for Councilmember Harvey and Mayor Coleman-Senghor to be members.

Mayor Coleman-Senghor opened the floor to public comment.

Dave Williams asked the Council why there were not satisfied with existing protocol and how long would the process be?

Eduardo Diaz commented on the potential membership of the subcommittee.

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

Council noted that currently the Council is guided by Robert's Rules of Order and the Brown Act.

City Attorney Rudnansky pointed out that written rules and regulations would fill the gaps of Robert's Rules of Order and the Brown Act.

Moved by Vice Mayor Orchard seconded by Councilmember Mark Landman and passed unanimously to establish an ad hoc subcommittee to provide recommendations for a City Council Protocol Policy and to appoint Mayor Coleman-Senghor and Councilmember Susan Harvey to its membership.

4. COOPERATIVE AGREEMENT WITH THE SONOMA COUNTY TRANSPORTATION AUTHORITY TO PERFORM ROAD REHABILITATION AND APPROPRIATION OF FUNDS IN AN AMOUNT NOT TO EXCEED \$400,000 (Public Works/Engineering) (Action)

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

Mayor Coleman-Senghor opened the floor to public comment

Eduardo Diaz asked whether posts to stop runaway could be placed at the exits regarding runaway cars and asked if the same funds could be used for a visitor center sign.

Dave Williams asked if the agreement would be made public.

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

Staff responded to questions from the public regarding signage and indicated that the agreement was available in the City Council meeting packet.

Moved by Councilmember Gilardi seconded by Councilmember Susan Harvey and passed unanimously to authorize the City Manager to execute a cooperative agreement with the Sonoma County Transportation Authority to fund road rehabilitation and appropriate funds in an amount not to exceed \$400,000 from the Transportation Development Fund (Fund 22).

5. MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY AND ITS EMPLOYEES REPRESENTED BY THE COTATI POLICE OFFICERS ASSOCIATION (CPOA) AND APPROPRIATION OF FUNDS NOT TO EXCEED \$42,000 (Administrative Services) (Action)

This item was heard immediately after 'Direction on Future Agenda Items'.

Administrative Services Director Jone Hayes presented the staff report.

Mayor Coleman-Senghor opened the floor to public comment.

There being no one wishing to speak, Mayor Coleman-Senghor closed the public comment period.

Council commended the CPOA for the sacrifices they have made and for working with Council to move forward; they thanked the CPOA and other City staff for concessions, hard work and dedication.

Chris Kaupa, President of the CPOA, thanked Council for their comments.

Moved by Councilmember Susan Harvey, seconded by Vice Mayor Orchard and passed unanimously to adopt Resolution No. 2010-54 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 OFFICERS ASSOCIATION (CPOA).

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 Coleman-Senghor adjourned the Regular meeting and called to order the joint meeting at 8:45 p.m. p.m. and opened the floor to public comment. There being no one wishing to speak he closed the public comment period.

CONSENT CALENDAR (JOINT MEETING)

Moved by Vice Mayor Orchard, seconded by Councilmember Gilardi and passed unanimously to adopt item 6 on the Consent Calendar.

6. WARRANTS AND AUDITED CLAIMS (Administrative Services) (Action)

This motion receives and files warrants and audited claims for June 24th, 2010 – July 21st, 2010.

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

Mayor Coleman-Senghor adjourned the Joint meeting and reconvened the Regular meeting at 8:46 p.m.

CITY COUNCIL REPORTS (Discussion)

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

ADJOURNMENT

Mayor Coleman-Senghor adjourned the meeting at 9:58 p.m. to closed session.

City Attorney Rudnansky announced the closed session item:

CONFERENCE WITH LABOR NEGOTIATORS (Government Code Section 54957.6)

City Designated Representative: City Manager or designee

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

Respectfully submitted,

/s/ Tamara Taylor, Deputy City Clerk