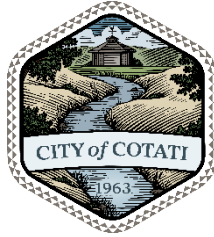


**16. INFORMATION RECEIVED AFTER THE AGENDA WAS POSTED**



## **Cotati City Council Agenda Staff Report**

**Item type:** INFORMATION RECEIVED AFTER THE AGENDA WAS POSTED  
**To:** City Council  
**Subject:** INFORMATION RECEIVED AFTER THE AGENDA WAS POSTED  
**Date:** October 22, 2024  
**Written by:** Kevin Patterson, Deputy City Clerk

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### **Recommendation**

Information or written comments pertaining to this meeting, and which was received after the agenda was posted, is attached below.

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Pursuant to City Council Policy 2023-01: City Council Rules section IV A., written Communications, interested persons or their authorized representative may address the Council by written communication on any matters concerning the City's business, or any matters over which the Council has control.

1. To be considered for inclusion in the agenda packet, such written communication shall be delivered to the Deputy City Clerk no later than 11:00 a.m. of the Wednesday the week preceding the regular Council meeting for which such written communication is intended.
2. If received after the above date and time, but no later than noon the day before the meeting, written communications received by the Deputy City Clerk shall be posted on the website by the end of that day and notification provided to the electronic Agenda mailing list by the end of the day. All written communications received by the Deputy City Clerk by 5 pm on the City Council meeting day shall be made available to the City Council and public at the City Council meeting.

City Council Policy 2023-01 is available at the online meeting portal at [www.cotaticity.org](http://www.cotaticity.org) or by request from the Deputy City Clerk at 707-665-3622 or [kepatterson@cotaticity.org](mailto:kepatterson@cotaticity.org).



## MINUTES

### JOINT MEETING OF THE COTATI CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE FORMER COTATI COMMUNITY REDEVELOPMENT AGENCY

City Council Chamber, City Hall 201 W. Sierra Avenue

Tuesday, October 08, 2024

6:00 PM REGULAR MEETING

#### 1. CALL TO ORDER

Mayor Sparks called the meeting to order at 6:05pm.

#### 2. ROLL CALL

<u>Attendee Name</u>	<u>Title</u>	<u>Status</u>
Laura Sparks	Mayor	Present
Ben Ford	Vice Mayor	Present
Susan Harvey	Councilmember	Present
Sylvia Lemus	Councilmember	Present
Kathleen Rivers	Councilmember	Present

**Staff Present:** City Manager Damien O’Bid, City Attorney John Bakker, Deputy City Clerk Kevin Patterson, Director of Administrative Services Angela Courter, Director of Community Development Noah Housh, Director of Public Works/City Engineer Craig Scott, Police Chief Chris Simmons, Senior Planner JP Harries

#### 3. LAND ACKNOWLEDGEMENT

The City of Cotati recognizes that we’re on the ancestral lands of the Coastal Miwok, who are the original caretakers of this area. We respectfully acknowledge the Indigenous peoples who have been stewarding and maintaining a relationship on this land as knowledge keepers for millennia. This acknowledgement does not take the place of authentic relationships with Indigenous communities but serves as a gesture of respect to the land we are on.

#### 4. PLEDGE OF ALLEGIANCE

#### 5. APPROVAL OF MINUTES AND NOTICE OF WAIVING OF READING OF ALL RESOLUTIONS AND ORDINANCES INTRODUCED AND/OR ADOPTED UNDER THIS AGENDA (ACTION)

**A. COTATI CITY COUNCIL – REGULAR MEETING – SEP 24, 2024**

<b>RESULT:</b>	Approve [4 TO 0]
<b>MOVER:</b>	Susan Harvey, Councilmember
<b>SECONDER:</b>	Sylvia Lemus, Councilmember
<b>AYES:</b>	Sparks, Ford, Harvey, Lemus
<b>NAYS:</b>	None
<b>ABSTAIN:</b>	Rivers

No public comment.

## 6. ANNOUNCEMENTS

A. Meeting Orientation for New Attendees/Viewers. In conformance with the Brown Act and the adopted City Council Rules, the meeting agenda includes items labeled as Action Items, where the City Council may consider the item. If the City Council considers the item, citizens will be afforded the opportunity to provide comments relevant to the item being discussed. The meeting agenda also includes a Citizens Business item, which is the designated place on the agenda where citizens have the right to say whatever they wish. However, the Brown Act prohibits the City Council from taking action or considering any item that is not on this agenda, to ensure that other members of the community who wish to provide comment are notified in advance through a properly noticed meeting agenda.

B. Measure S supports police services, a variety of recreation programs for all ages, and the maintenance of our streets, parks, and public buildings. See details on the web at [cotaticity.org](http://cotaticity.org)

C. Citizens interested in receiving City of Cotati community alerts via text or email are encouraged to enroll with CivicReady, by signing up on the City's website, [www.cotaticity.org](http://www.cotaticity.org), under the "How do I" link at the top of the homepage.

D. Like always, we love to hear from you, so please feel free to contact the City at 707-792-4600 or [info@cotaticity.org](mailto:info@cotaticity.org). If you have a non-emergency issue after normal business hours, you can contact us at 707-792-4611 and of course if you have an emergency, please contact 9-1-1. Continue to look for updates on the City's website and social media channels available on Facebook, Instagram, and CivicReady.

## 7. PROCLAMATIONS

### A. INDIGENOUS PEOPLES DAY / NATIVE AMERICAN HERITAGE MONTH

Councilmember Sylvia Lemus read the proclamation. Jack Pollard of the Progressive Tribal Alliance accepted the proclamation.

### B. NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH PROCLAMATION

Vice Mayor Ben Ford read the proclamation. Sean Paul Higgans of Becoming Independent accepted the proclamation.

## 8. APPROVAL OF FINAL AGENDA (ACTION)

Mayor Sparks requested to add item 13C to the agenda, for the Council to provide voting direction on

the Mayors and Councilmembers Association appointees to the Measure O Oversight Committee. In her motion, Mayor Sparks indicated that the information was received after the agenda was published, and the timing of the next meeting of the Mayors and Councilmembers Association required action to be taken prior to the next regular meeting of the Cotati City Council on October 22. Motion was seconded by Councilmember Rivers, Council unanimously voted to add the item to the end of the regular agenda.

No public comment.

9.
- CITIZEN BUSINESS AND PUBLIC COMMENT FOR CONSENT CALENDAR ITEMS**  
Any member of the public wishing to speak to the Council on any item(s) listed on the Consent Calendar or any matter(s) not listed on the agenda that are within the subject matter jurisdiction of the Council 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. Pursuant to City Council Policy 2023-01, comments of any member of the public are normally restricted to a total of three (3) minutes in length per person for matters not on the agenda and a total of three (3) minutes per person in length for any and all items on the Consent Calendar. The Mayor may extend the time limit for a reasonable time where a disability accommodation has been requested. To facilitate public comment, the Deputy Clerk will alert speakers when there are thirty seconds remaining.

Public Comment:

Peter Alexander  
Dawna Gallagher of Cotati  
Laurie Alderman of Cotati

Laurie Alderman was granted an additional minute for public comment due to an ADA accommodation request.

10.
- CONSENT CALENDAR (ACTION)**
- A. **APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH HARRIS AND ASSOCIATES TO DESIGN THE 2025 STREET IMPROVEMENTS PROJECT**
- B. **APPROVAL OF 2024 DIA DE LOS MUERTOS EVENT IN LA PLAZA PARK**
- C. **APPROVAL OF FISCAL YEAR 24-25 IT SERVICES AND EQUIPMENT REPLACEMENT**

<b>RESULT:</b>	Adopt [5 TO 0]
<b>MOVER:</b>	Susan Harvey, Councilmember
<b>SECONDER:</b>	Ben Ford, Vice Mayor
<b>AYES:</b>	Sparks, Ford, Harvey, Lemus, Rivers
<b>NAYS:</b>	None

11.
- DIRECTION OF FUTURE AGENDA ITEMS**

Councilmember Harvey requested a future agenda item on options for Landscaping and Lighting Assessment Districts during Strategic Planning in Spring 2025.

12.
- PUBLIC HEARINGS (ACTION)**
- A. **SECOND READING AND ADOPTION OF AN ORDINANCE (1) AMENDING CHAPTER 17.28 (SPECIAL PURPOSE ZONE AND OVERLAY ZONE STANDARDS)**

**OF TITLE 17 (LAND USE) OF THE COTATI MUNICIPAL CODE TO ALLOW EXISTING PLANNED UNIT DEVELOPMENT (PUDS) TO BE SUBDIVIDED, DEVELOPED, REDEVELOPED OR MODIFIED CONSISTENT WITH THE UNDERLYING ZONING DISTRICT DEVELOPMENT STANDARDS, AND (2) REZONING MULTIPLE PROPERTIES TO BE CONSISTENT WITH THEIR GENERAL PLAN LAND USE DESIGNATIONS**

Presentation by Senior Planner JP Harries.

Councilmembers comment.

No public comment.

<b>RESULT:</b>	Adopt [3 TO 2]
<b>MOVER:</b>	Ben Ford, Vice Mayor
<b>SECONDER:</b>	Sylvia Lemus, Councilmember
<b>AYES:</b>	Sparks, Ford, Lemus
<b>NAYS:</b>	Harvey, Rivers

**13. REGULAR AGENDA (ACTION)**

**A. UPDATE ON OUTREACH TO CELLULAR PROVIDERS**

Presentation by City Manager Damien O’Bid.

Councilmembers comment.

Public Comment:  
Peter Alexander

**B. CONSIDERATION OF A RESOLUTION OPPOSING SONOMA COUNTY INITIATIVE PETITION MEASURE J**

Before the presentation began, Mayor Sparks announced that the public comment period for this item would be reduced, from 3 minutes to 2 minutes per speaker, to accommodate the large number of attendees wishing to make a public comment.

Presentation by City Manager Damien O’Bid.

Councilmembers comment.

Public Comment:  
Lewis Bernier of Petaluma  
Kathy Tresch of Petaluma  
Hannah Stefenoni of Petaluma  
Cassie King of Petaluma  
Carla Cabral of Occidental  
Shelina Moreda of Petaluma  
Alex Decarli of Petaluma  
Bronte Edwards of Sebastopol

Doug Beretta of Santa Rosa  
 Jennifer Beretta of Santa Rosa  
 Tomi Henry of Penngrove  
 Steve Perucchi of Bodega  
 Andy Bunnell of Sebastopol  
 Toni Pimentel of Cotati  
 Cindy Steffy of Cotati  
 Duskie Estes  
 Samantha Faye  
 Carmen Snyder  
 Dana Gillespie  
 Marlina Eckel of Cotati  
 Erik Allen  
 Don Lipmanson  
 Lynn Morton Weil  
 Jaonie Benedetti of Cotati  
 Kathy Cullen of Occidental  
 Karin Lease of Sebastopol  
 Sarah Van Mantgam of Windsor  
 Susan Bianchi of Petaluma  
 Judy James of Cotati  
 Jexi Mondragon of Rohnert Park  
 Maureen Granados of Santa Rosa  
 David Rabbitt of Petaluma  
 Amy Bandiera of Santa Rosa  
 Jordan Mahrt of Petaluma  
 Amy Housman of Santa Rosa  
 Justin Mahrt of Petaluma  
 Jenny McClelland of Rohnert Park  
 Peter Alexander  
 Curtis Vollmar of Petaluma  
 Lydia Hansen of Sonoma County  
 Amanda Charles of Petaluma  
 Andrea Kraut of Sonoma County  
 Chase Koches of Santa Rosa  
 Neil Hancock of Cotati

After discussion, Council added an additional “Be It Resolved” clause to the end of the resolution, stating “Be it further resolved that the City of Cotati calls on Sonoma County to fully enforce all applicable laws, and take every possible action to end animal suffering in Sonoma County.”

<b>RESULT:</b>	Adopt [4 TO 1]
<b>MOVER:</b>	Ben Ford, Vice Mayor
<b>SECONDER:</b>	Sylvia Lemus, Councilmember
<b>AYES:</b>	Sparks, Ford, Harvey, Lemus
<b>NAYS:</b>	Rivers

**C. VOTING DIRECTION FOR MEASURE O OVERSIGHT COMMITTEE APPOINTEES  
(ADDED ITEM)**

Presentation by City Manager Damien O’Bid.

Councilmembers comment.

No public comment.

By a motion from Councilmember Harvey, and a second from Councilmember Lemus, the Council directed Mayor Sparks to vote for Ben Ford and Kevin McDonnell as the appointees to the Measure O Oversight Committee at the next City Selection Committee meeting on October 10.

<b>RESULT:</b>	Approve [5 TO 0]
<b>MOVER:</b>	Susan Harvey, Councilmember
<b>SECONDER:</b>	Sylvia Lemus, Councilmember
<b>AYES:</b>	Sparks, Ford, Harvey, Lemus, Rivers
<b>NAYS:</b>	None

**14. CITY MANAGER'S REPORT**

Report by City Manager Damien O’Bid.

**15. CITY COUNCIL MEMBER REPORTS**

Councilmembers report out on local and regional events and meetings.

**16. PUBLIC COMMENT ON NON-ACTION AGENDA ITEMS**

Public Comment:  
Laurie Alderman of Cotati

**17. INFORMATION RECEIVED AFTER THE AGENDA WAS POSTED**

**18. ADJOURNMENT**

Mayor Sparks adjourned the meeting at 9:44pm.

/s/ Kevin Patterson, Deputy City Clerk



**Public Comment**

This information was received after the agenda was posted and is made available to the public pursuant to California Gov't Code Section 54957.5(c)

**From:** Laurie alderman [REDACTED]

**Sent:** Tuesday, October 22, 2024 12:56 PM

**To:** Kevin Patterson <kepatterson@cotaticity.org>; Laura Sparks <lsparks@cotaticity.org>; John Bakker <john.bakker@redwoodpubliclaw.com>; Damien O'Bid <dobid@cotaticity.org>; Noah Housh <NHoush@cotaticity.org>; Chris Simmons <CSimmons@cotaticity.org>; Susan Harvey <SHarvey@cotaticity.org>; Kay Rivers <krivers@cotaticity.org>; Ben Ford <bford@cotaticity.org>; Sylvia Lemus <slemus@cotaticity.org>; Angela Courter <ACourter@cotaticity.org>; Craig Scott <CScott@cotaticity.org>; Jon-Paul Harries <jpharries@cotaticity.org>; Eli Arreola <earreola@cotaticity.org>; Robert Smith <RSmith@cotaticity.org>; David Rabbitt <david.rabbitt@sonoma-county.org>

**Cc:** Michael Ceremello Ceremello [REDACTED]; Carleton L. Briggs Attorney at Law <clbriggs@sonic.net>; George Barich [REDACTED]; Adina Flores [REDACTED]

**Subject:** Citizens Comment for 10/22

**CAUTION:EXTERNAL SENDER**

If suspicious, do not click on links, open attachments, or provide credentials and report it by using the "Phish Alert Report" button.

Hi Kevin,

Sorry for the late submission. This is my written comment for the city council meeting tonight, Thanks, Laurie

It took a bit of time to get around the neighborhood "grapevine", but today I learned that our neighbors on Gilman Ranch Rd. applying for a limited term permit to allow human habitation of a vehicle. The code is:

§00;686.Use.of.vehicles.or.campers.for.human.habitation.prohibited;

It.is.unlawful.for.any.person.to.occupy.or.permit.the.use.or.occupancy.of.any.vehicle.or.camper.for.human.habitation?including.but.not.limited.to.sleeping?eating?camping.or.resting?either.singly.or.in.groups?within.the.city?on.public.or.private.property?except.in.campgrounds?trailer.parks.or.mobilehome.parks.maintained.pursuant.to.valid.and.subsisting.authority.granted.by.the.city;.(Ord;.(123.° .7(part)?7657);

The neighbors are very upset that they will have to pay for the cost of the hearing because George Barich and I protested their limited use permit application. This is contrary to what happened 10 years ago (under Damien O'Bid as city manager in 2015), when my next door neighbors didn't pay a cent for 2 public hearings. When was it enacted that public

hearings are at the cost of the applicant? This would discourage anybody from protesting an limited term use permit, knowing that the applicant, possibly a close neighbor, would be paying \$\$\$\$\$ for hearing on their protesting. This sets up a whole neighborhood against each other with how fast the grapevine works. It is set up to cause neighborhood dysfunction and pits one neighbor against another. We citizens of Cotati pay mega-bucks in taxes towards Community Development services to begin with to cover the occasional needed public hearing and it is unconscionable that an applicant would have to pay the costs of a hearing. Plus, additionally once again, it looks like a retaliation set-up against George Barich and me.

The issue is human habitation of a vehicle and application of the codes fairly, which is why George Barich and I protested the hearing. Not once, did I hear about the Gilman Ranch neighbors having to pay for the cost of the public hearing because of our objections until today. Of course, the neighborhood grapevine finally made over a few streets telling us the applicants are furious at George Barich and me because of having to pay thousands of dollars because of our "interference" and supposed ill will we possess towards all our neighbors.

We protested because the City of Cotati has a history of unevenly applying the municipal codes. I separately have concerns about monitoring of the safety of the site, as the City of Cotati 10 years ago, allowed my next door neighbors to do demolition for 4 months while living there on fire damaged property when the demolition was happening and utilities were on, to allow habitation. This was against multiple state building codes, fire codes, etc. Damien O'Bid, as public works director/ city manager then and now, provided no monitoring of the site. Not once was the neighbors cited for violations in 16 months and the CA state fire marshal office was even involved that the city's contention that it issued a temporary occupancy permit for living in the fire ruins. The CA Fire Marshal's office told the City of Cotati that no temporary occupancy of a fire damaged building is allowed, yet the neighbors were allowed to live there with the City's approval for 16 months. This is relevant to the safety of the human habitation of the RV in the current circumstances.

This stinks of retaliation against especially George and me. As with anywhere really, the grapevine is fast and furious around here that George and I were costing the applicant \$\$\$\$\$ for the hearing. The neighbors were already used on West Cotati Oaks Court with George Barich, where the City entered in 46 videos of George's RV and bedroom doors and windows taken illegally by the neighbors over their fence. The situation is horrible on that court and many of us avoid the whole situation because of the neighbors and City of Cotati illegally providing videos to the City. Is Noah Housh once again pitting one neighbor against another as he did 6/28/23? That's what it stinks of.

---

**From:** Noah Housh  
**Sent:** Wednesday, June 28, 2023 1:28 PM  
**To:** [REDACTED]  
**Cc:** Robert Smith; Carla Duncan  
**Subject:** RE: G.Barich trailer park remnants

Hi [REDACTED],

Thank you for continuing to share photos identifying activities at 176 W. Cotati Oaks. I have copied our Code Enforcement staff to provide the information to them.

Please continue to share information and evidence as you are able.

Thank you,

Noah Housh  
Director of Community Development  
City of Cotati  
201 West Sierra Avenue, Cotati, CA 94931  
Office: (707) 665-3635  
<http://www.cotaticity.org/>

Let's also not forget that this situation of using the neighbors and the grapevine for the City's benefit, comes during the election season with George being the incumbents only challenger, the roundabout ban repeal, KPIX story, etc. Coincidence? I think not.

Please intervene in this situation for the benefit of the applicant, who I have never met. Please do as in the past and is the precedent to not charge the applicant for the public hearing costs because of the objections made.

Sincerely,

Laurie Alderman

## NOTICE OF APPLICATION LIMITED TERM PERMIT

NOTICE IS HEREBY GIVEN that the City of Cotati Planning Division has received an application for a Limited Term Permit to allow the following activity:

- Temporary habitation of a travel trailer during construction.

Applicant: Lothario Jason Lotho

Location of Event: 1901 Gilman Ranch Road

Description of Activity: The applicant is seeking a Limited Term Permit to temporarily inhabit a 32-foot by 36-foot travel trailer on the property during construction. Upon completion of construction, the travel trailer will be vacated.

In accordance with §17.62.030 of the Cotati Land Use Code, Limited Term Permits, this Notice is provided to inform the public of the application. The Community Development Director will make the decision to approve or deny the Limited Term Permit on Monday, October 14, 2024. If requested in writing by any interested person prior to the specified date for the decision, a public hearing will be held with notification as required in Chapter 17.88 of the Cotati Municipal Code, Public Hearings. Questions or comments regarding this matter should be directed to Eli Arreola in the Planning Division at [earreola@cotaticity.org](mailto:earreola@cotaticity.org) or (707) 665-3633.

DATE POSTED:  
on or before October 4, 2024



Eli Arreola  
Planning Technician  
City Of Cotati

### WAIVER WARNING

IF YOU CHALLENGE THESE ISSUES IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE PUBLIC HEARING DESCRIBED IN THIS NOTICE, OR IN WRITTEN CORRESPONDENCE DELIVERED TO THE CITY OF COTATI AT, OR PRIOR TO THE PUBLIC HEARING

Pub: October 4, 2024  
The Community Voice

Under the Public Records Act (California Government Code §7920.000-7931.000), e-mail messages of local agencies are public records which are subject to disclosure to the public or may be subpoenaed.