#### **MINUTES**

### SPECIAL CLOSED SESSION

**JUNE 16, 2009** 

5:00 P.M.

# **CLOSED SESSION**

At 5:02 p.m. Council met in Closed Session to hold a conference with the Labor Negotiators, pursuant to Section 54957.6. The Agency Designated Representatives were William Avery, Amy Buck, and Sue Vannucci. The employee organizations discussed were the Woodland City Employees' Association, Woodland Mid-Management Association, Woodland Police Officers' Association, Woodland Police Supervisors' Association, and Woodland Professional Firefighters' Association. Present at these sessions were Mayor Davies, Vice Mayor Pimentel (arrived at 5:15 p.m.), Council Members Dote and Marble, City Manager Deven, City Attorney Morris, Human Resources Manager Buck, and Director of Administrative Services Vannucci.

# JOINT REGULAR CITY COUNCIL/ REDEVELOPMENT AGENCY BOARD SESSION

# 6:00 P.M.

# CALL TO ORDER

At 6:01 p.m. Mayor Davies called the joint regular meeting of the City Council and Redevelopment Agency Board to order.

#### **CLOSED SESSION ANNOUNCEMENT**

Mayor Davies advised that Council had met in Closed Session to discuss labor negotiations and had given direction to staff.

# PLEDGE OF ALLEGIANCE

Mayor Davies asked all in attendance to join in the Pledge of Allegiance led by Marina Tapia.



# ROLL CALL

COUNCIL MEMBERS PRESENT: Marlin Davies, Martie Dote, William

Marble, Jeff Monroe, Art Pimentel

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRSENT: Mark Deven, Andrew Morris, Sue

Vannucci, Barry Munowitch, Dan Gentry, Sandra Briggs, Carey Sullivan, Doug Baxter, Wendy Ross, Manuel Soto, Rex Greenbaum, Kim McKinney, Lynn Gatie, Roberta Childers, Sarena Brumfield, Amber D'Amato, Paul Siegel, Chris Fong, Russ Cole, Cynthia Shallit, Tod Reddish

### <u>COMMUNICATIONS – WRITTEN</u>

Council received notification of a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License for Capitol Saloon, located at 601 Main Street.

# <u>COMMUNICATIONS – COMMITTEE REPORTS</u>

Council received the minutes of the joint Commission on Aging and Parks and Recreation Commission meeting and the regular Parks and Recreation Commission meeting of April 27, 2009.

#### PUBLIC COMMENT

Art Apodaca wants Council to hold in abeyance unmarked vehicles and non-uniformed officers until the issue of the recent shooting of a suspended gang member be resolved by all entities.

Adel Syed works for the Islamic Relations Justice Coalition representing 15 agencies and organizations. The Council should stop undercover gang activities and they want a Resolution to call for an independent investigation.

Eric Alfaro said the Luis Gutierrez family is calling for an independent investigation. He was not an addict or a gang member. He wants the City to investigate. It should not be the Police Department or the District Attorney.



Al Rojas is affiliated with the AFL-CIO, Justice Coalition, and the Labor Council for Latin American Advancement. Those undercover officers thought Luis was a gang member. They made Luis afraid and he wants to know why they stopped Luis. They did not know if he had committed a crime. The Sheriff's Office made statements to the press before the investigation was done. Why did the Sheriff's Office assume jurisdiction. They want an independent investigation. They have no faith in the Sheriff and Police to be fair.

Steven Payan said we need to keep better checks and balances on the officers. They are trained to disarm without killing. We should not be putting up with that and he should not have been killed. He drove in town and was pulled over three times in fifteen minutes. They need to work with the community.

Mayor Davies said the Council has confidence in the Police Department investigation. Vice Mayor Pimentel said he has met with some community leaders and will be meeting with the District Attorney on June 22, 2009 and will be requesting an independent look at this. We can not take any action on this item because it was not on the posted Agenda.

Molly Stevenson said she was going to speak on women's issues but now wants to speak on the Luis Gutierrez issue. She wants to conduct the independent investigation. As a Sister of Mercy, she has committed her life to investigations for Hispanic individuals.

#### COUNCIL/STAFF COMMENTS

Council Member Monroe said he understands the pain of the Gutierrez family. The formal investigation has not come out and it is not the time for an independent investigation. There have been comments made about firing or killing Sheriff Prieto. He has done more for diversity than any other Sheriff. He does not tolerate discrimination in any form and if he finds people crossing the line, they are dismissed.

Chief Sullivan said it is important to note that the Police Department is working very hard on the Luis Gutierrez case. They have not engaged in public discussion in order not to taint the investigation.

# **PRESENTATIONS**

# PROCLAMATION - PARKS AND RECREATION MONTH



Council proclaimed the Month of July as Parks and Recreation Month. Council Member Marble presented the Proclamation to the Members of the Parks and Recreation Commission.

# FOURTH OF JULY CELEBRATION

Director Gentry briefed the Council on the program for the Fourth of July Celebration this year.

#### **CONSENT CALENDAR**

On a motion by Vice Mayor Pimentel, seconded by Council Member Dote and carried unanimously, Council approved the following Consent Calendar items:

# MONTHLY STATUS REPORT - PUBLIC WORKS

Council received the Monthly Status Report from Public Works.

# MONTHLY STATUS REPORT - FIRE DEPARTMENT

Council received the Monthly Status Report from the Fire Department.

#### RESOLUTION 5001 - TRANSPORTATION DEVELOPMENT ACT CLAIM

Council adopted Resolution 5001, "A Resolution of the City Council of the City of Woodland, California, and Authorizing Filing the Annual Transportation Development Act Claim with the Sacramento Area Council of Governments".

# RESOLUTION 5002 - VISITOR ATTRACTION DISTRICT ASSESSMENT INTENTION TO LEVY ASSESSMENT

Council adopted Resolution 5002, "A Resolution of Intention of the City Council of the City of Woodland to Levy an Assessment for Improvements and Activities for Fiscal Year 2009-2010 within the Woodland Visitor Attraction District"; scheduled a Public Hearing for July 7, 2009 to consider any written or oral protests to the levy of the assessment.



# RESOLUTIONS 5003 TO 5008 - SPRING LAKE SPECIFIC PLAN AND GATEWAY LIGHTING AND LANDSCAPING DISTRICTS

Council adopted the following Resolutions for processes of the Spring Lake Specific Plan and Gateway Landscaping and Lighting Districts:

Resolution 5003 -

"A Resolution of the City Council of the City of Woodland Initiating Proceedings for the City of Woodland Spring Lake Landscaping and Lighting District, and the Levy and Collection of Assessments for Fiscal Year 2009-2010 Pursuant to the Provisions of the Landscaping and Lighting Act of 1972"

Resolution 5004

"A Resolution of the City Council of the City of Woodland Preliminarily Approving the City of Woodland Spring Lake Landscaping and Lighting District Engineer's Report, and the Levy and Collection of Assessments for Fiscal Years 2009-2010"

Resolution 5005 -

"A Resolution of the City Council of the City of Woodland, Declaring its Intention to Conduct a Public Hearing on the Matter of Assessments and Order the Levy of Assessments for the City of Woodland Spring Lake Landscaping and Lighting District, Fiscal Year 2009-2010 Pursuant to the Provisions of the Landscaping and Lighting Act of 1972"

Resolution 5006

"A Resolution of the City Council of the City of Woodland Initiating Proceedings for the City of Woodland Gateway Landscaping and Lighting District, and the Levy and Collection of Assessments for Fiscal Year 2009-2010 Pursuant to the Provisions of the Landscaping and Lighting Act of 1972"

Resolution 5007

"A Resolution of the City Council of the City of Woodland Preliminarily Approving the City of Woodland Gateway Landscaping and Lighting District Engineer's Report, and the Levy and Collection of Assessments for Fiscal Years 2009-2010"



Resolution 5008 - "A Resolution of the City Council of the City of Woodland, Declaring its Intention to Conduct a Public Hearing on the Matter of Assessments and Order the Levy of Assessments for the City of Woodland Gateway Landscaping and Lighting District, Fiscal Year 2009-2010 Pursuant to the Provisions of the Landscaping and Lighting Act of

# RESOLUTION 5009 - WATER 2025 CHALLENGE GRANT FOR WATER METER IMPLEMENTATION PROJECT 08-08

1972"

Council adopted Resolution 5009, "Authorization to Apply for Challenge Grant"; authorizing the submittal of a proposal to the Department of Interior, Bureau of Reclamation for the Water 2025 Challenge Grant for the Meter Implementation Project Phase 2, Project 08-08 for a grant in the amount of \$2.5 million; authorized the Public Works Director to execute all necessary forms on behalf of the City of Woodland.

#### SANITARY SEWER MANAGEMENT PLAN

Council certified the final version of the May 2, 2009 Sanitary Sewer Management Plan.

#### **PUBLIC HEARING-COUNCIL**

# RESOLUTION 5010 - GIBSON RANCH LANDSCAPING AND LIGHTING DISTRICT

Mayor Davies opened the Public Hearing at 6:48 p.m.

Loretta Hansen understands the rates will be raised and asked how that can be done with the assessment has reached the maximum. Accountant McKinney said there is a Consumer Price Index escalator that is an inflation factor. It will not be applied this year.

Mayor Davies closed the Public Hearing at 6:49 p.m.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried unanimously, Council adopted Resolution 5010, "A Resolution of the City Council of the City of Woodland, California Amending and/or Approving



the Annual Levy Report and Ordering the Levy and Collection of Assessments within the Gibson Ranch Landscaping and Lighting District, Fiscal Year 2009-10".

# RESOLUTION 5011 - NORTH PARK LANDSCAPING AND LIGHTING DISTRICT

Mayor Davies opened the Public Hearing at 6:50 p.m. Hearing no comments, Mayor Davies closed the Public Hearing at 6:50 p.m.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried unanimously, Council adopted Resolution 5011, "A Resolution of the City Council of the City of Woodland, California, Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the North Park Lighting and Landscaping District, Fiscal Year 2009/2010".

# RESOLUTION 5012 - STRENG POND LANDSCAPING AND LIGHTING DISTRICT

Mayor Davies opened the Public Hearing at 6:51 p.m. Hearing no comments, Mayor Davies closed the Public Hearing at 6:51 p.m.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried unanimously, Council adopted Resolution 5012, "A Resolution of the City Council of the City of Woodland, California Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments with the Streng Pond Landscaping Maintenance District, Fiscal Year 2009-10".

# RESOLUTION 5013 - WEST WOOD UNIT 1 LANDSCAPING AND LIGHTING DISTRICT

Mayor Davies opened the Public Hearing at 6:52 p.m. Hearing no comments, Mayor Davies closed the Public Hearing at 6:52 p.m.

On a motion by Vice Mayor Pimentel, seconded by Council Member Dote and carried unanimously, Council adopted Resolution 5013, "A Resolution of the City Council of the City of Woodland, California, Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the West Wood Unit No. 1 Landscaping and Lighting District, Fiscal Year 2009-2010".



# REDEVELOPMENT REGULAR REPORT

### AGENCY RESOLUTION 09-03 - ANNUAL BUDGET FOR FISCAL YEAR 2009-10

Board Member Dote said the report indicates there is a possibility of expanding the Redevelopment Area. Manager Shallit said that will be an item the Board would need to discuss further.

Vice Chairperson Pimentel asked for information on the façade program and asked if there were additional projects, do we have any money for those additional projects. Manager Shallit said we have \$300,000 in carryover funds.

Board Member Marble asked if there was any consideration to the State Theater façade. Manager Shallit said that project has not yet been defined. Board Member Marble asked about the increase in benefits to 8%. Executive Director Deven said it will depend upon the CalPERS rates. Board Member Marble said in Fiscal Year 08-09 our debt service is set to refund the bond. We have about \$500,000 going forward. The bond is paid first. The Capital projects that the Redevelopment Agency is funding should be shown.

On a motion by Board Member Monroe, seconded by Board Member Dote and carried unanimously, the Board adopted Agency Resolution 09-03, a Resolution that "Hereby Authorizes the Approval of the Redevelopment Agency Annual Budget for FY 09/10 and Allocates Funds to the Capital Improvement Plan Budget".

# REPORTS OF THE CITY MANAGER

# TEN-YEAR CAPITAL IMPROVEMENT PLAN; EXPENDITURES FOR THREE-YEAR PERIOD FY 2009-10 THROUGH FY 2011-12

Accountant McKinney detailed the budget for the ten year Capital Improvement Plan and went through each item summary. The picture for our CIP is glum and many projects are to be pushed out or eliminated.

Council Member Marble said we are looking at an additional \$37 million in the next year. Accountant McKinney said that is a three year period. It would be funded through the development fees and is much more stable.

Council Member Marble said we need to have a point that the external debt service needs to be paid and it appears this has not diminished. City Manager Deven said last year we were out of balance in three funds. With the economy and reductions in development fees this problem was created. We



need to look at the CIP very carefully and at the over-borrowing of pooled cash. We will probably need a twenty year period to address these issues.

Council Member Marble asked what would be the outcome if Council did not adopt and if pooled cash did not increase. City Manager Deven said we would be stopped on the Interstate 5/County Road 102 on-ramp and many of the Measure A projects. We need to look at this closely after we get the General Fund issues settled. Council Member Marble said it is impacting projects in other funds like the Enterprise. He would like a report back soon because this could devastative the City. City Manager Deven said that is why we are looking at these issues now.

Vice Mayor Pimentel asked which projects we are stopping. We could look at fees that we reduced last year. When do we ever finish paying off the debt service? Accountant McKinney said Parks, Fire and Sewer are external and would continue to 2035.

Vice Mayor Pimentel said he had a concern about the over-crossing from Pioneer to the West side of State Route 113. He would like that project to be moved forward to happen before 2013-14.

Council Member Dote asked to look at the unfunded projects and further development covering those. City Manager Deven said that staff would look at them.

Council Member Dote asked if the Americans with Disabilities Act issues were covered by the Community Development Block Grant program. Accountant McKinney said we are looking at it next year and will try not to project those funds that are not secure.

On a motion by Council Member Dote, seconded by Council Member Monroe and carried unanimously, Council authorized the expenditures for the three year period beginning Fiscal Year 2009-10 and ending Fiscal Year 2011-12.

# PRELIMINARY FISCAL YEAR 2009-10 OPERATING BUDGET; BUDGET AND FISCAL POLICY

City Manager Deven outlined the budget picture for the Fiscal Year 2009-10. We presently have expenditures at \$45.2 million with revenues at \$38.2 million, leaving us with a \$6.8 million shortfall. Reductions in the amount of \$5.5 million have been made leaving the actual shortfall at \$1.3 million.



We have implemented the Golden Handshake with 12 individuals retiring under the program. A Budget and Fiscal Policy has been drafted to establish budget management standards. We also recognize the threat from the State to borrow up to 8% of our property tax revenues. Our revised property tax revenues indicate a decrease of \$540,000.

Reductions had been proposed in May. The major changes to those proposed reductions are:

- If compensation reductions are achieved of approximately \$1.3 million, the budget will be balanced;
- Reductions in Parks and Recreation are projected as six of twelve employees are taking the Golden Handshake;
- The Library did not have any employees opt for the Golden Handshake. Therefore a reduction of \$450,000 is proposed;
- Refinement to the General Fund allowed staff to add back Strategic Operations (SWAT, K-9, Crisis Negotiations), and Graffiti Abatement to the Police Department;
- Anticipated retirement of three Fire Engineers has not happened with only one indicating that option;
- Contingency Plan was presented to include the reduction of up to 13 employees via layoff.

Response by the Police Department will be stretched. The Senior Center needs a restructuring. It is possible the Senior Center Manager could be brought back as a part-time employee. Some expenditures could be moved to the Community Facilities District. It is also an option to utilize Dan Rice for part-time services. The Commissions will need to help with the identification of specifics. Ballet and boxing are programs that may need to be eliminated.

In regard to Hiddleson Pool, volunteers cannot staff this facility. It would need to be secured. The cost to operate the pool is \$160,000 that we cannot afford.

Community Development will have their counter open from 8:00 to 11:00 only, which will be promoted in the media. High priority projects will be addressed first in a project cue. Advanced payment will be required based on anticipated costs.

The Leake Room costs \$25,000 to keep open. There are security issues with the usage of volunteers. Reserving the use of a meeting room is ancillary to the Library mission.



The Contingency Plan looks at the Departmental impacts, the layoff process, a conceptual tentative agreement with the bargaining units and position reductions.

Staff reductions will include in Community Development, an Administrative Clerk, a Building Inspector, Code Enforcement and Management Analyst for a total of four employees at \$361,000 in savings.

In the City Manager's office Economic Development will shift to Redevelopment and a Housing Analyst will be laid off for a savings of \$222,524.

Police reductions would generate \$371,791 in savings while Fire would be at \$155,701. In the Library the elimination of three Technicians would generate a savings of \$220,309. All of these savings if implemented by the Contingency Plan would meet the needed \$1.3 million shortfall.

The Budget and Fiscal Policy would provide for specific reserves within the City, some restricted, some not.

Our revenues are under attack. We need to re-prioritize and re-look at what we cannot offer.

Council Member Marble asked if the Budget and Fiscal Policy has a clear statement about moving away from internal borrowing. City Manager Deven said in Section 4.8 it addresses that issue but he would like to have something more stringent. Council Member Marble would like a clear statement that our Policy dictates we will avoid internal borrowing and will consider all other avenues first. City Manager Deven will draft and provide a modified document.

Mayor Davies said internal borrowing can be bad for the City, but may be needed to keep us moving forward.

Sam Crawford of the Parks and Recreation Commission commended the Council for the option of having Susanna Reinhardt and Dan Rice serve for at least some interim time in the Center. The Police Chief will be heading the Department in the interim. This may be a good opportunity for collaboration. At the last count the Center will have eighteen less positions. It will be difficult to generate revenues. The fees will be \$50,000 less. It will be difficult to catch up with those revenues. The cuts here are more than the other five Departments combined, and we are asked to cut more than \$1.8 million. There are more citizens using these facilities than any other Department in the City. There is a one year reprieve on some positions or programs.



Ted Ruiz, President of the Police Officers' Association, said they recognize there are programs that do not provide much, if any, revenue to the City. There are some programs that help prevent further problems, such as those serving the youth of the community. Membership of the Association has each donated \$10 each to keep the boxing program open. He presented the check to the Director of Administrative Services/City Clerk.

Mark Cocke is a member of the Mid-Management Professional Association of the City and they are working to remove all retiree medical coverage by the City.

Don Campbell said he made a statement at the last budget meeting that the moving sign in the front of the Community and Senior Center was purchased at a cost of \$800,000. He wished to correct that statement as the cost was \$114,000.

Eric Zane, President of the Woodland Professional Firefighters' Association, Local 49 said they are working very hard to negotiate and are waiting for a written offer from the City. The Department does generate funds.

Loretta Hansen does not want any programs stopped that help keep kids entertained. She does not want graffiti abatement stopped.

Evelyn Webb said she worked for the Sheriff's Office for twenty-two hears and resents any negative comments about law enforcement.

Vice Mayor Pimentel thanked staff for the work on these reductions and presenting the budget. The decisions are not easy. The State has dropped the need, for now, to borrow against our property taxes. He feels that things will get better. We need to have the best balance of services for our citizens as possible.

Council Member Monroe thanked the community and the Associations for their sacrifices for the community.

Council Member Dote said the Associations are getting closer to helping the City balance their budget. The Community and Senior Center is very valuable but it is not the only program. Infrastructure, Public Works, Police and Fire are all very important and integral to the success of our City. She would like a priority list on what goes back in to the budget and at what point.

Council Member Marble thanked the Chamber of Commerce for their assistance on the "Save the City" program. We have been so focused on



balancing the General Fund budget and may have lost site of the internal borrowing. We do need to have a Study Session with staff to stop this activity.

Mayor Davies said it looks as if we are trailing the economy and next year we will probably have a \$2.5 million shortage. We need to work on the Library. He is concerned with Community Development and the small builders who need their permits to keep themselves going forward. We should take care of the locals. He wanted last time to keep Hiddleson open and would like to look at it next year.

On a motion by Vice Mayor Pimentel, seconded by Council Member Dote and carried unanimously, Council adopted the Preliminary Fiscal Year 2009-10 Operating Budget; authorized related actions including the implementation of the Contingency Plan and issuing of layoff notices to up to 15 employees to reduce the remaining gap of \$1.3 million as described; approved the Budget and Fiscal Policy.

# <u>RESOLUTION 5014 - APPLICATION FOR AMERICAN RECOVERY AND REINVESTMENT ACT GRANT FUNDS</u>

On a motion by Vice Mayor Pimentel, seconded by Council Member Monroe and carried unanimously, Council adopted Resolution 5014 authorizing the submittal of an application for American Recovery and Reinvestment Act Grant funds through the California Safe Drinking Water State Revolving Fund for the Meter Implementation Project Phase 2, Project No. 08-08 in the amount of \$14 million; authorized the City Manager to execute all necessary forms on behalf of the City of Woodland.

#### **ADJOURN**

At 8:32 p.m. Mayor Davies adjourned the joint regular meeting of the Council and Agency Board.

Respectfully submitted,

SS: Sue Vannucci, Director of Administrative Services

Adopted by Council: September 7, 2010