

Rio Vista City Council
MINUTES
Thursday, January 21, 2010 at 7:00 p.m.
City Council Chambers
One Main Street
Rio Vista, California 94571

Mayor Vick called the meeting to order at 7:30 p.m. immediately following the closed 6:00 p.m. Special Meeting.

Roll Call

Present: Councilmembers Jones, Krebs, Norman, Richards, and Mayor Vick

Absent: None

Flag Salute – led by Vice Mayor Jones

1. Public Comment

Lee Williams, representing the River Delta School Board, requested two agenda items, as follows, be listed on the 2 x 2 (City – School District) Meeting Agenda:

1)STA Safe Route to School

2)EOC Operation

He also spoke on concerns relating to accepting the ADA Building Project as complete.

City Manager Hector De La Rosa clarified he had followed up with Mr. Williams on his concerns.

2. City Council Reports / Staff Reports

Staff reports included, but were not limited to the monthly Financial Report clarifying that detailed information will be brought to Council in February with the mid-year budget information and the Monthly Financial Reports will be available on the City's web-site; monthly utility bills using the Eden System will start the end of May 2010; arrest of Yosemite Way residents and request that the Police Department be notified if unusual activity is observed in neighborhoods; Highway 12 traffic enforcement; and announcement on the benefits and use of the Police Department NIXLE System; statement that the Street Sweeper is in compliance with Air Quality Standards.

Council reports included, but were not limited to attendance and topics discussed at various meeting, recognition of Constance Boulware for operating the AV equipment for Planning Commission and City Council meetings; announcement that the City Treasurer had submitted Bank Balances that will be available on the City's web-site; replacement of the 35 MPH sign on Drouin Drive.

3. City Commission Reports / City Committee Reports / Chamber of Commerce Report

Marti Rogers, Airport Commissioner, distributed a copy and highlighted the topics discussed at the last Commission meeting, including upcoming events.

Howard Lamothe, member of the Citizens Committee Monitoring Water and Wastewater Enterprise Funds, spoke on election of Tom Jue as Chairman, formation of sub-committees and tour of wastewater plants. Councilmember Norman requested the Committee meeting minutes be forwarded to Councilmembers.

4. Presentation – Census 2010

Jacalyn Robinson, Partnership Assistant, U.S. Census Bureau, spoke on the importance of population count, use of the 2010 Census information and potential impacts of not counting each individual, and requested adoption of a Resolution of Support by the City Council. She also thanked Councilmember Norman for her efforts and outreach.

Councilmember Norman spoke on her 2010 Census outreach efforts and stated a Resolution of Support will be listed on the February 4, 2010 City Council Meeting agenda for adoption.

5. Consent Calendar

- a. Minutes from the regular City Council meeting of December 3, 2009.**
- b. Minutes from the regular City Council meeting of December 17, 2009.**
- c. Acceptance of the ADA Accessibility Improvements Project – Street Improvements Project No. 2 as complete and authorizing the Public Works Director to file the Notice of Completion, adopted Resolution No. 2010-002.**

Interim City Clerk Carolyn Parkinson noted correction to Item 5b. (#5 of the December 17, 2009 minutes) - changing a date from 2009 to 2010.

Motion by Jones, seconded by Norman, to approve the Consent Calendar as presented, noting the correction to Item 5b.

Roll-call Vote: Ayes: Councilmembers Jones, Krebs, Norman, Richards, and Mayor Vick

Noes: None

Absent: None

6. Discuss and provide staff direction on modifications to the City of Rio Vista Volunteer Policy, Volunteer Handbook, and Volunteer Participation Agreement

City Manager Hector De La Rosa presented the Staff Report, including the City Council approval of the Policy on August 6, 2009, contingent on the addition of language concerning confidentiality and copyright/patent/trademark infringement of City software. As part of the review and analysis presentation, he stated that at the City Council meeting of December 3, 2009 the Council requested that the Volunteer Policy be brought before the City Council for discussion. He concluded his presentation by stating that since the adoption of the Policy, the City Manager's Department has requested volunteers to 1) operate the City camera system to video record the City Council and Planning Commission meetings, and 2) a volunteer analyst to assist the City Manager on special projects. He concluded his presentation on the number of

individuals that have completed the application process and noted the one individual that rescinded his application.

Councilmember Krebs requested the application be revised to include a list of skills and spoke in opposition to fingerprinting and drug testing for all volunteer positions. He also spoke in support of a policy to attract volunteers.

Councilmember Norman spoke on the importance of uniformity and fairness and that Commissioners/Committee Members should be required to be fingerprinted and/or drug tested if volunteers are required to be fingerprinted and/or drug tested.

City Attorney Kara Ueda clarified that volunteers are not considered employees but are covered under specific City insurance, that additional research will be required to determine drug testing requirements and that State Law requires fingerprinting for some positions.

Constance Boulware, City volunteer, spoke on the volunteer Policy and recommended revising the application process to attract more volunteers.

Joel Auslen, City resident, spoke in support of issuing City volunteers identification cards.

Linda Lannon, Police Department, spoke on the fingerprinting process.

Police Chief Bill Bowen spoke on the fingerprinting (live scan) process and on the possibility of the Police Department administering the drug test.

Councilmember discussion included the possibility of conducting a survey of the current volunteer process; support of a Policy that does not discourage applicants; the possibility of a volunteer coordinator; the importance of reaching out to the community to recruit volunteers; identification of positions that require drug testing and/or fingerprinting; support of a Volunteer Fair, Chamber of Commerce and a Volunteer Booth at Trilogy as ways to promote volunteerism. Discussion also included the importance of indicating on the application the tests that would be required, uniformity and fairness.

Gayle Bowen, City resident, volunteered to help promote volunteerism and Councilmember Norman and Mayor Vick offered to assist. She also spoke in support of fingerprinting volunteers.

Recess: 9:40 p.m.

Reconvene: 9:45 p.m.

7. Discuss and provide staff direction on revision to Chapter 13.04 of the City of Rio Vista Municipal Code related to water service.

City Manager Hector De La Rosa presented the Staff Report, stating that Council discussed the proposed changes to the Ordinance at the December 3rd and December 17th City Council meetings and requested directed changes to the proposed Ordinance to be brought back for final review and discussion before bringing forward an Ordinance for Council approval. He referred to red-line copy of proposed changes and additions and responded to Council questions on downsizing meters and charges based on size of meters.

Council discussed the changes and reached consensus for Staff to report back in February with the proposed Ordinance.

8. Discuss City's previous collection of in-lieu fee payments and transfer of such fees from the Water and Sewer Funds into the General Fund.

City Attorney Kara Ueda presented the Staff Report, including the background on collection of an in-lieu fee, challenges to collecting in lieu fees with the passage of Proposition 218, and the result of those challenges. She stated the City of Rio Vista did not include the in lieu fee monies in the increased sewer rates; second, that City Staff reversed the transfer of in lieu fee monies from the General Fund so that the monies collected went back into the sewer and water funds, and that there were no transfer of the in lieu fees from either the water or sewer funds into the General Fund since July of 2008. She clarified that the City decreased the water rates to remove the in lieu fee component on October 15, 2009; the City has not transferred any funds from the sewer or water funds into the General Fund since July of 2008 and recommended that no additional action be taken at this time.

Finance Manager Michelle Mingay responded to questions on the transfer of sewer and water funds back into the General Fund.

Elwin Beck, City resident, spoke in support of returning the in lieu fees previously collected to the rate payers.

Council consensus to take no additional action at this time, noting no monies have been transferred from the sewer or water funds into the General Fund since July of 2008, and the current sewer and water rates do not include an in lieu fee component. Additionally, any additional transfer of funds at this time would be fiscally imprudent given the City's budget difficulties.

9. Adjournment – Meeting adjourned at 10:10 p.m.

Carolyn Parkinson, MMC
Interim City Clerk