

Rio Vista City Council
Thursday, August 5, 2010 at 7:00 p.m.
MINUTES
City Council Chambers
One Main Street
Rio Vista, California 94571

Roll Call

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

Absent: None

Flag Salute – led by Mayor Vick

1. Public Comment (Time Limit – 3 minutes per speaker)

Craig Thacker, City resident, clarified statement made at recent Citizens Committee Monitoring Water and Wastewater Enterprise Funds and spoke on use of water funds.

Joel Auslen, City resident, requested repair of the air conditioning unit at the Police Department.

Fred Kogler, City resident, spoke on the expired lease for the boats at the Army Base and requested they be removed. He also spoke in opposition to use of Water Funds to repair the road following repair of water lines, expresses concern with water disconnections and in opposition to two separate billings for two sewer plants.

Rio Vista Police Officers Association announced the Tip-A-Cop fundraiser on August 20th at the Nines Restaurant to benefit the Rio Vista pool.

2. Staff Reports / City Council Reports

Staff reports included but were not limited to potential candidates for the Fire Reserve Volunteer Program; construction of a Fire Training structure at the Army Base; an update on economic development; estimated opening of the new city swimming pool in September; and cost estimate to repair the air conditioning at the Police Department. The City Manager responded to the public comments on the number of utility disconnections, citing new Ordinance provisions, and stated that reminders of payment due dates and shut off provisions will be inserted in the utility bills. He also requested Item #12 be dropped from the agenda to be relisted on the August 19, 2010 agenda.

City Council reports included but were not limited to meetings attended, funding of hazardous substance abatement and proposed use of the Army Base, and events scheduled for Travis Air Force Week in September.

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

Marti Rogers, Airport Advisory Commission member, reported on topics discussed at their July meeting, including but not limited to the Rio Vista Bridge relocation study; airport rules and regulations; and, status of the Airport grant.

Joel Auslen, representing the Citizens Committee Monitoring Water and Wastewater Enterprise Funds, recommended that pictures of water and sewer repairs be added to the City's website.

Chamber of Commerce Report – None

4. Consent Calendar

- a. Minutes of the June 17, 2010 regular City Council meeting**
- b. Minutes of the June 23, 2010 special City Council meeting**
- c. Minutes of the July 1, 2010 regular City Council meeting**
- d. Approve a Memorandum of Understanding between the City of Rio Vista and the Operating Engineers Local 3, Miscellaneous Employees Organization for the period ending June 30, 2011, with Resolution for adoption. – Adopted Resolution No. 2010-078**
- e. Bank balances for June 2010 – City resident requested clarification of various funds. City Manager responded on the allocation of General Fund reserves as they relate to the report of bank balances.**
- f. Approve an employment agreement with Mr. Gordon Moncibais for interim Fire Captain services in an amount not to exceed \$24,500, with Resolution for adoption – Adopted Resolution No. 2010-079**
- g. Authorizing the acceptance of the Elm Way and Virginia Drive Street Improvement Project 2010 as complete and authorizing the contract manager to file the Notice of Completion, with Resolution for adoption. - Adopted Resolution No. 2010-080**
- h. Approve task order #64 in an amount of \$13,340 to Veolia Water for replacement of the City Hall Lift Station Emergency Power Generator, with Resolution for adoption. – Adopted Resolution No. 2010-081**
- i. Rescinding the award of contract to Abide Builders, Inc. and authorizing the issuance of the Notice Inviting Bids for the Proposition 40 Boat Launch Restroom Replacement, with Resolution for adoption. – Adopted Resolution No. 2010-082.**

Motion by Jones, seconded by Krebs, to approve the Consent Calendar as presented.

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

Noes: None

Absent: None

5. Approve comments to Solano Transportation Authority on Rio Vista Bridge Study Alternatives.

Mayor Vick referred to a letter she was authorized to draft at the July 28, 2010 meeting. (Refer to July 28, 2010 minutes, Item #3. for information to be included in the letter.)

Motion by Richards, seconded by Jones, to approve the letter as drafted.

Vote: All ayes

Absent: None

Public Hearing

6. Approve the second amendment to the Countywide Non-Disposal Facility Element of the Countywide Integrated Waste Management Plan, with Resolution for adoption.

Mayor Vick opened the Public Hearing.

Senior Planner Narcisa Untal, representing Solano County, presented the staff report on the process to update the Countywide Don-Disposal Facility Element of the Countywide Integrated Waste Management Plan and provided clarification to questions from city residents on distribution of solid waste and recycling, including yard clippings.

Mayor Vick closed the Public Hearing.

Motion by Krebs, seconded by Richards, to adopt **Resolution No. 2010-083** approving the second amendment to the Countywide Don-Disposal Facility Element of the Countywide Integrated Waste Management Plan.

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

Noes: None

Absent: None

Public Hearing

7. Approve Rio Vista Sanitation Services Inc. request for a 9.22% increase for residential garbage services effective September 1, 2010, with Resolution for adoption.

DROPPED FROM THE AGENDA

Public Hearing

8. Receive the annual Community Development Block Grant (CDBG) Grantee Performance Report (GPR) for Grant 05-STBG-1624, with Resolution for adoption.

Mayor Vick clarified a Resolution is not required or included in the agenda packet.

Mayor Vick opened the Public Hearing

Interim Public Works Project Manager addressed Council on the Grant Report.

Tyler Bridges, PMC Consulting, addressed Council and provided clarification on the projects completed with Grant Funding.

Mayor Vick closed the Public Hearing

Motion by Jones, seconded by Krebs, to accept the Report.

Vote: All ayes

9. Appointment of one (1) at-large Public Safety Commissioner

Mayor Vick nominated Sean Patterson, as the student recommended by the Rio Vista High School, for appointment to the Public Safety Commission.

Councilmember Norman seconded the nomination.

Vote: All ayes

10. Approve a Cash in Lieu of Medical Program for full time employees of the City of Rio Vista, with Resolution for adoption.

City Manager Hector De La Rosa addressed Council and responded to questions on the Program, including the policy, criteria and cost savings.

Motion by Norman, seconded by Richards, to adopt **Resolution No. 2010-084** approving a cash in lieu of medical program for full time employees of the City of Rio Vista.

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

Noes: None

Absent: None

11. Authorize the City of Rio Vista to obtain summary criminal history information for prospective employees and volunteer, with Resolution for adoption.

City Attorney Kara Ueda addressed Council on information related to drug testing, criminal background checks for volunteers and employees noting authority to conduct drug testing on individuals who will be in safety-sensitive jobs and authority to conduct criminal background checks for prospective employees and volunteers who exercise supervisory or disciplinary authority over minors and prohibits employment of individuals with convictions or arrests pending final adjudication for specified offenses, stating the City is also required to run a background check before hiring a peace officer; and, clarified summary criminal background criteria. She concluded the presentation with previous City Council direction that the Rio Vista Police Department would perform the LiveScan, and the City would incur the cost for the LiveScan.

Police Chief Bill Bowen responded to questions on the LiveScan process and recommended the Policy be amended to state that all reports be received and retained by the Police Department and that the second sentence, second paragraph following the Policy Statement be deleted.

Council consensus to amend the Policy, *deleting* the second sentence, second paragraph following the Policy Statement, as follows: *Should the City Manager designate any individual other than the Police Department Custodian of Records to receive the LiveScan results, the City will require that individual to submit to an extensive background process to insure the safety and*

confidentiality of the criminal records process, as required by the California Department of Justice.

Councilmembers discussed including Councilmembers and Commissioners in the Policy.

City Attorney Kara Ueda clarified the LiveScan Policy is not applicable to Councilmembers and/or Commissioners as they are considered officials of the city and not employees.

The following City residents spoke in support of including Councilmembers and Commissioners in the Policy.

Fred Kogler
Steve Lamb
Hal Conklin

Lynne Hansen, City resident, commented on Policy enforcement issues.

Following a lengthy discussion, a majority Council consensus (with Jones and Norman in opposition) was that the Policy does not apply to City Councilmembers and Commissioners.

12. Authorizing the City Manager to execute the second amendment to the Infrastructure Security Release Agreement with Shea Homes Limited Partnership concerning the Liberty (Gibbs Ranch) subdivision, with Resolution for adoption.

Dropped from the agenda to be relisted August 19, 2010.

Closed Session – Dropped from the Agenda and held at a Special Meeting on August 5, 2010 at 5:30.

13. Public Employee Evaluation
Title: City Attorney

Closed Session

Conference with Labor Negotiators (Government Code 54957.6)

Designated Representatives: Austris Rungis, IEDA Inc.

Dawn Bahrenfuss, City Manager's Office

Employee Organizations:

Rio Vista Police Officer's Association

OPEIU Local 29 Mid-Management

OPEIU Local 29 Professional and Clerical

Rio Vista Miscellaneous Employees Organization

14. Adjournment – Meeting adjourned at 9:00 p.m.

Carolyn Parkinson, MMC
Interim City Clerk