



**MINUTES
REGULAR MEETING OF THE CITY COUNCIL AND
JOINT MEETING OF THE CLOVERDALE COMMUNITY DEVELOPMENT SUCCESSOR AGENCY BOARD OF
DIRECTORS**

WEDNESDAY, AUGUST 14, 2019

**PUBLIC BUSINESS SESSION: 6:00 p.m.
PUBLIC BUSINESS SESSION LOCATION: CLOVERDALE PERFORMING ARTS CENTER, 209 N. CLOVERDALE
BOULEVARD, CLOVERDALE, CA 95425**

PUBLIC BUSINESS SESSION – 6:00 p.m.

OPENING:

- Call to Order: Mayor Bagby called the meeting to order at 6:00 p.m.
- Pledge of Allegiance
- Roll Call: Present - Councilmember Brigham, Councilmember Cruz, Councilmember Turner, Vice Mayor Wolter, and Mayor Bagby
Absent - None
- Conflict of Interest Declaration: Vice Mayor Wolter recused from Item 14, Investment Account at Exchange Bank, as receives compensation from Exchange Bank.
- Agenda Review – Regular Session (Changes and/or Deletions) City Manager Kelley noted that Item 15 was only consideration by the Council on whether to form an Ad Hoc committee to study the ban on the sale of fireworks. In response to City Manager Kelley’s inquiry, it was Council’s consensus to change the order of the agenda to consider Item No. 18, Zero Waste Resolution, when the proponents arrived at the meeting.

PUBLIC COMMENTS: None

PROCLAMATIONS / PRESENTATIONS: None

CONSENT CALENDAR: Mayor Bagby stated that all items of the Consent Calendar would be considered under one action of the Council unless a Councilmember or member of the public requested that items be pulled for discussion.

Councilmember Turner asked that Item 12 be removed from the Consent Calendar.

Action: On a motion by Councilmember Turner, seconded by Vice Mayor Wolter, approved the revised Consent Calendar as follows:

1. Approval of Previous Meeting Minutes

By motion, approved the July 24, 2019 Meeting Minutes as submitted.

2. Amendment No. 1 to Professional Services Agreement with Cal Engineering and Geology, Inc.

Adopted Resolution No. 62-2019 titled, "A Resolution of the City Council of the City of Cloverdale approving Amendment No.1 to the Professional Services Agreement with Cal Engineering and Geology, Inc. and authorizing the City Manager to execute said amendment (Vista View Slip-out Repair Project)."

3. Agreement with the Cloverdale Chamber of Commerce for Fiscal Year 2019-20 in an amount not to exceed \$61,175.00

Recommendation: Adopt Resolution No. 63-2019 titled, "A Resolution of the City Council of the City of Cloverdale approving a Services Agreement between the Cloverdale Chamber of Commerce and the City of Cloverdale for Economic Development and Promotional Services in Fiscal Year 2019-20 in an amount of \$61,175 and authorizing the City Manager to Execute the Agreement."

4. Acceptance of Rockydale Lane Accessibility Improvements Project as Complete

Adopted Resolution No. 64-2019 titled, "A Resolution of the City Council of the City of Cloverdale accepting the construction of the City of Cloverdale Rockydale Lane Accessibility Improvements Project as complete and directing the City Engineer to file a Notice of Completion with the County Recorder's Office

5. Agreement with Regional Government Services (RGS)

Adopted Resolution No. 65-2019 titled, "A Resolution of the City Council of the City of Cloverdale approving a Professional Services Agreement with Regional Government Services (RGS) to provide certain human resources services in an amount not to exceed \$50,000 and authorizing the City Manager to execute the agreement said agreement"

6. Agreement with Precision Wireless Service for the purchase and installation of Police Department Radio Equipment

Recommendation: Adopt Resolution No. 66-2019 titled, "A Resolution of the City Council of the City of Cloverdale approving an agreement with Precision Wireless Services in an amount not to exceed \$62,250 for the purchase and installation of Police Department radio equipment and authorizing the City Manager to execute the agreement

7. Budget Amendment and Agreement with Precision Wireless Service for the purchase and installation of Public Works Department Radio Equipment

Adopted Resolution No. 67-2019 titled, "Resolution of the City Council of the City of Cloverdale authorizing a budget amendment to the Public Safety Impact Fee Fund in the amount of \$19,757.79; approving an agreement with Precision Wireless Service in an amount not to exceed \$19,757.79 for Public Works Department radio equipment and authorizing the City Manager to execute said agreement."

8. Professional Services Agreement with Brelje and Race Consulting Engineers, Inc.

Adopted Resolution No. 68-2019 titled, "A Resolution of the City Council of the City of Cloverdale approving a Professional Services Agreement with Brelje & Race Engineering, Inc. for general engineering support in an amount not to exceed \$25,000 and authorizing the City Manager to execute the agreement."

9. Professional Services Agreement with MOE Engineering, Inc.

Adopted Resolution No. 69-2019 titled, "A Resolution of the City Council of the City of Cloverdale approving a new Master Professional Services Agreement with Moe Engineering, Inc. to provide general engineering support in an amount not to exceed \$25,000 and authorizing the City Manager to execute the agreement"

10. Professional Services Agreement with GHD, Inc.

Adopted Resolution No. 70-2019 titled "A Resolution of the City Council of the City of Cloverdale approving a new Master Professional Services Agreement with GHD, Inc. to provide general engineering support in an amount not to exceed \$50,000 and authorizing the City Manager to execute the agreement"

11. Professional Services Agreement with West Yost Associates, Inc.

Adopted Resolution No. 71-2019 titled, "A Resolution of the City Council of the City of Cloverdale approving a new Master Professional Services Agreement with West Yost Associates, Inc. in an amount not to exceed \$25,000 to provide general engineering support and authorizing the City Manager to execute the agreement."

12. Budget Amendment in the amount of \$17,000 for disaster preparedness project and approving related contract with Nuestra Comunidad (NC)

This Item was removed from the Consent Calendar.

The motion to approve the Consent Calendar, as revised, carried on a unanimous roll call vote: (Ayes 5: Councilmember Brigham, Councilmember Cruz, Councilmember Turner, Vice Mayor Wolter, and Mayor Bagby, Noes - 0; Absent – 0; Abstaining – 0)

ITEMS REMOVED FROM CONSENT

12. Budget Amendment in the amount of \$17,000 for disaster preparedness project and approving related contract with Nuestra Comunidad (NC)

Councilmember Turner: (1) expressed interest in revising the language to note that it would be a not to exceed amount of \$17,000 even if the County contribution of \$5,000 pledged by Supervisor Gore do not come to fruition; and (2) asked that staff follow up with Supervisor Gore.

Discussion ensued regarding the provisions of the proposed Resolution which does limit the amount of the contract to \$17,000.

Action: On a motion by Councilmember Turner, seconded by Councilmember Cruz, adopted Resolution No. 72-2019 titled, "A Resolution of the City Council of the City of Cloverdale (1) authorizing a budget amendment in the amount of \$17,000.00 for the City of Cloverdale Disaster Preparedness Project; (2) appropriating funds for the project, approving and increasing the expenditures in the General Fund Department 10-102-42150-000 – City Manager Contractual Services by \$17,000.00 and (3) authorizing the City Manager to execute an agreement on behalf of the City with Nuestra Comunidad (NC) in a form approved by the City Attorney." The motion carried on a unanimous roll call vote. (Ayes - 5: Councilmember Brigham, Councilmember Cruz, Councilmember Turner, Vice Mayor Wolter, and Mayor Bagby, Noes 0, Absent – 0, Abstaining – 0)

COMMUNICATIONS: None.

Mayor Bagby welcomed the new Police Chief, Jason Ferguson.

PUBLIC HEARINGS: None

NEW BUSINESS:

13. Measure M Parks (2018) Expenditure Policy Discussion

Public Works Director Rincon summarized the following options to utilize Measure M (Parks) funds:

- Option 1 - Allocate 100% of funds toward one full-time Parks & Grounds Maintenance Worker
- Option 2- Allocate 50% of the funds toward park improvements and 50% toward a part-time Parks and Grounds Maintenance Worker;
- Option 3 - Allocate 100% of the funds toward park improvements

Parks Supervisor Galvan discussed the additional staff time that will needed in the park's division due to the use of organic herbicides for weed control; the addition the Porterfield Creek Open Space; and increase use of City parks and additional activity downtown.

City Manager Kelley asked for direction from Council on the use of Measure M (Parks) funds adding that revenue cannot be used to offset existing expenses. If Option 1 is selected there will be some additional expenses related to employee benefits such as retirement benefits.

Discussion ensued regarding the options presented, and the number of hours that a temporary employee could work without triggering PERS benefits.

Public Comments

Dan Fitzsimmons, Cloverdale, spoke highly about the parks staff and the outstanding job they perform.

Action: Following discussion on the use of the funds; on a motion by Vice Mayor Wolter, seconded by Councilmember Turner, selected Option 2 (50% of the funds toward park improvements and 50% toward a part-time Parks and Grounds Maintenance Worker) as the preferred option for the use of Measure M (Parks) funds. The motion carried on a roll call vote with Councilmembers Brigham and Cruz dissenting. (Ayes 3, Noes – Brigham and Cruz, Absent – 0, Abstaining – 0)

14. Transfer funds from unspent bond proceeds and open an investment account at Exchange Bank

Vice Mayor Wolter abstained from voting on this item and left the dais.

Mr. Sullivan, Exchange Bank, gave a power point presentation and discussed the various investment options available through the bank, the investment target and the challenge to reach the \$1.8 million goal by 2038 given the current level of bonds yields and unpredictability of interest rates. Therefore, he recommended that the City invest more than \$950,000.

City Manager Kelley explained the need to establish a bond reserve account and invest unspent RDA proceeds in order for the City to be able to make the final RDA bond payment in August of 2038 in the amount of \$1.8 million.

Public Comments: None

Finance Director Holmes stated that a lot of work and consultation with legal counsel went into the plan and stated that if the reserve account it is not established at this time, the City will have to come up with \$1.8 million in 2038.

Discussion ensued about: (1) the best use of unspent bond proceeds; (2) the bond covenant restrictions; (3) the uncertainty of interest rates; and (4) how much should be invested, which will have a direct impact on the funds available for capital improvements.

Action: On a motion by Councilmember Brigham, seconded by Councilmember Cruz seconded, adopted Resolution No. 73-2019 titled, "A resolution of the City Council of the City of Cloverdale authorizing the City Manager or his designee to transfer funds from the non-housing unspent bond proceeds and open an investment account at Exchange Bank for the sole purpose of creating a reserve account to make the final City of Cloverdale Successor Agency bond payment due August 2038," as revised to add at the end of the Now, Therefore, Be it Resolved paragraph "in the amount of \$1.2 million. The motion carried on a roll call vote with Vice Mayor Wolter abstaining. (Ayes – Councilmember Brigham, Councilmember Cruz, Councilmember Turner and Mayor Bagby; Noes – 0; Absent – 0; Abstaining - Vice Mayor Wolter)

15. Establishment of an Ad Hoc Committee for the purpose of reviewing and recommending a ban on the sale of fireworks

Assistant City Manager/CDD Thompson summarized the recommendation that originated from the Finance, Administration and Police subcommittee meeting; and clarified that the purpose of the item was to discuss the possible establishment of an ad hoc committee to discuss a ban on the sale of fireworks.

Public Comments:

Helen Broughton, Cloverdale was opposed to banning fireworks. If an Ad Hoc committee is formed, she asked that both sides be represented.

Sally Evans, Cloverdale, spoke in support of banning the sale of fireworks and of forming an ad hoc committee.

George Tex Dickens, Cloverdale resident for 60 years, was opposed to banning the sale of fireworks and opined that the fires are not caused by legal fireworks. The Lions Club generates about \$25,000 from firework sales, which benefits the community.

Mayor Bagby reminded the audience that the discussion was about establishing an ad hoc committee.

Jon Bergwood, VFW, was opposed to the formation of the ad hoc committee. The VFW generates about \$9,000 from firework sales.

Dan said safe and sane fireworks teach kids about community.

Janet Seaforth, Cloverdale thanked the Council for considering the issue noting that she was supportive of celebrating the birth of our nation in other ways.

Dennis Revell, TNT Fireworks representative, provided background information about their organization and suggested that there was some confusion about the intent of the item because of the verbiage included in the agenda title. If the ad hoc committee is formed, he recommended including information on the subject from the League of California Cities and even though not required notice the meetings and make it a public process. He also made available their extensive library for the City's use.

Ray Pesche, Cloverdale, lives right next to wildlands and he is afraid of fires. He opined forming the committee was a waste of time and Council should just make a decision.

Richard Green, Cloverdale resident for 30 years was at the subcommittee meeting and supports the formation of the ad hoc committee.

Shawn Bovee, Cloverdale, opined that the ad hoc is unnecessary, and TNT can provide statistical facts. The fire danger is real, but safe and sane fireworks are not responsible for the wild fires. He was opposed to forming the ad hoc committee.

In response to Council's inquiries, City Manager Kelley outlined Council's options noting that that it has been customary in the past to establish ad hoc committees for matters of high public interest in order to facilitate communication on the topic.

Discussion ensued regarding the changes in circumstances which warrant revisiting the issue; and the pros and cons of forming an ad hoc committee.

Vice Mayor Wolter, seconded by Councilmember Brigham, moved to not form an ad hoc committee to review the fireworks issue. The motion failed on a roll call vote with Councilmember Cruz, Councilmember Turner and Mayor Bagby dissenting. (Ayes – Councilmember Brigham and Vice Mayor Wolter; Noes - Councilmember Cruz, Councilmember Turner, and Mayor Bagby; Absent – 0, Abstaining – 0)

Action: Councilmember Brigham, seconded by Councilmember Cruz, moved to form an Ad Hoc Committee, comprised of Councilmember Cruz and Mayor Bagby, for the purpose of reviewing and making recommendations relating to the City’s existing Municipal Code for the sale of sane and sane fireworks. The motion carried on a roll call vote with Vice Mayor Wolter dissenting. (Ayes – Councilmember Brigham, Councilmember Cruz, Councilmember Turner and Mayor Bagby; Noes - Vice Mayor Wolter, Absent – 0; Abstaining – 0)

Vice Mayor Wolter asked that the ad hoc committee’s meeting information be published to encourage community involvement; and added that the Cloverdale Fire District should also participate.

Councilmember Cruz encouraged everyone to attend the meetings noting that the meeting information is available in the City’s website.

16. Appointment of members of the Community Advisory Group (“CAG”) as recommended by the Homelessness Strategic Plan Framework

Assistant City Manager/CDC Thompson summarized the item noting that instead of bringing forth individual names for appointment; staff was recommending that Council appoint a member from each of the following groups:

- Cloverdale City Council
- The Wallace House
- Clean River Alliance
- Cloverdale Chamber of Commerce
- Cloverdale Police Department
- Alexander Valley Wellness
- St. Vincent de Paul
- Reach for Home
- Cloverdale Multipurpose Senior Center

Vice Mayor Wolter requested adding the School District and Fire District to the list of participating organizations.

Councilmember Turner suggested adding the Planning Commissioners, and

Councilmember Cruz asked to include the Sheriff Department.

It was Council’s consensus to amend the list of organizations to add the School District and Fire District.

It was noted that the enabling Resolution allowed up to 12 members.

Public Comments: None

City Attorney Sanchez noted that that the Community Advisory Group would be subject to the Brown Act, which requires that the meetings be noticed. It would be up to the Group to determine which meeting rules they would like to follow, i.e. Roberts Rules of Order.

Action: On a motion by Vice Mayor Wolter, seconded by Councilmember Brigham, appointed one member from each of the 11 groups identified above to the Community Advisory Group. The motion carried on a unanimous roll call vote. (Ayes - Councilmember Brigham, Councilmember Cruz, Councilmember Turner Vice Mayor Wolter, and Mayor Bagby C; Noes – 0, Absent – 0, Abstaining – 0)

Action: Following a brief discussion regarding the composition of the Community Advisory Group, on a motion by Councilmember Brigham, seconded by Vice Mayor Wolter, moved to appoint Councilmember Brigham and Vice Mayor Wolter as the Council’s representatives on the Community Advisory Group and Councilmember Cruz as alternate. The motion carried on a unanimous roll call vote. (Ayes - Councilmember Brigham, Councilmember Cruz, Councilmember Turner Vice Mayor Wolter, and Mayor Bagby C; Noes – 0, Absent – 0, Abstaining – 0)

It was Council’s consensus to at this time to consider Item 18 before Item 17.

18. Resolution approving a goal of Zero Waste by Year 2030

City Manager Kelley reviewed the request from the Local Task Force on Integrated Waste Management to adopt a goal of zero waste by the year 2030.

Leslie Lukens, Sonoma County Waste Management Agency, addressed Council regarding the importance of reducing the waste that is deposited in the landfill noting that the central landfill has a remaining capacity of 29 years. Ms. Lukens discussed initiatives being undertaken in Cloverdale to reduce waste.

Discussion ensued regarding the lack of redemption centers in Cloverdale.

Public Comments: None

Action: On a motion by Councilmember Brigham Motioned, seconded by Councilmember Cruz, adopted Resolution No. 74-2019 titled “A Resolution of the City Council of the City of Cloverdale approving a goal of zero waste by Year 2030.” The motion carried on a unanimous roll call vote. (Ayes - Councilmember Brigham, Councilmember Cruz, Councilmember Turner Vice Mayor Wolter, and Mayor Bagby C; Noes – 0, Absent – 0, Abstaining – 0)

17. Budget amendment for the removal and replacement of rubber mulch in Cloverdale’s parks

Assistant City Manager/CDD Thompson summarized the proposed budget amendment noting that the revised estimate for the removal and replacement of the rubber mulch is \$107,743, which includes a 10% contingency for unforeseen expenses.

In response to Council's comments, Assistant City Manager/CDD Thompson stated that wood chips are the best practice at this time.

Public Comments: None

Action: On a motion by Councilmember Turner, seconded by Vice Mayor Wolter, adopted Resolution No. 75-2019 entitled "A Resolution of the City Council of the City of Cloverdale approving an amendment to the 2019-20 Budget in the not to exceed amount of \$107,743 to incorporate services associated with the removal and replacement of rubber mulch installed in all City Parks." The motion carried on a unanimous roll call vote. (Ayes - Councilmember Brigham, Councilmember Cruz, Councilmember Turner Vice Mayor Wolter, and Mayor Bagby C; Noes – 0, Absent – 0, Abstaining – 0)

19. Professional Services Agreement with Lagomarsino Planning + Management LLC

Public Works Director Rincon reviewed the proposed Professional Services Agreement with Lagomarsino Planning + Management LLC to prepare a local Hazard Mitigation Plan for an amount of \$198,310. The cost to prepare the plan would be offset by a grant in the amount of \$150,000 from FEMA/California Office of Emergency Services (CalOES); and Cloverdale's share will be up to \$50,000.

Public Comment: None

In response to Council's inquiries, Mr. Rincon stated that it will take approximately about 12 months to prepare the draft plan, which will involve community outreach and identification of hazards within the City limits.

Action: On a motion of Councilmember Brigham, seconded by Vice Mayor Wolter, to adopt Resolution No. 76-2019 titled, "A Resolution of the City Council of the City of Cloverdale approving a Professional Services Agreement with Lagomarsino Planning + Management LLC to prepare a Local Hazard Mitigation Plan in an amount of \$198,310; (2) authorizing the City Manager or his designee to approve contract amendments up to 10% of the original contract amount to address any unforeseen complexities related to the LHMP preparation; and (3) authorizing the City Manager to execute said agreement and amendments on behalf of the City." The motion carried on a unanimous roll call vote. (Ayes - Councilmember Brigham, Councilmember Cruz, Councilmember Turner Vice Mayor Wolter, and Mayor Bagby C; Noes – 0, Absent – 0, Abstaining – 0).

20. Purchase of one Vactor Truck from Owen Equipment Company and FY 2019-20 Budget amendment to reflect unbudgeted costs

Public Works Director Rincon provided information on the need to replace the existing vactor truck.

Public Comments: None

Action: On a motion by Councilmember Cruz, seconded by Councilmember Turner, adopted Resolution No. 77-2019 titled "A Resolution of the City Council of the City of Cloverdale: (1) awarding a contract for the purchase of one Combination Single Engine Sewer Cleaner with Positive Displacement Vacuum

System Mounted on a Heavy-Duty Truck Chassis (A.K.A. Vactor Truck) and associated necessary equipment, to the Owen Equipment Company of Fairfield, CA in an amount not to exceed three hundred and six thousand five hundred dollars (\$306,500); (2) authorizing the City Manager or designee to execute said contract; and (3) amending the FY 2019-20 Budget to reflect unbudgeted costs.” The motion carried on a unanimous roll call vote. (Ayes - Councilmember Brigham, Councilmember Cruz, Councilmember Turner Vice Mayor Wolter, and Mayor Bagby C; Noes – 0, Absent – 0, Abstaining – 0)

SUBCOMMITTEE ITEMS: None

SUBCOMMITTEE REPORTS: (VERBAL REPORTS: 15 minutes)

- Airport - Next Meeting: October 1, 10:00 am.
- Finance, Administration & Police - Next Meeting: August 22, 2019 4:00 pm.
- Planning & Community Development - Next Meeting: August 20, 4:00 pm.
- Public Works - Next Meeting: September 24, 2019, 4:00 p.m.
- Joint City/Fire District - Next Meeting: October 14, 2019, 5:30 pm.
- Joint City/School District– Next Meeting: September 16, 2019, 5:00 pm

COUNCIL REPORTS (INCLUDING STUDENT LIAISON):

Councilmember Cruz and Mayor Bagby submitted written reports.

Councilmember Turner thanked staff for the National Night Out and commented that the Chamber is doing a great job.

LEGISLATIVE REPORT: None

CITY MANAGER/CITY ATTORNEY REPORT: City Manager Kelley reported that the City received notice that the FAA approved a grant in the amount of \$990,000 for the taxiway redevelopment project, which is a significant funding source. Notice was also received that a PCA ARC 3 grant for \$100,000 was coming to cover bicycle and pedestrian improvements for the signalization project at Treadway and South Cloverdale Boulevard

COUNCIL DIRECTION ON FUTURE AGENDA ITEMS: Vice Mayor Wolter asked that Council consider adopting a symbolic resolution opposing the ownership of semiautomatic weapons.

Following discussion, it was Council consensus to agendize the matter.


Mayor Bagby expressed interest in revising the Municipal Code to prohibit gun shops in Cloverdale.

ADJOURNMENT: The meeting was adjourned at 9:05 p.m. to a regular meeting of the City Council and Cloverdale Community Development Successor Agency, Wednesday, August 28, 2019, for Closed Session at 5:00 p.m. (at the City Hall Conference Room 124 N. Cloverdale Blvd., Cloverdale, CA 95425) and Public Business Session at 6:00 p.m. (at the Cloverdale Performing Arts Center 209 N. Cloverdale Blvd., Cloverdale, CA 95425).

The foregoing minutes were approved by the City Council of the City of Cloverdale at its regular meeting held on the 28th day of August 2019 by the following roll call vote:

Ayes: (5) Councilmember Brigham, Councilmember Cruz, Councilmember Turner, Vice Mayor
Wolter and Mayor Bagby
Noes: (0) None
Absent: (0) None
Abstaining: (0) None

APPROVED:


Melanie Bagby, Mayor

ATTEST:


Maria McArthur, Interim City Clerk