Woodland City Council Meeting City Hall, Council Chambers 300 First Street Woodland, California

MINUTES

REGULAR MEETING CITY COUNCIL

NOVEMBER 27, 2007

6:00 P.M.

CALL TO ORDER

At 6:05 p.m., Mayor Flory called the regular meeting of the Council to order.

PLEDGE OF ALLEGIANCE

Mayor Flory invited all in attendance to join in the Pledge of Allegiance led by Police Chief Sullivan.

ROLL CALL

COUNCIL MEMBERS PRESENT: Marlin Davies, William Marble, Jeff Monroe, Artemio

Pimentel, David Flory

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Mark Deven, Sue Vannucci, Barry Munowitch, Jamie

McLeod, Carey Sullivan, Dan Rice, Dan Gentry, Joan Dayton, Dick Donnelly, Kent Perkes, Wendy Ross, Christine Engel, George Ahlgren, Gary Wegener, Cynthia Norris, Ann Siprelle (arrived at 6:06 p.m.), Gus Bush, Paul Miller, Cathy Haynie, Paul Siegel, Russ

Cole, Cynthia Shallit, Greg Meyer

OTHERS PRESENT: Contract Engineers Nick Ponticello and Alan Mitchell

COMMITTEE REPORTS

Council received minutes of the Yolo County Communications Emergency Services Agency meetings of August 15, 2007, September 5, 2007, October 2, 2007 and October 24, 2007.



Council received minutes of Planning Commission meetings of October 4, 2007 and November 1, 2007.

PUBLIC COMMENT

Brenda Cedarblade invited Council Members, City staff and community members to the Christmas Tree Lighting at Heritage Plaza on Friday, November 30, 2007 at City Hall at 5:30 p.m. The event will then move to Heritage Plaza. Anita Long said City Manager Mark Deven will be lighting the tree, and Council Member Monroe had donated the tree for the Downtown.

Mayor Flory reminded the community that the Christmas Parade will be held on Saturday, December 8, 2007 starting at 10:00 a.m.

COUNCIL/STAFF STATEMENTS AND REQUESTS

Council Member Marble said he attended the meeting of the Government Affairs Committee of the Chamber of Commerce last week at which there was a lengthy discussion about parking in the Downtown.

Council Member Monroe said Thursday, November 29, the Red Cross will hold the Heroes Luncheon at UCD to honor firefighters.

Council Member Pimentel said on November 19 the Blue Ribbon Steering Committee for Education for the Woodland Joint Unified School District had a meeting to talk about the high school reform initiatives which were started by the School District Board and are making their way to the classrooms. There will be a full report from the Superintendent to the Council. On November 28 at 6:00 p.m. the Yolo County Transportation District wants to hear from riders and the community about the increases in routes occurring with the Yolo Bus because of the opening of Costco next year. He asked that Council pursue the smoke free feature of the Terracina Spring Lake Apartment Complex and help residents of other apartment complexes live smoke free. City Attorney Siprelle said a number of jurisdictions are considering adoption of Ordinances regulating smoking in multifamily dwellings, and if a majority of the Council would like to consider an ordinance similar to that staff can bring the matter back to Council. Council agreed an ordinance should be presented for consideration at a later date.



PRESENTATIONS

YOLO COUNTY HOMELESS COORDINATOR REPORT

Council postponed the presentation of the Yolo County Homeless Coordinator Report to the December 4, 2007 Council meeting.

<u>CERTIFICATE OF APPRECIATION - GEORGE AHLGREN</u>

Park and Recreation Director Gentry said Park Superintendent Ahlgren will be retiring after 29 plus years of service with the City. He summarized some of the many accomplishments of Mr. Ahlgren.

Mayor Flory and Vice Mayor Davies presented a Certificate of Appreciation to George Ahlgren.

CONSENT CALENDAR

PROCLAMATION - DEAD CAT ALLEY

Council removed the Dead Cat Alley proclamation from the Consent Calendar for a formal presentation.

On a request by Council Member Pimentel and concurred by Council, the following item was removed from the Consent Calendar for discussion:

OPERA HOUSE EXPANSION LOAN GUARANTEE

Council Member Pimentel said previously the Council approved moving forward with an agreement that the City would provide \$3 million within a specific period of time to the Opera House expansion project. The Council now is being asked to approve a loan guarantee that the City will give the Opera House \$2.6 million to pay off the Opera House loan for the addition of the youth center. The Council would be approving a guarantee that will commit the City even if the City is not able to generate the sales tax revenue anticipated with Measure E.

City Manager Deven said staff is recommending that Council conceptually approve the City being the guarantor of a loan for the Opera House to complete these improvements with the debt service being funded by the allocation from Measure E. The City would negotiate with the Opera House and its respective bank on an actual deal, and that deal will come before the Council before any commitment is made on the



part of the City. Should the Council decline to be the guarantor, the City's commitment of endeavoring to work with the Opera House on a loan would end. Should Council agree to be the guarantor, staff would return with the actual structure, and there could be a possible savings because of the cost of inflation. If the Opera House was able to get the amount of money through the loan up front then the \$2.6 million would go further now than it would three or four years from now.

Mayor Flory asked if the Opera House property could be pledged back as an asset for collateral. City Manager Deven said the Opera House property is not owned by the City nor the Opera House.

Vice Mayor Davies he and the Finance Director had discussed this matter at length and the concern is will happen to the revenues from Measure E over the next 8 to 10 years looking at the financial slowdown that the Country is experiencing now. He asked the Finance Director to prepare some scenarios on other Measure E projects if the City experiences an economic slowdown.

Council Member Marble said the Council needs to look at a worst case scenario in terms of revenues from Measure E and be sure the loan guarantee falls within the worst case scenario.

Tom Stallard feels this is the wrong project in the wrong place and the City needs to recognize what is happening economically. This is a very unwise use of City of Woodland revenues. Woodland would be the only City giving money to the State of California. The State owns the Opera House land, and the Opera House is the property of the State Department of Parks and Recreation. The City has built a new Community Center that could be utilized for Opera House needs. The State of California is dropping a \$250 million project far along in the planning stages because of the projections the State sees in the economic downturn. The voters of Woodland approved the sales tax enhancement to improve our roads and provide for necessary infrastructure. In the second reauthorization it was an expanded to do other things that are questionable. Voters refused to endorse the storm drainage fees but the City still must meet obligations under the Central Valley Regional Quality Control Board. These obligations will cost many millions of dollars and the City does not have the money. The City has the ability to shift this \$3 million. It would be unwise for the City to release control of this money to a non-elected group that meets out of public view.

Brenda Cedarblade said she supported the measure because of the Opera House expansion. Costco is going to generate quite a bit of revenue for the City, but will also detract from the Downtown, and the City will be losing some of its auto dealerships from the Downtown.



Jeff Keane, Director of the Woodland Opera House, said the Opera House Board has approached several banks to carry out the agreement with the City on the expansion. The banks all indicated that without some kind of guarantee or co-signer with the City, they would not fund the project primarily because of inadequate collateral. The land and the building do not belong to the City. Without the loan guarantee the Opera House will not be able to finance the expansion, and the project would have to be turned over to City staff. Measure E money has not been turned over to the Opera House. The Opera House is being reimbursed for expenses on this project which are overseen by the Project Manager at Ponticello Enterprises and City staff. A loan guarantee would not turn money over to the Woodland Opera House in any way. The Opera House would be the lead agency in making sure the loan was repaid, and it Any construction items and furnishings would be would be a construction loan. approved by the Project Manager and City staff before paid out. Nothing would be given to the State of California. The Woodland Opera House is currently controlled by the City of Woodland by agreement with the State of California, and that agreement is up for renewal. The City is the official operator and oversight group for the Woodland Opera House. The Woodland Opera House belongs to the City of Woodland although it is officially a State historical park. The State does not give the Opera House maintenance and operations funds. It does provide maintenance workers to do such things as brick repointing or wood preservation but the Opera House is responsible for all of the maintenance on the building.

Mayor Flory said the agreement with the State indicates the State is not responsible for the park. Should the Woodland Opera House Board dissolve, the maintenance will fall back on the City.

Mr. Keane said the Board wants to preserve the building as an historical facility. There are a great number of visitors who view the building each year. It represents a cultural resource for the entire area. The Woodland Opera House organization bought the Compton Electric building a few years and converted it to a dance studio, rehearsal halls and classrooms, and now it is at full capacity. Vice Mayor Davies asked if the Compton building was available for collateral for the loan. Mr. Keane said the building was purchased for \$87,000, and the entire worth of the Woodland Opera House, Inc. is \$600,000. With a \$2 million construction loan, and there is inadequate collateral.

Council Member Pimentel agrees the Opera House is an asset to Downtown but the concern is that the City is guaranteeing the loan. He is worried that the revenue generated from Measure E will drop significantly and the City will not be able to repave a road or finish construction of our Community Center which received 70 percent approval over the Library and the Opera House.



On motion by Vice Mayor Davies, seconded by Council Member Monroe and carried unanimously, Council directed Staff to work to minimize the liability to the City should the loan default and approved, in concept, moving ahead with the guarantee of the loan for the Opera House Expansion with Measure E funds.

On motion of Council Member Marble, seconded by Council Member Monroe and carried unanimously, the City Council approved the following Consent Calendar items:

MONTHLY STATUS-FIRE DEPARTMENT

Council received the monthly status report for October 2007 from the Fire Department.

RESOLUTION 4878 - 2008 CONFLICT OF INTEREST CODE

Council adopted Resolution No. 4878, a "Resolution of the City Council of the City of Woodland Amending the Conflict of Interest Code for Designated Positions and Incorporating by Reference the Fair Political Practices Commission Standard Model Conflict of Interest Code."

BOARD AND COMMISSION - APPOINTMENT, REAPPOINTMENT AND RESIGNATION

Council accepted the resignation of Ben Snetsinger from the Board of Building Appeals, effective immediately, Kenneth Ginyard from the Traffic Safety Commission, effective at the end of his term on December 31, 2007, and reappointed the following to the their respective Board or Commission:

<u>Name</u>	Board or Commission	Term Ending		
Joseph Johnson Lucinda Talkington Jane Griffin	Board of Building Appeals Commission on Aging Commission on Aging	December 31, 2011 December 31, 2011 December 31, 2011		
Erica Abel-Algren	Manufactured Homes Fair Practices Commission	December 31, 2011		
George Gumpy	Manufactured Homes Fair Practices Commission	December 31, 2010		
John Murphy	Parks and Recreation Commission	December 31, 2011		
Letha Sines	Personnel Board	December 31, 2011		



Steve BarzoPlanning CommissionDecember 31, 2011Myriam GonzalezPlanning CommissionDecember 31, 2011Duane ToneyTraffic Safety CommissionDecember 31, 2011

RESOLUTION 4879 - 2007-2008 APPROPRIATIONS LIMIT

Council adopted Resolution No. 4879 setting the Appropriations Limit for the City of Woodland at \$43,418,320.54, in accordance with Article XIII-B of the State Constitution for Fiscal Year 2007-08.

OPERA HOUSE EXPANSION LOAN GUARANTEE

See Council action above.

TREASURER'S INVESTMENT REPORT

Council accepted the Treasurer's Investment Report for September 2007.

COUNCIL/STAFF RETREAT

Council set the Fall Retreat for the Council and staff for December 11, 2007, 5:00 p.m. to 9:00 p.m. at the Community and Senior Center.

REPORTS OF THE CITY MANAGER

PROCLAMATION - DEAD CAT ALLEY

On motion by Council Member Monroe, seconded by Council Member Marble and carried unanimously, the City Council approved a Proclamation recognizing Dead Cat Alley as an interesting and colorful part of Woodland's past, as a significant historical and archaeological resource, and as a community point of interest.

Senior Planner Abell-Norris said the purpose of the proclamation is that Dead Cat Alley is an interesting part of Woodland and its history and the development of the downtown. Through the efforts of Stroll through History, the Yolo County Historical Society and the Woodland Arts Center the Alley has become a community point of interest.



PUBLIC HEARINGS

RESOLUTION 4880 AND ORDINANCE - AFFORDABLE HOUSING

Associate Housing Analyst McLeod briefed the Council on some recommended revisions to Chapter 6A of the City Code regarding affordable housing as well as amendments to the Spring Lake Affordable Housing Plan and the Community Development Block Grant Action Plan for 2007-08. The proposed Ordinance and the Plan were changed as part of the staff's ongoing negotiations with the local developers to make the program easier to understand and use. The program has goals including dispersion of units, a mixture of unit types and sizes, as well as, constructing the affordable units as indistinguishable within the entire subdivision. Woodland's past affordable policies included senior citizen parking waivers and density bonus units. The Council approved the Spring Lake Affordable Housing Plan in 2003 to institute the current plan. The City has had Chapter 6A of the City Code since 1995. The current version has only been in place since 2004. To date the City has signed ten inclusionary housing agreements, and the City negotiated and executed them with the developers. Thirty-seven homes have closed escrow, four homes are currently in contract, seven homes are available now and lose their affordability on December 10, 2007, six homes are going to lottery on Saturday, December 1, and another eighteen units are expected within the next 60 days. At this time the City has 200 low and very low income rental units either under construction or in the planning phase, and three units have lost their affordability or expired. An additional \$1.1 million in assistance has been provided through first time home buyers program. The City has collected \$1.1 million from the Spring Lake Offsite Affordable Housing fee and secured \$8 million for multifamily construction.

Council Member Marble asked if the offsite affordable housing fee was a State mandated requirement or a City-only requirement. Analyst McLeod said the offsite affordable housing fee is a City-only requirement, and it came through negotiations regarding the Spring Lake Specific Plan. There was not enough affordable housing provided on this site, so for every market rate permit the City issues, the City collects an \$1,100 fee. The City has agreed to construct 74 units offsite somewhere else in the City. One major change staff would like is to recalculate the affordable purchase price, but the City would be doing a disservice to the development community based on how the market at this time. Staff is suggesting as an alternative to raise the income level of the people eligible for the program and some of the hurdles can be overcome. The addition of moderate income individuals, who are people earning up to 120 percent of the area median income, is suggested as well. Based on input from the sub-committee staff decided that since there is a 210 day total marketing period and the developers have to market the program for 90 days, the first 90 days the City will keep the



eligibility at low income and the developers will market the program to low income people. The City will help developers find low income home buyers. The City then has 120 days. For the first 60 days the City would market the program to people between 80 and 100 percent of the area median income. For the last 60 days staff could go up to 120 percent at the moderate income level. With respect to the silent second model, there are issues because the City takes a silent second which is the difference between the affordable purchase price and the fair market value of the home. The silent second model provides that all of the units are assessed at the full market value, so the owners are paying property taxes as if they bought a home at \$350,000. Staff is considering restructuring the model so the tax assessor will not assess those houses at the fair market value. A small Deed of Trust would be added so that the City knows when the property changes hands, but most of the assessment would go into the regulatory agreement that the homeowner would sign. Analyst McLeod said staff hopes the proposed changes will make the policies easier to understand for the City, the development community will streamline the process for staff and the developers and remove ambiguities that are existing and expedite the sale of affordable units.

Council Member Pimentel is concerned that with the density bonus, the City would promote the increase of density by offering the 25 percent bonus used in affordable housing on site. Assistant City Manager Munowitch said Spring Lake is covered by approved tentative maps and development agreements, so the City is locking in the current development pattern now. To take advantage of density bonuses it would have done to be done prior to the rezone, development agreements and tentative maps. Staff will have to look at for the remainder of the Spring Lake area and density bonus regulations are State law.

Analyst McLeod said one of the small suggestions in the affordable housing plan is to give the City Council Affordable Sub-committee the authority to be able to direct staff on the administration of the program. In terms of implementing the preferences the Sub-committee could have that authority rather than to bring everything back to Council.

City Attorney Siprelle said the City can legally give extra points to Woodland residents, and there is authorization in the statute to implement a program. There was an equal protection concern but it can be done if the City follows certain criteria.

Council Member Marble inquired about the principal and interest (PI) as opposed to the principal, interest, taxes and insurance (PITI). He said the staff reported that if the PITI were being utilized, more low income people would qualify. He asked if staff foresees this issue being resolved in the City of Woodland because it is done in another fashion in most other communities. Assistant City Manager Munowitch said the PI versus PITI relates to the percentage of income a qualified owner could devote to house payments. Staff worked with the development



community and formed with a way to adequately respond to the needs of the current market, the builders and developers, and the City. Staff is not looking at the PI vs. PITI model as present.

Analyst McLeod said the ten-year affordability period is a City determined period and Assistant City Manager Munowitch said that period is within the norm for most cities.

Mayor Flory opened the public hearing at 7:05 p.m. There being no comments, the Mayor closed the public hearing.

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried unanimously, Council introduced and read by title only an Ordinance amending Chapter 6A of the Woodland Municipal Code relating to Affordable Housing and adopted Resolution 4880 amending the Spring Lake Affordable Housing Plan and approving an amendment to the Annual Action Plan for the Community Development Block Grant Program.

At 7:06 p.m. Council Member Pimentel temporarily left the Council meeting.

ORDINANCE - UNIFORM BUILDING CODE

Council agreed that the staff presentation on the adoption of the Uniform Building Codes was not necessary.

Mayor Flory opened the public hearing at 7:06 p.m. There being no comments, the Mayor closed the public hearing.

On a motion by Council Member Marble, seconded by Council Member Monroe and carried unanimously, the Council introduced and read by title only an ordinance repealing Chapters 9, 17, 22, and 23A of the Woodland Municipal Code, amending Sections 6-1, 6-1-1, and 6-1-2 to Article I of Chapter 6 of the Woodland Municipal Code, and adding Sections 6-1-3, 6-1-4, 6-1-5, 6-1-6, 6-1-7 and 6-1-8 to Article I of Chapter 6 of the Woodland Municipal Code, adopting by reference the 2007 Edition of the California Building Standards (California Code of Regulations, Title 24), consisting of the 2007 California Building Code, (incorporating and amending the 2006 International Building Code), the 2007 California Electrical Code (incorporating and amending the 2005 National Electrical Code), the 2007 California Mechanical Code (incorporating and amending the 2006 Uniform Mechanical Code), and the 2007 California Plumbing Code (incorporating and amending the 2006 Uniform Plumbing



Code), the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings, the 1997 Edition of the Uniform Housing Code, and the 1997 Edition of the Uniform Security Code, together with certain additions, insertions, deletions and changes thereto.

REPORTS OF THE CITY MANAGER

PRIORITIZATION OF ADDITIVE/ALTERNATES - SPORTS PARK PHASE I

Parks and Recreation Director Dan Gentry said there was a blind bid for the Sports Park Phase I with six add/alternates. Council is being asked to formally prioritize the alternates.

Council Member Pimentel returned to the Council meeting at 7:07 p.m.

Director Gentry said the Council Sub-committee endorsed the staff recommendation to rank Priority 1 to the Base Bid plus Alternate #1b, Soccer-only for Field E and Priority 2 to the Base Bid plus Alternate #5, Multi-use Softball/Soccer Field B.

Vice Mayor Davies said it was difficult to prioritize the additives since this was a blind bid, and the Sub-committee recommendation in the staff report reflects the action taken by Council on September 4, 2007. To his knowledge there was no Council Sub-committee.

Director Gentry said the City could afford the base bid plus Alternate #1b, the Soccer only for Field E, but he was not sure the City could afford the Alternate #5 for the Multi-use Softball/Soccer Field B.

Vice Mayor Davies recommended that Council prioritize the Base Bid plus Alternate #4 site amenities and Alternate #1b the Soccer only Field E. If there were enough funds, the City could add the full softball/soccer field.

Council Member Marble would like Priority #6, the Road 24A Pedestrian/Bike Path and Landscaping, moved up between Priority 2 and 3. Council Member Monroe agreed.

Vice Mayor Davies disagreed, and felt all should be built at one time. The goal of the Council earlier was to build the fields. With the base bid the City will have either the soccer only field and some amenities, or the bike path. If the City does not select



the soccer only field and elects to do a multi-use field that would free up the entire dollar amount available.

Director Gentry said the Road 24A Pedestrian/Bike Path in the City's agreement with Hertel and Sons, there was to be an initial payment of \$514,000 for the storm drain. When the roadway improvements are completed along Road 24A there is a second payment Hertel and Sons will be giving the City to fund most of this additive. Priority #6 is 75 percent funded by another mechanism, and approximately \$70,000 would be paid from funds designated for the project. Contingency funds could finish that project.

On a motion by Council Member Marble, seconded by Council Member Monroe and carried unanimously, the Council approved the Base Bid for the construction contract for Sports Park, Phase 1, Project No. 08-03, Alternate #1b for soccer-only for Field E, Alternate #6 for the Road 24A Pedestrian/Bike Path and Landscaping providing there is 75 percent of the Additive #6 cost available from other funds with only \$70,000 from City funds and Council moved Priority 6, the Road 24A Pedestrian/Bike Path and Landscaping to Priority 3.

Council reprioritized the additives as follows:

Priority 1 Base Bid Plus Additive Alternative #1b, Soccer-only for Field E

Priority 2 Road 24A Pedestrian/Bike Path and Landscaping

Priority 3 Base Bid plus Additive Alternate #5, Multi-use Softball/Soccer Field B

Priority 4 Base Bid plus Additive Alternate #1a, Multi-use Senior Softball/Soccer Field E

Priority 5 Colored/Stamped concrete to match Community Center

Priority 6 Shade Structures

RESOLUTION 4881 - GOLDEN CAPITAL FUNDING NETWORK

Economic Development Director Ross said Council is asked to consider whether to participate in the creation of a Local/Regional Angel Investment Fund (RAF) network as proposed by a non-profit, Golden Capital Network (GCN) and under what terms.

Vice Mayor Davies asked what the Council's options are after the two year investment. Chris Soderquist, a general partner with Golden Capital Venture Funds, part of GCN, the grant recipient of matching funds, said at the end of the two-year match for the grant there is an option for the collaborative, the Yolo County Group, to continue at a rate of \$15,000 per year. That investment would purchase a continuation of the software tools to use networking and collaboration tools to bring investors,



entrepreneurs and service providers together. The two-year match provides two educational events per year, one for entrepreneurs and one for Angel investors. To date the City of Winters, City of Davis, City of West Sacramento and County of Yolo have all agreed to participate.

Mayor Flory asked what part UCD has committed in this program. Mr. Soderquist said UCD has not made a financial commitment, but has been involved since the beginning with in-kind contribution of staff time.

Mayor Flory requested that the 2 x 2 with UCD be reinstated.

Director Ross said Innovation Access was the UC Davis Connect, and Meg Arnold and former Mayor Gary Sandy have been involved.

On motion by Council Member Pimentel, seconded by Council Member Monroe and carried unanimously, the Council adopted Resolution No. 4881 approving participation in the Golden Capital Funding Network for a period of two years with the City share at \$10,000 per year and authorizing the City Manager to enter into an agreement to participate in the Golden Capital Angel Investment Network.

ORDINANCE - GREEN WASTE PLACEMENT IN STREETS

Public Works Director Wegener presented an update on the green waste program and requested Council introduction of an ordinance to implement some changes in the placement of garbage, recycling and green waste containers and green waste piles on City streets.

The District Manager of Waste Management said they will remove any of the old containers which were missed.

Environmental Analyst Engel said to insure the transition is smoother when the green waste program starts in January, Waste Management has provided a donation to the Boy Scouts who went through the City placing door hangers on approximately 1,800 houses in the City indicating that the containers will be exchanged in the month of November. The Ordinance approved in May of 2007 already allows for the green waste placement in the street one calendar week prior to the scheduled collection, but there was an inconsistency in Section 20 identifying when residents would need an encroachment permit. In order to be exempt from an encroachment permit as the current Ordinance states, residents can place their green waste in the street the night



before the scheduled pickup and residents can place their container out the night before and remove it within 24 hours. That part of the Ordinance was silent on recycle and green waste containers and has been added to the new Ordinance. Also added was verbiage to provide consistency with the yard refuse section already in place. She provided Council with a sample of the quarterly newsletter to be mailed to residents showing the calendar for pickup schedules throughout the City.

On a motion by Vice Mayor Davies, seconded by Council Member Marble and carried unanimously, the City Council introduced and read by title only an Ordinance to amend Section 20-1-3 of the Woodland Municipal Code relating to garbage, recycling, yard waste containers, and yard waste piles on City streets to provide consistency with Section 23C-4-16.

ADJOURNMENT

	At 7:35 p.m.,	Mayor Flor	/ adiourned	I the regular	meetina	of the (Council.
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Respectfully submitted,

Sue Vannucci, CMC, City Clerk

Prepared by: Jean Kristensen, Deputy City Clerk

Adopted by Council: November 18, 2008