Woodland City Council City Hall – Council Chambers 300 First Street Woodland, CA 95695

MINUTES

CITY COUNCIL SPECIAL/CLOSED SESSION

NOVEMBER 1, 2005

6:45 P.M.

CLOSED SESSION

Council held a conference with Real Property Negotiators pursuant to Section 54956.8 for the Casa del Sol Project on East Street. The Agency Negotiator was Rick Kirkwood, the Negotiating Parties the City of Woodland and Community Housing Opportunities Committee. Under negotiation were price and terms of payment. Present at this session were Council Members Flory, Monroe, Pimentel and Rexroad, City Manager Kirkwood, Assistant City Manager Marler, City Attorney Siprelle and Redevelopment Manager Ross. Council Member Peart was absent.

REGULAR SESSION

7:00 P.M.

CLOSED SESSION ANNOUNCEMENT

Mayor Rexroad advised that Council had met in Closed Session to discuss real property negotiations for the property as indicated above, received a report and provided direction to staff.

CALL TO ORDER

Mayor Rexroad called the regular meeting of the City Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Rexroad invited all in attendance to join the Council in the Pledge of Allegiance led by Council Member Monroe.



ROLL CALL

COUNCIL MEMBERS PRESENT: David Flory, Jeff Monroe, Neal Peart, Art Pimentel,

Matt Rexroad

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Rick Kirkwood, Phil Marler, Carey Sullivan, Dan

Gentry, Ana Gonzalez, George Ahlgren, Joan Drayton, Paul Miller, Wendy Ross, Gary Wegener,

Greg Meyer

COUNCIL/STAFF COMMENTS

City Manager Kirkwood indicated there have been incidents throughout the past weeks of an individual contacting local businesses regarding potential parking stall Americans with Disability Act complaints. It appears there may be some issues with the State statutes and he is working with the City Attorney and Police Chief regarding a possible letter to the State addressing the issues of concern. Council indicated support of such a letter.

Vice Mayor Flory would like placed on a future Agenda the issue of citizens who have small units of rental property or have received such property through an inheritance and have been receiving letters indicating they now need to have a Business License. He does not feel it was the Council's intent to have this type of restriction but for legitimate businesses only. Director Drayton indicated that MBIA has sent out letters to about 600 people for those who should have licenses. Some Cities require and some do not. Council concurred to return this item for further consideration and discussion.

Council Member Peart said there is a surplus Fire Engine that will be considered for removal from the City and the Knights Landing Fire Department has indicated their need for such a vehicle. He would like the sale of surplus or obsolete property to be brought before the Council in the near future. Council concurred to accelerate the process as the need is relatively urgent.

PRESENTATIONS

ANNUAL PRESENTATION BY PARKS, RECREATION, COMMUNITY SERVICES AND URBAN FORESTRY COMMISSION

Nate Peterson, Chairperson of the Parks, Recreation, Community Services and Urban Forestry Commission, addressed Council and provided an update on



the Commission activities both past and in the future. Items that have been completed are the Community/Senior Center project design, the Parks and Recreation Master Plan Update, Parks Development Fee Update, Cemetery Master Plan, new playground equipment for Woodside Park, new ADA walkway at Ferns Park and ADA access at Freeman Park Bandstand. The Heritage Plaza renovation has been completed, a successful Fourth of July celebration was held, completed Arbor Day celebration, removed the diseased Valley Oak at Beamer Park, created the Woodland Sports Council, held the Clark Field 75th anniversary dedication and plaque dedications at Christianson and Crawford Parks. They are working on the Community/Senior Center Project Phase I, the Jeff Roddy Memorial Park construction, the Cemetery renovation and the Urban Forestry Master Plan. The future programs are Phase II of the C/SC, the Spring Lake Neighborhood Park design, Center Park design, Beamer Park traffic circle landscape design, the Community Sports Park design, the tennis court renovation at Crawford Park and the park renovation priority list.

Mayor Rexroad urged citizens to consider appointment for various Boards and Commissions and advised of the process to so apply.

PROCLAMATION-CAL RIPKEN STATE CHAMPIONS

George Ahlgren, Park Superintendent, advised that the 11 year old baseball team had won the State Championship this year. Larry Laird of Cal Ripken, Robert Ruiz, Manager, Marty Bass and Mike Chavarria, Coaches, and the members of the Championship team were presented with a Proclamation by Mayor Rexroad commending them for their work and dedication and attainment of the award.

PUBLIC HEARING

Council Member Peart advised he would be abstaining from discussion and action as he owns a building which is rented to a commercial towing company. He left the Chambers and did not return following this item.

DRIVING AND PARKING OF LARGE COMMERCIAL VEHICLES IN RESIDENTIAL AREAS

Chief Sullivan said an Ordinance had been passed in 1979 prohibiting vehicles over 10,000 pounds to travel off designated truck routes in the City, which includes residential streets, parking of these vehicles and the use of certain driveways to park these vehicles. There is currently no exemption from



the language for tow trucks. In 1979 the trucks were substantially smaller and weighed less. There are five companies that assist when calls are related to public safety. Complaints have been received of late regarding this issue. Tow truck companies are concerned that if the language is enforced due to these complaints, they may not be able to provide a timely response to calls for assistance related to public safety issues. The recommendation is to exempt tow vehicles with a weight of less than 19,000 pounds. A request has also been received from P. G. & E. seeking exemption because they are 24 hour response vehicles as well.

Council Member Monroe asked for clarification on the type of P. G. & E. vehicles which would be exempt. Chief Sullivan provided pictures as examples. Mayor Rexroad asked if the intent would be to serve as local 24 hour response or also for those vehicles that service other areas outside the City. Chief Sullivan said the nature of the response would be for those within our jurisdiction. Amending the Ordinance would probably not change the existing process for many of the companies. Vice Mayor Flory asked how complaints would be addressed. Chief Sullivan said one method could be to set a limit to those streets with smaller width and not allow parking at those sites. Legally parked vehicles would not be subject to movement. The fleet of emergency vehicles could not all be parked in front of the same residence. The intent is only one vehicle for that company per evening and it could be handled administratively through the rotational tow process. For the most part, the vehicles are not owned by the drivers but by the companies.

Vice Mayor Flory asked what type of on-call vehicles owned by the City are taken home. Director Wegener said our on-call vehicles taken home are all under 10,000 pounds.

Chief Sullivan said response does need to be handled in an expeditious fashion and he does have concern about the impacts to the neighborhood. It is recommended the street width me a minimum of 35 feet to accommodate the vehicle needs. The wear impact of the weight is also of concern and is a possible conflict with existing zoning. At present, violations would be a parking citation at the fee at \$40.00. Council concurred that consideration of an amendment was in order.

Mayor Rexroad opened the Public Hearing.

Doug Worl said his firm runs approximately 800 calls per month for the California State Automobile Association. He cited examples of call response times and possible overlaps. If the driver must go to a shop to pick up the



vehicle, the response time increases dramatically and ties up the Officers as well, maybe up to one hour to wait for a truck. There are many calls for vehicles broken down on the bypass which is very difficult and becomes a public safety issue. Council Member Pimentel asked for clarification on the size of trucks and do they respond to complaints by provision of a smaller vehicle. Mr. Worl said the drivers indicate the type of vehicle they wish to utilize. They have a mix available based on past history. Some of the smaller tow vehicles cannot safely accommodate larger vehicles needing a tow. Mr. Worl provided pictures of the types of vehicles they remove.

Mayor Rexroad closed the Public Hearing.

Council Member Pimentel indicated his wish to move forward with this Ordinance. Tow trucks should be exempt but the fines should be raised for those who do not meet the language of the Ordinance. Vice Mayor Flory agrees and wants a means to enforce abuse. He would like a report back in one year on the status. Mayor Rexroad wants only those vehicles on the rotational tow listing to be included as part of the language. Chief Sullivan asked about inclusion of utility response vehicles and Mayor Rexroad agreed those response vehicles are equally important. Council Member Monroe said we have leverage over the tow vehicles but P. G. & E. does not have the same restrictions. Chief Sullivan and the City Attorney will draft language to include only tow companies.

REPORTS OF THE CITY MANAGER

BEAMER PARK VALLEY OAK TREE REMOVAL

George Ahlgren, Park Superintendent, provided visuals of the large Valley Oak tree in Beamer Park which depicted the extensive disease and damage found when the removal progressed. West Coast Arborist conducted the removal without incident. The owls were absent from the tree. The whole inside of the tree was hollow with decay. In his opinion and that of the arborist, it was the correct decision to remove the tree before the safety of the citizens was compromised. There was only one section of the tree near the ground that was not affected by decay. That piece is at the Corporation Yard for preservation and creation of a Park sign or a monument to the tree itself.

Council Member Pimentel asked about the wood and Mr. Ahlgren said it had been recycled. Vice Mayor Flory asked about taking the tree section and indicating a timeline on what historic events were transpiring at the age of the tree. Mr. Ahlgren indicated that was under consideration as well.



Mayor Rexroad indicated he would be leaving the Chambers during the discussion on Pacific Gas and Electric due to possible conflict of interest. Vice Mayor Flory accepted the chair for this portion of the meeting.

RESPONSE TO CALIFORNIA PUBLIC UTILITY COMMISSION REGARDING PACIFIC GAS AND ELECTRIC LETTER

Assistant City Manager Marler indicated Council is being requested to send a letter of rebuttal to the California Public Utility Commission regarding a letter from Pacific Gas and Electric Company. The Cities and County had submitted a letter of support regarding the annexation to the Sacramento Municipal Utility District and withdrawal from P. G. & E. They had indicated earlier they (P. G. & E.) would cooperate fully with the study and failed to do so. They now have written to CPUC charging inaccuracies in the study. CPUC needs to have the full facts regarding the P. G. & E. lack of cooperation. The data they did provide was not useful data. The consultant had to view facilities directly rather then rely on information which P. G. & E. had said they would provide and then did not. Council Member Pimentel asked if the letter could directly state that P. G. & E. had not been cooperative and if the Sacramento LAFCO could also receive the letter as part of their packet of information on the issue.

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried by the Members present, Council authorized a letter to the California Public Utility Commission responding to a letter from Pacific Gas and Electric with the changes as indicated by Council Member Pimentel above.

Mayor Rexroad returned to the Chambers and accepted the gavel.

CONSENT CALENDAR

At the request of Council Member Pimentel and Council Member Monroe, the following item was removed from the Consent Calendar for discussion. Council concurred.

LETTER TO YOLO COUNTY BOARD OF SUPERVISORS REGARDING THE PROPOSED PERMANENT URBAN LIMIT LINE

Council Member Pimentel asked for clarification of the purpose of sending this letter when the Urban Limit Line issue failed before Council. Mayor Rexroad said this was an effort to correct the record relating to the letter from the County



Board of Supervisors which was factually in error. Vice Mayor Flory said if we do not send this letter, it could be setting precedence that when letters of this type do surface, the Council would not refute inaccuracies. Council Member Pimentel said it should not matter. City Manager Kirkwood said that years from now, without some sort of written response on file, the letter could be taken as fact when it is completely inaccurate. Vice Mayor Flory said that same issue came about with the tax sharing on the Gateway project. He moved to respond to the inaccuracies in the letter. Mayor Rexroad does feel the record should be corrected. Motion died for lack of a second. City Manager will keep this as an Administrative Record for the City Clerk's files and will place in the file.

On a motion by Council Member Pimentel, seconded by Vice Mayor Flory and carried by the Members present, Council approved the following Consent Calendar items as presented:

MONTHLY STATUS REPORT-COMMUNITY DEVELOPMENT

Council received the Monthly Status Report for October 2005 from Community Development.

MONTHLY STATUS REPORT-PARKS, RECREATION AND COMMUNITY SERVICES

Council received the Monthly Status Report for October 2005 from Parks, Recreation and Community Services.

MONTHLY STATUS AND CAPITAL BUDGET IMPLEMENTATION REPORTS-PUBLIC WORKS

Council received the Monthly Status and Capital Budget Implementation Reports for October 2005 from Public Works.

PROJECT 02-03-BEAMER PARK ROAD; PROJECT 03-07-BEAMER PARK UTILITY PROJECTS; PROJECT 00-29-KEYSTONE/BEAMER STREET LIGHTS

Council approved the revised Project Programming Summary Sheets for Project 02-03, Beamer Park Roads, Project 03-07 Beamer Park Utility Projects and amended the Capital Budget to insert Project 00-29, Keystone Avenue, Beamer Street Lights for Fiscal Year 2005-06 execution.



PROJECT 00-04 LEMEN AVENUE/NORTH STREET/EAST STREET REALIGNMENT

Council approved the revised Major Projects Financing Plan Project Sheets for Project NTS-28 (NTS-428), install traffic signal at East street and Lemen Avenue; approved the revised Project Programming Summary Sheet for Project 00-44, Lemen Avenue, North Street and East Street Realignment project; reduced the programmed amount in the 2005-06 Capital Budget from \$822,000 to \$266,000. Programming for construction will be requested in the next update to the Capital Budget with the bid advertisement anticipated in October of 2006.

CONTRACT-CLARK-WOLCOTT FOR SUTTER STREET PROPERTY APPRAISAL

Council authorized staff to execute a Contract for Services with Clark-Wolcott to prepare a highest and best-use appraisal for the Sutter Street Corporation Yard for an amount not-to-exceed \$15,000.

ECONOMIC UPDATE REPORT FOR FILMING OF "FAREWELL BENDER"

Council received an Economic Update Report for filming of the feature film "Farewell Bender" done in Woodland during the Month of July 2005.

PROCLAMATION-PALM GARDENS GENERATIONS MEMORY CARE WING

Council issued a Proclamation of Support for Palm Gardens Generations Memory Care Wing construction.

FITNESS EQUIPMENT FOR POLICE DEPARTMENT; CONTRACT WITH EXCEL FITNESS

Council authorized the purchase of fitness equipment for the Police Department Fitness Center; awarded the Purchase Contract to the successful Request for Proposal to Excel Fitness of Yuba City.

AMENDED HOMELESS SERVICES COORDINATOR AGREEMENT

Council approved the amended Homeless Services Coordinator Agreement for one year and authorized the Mayor to execute the Agreement.



MINUTES

Council accepted the minutes of the regular Council meeting of September 20, 2005 and joint Council and Woodland Finance Authority Study Session of September 27, 2005, and deemed them adopted without exception.

City Attorney Siprelle said there was to be a clarification on page six of the minutes of September 20, 2005. Mayor Rexroad said that clarification was to determine if the Council did agree on the Citizens' Advisory Committee creation, the statement of purpose and mission statement. Mayor Rexroad and Public Works Director Wegener had stated there was agreement as well. The City Attorney be addressing the issue with a possible citizens initiative and the language needs to be clear. City Attorney Siprelle said she will need to do an impartial analysis of how that initiative would be stated in the law and that clarification is necessary. Council so moved to clarify as indicated. The City Clerk will so note in the September 20, 2005 minutes a reference to the above discussion.

COMMITTEE REPORTS

Council received a summary of Planning Commission actions taken at their October 20, 2005 meeting as follows:

- (a) dropped from their Agenda the Public Scoping Meeting on a Permanent Urban Limit Line;
- (b) recommended approval of Centex Village 4 Design Review for 140 single family dwellings in the Spring Lake Planning Area located on the West side of Meikle Drive between Farmers Center and Heritage Parkway;
- (c) recommended placement of ½ cent sales tax extension on ballot with a 6 year sunset without specific recommendations on the advisory measures at this time.

ORDINANCES

ORDINANCE 1448-REZONE MERRITT/MURPHY PROPERTY IN SPRING LAKE SPECIFIC PLAN AREA

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried by the Members present, Council adopted Ordinance 1448, "An Ordinance Amending the Zoning Map of the City of Woodland for 55.4 Acre



Parcel (Merritt/Murphy) Located at the Northwest Intersection of Farmers Central Road and Pioneer Avenue". On roll call the vote was as follows:

AYES: Council Members Flory, Monroe, Pimentel, Rexroad

NOE: None

ABSENT: Council Member Peart

ABSTAIN: None

ORDINANCE 1449-DEVELOPMENT AGREEMENT FOR MERRITT/MURPHY PROPERTY WITH GIDARO GROUP FOR THE SPRING LAKE SPECIFIC PLAN AREA

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried by the Members present, Council adopted Ordinance 1449, "An Ordinance of the City of Woodland Approving the Development Agreement Between the City of Woodland and Gidaro Group, LLC, Relating to Property Located Within the Spring Lake Specific Plan Area". On roll call the vote was as follows:

AYES: Council Members Flory, Monroe, Pimentel, Rexroad

NOE: None

ABSENT: Council Member Peart

ABSTAIN: None

<u>ADJOURNMENT</u>

Mayor Rexroad adjourned the regular meeting of the Council.

Respectfully submitted,	
Sue Vannucci, CMC, City Clerk	