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

MINUTES

JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD SPECIAL/CLOSED SESSION

JUNE 21, 2005

6:00 P.M.

CLOSED SESSION – REDEVELOPMENT AGENCY

The Agency Board held a conference with Legal Counsel regarding anticipated litigation, initiation of litigation pursuant to Subdivision (c) of Section 54956.9, one case. The Board also held a conference with the Real Property Negotiator pursuant to Section 54956.8 for the property bounded by Main, Cross, Sixth and East Streets and for an unincorporated area in the County. The Agency Negotiators were Richard Kirkwood and Edward Quinn. The Negotiating Parties the City of Woodland, various property owners and Union Pacific/Cal Northern Railroads. Under negotiation were price and terms of payment. In attendance at these sessions were Agency Board Members Flory, Monroe, Peart, and Rexroad, Executive Director Kirkwood, Assistant Director Marler and Agency Attorney Quinn. Board Member Pimentel was absent.

CLOSED SESSION - COUNCIL

The Council deferred a conference with Legal Counsel regarding existing litigation pursuant to Subdivision (a) of Section 54956.9. The name of the case was County of Yolo vs. City of Woodland regarding the Gateway Auto Center project. Council held a conference with Labor Negotiators pursuant to Section 54957.6. The Designated Representative was Phil Marler and the Employee Organization, the Woodland Professional Firefighters' Association. Council also held a conference with Labor Negotiator pursuant to Section 54957.6. The Designated Representative was Phil Marler and the Employee Organizations, City Manager, Management, Confidential, Mid-Management, Fire, Fire Mid-Management, Police, Police Mid-Management, Police Supervisors, and General Services. Council also discussed a Public Employee Performance Evaluation pursuant to Section 54957, that of the City Attorney. Present at these sessions were Council Member Flory, Monroe, Peart, and Rexroad, City Manager Kirkwood and Assistant City Manager Marler. Council Member Pimentel was absent.



CITY COUNCIL **REGULAR MEETING**

7:00 P.M.

CLOSED SESSION ANNOUNCEMENT-REDEVELOPMENT AGENCY BOARD AND CITY COUNCIL

Chairperson Rexroad announced the Agency Board had met in Closed Session to confer with Legal Counsel regarding one case of anticipated litigation, initiation of litigation and had provided direction to the Agency Attorney and Staff. The Board also held a conference with the Real Property Negotiator for the property bounded by Main, Cross, Sixth and East Streets and for an unincorporated area in the County and had provided direction to the Property Negotiator.

Mayor Rexroad announced the Council had deferred a scheduled conference with Legal Counsel regarding existing litigation. The name of the case was County of Yolo vs. City of Woodland regarding the Gateway Auto Center project. Council held a conference with the Labor Negotiators regarding the Woodland Professional Firefighters Association, City Manager, Management, Confidential, Mid-Management, Fire, Fire Mid-Management, Police, Police Mid-Management, Police Supervisors, and General Services. Council also discussed a Public Employee Performance Evaluation for the City Attorney. Council gave direction on all of these items. Present at these sessions were Council Members Flory, Monroe, Peart, and Rexroad, City Manager Kirkwood and Assistant City Manager Marler. Council Member Pimentel was absent.

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

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

ROLL CALL

COUNCIL MEMBERS PRESENT: David Flory, Jeff Monroe, Neal Peart (arrived at

7:01), Matt Rexroad



COUNCIL MEMBER ABSENT: Art Pimentel

STAFF MEMBERS PRESENT: Rick Kirkwood, Phil Marler, Karl Diekman, Tricia

Stevens, Sue Vannucci, Dan Gentry, Carey Sullivan, Brent Meyer, Ann Siprelle, Gary

Wegener

PUBLIC HEARING

ALLEY SOUTH OF MAIN STREET BETWEEN WALNUT AND FOURTH STREETS (DOG GONE ALLEY)

Council received information distributed by Dino Gay on the history of the alleyway South of Main Street between Walnut and Fourth Streets. Fire Chief Diekman said research had been done and a recommendation is made to name the alleyway as "Dog Gone Alley". Eighty-six notices regarding naming of the alleyway were delivered and no comments received.

At 7:06 Mayor Rexroad opened the Public Hearing.

Dino Gay said the property owners were very supportive of the proposed naming.

At 7:08 Mayor Rexroad closed the Public Hearing.

On a motion by Vice Mayor Flory, seconded by Council Member Peart and carried by the Members present, Council adopted the name of "Dog Gone Alley" for the unnamed alley South of Main Street which runs East and West from Walnut Street to Fourth Street.

REPORTS OF THE CITY MANAGER

SACRAMENTO MUNICIPAL UTILITY DISTRICT ANNEXATION STATUS

Assistant City Manager Marler provided Council with a history of the steps taken thus far regarding the annexation of the City into the Sacramento Municipal Utility District for power. On May 19, 2005 the SMUD Board approved the annexation and an application to the Local Agency Formation Commission. The Board was impressed with the unanimous vote by the agencies in Yolo County. Current and proposed SMUD customers will benefit from this annexation. The three studies all indicated the feasibility of the proposal. The Board expressed disappointment in the misinformation and lack of information



sharing by Pacific Gas and Electric in the process, primarily because of the initial statements by P. G. & E. that they would cooperate. There had been an independent analysis of the value of the P. G. & E. system. However, P. G. & E. asserts the worth as substantially higher than the analysis. The statements that rates will be higher with SMUD are not substantiated by facts. The Council does need to be wary of the possibility of redistricting. As the Board is elected from seven "wards" there is need to ascertain how the wards will be reassigned following the annexation, and The City does need representation on the SMUD Board. Council expressed the desire that all three Cities within the County be represented on the Board.

The next steps in the process are for the SMUD Board to file an application with Sacramento LAFCO by July of 2005. SMUD will begin an environmental impact review. The final approval will be via a vote of the citizens of the Cities and County, hopefully in November of 2006, with the changeover to take place in 2008.

CONSTRUCTION CONTRACT-WASTE WATER TREATMENT PLANT STAGE 2 EXPANSION PROJECT 00-52; TERTIARY TREATMENT IMPROVEMENTS PROJECT 03-28; FLOOD PROTECTION PROJECT 03-39

Public Works Director Wegener said this bid had been advertised at an earlier time but additions were needed to the tertiary treatment portion, thus a rebid was conducted. The expansion is 100% funded through development fees and comes from every permit pulled. The tertiary treatment improvements and the flood protection funds come from a combination of sewer development fees and enterprise funds. The overall bids came in within 14% of the Engineer's estimate.

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by the Members present, Council authorized the City Manager to execute a Construction Contract with Overaa Construction for the Base Bid plus Additive Bid Items A-1 and B-1 in the amount of \$24,861,000 and authorized expenditures in the amount of the award plus 10%, up to \$27,347,100.

SPEED LIMIT ON EL DORADO DRIVE

Senior Civil Engineer Meyer indicated a revised Council Communication is before them. Studies are held on the streets every five years. The Traffic Safety Commission had recommended the speed limit on El Dorado be maintained at 25



miles per hour, while Staff recommends increasing to 30 mph and approval of the Speed Zone Survey. The standard for increasing speeds is the "85% Rule". The study indicates that only 15% of the drivers are at 25 mph while the remaining are above the limit. There are inconsistencies with the posted speed, thus this issuance of tickets on the street are considered to be a "speed trap".

Vice Mayor Flory asked for the number of tickets issues since the previous survey. Engineer Meyer said 78 citations were given since the previous survey and none had been dismissed. Vice Mayor Flory suggested the policing of the excess speeds would be more favorable than raising the limit. This is a connector street and homes should not have been built on this street. Additional stop signs should be included.

Council Member Monroe said if traffic calming and enforcement were in place, the speeding should drop. Director Wegener said there were three accidents in the past three years and all of the drivers were traveling at least 20 mph above the posted limit. Most collector streets are greater than 25 mph posted speed. Engineer Meyer said stop signs are not used as traffic calming measures. There are other methods to be used. The residents must initiate a request for the traffic calming. Once filed, Police Department input is required. One possible method of calming would be the installation of a median.

Mayor Rexroad recommended the report not be accepted and another study undertaken via no action on the item, and to ask the Traffic Safety Commission to relook at the item.

Robert Chamberlin said there is no congestion on this street, just speeding commuters. They do not agree with the data and feel it is flawed. The limit needs to stay at 25 mph for safety reasons. He wants more stop signs, speed bumps and tickets issued. He asked Council to come out to the site and observe.

Vice Mayor Flory left the Chambers at 7:50.

Eugene Muhlenkamp it is almost impossible to get children across the street. On El Dorado at Spruce Drive there is a road curvature and drivers must get out into the intersection before they can see clearly which is very dangerous.

Vice Mayor Flory returned to the Chambers at 7:52.

George Holt said El Dorado has become a shortcut to avoid Gibson Road. The study should be ignored and common sense utilized. The bike lanes are used for skate boarders, joggers and bikes and with the curve it is hard to see



them. He wants undulations, more and larger 25 mph speed limit signs, dots, and 25 mph marked on the street.

Council Member Peart left the Chambers at 7:55 and returned at 7:56.

Joseph Graziose lives on a corner. He suggested taking out the crosswalk because it would reduce the City liability if someone gets hurt. A stop sign would help. Tickets could be written without radar. There is no protection for the children.

Phil Nelms thanked the Council for considering this item and offered his help to move forward on the issue.

Judy Horn-McGinnis said the City should make it easier for people to go 25 mph. She supports stop signs.

Martin Torres of the Traffic Safety Commission said the Commissioners drove El Dorado at 25 mph and at 30 mph and did not feel it was safe at 30. This item was brought to them in February 2005. The Commission recommended the street remain 25 mph. It was then brought back to the Commission with further information. It returned again and was tabled at their recommendation. They feel their recommendation was ignored.

Jon Gerald said the Traffic Safety Commission had voted several times not to change the limit. We need to make it more safe, not change the speed. The traffic calming only makes the street narrower and unsafe for bicyclists. Spruce needs to have a stop sign. He offered to be responsible for requesting calming measures on this issue.

On a motion by Vice Mayor Flory, seconded by Council Member Peart and carried by the Members present, Council rejected the speed zone survey, denied the recommendation to increase the speed limit to 30 mph on El Dorado Drive and returned the item to the Traffic Safety Commission for further consideration.

ORDINANCE-SMOKING WITHIN TWENTY FEET OF ENTRANCE TO BUSINESSES

Police Chief Sullivan said the item had been before Council on several occasions and had been altered at Council direction. A series of sparsely attended community meetings had been held to receive input. Additional revisions had been incorporated into the language as a result of the input received. The specific changes of note are that smoking would be prohibited twenty feet from the entrance to a business, the entrance would be clearly



defined, notices will be posted, exemptions for certain businesses between the hours of 8:00 p.m. and 4:00 a.m., and a vehicle within the twenty foot radius would be exempt. The County of Yolo will be assisting with the distribution of the signs.

Susan Cassady indicated her appreciation for the proposed Ordinance so that people can go to have a meal without having to walk through smoke.

Dennis Manzer said he is a small business owner and resident of the City. He presently has a designated smoking area in the perimeter of his business. Some people enter his business through this smoking area.

Hannah Bringhurst is a member of the Yolo County Anti-Tobacco Coalition and said this policy is an asset to the City. The survey indicated an 85% community support. They also went into many of the businesses and approximately 75% said they support the policy. They had meetings with the businesses and felt there was a compromise. There are free signs that will be distributed to the business and education will also be undertaken.

Blake Jackson, also from the Coalition, feels this Ordinance will be beneficial to the City. There are 3,000 non-smokers who die from lung cancer every year. The City needs to move forward with the Ordinance to protect the citizens.

Council Member Peart feels this is being pushed by the County. Mayor Rexroad suggested this item return when Council Member Pimentel is present to receive his input as well. City Manager Kirkwood suggested this item return at the July 5, 2005 meeting and Council concurred.

A. B. 1747-RUMSEY BAND OF WINTUN INDIANS PARTICIPATION IN JOINT POWERS AUTHORITIES FORMED IN YOLO COUNTY

Mayor Rexroad indicated a letter had been received requesting support for Assembly Bill 1747. This legislation would permit the Rumsey Band of Wintun Indians' participation in Joint Powers Authorities from in the County, such as that of the Conaway Ranch JPA. Vice Mayor Flory pointed out the partnership was not conditioned upon the Tribe being able to join the Conaway Ranch JPA.

Council Member Monroe left the Chambers at 8:23.



Council Member Peart said the JPA will not be going through the eminent domain process. The JPA has no voice and does not know what is happening here.

Council Member Monroe returned to the Chambers at 8:24.

George Phillips representing the Conaway Preservation Group, said they had submitted a letter and would like Council not to proceed with support of the Bill at this time. The feel the proposed legislation is being pushed through too quickly. There is no agreement or commitment with the Tribe, yet the legislation is being proposed anyway. The JPA is proposed to manage the property. A hearing to be held on August 23, 2005 to determine whether the County has the right to take the property through eminent domain. The legislation is premature. Mayor Rexroad said this issue is coming up tomorrow and the Council needs to determine if they are in support.

Jim Nielsen asked that Council oppose this Bill. The County has not been providing adequate information. It is unclear of the status of the Tribe in the process. There must be some determination on what the \$60 million from the Tribe will mean for them. Council should oppose so that Tribal status on this issue is not set.

Dudley Holman opposes the Bill because there are too many unknowns. The Board of Supervisors will not discuss the issue in open session. It is unclear if the Tribe will have voting rights. There are concerns about he JPA authority, the loan, and if will they want to build a casino on the property. The City will have no control. The Developer can be controlled but the Tribe cannot. He presented a copy of a letter from the Yolo County Taxpayer's Association regarding the issue.

Marc Breckenridge farms in the Conaway and would like the Bill opposed. This type of language will be setting a National precedent.

Robert Millsap said the Chamber of Commerce voted 4 to 1 against supporting the Bill and he urged opposition. The County has refused to provide information on the protection of the resources. As such, their motives may be turned against the City at some time.

Council Member Peart moved to oppose issuance of a letter of support for Assembly Bill 1747. Motion died for lack of a second.

On a motion by Vice Mayor Flory, seconded by Council Member Monroe and carried by the Members present, Council voted to remain neutral on the



proposed Bill. Mayor Rexroad said the County has all the membership of the JPA and Flood Control, which they appoint. The City has no vote. If the Tribe is a participant of the JPA, the County should give up their own seats. The County has put themselves in the position that they can never loose. Council Member Monroe said we do not know if this is a good idea or a bad one.

CONSENT CALENDAR

At the request of Mayor Rexroad, the following item was removed from Consent for discussion. Council concurred.

MAIN STREET BANNER FEES

At the request of Vice Mayor Flory, the following item was removed from Consent for discussion. Council concurred.

PROJECT PROGRAMMING SUMMARY SHEET-SPRING LAKE NEIGHBORHOOD PARK #N1 PROJECT 05-27

Council removed the following item from consideration on this Agenda. The item is to return at another time.

FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT-SUBDIVISION 4765-LIBERTY VILLAGE, SPRING LAKE SPECIFIC PLAN AREA (MONLEY-CRONIN, DEVELOPER)

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by the Members present, Council approved the following Consent Calendar items as presented:

MONTHLY TREASURER'S INVESTMENT REPORT-APRIL 2005

Council reviewed and accepted the Monthly Treasurer's Investment Report for April 2005.



MONTHLY STATUS REPORT-FIRE DEPARTMENT-APRIL 2005

Council received the Monthly Status Report for April 2005 from the Fire Department.

ADDENDUM AND EXTENSION TO CONTRACT WITH WOODLAND ACCESS VISUAL ENTERPRISES

Council approved a Contract extension between the City and Woodland Access Visual Enterprises (WAVE) to provide camera operations during selected City Council, Commission and Committee meetings.

<u>CERTIFICATE OF APPRECIATION-VIC SINGH, YOLO COUNTY CHIEF ADMINISTRATIVE OFFICER</u>

Council approved presentation of a Certificate of Appreciation to Yolo County Chief Administrative Officer Vic Singh upon his resignation from the County.

EXTENSION OF TIME-CONSIDERATION OF PARTICIPATION AGREEMENT BETWEEN THE WOODLAND INVESTMENT COMPANY AND THE WOODLAND REDEVELOPMENT AGENCY

Council approved an addendum to Exhibit C of the Gateway Development Agreement extending the time to July 21, 2005 to execute a Participation Agreement between Woodland Investment Company, LLC and the Woodland Redevelopment Agency.

AMENDMENT-PROFESSIONAL SERVICES CONTRACT-BEST, BEST AND KRIEGER

Council approved amendments to the City Attorney Legal Services Agreement effecting an increase in rates and clarifying the definition of reimbursable costs.

FISCAL YEAR 2005-06 COMPUTER REPLACEMENT PROGRAM

Council received a report on the annual computer replacement program for the City.



PROFESSIONAL SERVICES CONTRACT-BAY AREA ECONOMICS-FISCAL ANALYSIS OF WESTWOOD UNIT II PROJECT

Council authorized the City Manager to execute a Contract with Bay Area Economics to prepare a Fiscal Impact Analysis for the proposed West Wood Unit II Subdivision.

PROFESSIONAL SERVICES CONTRACT-ECONOMIC PLANNING SYSTEMS (EPS)-UPDATED ECONOMIC IMPACT ANALYSIS FOR REVISED GATEWAY PROJECT

Council authorized the City Manager to enter into a Contract with Economic Planning Systems (EPS) for preparation of an updated Economic Impact Analysis for the revised Gateway project.

PROJECTS 05-01 AND 05-04, WATER, SEWER, SEWER/STORM PORTIONS OF UTILITY AND ROAD REHABILITATION

Council approved the revised Project Programming Summary Sheet for Projects 05-01 and 05-04; authorized the City Manager to execute the Construction Contract for the Water and Sewer/Storm portions of the 2004 Utility Rehabilitation Project 05-04 and the 2004 Road Rehabilitation Project 05-01 if the bid amounts are within the approved budget; authorized contingency expenditures of 10% for each project; authorized the City Engineer to execute Contract Change Orders for the Construction Contract if needed.

JOINT SURFACE WATER SUPPLY CALIFORNIA ENVIRONMENTAL QUALITY ACT ANALYSIS AND FUNDING-PROJECT 04-28-CEQA ANALYSIS

Council authorized the Public Works Director to finalize and execute the draft Memorandum of Understanding for a Joint Surface Water Supply California Environmental Quality Act analysis with the City of Davis, University of California at Davis and Yolo County Flood Control and Water Conservation District; authorized funding for the Project Programming Summary Sheet for the CEQA analysis.

PARKS AND RECREATION MONTH

Council proclaimed the Month of July as Parks and Recreation Month.



AMERICANS' WITH DISABILITIES ACT IMPROVEMENTS-BEAMER PARK PROJECT 04-06

Council accepted the project improvements for Project 04-06, Beamer Park Americans' with Disabilities Act as complete and authorized the City Clerk to file a Notice of Completion.

AMERICAN'S WITH DISABILITIES ACT IMPROVEMENTS-LINCOLN, COLLEGE, FIRST AND BUSH STREETS, PROJECT 05-05

Council approved the Project Programming Summary Sheet for Project 05-05, Americans' with Disabilities Act Improvements for Lincoln, College, First and Bush Streets; added the project to the current Capital Budget.

RESOLUTION 4657-INITIATING PROCEEDINGS; RESOLUTION 4658-PRELIMINARILY APPROVING ENGINEER'S ANNUAL REPORT; RESOLUTION 4659-CALLING FOR PUBLIC HEARING FOR SPRING LAKE LIGHTING AND LANDSCAPING DISTRICT

Council adopted the following Resolutions:

- a. Resolution 4657 "A Resolution of the City Council of the City of Woodland Initiating Proceedings for the City of Woodland Spring Lake Landscaping and Lighting District, and the Levy and Collection of Assessments for Fiscal Year 2005-06 Pursuant to the Provisions of the Landscaping and Lighting Act of 1972"
- b. Resolution 4658 "A Resolution of the City Council of the City of Woodland Preliminarily Approving the City of Woodland Spring Lake Landscaping and Lighting District Engineer's Report, and the Levy and Collection of Assessments for Fiscal Year 2005-06"
- c. Resolution 4659 "A Resolution of the City Council of the City of Woodland Declaring Its Intention to Conduct a Public Hearing on the Matter of Assessments and Order the Levy of Assessments for the City of Woodland Spring Lake Landscaping and Lighting District, Fiscal Year 2005-06 Pursuant to the Provisions of the Landscaping and Lighting Act of 1972".



MAIN STREET BANNER FEES

Director Wegener said the fee schedule that was approved approximately nine months ago was to recapture the costs for program operation. The anticipated cost to install and remove banners is \$10,000 per year. Council Member Peart said these events generate a great deal of revenue to the City. Charging of fees for the banners may drive these events to other locales. Those events that do not provide revenue should be charged for the service. Council Member Monroe said the City should absorb the cost. Council concurred that the City Manager should return with recommendations for fee reduction or elimination for those events that bring revenue to the City as a result of the event.

SPRING LAKE NEIGHBORHOOD PARK #N1 PROJECT 05-27

On a motion by Vice Mayor Flory, seconded by Council Member Monroe and carried by the Members present, Council approved the Project Programming Summary Sheet for the Spring Lake Neighborhood Park, N1, Project 05-27.

MINUTES

Council adopted by concurrence the minutes of the special Council meeting of March 22, 2005 as presented.

COMMUNICATIONS-WRITTEN

Council received an application for a Person-to-Person Transfer of an Alcoholic Beverage Control License for Pad Thai Cuisine, located at 808 Main Street.

Council received a letter from Charter Communications announcing changes to programming options.

Council received a notice from Pacific Gas and Electric regarding an Application for 2006 Energy Resource Recovery Account and Competition Transition Charge Forecast Revenue Requirements.

COMMUNICATIONS-COMMITTEE REPORTS

Council received the minutes of the Water Resources Agency meeting of February 14, 2005.



Council received the minutes of the Parks, Recreation Community Services and Urban Forestry Commission meeting of April 25, 2005.

Council received the minutes of the Commission on Aging meeting of April 26, 2005.

Council received the minutes of the Yolo County Communications Emergency Services Agency meeting of May 4, 2005.

Council received the minutes of the Library Board of Trustees meeting of May 16, 2005.

ANNOUNCEMENT

City Manager Kirkwood advised the Council that the scheduled special meeting set for June 28, 2005 would not be held.

ADJOURNMENT

At 8:53 p. m., Mayor Rexroad adjourned the regular meeting of the City Council.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk