

Woodland City Council Minutes
Council Chambers
300 First Street
Woodland, California

September 7, 2004

**CITY COUNCIL
SPECIAL/CLOSED SESSION**

6:00 P.M.

CLOSED SESSION

Council met in Closed Session to discuss a Public Employee Performance Evaluation pursuant to Section 54957. Employee discussed was Senior Civil Engineer. Council also held a conference with the Labor Negotiator, Assistant City Manager Phil Marler, pursuant to Section 54957.6. The Employee Organizations under discussion were Police, Police Supervisors, Police Management, City Manager and Fire. Present at the session on Public Employee Performance Evaluation were Mayor Rexroad, Council Members Peart, Pimentel and Monroe, City Manager Kirkwood, Assistant City Manager Marler, Public Works Director Wegener and Finance Director Drayton. Assistant City Manager Marler was present for the Labor Negotiations discussion. Vice Mayor Flory was not in attendance at Closed Session.

REGULAR SESSION

7:00 P.M.

CLOSED SESSION ANNOUNCEMENT

Mayor Rexroad reported that Council had held a Closed Session to discuss a Public Employee Performance Evaluation for Senior Civil Engineer and took no action. Also discussed was labor negotiations for Police, Police Supervisors, Police Management, City Manager and Fire employees. Council provided direction on some of the employee negotiations and delayed direction on others.

CALL TO ORDER

At 7:01 p.m. Mayor Rexroad called the regular meeting of the City Council to order.



PLEDGE OF ALLEGIANCE

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

ROLL CALL

COUNCIL MEMBERS PRESENT: David Flory (arrived at 7:28), Jeff Monroe, Neal Peart, Art Pimentel, Matt Rexroad

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Rick Kirkwood, Phil Marler, Ann Siprelle, Sue Vannucci, Karl Diekman, Carey Sullivan, Aaron Laurel, Tricia Stevens, Gary Wegener, Paul Miller, Joan Drayton, Dan Gentry, Diana Puccetti, George Bierwirth, Randy Madison, Tom Echols, Wendy Ross, Mark Dennis, Jonathon Cristy, Jennifer Dzakowic

OTHERS PRESENT: Contract Finance Consultant Margaret Vicars

PUBLIC COMMENT

Police Lieutenant Bierwirth announced the activities that will take place at the new Police Facility on Saturday in remembrance of the September 11th attacks. All members of the public and the Council are invited to attend.

COUNCIL/STAFF COMMENTS

Council Member Peart presented plaques of appreciation to the sponsors and those who assisted in the preparation of the Destruction Derby Fund Raising Event for Olympic Athlete Vicente Escobedo. He also presented a check to Mr. Escobedo for expenses for his family attendance at the Olympics.

PRESENTATIONS



CERTIFICATE OF APPRECIATION TO THE HENNIGAN SPINNING FRISBEE K-9'S

Council Member Pimentel presented a Certificate of Appreciation to Herb and Saundra Hennigan and the Spinning Frisbee K'9 Synchronized Dog Team for the activities and promotion of the City of Woodland throughout the Nation.

LIBRARY BOARD OF TRUSTEES' REPORT

Bud Goding, President of the Library Board of Trustees, presented a verbal report to the Council regarding activities of the Board during the past year and those planned for the coming year.

Vice Mayor Flory arrived at the Council meeting at 7:28 p.m.

PUBLIC HEARINGS

APPEAL OF WAYFARER CENTER CONDITIONAL USE PERMIT

Community Development Director Stevens said the Planning Commission had voted unanimously to grant the modifications to the existing Conditional Use Permit for the expansion of the Wayfarer Center at 201 Fourth Street. The appeal raises issues relating to: inconsistency with the Zoning Ordinance and Design Review criteria; failure to protect the property rights of the neighbors and businesses; public notice; inadequate parking, non-compliance with the California Environmental Quality Act. Staff has attempted to address each of these issues within the written materials before the Council.

The Zoning for this area is designated as a Central Business District and contains City and County governmental buildings and uses. The proposed project is allowed with a Conditional Use Permit. The Design Review criteria is consistent with the design of the proposed structure. The height of the building was questioned, but is consistent with other structures in the area. Numerous public hearings were held in all stages of the project. Notice was provided which greatly exceeded the requirements of law.

The property rights of the neighbors and businesses were addressed in the 51 conditions placed on the project. The Police Department reviewed the project and identified several areas of concern which were addressed to the satisfaction of the Department. Public outreach was held in the form of distribution of fliers, public forums and direct contact. At the residential forum, no residents attended. At the Public Hearing before the Planning Commission,



three persons attended and spoke in opposition to the expansion. In addition to the legal mailings and posting requirements, the property was posted with more than adequate information on the scope of the project and a contact phone number for additional information.

Relating to the adequacy of parking, this site is considered an office use and the parking requirements computed accordingly. Clients utilizing this facility rarely have vehicles and there are no complaints on file regarding inaccessibility of parking in the area. It has been stated the plan as understood was that this structure would be torn down to provide parking. The original plan specifically states "This project is phase one of a larger project. Phase two will be 5,000 square feet public service building occupying the vacant lot to the North and existing facility, which is to be torn down".

Statements regarding non-compliance with CEQA do not apply as this project is exempt from CEQA provisions within the Class 2 and Class 32 exemptions.

During the last Community Development Block Grant cycle, the Council approved funding for the project. The concept for the Phase 2 portion was approved as part of that grant and noticed as such. There have been adequate conditions (51) to protect the surrounding property owners. There have been several community meetings to seek input.

Council Member Monroe asked about the parking determination and Director Stevens said the staff are the primary on-site users of parking and there is adequate space planned. Council Member Pimentel asked about the restroom access and Director Stevens said the Police Department feels the restrooms should be located where they are visible and accessible to the Officers for monitoring. Council Member Monroe asked if the space was used for an apartment complex, would they be exempt from the parking requirements. He feels the proposed parking is inadequate. Director Stevens said this complex is based upon an office use and the space determination fits that formula. Police Chief Sullivan said the Police Department had some concerns that have been addressed by the Conditions. There will be no expansion of programmatic meals. Vice Mayor Flory asked how we can prevent overflow and Chief Sullivan said the Conditions would be that they would be directed elsewhere for service.

Council Member Peart asked if there had been an increase in calls to the Department of late and Chief Sullivan said there have been no increases but the Department has four areas they address routinely. Council Member Pimentel asked about an increase in people to the community as a result of the program



and Chief Sullivan indicated there has been no dramatic increase or influx of clients that he can tell. The Center has been very cooperative and will discontinue services to clients if there are any problems.

Vice Mayor Flory asked the City Attorney about the specific parameters Council may consider. City Attorney Siprelle said the Conditional Use Permit may be granted if the use will fit into the neighborhood and the appeal must be based on non-arbitrary or capricious issues.

Teresa Tercero-Stark came forward and stated that the appellant, Mesena Pimentel, was unable to attend the meeting due to conflicts with her working schedule.

Leona Jull, Executive Director of the Wayfarer Center indicated she is aware of the concerns regarding parking and the 24 hour restrooms. The Center will be providing shelter year around, rather than just in the Winter months. They will be open during the day to assist with services. At 5:30, they close and reopen from 6:00 p.m. to 6:00 a.m. for sleeping. The Ecumenical Ministries will be providing coffee, Danish and Bible studies on site from 6:00 to 8:00 a.m. They are very strict about those who do not comply with the regulations and those individuals are sent elsewhere. This is an appeal on the modifications to the expansion of current services.

Council Member Monroe asked about the Phase I contract with Mental Health and Parole. Ms. Jull said they do have a contract for four parolees. The rest are primarily with Housing and Urban Development for transitional housing. Council Member Monroe asked if the Center will be taking overflow from other communities and Ms. Jull said they have been considering such service provided transportation to and from daily is given. Most go into Sacramento. The Davis Community Meals program does provide some services. Council Member Monroe asked about those who are now put out during the day and Ms. Jull said they will be accommodated during the day but will be asked to vacate for a few hours so that cleaning can take place. People are not to be there to "hang out". They must get into services. The goal for HUD is to eliminate homelessness in ten years.

Council Member Peart asked how many are served under the existing CUP and Ms. Jull said 20 are housed between November and March. The new facility would be year around. Council Member Pimentel asked about any complaints and what is the process to handle complaints. Ms. Jull said two years ago when they were working on Phase I they set up a FAX so that the residents and businesses could send them details about any concerns. The



services would be suspended for those individuals on which complaints had been received. She has had only two complaints in the last two years.

Council Member Pimentel asked about the forms and whether they are in Spanish. Ms. Jull said both English and Spanish versions were provided. A list of staff was also sent out so that direct contact could be received.

Council Member Monroe asked about the criteria for staying. Ms. Jull said they must be clean and sober to stay at the Center. They also must have no other resources. They do not do a lot of screening unless they stay longer than 7 days, which will change at the new facility. They must have a photo identification or get one by the next day. The clients are questioned about medicines, family history, and medical history.

At 8:10 Mayor Rexroad opened the Public Hearing.

David Sanders, Chairperson of the Planning Commission, summarized the rationale of the Commission on their decision to allow the Conditional Use Permit to go forward with the Conditions imposed. The project is consistent with the General Plan, Homeless Needs Section, the Downtown Specific Plan, the Zoning and the Building Standards. The Police Department was at the meeting to address their concerns. After consideration of all of the input, they added the 51 Conditions. The design is of very high quality and meets the needs of the City.

Council Member Peart asked if the General Plan Housing Element was considered and Commissioner Sanders said it was fully considered. Council Member Peart cited Section 2-A.4 where it mentions "scattering" and asked how they addressed that section. Commissioner Sanders said that all types of housing is scattered. This project should not be split into separate locations.

Dorothy Minges is on the Board of the Wayfarer Center. She indicated there has never been a problem with parking at the Center. There are more problems trying to park on Main Street. The other concern is the trash and it is everywhere as are burglaries all over the City.

Council Member Peart left the meeting at 8:18 and returned at 8:20.

Bill Powell of the Christian Church said these are not just homeless people but those that need food and services. The present structure is inadequate to feed all that have need.



Pat Murray of the Planning Commission said they spent a great deal of time on this issue and set specific standards. The current building has improved the Downtown. This is a non-governmental agency and provides a good service.

William Patterson said the City needs the Center.

Calvin Hubert said there are statements submitted in a letter that he did not say. There are many pictures in this report that he has not ever seen. The car on the property was not put there by the homes people but by his son. He has had trash, needles, etc in his yard. He bought the property so that he could put apartments with parking. They have many problems and this unfair to be dumped into his neighborhood. Council Member Pimentel asked if he had filed a complaint and he said there is nothing they could do except move the homeless from his yard to the street.

Steven Kipker said he has been in the program and it has been very successful. The transitional living had specific requirements he had to meet to be a part of the program.

Susan Goodall of the Friends of Freeman Park said they had cleaned up the Park and had the support of the City. The Phase I has not been good for the area. She presented a written statement and petitions against the expansion.

Leslie Marcus of Legal Services of Northern California read an E-mail letter from John Gianola, Director of Legal Services in which he cites the need to expand the program and the possible consequences of denial.

Hada Lambert volunteers and the Center and has never seen any problems at the site.

Edward Shelley, business owner in the Downtown is in support of the Center. There are many people who are in support of the program expansion. He is also President of the Friends of the Wayfarer Center. In the past, people have loitered on Main Street and slept in doorways. That has changed since the Center began operation.

PUBLIC COMMENT (continued)

Warren Meyer said the Community/Senior Center site should be reconsidered and moved to Crawford Park. The City could sell the property where the proposed Center is to be located for three times the purchase price.



WAYFARER PUBLIC HEARING (continued)

Wayne Ginsburg said this project is very good for the community and with the 51 Conditions, all concerns should be covered.

Rebecca Robinson volunteers at the Center and many Churches are very involved in the program.

Fernando Ochoa (as translated by Sylvina Frausto), said many people need the food and shelter provided by the Center.

Julieta Lepe (as translated by Sylvina Frausto) said she has been here for 25 years and supports the work the Center does. Many families with low income come here for extra food needs. They have groups that meet for prayer and other services.

Jorge Jimenez said he has noticed a lot of positive changes since Phase I was completed. The services are really needed. It is obvious that changes have improved the situation.

Maria Aguirre said she has family that has been helped in this program.

Sylvina Frausto said her brother needed this type of help in another City and was successful. By helping people we can turn their lives around and can work together to solve the problems in the neighborhoods.

Maria Garcia asked for the support because the program helps families and children.

Katherine Ensign volunteers at the Center and is also a Physician's Assistant. There are medical services that can be provided for those who have need. The expansion would greatly help that process.

Tom Stallard supports the Center and the Downtown. The project is supported by many forms of government. In the past people would wander the streets and live in cardboard boxes. This Center is a regulated environment. There are many remote Wayfarer sites. Phase I has upgraded the area. Phase II will replace a building that is a slum.

Council Member Pimentel left the meeting at 8:58 and returned at 8:59.

Jack Rexroad said he is very familiar with the homes in the area and has been a volunteer at the Center. The Center has helped the homeless and the citizens.



Paula Avalos lives in the area of the Center. She is opposed and knows there is a problem. People sleep in the area and she feels uncomfortable taking her grandchild to the Park. This program should be elsewhere.

Xavier Tafoya opposes the expansion but does not oppose the philosophy. The problems have not gone away with Phase I. He has 280 signatures of people who oppose the expansion. The City is taking care of people at the expense of the property owners and businesses.

Whit Manley supports the program and has reviewed the project and process. All procedures have been met. On the first phase there was a lawsuit filed in an attempt to stop the project and it was lost. Should another lawsuit be filed, he feels it will also be unsuccessful. The staff has been responding to the concerns. They are very willing to work with the City Council and citizens on all issue.

Joy Cohan is working with the Center on outreach projects. This project is needed and that corner needs help. By denial, it will leave a bad building, no courtyard, and people will still be out on the street. Specific items could be addressed and alleviated.

Colette Stewart said the change from the original use permit to the new one was not considered by the Planning Commission. These modifications are not acceptable. Parking is impacted. The Police resources are strained because money was used to keep Hiddleson Pool open rather than add staff. Emergency shelter is not defined and was not considered. These people hang out during the day. When the Park closes, they go, into the Downtown, neighborhoods and alleys.

Council Member Peart left the meeting at 9:16 and returned at 9:17.

Christina Morales supports the program but is concerned about the Park. There was an incident with some people there who molested her daughter. Her husband was attacked. The Police Department found this person at the Center. She has received assistance at the Center but want those who are not from the City to be addressed. The Park is not safe.

Teresa Tercero-Stark owns a business and is a resident in the community. The Hispanic community is very concerned and do not know what is going on at the Center. The do not want people out of the community here using the services. There are fights daily in the Park.

Anita Long owns a business on Main Street that backs up to the alley. She has had only one problem in the five years when she was in her former



location. Since moving, she has had extensive problems. They are increasing a great deal. There is an element who do not want the services that the Center provides. They need the Council to help and the Center does not meet their needs.

Brenda Cedarblade said there was a June 29, 2004 letter from the Police Department that was not provided to the Council. This letter said the expansion would attract more people from outside the City. She has issues with the homeless daily. The Alan Barton letter was signed and he was deceived. They want the Conditional Use Permit supplied that addresses those issues of safety.

At 9:25 p.m., Mayor Rexroad closed the Public Hearing.

Vice Mayor Flory asked about Phase I and the 44 beds. Ms. Jull said they have contract with agencies that allow people to come to the Center. About 30 are contracted. They included some of the HUD requirements and could contract as many as 44 beds. Mayor Rexroad said this is not an unexpected addition. As the project was listed originally as Phase I, there should be no surprise that a subsequent Phase or Phases were forthcoming. It is not feasible to put part of the facility elsewhere. If they are spread apart, the homeless will be moving about the City to assess services rather than staying in one general area and will be harder to track. It has been clear they would be expanding on this site. There was an article and a picture of the original expansion. No other location was ever mentioned.

Council Member Monroe said the facility is not large enough but may not be right for this location. Council Member Pimentel has discussed the impacts and has toured the facility. He is not fully convinced that all of the issues have been adequately addressed. He has concerns about parking, the complaint system, additional outreach and the restroom facilities. He supports the expansion but needs further information prior to proceeding.

Council Member Peart supports the Center but has concerns about what happens outside of the facility. Freeman Park has deteriorated. He does not want the facility to be larger and feels scattering should be considered.

Vice Mayor Flory is not prepared to make a determination without further information and input. This needs to be the best facility without impact on the rest of the community. He does not feel other communities should be encouraged to send people to this facility. The courtyard capabilities, storage of materials, policing the neighborhood, should be done not just based on calls.



A motion was made by Council Member Pimentel and seconded by Vice Mayor Flory to deny the appeal and forward the issue back to the Planning Commission to look into the parking and other concerns expressed by Council. Motion died.

Commissioner Sanders feels their decision would stand. Director Stevens said sending back to the Commission with changes would open the option to have another appeal filed. They could continue to work through some of the issues and any direction from Council would be helpful. Vice Mayor Flory said if there are significant changes to the building, the Commission would want to have the project returned to them for reconsideration.

A motion was made by Council Member Pimentel and seconded by Vice Mayor Flory with Staff and Planning Commission to review the parking, restrooms, complaints, courtyard, busing in from other Cities, prior to approval. Commissioner Sanders said the storage loft, parking, complaints and bathrooms were all considered. Motion died.

Council Member Peart would like to have the size of the structure reduced. Vice Mayor Flory asked if a Study Session would be helpful to consider the discussion further.

Council Member Pimentel said he had moved to go back to staff to specifically address some of the conditions, parking, complaint system, outreach and engagement, bathrooms 24 hours, courtyard, busing of individuals, and clients from other cities.

Director Stevens asked if the Council would like to return on a date specific. Council Member Pimentel feels the parking is not adequately addressed and he would want to work with staff and the neighbors. Council Member Monroe feels the Commission should be given specific direction. City Attorney Siprelle asked if the motion was to refer to the Planning Commission or to the Staff to consider further. Council Member Pimentel indicated it was to the Commission first and either/or staff would be able to handle the information. Director Stevens suggested referring to staff, addressing concerns expressed, meet with the Wayfarer Staff, appellant and neighbors, try to reach compromise on those concerns and schedule back to the Council in four weeks with a re-notice of the hearing. Council Member Pimentel agreed and clarified his motion to refer to Staff. City Attorney Siprelle indicated Council Member Pimentel's last motion was to refer to staff. Vice Mayor Flory wants the Council to be part of the dialog so they are included in the process. Council Member Monroe suggested a Sub-Committee and Vice Mayor Flory reiterated he feels it should be a Study Session. The second motion died.



It was moved by Vice Mayor Flory and seconded by Council Member Monroe to direct staff to set a time for the Council to meet in Study Session to discuss and give specific direction to staff on Council concerns. Council Member Pimentel feels they would be missing the citizen input and the Wayfarer Center should be involved. Vice Mayor Flory amended his motion to include community and others be involved. Mayor Rexroad said a meeting was held and no one came. All comments have been heard and there has been adequate noticing. Motion died.

On a motion by Vice Mayor Flory, seconded by Council Member Pimentel and carried, Council directed staff to set a future meeting to discuss, review and give direction to staff on the Council concerns regarding expansion of the project. Following this review, Staff and the Wayfarer Center will meet with the neighbors to discuss concerns further. Mayor Rexroad and Council Member Peart voted to the negative.

Vice Mayor Flory left the meeting at 10:00 and returned at 10:02.

APPEAL OF NUISANCE ABATEMENT AT 302 C STREET

Code Enforcement Officer Dennis provided Council with the background on the property located at 302 C Street. The business under operation on that site is a semi-truck repair facility which does not have a business license. As this is a heavy industrial use, it is not allowed in the General Commercial Zone, Area E of the East Street Corridor Specific Plan. The Nuisance Abatement Board also made a determination that the property is a public nuisance with the excessive junk and debris on site. The current business owner feels the business has been utilized for truck repair since the 1950's. There have been extended gaps in the usage over the years. In 1997, a proposal for a storage/Farmer's Market use was submitted. The zoning had allowed truck repair in the past, which was prohibited via a zone change in 1993. There are no indications that a business license was ever secured for any business at that location. A summary of the violations are: no business license in effect at any time, visible junk or junkyard without license, storage of more than one inoperable vehicle and auto parts and accessory accumulation. Several visuals of the site were presented to confirm the violations.

Council Member Monroe left the meeting at 10:01.

There was also a trailer at the location which was being utilized as a residence, which is also not an allowable use. Mr. Zapata, the business owner, has been willing to work with the City on the cleanup and attempts to conform to the current zoning and laws.



Council Member Pimentel left the meeting at 10:05 and returned at 10:07.

Vice Mayor Flory asked as this property is in the Redevelopment Area, are there plans to develop. Director Stevens said there is no Specific Plan for that area (Armfield Area) as yet.

At 10:10 p.m., Mayor Rexroad opened the Public Hearing.

Robert Gillette, property owner at 302 C Street, said this property has always been utilized as a truck repair facility. The City should not deprive anyone of their living. If this facility is closed and nothing happens with the East Street Specific Plan, he will be unable to have anything on that site until decisions are made on the uses.

Jose Zapata, business owner, said the prior users on that site were truck repair facilities. He does have a license to fix trucks. He has been trying to clean up the property so that he can comply with the law.

At 10:15, Mayor Rexroad closed the Public Hearing.

On a motion by Vice Mayor Flory, seconded by Council Member Pimentel and carried, Council voted to uphold the findings of the Nuisance Abatement Board that the property and business located at 302 C Street be declared a public nuisance. Mayor Rexroad feels this is a non-conforming use and voted to the negative.

URGENCY ORDINANCE 1403-EXTENDING REGULATIONS FOR MEDICAL MARIJUANA DISPENSARIES

Mayor Rexroad asked for clarification on the recommendation to extend the Urgency Ordinance for Medical Marijuana Dispensaries for an extended period of 22 months. Director Stevens indicated Ordinance was modeled after one of those in place elsewhere. City Attorney Siprelle indicated the law allows an "interim" Ordinance for a maximum of 24 months. As this issue is currently in the Courts and should be heard within the next few months, it is prudent to extend the Ordinance to cover the possible period where the Federal law affect on the State law is decided.



At 10:20, Mayor Rexroad opened the Public Hearing. With no comments heard, Mayor Rexroad closed the Public Hearing at 10:20.

On a motion by Vice Mayor Flory, seconded by Council Member Pimentel and carried by the following roll call vote, Council extended the Medical Marijuana Dispensaries Interim Urgency Ordinance 1403 for six months as adopted on July 27, 2004 via original Urgency Ordinance 1400 as follows:

AYES:	Council Members Flory, Peart, Pimentel, Rexroad
NOE:	None
ABSENT:	Council Member Monroe
ABSTAIN:	None

At 10:25 p.m. on a motion made by Council Member Pimentel, seconded by Council Member Peart and carried by the Members present, Council extended the meeting to 11:00 p.m.

RESOLUTION 4568-AMEND SPRING LAKE SPECIFIC PLAN CAPITAL IMPROVEMENTS PLAN; MAKE FINDINGS; AMEND INFRASTRUCTURE FEE NEXUS STUDY; INCREASE INFRASTRUCTURE FEE

City Attorney Siprelle indicated the increased cost estimate for land acquisition in the Spring Lake Specific Plan area from \$125,000 to \$400,000 per acre has necessitated an adjustment to the Spring Lake Infrastructure Fees to support those costs. The associated adjustment for single-, multi-family and per square foot cost for commercial development was identified. The SLIF is updated according to the inflation and is included in the documentation. Vice Mayor Flory asked about the escalation clause. The cost could be reduced downward which would begin a review to escalate the cost. Finance Director Drayton said staff will be reviewing the actual costs and reconciling and/or adjusting on a six month basis. Council Member Peart asked how the cost escalated so dramatically and City Attorney Siprelle said there were recent sales in the area and Economic and Planning Systems gave the estimate based upon the fair market values accordingly. City Manager Kirkwood said it is also based upon what the market will bear. City Attorney Siprelle said they had discussed discounts and the culmination was this recommended increase.

At 10:28 p.m. Mayor Rexroad opened the Public Hearing.



Council Member Peart left the meeting at 10:28 and returned at 10:29.

Tom Lumbrazo of Turn of the Century said the reason why the fair market value is now being proposed in the Spring Lake Specific Plan area is not being spread equitably in all of the areas. This will treat everyone equally.

At 10:29 p.m., Mayor Rexroad closed the Public Hearing.

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried by the Members present, Council adopted Resolution 4568, a "Resolution of the City Council of the City of Woodland Amending the Spring Lake Specific Plan Capital Improvements Plan, Amending the Spring Lake Infrastructure Fee Nexis Study, Making Findings and Increasing the Spring Lake Infrastructure Fee".

REPORTS OF THE CITY MANAGER

SPRING LAKE SPECIFIC PLAN FUNDING AND REIMBURSEMENT AGREEMENT

City Attorney Siprelle said there is a provision in the Development Agreement to reimburse Developers for the dedication of lands, funds or construction of public facilities of benefit to the other properties in the Spring Lake Specific Plan area. The approval of the Funding and Reimbursement Agreement will provide for that reimbursement. Council Member Peart asked if the cost rises, can the SLIF be adjusted and City Attorney Siprelle said if there are changes needed, this can be adjusted up or down to meet those needs.

On a motion by Council Member Pimentel, seconded by Council Member Peart and carried by the Members present, Council approved the Funding and Reimbursement Agreement for Development Within the Spring Lake Specific Plan Area.

RESOLUTION 4569-FISCAL AGENCY AGREEMENT, BOND PURCHASE CONTRACT AND CONTINUING DISCLOSURE CERTIFICATE; ISSUANCE OF BONDS; FORM AND DISTRIBUTION OF OFFICIAL STATEMENT; RELATED ACTIONS FOR SPRING LAKE SPECIFIC PLAN COMMUNITY FACILITIES DISTRICT 2004-1 BONDING

Finance Director Drayton and Contract Finance Consultant Vicars indicated there were minor changes to the original Resolution distributed to Council for the formation of the Community Facilities District 2004-1 for the Spring Lake Specific



Plan area this Spring. The approval of the proposed Resolution as recommended with amendments will allow for the first bond issuance. The Resolution will allow part of the bonds to be sold and held until the escrow is funded. All but one of the property owners have signed the documents. Council Member Peart asked about the interest and Consultant Vicars said this is a good time for the bond sale.

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried by the Members present, Council adopted Resolution 4569 as amended, a "Resolution Authorizing the Execution and Delivery of a Fiscal Agent Agreement, a Bond Purchase Contract, and a Continuing Disclosure Certificate; Authorizing the Issuance of Bonds; Approving the Form of the Official Statement and the Distribution Thereof, and Approving Other Actions Related Thereto".

METHOD OF APPOINTING MEMBERS TO CITY BOARDS AND COMMISSIONS

City Attorney Siprelle said Council had asked for information regarding the method of appointing members to the City Boards and Commission and consideration of changing that appointment process. She had provided information from other Cities on that process for Council consideration and review.

Council Member Pimentel feels that minimally, the Planning Commissioners should be directly appointed by individual Council Members as a method to address accountability issues. It could also be beneficial to do some outreach to receive fresh ideas. Mayor Rexroad feels Council Members should appoint the Board and Commission members, would then be held accountable for their actions and would have the responsibility to fill all of the vacancies. Council Member Peart said he feels it would be beneficial to directly appoint on some Boards and Commissions, but not necessarily all. However, he does feel it would then be a political appointment process.

On a motion by Mayor Rexroad, seconded by Vice Mayor Flory and carried by the Members present, Council authorized Staff to prepare an Ordinance to reflect direct appointment to City Boards and Commissions as allowed by law.



WOODLAND DOWNTOWN IMPROVEMENT ASSOCIATION BUSINESS PLAN AND ORGANIZATIONAL STRUCTURE OF YOLO COUNTY VISITOR'S BUREAU; USE OF REMAINING HOME DEPOT DEVELOPMENT MITIGATION FUNDS

Community Development Director Stevens said the Woodland Downtown Improvement Association (WDIA), has been working to develop a proposal for assistance by the City in 2004-05. They appointed a Steering Committee to organize a Property Based Improvement District (PBID) and to develop a job description for an Executive Director of WDIA. The proposal includes assistance from the City in the amount of \$50,000 to meet the recommendations. In addition, the Council had approved the formation of a Yolo County Visitor's Bureau.

Vice Mayor Flory said the WDIA has stated the current memberships would be put on hold and asked if decisions would be made in the interim. Director Stevens said final boundaries have not been set as yet. Council Member Pimentel said the amount from the City had originally been \$40,000. Director Stevens said the \$40,000 was for the coordination for one year. There was no use for the remaining \$60,000 from Home Depot funds at that time. Now the \$25,000 would be for the Director until the PBID was set up.

Mayor Rexroad said the past decision was to cut the Woodland Economic Renaissance Corporation and asked if this is the same type of entity. Director Stevens said the plan is to have this entity independent from the City. The PBID is intended to bring about that independence and the City initial funding would be "seed" money.

Council Member Peart asked if any survey had been done to see if this would pass. Meg Stallard of the Steering Committee said the Executive Director will do the kinds of things needed to manage the program, activities and budget of the PBID. WDIA was to provide \$10,000, which has been accomplished. All of the members will be kept in the notification process. The Director will be able to help keep the membership so informed and keep the process moving forward. The PBID has many stages and all that has been done as yet was to establish a Steering Committee. The property owners need to be contacted to determine what needs to be done to obtain their support. PBID's are to be self-funding. Those PBID funds can be leveraged to obtain other funds.

At 11:02 p.m. Council approved extending the meeting to 11:30.

Council Member Pimentel asked about the Steering Committee members. Ms. Stallard indicated the WDIA appointed the members. Council Member



Pimentel asked what part of the Downtown is included and Ms. Stallard indicated it has not yet been finally determined where the boundaries will be. Council Member Peart asked if formed, would it be by a vote of the people and Director Stevens indicated it was authorized by the Council but a vote of the property owners is needed.

Al Eby indicated his concern about the PBID as only being that area between Fourth and College Streets. His business is outside of that area and he has not been approached. He feels that property owners with extensive holdings in the proposed area and will control the vote and others need to be involved in the process.

At 11:05 Mayor Rexroad left the meeting and returned at 11:06.

Mr. Eby feels the area needs to be expanded, the business owners need to know who will be included and clarification on how the money is to be spent is needed.

At 11:07 Council Member Pimentel left the meeting and returned at 11:08.

Mark McComas distributed a letter to the Council in which he expressed concerns about his treatment by the WDIA. He said he has a problem with the organization.

Brenda Cedarblade said the square footage of properties is directly related to the vote. She does not feel the business owners need this organization. The money should go elsewhere. She does not know who or how many members are part of the WDIA and since a Downtown Coordinator was hired, the business owners have been ignored.

Anita Long did not know anything about the entire process. She feels it is not a good idea and does not know about the boundaries. The Downtown Specific Plan should include the entire area. In Davis the renter pays and it is called a triple net and that is what will happen here.

Council Member Pimentel feels they need to have a current vision of the area and the Board representation is needed prior to moving forward.

On a motion by Vice Mayor Flory, seconded by Council Member Peart and carried by the Members present, Council approved the business plan and organizational structure of the Yolo County Visitor's Bureau.



Council Member Peart feels he needs more answers, a survey of the business owners and the boundary determination prior to making a decision. The Downtown group needs to show they want to move forward.

Vice Mayor Flory said the WDIA is not structured and the City needs to be helping them along. The Steering Committee was very strong. Mayor Rexroad feels the Visitors Bureau was very strongly supported but they have not seen that support with WDIA. Vice Mayor Flory feels this needs to be funneled through WDIA and an Executive Director will not accomplish this. The City should support the District with funding.

At 11:29, Council extended the meeting until 12:00.

Vice Mayor Flory asked Redevelopment Manager Ross to explain the initial boundary designation between Fourth and College. Manager Ross said there was to be a meeting with the WDIA Board, which has not taken place. The Steering Committee proposed a small area to begin with, which could be expanded. They feel that a smaller area at the outset will help the District to be successful. Vice Mayor Flory said other property owners and merchants feel that others outside the area have concerns on what would happen to them. Council could set the specific boundaries.

It was suggested by Council Member Peart and concurred by the remaining Council Members to return with solid information at a future meeting.

AMENDMENTS TO ZONING ORDINANCE REGARDING MOBILE VENDORS

Code Enforcement Officer Dennis summarized the current Ordinance and concerns which had been raised by local business owners regarding the allowance of this type of competition. Vice Mayor Flory asked that Al Eby, the local business owner who initially brought the issue before Council, be contacted prior to proceeding. Director Stevens reminded Council the process is for Council to review first and then forward to the Planning Commission for further public outreach.

On a motion by Vice Mayor Flory, seconded by Council Member Pimentel and carried by the Members present, Council received the report to initiate amendments to the Zoning Ordinance and referred to the Planning Commission for the Public Hearing process.



RESOLUTION IN SUPPORT OF PROPOSITION 1A: STATEWIDE BALLOT INITIATIVE TO REQUIRE VOTER APPROVAL BEFORE STATE GOVERNMENT MAY TAKE LOCAL TAX FUNDS—LOCAL TAXPAYER AND PUBLIC SAFETY PROTECTION

It was moved by Council Member Peart and seconded by Council Member Pimentel to adopt a Resolution supporting a State-wide ballot initiative to require voter approval before State government may take local tax funds. Mayor Rexroad and Vice Mayor Flory voted to the negative. Motion failed. Mayor Rexroad requested this item return to the next regular meeting of the Council for re-consideration.

RESOLUTION 4570-FINANCING OF 2004-05 VEHICLE PURCHASES

Finance Director Drayton indicated this Resolution will provide the mechanism for the City to purchase vehicles as per the current City policy. The total amount of the lease will be \$1,058,000. Funds will be dispersed upon actual purchase of the vehicles and equipment. The lease terms are at an interest rate of 4.049% for 10 years.

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried by the Members present, Council approved Resolution 4570, a "Resolution of the City Council of the City of Woodland", providing authority for the Finance Director to negotiate and enter a Lease Purchase Agreement with Suntrust Leasing Corporation for the acquisition of City vehicles and equipment.

COMMUNITY SURVEY AND OUTREACH PROCESS

Mayor Rexroad summarized the proposal to develop a community survey and the possible methodology.

Paul Petrovich said he conducted a community survey in February 2004. Most people did not actually know what is proposed for the Downtown. Another survey will not be productive. Mayor Rexroad said there is only one question proposed for the survey that addresses Mr. Petrovich's project.

On a motion by Vice Mayor Flory, seconded by Council Member Peart and carried by the Members present, Council authorized Mayor Rexroad and Council Member Pimentel to prepare and implement a community survey and develop an outreach process to engage the community on key issues.



CONSENT

Council Member Pimentel requested the following item be removed from the Consent Calendar for discussion:

GRANT AWARD TO ESTABLISH A CITIZEN CORPS COUNCIL

Council Member Pimentel asked for clarification on the purpose of a CERT and Council Member Peart indicated this is a Community Emergency Response Team. He will provide further information to Council Member Pimentel on the purpose and duties of the CERT.

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried by the Members present, Council accepted a grant award in the amount of \$21,840 to establish a community Citizens' Corps Council.

Mayor Rexroad requested the following item be removed from the Consent Calendar for discussion.

CONTRACT FOR SOUTH URBAN GROWTH AREA UTILITY RELOCATION WITH PACIFIC GAS AND ELECTRIC, PROJECT 02-36

On a motion by Vice Mayor Flory, seconded by Council Member Peart and carried, Council authorized the Public Works Director to execute a relocation Contract with Pacific Gas and Electric on behalf of the City in the amount of \$19,729.84 for the South Urban Growth Area Project 02-36, Spring Lake Specific Plan area. Mayor Rexroad abstained.

On a motion by Council Member Peart, 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 August 2004 from Community Development.

MONTHLY STATUS REPORT-PARKS, RECREATION AND COMMUNITY SERVICES

Council received the Monthly Status Report for August 2004 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 August 2004 from Public Works.

TREASURER'S INVESTMENT REPORT

Council reviewed and accepted the June 2004 Investment Report as submitted.

POSITION DESCRIPTIONS FOR COMMUNITY DEVELOPMENT TECHNICIAN, SENIOR BUILDING INSPECTOR, FACILITY MAINTENANCE WORKER, AND UTILITY MAINTENANCE WORKER SERIES

Council approved revisions in the job descriptions for Facilities Maintenance Worker I/II/III and Community Development Technician I/II and approved the new job descriptions for Senior Building Inspector, Utilities Maintenance Worker I/II/III and Utilities Maintenance Worker Supervisor.

DUBACH FIELD AND CONCESSION

Council received a status report on the Dubach Park and concessionaire.

CALIFORNIA ENERGY COMMISSION RETROFIT PROJECT

Council set a Public Hearing for September 21, 2004 to take public comment to be followed by action on a Resolution making findings and authorizing award of a contract for replacement on an air conditioning unit at the City Library.

APPOINTMENTS OF CITY COUNCIL MEMBERS TO INFRASTRUCTURE SUBCOMMITTEE

Council confirmed appointment of Council Members Peart and Pimentel to a Council Infrastructure Sub-Committee to be staffed by Public Works.



SOLE SOURCE CONTRACT-DEVELOPMENT OF STORM DRAIN ENTERPRISE FUND RATE ANALYSIS AND UPDATE OF WATER AND SEWER RATE ANALYSIS

Council authorized the award of a Sole Source Contract to Bartle Wells Associates for the development of a Storm Drain Enterprise Fund rate analysis and the update of the Water and Sewer Rate Analysis completed in 2001.

CONTRACT-PROJECT 04-12, GATEWAY INDUSTRIAL PARK STORM DRAIN REPAIR; AUTHORIZE EXPENDITURES

Council awarded the Construction Contract for the Gateway Industrial Park Storm Drain System Repairs, Project 04-12, to T & S Construction Company of Sacramento in the amount of \$419,355; authorized expenditures in the amount of \$482,300; and authorized the Public Works Director to execute the Construction Contract on behalf of the City.

SOLE SOURCE CONTRACT-PAVEMENT IMPACT STUDY

Council authorized the City Manager to execute a Sole Source Contract with Hilton Farnkopf & Hobson, LLC at a cost of \$25,000 to analyze the impacts of heavy truck wheel loadings on residential streets.

CONSTRUCTION CONTRACT-PROJECT 02-02, 2003 SLURRY-CHIP SEALS; PROJECT 03-03 THERMOPLASTIC STRIPING; PROJECT 04-01 2004 CENTRAL WOODLAND ROAD PROJECT; PROJECT 04-02 2004 SLURRY-CHIP-CAPE SEALS AND ASSOCIATED EXPENDITURES

Council authorized the City Manager to award the Construction Contract to the lowest responsive, responsible bidder and authorized expenditures not-to-exceed 115% of the award amount to allow for contingency for the listed Projects 02-02, 03-03, 04-01 and 04-02.

CALL FOR UNITY WEEK

Council proclaimed the week of September 6 through 12, 2004 as "Call for Unity Week".



RESOLUTION 4571-CALHOME PROGRAM APPLICATION

Council adopted Resolution 4571, a "Resolution of the City Council of the City of Woodland", authorizing submittal of a CalHome Program application to the State Department of Housing and Community Development; authorized the

City Manager to execute the application, Standard Agreement, and all other documents required by HCD for participation in the CalHome Program and any amendments thereto.

CONSULTANT CONTRACT FOR TECHNICAL ASSISTANCE AND ADMINISTRATIVE SERVICES FOR COMMUNITY DEVELOPMENT BLOCK GRANT HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

Council selected Willdan and Associates as the City's Consultant for Technical Assistance and Administrative Services as needed for the Community Development Block Grant, Home Investment Partnerships Program and other housing programs; authorized the City Manager to execute a Contract with Willdan for Fiscal Year 2004-05 to provide these services.

MINUTES

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried by the Members present, Council approved the minutes of the regular Council meetings of July 6, and 27, 2004 and the joint Council and Parks, Recreation and Community Services Commission meeting of July 12, 2004 as presented.

On a motion by Council Member Pimentel, seconded by Vice Mayor Flory and carried, Council approved the minutes of the regular Council meeting of July 20, 2004 as presented. Council Member Peart abstained due to absence from that meeting.

COMMUNICATIONS

Council received a letter from Charter Communications regarding programming changes and the associated rate increase.

Council received a notice from Pacific Gas and Electric regarding application for Energy Recovery Bonds Financing.



Council receive a letter from the Yolo County Farm Bureau regarding Alternative A – Support for Urban Limit Line.

Council received a copy of the Apartment Complex Listing as prepared by the Commission on Aging.

Council received a notice of an Application for an On-Sale Beer and Wine License for Maritime Seafood and Grill located at 420 First Street.

Council received a notice of an Application for a Person-to-Person transfer of a Beer and Wine License for Woodland I-5 Chevron located at 596 North East Street.

Council received a letter from the Chamber of Commerce regarding the status of the Business/Customer Service Outreach Study and Report.

COMMITTEE REPORTS

Council received the minutes of the Library Board of Trustees meetings of June 21, July 12, July 19, and July 23, 2004.

Council received the minutes of the Parks, Recreation and Community Services Commission meetings of June 28 and July 1, 2004.

Council received the minutes of the Disaster Mitigation Act Committee meeting of August 12, 2004.

Council received the minutes of the Yolo County Communications Emergency Services Agency meeting of September 1, 2004.

ORDINANCES

ORDINANCE 1404-AMEND CHAPTER 23 OF THE CODE ADDING ARTICLE VI TO ESTABLISH A VISITOR ATTRACTION DISTRICT PURSUANT TO THE PARKING AND BUSINESS IMPROVEMENT AREA LAW OF 1989

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried by the following roll call vote, Council held the second reading and adopted Ordinance 1404, "An Ordinance of the City of Woodland Amending Chapter 23 of the Municipal Code of the City of Woodland by Adding



Article VI Establishing a Woodland Visitor Attraction District Pursuant to the Parking and Business Improvement Area Law of 1989”.

ORDINANCE REGARDING VEHICLE ENGINE IDLING

Council received a report indicating that no further action is requested at this time on the Engine Idling Ordinance introduced and read by Council on July 27, 2004 amending Chapter 14 of the Municipal Code of the City of Woodland by adding Article XV.

ADJOURNMENT

Mayor Rexroad adjourned the regular meeting of the City Council at 11:45 p.m.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk