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

February 15, 2000

CITY COUNCIL SPECIAL SESSION/CLOSED SESSIONS

The Woodland City Council met in special session at 6:00 p.m. in the second floor conference room of City Hall in order to convene a closed session. Before the closed session the Mayor announced the closed session topics.

The Council held a conference with the City's Labor Negotiator (Agency Negotiator: Phillip Marler) regarding the following employee organizations: Woodland Police Supervisors' Association and Woodland City Employees' Association. Council then discussed with legal counsel existing litigation pursuant to Sec. 54956.9(a), the case of Kenneth E. Trott and David Wilkinson v. City of Woodland and the City Council of the City of Woodland, et al (Superior Court of the State of California for the County of Yolo Case No. PT99-1817). Council also held a conference with legal counsel regarding initiation of litigation pursuant to Subsection (c) of Sec. 54956.9 (one case).

Council Members present at the Council special meeting were: Losoya, Borchard, Peart, Ryhal, and Flory (who arrived at 6:15 p.m.). Council Members absent: None. City Manager Richard Kirkwood, Assistant City Manager Phillip Marler, City Attorney Ann Siprelle, Community Development Director Steve Harris and Senior Planner Bob MacNicholl also attended the closed session.

The special session and closed session were adjourned at 6:50 p.m.

CITY COUNCIL REGULAR SESSION

Mayor Losoya opened the regular Council meeting at 7:05 p.m.

CLOSED SESSION ANNOUNCEMENT:

Mayor Losoya announced that the City Council just adjourned a closed session. During the closed session he said that Council gave direction to staff to proceed with negotiations regarding the Police Supervisors' Association and Council approved the Memorandum of Understanding with the Woodland City Employees' Association (see Consent Calendar items). He said that the Council received an update on the existing litigation of Trott, Wilkinson v. City of Woodland. On a third item he staff was instructed to initiate litigation regarding one case.

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City Attorney Ann Siprelle advised that Council directed her to initiate litigation regarding the third closed session topic, and after litigation is formally commenced the particulars of the case will be disclosed to anyone who inquires after initiation.

PLEDGE OF ALLEGIANCE:

Mayor Losoya invited all in attendance to join him in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Losoya, Borchard, Flory, Peart, Ryhal

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Richard Kirkwood, Phil Marler, Jean Kristensen, Ann

Siprelle, Gary Wegener, Steve Harris, Henry Agonia, Charlie

Wilts, John De Weerd, Sue Vannucci, and Bruce Lecair

MINUTES:

On motion of Council Member Ryhal, seconded by Council Member Flory and carried by unanimous vote (Vice Mayor Borchard abstained), the City Council approved the minutes of the adjourned regular meeting of November 23, 1999, as prepared.

On motion of Council Member Ryhal, seconded by Council Member Peart and carried by unanimous vote (Mayor Losoya abstained), the City Council approved the minutes of the regular meeting of December 7, 1999, as prepared.

WRITTEN COMMUNICATIONS:

1. From Dawn Peterson a claim against the City was received regarding damages to her front door when the Woodland Police Department entered her home on January 8, 2000. The City's insurance representative recommended that the Council reject the claim and refer it to them.

On motion of Vice Mayor Borchard, seconded by Council Member Peart and carried by unanimous vote, the City Council rejected the claim against the City submitted by Dawn Peterson and referred the claim to the City's insurance representative.

2. From Larry F. Greene, Air Pollution Control Officer, with the Yolo-Solano Air Quality Management District a letter was received commending Council Member Flory for his services on the District Board.

COMMITTEE REPORTS:

- 1. From Police Chief Del Hanson a report was received transmitting the minutes of the Yolo County Communications Emergency Services Agency Governing Board meeting of December 1, 1999.
- 2. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board of Trustees meeting of December 6, 1999.
- 3. From Parks, Recreation and Community Services Director Henry Agonia a report was received transmitting the draft minutes of the Parks, Recreation and Community Services Commission meeting of January 24, 2000.
- 4. From Community Development Director Steven Harris a report was received regarding the Planning Commission study session of January 27, 2000. The Planning Commission heard a presentation from Terrence Bottomley, Urban Designer. Mr. Bottomley conducted a discussion on urban design principles, practices and trends.

PUBLIC COMMENT:

Kristy Wright, Executive Director of the Woodland Chamber of Commerce, and Carlene Nayler, President of the Woodland Chamber of Commerce, presented a Resolution of Support for Measure H approved by the Chamber of Commerce Board of Directors to the City Council.

Dudley Holman commented on how effectively he is able to communicate with individual Council Members, his support for the Council's action on February 1, 2000, on the removal of Tree Commissioners Kenneth Trott and David Wilkinson, and other matters.

COUNCIL STATEMENTS AND REQUESTS:

Council Member Peart advised that the Measure H Committee will meet every Wednesday at 7:30 a.m. at 414 Fourth Street until the March 7, 2000 election. He also requested that a letter be sent to Hoblit-Haynes for bringing its Dodge-Chrysler business to Woodland from Colusa and renovating the Electric Garage building at the northeast corner of Third and Main Streets. He also requested a future meeting agenda item regarding an expanded "adopt a tree program."

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Mayor Losoya reminded everyone to complete their census forms which will be distributed the last part of March to the first of April. He said an accurate accounting is important for federal funding.

RESOLUTION OF APPRECIATION FOR ASSEMBLYWOMAN HELEN THOMSON:

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted a Resolution of Appreciation for Assemblywoman Helen Thomson.

Mayor Losoya presented the Resolution of Appreciation to Assemblywoman Thomson.

PRESENTATION FROM NEW OWNERS OF COUNTY FAIR MALL:

Mark Haw, the Corporate Property/Construction Manager of Triple Net Properties, informed the Council regarding their plans as new owners of County Fair Mall for renovation of the Mall.

PRESENTATION OF RESOLUTION OF APPRECIATION TO SAL ESTRADA:

On motion of Vice Mayor Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council approved a Resolution of Appreciation for Firefighter Salvador Estrada, who was retiring after serving with the Woodland Fire Department since September of 1978.

Council Member Peart presented the Resolution of Appreciation to Sal Estrada.

PRESENTATION OF CONDITION OF CITY STREETS AND MAINTENANCE REQUIREMENTS:

Public Works Director Gary Wegener made a presentation on the condition of City streets and maintenance requirements.

RESOLUTION OF SUPPORT FOR MEASURE H:

Parks, Recreation and Community Services Director Henry Agonia presented the Council with a Resolution of Support for Measure H from the Parks, Recreation and Community Services Commission (adopted January 24, 2000).

CONSENT CALENDAR:

Council Member Peart asked to have the following agenda item removed from the Consent Calendar:

11. Approve a contract with Peyser Associates in lieu of the Fergeson Group for FEMA Flood Control issues

The City Manager said staff has been in contact with Thane Young with Peyser and Associates, and Mr. Young is suggesting that the City have a follow up meeting with the contingency from the City and that two members of the City Council, the City Manager and the Public Works Director meet in Washington D.C. during the week of March 13 and stay through March 16. He said Vice Mayor Borchard and Council Member Peart both expressed an interest in going to Washington D.C.

Vice Mayor Borchard requested that Council take action on the remainder of the Consent Calendar before discussing item 11.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved the following Consent Calendar items:

TREASURER'S REPORT FOR DECEMBER 1999:

The City Council accepted the Treasurer's Report for December 1999.

RESOLUTION NO. 4165 - MEMORANDUM OF UNDERSTANDING WITH GENERAL SERVICES ASSOCIATION:

The City Council adopted Resolution No. 4165 entitled "A Resolution of the City Council of the City of Woodland Approving Certain Terms and Conditions for General Services Unit Employees" and directed the City Manager to take the necessary steps to implement this resolution.

HANNAH CAMPBELL AND CHRISTIANSEN PARK PLAYGROUND EQUIPMENT:

The City Council authorized the purchase of children's play equipment for Hannah Campbell Park and Christiansen Park from Landscape Structures in the amount of \$120,419.

FIRE DEPARTMENT GRASS FIRE ENGINE AND WATER TENDER:

The City Council authorized the Acting Fire Chief to enter into sole source purchase negotiations with Westates Truck Equipment, Inc. to purchase one grass fire engine and complete the "build-up" of a replacement water tender.

MANAGEMENT AUDIT OF CITY BUILDING INSPECTION DIVISION:

The City Council authorized staff to enter into a professional services contract in the amount of \$19,490 with The Davis company and Pacific Municipal Consultants for the preparation of a management audit of the City Building Inspection Division.

WASTEWATER TREATMENT PLANT PHASE II IMPROVEMENTS:

The City Council accepted the Wastewater Treatment Plant (WWTP) Improvements, Stage 1, Phase 2, Project No. 97-20 by Kirkwood-Bly, Inc. as complete; directed the City Clerk to file a notice of completion; and authorized the City Manager to sign the notice of completion.

RESOLUTION NO. 4166 - WEED ABATEMENT PROGRAM FOR 2000:

The City Council adopted Resolution No. 4166 declaring certain lots identified as seasonal and recurrent public nuisances, and authorized the Fire Chief or his representative to act as "Superintendent" in abatement of nuisances; set the second Council meeting in April as a hearing to permit property owners to voice objections; and directed the Fire Department Secretary to mail notices to property owners at least fourteen (14) days prior to the date of hearing.

AMENDMENT TO AERIAL PHOTOGRAPHY CONTRACT:

The City Council authorized an additional \$1,078.0 to extend aerial photo coverage south to County Road 27.

AGENDA ITEMS REMOVED FROM CONSENT CALENDAR:

CACHE CREEK FLOOD PROTECTION ADVOCACY SERVICES/MEETINGS WITH FEMA:

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council (1) authorized Vice Mayor Borchard and Council Member Peart to go to Washington, D.C. in March regarding the flood control issue and agreed that City Manager Richard Kirkwood and Public Works Director Gary Wegener will accompany the Council Members to Washington, D.C.; (2) authorized a one-year consultant services contract with Peyser Associates for legislative advocacy services, at a cost not to exceed \$50,000; (3) approved a change to the Project Programming Summary Sheet (98-47) and the Major Projects Financing Plan project (SD-31) to include these additional costs; and (4) confirmed intentions to meet with FEMA, OMB, and COE representatives in Washington, D.C.

TEMPORARY CONVENING OF REDEVELOPMENT MEETING:

Mayor Losoya temporarily adjourned the City Council meeting and convened a meeting of the Woodland Redevelopment Agency Board at 8:25 p.m. See Agency minutes attached to these Council minutes as Exhibit A. At 8:32 p.m. the Redevelopment Agency meeting was adjourned, and the Council meeting was reconvened.

Council took a recess from 8:32 p.m. until 8:42 p.m.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

UPDATE ON IDLE WHEEL AND ROYAL PALM MOBILE HOME PARKS:

The City Manager said he prepared a report for Council from the meeting which he, Council Member Flory, former Mayor Gary Sandy and residents of the Idle Wheel and Royal Palms Mobile Home Parks attended. He said also in attendance at the meeting was Mr. David Thompson, a consultant retained by the Mobile Home Parks residents. He said this is the second update for the Council. He said since there is legal representation from both sides it is best to make this a matter of public record. He then briefed the Council on a letter from McDonald Law Offices who represent Jesse D. Yohanan in his management, operation and ownership of the Idle Wheel and Royal Palm Mobile Home Estates. He said the letter does discuss Mr. Yohanan's perception with regard to utility charges for garbage, sewer and water, indicating they were removed from the base rent to be paid separately by the residents of the mobile home parks. He said the increase in base rents begin in March of 2000, and he indicated that the magnitude of the rate increases is primarily as a result of the change of ownership which causes the property tax to increase and therefore is passing it on to the tenants. He also indicated that the new management is embarking on a new program of increased maintenance for the community including maintenance of common facilities, street repavement and trimming of common area trees. He said the new owner has also indicated a commitment to keep all of the community residents informed of all developments with respect to the community living in general.

City Attorney Ann Siprelle summarized a letter she had prepared regarding the tenants request for \$4,850 for financial assistance from the City. She said she did not feel the financial assistance would serve a general public benefit and spending money for that purpose would be considered a gift of public funds, and the California Constitution prohibits that. She said received

additional information that there might be more general public benefit in that the park would further the interests of providing moderate and low income housing. She said she will review her opinion to see if it might change with regard to this additional information received.

The City Manager said David Thompson, representing John Irvin and the rest of the mobile home park tenants submitted an application for Community Development Block Grant (CDBG) Funds in the amount of \$234,000. He said the first meeting at which all of the CDBG fund requests are considered will be on February 29, and the second meeting will be on March 29, 2000. The Council will then hold a hearing on April 18. The community members who will be reviewing all of the CDBG applications include Ernie Woolner, Mary Ann Gonzalez, Pastor John Sublett, and Russell Miller, Associate Superintendent of Business, and John Laugenour of the Chamber of Commerce.

Council Member Flory reported on his meeting on February 4 with John Irvin and the management of the mobile home parks.

John Irvin explained the tenants' problems in trying to get information from the new management regarding the way they are billing the utilities. He said he now realizes that his previous request for the City to adopt new rent control regulations was a mistake. He withdrew that request, but he asked the Council to consider looking at mobile home space rent control which would not affect apartment owners. He pointed out that they are faced with battles with every issue they present to the management, and he said this is a low income housing area, and there are many elderly people.

David Thompson said he worked with the residents of Leisureville Mobile Home Park when a similar situation occurred there in 1994. He said he was able to co-write a book, which included a chapter about Leisureville. He said he hoped the CDBG funding will assist the Idle Wheel and Royal Palm residents to achieve similar success as the Leisureville residents did.

The City Manager said there are not ordinances in place which would allow the Council to demand that the owners keep the rents in place. He applauded the efforts of the residents to pursue civil remedies. With regard to the request for additional funding, he said the City Attorney will review to determine what sources of City funds could be eligible for the Council to consider assisting the tenants in their endeavors. He said the Redevelopment Agency staff and the Community Development Director will look at the redevelopment laws and how we might be able to access opportunities there for the tenants.

TURN OF THE CENTURY PLANNING CHARRETTE:

Community Development Director Steve Harris gave a report to Council on the two Turn of the Century planning sessions held on February 12 and February 14, 2000. He said the February 12 workshop was held at the Woodland Community College from 9:00 a.m. until 2:00 p.m. and approximately 100 people attended. Among the attendees were some Planning Commissioners as well as Council Members. At that meeting they discussed each of the three specific plans that had been submitted, the first two by the Turn of the Century applicant and the third by David William and Associates who are representing other property owners in the study area. He said Consultant Terry Bottomley who had given a presentation to the Planning Commission previously reported on different types of development and land uses, commercial, housing, and streetscape patterns. After that presentation people were allowed to make comments on each one of the plans. He said on February 14 there was a meeting from 6:00 p.m. until 9:00 p.m. which was attended again by nearly 100 He said Terry Bottomley had taken the previous comments from February 12 and produced a consensus of land use patterns where schools could be located, parks, etc. He said they discussed land use patterns and how the area relates to the rest of Woodland. He said on February 14 much of the conversation dealt with transportation, streets and roads. He said next week Mr. Bottomley will take all of the comments and produce a consensus plan. The Planning Commission will hold a public hearing on March 9, and he said hopefully after another public hearing on March 16 the Commission will be able to act on a plan which can be forwarded to the City Council for action.

CONTRACT WITH QUANTUM TO OPERATE DUBACH RECREATIONAL AREA:

On motion of Council Member Peart, seconded by Council Member Ryhal and carried by unanimous vote, the City Council authorized the City Manager to execute an agreement with Quantum Sports Parks (QSP) for the lease of Dubach Park.

NON-PROFIT FOUNDATION FOR RECREATION PROGRAMS:

On motion of Council Member Borchard, seconded by Council Member Peart and carried by unanimous vote, the City Council approved the establishment of the Woodland Recreation Foundation to assist the Woodland Parks, Recreation and Community Services Department in providing recreation and human needs services to the public.

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CHANGE IN MARCH 7 COUNCIL MEETING DATE:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council changed the date of the first Council meeting in March of 2000 from March 7, 2000 to March 6, 2000.

ADJOURNMENT:

At 9:41 p.m. the regular meeting was adjourned to February 29, 2000, 7:00 p.r	At 9:41 p.m. the	regular meeting	was adjourned to	February 29,	2000, 7:00 p.r
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City Clerk of the City of Woodland