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

September 28, 1999

CITY COUNCIL SPECIAL SESSION/CLOSED SESSION

The Woodland City Council met in special session at 6:30 p.m. in the second floor conference room of City Hall in order to convene a closed session. Before the closed session Vice Mayor Steve Borchard announced the closed session topic.

The Council then convened a closed session for a conference with Legal Counsel regarding anticipated litigation (Sec. 54956.9) and significant exposure to litigation pursuant to Government Code 54956.9(b) (one case).

Council Members present at the special meeting were: Borchard, Flory, Peart and Ryhal. Council Members absent: Losoya. City Manager Richard Kirkwood and Assistant City Manager Phillip Marler were also present for the closed session.

The special session and closed session were adjourned at 7:00 p.m.

CITY COUNCIL ADJOURNED REGULAR SESSION

The Woodland City Council met in adjourned regular session at 7:00 p.m. in the City Hall Council Chambers.

Vice Mayor Steve Borchard conducted the meeting.

CLOSED SESSION ANNOUNCEMENT:

City Attorney Ann Siprelle reported that the City Council met in closed session at 6:30 p.m. tonight for a conference with legal counsel on anticipated litigation and significant exposure to litigation regarding one case. She said direction was given to staff.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Borchard, Flory, Peart, Ryhal

COUNCIL MEMBERS ABSENT: Losoya

STAFF PRESENT: Marler, Kirkwood, Gonzalez, Vicars,

Wegener, Agonia, Del Hanson

PLEDGE OF ALLEGIANCE:

Vice Mayor Borchard requested those in attendance to join him in the Pledge of Allegiance to the Flag of the United States of America.

PUBLIC COMMENT:

Ken Johnson said he wanted to speak about a Community Center. Vice Mayor Borchard advised that Mr. Johnson could address the Council when it discusses ballot measures for the March 2000 ballot. There were no further public comments.

PROCLAMATION - CHILI COOK-OFF:

On motion of Council Member Ryhal, seconded by Council Member Peart and carried by unanimous vote, the City Council proclaimed Saturday, October 2, 1999 as "Dynamite Downtown Chili Cook-Off Day" in Woodland.

Vice Mayor Borchard presented the proclamation to Julie Farnham, the President of the Woodland Merchants Association.

John Fenrich of The Daily Democrat presented the Council with a framed poster of the Dynamite Downtown Chili Cook Off which was designed by Shawn Denny. He invited the Council Members to be judges at the Chili Cook Off on October 2.

BALLOT MEASURES FOR MARCH 7, 2000 PRIMARY ELECTION:

City Manager Richard Kirkwood said staff has been for the past couple of weeks trying to develop the most perfect blend of policies and issues that are necessary to develop information the Council could consider for the March 7, 2000 election ballot. He said the Council has an opportunity to address the very serious money issues that face our community. He said the Council and the community has embraced a General Plan which contains a background report and policies to give the City its guidance. He said it is important that when the City considers financial issues that the issues be framed either on substantial community input opportunities or go back to the General Plan policy documents that have been adopted by the community as well. He said in 1996, the voters did approve this General Plan and it carries a tremendous amount of policy weight. He said General Plan Policy 4.B.2. states that the City shall seek broadbased funding sources for public facilities and services that benefit current and future residents. Under Proposition 218 any requests for tax increase must be on the same ballot as the election of members of the governing board. For this reason, if the City Council desires to place any type of funding measures on the ballot, it must be at the time a member election, or every other year. He said the General Plan clearly states how to continue to improve Woodland. To allow Woodland to remain a dynamic and thriving community, substantial financial issues must be brought to the public for their

approval, and it is up to the City Council to decide what, when and how much. He said the Mission states that the City of Woodland will create and sustain community vitality by providing quality services, programs and facilities, safeguarding our community, providing community involvement and planning for the City's future. He said the General Plan is a 20-year plan, and the population will change from the 1995 population of 42,500 to 66,000 in 2020. He noted that among the most pressing capital projects where funding is needed are: a police station, softball/soccer facilities, a community center, flood projects, wastewater, and road construction. He then gave the status and funding sources for each project.

Finance Director Margaret Vicars gave Council background in the City's authority to place a sales tax measure on the City's municipal election ballot. She said the approval from the state was for a one-half cent general sales tax, which requires 50% plus one vote for approval. She said that would have changed the City's sales tax from 7.25% to 7.75% and was estimated to bring about \$3 million into the City each year. She said 39% of all sales tax collected in the City is generated from people living outside of Woodland, people coming into the City to shop. She said that's 39 cents on every dollar the City receives in sales tax. She said the sales tax measure the City placed on the June 1998 ballot did not pass, but she said a sales tax measure is still a viable choice for another funding mechanism in the future.

With respect to the general sales tax measure City Attorney Ann Siprelle said it is risky to make statements in public that the City is committed to spend the tax money on certain things. She said the Council cannot commit the City to spend the (general sales) tax money on particular projects. She said the Council can spend the tax money after the election on any City purposes the Council wants. She said the ballot measure would seek the voters approval to impose a general tax to be used for City purposes. She said the most the ballot could state is examples of what the City might spend the sales tax money on.

Vice Mayor Borchard said it is his opinion that the threshold requirements stated by law reversed what they should be. He said he thought it should be 2/3's vote for a general sales tax and 50% plus 1 vote for a specific purpose sales tax.

The City Manager then discussed other financing mechanisms such as Mello-Roos bonds, using the PERS excess assets, assessment districts and pre-AB 1600 development fees. He noted there is a proposal in the State Legislature to place a measure on the November 2000 statewide ballot to provide a mechanism for Counties to institute a one-half cent sales tax for roads.

Police Chief Del Hanson gave background on the current Police Station facilities and the site chosen for the future station in the block bounded by Lincoln Avenue, Fifth Street, Oak Avenue and Sixth Street. He said he is still developing data for the space needs of the Police Department. He said the big issue is the security of the new structure and security of the parking areas, the vehicles and equipment the Police Department has.

Bruce Pope, principle consultant, and his partner Dexter Baker, business development manager for Ledcor Industries addressed the council on the issue of a new police station. Mr. Pope said Ledcor submitted a proposal to the City to build the police station facility with private funds and enter into a lease purchase agreement with the City. He said the lease would be for a 20 to 25 year period depending on the cash flow model of the terms of the lease. He said their proposal envisions a multidisciplinary team that would do the needs analysis, do preliminary sketches of how the facility could fit on the site and meet the needs of the Police Department, and a preliminary estimate of what the cost would be. He said the proposal would be accomplished through a memorandum of understanding (MOU) for a period of 120 days. He said the MOU is not a binding document to the Council. He said a separate firm would finance the project and bring in its own private sector funds for the project. He said the City is not able to make a decision on the police station when it does not know what it will cost so the needs analysis is necessary. Dexter Baker of Ledcor briefed the Council on the background of Ledcor and its experience.

The City Manager said whether a general obligation bond or a sales tax measure with traditional financing is used for a police station the core issue is financing the public facility and asking the taxpayers how we should go about it. He said the City still needs between \$4 million and \$5 million and that amount cannot be absorbed out of the general operating budgets. He said there are other funds but those funds have to be spent for specific items.

Parks, Recreation and Community Services Director Henry Agonia gave Council background on the need for softball/soccer facilities and a community center/senior center. He said one softball field is needed for every 4,000 adults, and currently the City has two facilities, so the City is about seven short. For soccer fields the City needs at least one adult soccer field for every 23,000 adults, and currently the City has one facility so the City is about three short. He said not only in the City of Woodland Parks and Recreation Master Plan were these deficiencies identified, but they have been identified with regard to soccer facilities since 1997 and a softball facility master plan done in 1996. The result of not having these facilities is the decline in participation. He said a March 2000 bond issue would provide \$500,000 in a per capita bond act, and there is also availability of grant projects for softball fields and soccer fields by nonprofit organizations. He then discussed the need for a community center and a combination senior facility and youth facility. He said there should be one senior center per 12,000 population according to the Master Plan.

Ken Johnson, President of Senior Center, Inc., expressed support for a community center/senior center. He expressed support for combining the senior center with a youth center as long as it is large enough. He said his group is more supportive of a general obligation bond then a sales tax for these facilities. He said there about 11,000 senior citizens in this community who would support a general obligation bond to get the 2/3 vote necessary.

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Public Work Director Gary Wegener discussed the need for funding and funding options for flood projects, wastewater treatment, and road construction and rehabilitation. He pointed out that there will be a State proposal for a County Road 1/2-cent sales tax on the November 2000 ballot, but he said the County of Yolo would have to pass the measure.

The Finance Director responded to questions from the Council regarding election costs and the City's history on holding stand-alone elections versus consolidated elections. After some discussion Council agreed to address the timing of the 2002 municipal election at a later date.

Council discussed the logistics and feasibility of placing a measure and advisory measures on the March 7, 2000 election ballot.

Vice Mayor Borchard said we need to keep it simple with two measures: one being the roads and the second is the Police Station which are two public safety issues.

Council Member Peart said we would accomplish two things here. If the sales tax passes it gives us good guidance, but also if the sales tax does not pass it will give us an idea what the citizens are really looking at. It will give us some guidance in the future of where to go. If we have the four separate measures it will give us some guidance on where to go.

Council Member Ryhal said he would compromise on three measures. He said he thought they should leave the senior/community center in there as one of the listed items.

Responding to Council questions regarding the amount of funding necessary for the various projects, Finance Director Margaret Vicars said the Police Station (\$4 million), the community center (\$5.2 million), and the soccer/softball facilities (\$2 million) costs amount to \$11.2 million. She said in four years the City can cover the debt service on bonds to build those structures or collect funds to construct the facilities in their entirety without bonding. Road construction costs totaled \$9.9 million.

The City Manager pointed out that the Council needs to consider the time value of money. If a project is estimated today the future construction costs will have to be factored in.

After further discussion the following action was taken:

On motion of Council Member Peart, seconded by Council Member Borchard, and carried by the following vote, the Council approved placing a one-half cent sales tax measure on the March 7, 2000 election ballot with (1) a yearly review so that the public will know how the money was used and (2) a sunset clause of six years:

AYES: COUNCIL MEMBERS: Borchard, Peart, Ryhal

NOES: COUNCIL MEMBERS: Flory

On motion of Council Member Peart, seconded by Council Member Flory and carried by the following vote:

That there be advisory measures on the March 7, 2000 ballot as follows:

- (1) "Would you like to spend the sales tax on a police station?"
- (2) "Would you like to spend the sales tax on softball and soccer facilities?"
- (3) "Would you like to spend the sales tax money on a community center/senior center?"
- (4) "Would you like to spend the sales tax on road rehabilitation?"

AYES: COUNCIL MEMBERS: Flory, Peart, Ryhal

NOES: COUNCIL MEMBERS: Borchard

The City Manager thanked the Council for the dialog. He said there are two other issues. One was recommended by the Woodland Chamber of Commerce in the CORT Report [the City Operations Review Task (CORT) Force], January 29, 1996 which recommended that the City Clerk and the City Treasurer positions be appointed positions. He said Woodland is a general law city and a majority of the cities throughout California are general law cities, and the City Clerks and City Treasurers are appointed officials. He recommended following the recommendation of CORT that the City Clerk and City Treasurer rather than being elected positions which is somewhat archaic because we have a Finance Director who serves as the Treasurer and we have the City Clerk who serves as the Council's secretary and has been on staff for many years. He said we have a history to talk about how it is done. He recommended that the Council consider the report that the Woodland Chamber of Commerce put forth and that the Clerk and Treasurer be considered on the March 2000 ballot to remove them from being elected positions and making them appointed by the Council with the recommendation from the City Manager.

Dudley Holman said he agrees with the logic of having the positions appointed, but he suggested putting the measures on a ballot two years later where it is not viewed as a take away.

City Attorney Ann Siprelle said these measures could be placed on a special election ballot.

The City Manager said if the Council were to consider its own compensation, it has to be on a ballot measure. The Human Resources Director and the Assistant City Manager have done an analysis of just trying to keep pace with the market. He said the Council Members' compensation is substantially lower than the compensation paid to

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council members in the seven cities surveyed. Whether this Council wants to place the Council Members salary in accordance with General Law is up to the Council.

Council Member Flory said he will give his raise to the Senior Center. He asked how can we go to the electorate when the City is trying to get a measure passed and ask the community to increase the Council's salary. He said compensation is not the main reason Council Members are serving but rather they have interest in the community.

Vice Mayor Borchard said this is something we need to address again in a couple of years. He thanked staff for the report.

ADJOURNMENT:

At 10:30 p.m. Vid	e Mavor	Borchard	adiourned	the	meeting
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Jean Kristensen, City Clerk of the City of Woodland