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

September 7, 1999

# CITY COUNCIL REGULAR SESSION

Mayor Losoya convened the City Council regular session at 7:05 p.m. in the City Hall Council Chambers.

# **PLEDGE OF ALLEGIANCE:**

Mayor Losoya invited everyone present 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: Kirkwood, Marler, Kristensen, Agonia, Siprelle, Wegener,

Gioia, and Phillips

### MINUTES:

On motion of Council Member Peart, seconded by Council Member Flory and carried (Mayor Losoya and Council Member Ryhal abstained), the City Council approved the minutes for the adjourned regular Council meeting of June 22, 1999, as prepared.

On motion of Council Member Borchard, seconded by Council Member Peart and carried (Council Member Flory abstained), the City Council approved the minutes for the regular Council meeting of July 6, 1999, as prepared.

#### WRITTEN COMMUNICATIONS:

1. From Martha Proctor a claim against the City was received regarding damage to her car when a tree limb fell on her car in the City parking lot south of Main Street between Second and Third Streets. The date of the incident was July 20, 1999. The City's insurance representative recommended that City Council reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Peart and carried by unanimous vote, the City Council rejected the claim against the City of

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Woodland filed by Martha Proctor and referred the claim to the City's insurance representative.

2. From Antonieta Licea, a claim against the City was received regarding an arrest, which occurred in her home on July 22, 1999, by the Woodland Police Department. The City's insurance representative recommended that the City Council reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Peart and carried by unanimous vote, the City Council rejected the claim against the City of Woodland filed by Antonieta Licea and referred the claim to the City's insurance representative.

3. From Marge Hildebrand a claim against the City was received regarding a door damaged by the Woodland Police Department on July 1, 1999. The City's insurance representative recommended that the City Council reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Peart and carried by unanimous vote, the City Council rejected the claim against the City of Woodland filed by Marge Hildebrand and referred the claim to the City's insurance representative.

- 4. From the State Department of Alcoholic Beverage Control a copy of an application was received for an off sale beer and wine license for 7 Eleven at 1229 East Main Street. Community Services Officer Ken Yamamoto had indicated that the Police Department has no objections to the issuance of this license.
- 5. From the State Department of Alcoholic Beverage Control a copy of an application was received for an off sale general alcoholic beverage license for Albertson's, 34 West Court Street. Community Services Officer Ken Yamamoto had indicated that the Police Department has no objections to the issuance of this license.

# **COMMITTEE REPORTS**:

- 1. From Public Works Director Gary Wegener a report was received transmitting the minutes of the Water Resources Association meetings of June 21 and July 19, 1999.
- 2. From Parks, Recreation and Community Services Director Henry Agonia a report was received summarizing action taken at the Commission on Aging meeting of July 13, 1999.

- 3. From Police Chief Del Hanson a report was received transmitting the minutes of the Yolo County Emergency Services Agency Board meetings of July 14 and August 2, 1999.
- 4. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board of Trustees meeting of July 19, 1999.
- 5. From Public Works Director Gary Wegener a report was received transmitting the minutes of the Flood Task Force meetings of July 22 and August 12, 1999.
- 6. From the Parks, Recreation and Community Services Director a report was received transmitting the minutes of the Parks, Recreation and Community Services Commission meetings of July 26 and August 23, 1999.
- 7. From the Public Works Director a report was received transmitting the minutes of the Tree Commission meeting of July 26, 1999.
- 8. From Community Development Director Steven Harris a report was received advising that the Planning Commission meeting of August 5, 1999 was cancelled due to lack of a quorum.
- 9. From the Public Works Director a report was received transmitting the minutes of the Traffic Safety Commission meeting of August 9, 1999.
- 10. From the Community Development Director a report was received transmitting the minutes of the Historical Preservation Commission meeting of August 11, 1999.
- 11. From the Community Development Director a report was received transmitting the minutes of the Redevelopment Citizens' Advisory Committee meeting of July 28, 1999.

# **UPCOMING SACOG HEARING:**

Council Member Flory, as the City's representative on the Sacramento Area Council of Governments (SACOG), reported that on October 28, 1999, at 2:00 p.m. in the Woodland City Council Chambers he will be chairing a SACOG public hearing regarding transit needs in Yolo County. He said representatives of the Yolo County Transportation District will be making a presentation. He said the purpose of the hearing is to determine if there are any unmet needs, which are reasonable and can be handled with the upcoming budget for transportation funds.

### **PUBLIC COMMENT:**

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Marc Ullrich, President of the Woodland Rotary, invited the City Council and the Members of the Parks, Recreation and Community Services Commission to a dedication of the finished gazebo at Freeman Park. The event will take place on Sunday, September 26, 1999, 3:00 p.m. until 6:00 p.m.

City Manager Richard Kirkwood advised of a FEMA Workshop regarding the FEMA Appeal update, new FEMA map status, the Flood Plain Task Force Report and flood insurance rates and application. The workshop will be held on Wednesday, October 6, 1999, 8:00 a.m. until 10:00 a.m. at the Target Distribution Center, 2050 East Beamer Street in Woodland. The Workshop is sponsored by the Woodland Chamber Water Task Force.

#### **COUNCIL STATEMENTS AND REQUESTS:**

Council Member Ryhal requested a future meeting agenda item regarding an amendment to the City ordinance prohibiting alcoholic beverages at Clark Field. He said he met with Jeff Kuntz who was very appreciative of the City staff efforts for his baseball event at Clark Field last weekend. He said they were able to have a barbecue and some beer sales as well.

Council Member Ryhal also raised the issue of Condition No. 51 for the Woodmark Apartments regarding articulation and height of the apartments. He said this issue needs an in house review by the City Attorney and the Community Development Director.

Council Member Peart said he received good comments on the City's fair booth, and he said people liked having all City departments together. He thanked Assistant City Manager Phil Marler and other City staff for their efforts. He then requested a future meeting report on all surplus lands the City owns. He said he would like to know what funds finance them and where we stand with respect to surplus City-owned land. He said he realized this request is involved, and he did not ask for a definite date for a report back to Council.

### REPORT FROM LIBRARY BOARD OF TRUSTEES:

Bud Goding, a member of the Library Board of Trustees, gave Council a report on the past year activities of the Board, including the extended hours of the Library and Sunday hours, the literacy program and other events.

### **CONSENT CALENDAR:**

Council Member Peart requested removal of two items from the Consent Calendar: the monthly status report from the Parks, Recreation and Community Services Department and the award of the Police locker room project.

Council Member Ryhal requested removal from the Consent Calendar of the issue of the Valley Vision Capital Region Compact.

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

#### **COMMUNITY DEVELOPMENT MONTHLY REPORT:**

The City Council received the Community Development Department projects monthly report.

# <u>PUBLIC WORKS MONTHLY REPORT AND CAPITAL BUDGET</u> IMPLEMENTATION STAT<u>US REPORT</u>:

The City Council received the Public Works Department Monthly Report and the Capital Budget Implementation Status Report.

# TREASURER'S REPORT FOR JUNE 1999:

The City Council accepted the June 1999 Treasurer's Investment Report.

### TREASURER'S REPORT FOR JULY 1999:

The City Council accepted the July 1999 Treasurer's Investment Report.

# SUMMARY MINUTES OF JOINT MEETING WITH PLANNING COMMISSION REGARDING TURN OF THE CENTURY:

The City Council adopted summary minutes from the July 15, 1999 Joint public workshop held by the City Council and the Planning Commission regarding the Turn of the Century Specific Plan.

# PONTICELLO ENTERPRISES CONTRACT EXTENSION:

The City Council authorized an extension to the consultant support services contract with Ponticello Enterprises for an amount not to exceed \$20,000, for Turn of the Century (TOC) Infrastructure Plan Review.

#### COMPLETION OF KIRKBRIDE CAR WASH:

The City Council accepted as complete the public Improvements by developer Larry Kirkbride constructed as part of Parcel Map No. 4369 for Kirkbride Car Wash; and directed the City Clerk to file a notice of completion.

# COMPLETION OF WATER, STORM DRAIN, WASTEWATER SYSTEM PROJECT:

The City Council accepted as complete the Water, Storm Drain, Wastewater System Project, Project Nos. 96-17 and 97-17 by Sierra National Construction, Inc. of Carmichael; and directed the City Clerk to file a notice of completion.

# <u>PUBLIC HEARING SET ON FLOOD PROTECTION ALTERNATIVES FOR</u> CACHE CREEK FLOODING:

The City Council set September 21, 1999, as a public hearing on Flood Protection Alternatives for Cache Creek flooding.

# YOLO COUNTY HOMELESS COORDINATOR'S REPORT FOR JULY 1999:

The City Council received the Yolo County Homeless Coordinator's report for July 1999.

### COMPLETION OF 1999 DETECTOR LOOP REPLACEMENT PROJECT:

The City Council accepted as complete the 1999 Detector Loop Replacement Project, Project No. 99-04, by Shiloh Electric, Inc. of Chico; and directed the City Clerk to file a notice of completion.

#### PARKS, RECREATION AND COMMUNITY SERVICES MONTHLY REPORT:

Council Member Peart inquired about the work party for Dubach Field.

Parks, Recreation and Community Services Director Henry Agonia said Saturday, September 18, has been scheduled to remove equipment at Dubach. He said there is a draft news release, which will be going to the local newspapers tomorrow inviting volunteers to help with the removal. He said the time will be 9:00 a.m. and most of the work will involve removal of the fence material and taking the bleachers apart. He said labor is needed for this work, and the heavier work involving the removal of light standards and heavy equipment will take place later.

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the City Council received the Parks, Recreation and Community Services Department monthly report.

### AWARD OF POLICE LOCKER ROOM PROJECT:

Council Member Peart said he was bothered by hiring a professional to establish a plan and estimated cost for the Police Locker Room project, and the estimate was missed by a considerable amount. He said the estimated was \$50,000, and the Council is being asked to approve an increase of \$36,000. He said that is a high percentage. He recommended that any project that is \$50,000 for professional services should have some type of monitoring or pre-monitoring.

The City Manager said staff could work on a policy statement and report back to the City Council with that information. He said he agrees with Council Member Peart's concern regarding an estimate that is this far from the bid prices.

Vice Mayor Borchard said the staff report does not indicate how much the City paid Wirth and McCandless Architect for the design.

Bill McCandless said his firm was paid less than \$8,000 for their services. He pointed out that he wrote a letter to the Council indicating his part in underestimating the bid and trying to justify the bid. He said he was not willing to accept the entire disparity between the low bid and his estimate. He said he felt all of the bids are too high.

Council discussion followed.

Council Member Peart said the City is backed into a corner, and he would support accepting the bid as long as there is a clarification that in the future we work toward solving some of these problems before they happen.

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the City Council (1) approved the revised Project Programming Summary Sheet authorizing an increase in funding of \$36,200 for the Police Locker Room Expansion; (2) awarded the contract to Burton Construction for \$89,500; and (3) authorized the Public Works Director to execute contract change orders not to exceed \$13,500 (15% of the contract amount).

### **VALLEY VISION CAPITAL REGION COMPACT:**

Council Member Ryhal said he was not in favor of the proposed Valley Vision Capital Region Compact, and he would prefer the matter be scheduled as a regular calendar item so that there could be more discussion.

The City Manager recommended that the issue be removed from the agenda and rescheduled to a later date.

### REPORTS OF THE CITY MANAGER:

### **REGULAR CALENDAR:**

### **COUNCIL COMMITTEE ASSIGNMENTS:**

Mayor Losoya said that Council Member Flory needs to leave the Council meeting at 8:00 p.m. and requested that the Council committee assignments be considered at this time.

Assistant City Manager Phil Marler presented a report on the Council committee assignments. He pointed out that the Council received a letter from the Mayor of Davis asking that the Council appoint two members to what might become an Open Space Committee. He said this appointment could be postponed until there is clarification about the greenbelt issues.

Council Member Ryhal said he and Council Member Flory would be interested in representing the Council on the Open Space Committee.

The City Council said they agreed to continue serving on the same committees except that Vice Mayor Borchard said he did not want to serve on the Chamber/City 2 x 2. He said he cannot meet at the scheduled time of the day for that committee.

Vice Mayor Borchard noted that the Water Resources Association of Yolo County meets on the third Monday of the month at 5:00 p.m.

Council Member Flory requested that the Assistant City Manager or the City Manager see what they can do to get a Woodland Council Member appointed to **SACTO**.

On motion of Council Member Ryhal, seconded by Council Member Peart and carried by unanimous vote, the City Council approved the following Council committee assignments:

The City Council reappointed Council Members Ryhal and Peart as members of the **City Cable Television Committee** and reappointed Council Member Borchard as alternate.

The City Council reappointed Council Members Borchard and Flory as members of the **City Solid Waste Committee** and reappointed Council Member Ryhal as an alternate.

The City Council reappointed Mayor Losoya to Assemblywoman Helen Thomson and reappointed Council Member Ryhal to Senator Johannessen for the League of California Cities Legislative Delegate Program.

The City Council appointed Council Member Peart and Mayor Losoya as members of the **Chamber of Commerce/City 2 x 2 Committee** and appointed Vice Mayor Borchard as an alternate.

The City Council reappointed Council Members Ryhal and Borchard as members of the **Woodland Joint Unified School District/City 3 x 2 Committee** and reappointed Council Member Flory as an alternate.

The City Council reappointed Council Members Losoya and Flory as members of the **Woodland Economic Renaissance Corporation Board** and reappointed Council Member Peart as alternate.

The City Council reappointed Council Member Ryhal as the City representative to the **Reclamation District 2035 Advisory Committee** and reappointed Vice Mayor Borchard as an alternate.

The City Council reappointed Vice Mayor Borchard as the City's representative to the **Water Resources Association of Yolo County** and reappointed Council Member Ryhal as an alternate.

The City Council reappointed Mayor Losoya and Vice Mayor Borchard as members of the **Davis/City 2 x 2 Committee** and reappointed Council Member Peart as an alternate.

The City Council reappointed Council Members Borchard and Peart as members of the **West Sacramento/City 2 x 2 Committee** and reappointed Council Member Ryhal as an alternate.

The City Council reappointed Council Members Flory and Ryhal as members of the **Yolo County/City 2 x 2 Committee** and reappointed Vice Mayor Borchard as an alternate.

The City Council reappointed Council Member Flory as the City representative to the **Yolo-Solano Air Quality Management District Board** and reappointed Council Member Borchard as an alternate.

The City Council reappointed Council Member Ryhal as a member of the **Yolo County Criminal Justice Cabinet** and reappointed the Police Chief as an alternate.

The City Council reappointed Mayor Losoya as the City's representative to the **Yolo County Economic Development Council** and reappointed Council Member Peart as an alternate.

The City Council reappointed Council Member Ryhal as the City representative to the **Yolo County Transit Authority** and Mayor Losoya as the alternate.

The City Council appointed the Police Chief Del Hanson as the City's representative to the **Yolo County Communications and Emergency Services Agency** and appointed Acting Fire Chief Kent Wickstrom as the alternate.

The City Council reappointed Finance Director Margaret Vicars as the City representative to the **Yolo County Public Agency Risk Management Insurance Authority** and appointed the Assistant City Manager Phil Marler as the alternate.

# NOMINATION TO RECLAMATION DISTRICT:

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council nominated Vice Mayor Steve Borchard to serve an elected term for Reclamation District 2035.

Council Member Flory left the Council meeting at 8:00 p.m.

# REPORT ON FINANCING OF MUNICIPAL SERVICE CENTER:

Finance Director Margaret Vicars gave Council a brief history on the financing of the Municipal Service Center (MSC). She said in October of 1987 the Council was asked to buy out the remainder of the 1985 ten-year lease held on the warehouse property at 655 North County Road (MSC property) for a cost of \$150,000. The building and land were to be used to consolidate all of the Municipal Services to one site. She said in addition the lease contained a clause that allowed the lessee to purchase the site within the first five years of the lease for the amount of \$1,250,000. She said the City exercised this option at the earliest possible time to avoid ongoing lease payments of \$15,000 to \$17,000 per month. The purchase clause option was exercised in December 1987. Beside the cost of the lease buyout and the property purchase it was estimated that site improvements would cost \$270,000 to \$330,000. That brought the total estimated cost to \$1,670,000 to \$1,730,000. These costs were partially funded by water, sewer and general development fees and capital reserves. balance of the cost that could not be provided was to be borrowed internally at an 8% simple interest rate, with the properties of the Fifth Street Yard, Sutter Street yard, and 40 acres of the old Beamer Street Sewer Plant site being used as She said in 1987 the appraisal on the three properties was approximately \$1.5 million. She said as the MSC project was completed in 1989 the internal borrowing portion of the work totaled \$867,043.78. At an 8% rate, simple interest, the balance as of June 30, 1999 was \$1,613,478.86. In 1987 it had been estimated that the three parcels of land could be sold within five years

or by 1992-93. She said because of what occurred with land values and sales during the early 1990's the sale did not take place. In addition, she said the City is still awaiting final instructions from the State of California as to cleaning up the old sewer site. In 1994 a limited appraisal was made on the three properties with the results totaling \$3,995,000 assuming the toxic clean up had been completed on the sewer site. The value breakdown in the 1994 report was: old sewer pond \$3,135,000, Sutter Street Yard \$640,000 and Fifth Street Yard \$220,000. She said in 1987 when the 8% simple interest rate was set the City was probably earning 8% to 10% on its money, but currently the City is earning 5.5%. She asked the Council to consider changing the 8% to 5.5% simple interest, and this reduction would lower the interest cost by approximately \$22,000 each year until the land can be cleaned up and sold.

The City Manager said if all of these properties were owned initially by general funds or the general assets of the City then once the properties are sold the debt is relieved but any net proceeds if there is any gain above the loan those proceeds go to the general fund. On the other hand if any of the properties are owned by an enterprise fund any proceeds would go to that enterprise fund. He said staff can come back with a report to determine what fund actually owns the asset and if there were any proceeds that go beyond the money that was loaned to determine which are general assets and which are other funds. He said this is what Council Member Peart requested earlier in the meeting.

On motion of Council Member Ryhal, seconded by Council Member Borchard and carried by unanimous vote, the City Council adjusted the simple interest rate for the internal borrowing from 8% to 5.5%.

### 1999 ROAD SYSTEM REPORT ON BACKLOG OF ROAD MAINTENANCE:

Junior Engineer Chris Gioia presented the 1999 Road System report update. He said currently of the City's 156 miles of road, 7 miles need to be reconstructed, 19 miles need to be overlaid and 4 miles need to be seal coated. The current work needs on the City's road system total \$12.0 million. He said the replacement value of the 156 miles of road is approximately \$89 million, and the total road system value is estimated at this point at \$103 million. He then discussed funding for road maintenance and potential long range funding legislation.

Council Member Ryhal said when the Council first considered a tax in 1997 for road maintenance there was a \$10 million backlog. He said after closer scrutiny by City staff there was a \$5 million backlog. He said now in 1999 the backlog is up to \$7.4 million.

The Public Works Director said all of the backlog estimates have gone up to his recollection. He said one thing that kept staff from recognizing the

problems with the backlog was that in 1992 the City came out of a 7 year drought. He said if there is no rain and there is no saturated sub base. There is not the damage on the streets that is experienced when there is a lot of rain. He said the damage is going to be a variable from year to year. He said the issue with the cost of ownership, if the backlog is taken care of, is seal coating every 7 years, overlays every 40 years, and reconstruction. He said he would have to research the records, but he did not recall a drop in the backlog estimate from \$10 million to \$5 million.

The City Manager said the City has been doing a pretty good job at funding maintenance of City streets, but his understanding is that there has been a shortfall on the maintenance each year about \$500,000 to \$600,000.

The Public Works Director said it was closer to \$1 million in shortfall each year. He added that the Business Round Table has been working very hard State-wide on putting together an infrastructure report card for the State. He said Woodland is one of the few entities in the State that does not have a separate add on tax in their county which they used to pay for additional road projects. He said throughout the State entities have problems with infrastructure.

# REGIONAL (COMMUNITY) PARK IMPROVEMENTS:

Public Works Director Gary Wegener requested Council approval of a revised Project Programming Summary Sheet for the Regional Park for a design consultant to prepare plans, specifications and construction estimates for the construction of a portion of the Regional Park. The Phase I of the park includes community facilities for a softball complex, parking, and a maintenance building. He said the intention is to put together plans and specifications for the first phase, layout the entire park, and work together with the Parks, Recreation and Community Services Commission, which would get volunteer labor to work on the overall plan. He said then a comprehensive funding plan will be developed for Council approval. He said the proposal is to use development fee dollars for the first phase design work. He said the initial estimate was \$82,000 for the design work, and after refinement of the scope of work the estimate went to \$150,000. He said that amount includes \$130,000 for the actual design work, a \$10,000 retention fee, and funding for staff support.

A motion by Council Member Borchard to approve the revised Project Programming Summary Sheet (PPSS) for the Regional (Community) Park improvements failed to carry for lack of a second.

After discussion about the increase in the estimated cost of the design work the Council appointed Council Members Ryhal and Peart to work with the

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Project Manager Chris Gioia and review in more detail the PPSS, and Council agreed to reschedule the revised PPSS for a future meeting.

# STUDY SESSION REGARDING MARCH 7, 2000 BALLOT:

The City Manager said he was most concerned as a new City Manager about the City's debt capacity and the issues which might be placed on an election ballot.

On motion of Council Member Peart, seconded by Council Member Ryhal and carried by unanimous vote, the City Council agreed to hold a special study session regarding items for the March 7, 2000 Ballot at 6:00 p.m. on Wednesday, September 29, 1999.

# VOTING DELEGATE AND ALTERNATE FOR LEAGUE ANNUAL CONFERENCE:

The City Council designated Council Member David Flory as the voting delegate representing the City at the Annual Conference of the League of California Cities and designated Council Member Daniel Ryhal as the alternate.

## **ADJOURNMENT**:

At 9:12 p.m. the regular meeting was adjourned.	
	City Clerk of the City of Woodland