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

April 20, 1999

CITY COUNCIL SPECIAL SESSION/CLOSED SESSION

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 then convened a closed session to discuss the following topics:

- Conference with Real Property Negotiator (Sec. 54956.8)
 Negotiating Parties: City of Woodland and Layton Knaggs Property: APN 027-330-17 (Kentucky Avenue and West Street) Under Negotiation: Price
- Conference with Legal Counsel Anticipated Litigation (Sec. 54956.9)
 Initiation of litigation pursuant to Subdivision (c) of Section 54956.9:
 One case

Council Members present at the special meeting were: Losoya, Borchard, Flory, Peart and Ryhal. Council Members absent: None. Council Member Peart abstained from discussion of the Knaggs Property. City Manager Rick Kirkwood and Assistant City Manager Phillip Marler were present for the closed session.

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

CITY COUNCIL SPECIAL SESSION

The Woodland City Council met in another special session at 7:02 p.m. in the City Hall Council Chambers. The purpose of the special meeting was to adopt a resolution of appreciation for Interim City Manager Gerald Davis.

ROLL CALL:

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kirkwood, Marler, Davis, Kristensen, Siprelle

PUBLIC COMMENT:

There were no public comments during the special session.

RESOLUTION OF APPRECIATION - INTERIM CITY MANAGER:

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council adopted a Resolution of Appreciation for Gerald R. Davis, who served as Interim City Manager of the City of Woodland from September 1998 until March 1999.

Mayor Losoya presented the resolution to Mr. Davis who then expressed his appreciation to Council and staff.

ADJOURNMENT:

At 7:07 p.m. the special meeting was adjourned.

CITY COUNCIL REGULAR SESSION

The Woodland City Council met in regular session at 7:10 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Losoya opened the meeting and invited everyone present to join him in the pledge of allegiance to the Flag of the United States of America.

CLOSED SESSION ANNOUNCEMENT:

City Attorney Ann Siprelle reported that Council met in closed session at 6:00 p.m. tonight to discuss conference with real property negotiator under Government Code Section 54956.8 and direction was given to place on the May 18, 1999 Council agenda consideration of a resolution of necessity. She

said the Council also discussed anticipated litigation under Section 54956.9 regarding the proposed NDPES permit, and she said the Council directed the City Attorney to pursue a negotiated settlement.

ROLL CALL:

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kirkwood, Marler, Davis, Kristensen, Siprelle, Wegener,

Fleming, Lecair, Pollard, Grattidge, T. Brown, De Weerd

MINUTES:

On motion of Council Member Ryhal, seconded by Council Member Peart and carried by unanimous vote (Council Member Flory abstained), the City Council approved the minutes for the adjourned Council meeting of March 23, 1999, as prepared.

COMMUNICATIONS:

The City Clerk advised that there were no written communications submitted since the April 6, 1999 Council meeting.

City Attorney Ann Siprelle said the City Manager has suggested that in the future and including this meeting the Council at this point in the agenda could offer comments or request that items be placed on a future agenda instead of at the end of the agenda.

Council Member Flory who is one of the Council's representatives on the Woodland Economic Renaissance (WERC), said WERC has submitted to SACTO (the Sacramento Area Trade and Commerce Organization) the nomination of Don Sharp, Chairperson of WERC to serve on the Board of SACTO. He said he prepared a letter to go to Alan Gianini and the Board of Directors of SACTO requesting that they appoint Don Sharp to the Board in the vacancy that exists. He said he would like this item placed on the April 27, 1999 Council meeting agenda.

Council Member Ryhal requested an agenda item for the April 27, 1999 Council agenda regarding Assembly Bill 222. He said AB 222 amends existing law by adding new language to require Kindergarten through Grade 12 students to be given instruction about sexual orientation, homosexuality,

bisexuality and discrimination against those so oriented. He said existing law already prohibits discrimination on the basis of sex, ethnicity, race, national origin, color or physical disability in any activity by an educational institution. He said the reason for such urgency is this Bill has just barely passed the Education Committee on April 7, 1999, and now goes to Appropriations. He said his request is to ask the Council to urge the legislature to not approve AB 222. He said AB 222 would (1) require the State Department of Education to expend taxpayer money to develop new programs to teach our children six years old and older about sexual orientation, homosexuality and bisexuality, (2) require that taxpayers pay for these programs whereas current law allows this type of education only if private funds are available to pay for related Department of Education staff activities, and (3) require the diversion of valuable teaching time from fundamental and essential traditional educational programs to programs supporting special interests. He said we should urge the Assembly to pass a bill that would encourage parents to take an active role in educating their children about discrimination based on actual or perceived sexual orientation as an alternative to AB 222. He said we should let parents have the right and the responsibility to educate their children on these issues. We do not need another government-mandated program financed by higher taxes and needless diversion of classroom time to serve the agenda of another special interest group. He said this bill is misnamed the "Dignity for All Students" Act. He said it should be renamed the "Antifamily Act." He then distributed copies to Council of his prepared statement.

City Manager Rick Kirkwood said with regard to a procedure for Council communication, the City's objective is to have full disclosure to the public and make sure that the City complies with the Brown Act. He said when staff hears a request for a future agenda item unless he hears from the Council that there is an objection, the only the Council will discuss is whether the item actually gets placed on the next agenda or not. Otherwise, he said it is by consensus that the item will be placed on the next agenda.

Council Member Ryhal said he is requesting that the matter of AB 222 be placed on the April 27 agenda.

COMMITTEE REPORTS:

1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board of Trustees meetings of March 1 and March 15, 1999.

- 2. From Interim Community Development Director Don Fleming a report was received summarizing action taken at the Planning Commission meeting of March 18, 1999, as follows:
- 3. From Interim Parks, Recreation and Community Services Director Richard Conzelmann a report was received summarizing action taken at the Parks, Recreation and Community Services Commission meeting of March 22, 1999.
- 4. From Public Works Director Gary Wegener a report was received transmitting the minutes of the Traffic Safety Commission meeting of April 5, 1999.
- 5. From the Public Works Director a report was received transmitting the minutes of the Tree Commission meeting of April 12, 1999.

PUBLIC COMMENT:

Vice Mayor Borchard reported that on March 18, 1999 he was asked by Carol Souza Cole to speak to a Beamer School third grade class and the theme was reading. He said there was an enlightening discussion with the class of third graders, and the students sent him a binder of thank you letters. He said they did not do a lot of reading, but they discussed issues, and he gained an awareness that drugs are still prevalent with school-age children in our community. He said there needs to be open communication with students and their parents.

Council Member Flory reminded the viewing audience that the 123rd annual Sacramento Valley Scottish Games and Gathering will take place on Saturday, April 24, 1999 at the Yolo County Fairgrounds.

PUBLIC HEARING - WEED ABATEMENT:

Mayor Losoya said at this time Council will hold a public hearing to receive comments regarding the 1999 Clean Lot (Weed Abatement) Program.

Fire Marshal Bruce Lecair said the Council at this time will hear protests to the City's annual weed abatement program. He said letters were sent out to 468 property owners regarding weeds on their properties. Another notice will be sent out on May 1, 1999 to remove the weeds. He said there is an established list of contractors, and the Fire Department is prepared to go forth with the Program.

Mayor Losoya opened the public hearing. There being no comments, he closed the hearing.

Resolution No. 4120:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 4120 authorizing the Fire Chief of the City of Woodland to cause the abatement of weeds and directing the Fire Chief to keep an account of the cost of said abatement.

REDEVELOPMENT AGENCY ITEM:

Mayor Losoya said normally the Council at this time would temporarily adjourn the regular Council meeting and convene the meeting of the Redevelopment Agency Board. However the item on the Agency Board agenda is similar to the Council's agenda item on the Regular Calendar regarding the Second Street streetscape design plan, and they should be combined and taken in the proper sequence. Those items will be considered after the Consent Calendar items.

REPORTS OF THE CITY MANAGER:

CONSENT CALENDAR:

Vice Mayor Borchard requested that the agenda item regarding modifying conditions of the Charter Cable TV franchise be removed from the Consent Calendar.

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

PROCLAMATION - NATIONAL SEXUAL ASSAULT AWARENESS MONTH:

The City Council proclaimed April 1999 as "National Sexual Assault Awareness Month."

COUNTY JUSTICE DEPARTMENT FACILITIES PROPOSAL:

The City Council received a report from Acting Police Chief Del Hanson that the Yolo County Criminal Justice Cabinet facilities subcommittee has suggested several options for Yolo County's facility planning for the future. He indicated that one or more options may affect local development, and the City Council should be aware of the options being considered. He indicated that no decision has been made at the County level to act on any of these suggestions, and the Cabinet has not been asked to make a recommendation on the suggestions.

RESOLUTION OF APPRECIATION FOR MARGE ROSASCO:

The City Council adopted a Resolution of Appreciation for Marge Rosasco for her 33 years of public service in the Woodland Police Department.

RESOLUTION OF APPRECIATION FOR CRAIG VIERRA:

The City Council adopted a Resolution of Appreciation for Craig Vierra for his 25 years of public service as a Woodland Police Officer.

MODIFICATION OF CONDITIONS OF CHARTER CABLE TV FRANCHISE:

Vice Mayor Borchard said according to the staff report Charter Communications' position is that its corporate structure remains in place and unchanged and if not, Paul G. Allen will be responsible for the franchise. He said Mr. Allen simply is an individual who owns the majority of economic interest in Charter Communications, and Charter Communications does not directly own the Woodland franchise. He asked who owns the Woodland cable television franchise.

Assistant City Manager Phil Marler said with the ownership change, unlike when Sonic Cable TV became Charter Communications and Charter took over the entire company, what Mr. Allen did was to acquire a dominate share or dominant ownership in the Charter corporation. He said one of the Charter entities operates the franchise in Woodland as it does in many other cities. He said in the initial acceptance of the transfer of ownership to Mr. Allen the Council in its resolution had made the requirement that Mr. Allen personally sign recognizing the requirements of the franchise. He said for a number of reasons Charter Communications has asked to remove that requirement, primarily

because Mr. Allen will not be in the day to day operations. That will be done by the existing corporate structure of Charter that is in place. He said the requirement had a tax liability on Mr. Allen since he is not a resident of California.

Vice Mayor Borchard said he will not support the transfer as proposed.

Mayor Losoya suggested that the resolution on the transfer of the cable television franchise ownership be placed on a future Council meeting agenda and asked staff to invite John Adams of Charter Communications to respond to Council questions about who is responsible to address customer issues and complaints.

JOINT COUNCIL/REDEVELOPMENT AGENCY BOARD MEETING:

Mayor Losoya then convened a joint meeting of the City Council and the Redevelopment Agency Board of Directors at 7:30 p.m.

Roll Call:

COUNCIL MEMBERS/REDEVELOPMENT AGENCY BOARD MEMBERS PRESENT:

Losoya, Borchard, Flory,

Peart, Ryhal

COUNCIL MEMBERS/REDEVELOPMENT AGENCY BOARD MEMBERS ABSENT:

None

STAFF PRESENT: Executive Director Rick Kirkwood, Interim

Executive Director Gerald Davis, Interim Deputy

Director Don Fleming

Public Comment:

Dudley Holman said at the last study session he raised questions about Redevelopment income and outgo and suggested that a chart be prepared showing where the money is coming from and how it is being spent. He said thinking more broadly about the issue he said he realized the Redevelopment Agency is 11 years along in its 35-year life. He said he felt it was highly appropriate for the Redevelopment Agency and the Redevelopment Citizens' Advisory Committee to look at where we are on Redevelopment, what were the objectives, how are we proceeding in the direction of those objectives, and are we mindful of those objectives. He

then distributed some written material to Council regarding what should be accomplished through the 35 years of life of Redevelopment.

Redevelopment Agency Minutes:

On motion of Agency Member Ryhal, seconded by Agency Member Peart and carried by unanimous vote, the Redevelopment Agency Board of Directors approved the minutes for the Agency Board meetings of March 16,1999 and April 6, 1999, as prepared.

Second Street Streetscape Design Plan:

Interim City Manager/Interim Executive Director Gerald Davis had presented a written report to the City Council and Agency Board regarding the Second Street streetscape design plan (Second Street between Court Street and Dead Cat Alley). He said last month the Council held a study session on this subject and an extensive discussion. At that time Council asked that this matter be referred back to the Traffic Safety Commission for its review and to the Redevelopment Advisory He said the Advisory Committee has endorsed and approved the concept of the streetscape on Second Street as presented by staff, and he said the Chair of the Traffic Safety Commission is present at the meeting. The Traffic Safety Commission endorsed the concept but did not agree with the closure of the parking lot and wanted to retain the exit and entrance onto Second Street from the parking lot, which was not in the proposal from staff. He said staff feels that closing the parking lot actually enhances the ability of a pedestrian walkway on Second Street, and that was one of the objectives of the technical committee when this issue was studied. He said staff still recommends that the closure be included in the plan. He said he had the option of considering an overlay (seal coating) of the parking lot with restriping which would have increased the number of parking spaces to about four or five net spaces, considering that there will be spaces added onto Second Street as a result of the diagonal parking plan. He said he did not recommend that the seal coat be done because the lot is in such bad condition that it would be a waste of funds. He said in the future the Council and the Agency will consider redoing the lot, and at that time the lot can be restriped and the parking spaces will result in a net four or five.

Dudley Holman said the proposed Agency contribution for this project is \$25,000, which he said, does not seem like very much, but he again asked where the Redevelopment money is going. He said if the Agency does not focus on the big dollar items there will not be the big

dollars to take care of the projects needed. He said there needs to be some assessment of overall priorities.

A motion of Agency Member Flory, seconded by Agency Member Losoya, that the Redevelopment Agency Board of Directors approve the Second Street Design and allocate \$25,000 for the Agency's share of the total cost did not go to a vote.

Nita Long, owner of the House Dresser at 617 Main Street, said she is very close to the Second Street corner which is being discussed. She said she has witnessed many near misses with traffic accidents along the oneway stretch along Second Street. She said the alley is very congested and should not be considered the main thoroughfare of town. She asked that Second Street remain two-way.

Agency Member Borchard said he would like to hear further public comment on the issue.

City Attorney Ann Siprelle said if Council wants further discussion, the Council should table the motion.

On motion of Agency Member Flory, seconded by Agency Member Losoya and carried by unanimous vote, the previous motion to approve the Second Street Design and allocate \$25,000 was suspended.

Council/Redevelopment Agency Board discussion followed.

Bruce Pollard, Traffic Engineer, said there is a loss of greater than one parking space in the parking lot with the recommended action, but prior to the partial closure of Second Street for construction at the southeast corner of Second and Court Streets there were eight stalls on Second Street and with diagonal parking there will be twelve spaces, so there is only a net loss between Second Street and the parking lot of one space without restriping the whole lot. He said with compact stall parking there would be 74 stalls so there would be a net increase of three spaces.

Redevelopment Agency Member Peart left the Council Chambers at 8:13 p.m. and returned at 8:15 p.m.

Redevelopment Agency Member Flory left the Council Chambers at 8:20 p.m. and returned at 8:22 p.m.

The following persons commented on the streetscape design: Dudley Holman, Jim Grey (Court Street Associates, developer of the District Attorney's building), Rod Hersom (Chair of the Traffic Safety Commission), John Hoover (former owner of business on Main Street), and Kerry Daane Loux, landscape architect for project.

On motion of Agency Member Flory, seconded by Agency Member Losoya, and carried by the following vote, the Redevelopment Agency Board of Directors approved the Second Street Streetscape Plan and allocated \$25,000 for the Agency's share of the total cost:

AYES: AGENCY MEMBERS: Borchard, Flory, Losoya NOES: AGENCY MEMBERS: Peart, Ryhal

On motion of Council Member Borchard, seconded by Council Member Flory, and carried by the following vote, the City Council approved the Second Street Streetscape Design Plan and approved funding for the City/Redevelopment Agency share of the project:

AYES: COUNCIL MEMBERS: Borchard, Flory, Losoya NOES:COUNCIL MEMBERS: Peart, Ryhal

Adjournment:

At 8:35 p.m. the Redevelopment Agency/City Council joint meeting was adjourned, and the City Council reconvened its regular meeting.

REPORTS OF CITY MANAGER:

REGULAR CALENDAR:

PLANNING COMMISSION'S RESOLUTION ON TREE COMMISSION:

Junior Planner Brian Grattidge reported to the Council that on March 2 Council received a resolution from the Planning Commission, which supported the continued existence of the Tree Commission as an advisory body and made several recommendations on possible areas of increased responsibility for the Tree Commission. The resolution stated that "the Planning Commission of the City of Woodland does hereby recommend the following actions for consideration by the City Council:

- 1. The Tree Commission should continue as an advisory body to the City Council with expanded responsibility to support management of Woodland's urban forest.
- 2. Encourage volunteer efforts to revitalize the City tree program.
- 3. Encourage relationships between the Tree Commission and community organizations such as service clubs and the 4H, and other agencies such as the Resource Conservation District and the UC Davis Cooperative Extension.
- 4. Explore additional funding, including grants. Investigate using a multi-departmental approach to urban forestry planning management.
- 5. Expand the Tree Commission from five to seven members to allow for a more active and broad-based commission.
- 6. Increase educational outreach to property owners regarding proper maintenance of trees and the benefits of healthy trees on their property.
- 7. Provide support to the Tree Commission in the form of a Planning Commission liaison, and possible future joint meetings.
- 8. Direct the Tree Commission to prepare a Tree Preservation and Urban Forest Plan with the cooperation of the Planning Commission and support from the Community Development Department.
- 9. Empower the Tree Commission to review appeals of both denial and approval of tree removal permits."

Mr. Grattidge then reported on the possible fiscal impact of implementing the recommendations.

Council discussion followed.

Jack Mahan spoke on behalf of himself and not as a Member of the Planning Commission regarding the formation of the resolution.

Council Member Ryhal said he would prefer rather than expansion of policies to use existing programs and make them work. He said he did not want to remove any authority from the Public Works Department with

respect to tree removal appeals. He said he did not feel it was necessary to go through a major expansion of the powers of a commission, but he said he would have no problem in expanding to a seven-member Tree Commission instead of five.

Vice Mayor Borchard said he is supportive of expanding the Tree Commission to seven members, but he said he was not supportive of spending any money, such as \$30,000 for an Urban Forest Plan. He said a Urban Forest Plan should be limited to only City maintained trees within the easement. He said he did not want to take any authority away from the Public Works Department, so he would not support empowering the Tree Commission to review appeals of both denial and approval of tree removal permits. He said he would support an Urban Forest Plan as long as it was developed by the Tree Commission and supported by volunteers with some support from staff. He said he would be opposed to the use of a consultant.

Council Member Peart said he concurs on the two issues of the empowerment of the Tree Commission and going from five to seven members. He said he is definitely against the Urban Forest Plan at a cost of \$30,000.

Public Works Director Gary Wegener said it might be useful for the Tree Commission at its next meeting to have available a tape of this portion of the Council meeting to get an idea about Council comments. He said the Tree Commission can look at the recommendations and consider some recommendations, which may already be within their purview. He said the Commission can report back to Council on any recommended changes.

Mayor Losoya said this issue was an information item, so no Council action was necessary.

Vice Mayor Borchard left the Council meeting at 9:12 p.m.

Council took a recess from 9:12 p.m. until 9:20 p.m.

RETIRED SENIOR VOLUNTEER PROGRAM IN POLICE DEPARTMENT:

Police Corporal Susan Lundquist had presented to Council a report on the Retired Senior Volunteer Patrol (RSVP) Program. Council expressed support for establishment of an expanded volunteer program within the Woodland Police Department based upon the RSVP program successfully established in San Diego, Monterey Park, and other California cities.

VEHICLE CONVERSION FOR POLICE CHAPLAIN PROGRAM:

Police Lieutenant Terry Brown briefed the Council on the Police Chaplains' Program, which includes Police Department staff and ministers from area churches, who address the spiritual and core crisis needs of our community's citizens and members of the Woodland Police Department.

City Manager Rick Kirkwood said the RSVP program and the Chaplains' program are budget neutral.

On motion of Council Member Peart, seconded by Council Member Ryhal and carried by unanimous vote, the City Council authorized the Chief of Police and the City to retain title of a vehicle currently scheduled for auction. Retention of this vehicle will provide transportation for our new Police Program: the Woodland Police Volunteer Chaplain Program.

AYES: COUNCIL MEMBERS: Flory, Peart, Ryhal, Losoya

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Borchard

RECOMMENDED CHANGES TO CITY COUNCIL PROCEDURES:

City Attorney Ann Siprelle requested that the recommended changes to City Council Procedures be postponed because there are two attachments that were not included in the staff report and because Vice Mayor Borchard is not present.

Council Member Flory said within the section regarding study sessions he and Vice Mayor Borchard who worked on the procedures recommended that the study sessions be televised.

Assistant City Manager said this matter will be placed on the April 27 agenda if there is sufficient time.

COUNCIL MEMBER VISITS TO MEET WITH SCHOOL CHILDREN:

Assistant City Manager Phil Marler said Council Member Neal Peart recently served as "Principal for a Day" at Whitehead Elementary School,

and he found that the experience was highly beneficial for both himself and the students. He said some of Council Member Peart's ideas on the topic were discussed at a City-School 3 x 2 meeting and were favorably received. He said Vice Mayor Borchard also attended that meeting.

Other Council Members relayed their experiences in meeting with students at the various schools.

Mayor Losoya said he felt the concept was great, and Council should move forward with it.

The City Manager recommended sending a letter to the School Board letting them know the City Council is very interested in outreach to the students, and because of the scheduling issues and the cirriculum the School District should submit to the City Council a calendar that the Council would be willing to use, and that calendar can be brought to the Council as a whole to decide when the respective Council Members can coordinate around the schedule.

TRAFFIC SAFETY COMMISSION APPOINTMENT:

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the City Council appointed Fred Fillmore to the Traffic Safety Commission for a term ending December 31, 2000:

AYES: COUNCIL MEMBERS: Flory, Peart, Ryhal, Losoya

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Borchard

FUTURE MEETING AGENDA ITEMS:

Council Member Peart requested a future meeting agenda item for an update of the SVOC project.

Interim City Manager Gerald Davis said for the March 23 Council meeting there will be a discussion of the Second Street streetscape and vehicle replacement purchases.

ADJOURNMENT:

At 9:35 p.m. the regular meeting was adjourned to Tuesday, April 27, 1999, 7:00 p.m.

COUNCIL MINUTES
APRIL 20, 1999
PAGE 16

City Clerk of the City of Woodland