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

October 6, 1998

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

PLEDGE OF ALLEGIANCE:

Mayor Melton 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.

ROLL CALL:

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

Ryhal

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Marler, Davis, Gonzalez, Ruggiero, Siprelle,

Wegener, Vicars, T. Brown, D. Hanson, P. Hanson, Rice, MacNicholl, Paredes, De Weerd,

Wilts

MINUTES:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved the minutes for the regular Council meeting of September 15, 1998, and the adjourned Council meeting of September 22, 1998, as prepared.

COMMUNICATIONS:

- 1. From Mario Berrettoni a letter was received expressing concern that youth topics should be scheduled at an earlier time on the Council meeting agenda.
- 2. From Finance Director Margaret Vicars a memo was received advising of accounts payable, wire transfers and payroll for July 1998.
- 3. From Rosemary Abrahams a letter complaining about street closure and loud music across from the Seventh-Day Adventist Church which occurred on Saturday, September 26. She advised that Acting Police Chief Del Hanson said he will handle this matter and report to Council.

Interim City Manager Gerald Davis said he received a report today from Captain Del Hanson regarding this issue. He said the various parties involved have met and have resolved the problem.

COMMITTEE REPORTS:

- 1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board meeting of July 6, 1998.
- 2. From Finance Director Margaret Vicars a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority Board meeting of August 26, 1998.
- 3. From Parks, Recreation and Community Services Director Tim Barry a report was received summarizing action taken at the Parks, Recreation and Community Services Commission meeting of August 24, 1998.
- 4. From Community Development Director Janet Ruggiero a report was received transmitting the minutes of the Historical Preservation Commission meeting of September 9, 1998.
- 5. From Public Works Director Gary Wegener a report was received transmitting the minutes of the Traffic Safety Commission meeting of September 21, 1998.
- 6. From Human Resources Manager Dean Gualco a report was received transmitting the minutes of the Personnel Board meeting of August 24, 1998.
- 7. From Fire Chief Miles Julihn a report was received summarizing the topics discussed at the Yolo County Communications Emergency Services Agency meeting of September 2, 1998.

PUBLIC COMMENT:

Peggy Witham, representing the Environmental Reclaiming Solution Incorporated of Zamora (a compost operation), invited Council Members to a tree planting ceremony at Ferns Park on October 17, 1998, at 10:30 a.m. She said three Mayors will be honored, two past Mayors and the present Mayor.

Parks, Recreation and Community Services Director Tim Barry said Friends of Ferns Park have organized a work day on Saturday, October 10, 1998, to help preserve the playground equipment. He said the public is invited to participate.

Council Member Peart reported on his attendance at the League of California Cities Annual Conference last weekend. He said the conference was very beneficial and he heard a number of good ideas. Also, he said he has been traveling with the Interim City Manager as he visited various City departments, and he said he found the parks to be in exceptionally good condition.

Mayor Losoya said he was concerned about a communication from Council Member Ryhal and possible violation of the Brown Act. Mayor Losoya asked for an opinion from legal counsel. He said he will turn in his packet of information he received from Council Member Ryhal to the City Manager and suggested that after legal counsel's opinion that all Council Members turn in their packets to the City Manager and not discuss the contents.

City Attorney Ann Siprelle said that until a Court decides that something is a violation of the Brown Act she cannot predict with certainty what a Court would say. She said the Attorney General has put out a pamphlet in which he discusses serial meetings and the fact that serial meetings are a violation of the Brown Act. The Attorney General has said that the Brown Act expressly prohibits serial meetings conducted through direct communications, such as mail, hand delivery or telephone for the purpose of developing a concurrence as to action to be taken. She said the question would be if this packet constitutes a serial meeting.

Mayor Losoya said he would like an opinion. In the meantime he suggested that the City Manager hold the packets until the Council can move forward with the matter. Council agreed it wanted a written opinion.

Interim City Manager Gerald Davis reported that he received a letter of resignation today from Janet Ruggiero, Community Development Director. He said she has accepted a position with the City of Citrus Heights as Community Development Director.

REPORT FROM PLANNING COMMISSION:

Planning Commissioner Dennis O'Bryant gave an overview to the Council on Planning Commission responsibilities.

ANNUAL REPORT OF WOODLAND OPERA HOUSE:

Jeff Kean, Executive Director of the Woodland Opera House, highlighted the past year's program, current financial condition and future plans of the Opera House.

PROCLAMATION FOR RED RIBBON WEEK:

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council proclaimed October 23-31, 1998 as Red Ribbon Week.

Vice Mayor Borchard presented the proclamation to Community Services Officer Mini Paredes, and volunteer Art Robles.

PROCLAMATION FOR MENTAL HEALTH AWARENESS WEEK:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council proclaimed the week of October 3-11, 1998 as "Mental Health Awareness Week."

Mayor Losoya presented the proclamation to Karen Treacher and Richard Spees representing Yolo Alliance of Mentally Ill and Yolo CSHAPES (Consumer Self Help Advocacy and Peer Support).

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Losoya temporarily adjourned the meeting of the Council at 7:48 p.m. in order to convene a meeting of the Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit A. At 8:38 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF THE CITY MANAGER:

CONSENT CALENDAR:

Council Member Ryhal asked that the agenda item for the award of a bid for a cargo van trailer 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:

PARKS, RECREATION AND COMMUNITY SERVICES MONTHLY REPORT:

The City Council received the Parks, Recreation and Community Services monthly report.

COMMUNITY DEVELOPMENT MONTHLY REPORT:

The City Council received the Community Development projects monthly report.

PUBLIC WORKS MONTHLY REPORT:

The City Council received the Public Works monthly report.

CAPITAL BUDGET IMPLEMENTATION STATUS REPORT:

The City Council received the Capital Budget implementation status report.

CITY TREASURERS' MONTHLY REPORT:

The City Council received the City Treasurer's monthly report for July 1998.

CITY TREASURERS' MONTHLY REPORT:

The City Council received the City Treasurer's monthly report for August 1998.

SCHOOL RESOURCE OFFICER CONTRACT WITH SCHOOL DISTRICT:

The City Council approved a contract with Woodland Joint Unified School District for school resource Officer services.

ALTERNATE MEMBER TO YOLO COUNTY PUBLIC AGENCY RISK MANAGEMENT INSURANCE AUTHORITY BOARD:

The City Council appointed Assistant City Manager Philip L. Marler as alternate representative to the Yolo County Public Agency Risk Management Insurance Authority Board.

FIRE DEPARTMENT JOB DESCRIPTIONS:

The City Council approved Firefighter, Fire Engineer and Fire Captain job descriptions.

RESOLUTION NO. 4094/ORDINANCE NO. 1312 - PERS CONTRACT:

The City Council adopted Resolution No. 4094, a Resolution of Intention to provide Second Opportunity to Elect 1959 Survivor Benefits; authorized the City Clerk to sign Compliance with Government Code Section 7505 and Certification of Governing Body's action; and introduced Ordinance No. 1312 authorizing an amendment to the contract between the City Council of the City of Woodland and the Board of Administration of the California Public Employees' Retirement System.

RESOLUTION NO. 4093 - PERS CONTRACT:

The City Council adopted Resolution No. 4093, a resolution which properly assigns those employees represented by the recently-created Woodland Police Supervisors Association into a separate unit (and reassigning Police Supervisors to separate PERS Benefits Unit).

CONSOLIDATED PLAN/ANNUAL PERFORMANCE AND EVALUATION REPORT:

The City Council instructed staff to forward a Consolidated Plan Annual Performance and Evaluation Report to the U.S. Department of Housing and Urban Development (HUD) with the information submitted in the staff report to Council.

REGULAR CALENDAR:

BID AWARD FOR CARGO VAN TRAILER:

Responding to a question from Council Member Ryhal, Acting Police Chief Del Hanson explained why the Police Department solicited bids for a cargo van trailer instead of a truck.

On motion of Council Member Ryhal, seconded by Council Member Borchard and carried by unanimous vote, the City Council awarded the bid for one (1) 24 ft., 10,000 lb. GVWR cargo van trailer in the amount of \$17,036.67 to B-C Trailer Sales, Inc., from Manteca, CA.

Council took a recess from 8:41 p.m. until 8:52 p.m.

RECRUITMENT OF NEW CITY MANAGER:

Chuck Neumayer of DMG/Maximus reviewed with Council a schedule for the recruitment of a new City Manager.

On motion of Council Member Peart, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved the professional services agreement with DMG/Maximus to conduct an executive search for a City Manager, directed the Interim City Manager to execute the agreement and agreed the fee would not exceed \$12,500 for services and \$5,000 for out of pocket expenses.

SUTTER STREET/SVOC PROPOSAL:

Associate Planner Bob MacNicholl gave Council an update concerning the Sutter Street/Sacramento Valley Organizing Community (SVOC) proposal.

City Attorney Ann Siprelle responded to Council questions regarding the SVOC purchase agreement and the removal of the existing buildings.

The Community Development Director suggested that staff go back to two entities. First staff can talk to Wallace Cool about what we can and cannot do with the buildings in place and what they can do relative to any additional drilling if possible. Secondly, she said staff can talk to the County with respect to the fact that the County is already reviewing the report and see what they are dealing with in terms of how they are going to work with the City. She said staff can report back to the Council about this issue and not take any action on removal of the buildings. She said staff can also work with SVOC on the issue of the property in the front.

The City Council directed staff to obtain additional information on the Sutter Street/SVOC proposal and report back to Council on November 3, 1998.

ARMY AND AIR FORCE EXCHANGE SERVICE PROJECT:

Interim City Manager Gerald Davis said the City Council received background information from the Community Development Director on the Army and Air Force Exchange Service (AAFES) Project. AAFES was in search for a site for their West Coast distribution center. The site they had chosen for Woodland was the 158 acre parcel located at the northeast corner of Beamer Street and County Road 102. Holly Sugar as owners of the property were also present at the meeting. Council was advised that AAFES would be looking at several sites in Northern California to determine the best location for the 800,000 square foot distribution warehouse.

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council extended the Council meeting from 10:27 p.m. until 11:30 p.m.

Council discussed issues impacting the project, and agreed the Council is against the Army and Air Force Exchange Project locating in Woodland.

SPECIFIC PLAN FOR TURN OF THE CENTURY/CIRCULATION ALTERNATIVES:

In regard to the Turn of the Century specific plan Council Member Flory said he had talked with the Community Development Director concerning the possibility of having a joint study session regarding circulation. He said the plan that was originally submitted by the developer had more streets that had more contours and not a grid pattern. He said when the City did the specific plan there was a lot of concern about getting away from grid pattern, and with subsequent councils that discussion continues to surface. He said he talked to the Community Development Director about doing a joint study session during the EIR process that would address both the staff preferred and what the Council envisioned for that area. He said the developers of the Southeast Area several years ago presented plans with streets that had a lot of bike paths and walking areas and curvature streets. He said that was changed significantly, and he said the Community Development Director said she would report on this matter to Council.

Heidi Tschudin, contract planner, said when the City started with the first land plan for the Turn of the Century project it has a clear curvalinear design. She

said there was strong support for a more grid-like pattern on the arterial streets but also it was clearly an understanding that the General Plan as well as the Community Design Guidelines support and require that. She said the issue of the circulation pattern on the arterial streets and the discussion of whether or not there would be an overpass between Gibson Road and County Road 25A and at what point that would come on board. She said those are two fundamental issues that have been discussed. As discussions continued the plan developed into a modified grid, and is the plan that will be submitted with the specific plan text.

Council Member Ryhal said in May or June of 1997 Council gave direction to staff to reduce low income housing from 35 percent to 15 to 18 percent, but he said he did not see that being done.

Ms. Tschudin said to do that the City would have to amend its Housing Element which requires State approval. She said the issue of the amount of housing that is provided for a particular economic segment is an umbrella over the entire City. She said there is no requirement on the Council's part despite whatever numbers are in the City's Housing Element to say that this particular specific plan has to have that amount. She said it is within the Council's discretion how it requires that allocation to be met. She said the City can change the total allocation, but she said based on her experience the City would be unlikely to get State approval.

The Community Development Director said the allocation number and the percentage are related to the number that the State has required the City to show in its Plan. said the City needs to have policies that address the requirement to meet that allocation. If the City does not show sufficient housing numbers in the City's Plan, the State will not approve the element. She said each jurisdiction is given the housing allocation number by the regional agency. She said the 35 percent was originally derived from a housing allocation number, then the number of units, and the City then had to deal with land area. If the City lowered the number of apartments and increased the single family, the land area then was increased to provide those units. She said the committee that was appointed by the Council came up with the recommendation. During the General Plan discussion she said there was talk about changing that number, but the Council made a decision not to change the Housing Element as part of the General Plan update because the Council felt it would delay the process and the Council was anxious to get the Plan adopted. Instead Council instructed staff to look at different ways to achieve that 35 percent, not solely on apartments. She

said it takes about four to six months to amend the City's Housing Element.

Heidi Tschudin said jurisdictions, which do not have approval, are not able to get certain funding if they do not have approval, such as State grants, HOME funds, etc.

The City Attorney said if the State approves a jurisdiction's Housing Element it is deemed to be legally adequate.

The Community Development Director said if the Council desires, it could rewrite the City's Housing Element.

Council Member Ryhal said he would like that done.

The Community Development Director said with current staffing levels she would recommend that a consultant be hired to prepare that. She said staff could provide some cost estimates to do that as well as a time line. She said she will prepare a report on the status of the Housing Element, how we got to this point, and methods for implementation. She said staff can also provide some cost estimates and what it would take to revise the Housing Element.

With regard to the circulation issue the Community Development Director said the genesis for the language and the Community Design Guidelines on the modified grid and as a result of community input was that the community wants some type of grid street pattern for Woodland. She said there are two approaches that can be taken. She said we can go forward with two complete plans or we can stop right now and have that information come forward and have that discussion. She strongly urged the Council to have that discussion with the Planning Commission because they will be heavily involved in the review of the plan. She said the Council needs to come to some decision early on now in terms of what the Council would like to see happening with the circulation plan instead of carrying two plans forward. She said a workshop could be held to talk about the issues, and members of the technical advisory committee could be invited.

Mayor Losoya said he liked the idea of having a workshop to concentrate on this project and the two options and then come to some decision.

Heidi Tschudin said the driving factor in this curvalinear design was to avoid having to put in an overcrossing until the latest possible point in time.

Council discussion followed.

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council agreed that the City will allow Turn of the Century to submit two circulation plans, a curvalinear plan and a modified grid plan, as part of the analysis of the specific plan and directed staff to carry out whatever necessary steps to make that happen.

STRENG POND LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT:

Parks, Recreation and Community Services Director Tim Barry said on July 28, 1998 Council directed staff to reduce the annual budget for the Streng Lighting and Landscape Maintenance Assessment District by \$3,500. He said a review of the Operations and Maintenance budget has led staff to recommend the following reductions:

Eliminate fertilizer expense, reduce herbicides: Eliminate small tool purchases: Reduce utilities expenditures:	-\$ -	200.00
150.00		
Reduce contracted maintenance of District facilities: Reduce personnel costs to District:	- 1	,600.00 <u>-</u>
1,500.00	-\$3	,500.00

On motion of Council Member Peart, seconded by Council Member Borchard and carried by unanimous vote, the City Council adopted staff's recommendation for reduction of costs for the Streng Pond Lighting and Landscape Maintenance District

DUBACH PARK ISSUES:

Parks, Recreation and Community Services Director Tim Barry discussed with Council options for use of Dubach Park. He said his staff plans to work with Woodland Adult Softball Association to clean the site up as best they can to prepare for next spring. He said they need to cut back on the weeds and work on the electrical panels. After the winter rains they can decide if they want to institute pumping operations which cost money and time.

Council Member Peart said he looked at the site with City staff, and it was not as bad as he thought it would be. He said he knows of someone who has an idea for the site. He said he did not want to discuss the possible option at this time.

Tim Barry said with the assumption that Dubach Park will not be used, the Parks, Recreation and Community

Services Master Plan had to be revised to replace those facilities.

Council directed staff to continue looking into other opportunities and options for Dubach Park and report back to Council in December 1998.

EAST STREET BIKE PATH PROJECT:

Council Member Peart abstained from discussing the East Street Bike Path Project because he owns property in the area.

Public Works Director Gary Wegener gave Council an update on the East Street Bike Path Project. He said a key issue is Union Pacific's position that they would not grant an easement for a bikeway and would only allow a bikeway if the property were purchased. He said there is a need to shift funding from the second phase of the project on East Street from Main Street to Kentucky Avenue to the first phase. The Council in the summer of 1997 had requested a staff report on options to resolve the easement issue and a report regarding direction to resolve issues with the railroad within 30 days or drop the project. explained possible options regarding the right-of-way. He 1997 regarding any outlined Council action in resolution of issues with the Railroad. He said finalization for the East Street specific plan would be required before there can be any final alignments. He said staff recommended putting the bikeway project on hold until the specific plan is adopted, funding is resolved and the Best Practices Report is completed. He said if SACOG can give the City latitude on the land acquisition aspect of the project then it will be a matter of working out the remaining issues with the Railroad. He said in discussions with SACOG the City will be able to get confirmation about what kind of latitude the City has time-wise, whether the City has to have the work awarded by September 30, 1999 or whether the City has to have the money expended by that time.

On motion of Council Member Ryhal, seconded by Council Member Borchard and carried by unanimous vote, the City Council extended the Council meeting from 11:30 p.m. until 12:30 a.m.

Community Development Director Janet Ruggiero said she will help facilitate the meeting with SACOG to make the project move forward.

Interim City Manager Gerald Davis said the practical side to accomplish the project is to place the bikepath on the east side of the railroad tracks because of the elimination of crossing and the fact that if there is going

to be landscaping that would be the most visual improvement to East Street. He said the City should either try to figure out how to accomplish the project or the project should be dropped and the grant funds should be returned. The landscaping then could be accomplished with redevelopment funds and not include the bikepath. He said the meeting with SACOG is critical, and he said he wanted to reach a decision point on this project fairly fast.

WASTEWATER TREATMENT PLANT DICHARGE PERMIT:

Public Works Director Gary Wegener gave Council an update on the Wastewater Treatment Plant discharge permit appeal. He said the hearing on the matter will be held October 21, 1998, in Sacramento. Another issue, he said is how to deal with the \$50 million in capital improvement that have been identified as needed to comply with the terms of the City's permit. He said the basic issue for the Council is whether to give staff direction to proceed and start the engineering process to come up preliminary design concepts, start the environmental process, an get into the actual design or whether staff should hold off with the expectation that the City will prevail in the appeal and subsequent lawsuit. He said the concern is that the longer this is put off the shorter time the City will have to do what is necessary if the decision is against the City. issue is the funding available. With this process, he said the City will likely have to go to a bond issue which requires a vote of the rate payers.

STORM DRAIN FUNDING AND SHORTFALL:

Management Analyst Lynn Gatie gave Council a report on the history of the Storm Drain Funding and shortfall.

INTERVIEW SCHEDULE FOR BOARD AND COMMISSION APPOINTMENTS:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council established an interview schedule and appointed Council Members to that schedule to conduct interviews for potential City board and commission appointments (attached as Exhibit B). The interviews would be set to begin at 5:30 p.m. in City Hall and would be scheduled for 15 minutes each.

FUTURE MEETING AGENDA ITEMS:

There were no new future meeting agenda items submitted.

<u>ADJOURNMENT</u>:

At 12:12 p.m. the regular meeting was adjourned.

Deputy City Clerk of the City of Woodland