Council Chambers 300 First Street Woodland, California

November 19, 1996

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

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

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

(arrived 8:25 p.m.)

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Siprelle, Ruggiero, Barry, Wegener, Vicars,

DeWeerd, Hanson

MINUTES:

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote (Mayor Rominger abstained), the City Council approved the minutes for the regular Council meeting of October 1, 1996, as prepared.

COMMUNICATIONS:

- 1. From Glenda Zumwalt a letter was received submitting recommendations to the Yolo County Transit Authority Board for providing improved Handi-Van service for wheelchair dependent persons. Transit Director Terry Bassett prepared a response.
- 2. From Kathleen Levings a letter was received submitting her resignation as a member of the Parks, Recreation and Community Services Commission. The City Clerk said a letter of appreciation will be sent, and she advised that there will not be a recruitment to replace Ms. Levings because the Commission is working toward reducing its membership to 7 members.
- 3. From Jonathan Rothman a letter was received expressing concerns about Council action to proceed with changes to the intersection of Gibson Road and County Road 101.
- 4. From David Wilbert Contreras a claim against the City was received in regard to a search and seizure conducted by YONET on May 10, 1996. The City Clerk requested that action on this claim be deferred until the adjourned meeting of November

26, 1996 because the claim was not listed on the posted agenda.

COMMITTEE REPORTS:

- 1. From City Manager Kris Kristensen a report was received transmitting the minutes of the Yolo-Solano Air Quality Management District Board meeting of October 9, 1996.
- 2. From the City Manager a report was received transmitting the minutes of the Water Resources Association meeting of October 11, 1996.
- 3. From Director of Public Works Gary Wegener a report was received transmitting the minutes of the Tree Commission meeting of November 4, 1996.
- 4. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Planning Commission meeting of November 6, 1996, as follows:
 - a.Commission approved a tentative map for the Yolo Polo Plaza project at 1716 East Main Street. This map divides a 15 1/2 acre parcel into 11 parcels.
 - b.Commission approved a conditional use permit for a video arcade with 14 video games and a snack bar at 2 West Court Street. The Commission also approved a Negative Declaration.
 - c.Commission continued action on a conditional use permit for an ARCO AM/PM mini-mart at 450 County Road 102. The item was continued in order for the applicant and staff to work on revised building elevations. The Commission will consider the project on December 5, 1996.
 - d.Commission approved a Zoning Administrator Permit modification for Last Pocket Billiards at 534 Bush Street. This modification will allow the facility to serve beer and wine in conjunction with their food serving area.
 - e.Commission made a determination that the sale of land at 350 Industrial Way to the Woodland Joint Unified School District is in conformance with the Woodland General Plan. The Yolo County Transit Authority is selling a portion of land to the School District, which intends to use the property for its school bus operations.

PUBLIC COMMENT:

Don Sharp thanked the voters who educated themselves regarding the issues surrounding Measure B on the November 5, 1996 ballot and approved the 1996 Woodland General Plan. He said now is the time for the community to come together and focus on what is best for our future.

Mary Ann Smith submitted a letter in support of the Council's October 29, 1996 decision to proceed with the process of resolving the traffic issues at the intersection of

County Road 101 and Gibson Road. She said she supported the suggestion by Jonathan Rothman "that opening the intersection to left turns could, if the traffic engineering studies determined it to be necessary, be precluded at those times children walk to or are dropped off at the (Willow Springs) school."

Michael Contreras gave Council an update on the activities of the Flag Committee. He said the Committee is planning to have the flag design selected for presentation at the July 4th, 1997 celebration. Council thanked Mr. Contreras for the continuing efforts of the committee.

Jack Slaven requested a review of the Woodland Adult Softball Association's maintenance of softball fields, and he expressed concerns particularly with the maintenance of the softball fields at Harris Park. He said the fields are barely playable, and he was concerned about safety.

Irma Windsor said in October she had to remove a tree at her residence at 14 Southwood Drive. She said she called City Hall three times and received a letter from the City stating that she did not report the problem. She said she was told that the tree was hers and was her problem. She said a City worker checked the tree and just left. She said on the same street two other trees were removed by the City. She asked what preference is given for tree removal.

Director of Public Works Gary Wegener said City staff has already explained to Ms. Windsor that it has no record of receiving calls from Ms. Windsor. He said he has no record on the condition of her tree. He said the other trees were removed based on their condition, and he said the basic cost to remove a tree is \$600.

Vice Mayor Losoya said a record needs to be kept by the City of these kinds of calls. Mayor Rominger asked for a report back from staff regarding the recording or reporting of phone calls/ complaints and follow-ups.

Ms. Windsor said she gave her tree removal bills to former Council Member Gary Sandy, and she would like the bills back. She said she was advised that because there was no storm she could not be reimbursed for the removal costs. She said the cost of the tree removal was \$1,200.

Council Member Flory said the City will contact Mr. Sandy to find out where Ms. Windsor's bills are.

Connie Erickson asked when the issue regarding the intersection of County Road 101 and East Gibson Road will be resolved.

Mayor Rominger said the City Council at its October 29, 1996 meeting agreed to sign an agreement under certain conditions between the City and Morrison Homes to settle their possible litigation issues. She said when that agreement is signed staff will

come back, and the Council will entertain a change of the Specific Plan for the Southeast Area, and the neighbors will be notified when that process is occurring. She said the City intends to go forward with that and is waiting for the documents to be signed.

The City Manager said he estimated the process to take four to six months.

Joe Keehn, 533 College Street, said a letter written October 21, 1996 by Kathleen Fisher to the Community Development Director was to be read at a Council meeting but copies of the letter were only distributed. He said Ms. Fisher in her letter states that she did reside at 422 Lincoln Avenue for several years and helped to establish the neighborhood preservation zone to protect and preserve the Victorian homes of Woodland. She stated that she understands it is the responsibility of the Woodland Community Development Department to assure that the Victorians and the preservation zone are kept in tact and away from the blight that can often invade neighborhoods. The letter indicated she has heard that such an invasion has begun in the 500 block of College Street. She stated she is aware that the City cannot require owners of Victorians to improve them, but the City can be firm about Code violations and the permit process to prevent the trashing of an entire lot through installation of structures that are inappropriate.

Mayor Rominger said the City currently has two openings on the Historical Preservation Commission, and those interested in such issues should apply.

Daniel Lee said he is a resident near Payless Drug Store on California Street where people are skateboarding illegally, and he wanted to talk about providing a place for skateboarding. Mr. Lee was advised that the Parks, Recreation and Community Services Commission will be discussing that issue at its meeting Wednesday, November 20, 1996, at 7:00 p.m. in the Council Chambers.

Dave Rubes, 18 W. Elliot Street, commended the Council for going ahead with placing Measure B on the November 5 election ballot. He said now the voters have decided they have faith in the process, and we should go on from there with our planning in the future. He said while people on both sides of the issues see problems with the Plan, the differences can be resolved through the amendment process. He said he had concerns about the division of the community over this issue.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 7:45 p.m. in order to convene the meeting of the City of Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit A. At 7:55 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

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

RESOLUTION OF APPRECIATION FOR BETSY MARCHAND:

The City Council adopted a Resolution of Appreciation for retiring County Supervisor Betsy Marchand. Ms. Marchand was retiring from her position as Yolo County Supervisor, Fourth District, after 24 years of service.

BID CALL FOR ADULT BASKETBALL PROGRAM OFFICIATING SERVICES:

The City Council authorized a bid call for officiating for the City's adult basketball and volleyball programs.

REGULAR CALENDAR:

NEAL PEART - HAYS TRUCK YARD, 1225 EAST OAK AVENUE:

Neal Peart said 835 days ago he started getting involved in the historic preservation process for his two properties, the Pepsi building on Fourth Street south of Main Street and 1225 East Oak Avenue. He said he has asked staff to tell him if the building at East Oak Avenue is a historical building or not. He said City staff and the Historical Preservation Commission are not sensitive to property owners and taxpayers. He said the process in its present form is not working. On January 3, 1995, he said the City Council overruled the Historical Preservation Commission's decision on local historical significance on the old Pepsi building. On January 11, 1995, the Community Development Department staff corrected and updated a historical resource list which added 1225 East Oak Avenue. He said on January 17, 1995, the Historical Preservation Commission approved adding the 1225 East Oak Avenue site to the historical resources list. On January 24, 1995 he asked the Community Development Director why the property was added to the list, and he was assured the matter would be resolved. He said on March 13, 1995 the Council approved the retention of Tschudin Consulting to look into the problems with the Pepsi building property at 414 Fourth Street and the 1225 East Oak Avenue. He said he sent a letter in April 1995 stating that he did not want to have the 1225 East Oak Avenue property on any historical resources list. On April 12, 1995 the Historical Preservation Commission voted to remove 16 properties from the Historical Resources inventory list, and 1225 East Oak Avenue was one of those properties. On June 13, 1995 Tschudin Consulting completed their report regarding the Historical Preservation Commission and demolition processes in Woodland, and on July 15, 1995 the Historical Preservation Commission voted to

place 1225 East Oak Avenue back on the Historical Resource list so JRP Consulting could study the historical significance. He said in October 1996 which was 600 days later there was still no decision. He then discussed the demolition review process. He noted three different scenarios for the length of time from the filing of an application for a demolition permit until the granting of a permit which could run between ten days to 385 days. He gave estimates on the cost of staff time involved in the process, and he estimated the total cost in consulting fees and City staff time for the 414 Fourth Street and the 1225 East Oak Avenue properties at \$50,000. He said the East Oak Avenue property has an industrial pole barn which was built to store hay. Mr. Peart recommended that:

- The historical preservation goals, processes and ordinances be totally reviewed and changed to be cost effective and streamlined to be workable for property owners.
- 2.The present historical demolition permit ordinance to be totally changed to be cost effective and streamlined to be workable to property owners.
- 3. That a third party consultant, outside the City, be hired to rework the historical preservation process with a steering committee appointed by the City Council.
- 4.That criteria, goals and time frame be equal for private property and City owned projects.
- 5. Council to research the actual desires of citizens of Woodland regarding goals in historical preservation (local significance).
- 6.That possible volunteer Historical Preservation District be formed in the core area.
- 7. That present City Historical staff be rotated with new City staff to help streamline the process.
- 8. That checks and balances be included in the new process.

Council Member Ryhal asked Mr. Peart if he got a demolition permit.

Mr. Peart said he did not get a demolition permit because he did not need it at that time, but he did ask for directions so he knew where he stood in the process.

Mayor Rominger said in some of the other areas people obtain the permits, and when the project is ready the permit has already been obtained. She said that is another avenue to take.

Mr. Peart said he had suggested getting a demolition permit on all of his properties and he was told he would have to go through CEQA requirements.

Mayor Rominger said the City is required to enforce the California Environment Quality Act (CEQA) provisions.

Mr. Peart said he knows the City is going through the CEQA process, but the problem is in the end with the local significance where things are falling apart. He said the Community Development Department developed a flow chart, but the process for obtaining a demolition permit is 360 days.

Council Member Ryhal said the Community Development Director is making sure the City stays out of trouble and complies with the law and CEQA requirements. He said maybe there are some areas where we can shorten the time, but he said it is clear that once the CEQA process is passed the Council should take the action to see whether a property is on the list or not.

Council Member Borchard arrived at the meeting at 8:25 p.m.

Council Member Ryhal asked if the 1255 East Oak Avenue property comes off the historical survey list will the property still become part of the East Street Corridor Specific Plan.

The Community Development director said the property will still be a part of the East Street Corridor Plan. She said the Historic Survey Inventory which has already been adopted is designed to identify buildings which have historical significance and could be from a Federal or the local standpoint, depending on the site. She said when the Downtown Specific Plan was done it became evident that there were additional sites identified as part of the Downtown Specific Plan through Committee process that were not on the inventory. As part of that the recommendation of the Downtown Specific Plan Committee was to expand the inventory. She said that is when Don Napoli was hired, and the cost was kept low because volunteers would be used to help prepare the forms. She said the volunteers never worked, and the inventory is still not completed, but should be done by next year. She said when those project areas were identified by site, the City would then have one piece of the puzzle in place indicating which buildings were of historical significance and which buildings were not. If the buildings were not of historical significance and someone comes in for a building permit, the City does not have to worry about CEQA, and a permit can be issued. If the buildings do have historical significance, the process will be that far along, and the cost of making that determination will be borne by the City. In the case of the East Street Corridor, she said, there were 11 properties that were pulled off the big list after the Downtown Specific Plan rolled into the East Street Corridor Specific Plan because the idea was that not only would we deal with the issues about whether

these buildings have historical significance as part of the survey we would also have the CEQA analysis. In the end everything would be done. She said the CEOA analysis may determine that the proposed use is not appropriate even through it is a building of historical significance because of the need to do certain things with the East Street Specific Plan that could be mitigated and the CEOA analysis would be done. When the Plan is adopted in the end the property owners will have everything they need as long as it is in compliance with the Plan. She said there may be some sites that are of a historical significance that we want to be preserved, and we want to build that into the Plan. Any individual property owner right now could come forward and ask to demolish a building and start the She said the CEQA process is a State law requirement, not a local government requirement. She said the Council could determine that the building is not of historical significance, and the City could still be subject to suit which is what occurred in the City of Los Angeles. The City of Los Angeles was sued and the Courts said the City was wrong and should go through an EIR to make that determination. She said staff feels that Survey Inventory provides the tool, but she said she agreed that developing the Inventory has been a slow process. She said other priorities for the Community Development Department add to the delay. She said the Survey and the Historical Element will be presented at the next meeting of the East Street Corridor Specific Plan Committee. She said at this point the City has borne the cost for the properties that have been identified as historic. With the East Street Specific Plan the City will not only bear the cost of the Inventory analysis but the City will bear the CEQA costs. She said in the case of the 1225 East Oak Avenue property the report will come to the East Street Corridor Specific Plan Committee on December 12, 1996 for a recommendation. She said the East Street Corridor Specific Plan will hopefully be done within the next two months. There should be a draft out by early February 1997. The eleven sites as part of the East Street Plan is complete. The Don Napoli inventory for the Downtown Specific Plan is to be completed by the end of this year.

Dudley Holman said he understands the processes and does not own any property that might be designated historical. He said at one time he considered the purchase of three buildings in the downtown, but he is glad he did not purchase them because he would not want to go through the agony that Mr. Peart has. He said about a year and a half ago when heard about the Pepsi building he attended a Historical Preservation Commission meeting to get a better understanding about what was going on. At the meeting he asked at what point economics is considered. He said the Commission indicated it did not consider economics. He said he hoped that was not a reflection of the Council's attitude, and maybe the Council should communicate its philosophy to the Historical Preservation Commission. He said when Council Members interview applicants to fill the current vacancies on the Commission, they should make inquiries to make sure the new members share their philosophy.

Mayor Rominger thanked Mr. Peart for voicing his frustrations.

RESOLUTION NOS. 3974 AND 3975 - WOODLAND FINANCE AUTHORITY:

Finance Director Margaret Vicars said the Council is being asked to adopt resolutions to approve the formation of the Woodland Finance Authority and to authorize issuance of Redevelopment bonds.

On motion of Council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council adopted Resolution No. 3974 approving the formation of and authorizing the execution and delivery of a Joint Exercise of Powers Agreement creating the Woodland Finance Authority and adopted Resolution No. 3975 approving the issuance by the Redevelopment Agency of the City of Woodland of its Woodland Redevelopment Project 1996 Tax Allocation Bonds and approving the form of and authorizing the execution and delivery of a loan agreement.

NORTH PARK LOT NO. 70 MINI-PARK:

Parks, Recreation and Community Services Director Tim Barry said the proposed construction of the North Park Lot 70 mini-park is all about preserving a large oak tree in the North Park development. He requested authorization to go to bid for the project. He distributed copies of a sketch of the proposed park. He said there was a meeting of the citizen advisory committee for North Park and the committee was helpful in developing the plan. Lot 70 is a cul-de-sac lot and there are plans to place turf on either side of the property. The property owners on both sides will maintain flower beds. The oak tree is in the center of the lot. There will be a wrought iron fence and gates in the back of the lot but there will be no access to the general public from the back. He said the citizen advisory committee is involved in the process of putting specifications together to go to bid on all of the maintenance in the district. The City purchased the park last year for approximately \$30,000, and funding for the project is budgeted in the Park Development Fund, Fund 27.

On motion of Council Member Losoya, seconded by Council Member Borchard and carried by unanimous vote, the City Council authorized the call for bids for the construction of North Park Lot No. 70 Mini-Park.

BOARD AND COMMISSION UPDATE/INTERVIEWS:

City Clerk Jean Winnop gave Council an update on City Boards and Commissions indicating which persons whose terms will be ending on December 31, 1996 are eligible to serve additional terms. She said Council will be asked at its December 3 meeting to consider reappointments. She also asked to have two Council Members appointed to interview candidates for the vacancy on the Historical Preservation Commission created by the resignation of Randall Pack.

Council Members Borchard and Losoya agreed to interview candidates for the vacancy on the Historical Preservation Commission.

ADJUSTMENT TO TEMPORARY EMPLOYEE WAGE SCALES:

Human Resources Manager Dean Gualco said effective October 1, 1996, the Federal minimum wage increased from \$4.25 per hour to \$4.75. On November 5, 1996, California voters approved Proposition 210, increasing the State's minimum wage to \$5.00 per hour effective March, 1997. To comply with Federal law, in October 1996 the City increased only those positions compensated below the minimum wage. He recommended additional wage increases effective December 1996 in certain recreation and aquatic positions to off-set classification compaction issues related to the minimum wage increase. He recommended further increases in March 1997 to comply with the recently approved Proposition 210. He said his staff also surveyed to see how other cities apply the wage increases applied the wage increases, and most agencies already compensated their employees above minimum wage. Two agencies increased only those positions below \$4.75 per hour, and one agency increased across the board temporary salaries 5 percent. He said the second step his staff took to address compaction was to do a survey on temporary positions and total compensation. He said they found out that Woodland was about 11 percent below the average, and this is after the Council in February 1995 approved increases for most of the aquatics employee wages. As a result of the study he recommended that the Council only increase the wages of certain positions that are directly affected by the compaction. Those positions are Park Maintenance Worker Trainee, Part Time Clerical Trainee, Temporary Maintenance Helper, Engineering Aide Trainee, Activity Leader I, Activity Leader II, Cashier, Activity Manager, Aides/Lifeguard, and Lifeguard/Instructor. recommended certain increases effective December 1, 1996, and others effective March 1, 1997 as a result of Federal and State minimum wage increases.

Council Member Borchard said he just wished there was some consideration and understanding for those businesses which cannot pass on the cost of wage increases. He said agriculture is one of those businesses.

Mr. Gualco said usually the City does not have to increase wages as a result of the State increases in minimum wages, but Proposition 210 states that it applies to all industries. There is other language in Proposition 210 which states that the Industrial Welfare Commission will increase their salaries too, but the City does not have to comply with the Industrial Welfare Commission wages which are the State wages.

Council Member Ryhal said salaries are a budgetary issue, and he understands that the City needs to make some corrections in wages because the minimum wage law was passed. He said the City at this time should only deal with the minimum wage requirements and deal with the other increases at budget

time.

Vice Mayor Losoya said some thought should be given to the pay scales of the positions which are affected by compaction. He said it is not anyone's desire to go beyond the minimum wage, but it causes a compaction problem to deal with those positions which have been paid a higher wage for various reasons.

On motion of Council Member Ryhal, seconded by Council Member Borchard and carried by the following vote, the City Council approved increases in temporary employee hourly wages to the current minimum wage level and agreed to set aside other increases for temporary employee wages until the next budgetary cycle:

AYES: COUNCIL MEMBERS: Borchard, Flory, Ryhal, Rominger

NOES: COUNCIL MEMBERS: Losoya

FUTURE MEETING AGENDA ITEMS:

Council Member Ryhal requested a review of the Historical Preservation review process as a result of the inquiries from Mr. Neal Peart. Council Member Borchard requested that a couple of members of the Historical Preservation Commission be present at the review.

Mayor Rominger requested a resolution of appreciation for Frank Sieferman who is retiring as a member of the Yolo County Board of Supervisors. She also requested a report on flooding issues at Sterling May Co., 291 West Main Street, and possible solutions. She requested a report on the Woodland Adult Sports Association supervision of softball field maintenance.

Council Member Borchard inquired about the consultant report regarding potential flooding. The City Manager said Council discussed the flooding issues about six months ago.

Vice Mayor Losoya requested a progress report regarding tree issues.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 9:20 p.m. in order to convene the meeting of the City of Woodland Finance Authority. See Authority minutes attached to these Council minutes as Exhibit B. At 9:25 p.m. the Woodland Finance Authority meeting was adjourned, and the Council meeting was reconvened.

ORDINANCE NO. 1292 - PREZONING:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by the following vote, the City Council adopted and read by title only Ordinance

No. 1292, "An Ordinance Amending the Zoning Map of the City of Woodland by Prezoning the City Owned Properties East of County Road 102":

AYES: COUNCIL MEMBERS: Borchard, Ryhal, Rominger

NOES: COUNCIL MEMBERS: Flory, Losoya

ADJOURNMENT:

At 9:26 pm the meeting was adjourned to November 26, 1996, 7:00 p.m.

City Clerk of the City of Woodland