Council Chambers 300 First Street Woodland, California

July 6, 1993

The Woodland City Council convened a special session at 7:00 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall to discuss personnel and pending litigation matters. Council Members present at the meeting were: Rominger, Crescione, Flory, Sandy and Slaven; absent: none. City Manager Kris Kristensen and City Attorney Bob Murphy were also present at the meeting.

Council adjourned the closed session and the special session at 7:40 p.m.

The Woodland City Council met in regular session at 7:43 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Rominger 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, Crescione, Sandy, Slaven

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Ruggiero, Murphy, Wegener, Woodruff, O'Toole,

Moutinho, McDuffee, Barry, Buchanan, Gordon, Bach,

Horgan, McDonell, Phipps

CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the Council met in closed session from 7:00 p.m. until 7:40 p.m. pursuant to Government Code Section 54956.9(b) to discuss significant exposure to litigation and personnel matters pursuant to Section 54957. He said no Council action was taken at the meeting.

MINUTES:

On motion of Council Member Flory, seconded Council Member Sandy and carried by unanimous vote, the City Council approved the minutes of the regular meeting of April 6, 1993, with a correction on page 10 to indicate that Mayor Rominger abstained from discussion and action on the amphitheater proposal evaluation because of a conflict of interest; and Council approved the minutes of the June 21, 1993 adjourned meeting, as prepared.

On motion of Council Member Sandy, seconded by Council Member Crescione and

carried by unanimous vote (Council Member Slaven abstained since he was absent at that meeting), the City Council approved the minutes for the adjourned meeting of June 22, 1993, as prepared.

COMMUNICATIONS:

- 1. From the State Department of Alcoholic Beverage Control copies of applications were received for on sale beer and wine eating place licenses for The Grind, 608 Main Street, and Zi-May Restaurant, 10 North East Street. Police Lieutenant Del Hanson had advised that he has no problem with the issuance of either license.
- 2. From John Fechter, 16 Leisureville Circle, et al, a letter was received requesting that Council consider adopting an ordinance to establish a mobile home rental adjustment board.

The City Council directed staff to review the issues involved and give Council a preliminary report for Council discussion at the July 20 meeting.

3. From Lynn Granada a claim against the City was received in the amount of \$23,000. Claimant stated that she stepped into an uncovered drainage hole and fell injuring herself on January 4, 1993, near 1271 East Oak Avenue.

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council rejected the claim against the City from Lynn Granada and referred the claim to the City's insurance representative.

4. From Bernard Harris, et al, a wrongful death claim against the City was received in the amount of \$1,009,244.69 in regard to an accident which occurred at 355C West Kentucky Avenue, on January 19, 1993.

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council rejected the claim against the City from Bernard Harris, et al, and referred the claim to the City's insurance representative.

5. From Manuel Arteche of Woodland Street Cruisers, Inc., a proposal was received regarding "Original Hot August Cruise Night 1993" to be held on Saturday, August 7, 1993. Council was advised that the Police Department will give their response to the Council under Regular Calendar items.

COMMITTEE REPORTS:

1. From Chief of Police Bob McDonell a report was received transmitting the minutes of the Yolo County Communications Emergency Services Agency Board meeting of April 30, 1993. No Council action was necessary.

- 2. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board meetings of May 10 and 24, 1993. No Council action was necessary.
- 3. From Parks and Recreation Director Tim Barry a report was received summarizing action taken at the Parks and Recreation Commission meeting of May 19, 1993. No Council action was necessary.
- 4. From City Manager Kris Kristensen a report was received transmitting minutes from the Yolo County Transit Authority Board meeting of May 26, 1993. No Council action was necessary.
- 5. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Historical Preservation Commission meeting of June 8, 1993. No Council action was necessary.
- 6. From the Parks and Recreation Director a report was received summarizing action taken at the City Commission on Aging meeting of June 8, 1993. No Council action.
- 7. From the Parks and Recreation Director a report was received summarizing action taken at the Parks and Recreation Commission meeting of June 16, 1993. No Council action as necessary.
- 8. From the City Manager a report was received summarizing topics discussed at the Chamber/City 2 x 2 meeting of June 16, 1993. No Council action was necessary.
- 9. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of June 17, 1993, as follows:
 - a.Commission elected Tony Fernandez as Chairperson and Paula Agostini as Vice-Chairperson for the period from July 1993 through June 1994.
 - b.Commission appointed Paula Agostini as the Planning Commission representative to the City Council committee working on the I-5 Corridor Landscape Plan.
 - c.Commission recommended to the City Council the following:
 - (1)A General Plan amendment that would change the land use designation of the Armfield area from Industrial (I) to Service Commercial (C-3).
 - (2)An amendment to the Zoning Ordinance which would rezone the Armfield Area to C-3.

(3)An amendment to the Zoning Ordinance which would allow residential uses in the C-2 and C-3 zones.

The Commission also certified an NDEIR for the above referenced items.

- d.Commission approved a modification to the Beamer Business Park mixed use permit. The Beamer Business Park is located at the northeast corner of Beamer and East Streets. This modification would add "medical waste transfer station" to the approved list of uses for the site. A medical waste transfer station is a temporary holding area where medical waste (that is not hazardous or radioactive) is picked up at doctors' offices, hospitals, veterinary clinics, etc. and then brought to a temporary location before being taken to a disposal facility. The medical waste can only be stored for a 7-day period. The Commission also certified an NDEIR on this item.
- f.Commission denied Connolly Development, Inc.'s appeal of staff's interpretation of a condition of approval placed on the Oil Can Henry building at the Westgate Center. Connolly was appealing staff's interpretation of a condition requiring compatibility of architecture and building material. In upholding the staff interpretation, the Commission confirmed that the Oil Can Henry building should use concrete block rather than stucco as the primary building material.
- g.Commission determined that modular office buildings could be located in the C-2 zone on a temporary basis for public and quasi-public uses.

On motion of Council Member Crescione, seconded by Council Member Slaven and carried by unanimous vote, the City Council set a July 20, 1993 hearing regarding General Plan amendments described in paragraph 9.c. above.

- 10. From Assistant City Manager Kristine O'Toole a report was received transmitting an agenda for the Sacramento Division of the League of California Cities meeting held on June 18, 1993.
- 11. From the Assistant City Manager a report was received transmitting minutes from the Woodland Access "43" meeting of June 23, 1993. No Council action was necessary.

PUBLIC COMMENT:

Mayor Rominger invited members of the public to speak on any issue not on the agenda, but there were no comments presented.

PRESENTATIONS:

Resolution No. 3742A - Resolution of Appreciation:

On motion of Council Member Sandy, seconded by Council Member Slaven and carried by unanimous vote, the City Council adopted Resolution No. 3742A, a resolution of appreciation for Pat Marer, who was retiring after ten years of service.

Mayor Rominger presented the resolution to Parks and Recreation Director Tim Barry in Ms. Marer's absence. Ms. Marer was the Senior Center Program Manager.

HEARING - STRENG POND MAINTENANCE DISTRICT:

Mayor Rominger said at this time a hearing will be conducted to consider the approval of the Fiscal Year 1993-94 Streng Pond Maintenance District budget.

Finance Director Peter Woodruff reported that this hearing is for the purpose of formally reviewing the annual report for the Streng Pond Maintenance District which has been in existence since 1985. He said annually the Council sets the tax rate to be used for the properties within the district. In May Council received a report for the calculation for FY 1993-94. He said because of the fact that some legislation passed last year with respect to landscaping and lighting districts the requirements have been changed to make it mandatory for notices to go out to all property owners within the district if the assessment is to increase, and he said that process was followed. Council Members were provided with copies of the response letters he received, and the Finance Director outlined the concerns in his report.

Mayor Rominger opened the public hearing, and there being no comments she closed the hearing.

Resolution No. 3743:

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 3743 confirming the Streng Pond Landscaping Maintenance District and ordering the assessment for Fiscal Year 1993-94 as set forth in the annual report.

HEARING - DOWNTOWN SPECIFIC PLAN:

Mayor Rominger said the second public hearing scheduled is a continued public hearing on the proposed Downtown Specific Plan.

Associate Planner Colleen McDuffee reported that at the June 21 study session Council indicated they would like additional discussion on the restrictiveness of the Land

Use Matrix, design guidelines, the time line for the new Police Station, and the effect of one-way streets on existing businesses.

After Council discussion Mayor Rominger opened the public hearing.

Tom Stallard expressed his support of the Plan. Keith Turley proposed operating a teen facility at the former Daily Democrat building at 702 Court Street if he can secure a conditional use permit. Bud Fisk, real estate agent representing Jack Woods who owns property at Fifth and Lincoln, expressed his support for locating the new Police Station on Mr. Wood's property. Dennis Gay urged Council to proceed with adoption of the Plan, and he said the Downtown Specific Plan Committee intended to provide as much flexibility into the Plan as possible. Ed Shelley, President of the Downtowners Association, thanked the Community Development Department staff for its efforts toward developing the Plan. John Roman expressed his support of the Downtown Specific Plan, but said he was concerned about the location of the Police Station and requested that a specific site not be specified in the Plan.

There being no further comments, Mayor Rominger closed the hearing.

Council Member Slaven said he wanted to consider the proposal of Keith Turley for a teen center in the downtown area. The Community Development Director said the Land Use Matrix could be changed to allow for the flexibility of such a use, and the teen center will not be site specific.

Council Member Crescione said he would like to review the Land Use Matrix again.

Mayor Rominger said she had some concerns about one-way streets and diagonal parking along Main Street.

Council Member Flory suggested that the City solicit comments from businesses in the Downtown area regarding the impact of one-way streets. He said before one-way streets could be placed a study will have to be conducted, so the Council will continue to have controls even with approval of the Specific Plan.

The Council agreed that the Specific Plan should be amended to allow youth/entertainment uses as either a conditional use permit or a Zoning Administrator decision within Area A of the Plan. After further Council discussion, the following action was taken:

On motion of Council Member Slaven, seconded by Council Member Sandy and carried by unanimous vote, the City Council set August 3, 1993 as the date for Council action on the Downtown Specific Plan.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 9:13 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 9:29 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

Mayor Rominger requested removal from the Consent Calendar of the letter protesting State use of 9-1-1 program funds. Council Member Crescione requested removal of the agenda item regarding the sole source purchase of a City Hall emergency power transfer switch.

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

COMPLETION OF CITY PARK STORAGE BUILDING:

The City Council accepted the City Park storage building project by Bivert Construction as complete; directed the City Clerk to file a notice of completion; and authorized the Mayor and City Manager to sign the notice of completion.

LEASE AGREEMENT WITH YOLO-SOLANO AIR POLLUTION CONTROL DISTRICT:

The City Council authorized the Mayor to sign a lease agreement with the Yolo Solano Air Pollution Control District for space at the Sutter Street Fire Training Yard.

ANNUAL REPORT FROM YOLO COUNTY COMMUNICATIONS EMERGENCY SERVICES AGENCY:

The City Council received the 1992 Annual Report from Yolo County Communications Emergency Services Agency.

CLEAN LOT PROGRAM HEARING SET:

The City Council set July 20, 1993 as the time for hearing and receiving the report on the cost of the 1993 Clean Lot Program.

FINAL MAP NO. 4098 FOR TIM SNOW:

The City Council approved Final Map No. 4098 for Tim Snow (2.5 acre subdivision located south of Westwood Drive and east of Silverado Drive).

REGULAR CALENDAR:

EMERGENCY POWER TRANSFER SWITCH:

Council Member Crescione asked for a staff report on the proposed replacement of an emergency power transfer switch for City Hall.

Public Works Director Gary Wegener reported that the initial bid call resulted in one bid, and after contacts with a number of bidders a second bid call resulted in no bids at all. He said a consultant retained advised that the bidders were more interested in a project that would use a new enclosure for a transfer switch as opposed to replacing the transfer switch, but he said staff wanted to save the additional cost. The consultant estimated that the cost would be approximately \$13,000.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized staff to negotiate a contract with Apparatus Unlimited to replace an emergency generator transfer switch at City Hall in an amount not to exceed \$13,500.

STATE USE OF 9-1-1 PROGRAM FUNDS:

Mayor Rominger said she wanted to draw attention to the issue of the State use of 9-1-1 Program funds. She said when the 9-1-1 Program was put into service in California, authority was granted to raise funds through telephone charges to support the on-going costs, equipment replacement, etc., for the Public Safety Answering Points (PSAP's) throughout the State. She encouraged the listening audience to send letters to Assemblyman Hannigan expressing opposition to the practice of transferring those funds to the State's General Fund.

On motion of Council Member Flory, seconded by Council Member Crescione and carried by unanimous vote, the City Council authorized the City Manager to draft a letter to the Governor and the City's representatives on behalf of the City Council to request the State stop spending 9-1-1 Program funds for other than the purpose for which they were collected.

CHILD CARE NEEDS REPORT:

Parks and Recreation Director Tim Barry reported that during the first week of December, 1992, the child care needs of families were surveyed in the Woodland Joint Unified School District. Of 3,500 surveys distributed 353 were completed and returned, representing a 10 percent response rate.

Carol Souza Cole, representing the City's Child Care Commission, reviewed with Council a report on the results of the survey. She said developing the needs assessment report has been a goal of the Commission since its inception, and now that the goal has been accomplished the Commission will be able to move forward to serve the needs of parents and children in Woodland. She thanked Debbie Gordon of the Parks and Recreation Department, the Woodland Education Association, the local teachers association, Woodland Joint Unified School District staff, and Superintendent Tino Noriega for their efforts. She said a copy of the report will be available at the Library.

CRUISE NIGHT 1993 SCHEDULE:

Police Captain Russ Smith reported that his Department has outlined several conditions to impose on the 1993 Cruise Night. The parade style cruise will be limited to a single lane of traffic and 750 vehicles. This is an increase of 100 vehicles over past years. He said the parade will begin at 7:00 p.m. and will shut down at 11:00 p.m.

Manuel Arteche briefed Council on the proposed events for the August 7, 1993 Cruise Night.

On motion of Council Member Crescione and carried by unanimous vote, the City Council approved the proposed events for "The Original Hot August Cruise Night 1993" scheduled for Saturday August 7, 1993, subject to the conditions outlined in the Police Department report.

YOLO COUNTY COMMUNICATIONS EMERGENCY SERVICES AGENCY LONG RANGE PLAN AND FINANCIAL PLAN:

Police Chief Bob McDonell reported that in January of 1989 the joint powers authority was formed for the Yolo County Communications Emergency Services Agency (YCCESA), and in the beginning the agencies involved were aware that they were inheriting an aging infrastructure which needed significant improvements. He said the YCCESA Board has been developing a Long Range Strategic Plan and Financial Plan to assist in that process. During the process, he said it became clear that additional assistance was needed to develop a funding strategy which would facilitate the necessary improvements and minimize the impact on the owner agency's general funds. The reports address some options in terms of how to accomplish the improvements. He said both reports are being presented to the Council for review prior to a joint meeting of all agencies scheduled for August 12, 1993, 7:00 p.m. at the County Communications Center.

WATER SYSTEM CHLORINATION PROGRAM:

Senior Civil Engineer Mike Horgan gave Council an update on the chlorination of the City's water supply. He said the process has been successful and bacteria tests since February 15, 1993 have been negative. Currently six of the seven contaminated wells have chlorinators on them and the seventh is in the installation process. He said these wells along with the eleven not chlorinated are meeting the peak demands during this higher usage season. In the next step the pumping facility will be removed from the well, and they will take a video of the inside to determine if there is anything that would identify the cause of the contamination. He said staff has talked with experts in the field, representatives of other communities who have been through this process before, and reviewed literature. He then thanked Ken Zeier, Utilities Engineer, and Bob Dahl, Utilities Superintendent, for all of their efforts in this process.

SOLE SOURCE PURCHASE OF PRAIRIE SCHOOL PLAYGROUND EQUIPMENT:

Parks and Recreation Director Tim Barry said that the Prairie Park Neighborhood Committee has worked very hard over this past year to raise funds for the purchase of playground equipment for a tot lot at Prairie Park. He said they have raised \$8,167.31 in addition to about \$2,000 in in-kind donations. He said these funds will be matched with the City's contribution of \$1,826.69 will provide the necessary amount to complete the project. However, using the shortest possible time for a normal bid process for the equipment, the equipment would not have been installed until a couple of weeks after school had started. If the bid requirements are suspended, the equipment can be installed by August 30.

Pam Swartwood of the Neighborhood Committee and Karen McManus of the Parks and Recreation Commission were present at the meeting. Council congratulated the Committee and Commission on their efforts.

On motion of Council Member Slaven, seconded by Council Member Sandy and carried by unanimous vote, the City Council suspended the bid requirements for the purchase of playground equipment for Prairie Park and authorized the sole source purchase of playground equipment (\$11,600 from Fund 27, less \$8,167.31 in community donations).

BEAMER-KENTUCKY ASSESSMENT DISTRICT CONSTRUCTION CONTRACT/ CONSTRUCTION MANAGEMENT SERVICES:

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted <u>Resolution No. 3744</u> authorizing the City Manager to award the construction contract for construction of public improvements for the Beamer-Kentucky Assessment District to Teichert Construction (when the contract is presented for signature); adopted <u>Resolution No. 3745</u> authorizing change orders to the construction contract; and authorized the City Engineer to enter negotiations with WILLDAN Associates for construction

management services.

UPDATE ON WATER CONSERVATION PROGRAM:

Harrison Phipps, Water Conservation Specialist, gave Council a report on water conservation activities in Woodland. The report contained a description and analysis of the quantity of water that has been produced by City wells and the cost to pump this water out of the ground. The report described the ongoing programs in place and recommendations for changes to those programs as well as cost benefit analysis. He said Woodland is unique in that it is not a fully metered community. This means that when effective conservation measures result in a decrease in water use there is no subsequent decrease in revenues with the utility billings. This consequently saves money for the City and reduces the need to raise rates as often. He said in 1992 the City wells produced 250 gallons for each person in Woodland. This has been a steady decrease since 1987 when water use was up to 340 gallons per person. He said if in 1992 the water use was the same as it was before the drought, the utility bills would have been at least \$100,000 higher in 1992. He then discussed changes in water conservation efforts, including recycling and reuse of wastewater.

The City Manager said the report shows positive efforts but also points out that we still need to continue with water conservation efforts.

STATE BUDGET IMPACT ON CITIES:

City Manager Kris Kristensen distributed to Council a memo from the League of California Cities indicating what the State Assembly's budget approval did to Woodland. The action that the State Senate which was subsequently signed by the Governor last week was similar to the Assembly's action, but there are several aspects which are not clear. He said basically the City is looking at another \$800,000 removal of property tax funds which would otherwise be used by the City. The State will take those dollars to handle their obligations to deal with public schools; however, action by the State offset some of those losses in revenues by (1) a contribution on a one-time basis from the State's Transportation Planning and Development Fund in the amount of \$250,000 and (2) a portion of the half-cent sales tax revenues in the amount of approximately \$180,000 (but this may assume approval by the voters on a state-wide measure in November). He said he will have more complete information at the next Council meeting.

Council Member Crescione left the Council meeting at 10:32 p.m. and returned at 10:35 p.m.

HEARING SET FOR REALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS:

Senior Planner Howard Nies said that on May 8, 1993 Council approved the allocation of \$9,800 in Community Development Block Grant (CDBG) funds for the coming year to Diogenes, and now Diogenes has sent the City a letter indicating that they wish to withdraw their application. He said that Council can allocate the \$9,800 to other projects. To reallocate the funds Council needs to indicate initially how it intends to spend the \$9,800 and set a hearing on the matter.

On motion of Council Member Flory, seconded by Council Member Sandy and carried by unanimous vote, the City Council set a public hearing for August 3, 1993, to consider allocation of \$9,800 in CDBG funds and declared Council's intent to restore funds for Elderly Nutrition, Wayfarers and Yolo Hospice with the balance allocated to Family Service Agency.

SOUTHEAST AREA SCHOOL IMPACT PLAN:

The City Manager said on June 15 he reported that he had submitted a final package to the developers and the School District on the School impact mitigation, and he said they have subsequently met with both parties. He said the School District requested that their Board review the matter before the Council takes action, and the School Board will meet on July 8 to consider the proposal. He recommended that the Council defer discussion.

Council agreed to defer its consideration of school impact mitigation for the proposed Southeast Area development until the Council's next regular meeting on July 20, 1993.

TRAFFIC SAFETY COMMISSION APPOINTMENT:

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council appointed Steve Borchard as a member of the Traffic Safety Commission for term ending December 31, 1996.

ORDINANCE NO. 1235 - EXTENDING PLANNING COMMISSION APPEAL PERIOD:

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous roll call vote, the City Council adopted and read by title only Ordinance No. 1235 extending the appeal period for Planning Commission actions from ten to fourteen days after the decision has been rendered.

ADJOURNMENT:

At 10:55 p.m. the meeting was adjourned.

City Clerk of the City of Woodland	