Council Chambers 300 First Street Woodland, California

February 6, 1990

The Woodland City Council met in closed session from 6:45 p.m. until 7:25 p.m. to discuss a personnel matter. All Council members were present. At 7:30 p.m. the Council met in regular session.

PLEDGE OF ALLEGIANCE:

Mayor Nofziger 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: Nofziger, Flory, Holman, Peyton, Sandy

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Moe, Ostebo, Nies, Buchanan, McPherson, Suhr,

Wilson, Moutinho, Smith, Costa, Golnik

MINUTES:

On motion of Council Member Flory, seconded by Council Member Peyton and carried by unanimous vote, the City Council approved the minutes of the regular meeting of December 5, 1989; the adjourned meeting of January 12, 1990; and the adjourned meeting of January 19, 1990, as prepared.

On motion of Council Member Peyton, seconded by Council Member Holman and carried by the following vote, the City Council approved the minutes of the adjourned meeting of January 26, 1990, as prepared:

AYES: COUNCIL MEMBERS: Holman, Peyton, Nofziger

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAINED: COUNCIL MEMBERS: Flory, Sandy

COMMUNICATIONS:

1. From Richard A. Tafoya, 1701 Amador Way, Woodland, a claim against the City was received in the amount of \$2,000. The claim stated that Mr. Tafoya's home received water damage as a result of a blockage in the City sewer line.

On motion of Council Member Peyton, seconded by Council Member Holman and carried by unanimous vote, the City Council rejected the claim filed against the City by Richard A. Tafoya and referred the claim to the City's insurance representative.

- 2. From David Wilkinson, President of the Woodland Downtown Improvement Association, a letter was received asking to borrow \$2,500 from the Parking Meter Fund to cover taxes, penalties, and accountant fees paid by the Association. The letter indicated that the Association intends to repay the loan by June 1, 1990. Council was advised that this request will be submitted to Council for action on Friday, February 9, 1990.
- 3. From Finance Director Peter Woodruff a memo was received advising that claims covering payroll and accounts payable paid by the City for the month of December 1989 totalled \$1,493,831.61. No Council action was necessary.
- 4. From Winncrest Homes, Inc., a letter was received requesting that a public hearing be opened for further testimony regarding the fire sprinkler ordinance. The City Clerk advised that the Fire Chief recommends that adoption of the proposed fire sprinkler ordinance be postponed until February 20, 1990 to allow further public comment.
- 5. From Morrison Homes a letter was received asking that a public hearing be opened for further testimony regarding the fire sprinkler ordinance.
- 6. From the State Department of Alcoholic Beverage Control a coy of an application was received for an on sale beer and wine license for China Smorgi Restaurant, 14 West Court Street. No Council action was taken.

COMMITTEE REPORTS:

- 1. From City Manager Kris Kristensen a report was received transmitting the minutes of the December 8, 1989 meeting of the Yolo County Transit Authority Board of Directors. No Council action was necessary.
- 2. From Community Development Director Janet Ruggiero a report was received transmitting the preliminary minutes of the January 9, 1990 meeting of the Downtown Parking District Review Committee. No Council action was necessary.
- 3. From the Community Development Director a report was received summarizing action taken by the Historical Preservation Commission at its meeting of January 9, 1990 and special meeting of January 25, 1990. No Council action was necessary.
- 4. From the City Manager a report was received summarizing action taken by the Community Service Awards Nominating Committee at its meeting of January 11, 1990. Based on the Committee's recommendations Council took the following action:

On motion of Council Member Holman, seconded by Council Member Flory and carried by unanimous vote, the City Council awarded the City of Woodland's 1990 Community Service Awards to Twyla Thompson, Melba Whitehead and Don La Plante. The awards will be presented at a luncheon on February 14, 1990.

- 5. From Parks and Recreation Director John Suhr a report was received summarizing action taken by the Parks and Recreation Commission at its meeting of January 17, 1990. No Council action was necessary.
- 6. From the Community Development Director a report was received advising of action taken by the Planning Commission at its meeting of January 18, 1990, as follows: (a) Commission denied a conditional use permit application for a rooming house at 350 College Street; (b) Commission continued consideration of the College Park Project until February 15, 1990; this project involves the prezoning of 24± acres located south of Kentucky Avenue between North College Street and Palm Avenue; (c) Commission approved a tentative parcel map to split an 8,576 square foot parcel into two parcels for the purpose of constructing a split lot duplex; Commission also approved the categorical exemption; and (d) Commission recommended to the City Council that the 1990-92 Capital Improvements Program is consistent with the goals of the Woodland Area General Plan. No Council action was necessary.
- 7. From Finance Director Peter Woodruff a report was received transmitting the minutes of the January 19, 1990 meeting of the Yolo County Public Agency Risk Management Insurance Authority. No Council action was necessary.
- 8. From the City Manager a report was received summarizing topics discussed at the January 23, 1990 Davis/Woodland 2 \times 2 meeting. No Council action was necessary.
- 9. From Assistant to the City Manager Sandy McPherson a report was received transmitting the minutes of the January 24, 1990 meeting of the Recycling Committee. No Council action was necessary.
- 10. From the City Manager a report was received summarizing the discussion at the January 24, 1990 Chamber/City 3 x 3 meeting. No Council action was necessary.

PUBLIC COMMENT:

Council Member Holman invited interested persons to attend the City Council candidate orientation session to be conducted by staff on Wednesday evening, February

7, 1990, starting at 7:00 p.m.

The City Manager announced that the City Council would not be taking action as indicated on the agenda regarding Ordinance No. 1157 amending the residential land use table of the City Zoning Ordinance but that item will be scheduled for the February 20, 1990 Council meeting.

The City Manager also announced that recently the City's Parks and Recreation Director John Suhr was awarded the very distinguished J. R. Needy award by the California Park and Recreation Society District II which is given to those in the park and recreation field whose outstanding achievements have contributed to their profession, their community and their professional organization.

HEARING - UNIFORM FIRE CODE:

The City Manager said the first of four public hearings scheduled is for the purpose of considering adoption of the 1988 Edition of the Uniform Fire Code including fireworks sales restrictions.

Fire Chief John Buchanan said the Uniform Fire Code basically maintains the fire standards set under the Uniform Building Code and regulates the process that goes on within the building. He said the only change with the adoption of the 1988 edition would be the regulation of fireworks sold and used in the City.

Fire Marshal Dave Ostebo explained the Fire Department's position with respect to the sale and discharge of safe and sane fireworks in the City. He said a meeting was held on January 11, 1990 and included the Fire Department, fireworks wholesalers and fireworks retailers to discuss the issues. He said the Fire Department is in support of eliminating the sale and discharge of safe and sane fireworks as of July 6, 1992. This three-year period will allow groups to look for alternative means of revenue producing activities. Mr. Ostebo said the Fire Department is concerned with public education and feels that fireworks sales and use is counterproductive to what the Department is trying to do. He said the Council has three options: (1) adopt the 1988 of the Uniform Fire Code and eliminate the sale and discharge of safe and sane fireworks starting July 6, 1992; (2) adopt the Fire Code and retaining existing language by continuing the sale and discharge of such fireworks; or (3) adopt the Fire Code and mandate the formation of a Fireworks Task Force to study the issue of safe and sane fireworks in Woodland.

Mayor Nofziger opened the public hearing.

Jess Falen said although he was not a resident of Woodland he is president of the

Board of Directors of Woodland Gymnastics, a nonprofit organization, and he explained to the Council the benefits of the revenue earned by Woodland Gymnastics from the sale of fireworks. He pointed out that there have been few injuries in the past from the use of safe and sane fireworks in Woodland, and he felt that rather than eliminate sales the Fire Department should concentrate its efforts on eliminating illegal fireworks in the City.

John Sullivan of Red Devil Fireworks Company reported that 15 organizations in Woodland sell fireworks and retain \$138,000 in the community from their profits. He said his company wants to work with the Fire Department on an educational program.

Earl Whitten of the Church of God said he felt the Fire Department should be able to tell the difference between safe and sane and illegal fireworks. He said there would be no way of compensating the groups for the loss of fireworks sales.

Ed Shelly also spoke in support of the continued sales and discharge of fireworks.

There being no further comments Mayor Nofziger closed the public hearing. After some discussion Council took the following action:

Ordinance No. 1158:

On motion of Council Member Peyton, seconded by Council Member Flory and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1158, "An Ordinance Prescribing Regulation Governing Conditions Hazardous to Life and Property from Fire and Explosion: and Repealing Chapter 9A of the Code of the City of Woodland, California, 1955, and All Amendatory Provisions Thereof" including the continued sale and discharge of safe and sane fireworks and the formation of a Fireworks Task Force to study the matter.

The City Manager said staff will report back to Council at a later date concerning the make-up of the Task Force.

RECESS:

Council took a recess from 8:30 p.m. until 8:36 p.m.

ASSISTANT CITY ATTORNEY:

City Attorney Ron Moe introduced his new Assistant City Attorney Kathleen McCormick.

HEARING - SPEED ZONES:

The City Manager said the second public hearing scheduled is for the purpose of considering changing speed zones for Ashley Avenue, Matmor Road, West Street and Gibson Road.

Director of Public Works Ron Tribbett explained the recommended speed zone changes as follows: (1) Gibson Road -- extend 35 mph zone from East Street to Matmor Road; (2) Matmor Road -- raise speed limit from 25 mph to 30 mph and extend Gum Avenue to Gibson Road; (3) Ashley Avenue -- establish 30 mph from Kentucky Avenue to El Dorado Drive; and (4) West Street -- extend 30 mph from Oak Avenue to Kentucky Avenue. He said no changes are recommended for Main Street. He said by law the City is required to do speed zone surveys and engineering analysis of all major arterial and collector streets on a five-year cycle. The changes recommended are the results of surveys just completed for the four above-named streets.

Police Captain Russ Smith told the Council that in order for the Police Department to enforce the speed limits and use radar the surveys have to be taken and the limits have to be posted.

Mayor Nofziger opened the public hearing.

The following persons commented on the proposed speed zone changes: Tom Peden, 30 Gibson Road; Carol Anderson, 1180 Matmor Road; Leslie McGregor, 1415 Edwards Circle; Rose Benson, 504 Ashley Avenue; Michael Gray, 159 Park Avenue; Gale Ellingson, 724 Matmor Road; Dean Greenwalt, 620 Ashley Avenue; Doug Baxter, 1514 Ashley Avenue; John Woodard, 624 Ashley Avenue; and James Forney, North Ashley Avenue.

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

After some Council discussion a motion of Council Member Holman to approved the recommended changes failed to carry for lack of a second. Council requested that staff report back to the Council at a later date regarding the Gibson Road 35 mph speed zone.

HEARING - EAST MAIN STREET ASSESSMENT DISTRICT:

The City Manager said the third public hearing scheduled is for the purpose of hearing protests to the proposed East Main Street Assessment District improvements and to adopt a resolution ordering a public hearing.

Director of Public Works Ron Tribbett and Senior Civil Engineer Rudi Golnik explained to Council that the low bid for the Assessment District submitted by Kiewit-Pacific Company in the amount of \$8,974,678.0l was below the engineer's estimate by approximately \$200,000, but that the engineer's estimate included items of work that were not part of the contractor's bid. The contractor's bid now exceeds the engineer's estimate by approximately \$800,000, and this will result in a slight increase in the assessments of the various property owners. In order to raise the assessments the City is required to give the property owners at least 20 days notice of a new public hearing date. The contractor, Kiewit-Pacific, has agreed to extend their bid by 30 days, which will allow the City to postpone award of the contract until March 6, 1990.

Bob Brunsell, bond counsel for the project, explained the processes and the notification requirements for increasing the assessments. He noted that only one protest was filed by Sambucetti Land and Building Company and WESCO Trucking and Trailer Sales through their attorney Louis Desmond. He said that further protests could be filed by the March 6, 1990 public hearing date.

He said that representatives from Morton and Pitalo, engineers for the project, were present at the meeting to answer any questions Council might have.

Mayor Nofziger opened the public hearing.

Louis Desmond, representing Sambucetti Land and Building Company and WESCO Trucking and Trailer Sales, said because of the changes in assessments and the continued public hearing he will defer his comments until March 6, 1990. He added, however, that there is a substantial area to the north of East Main Street known as the Layton Knaggs property which has considerable frontage and access to East Main Street. He said there is no provision for ultimately assessing that property for the benefits from the assessment district.

Mr. Brunsell said one alternative would be to form a benefit district in which development fees would be established above and beyond normal City development fees and these would be collected at whatever time that property would be annexed to the City.

Resolution No. 3514:

On motion of Council Member Holman, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 3514 amending Resolution of Intention No. 3472.

Resolution No. 3515:

On motion of Council Member Flory, seconded by Council Member Holman and carried by unanimous vote, the City Council adopted Resolution No. 3515 ordering the change of proceedings and fixing March 6, 1990, 7:30 p.m. as the hearing date and time for considering the Amended Engineer's Report for the East Main Street Assessment District.

HEARING - AMENDMENT TO TRANSITION OVERLAY ZONE:

The City Manager said the last public hearing is to consider amendments to the Transition Overlay Zone provisions of the Zoning Ordinance.

Senior Planner Howard Nies and Assistant Planner Colleen McDuffee gave the staff report.

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

Ordinance No. 1159:

On motion of Council Member Holman, seconded by Council Member Peyton and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1159, "An Ordinance Amending Certain Sections of Chapter 25 of the Code of the City of Woodland."

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

Council Member Peyton requested that the item dealing with construction management services for the East Main Street Assessment District be removed from the Consent Calendar.

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

BID AWARD - LANDSCAPE MAINTENANCE CONTRACT:

The City Council awarded a one-year Landscape Maintenance Contract to

Machado Landscape Construction and Maintenance for provision of landscape maintenance services to City Hall and Library grounds.

BID AWARD - TRACTOR MOWER:

The City Council awarded the bid for a 20 h.p. tractor mower to Westside Machinery, Inc., in the amount of \$6,913.56 (to be used in Parks Department, Park Maintenance Division).

SENIOR WORKER EMPLOYMENT PROGRAM CONTRACT:

The City Council approved the contract between the City of Woodland and the Community Partnership Agency to provide \$7,338 from the Agency to assist in funding the Senior Worker Employment Program.

BID CALL - E. GIBSON AND MATMOR ROAD TRAFFIC SIGNAL:

The City Council authorized advertisement for bids for traffic signal and safety lighting at East Gibson Road and Matmor Road Project.

HEARING SET FOR MATMOR ROAD RENAMING:

The City Council set a public hearing for March 20, 1990 for proposed name changes for Matmor Road north of East Main Street.

RESOLUTION NO. 3516 - LASHER REORGANIZATION AND ANNEXATION:

The City Council adopted Resolution No. 3516 incorporating technical amendments to Resolution No. 3512, a resolution ordering a reorganization and annexation of the Lasher Property.

<u>EAST MAIN STREET ASSESSMENT DISTRICT - CONSTRUCTION MANAGEMENT SERVICES:</u>

Council agreed to consider authorization of an agreement for East Main Street Assessment District construction management services on March 6, 1990.

REGULAR CALENDAR:

DOWNTOWN IMPROVEMENT PROJECT:

After some discussion Council agreed that the City Manager will call a meeting of the Downtown Design Review Committee and City staff regarding the bid call for the Downtown Improvement Project and report to the Council on February 20, 1990.

CONTINUANCE OF MEETING AFTER 11:00 P.M.:

On motion of Council Member Peyton, seconded by Council Member Sandy and carried by unanimous vote, the City Council agreed to continue the meeting after II:00 p.m.

BID CALL FOR COMPUTER PROJECT (PHASE I):

The City Council agreed to postpone action until February 20, 1990, on the Computer Project Phase I bid call.

RIGHT-OF-WAY ACQUISITION AT W. COURT AND SONOMA WAY:

The City Council agreed to postpone action until February 20, 1990, on the right-of-way acquisition at the northwest corner of West Court Street and Sonoma Way.

TENTATIVE FY 1989-90 OPERATIONS AND MAINTENANCE BUDGET:

The City Council postponed until February 20, 1990 discussion of the tentative Fiscal Year 1989-90 Operations and Maintenance Budget changes.

PROCESS AND SCHEDULE FOR FY 1990-91 OPERATIONS AND MAINTENANCE BUDGET DEVELOPMENT:

The City Council postponed until February 20, 1990 review of the process and schedule for the Fiscal Year 1990-91 Operations and Maintenance Budget development.

SACRAMENTO VALLEY DIVISION MEETING:

Assistant to the City Manager Sandy McPherson reviewed the scheduled activities for the March 16, 1990 Sacramento Valley Division of the League of California Cities meeting to be held in Woodland.

ORDINANCE NO. 1160 - EAST MAIN STREET ANNEXATION AREA MORATORIUM:

On motion of Council Member Peyton, seconded by Council Member Sandy and carried by unanimous vote, the City Council adopted by unanimous roll call vote and read by title only, Ordinance No. 1160, entitled "An Ordinance Declaring and Extending a Moratorium on Issuance of Building Permits in the East Main Street Annexation Area":

AYES: COUNCIL MEMBERS: Flory, Holman, Peyton, Sandy, Nofziger

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ORDINANCE NO. 1156 - FIRE SPRINKLER ORDINANCE:

The City Council postponed until February 20, 1990 adoption of Ordinance No. 1156, revising the existing fire sprinkler ordinance to require automatic fire extinguishing systems in residential dwelling units.

ORDINANCE NO. 1157 - RESIDENTIAL LAND USE TABLE:

The City Council postponed action until February 20, 1990 on adoption of Ordinance No. 1157, revising the residential land use table of the Zoning Ordinance.

ADJOURNMENT:

At II:06 p.m. the meeting was adjourned to	February 7, 1990, 7:00 p.m.
City Clerk of the City of Woodland	_