MINUTES

JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY BOARD

SPECIAL CLOSED SESSION

OCTOBER 6, 2009

5:00 P.M.

CLOSED SESSION - COUNCIL

At 5:03 p.m. Council held a conference with Real Property Negotiators pursuant to Section 54954.5 regarding the property known as Conaway Ranch. The Agency Negotiators were the City Manager and the City Attorney. The Negotiating Parties were Mark Deven and the Conaway Preservation Group. Under negotiation were price and terms of payment. Present at this session were Mayor Davies, Vice Mayor Pimentel (arrived at 5:10), Council Members Dote and Marble, City Manager Deven and City Attorney Morris. Council Member Monroe was absent.

CLOSED SESSION - REDEVELOPMENT AGENCY

At 5:40 p.m. the Agency Board held a conference with Real Property Negotiators, pursuant to Section 54956.8 regarding the properties located at 1000 Main Street, 425 Fifth Street, 1011, 1021, and 1101 Lincoln Avenue, and 456 Sixth Street. The Agency Negotiators were the Executive Director and the Agency Attorney. The Negotiating Parties were Mark Deven, Nebulous Enterprises LLC, the Tom and Marilyn Fields Trust, the Robert and Devere Garner Trust, Sam E. Coffey, Gary T. and Frances D. Christison. Under negotiation were price and terms of payment. Present at this session were Chairperson Davies, Vice Chairperson Pimentel, Board Members Dote and Marble, Executive Director Deven, City Attorney Morris, Agency Attorney Quinn, and Redevelopment Manager Shallit. Board Member Monroe was absent.

JOINT REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY BOARD/WOODLAND FINANCE AUTHORITY

REGULAR SESSION

6:00 P.M.



CALL TO ORDER

At 6:06 p.m., Mayor Davies called the joint regular meeting of the City Council, the Redevelopment Agency Board and the Woodland Finance Authority Board to order.

PLEDGE OF ALLEGIANCE

Mayor Davies asked all in attendance to join in the Pledge of Allegiance led by William Marble.

ROLL CALL

COUNCIL MEMBERS PRESENT: Marlin Davies, Martie Dote, William

Marble, Art Pimentel

COUNCIL MEMBER ABSENT: Jeff Monroe

STAFF MEMBERS PRESENT: Mark Deven, Andrew Morris, Sue

Vannucci, Greg Meyer, Amber D'Amato, Kim McKinney, Evis Morales, Cindy Norris, Doug Baxter, Paul Siegel, Russ Cole, Tod Reddish, Chris Fong, Carey Sullivan, Bruce Pollard, Dan Sokolow,

Brent Meyer

OTHERS PRESENT: Nick Ponticello, Consultant

MINUTES

On a motion by Vice Mayor Pimentel, seconded by Council Member Marble and carried by the Members present, Council adopted the minutes of the Special Study Session of May 13, 2008, the Regular Meeting of May 20, 2008 and the Special Closed Session of May 27, 2008. Council Member Dote abstained.

COMMUNICATIONS - WRITTEN

Council received notification of a person-to-person transfer of an Alcoholic Beverage Control License for Provincial Wines, LLC, located at 425 West Southwood Drive.



COMMUNICATIONS – COMMITTEE REPORTS

Council received the minutes of the Library Board of Trustees meetings of August 20, 2009 and September 3, 2009.

<u>COMMUNICATIONS - PUBLIC COMMENT</u>

Bernadette Murray said the week of October 25-31, 2009 is National Massage Therapy Week. Participating Therapists will have chairs located at the Yolo Federal Credit Union and will do neck and upper back massage for the members. She suggested that perhaps next year the Therapists could do something similar at City Hall.

Ted Ruiz, Police Officer for the City, said the Traffic Division of the Department will be having a "Dunk-A-Cop" for a \$10 donation to the Relay for Life. This event will be held in front of the Opera House in Heritage Plaza.

<u>COMMUNICATIONS – COUNCIL/STAFF COMMENTS OR REQUESTS</u>

Vice Mayor Pimentel thanked Library Services Director Briggs for the program on September 26, 2009 to celebrate literacy at which he served as the Master of Ceremonies.

Council Member Dote indicated she had attended the Grand Opening of the new Rite Aid on Ashley and West Main Street.

Council Member Marble reported the City and the League of California Cities will be joining with California Forward to gather signatures for an initiative in 2010 to limit the State's ability to take local funds.

The Sacramento Area Council of Governments Downtown Streetscape Project will be moving forward.

He attended the Water Resources Agency Board meetings and the Technical Committee meetings. Engineer Mark Cocke was recognized as Flood Plain Member of the Year. The discussion centered on the Delta Water issues. A future presentation from California Forward would be helpful for the City.

He also attended a conference regarding Healthy Eating, Active Lifestyle (HEAL) that is sponsored by the League of California Cities and he would like to have a future discussion on this before the Council on how our City can become more healthy. He would like staff to be directed to look into this and report for the next $3 \times 2 \times 2$



meeting. The studies show that 31% of the students in our schools are over weight or obese. The program would help create a healthier environment for our citizens and employees. Council concurred to add this item to a future Agenda.

Mayor Davies thanked staff for the recycling bins in the Parks. Several sponsors participated in the placement of the bins. He attended a climate change meeting and the content was very unsettling.

PRESENTATIONS

On a motion by Vice Mayor Pimentel, seconded by Council Member Marble and carried by the Member present, Council approved the following Proclamations and Certificate of Appreciation:

PROCLAMATION - BI-NATIONAL HEALTH WEEK

As there was no representative present, Vice Mayor Pimentel read the Proclamation for Bi-National Health Week, October 3-15, 2009 and the City Clerk will forward to the recipient.

PROCLAMATION - FIRE PREVENTION WEEK

Council Member Marble presented the Proclamation for Fire Prevention Week, October 4-10, 2009, to Fire Marshall Cole.

PROCLAMATION - DOMESTIC VIOLENCE AWARENESS MONTH

Council Member Dote presented the Proclamation for Domestic Violence Awareness Month, October 2009, to Chief Sullivan.

CERTIFICATE OF APPRECIATION - JAMES FROMAN

Mayor Davies commended and congratulated James Froman, retiring Fire Chief of the Willow Oak Fire Department, for over 47 years of service to the Department and presented him with a Certificate of Appreciation for his service.



CONSENT CALENDAR

At the request of Vice Mayor Pimentel and with consensus of the Council, the following item was removed from the Consent Calendar for discussion:

PROJECT NO. 07-45 - COUNTY ROAD 102 ARRA 2009 ROAD REHABILITATION

Vice Mayor Pimentel asked why we are using Measure E funds when we have the American Reinvestment and Recovery Act funds. City Manager Deven said we must use the ARRA funds before we go into the Measure E Funds.

Mayor Davies announced that the following item would be removed from the Agenda to return at another time:

PROJECTS 07-49, 08-30 AND 08-31- BEAMER STREET PIPELINE PROJECT; UPGRADE WELL #4 ELECTRICAL SYSTEM; BACKUP GENERATOR

On a motion by Council Member Dote, seconded by Vice Mayor Pimentel and carried by the Members present, Council adopted the following Consent Calendar items as presented:

CAPITAL BUDGET EXECUTION REPORT

Council received the Capital Budget Execution Report.

MONTHLY STATUS REPORT-COMMUNITY DEVELOPMENT

Council received the Monthly Status Report from Community Development.

ORDINANCE 1509 - PRESERVATION OF TREES

Council adopted Ordinance 1509, "An Ordinance of the City Council of the City of Woodland, California, Amending Chapter 20A of the Woodland Municipal Code Relating to the Preservation of Trees". On roll call the vote was as follows:

AYES: Council Members Davies, Dote, Marble, Pimentel

NOES: None ABSTAIN: None

ABSENT: Council Member Monroe



PROJECT NO. 07-45 - 2009 ROAD REHABILITATION, COUNTY ROAD 102

Council received information on the County Road 102 rehabilitation Project 07-45.

PUBLIC HEARING - COUNCIL

URGENCY ORDINANCE 1510 - MORATORIUM ON MARIJUANA ESTABLISHMENTS

City Attorney Morris said the initial moratorium will be expiring and it is necessary to extend the Interim Urgency Ordinance at this time for ten months so that we can research further.

At 6:40 p.m., Mayor Davies opened the Public Hearing.

Bernadette Murray thanked the Council form moving ahead with this after seeking input. She would like a report in ninety days and one hundred eighty days to come before Council for additional input.

At 6:44 p.m., Mayor Davies closed the Public Hearing.

City Attorney Morris said State law requires only ten days notice before the adoption but Council could have updates if they choose to do so.

On a motion by Vice Mayor Pimentel, seconded by Council Member Marble and carried by the Members present, Council adopted Urgency Ordinance 1510, "An Interim Urgency Ordinance of the City of Woodland Pursuant to Government Code Section 65858 Extending Interim Urgency Ordinance No. 1508 for an Additional Ten Months and Fifteen Days and Continue for this Period the Temporary Prohibition Against Establishment and Operation of Medical Marijuana Dispensaries, Collectives or Cooperatives and Other Uses Illegal under State or Federal Law". On roll call the vote was as follows:

AYES: Council Members Davies, Dote, Marble, Pimentel

NOES: None ABSTAIN: None

ABSENT: Council Member Monroe



REPORTS OF THE CITY MANAGER

SPRING LAKE SPECIFIC PLAN BUILDING UNIT ALLOCATIONS

City Manager Deven indicated this item was a result of two years of work to look at the options in the Spring Lake Specific Plan Area for the second release of Building Unit Allocations. Financing is not available at this time for the infrastructure. There is no ability to provide private placement and the development could completely stall soon.

Engineer Pollard said all final maps in the Spring Lake Specific Plan area need final approval. There are three releases and the second was to be done in 2007 with Class A, B, and C. They are tied to the Financing Plan. The adopted Ordinance had some consequences that were not helping the project build out.

Vice Mayor Pimentel asked if we were not in this current fiscal situation, how this would be done. Engineer Pollard said we could identify projects and the developers could front the money to pay back the first release and build roads and drainage that is serving the 880 units. They could then get a larger share of the BUAs.

City Attorney Morris said the developers who want to front the funds would still get Class A. Vice Mayor Pimentel asked if it changes the density and Engineer Pollard said it would not at all change the BUAs.

Council Member Marble said on page 4 of the Staff Report is says that the preparation of an updated SLIF Nexus Study would cost between \$25,000 and \$50,000 and are their in-house staff that could do this update. City Manager Deven said we do not have staff or time to accomplish this Study in-house. Engineer Pollard said the cost goes to the District, not the City.

Daniel Muller of Miller, Starr and Regalia, said he represents several Developers in the Spring Lake Specific Plan Area. He said there is a letter that was provided to Council outlining their concerns regarding this issue. He cited the Prudler/Sievers property and feels they should have to pay as well. The City should reduce the SLIF by \$3,000 by including the Mall expansion. He asked that the Council look at this information and include the Prudler/Sievers property.

Bill Streng said they would need to make payments on Bonds that do not exist. The buyers would have to be made aware that they would have to pay the extra amount.

City Manager Deven said he would meet with Melanie Matthews further on this issue as he needs to gather more facts.



George Phillips represents the County Fair Mall on the expansion site. He has not seen the most recent piece of information from Mr. Muller. He said they have been told by Mr. Muller that the City must impose these fees on the expansion site and that statement is incorrect. This site is required to pay the pro-rata cost of the infrastructure that is in relation to the SLSP area. Council Member Dote asked Mr. Phillips about the 40 acres between the Mall and the Community and Senior Center. Mr. Phillips said it was part of the discussion. Council Member Dote said it was for a Senior Facility project and Mr. Phillips said that still the plan. Council Member Dote said there are 80 acres to the East that is in the SLSP and Mr. Phillips agreed. The project is not related to the SLSP at all.

Council Member Dote asked if this project comes forward can we do a Development Agreement or connect to the SLIF. City Attorney Morris said whatever is negotiated would be the consideration.

On a motion by Council Member Dote, seconded by Council Member Marble and carried by the Members present, Council directed staff to proceed in preparation of the second release of BUA's without requiring the sale of new bonds; and prepare the SLIF update and reconciliation of reimbursement accounts to accompany the release.

<u>DAVIS-WOODLAND WATER SUPPLY PROJECT JOINT POWERS AUTHORITY</u> <u>ALTERNATE</u>

On a motion by Vice Mayor Pimentel, seconded by Mayor Davies and carried by the Members present, Council nominated Council Member Dote as the Alternate Director to the Davis-Woodland Water Supply Project Joint Powers Authority Board for the remainder of the first fiscal year term.

DAVIS-WOODLAND ALTERNATE TRANSPORTATION CORRIDOR

Engineer Fong indicated that in 2001 a Davis-Woodland Bikeway Feasibility Study was adopted by the Yolo County Board of Supervisors recommending four foot wide bike lanes on County Roads 99, 29 and 99D. In 2007 the interest in the project was renewed. In July 2008 the Council approved the City's participation in a joint feasibility study with the County and the City of Davis. The vision was to create an efficient, safe and aesthetically pleasing multi-use path between Woodland and Davis that serves as a recreational and transportation amenity. There was a kickoff community meeting held in



February, 2009 to ascertain interest. Residents and staff broke into groups to develop policy questions, project advantages, likes, considerations and concerns such as liability and cost.

There was a second meeting in April, 2009 for further community feedback. Input was received on three alternative alignments. Since that time, the various Boards, Commissions and Committees that should provide input were given the information. The Feasibility Study provided various alignments and the pros and cons of each.

The next steps before Council would be to approve the Alternative Transportation Corridor Feasibility Study; to obtain Federal grant funding for environmental, engineering design, right-of-way acquisition, with the next application window by October, 2009; to assume a two to four year process; and to obtain the Federal grant funds to construct.

Vice Mayor Pimentel asked what would be the option if Council did not like any of the alternatives. Engineer Fong said the next step would include other alternatives. He feels the Spring Lake area should be the starting point and the University the ending point of the path. The Davis City Council has their own view and he has not talked with them.

Council Member Marble said he supports the concept but has concerns about the local share of the costs coming from the General Fund. We need intra-City bike friendliness. It would have priority over the corridor between Woodland and Davis. The split has been 40/40/20 to Yolo County. Who will be maintaining and funding that maintenance. He suggested in the 2 x 2 with the County that discussions be held with the City of Davis on the issues on the split and maintenance funding costs.

Mayor Davies said he has some concerns: (1) did not see enough attention to the safety especially along the railroad tracks; (2) the safety of riders as they would be out where no one can help them; (3) there is no security and there are no offices in the area; (4) the route is complicated by agricultural issues, i.e., spraying, planting, along the tracks; (5) the route comes in along Sixth Street and would not provide the same level of use if it were in the Spring Lake area. We may have an overcrossing from Spring Lake to the Community and Senior Center. He prefers option 3 because it is along a road in a developed area and avoids the railroad tracks. He also has some fiscal concerns with a price tag of \$440,000.



Council Member Dote said taking a Class I bike path over agricultural land and safety issues are her concerns. The railroad tracks are not likely to be moved in the near future.

Engineer Fong said this is just the Feasibility Study and once we get into the design stage more of these issues will be addressed. The railroad line will have fencing and there will be lighting. They are working with SACOG on funding sources.

Vice Mayor Pimentel said we need to get serious about the bike path and \$400,000 is not that significant for this type of project.

On a motion by Vice Mayor Pimentel, seconded by Council Member Dote and carried by the Members present, Council approved the Feasibility Study for the Woodland-Davis Alternative transportation Corridor and provided direction regarding the City's participation in this project.

REDEVELOPMENT REPORT

PARKING NEEDS STUDY

Planner Sokolow said the analysis of the downtown parking issues revealed that there is existing peak demand midweek. To address the high need a structure or surface lots to accommodate the peak times is suggested. With the new courthouse and possible adjacent business such as a Cineplex, the need could be as high as 300 spaces. There is some need as well for the Opera House and new Capitol Hotel and Saloon parking. There is no direct need for a structure to accommodate the courthouse on a daily basis as they will have on site 180 spaces.

Vice Chairperson Pimentel asked if the study looked at the time of parking, i.e., 2 hour spaces. They may want to change some of the timing of parking. Planner Sokolow said they may want to review this and the study was not based on anything but the court house issue.

On a motion by Board Member Dote, seconded by Board Member Marble and carried by the Members present, the Agency Board accepted the Parking Needs Study and directed staff to cease further actions regarding the development of a parking structure in association with the court house project.



WOODLAND FINANCE AUTHORITY REPORT

RESOLUTIONS 5047 and 09-01 - ISSUANCE OF 2009 WASTEWATER REVENUE BONDS

Board Member Dote asked if this is for the sludge removal for the Southeast urban growth, which is the Spring Lake and Gateway II. Director Meyer said this would be for future use.

On a motion by Vice Mayor/Chairperson Pimentel, seconded by Council/Board Member Dote and carried by the Members present, the Council and Board adopted Council Resolution, 5047, a "Resolution of the City Council of the City of Woodland Approving the Issuance by the Woodland Finance Authority of not to Exceed \$14,000,000 Aggregate Principal Amount of Woodland Finance Authority Wastewater Revenue Bonds (Second Senior Lien), Series 2009; Approving the Forms of and Authorizing Execution and Delivery of a First Supplemental Installment Sale Agreement and a Continuing Disclosure Certificate in Connection With Improvements to Wastewater Collection And Treatment Facilities; and Authorizing Related Actions and Matters", and Agency Resolution 09-01, a "Resolution Approving the Forms of and Authorizing Execution and Delivery of the First Supplemental Installment Sale Agreement, the First Supplemental Trust Agreement, and the Bond Purchase Contract; Authorizing the Issuance of Bonds; Approving the Form of the Official Statement and the Distribution Thereof, and Approving other Actions Related to the Woodland Finance Authority Wastewater Revenue Bonds (Second Senior Lien), Series 2009"; appointed the firm of Southwest Securities to marked the 2009 bonds, the law firm of Kronick, Moskovitz, Tiedemann and Girard as bond counsel, and the law firm of Lofton and Jennings as Disclosure Counsel and Del Rio Advisors, LLC as financial Advisor.

<u>ADJOURN</u>

At 7:50 p.m., Mayor Davies adjourned the joint regular meeting of the Council, Redevelopment Agency Board and Woodland Finance Authority.

Respectfully submitted,

SS: Sue Vannucci, Director of Administrative Services

Adopted by Council: September 21, 2010