

Woodland City Council Meeting
City Hall, Council Chambers
300 First Street
Woodland, California

MINUTES

SPECIAL CLOSED SESSION CITY COUNCIL

JULY 17, 2007

5:00 P.M.

CLOSED SESSION

At 5:02 p.m., Council held a conference with Real Property Negotiators pursuant to Section 54956.8 for the former Senior Center property at 630 Lincoln Avenue. The Agency Negotiator was the Acting City Manager. The negotiating parties, the City of Woodland and various other interested parties. Under negotiation were price and terms of payment. Present at this session were Mayor Flory, (arrived at 5:10, Vice Mayor Davies, Council Members Marble, Monroe and Pimentel (arrived at 5:30), Acting City Manager Sullivan and City Attorney Siprelle.

Council also discussed one case of anticipated litigation, significant exposure to litigation pursuant to Section 54956.9, Subdivision (b). Present at this session were Mayor Flory, Vice Mayor Davies, Council Members Marble, Monroe and Pimentel, Acting City Manager Sullivan and City Attorney Siprelle.

REGULAR SESSION

6:00 P.M.

CLOSED SESSION ANNOUNCEMENT

Mayor Flory announced that Council had met in Closed Session to hold a conference with Real Property Negotiators and had provided direction to the negotiators. Council also discussed one case of anticipated litigation, significant exposure to litigation and had provided direction to the City Attorney.



CALL TO ORDER

At 6:05 p.m., Mayor Flory called the regular meeting of the Council to order.

PLEDGE OF ALLEGIANCE

Mayor Flory invited all in attendance to join in the Pledge of Allegiance led by Housing Program Analyst McLeod.

ROLL CALL

COUNCIL MEMBERS PRESENT: Marlin Davies, William Marble, Jeff Monroe, Artemio Pimentel, David Flory

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Carey Sullivan, Ann Siprelle, Sue Vannucci, Greg Meyer, Michael Cahill, Barry Munowitch, Gary Wegener, Dan Gentry, Jamie McLeod, Dan Bellini, Jair Camacho, Paul Siegel, Kent Perkes, LaDonna Williams

COMMITTEE REPORTS

Council received the minutes of the Yolo County Communications Emergency Services Agency Board meetings of April 4, May 23, June 1 and June 20, 2007.

Council received the minutes of the Water Resources Association meetings of January 22, 2007 and April 30, 2007.

Council received the minutes of the Library Board of Trustees meeting of June 4, 2007.

PUBLIC COMMENT

Lou Fox of the Woodland/Davis Aeromodelers referenced a letter regarding their Lease Agreement for part of the current Regional Park on County Road 102. The new Lease has a stipulation for payment of \$1,000 per month. They would like consideration of placing that money in a CD with the City having control of the funds. As they are a 501(c) 3, they are looking for a new site and have limited funds available. Mayor Flory asked that Director Gentry work with Mr. Fox on this issue.



Duane Toney asked that Council place on a future Agenda the Yolo County Fairgrounds and the 4H and Future Farmers' of America (FFA) animals on site. There was an issue of the drainage from the Fairgrounds. He has a video that shows the materials came from somewhere else. Deputy Meyer said an investigation was made on the orange substance and the orange color came from the Fairgrounds. The high turbidity (opaque and muddy as when particles and sediment are stirred up) was from somewhere else. The color mixed with the turbidity is the issue. Vice Mayor Davies said the City has not directed or asked the Fairgrounds to disallow animals from 4H or FFA at the site. Deputy Meyer did say the Fairgrounds would be required to have a permit to maintain Best Management Practices. Acting City Manager Sullivan said this item is slated to return to Council on July 31, 2007.

Mayor Flory announced that Presentations would be heard at this time as Crime Prevention Specialist Williams presence was required at another meeting.

PRESENTATIONS

NATIONAL NIGHT OUT

Crime Prevention Specialist Williams said that Tuesday night, August 7, 2007 will be the 24th National Night Out in the City. This event is held in over 11,000 communities with more than 35 million people participating. The program strengthens neighborhood spirit and Police/Community partnerships. Criminals come to know that neighborhoods work together to fight back against crime.

COUNCIL/STAFF COMMENTS AND REQUESTS

Council Member Marble asked when the last energy audit had taken place in the City. Acting City Manager Sullivan said the Police Department and the Community and Senior Center were looking at the item and will report back to Council.

Vice Mayor Davies said there had been a fire at Ferns Park on Monday morning. Director Gentry is contacting the insurance company and the architect about the replacement of the structure. If anyone has any information on this fire, to please contact the Police Department.

Vice Mayor Davies said he and Council Member Marble had attended the Chamber of Commerce meeting and the topic was insurance.



Mayor Flory said there is a group of small builders who are concerned about the down turn in the building of homes and they are meeting with each Council Member.

At the request of Mayor Flory and with concurrence by the Council, the following items were removed from the Agenda for this evening:

APPROVE PLANS AND SPECIFICATIONS; AUTHORIZE BID ADVERTISEMENT; AUTHORIZE AWARD OF CONSTRUCTION CONTRACT FOR MUNICIPAL SERVICE CENTER OFFICE SPACE CONSTRUCTION PROJECT 07-25

AUTHORIZE FIRE PREVENTION ANNUAL RE-INSPECTION FEE

Council Member Monroe said he had been approached by some of the downtown businesses who want the Firefighters to do the inspections, not the others in the Department. Chief Cahill said that is the intention of the Department in the near future. Acting City Manager Sullivan said this item will return at a later date.

RECEIVE UPDATE ON BEAMER STREET UNDER-CROSSING PROJECT 06-15; APPROVE REVISED PROJECT PROGRAMMING SUMMARY SHEET

CONSENT CALENDAR

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

TENNIS COURT RESURFACING PROJECT

Vice Mayor Davies thanked Park Planner Perkes for the resurfacing of the courts and indicated there is a two year warranty. See action below.

On a motion by Council Member Monroe, seconded by Council Member Marble and carried unanimously, Council approved the following Consent Calendar items as presented:

TREASURER'S INVESTMENT REPORT-MAY, 2007

Council reviewed and accepted the May Investment Report as submitted.



MONTHLY STATUS REPORT FOR MAY 2007 – FIRE DEPARTMENT

Council received the Monthly Status Report for May from the Fire Department.

RESOLUTION 4853-LAND DEDICATION-YOLO COUNTY HABITAT FOR HUMANITY

Council adopted Resolution 4853, a “Resolution of the City Council of the City of Woodland”, to authorize the actions to allow a land dedication to Yolo County Habitat for Humanity for construction of very-low income housing units.

RESOLUTION 4854-TRANSPORTATION DEVELOPMENT ACT CLAIM

Council adopted Resolution 4854, “A Resolution of the City Council of the City of Woodland, California, Authorizing Filing the Annual Transportation Development Act Claim with the Sacramento Area Council of Governments, Fiscal Year 2007-2008”.

AMENDMENT NUMBER 3-CONTRACT WITH WILLDAN FOR PLAN CHECKING SERVICES

Council authorized the Community Development Director to execute the Contract Amendment No. 3 to Willdan’s Professional Services Contract dated March 8, 2001 for plan checking services.

TENNIS COURT RESURFACING PROJECT

Council accepted as complete the Tennis Court Resurfacing Project as performed under a Service Contract with Ferrandell Tennis Courts, Inc., and authorized the City Clerk to file a Notice of Completion. See additional comments above.

PUBLIC HEARINGS

RESOLUTION 4855-WASTE MANAGEMENT SERVICES LIENS

City Clerk Vannucci indicated that annually and per our Franchise Agreement with Waste Management, the Council is asked to approve placement



of liens against properties for those individuals who have failed to pay for Waste Management services. A Public Hearing is required prior to such placement.

At 6:30 Mayor Flory opened the Public Hearing. With no comments heard, Mayor Flory closed the Public Hearing.

On a motion by Council Member Monroe, seconded by Vice Mayor Davies and carried unanimously, Council adopted Resolution 4855, "A Resolution Approving the List of Delinquent Refuse Accounts and Directing the Tax Collector for Yolo County to Collect Delinquent Accounts".

RESOLUTION-COMMUNITY DEVELOPMENT BLOCK GRANT COMMUNITY PARTICIPATION PLAN HOUSING REHABILITATION PROGRAM GUIDELINES

At 6:30 Mayor Flory opened the Public Hearing and continued same to the July 31, 2007 meeting.

REPORTS OF THE CITY MANAGER

CODE ISSUES-LA FINCA

Police Captain Bellini said a meeting had been held with the owner of La Finca, Mr. Eusebio Rivera and a co-worker, Mr. Juan Gutierrez, who translated as Mr. Rivera is a limited English-speaker. Also present at the meeting were Lieutenant George Bierwirth, Code Enforcement Officer Mark Dennis, Planner Jimmy Stillman, and Recreation Manager Dan Rice. Discussion was held on the requirement for a Category 1 Permit for events held at his restaurant. His Conditional Use Permit was discussed and provision of quarterly or semi-annual receipts to verify his compliance with Alcoholic Beverage Control Type 41 license. He was reminded of the various conditions of the permit and the consequences of failure to comply. One of those conditions was as this establishment was opened as a restaurant, they are not allowed to advertise alcohol service on materials visible from the exterior.

The issue at hand was that of a company called "Picture Perfect Enterprises", and the event promoted as sponsored by California State University at Sacramento (CSUS), more specifically Phi Beta Sigma, Landa Chapter. However, Landa Chapter is not affiliated with CSUS. There were several illegal



and/or questionable instances resulting from the event that required extensive law enforcement intervention.

Vice Mayor Davies feels the Picture Perfect Enterprises should be held responsible for the outcome of the event and the City should recover their costs to abate the problem.

At 6:40, Council Member Monroe left the Chambers.

Council Member Pimentel asked about the difference in the signage in that Morrison's across the street has visible alcohol signs. Captain Bellini indicated there is a separation at Morrison's with the restaurant upstairs and a separate bar facility downstairs that was opened and licenses as a bar. The type of license dictates the signage allowances. La Finca's license is a restaurant with alcohol, while Morrison's is clearly a bar downstairs and not a restaurant. The differences will be researched more thoroughly and information provided to Council.

At 6:42, Council Member Monroe returned to the Chambers.

Council Member Marble asked if the promoter has any liability. Acting City Manager Sullivan said the Department is still researching that issue. The investigation is ongoing.

Council Member Marble asked if Acting City Manager Sullivan and Captain Bellini have any recommendations to the Council on this issue. Acting City Manager Sullivan said the owner should be recognized for accepting the responsibility for the event, but he had been lied to by the promoter. He has been very responsive in working with the City.

Council Member Monroe thanked the owner and the Department for addressing this problem. He said Woodhaven Lanes had this same type of incident and Council had not requested nor received a report on that incident. He requested that all of these types of incidents be reported. Acting City Manager Sullivan indicated he had conducted a oral report before Council on the incident at Woodhaven Lanes. The Special Event section of the Code was revised as a result of that incident.

Nora Rivera, Mr. Rivera's daughter, said her father is anxious to work with the City on this issue as this is his City as well.



COUNCIL/STAFF COMMENTS AND REQUESTS (continued)

Mayor Flory indicated that over 40 documents had been signed on the Bond sale for the Community and Senior Center Phase II. Acting City Manager Sullivan said Finance Director Drayton had handled the sale in-house and had saved \$250,000.

REPORTS OF THE CITY MANAGER (continued)

PROCLAMATION OF SUPPORT-HEALTH CARE REFORM

Council Member Marble recused himself from the discussion and left the Chambers due to a Conflict of Interest as he is in the Dental Health Care industry.

Council Member Monroe said this support of Health Care Reform is needed.

Vice Mayor Davies said while he does not agree with the wording of the Proclamation, he does agree with the intent. Councils should call on the Governors to encourage States to move forward on health care cost containment and affordable health care. There is concern about all Californians, but not illegal immigrants, and the Chamber of Commerce wants to do more study on this. He would be more comfortable with a letter or abbreviated proclamation as this is a complex issue. The City does not know the percentage cost to the City and other issues need to be worked out.

Jennifer Haylett of the Sacramento Central Labor Council encouraged Council to sign the proclamation. This is a draft but could be changed to meet the language needs desired by the Council. They are trying to contain the rising health care costs. The Governor, Assembly Member Wolk and Senator Machado should be receiving this proclamation.

Council Member Pimentel said this should be a Federal Resolution. It should be much broader and both to the Federal and State to be most effective. Council asked that this item return on July 31, 2007 asking for a comprehensive health care plan, lowering of costs, removing the reference to the County and inserting the City. Vice Mayor Davies indicated it should include cost containment measures for employers as well. The 4% increased cost will affect the City also as it is estimated the additional cost will be at \$400K to \$500K to the City, it is of concern as to where those funds will be found. A copy of the draft will be sent to Mr. Kamp.



At 6:59, Council Member Marble returned to the Chambers.

ADJOURN

At 7:00, Mayor Flory adjourned the regular meeting of the Council.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk