



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: Jan. 6, 2009

SUBJECT: Council Minutes, December 4, 2007

Report in Brief

Attached are the minutes of the regular City Council meeting of December 4, 2007 for your review and adoption.

Recommendation for Action

It is recommended that Council adopt the minutes of the regular meeting of the City Council meeting of December 4, 2007 as presented.

Prepared by: Sue Vannucci, Director of
Administrative Services

Mark G. Deven
City Manager

Attachments: Minutes

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

MINUTES

CITY COUNCIL REGULAR MEETING

DECEMBER 4, 2007

6:00 P.M.

CALL TO ORDER

At 6:08 p.m., Mayor Flory called the regular meeting of the Council to order.

CLOSED SESSION ANNOUNCEMENT

Mayor Flory announced that a closed session scheduled was not held.

PLEDGE OF ALLEGIANCE

Mayor Flory invited all in attendance to join in the Pledge of Allegiance led by Finance Director Joan Drayton.

ROLL CALL

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

COUNCIL MEMBER ABSENT: Jeff Monroe

STAFF MEMBERS PRESENT: Mark Deven, Sue Vannucci, Rob Sanders, Christine Engel, Barry Munowitch, Joan Drayton, Jeff Sissom, Carey Sullivan, Dan Gentry, Cynthia Shallit, Dan Rice, Lynn Gatie, Jerry Gedatus, Cynthia Norris, Paul Miller, Kent Perkes, Susannah Reinhart, Russ Cole, Greg Meyer, Evis Morales, Brent Meyer, Gary Wegener, Doug Baxter.



COMMUNICATIONS–COUNCIL/STAFF STATEMENTS AND REQUESTS

Council Member Pimentel said Yolo County Transit District is discussing increasing the Yolo Bus routes in Woodland, as well as, shuttle services to Sacramento.

Mayor Flory asked Council to consider as a future agenda item a resolution supporting Clark Pacific opening the old Speckels Sugar site North of County Road 18A. Council concurred.

PRESENTATION

CERTIFICATE OF APPRECIATION-EDDIE LAVORICO

Mayor Flory and Vice Mayor Davies presented a Certificate of Appreciation to Eddie Lavorico for over 32 years.

CONSENT CALENDAR

Mayor Flory said the following Consent Calendar item will be considered under Reports of City Manager:

ORDINANCE TO AMEND BUILDING CODE RELATED TO FIRE

Council Member Pimentel requested and Council concurred to remove the following item from the Consent Calendar for discussion:

MONTHLY STATUS REPORT FROM COMMUNITY DEVELOPMENT

Council Member Pimentel asked if final approval was given for the Casa Del Sol project. Community Development Director Munowitch said the project is approved, and the financial signings are almost complete. Redevelopment Manager Shallit said there are two Casa Del Sol projects. One is the off-site project. The funding has been approved and the design has gone to the Sacramento Area Council of Governments. The project should be ready to bid out in three months. The other project, the mobile home park at 621-709 East Street, required some revision to Housing and Urban Development documents, and it appears that Redevelopment Legal Counsel Ed Quinn has approved the revisions.



Council Member Pimentel asked about the Economic Development report on the Yolo County Biozone and where the project would be located. Director Munowitch said the Biozone project is a concept that Economic Development Managers in the County and all of the cities are working on. Staff will bring Council a more detailed report.

On a motion by Vice Mayor Davies, seconded by Council Member Pimentel and carried unanimously, the Council approved the following Consent Calendar items:

MONTHLY STATUS REPORT-COMMUNITY DEVELOPMENT

Council received the Monthly Status Report from the Community Development Department. See above for discussion.

MONTHLY STATUS REPORT-PARKS AND RECREATION

Council received the Monthly Status Report from the Parks and Recreation Department.

MONTHLY STATUS AND CAPITAL BUDGET EXECUTION REPORTS-PUBLIC WORKS

Council received the Monthly Status and Capital Budget Execution Reports from the Public Works Department.

RESOLUTION 4883-TREE CITY USA RECERTIFICATION

Council adopted Resolution 4883 supporting the application for Tree City U.S.A. Recertification.

ORDINANCE-BUILDING CODE RELATED TO FIRE

Council moved this item to Reports of the City Manager.

YOLO COUNTY HOMELESS AND POVERTY ACTION COALITION REPORT

Council received the Yolo County Homeless and Poverty Action Coalition Report.



PUBLIC HEARING

PREFERENTIAL PARKING DISTRICT-LAW ENFORCEMENT

Mayor Flory asked if the preferential parking district would give consideration to the employees, other than investigators, who are still parking in front of their downtown offices. The City still has not addressed the issue of employees parking and moving their cars every two hours.

Police Chief Sullivan said those issues will be addressed through enforcement and an overall look at the comprehensive parking element in the downtown. Authority for the Preferential Parking District comes under the Municipal Code Section 14-7-10.1. This process provides opportunity for public input. The Yolo County District Attorney's office was relocated to Second and Court Streets some time ago, and the office was an existing structure at the time the D.A.'s office moved. There were no accommodations for parking. The office does have emergency vehicles assigned to investigators who need to be in and out of the office.

Chief Sullivan said the expansion of the Courthouse on First Street where portables have been placed until the new Courthouse is built is also an issue. The installation took the off street parking for a prisoner van. There will be significant projects with the Courthouse building construction. There will be times when parking is dislocated because of the construction. The Traffic Engineer has made several findings, including that parking enforcement is a limited resource and the public process being used is appropriate. The requests are intended to help maintain public safety by keeping police officer vehicles close to their users as well as giving a nearby space for a transport van for prisoners. Parking on First Street is less saturated than elsewhere in the Downtown area. The Courthouse construction will require some temporary parking spaces. Hearing notices were mailed to all of the adjoining property owners and the Chamber of Commerce. A Public Hearing was held before the Traffic Safety Commission on November 5. The proposal includes the designation of six parking spaces in front of 301 Second Street (Yolo County District Attorney's Office), and two parking spaces in front of 275 First Street (Traffic Court) for Police motorcycle parking and one prisoner transport van parking space.

At 6:31 p.m. Mayor Flory opened the public hearing. Following comments from Council Members, Mayor Flory closed the public hearing at 6:33.



On a motion by Council Member Pimentel, seconded by Council Member Marble and carried by the Members present, Council approved establishment of a Preferential Parking District for the District Attorney's Office and other Law Enforcement entities. A Resolution to return for Council approval on December 18, 2007.

REPORTS OF THE CITY MANAGER

ORDINANCE-AMEND BUILDING CODE RELATED TO FIRE

Fire Marshall Cole said the new Fire Code will be implemented in January of 2008. There are three major changes: (1) The citation program presently in effect allows only the Fire Marshall as the designated person to issue citations for violation of the Fire Code. The change will extend the designation to members of the Fire Prevention Bureau to make the Code more consistent statewide. (2) There is a minor change in the sprinkler portion of the City's Code. Sprinklers must be installed in remodeled homes which are enlarged significantly. (3) Fireworks stands currently provide for one fireworks stand per 3,000 people. A Council decision is requested to either cap the number to 17 stands or leave the provision as is.

Vice Mayor Davies supports fireworks stands and as the City grows there will be additional opportunities for our youth groups to participate in the fund raising. He would like to leave the limit on fireworks stands as currently provided. The youth groups should abide by all of the Fire Code rules and regulations.

Mayor Flory preferred keeping the limit to one stand per 3,000 population.

On a motion by Council Member Marble, seconded by Vice Mayor Davies and carried by the Members present, the Council introduced and read by title only an Ordinance to repeal Chapter 9A in its entirety, add Chapter 9 to the City Code entitled "Fire Prevention Code"; adopt by reference the 2007 California Fire Code with the amendment to limit the fireworks to one stand per 3,000 population; and set a public hearing for December 18, 2007 for adoption of the ordinance.

FISCAL YEAR 2007-08 ADJUSTMENTS-OPERATING & CAPITAL PROGRAMS

City Manager Deven said a thorough analysis of the City's projected revenues conducted by the Finance Department in collaboration with the other departments revealed that the City has an imbalance of \$2.658 million in the



Operating Funds and \$14 million in the City's Capital funds. The primary driver of this imbalance is the slump in the housing market and its impact on our local economy. The senior staff is committed to working through the imbalance. The departments have developed a list of reductions, and he asked Council to consider the reductions as a part of the mid-year budget adjustments.

Finance Director Drayton said in August staff was starting the close of the Fiscal Year 2007-08 budget. The priority was to insure the City had sufficient savings in the FY 2007-08 budget to cover the deficit going into FY 2008-09. City staff knew there would be some revenue shortfalls. The City currently is anticipating about a \$2 million revenue shortfall in the General Fund and a \$12 million revenue shortfall in the Redevelopment Fund primarily related to the slowdown in the real estate market. The City has less sales in the area of home improvements. The County is also reducing some of the assessed valuation on properties and therefore reducing sales and property tax. Of the \$2.658 shortfall there is a \$2 million revenue shortfall in the General Fund that does not affect any of the other operating funds. The other \$600,000 relates to the storm drain operations as the rate increase was defeated by the community. That obligation has been pushed to the General Fund. The Public Works Department staff has worked to try to minimize the impact on the General Fund.

Major components of the \$2.6 revenue shortfall include \$1.5 million in permit fees and service charges tied to development, \$500,000 of the shortfall relates to sales and property tax reductions, and \$600,000 in connection with the storm drain operations.

The recommended reductions are salaries and benefits \$948,000, professional and contract services \$373,000, services and supplies \$433,000, training \$97,000, equipment \$72,000, contributions to the General Fund Capital \$300,000 (for the General Plan update), Fiscal Year 2007 excess savings \$169,000, leaving a balance of \$176,000 needed in reductions. Public Works is looking more closely at storm drain requirements and anticipate a reduction.

Regarding the \$948,000 reduction in salaries and benefits, 14 vacancies will not be filled: Human Resources Clerk (and City Manager's office restructuring), Assistant Planner, Associate Planner, Community Development Department Technician, Accountant, Maintenance Worker, Police Officer Trainee, Police Officer, Fire Prevention Specialist, Fire Captain, Library Technician and three Engineering Technicians. The departments developed the following reduction percentages: Administration 11%, Community Development Department 9.4%, Finance Department 19.11%, Fire Department 2.8%, Police Department 1.6%, Parks and Recreation 3.3%, Library 3.2% and Public Works Department 10.8%. The recommended reductions are a one-time fix for the FY 2007-08 budget only.



The City anticipates being in the same position going into FY 2008-09. She said the Council will discuss budget issues at the Council retreat on December 11, 2007.

Council Member Marble asked what assurance there is that staff is not coming back to Council again if the economic cycle continues in a deeper trough than what is being laid out for FY 2008-09. Director Drayton said the analysis is the best that anyone can project. Staff has been talking to developers, particularly Spring Lake developers, to get input from them. It has been difficult to get accurate information on sales and property tax projections, as well as, auto sales. Staff also assumed a dire situation in FY 2008-09, and there is an assumption there will be a \$2.3 million deficit going into FY 2009-10. Staff does not want to go through a major layoff and will go through the budget on a programmatic basis. Council will have to make some tough decisions.

Council Member Marble asked if Council directs not to use the General Fund reserves as Council deems the reserves to be inadequate, where would additional money come from. Director Drayton said Staff is well aware that Council does not want to touch the General Fund reserves, and Public Works is looking at storm drain operations which was a \$600,000 hit to the General Fund. Preliminarily Public Works feels they can make a reduction in the amount of \$170,000 in the General Fund.

City Manager Deven said if Council so directs staff to make further cuts to eliminate using the General Fund reserve, attempt to identify those areas where further cuts are possible. When staff made recommended cuts, it was felt the reductions would not have significant impact on existing program, services and/or employees. It was felt to be more prudent to defer those kinds of reductions until an opportunity to look City's structural issues and return to Council with recommendations on some alternatives on a program by program basis.

Council Member Marble is concerned that once the City starts dipping into the City's small reserve fund the door is opened.

City Manager Deven said staff is continuing to look at everything, including every position requested and no General Fund positions are being filled. Some of the City's enterprise positions are being filled, such as wastewater and sewer treatment which are vital to maintain legal obligations.

Director Drayton said there is speculation the State will dip into local revenues. The City does have the protection of Proposition 1A, but the State can make a unilateral decision to borrow and delay that for two years.



Vice Mayor Davies would like follow-up reports 60 to 90 days his concern is about cutting public safety positions and dipping into reserves.

Mayor Flory said the recommended reductions represent a policy decision of the Council. Council could decide it wants to fill the public safety positions.

The City Manager said informational letter to City employees indicating Council commitment to employees to be sure they know cares about them, and will do whatever it can to mitigate any impact on them. He will be convening a series of meetings with employees to help lower the anxiety level.

Public Works Director Wegener said staff annually updates the two-year Capital Budget. With this cycle there is a \$14 million proposal in reductions for 2007-08 programs which is \$51 million as proposed. The 2008-09 program which is proposed at \$23 million. Council received a listing of significant projects to be delayed. The Spring Lake Fire Station was pushed out a year and staff is proposing buying the land this year. The 2008-09 Capital Budget includes \$2.1 million to start construction and \$2.1 million in 2009-2010 for completion. Staff proposed deferring the City Hall expansion to be done in conjunction with the Courts project and collaboration with the County. The Public Works Department was able to do some repairs on Well 22 instead of replacing it. Well 25 and road projects have been deferred or cancelled. A number of projects are being added, including Fire Station 2 and 3 maintenance requirements, high voltage street light replacements, surface water project planning and permits, and water meter implementation with the January 2010 deadline.

Council Member Pimentel said if hiring two police or fire positions would save more money in overtime, he would have no problem dipping into the General Fund reserves for those positions.

Vice Mayor Davies is not ready to hold public safety completely exempt. There is no question the City has an obligation to protect its people, but he would rather review all the issues before hiring public safety.

Mayor Flory said senior management is focused on doing long range planning. The City is not denying positions or purchasing equipment that would adversely impact revenues. He would support allocating the funding, but not any more expenditures from the General Fund in the future. The City needs to reduce service until the economy changes and the City generates more income.

On a motion by Council Member Pimentel, seconded by Council Member Marble and carried by the Members present, Council approved the Fiscal Year 2007-08 adjustments to the operating budget and the adjustments to the Fiscal



Years 2007-08 and 2008-09 Capital Budgets; requested periodic updates on the financial status, minimum staffing and overtime requirements; directed a letter be sent to City staff advising them of the financial situation.

ORDINANCES

ORDINANCE 1487-AFFORDABLE HOUSING REQUIREMENTS

On a motion by Council Member Marble, seconded by Vice Mayor Davies and carried by the following roll call vote, Council adopted Ordinance 1487 amending Chapter 6A which updates the City's Affordable Housing Ordinance in relation to the Spring Lake Specific Plan.

AYES: Council Members Davies, Marble, Pimentel, Flory
NOES: None
ABSTAIN: None
ABSENT: Council Member Monroe

ORDINANCE 1488-GREEN WASTE TO BE PLACED IN STREETS ONE WEEK PRIOR TO PICKUP

On motion by Vice Mayor Davies, seconded by Council Member Marble and carried by the following roll call vote, Council adopted Ordinance 1488 amending Section 20-1-3 of the Woodland Municipal Code relating to garbage, recycling, and yard waste containers, and yard waste piles on City streets.

AYES: Council Members Davies, Marble, Pimentel, Flory
NOES: None
ABSTAIN: None
ABSENT: Council Member Monroe

REPORTS OF THE CITY MANAGER (continued)

COMMUNITY AND SENIOR CENTER INTERNET USE POLICY

Parks and Recreation Director Gentry explained two options for Council to choose regarding the Community and Senior Center Internet Use Policy. The first alternative allows the Community and Senior Center to have social networking off the Internet, and the second alternative option does prohibits that activity.



Adrienne Monroe, speaking on behalf of Council Member Monroe, said he feels that social networking should be done at home under parental supervision. Neither of them would want their children exposed to some of the unhealthy things they have seen on MySpace.com. One of the great things about the Community Center is knowing that it is a safe place where children can come and find positive, productive and healthy things for them to do. Parents would not want to be concerned about their children having access to things outside at that facility. After viewing MySpace and looking at Woodland youth she found underage drinking, minors conversing about drug use, prescription drug use, conversing about gang affiliation, gang initiations and the process of being jumped into a gang, drug paraphernalia, and conversations between adult and minors. She did not feel the City's Park and Recreation staff are equipped to monitor these things.

Council Member Pimentel requested some background on the Council Sub-Committee and how they came to their conclusion. There was a group which included the Police Department, Parks and Recreation Commission and the Commission on Aging, and they made a recommendation about one alternative. The Sub-Committee made another recommendation.

Vice Mayor Davies said the group which Council Member Pimentel referred to, does not have the political accountability and represent his constituency. He did not see the benefit of MySpace, and City staff should not spend precious time to deal with the issue.

Mayor Flory said when the Council first started talking about the Youth Center, they talked about students doing their homework and term papers at the Center. The main function of the teen center was that people were being interactive doing sports, games, and talking. The Youth Center is to be used for other things than social networking on computers. There is the safety issue, and the problems can also be said for seniors networking.

Council Member Marble has had no parents with children and no grandparents with grandchildren contact him about supporting the Community Center giving that type of access to youngsters.

Council Member Pimentel asked if there was some type of compromise with access to MySpace. His concern is the safety issue and the liability issue, but the City is facing a liability at the City Library which the City is responsible for. The Library Board needs a good compromise policy that the Library Board could support as opposed to just eliminating social networking. Parents would ultimately be responsible for teenagers of the age of 14 who would be on a computer and require parental permission. It is an important component of the teen center, but the youth should be protected. He would like the Council to



look at the issue for the future to offer to parents that wish to allow their children to socialize on the Internet. The issue of allowing Internet access at the Library should be a future agenda item.

City Attorney Siprelle said the City could be sued. If the City has a clear policy and tells its patrons they are using the computers at their own risk and parents are in charge of their own children using computers at the Library, she did not feel a court would find the City liable.

On a motion by Vice Mayor Davies, seconded by Council Member Marble and carried by a majority vote as per below, Council approved the Internet Policy for the Community and Senior Center youth area, "the Spot", which does not allow social networking.

AYES: Davies, Flory, Marble
NOES: Pimentel
ABSTAIN: None
ABSENT: Monroe

ADJOURN

At 6:53 p.m., Mayor Flory adjourned the regular meeting of the Council.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk

Prepared by: Jean Kristensen, Deputy City Clerk

Adopted by Council: