

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

MINUTES

**CITY COUNCIL
SPECIAL/CLOSED SESSION**

MAY 1, 2007

5:00 P.M.

CLOSED SESSION

At 5:02 p.m. Council met in Closed Session to discuss Public Employment pursuant to Section 54957, Interim City Manager. Present at this session were Mayor Flory, Vice-Mayor Davies (arrived at 5:05), Council Members Marble, Monroe and Pimentel (arrived at 5:05), City Manager Kirkwood, City Attorney Siprelle and Executive Recruiter, Bob Murray.

**JOINT REGULAR CITY COUNCIL/
REDEVELOPMENT AGENCY BOARD**

6:00 P.M.

CLOSED SESSION ANNOUNCEMENT

Mayor Flory announced that the Council had met in Closed Session and held a conference to discuss Public Employment of the City Manager and had provided direction to the Executive Recruiter.

CALL TO ORDER

At 6:08 p.m., Mayor Flory called the joint special meeting of the Council and Agency Board to order.



PLEDGE OF ALLEGIANCE

Mayor Flory invited all in attendance to join in the Pledge of Allegiance led by Dudley Holman.

ROLL CALL

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

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Rick Kirkwood, Ann Siprelle, Sue Vannucci, Dan Gentry, Paul Miller, Gary Wegener, Carey Sullivan, Joan Drayton, Jamie McLeod, Cynthia Shallit, Bob MacNicholl, Mark Cocke, Christine Engel, Greg Meyer, Doug Baxter, Loida Osoteo

COMMUNICATIONS

Council received a notice from Pacific Gas and Electric of another rate increase. Council Member Pimentel said this is the fourth increase since November of 2006.

COMMITTEE REPORTS

Council received the minutes of the Commission on Aging meetings of January 22, and March 26, 2007.

Council received the minutes of the Parks and Recreation Commission meetings of January 22 and March 19, 2007.

Council received the minutes of the Library Board of Trustees meeting of April 2, 2007.

COUNCIL/STAFF STATEMENTS AND REQUESTS

Council Member Pimentel said the Infra-Structure Sub-Committee had met to assess lighting in the older portions of the City and possible change out lighting to provide better security and safety. Council concurred to have this item return for a report and further discussion at a future Council meeting.



Council Member Pimentel reported on the recent Cap-to-Cap trip and said the trip was fairly productive but the Highway 113/Interstate 5 interchange would not be a high priority. Council Member Marble said meetings had also been held regarding flooding issues and Council Members were told local funding is needed as well.

Council Member Marble said the Water Resources Association met on the Davis/Woodland surface water issues. The draft Environmental Impact Report is out for public comment until May 29. There will be additional public meetings on May 2 and 16. The EIR is also online. The Integrated Regional Water Management Plan is completed and published and is available in Community Development.

City Manager Kirkwood indicated the following items would be removed from the Agenda:

AMENDMENTS-PUBLIC FACILITIES FEE PROGRAM ADMINISTRATIVE GUIDELINES FOR SPRING LAKE INFRASTRUCTURE FEES AND MAJOR PROJECTS FINANCING PLAN

APPOINT NEW MEMBERS TO BOARDS AND COMMISSIONS

ORDINANCE-COLLECTION OF REAL PROPERTY TRANSFER TAX

PRESENTATIONS

COMMISSION ON AGING

Karen Wright, Member of the Commission on Aging, outlined the accomplishments of the Commission during 2006. The Commission purpose is to bring focus to issues affecting seniors, advocate for support and resources, and to promote healthy aging and quality community services. Ms. Wright presented PowerPoint slides on the complete Annual Work Plan, Senior Issues, additional Commissioner Contributions, and Additional Activities of the Commission. A copy of the PowerPoint presentation is on file.

PROCLAMATION-OLDER AMERICANS MONTH

On a motion by Council Member Pimentel, seconded by Council Member Marble and carried unanimously, Council proclaimed the Month of May 2007 as Older Americans Month. Council Member Pimentel presented the Proclamation to Frank Cooper, Member of the Commission on Aging.



CONSENT CALENDAR

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

MONTHLY STATUS REPORT – FIRE DEPARTMENT

Vice Mayor Davies asked that the figures on page two of the Status Report be indicated numerically as the Council copies are not in color and it is difficult to determine the differences.

UPDATE-STATUS OF WOODLAND PARK PROJECT

Vice Mayor Davies asked about the storm water outfall and where this project sits in the overall Master Plan for that area. Staff will meet with him directly to respond to his questions. Council Member Pimentel asked for an update on the land use. He would like to know the direction and indicated he would not like to see that area full of warehouses. Robert MacNicholl, Planning Manager, said the analysis of the flooding will be needed to determine the need for the infrastructure. It is possible there will be more developable land on this site than originally determined. Once known, the types of businesses that can develop on the site will be clear. Further information on this will be forthcoming later after the flood analysis is complete.

On a motion by Vice Mayor Davies, seconded by Council Member Monroe and carried unanimously, Council adopted the Consent Calendar as presented with the exception of the following item which was removed from the Agenda by the City Manager:

AMENDMENTS-PUBLIC FACILITIES FEE PROGRAM ADMINISTRATIVE GUIDELINES FOR SPRING LAKE INFRASTRUCTURE FEES AND MAJOR PROJECTS FINANCING PLAN

MONTHLY STATUS REPORT – COMMUNITY DEVELOPMENT

Council received the Monthly Status Report from Community Development.



MONTHLY STATUS REPORT – PARKS AND RECREATION

Council received the Monthly Status Report from Parks and Recreation.

MONTHLY STATUS AND CAPITAL BUDGET EXECUTION REPORTS – PUBLIC WORKS

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

MONTHLY STATUS REPORT – FIRE DEPARTMENT

Council received the Monthly Status Report for the Fire Department. See additional comments above.

PROJECT 00-23, WELL 24 IMPROVEMENTS

Council accepted the Project 00-23 Well 24 Improvements by Clayborn Contracting Group, Inc. as complete; authorized the City Clerk to file a Notice of Completion; accepted the close out Project Programming Summary Sheet with final project costs.

WOODLAND PARK PROJECT

Council received a status report on the Woodland Park Specific Plan Project. See comments above.

RESOLUTION 4821-MEMORANDUM OF UNDERSTANDING-WOODLAND CITY EMPLOYEES' ASSOCIATION

Council adopted Resolution 4821, "A Resolution of the City Council of the City of Woodland Approving Certain Terms and Conditions for General Services Unit Employees" for the term beginning July 1, 2006 through June 30, 2009, and directed the City Manager to take the necessary steps to implement this Resolution.



BOARDS AND COMMISSIONS

Council accepted the resignations, with regret, of the following Board and Commission members:

Dean Anderson - Manufactured Homes Fair Practices Commission
Deborah Garbesi - Historical Preservation Commission

ORDINANCE-AMENDING DESCRIPTION-REDEVELOPMENT AGENCY'S PROGRAM TO ACQUIRE REAL PROPERTY BY EMINENT DOMAIN

Council introduced and read by title only an Ordinance containing the description of the Woodland Redevelopment Agency's Program to acquire real property by eminent domain in the Woodland Redevelopment Project Area, as per directive of Senate Bill 53, adopted January 1, 2007 and adding Section 33342.7 to the Health and Safety Code.

PROJECT 04-26 AND PROJECT 05-05-AMERICANS' WITH DISABILITIES ACT IMPROVEMENTS

Council awarded Construction Contracts for Projects 04-26 and 05-05 to Martin General Engineering in the amount of \$102,150.00 (base bid plus additive alternative); authorized expenditures not-to-exceed the total available Community Development Block Grant construction funds in the amount of \$133,500; and, authorized the Public Works Director or his designee to execute the Construction Contract on behalf of the City.

FIXED ASSETS (EQUIPMENT) FOR WASTE WATER TREATMENT PLANT

Council authorized procurement of one Chromatography System for the lab and one Sampler for Pretreatment at the Waste Water Treatment Plant.

PUBLIC HEARINGS

APPEAL-R. C. COLLET OF COLLET-LUKENBILL ENTERPRISES

Mayor Flory indicated this Public Hearing had been cancelled.



REPORTS OF THE CITY MANAGER

TRIAL COURT FUNDING PRIORITIES AND CAPITAL OUTLAY PLAN-NEW COURTS REPLACEMENT AND EXPANSION PLAN

City Manager Kirkwood indicated the City, County and Courts have been working on the attempt to maintain location of the State Court System in this City. The process began in October 2006 with Council confirming interest in developing an economic incentive for maintaining the Courts here. Resolution 4775 was adopted to solidify that commitment. The Board of Supervisors have also solidified their intent to support the maintenance of the Court System in the City. The County Master Plan major thrust was to provide adequate property for the Court needs. The primary site identified is the old Yolo County Jail site at Third and Court with the site South of Court Street and the Court site as the primary location for a parking structure. As this is a public facility, the State, County and City have the flexibility to acquire the needed properties. This office-type development will be a good fit for the historic Downtown Woodland and will enhance the economic growth and development of the area. The parking structure will have dual use with a multi-screen cinema and plaza, retail and food venues and parking above. These uses will satisfy both day and evening needs for adequate parking. The relocation of the Hoblit Dealership to the proposed parcel annexation of 153.4 acres on the East side of County Road 102 between Wintun and Gibson Road will help facilitate the development of that parcel as part of the parking and commercial sites.

Court Executive Officer, James Perry said on April 27th the Judicial Council meeting was held at which time Court projects were prioritized. This City was ranked as immediate need and is within the top five projects. The project will include sixteen courtrooms, two hundred employees, space requirements of 160,000 to 170,000 square feet and will cost approximately \$161.9 million. The Judicial Council unanimously approved the project for the 2008-09 funding cycle. The project detail needs to be developed. The reports are in the final draft stage. On June 1, 2007 it will go before the Board of Supervisors for approval and transfer of all Court facilities to the State. This will be the first County in the State to have achieved the transfer. The Court system appreciates the collaboration in this effort on the local level.

City Manager Kirkwood said meetings are being scheduled with the Redevelopment Agency Attorney, Ed Quinn and Tim Youman of Economic Planning Systems to start the processes so the City is ready to move forward in a timely manner.



STORM DRAIN CITIZENS' ADVISORY COMMITTEE REPORT

Public Works Director Wegener said the Council appointed a Storm Drain Advisory Committee to determine how best to address the funding shortfall. The Committee met every two weeks, reviewed extensive materials and toured the City facilities. The recommendations of the Committee included raising the current fee of 48 cents per month to \$3.50 per month with gradual increases over the next several years to repay the borrowing from the General Fund and achieve adequate funds to repair and maintain the current system.

Mayor Flory asked what the total debt is, including the payback. Director Wegener said the \$3.50 would be for the first year with a \$1 increase yearly until reaching \$9.50 per month and then the increase would be tied to the Consumer Price Index. The total debt is \$8.6 million. The loan to the General Fund must be repaid. Michael Berta, Chair of the Committee said this was a complex problem and the Committee narrowed the focus by looking at three possible options: (1) do what was legally minimum and required, (2) do something that was over and above the minimum legal requirements but still on the minimum side, (3) do what would be best practice if there were no constraints and preventative maintenance and predictive maintenance could all be done. The option of doing the legal minimums started at \$3.50 a month increase. The option of doing the minimum required was somewhere in the range of \$5 to \$7 a month and the option of doing best practices was somewhere in the range of \$17 to \$19 per month increase. The Committee agreed on the need to increase the rates. The General Fund should no longer be utilized for many reasons. Starting at \$3.50 stops the bleeding and provides that the Fund pay for itself. Starting at \$5 provides for the minimum recommended and some preventative maintenance to get ahead of the curve because of the increasing permitting requirements by the State and a number of unknowns. Everybody felt we should do more than the minimum legal and move toward something that anticipated the requirements and get more preventative maintenance in place. No one wanted to go to the upper limit of \$17 to \$19 per month and do the best practices.

Mayor Flory asked if this includes payback of the \$2.8 million and Mr. Berta said it can accommodate, but it is a complex problem and there are a lot of moving pieces. Council will need to make those decisions depending upon what happens, and that is one of the reasons why the Committee felt the Council should look at this program every year and plan out next year's expenditures given the realities of what is required. The drainage program is taking money from the General Fund and in order to stop that bleeding, a level of at least \$3.50 is needed and would accommodate the payback of the \$2.5 million plus the interest. The Committee feels very strongly about an education process to



get the community on board. The Committee became convinced that the \$3.50 was a reasonable and acceptable start with not a tremendous amount of risk.

At 7:05 Council Member Pimentel left the Chambers and returned at 7:07.

Vice Mayor Davies asked about surface drainage and if the fee increase begins to address that issue. Engineer Cocke said this will address some surface water backup. Vice Mayor Davies asked about property acquisition costs and Engineer Cocke said those acquisition costs are included. Some are Development Fees and some will need to be purchased.

A motion was made by Council Member Marble and seconded by Council Member Monroe to approve the item setting the increase in fees to \$3.50 per month. Mayor Flory, Vice Mayor Davies and Council Member Pimentel voted to the negative. Motion lost.

A motion was made by Vice Mayor Davies, seconded by Council Member Marble and carried to set the beginning fee at \$5.00 per month.

Dudley Holman said he learned a great deal about the problem by serving on this Committee and it is so important that this be communicated to the Community so that they understand. These storm drain lines are almost as old as the City and have not had much maintenance. The drain on the General Fund is of great concern. It is the source of revenue for supporting our Police and Fire, Libraries, Parks and Recreation. The City must address requirements that are not local decisions. The City must adhere to Federal regulations and State regulations. The General Fund continues to be drained and will not be able to supply the basic needs of this community. The current rate of 48 cents a month is almost embarrassing. The \$5.00 will help us catch up sooner.

On a call for the motion, Council unanimously approved beginning the rate increase at \$5.00 per month. Motion carried.

APPOINT BOARDS AND COMMISSIONS MEMBERS

This item removed from the Agenda by City Manager Kirkwood.



REGULAR REPORTS - REDEVELOPMENT

AGENCY RESOLUTION 07-02-HOUSING ASSISTANCE REDEVELOPMENT GAP LOAN AND HELP LOAN FOR FAIR PLAZA HOUSING FOR SENIOR HOUSING REHABILITATION PROJECT

Housing Program Analyst McLeod said the project at 35 West Clover Street is a 68 unit senior apartment complex which was originally subsidized with a Housing and Urban Development loan to comply with affordability. That requirement ended in 2002. However the current owner has maintained that affordability component and has agreed to the sale below market. The loan should be paid off in fifteen years. The current owner would like to sell this property now. If it is sold at market rate, it would displace 68 senior households. Board Member Pimentel asked about the vacancy rate and Analyst McLeod said it is at zero.

Chairperson Flory asked about the condition and Analyst McLeod said the complex is in good shape but there will be some rehabilitation done, such as energy efficient windows. Vice Chairperson Davies asked if Mr. Evans, the proposed buyer, is committed to keeping the units affordable. Analyst McLeod said even if they did sell, the affordability would remain with the property. He has been doing this type of work for thirty years and has other properties in the City. They are the Developer/Owner/Manager. The City would need to approve any sale. If they do sell, our loan would move into first place.

On a motion by Vice Chairperson Davies, seconded by Board Member Pimentel and carried unanimously, the Redevelopment Agency Board adopted Agency Resolution 07-02, "A Resolution of the Redevelopment Agency of the City of Woodland Approving a Redevelopment Gap Loan for the Fair Plaza East Apartments Project and Assuming the Conditions of the HELP Loan from the City of Woodland for the Project".

ORDINANCES

ORDINANCE 1479-YARD REFUSE

On a motion by Council Member Marble, seconded by Council Member Pimentel and carried by the following roll call vote, Council adopted Ordinance 1479, "An Ordinance of the City of Woodland Amending Section 23C-4-14 and Adding Section 23C-4-16 to the Code of the City of Woodland Relating to Yard Refuse Services"; authorized the City Manager to finalize and execute a Contract Amendment with Waste Management to implement a green waste container program, adjust the green waste and street sweeping rates, extend the term of



Waste Management's Franchise Agreement and consolidate the existing Franchise Agreements. On roll call, the vote was as follows:

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

ORDINANCE-REAL PROPERTY TRANSFER TAX

This item was removed from the Agenda by City Manager Kirkwood.

ORDINANCE 1480-CABLE COMMUNICATIONS

On a motion by Council Member Marble, seconded by Council Member Monroe and carried unanimously, Council adopted Ordinance 1480, "An Ordinance of the City Council of the City of Woodland, Amending Chapter 8A of the Woodland Municipal Code Establishing Franchise Fees, Public Access Support Fees and Customer Service Penalties for State Franchise Holders Providing Video Service within the City of Woodland", which amends Chapter 8A of the Municipal Code. On roll call, the vote was as follows:

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

ADJOURN

At 7:31, Mayor Flory adjourned the joint regular meeting of the City Council and Redevelopment Agency Board.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk