

Woodland City Council  
City Hall – Council Chambers  
300 First Street  
Woodland, CA 95695

## **MINUTES**

### **REGULAR COUNCIL MEETING**

**OCTOBER 18, 2005**

**7:00 p.m.**

#### CALL TO ORDER

Mayor Rexroad called the regular meeting of the City Council to order at 7:00 p.m.

#### PLEDGE OF ALLEGIANCE

Mayor Rexroad invited all in attendance to join the Council in the Pledge of Allegiance led by Council Member Monroe.

#### ROLL CALL

COUNCIL MEMBERS PRESENT: David Flory, Jeff Monroe, Neal Peart, Art Pimentel (arrived at 7:05 p.m.), Matt Rexroad

COUNCIL MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Rick Kirkwood, Phil Marler, Mike Cahill, Tricia Stevens, Gary Wegener, Sue Vannucci, Lance Lowe, Christine Engel, Wendy Ross, Grey Meyer, Jamie McLeod, Ted Crandall, Bruce Pollard, Dick Donnelly

OTHERS PRESENT: Contract Engineer Alan Mitchell

#### COUNCIL/STAFF COMMENTS

Council Member Peart indicated he had attended the Sacramento LAFCO meeting regarding the annexation of the City by the Sacramento Municipal Utility District. It is anticipated the earliest the annexation would go on the ballot would be November of 2006.



Director Wegener introduced the new Deputy Public Works Director, Greg Meyer.

Council Member Pimentel arrived at the Council meeting at 7:05.

## PUBLIC HEARING

### RESOLUTION 4682-REAUTHORIZE ASSESSMENT FOR WOODLAND VISITOR ATTRACTION DISTRICT

Yvette Mulholland of the Yolo County Visitor's Bureau presented information on the accomplishments of the District during the first year of operation. The process began in October of 2004 with the establishment of the City support for the District and programs. Since that time several meetings and events have been held and materials developed. One of the organizational goals was to establish Yolo County as a destination and position the County as a product within the tourism industry. That effort involved extensive contacts in trade publications via membership in and attendance at events, distribution of product and publications, and research and tracking for the return on the investment. Further contacts will be made, the website will be completed and a community campaign awareness process will begin.

At 7:22 Mayor Rexroad opened the Public Hearing. With no comments heard, Mayor Rexroad closed the Public Hearing at 7:22.

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried unanimously, Council adopted Resolution 4682, "A Resolution of the City Council of the City of Woodland Confirming the Assessment Report and Approving the Levy of an Assessment for the Visitor Attraction District for Fiscal Year 2005-2006 Pursuant to the Parking and Business Improvement Area Law of 1989".

## CONSENT CALENDAR

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

### TREASURER'S REPORT

Council reviewed and accepted the August 2005 Investment Report as submitted.



MONTHLY STATUS REPORT-FIRE DEPARTMENT

Council received the Monthly Status Report for August 2005 from the Fire Department.

MONTHLY STATUS REPORT-COMMUNITY DEVELOPMENT

Council received the Monthly Status Report for September 2005 from Community Development.

RESOLUTION 4683-WOODLAND PROFESSIONAL FIREFIGHTERS' ASSOCIATION MEMORANDUM OF UNDERSTANDING

Council adopted Resolution 4683, "A Resolution of the City Council of the City of Woodland Approving Certain Terms and Conditions for Fire Employees" and directed the City Manager to take the necessary steps to implement the Resolution.

RESOLUTIONS 4684 THROUGH 4694-EMPLOYEE AND RETIREE PUBLIC EMPLOYEES RETIREMENT SYSTEM MEDICAL ALLOWANCES FOR 2006

Council adopted Resolutions 4684 through 4694, "Fixing the Employer's Contribution Under the Public Employee's Medical and Hospital Care Act" as indicated below:

- Resolution 4684 - City Manager
- Resolution 4685 - Management
- Resolution 4686 - Confidential
- Resolution 4687 - Mid-Management
- Resolution 4688 - Fire Mid-Management
- Resolution 4689 - Police Mid-Management
- Resolution 4690 - Police
- Resolution 4691 - Police Supervisors
- Resolution 4692 - Fire
- Resolution 4693 - General Services
- Resolution 4694 - City Council



COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR 2004-2005

Council received and reviewed the Community Development Block Grant Consolidated Annual Performance and Evaluation Report for the 2004-05 Fiscal Year.

AMERICANS' WITH DISABILITIES ACT IMPROVEMENTS-PROJECT 02-23

Council accepted the final improvements and closeout Project Programming Summary Sheet for Project 02-23, American's with Disabilities Act Improvements in the Parks.

CONTRACT FOR SERVICES-AFFORDABLE HOUSING PROGRAMS

Council authorized staff to amend a Contract for Services with Affordable Housing Matters for the continued implementation of its Affordable Housing Programs for an amount not-to-exceed \$10,000.

SACRAMENTO AREA COUNCIL OF GOVERNMENTS GRANT APPLICATION

Council authorized the Public Works Director, in coordination with the Finance Director, to apply for SACOG funding programs for the November 1, 2005 submission deadline.

PUBLIC HEARING (continued)

DEVELOPMENT AGREEMENT; CALIFORNIA ENVIRONMENTAL QUALITY ACT EXEMPTION AND FINDINGS AND CONDITIONS OF APPROVAL; ORDINANCES TO REZONE AND AUTHORIZE THE DEVELOPMENT AGREEMENT; TENTATIVE SUBDIVISION MAP 4674-MERRITT/MURPHY

Planner Lowe indicated for the Council via a map that area in the Spring Lake Specific Plan area under consideration. This is a ±55 acre parcel which has been pre-zoned as Residential Single Family and Multi-Family. The property would be subdivided into 236 parcels for single family and one multi-family lot. The Planning Commission recommended approval of the project.

At 7:25 p.m., Mayor Rexroad opened the Public Hearing. With no comments received, Mayor Rexroad closed the Public Hearing at 7:25.



Planner Lowe indicated the affordable housing units will be spread throughout the subdivision.

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried unanimously, Council took the following actions in relation to this project:

1. adopted a Statutory Exemption requiring no further California Environmental Quality Act analysis pursuant to Section 15182 of the Public Resources Code and directed that a CEQA Notice of Exemption be filed;
2. adopted the Findings and Conditions of Approval determining that the project as conditioned is consistent with the General Plan and the Spring Lake Specific Plan;
3. introduced and read by title only an Ordinance rezoning the property to Single Family Residential (R-1) and Multi-family (R-M) subject to maintaining consistency with the SLSP and satisfaction of the Conditions of Approval;
4. approved Tentative Subdivision Map No. 4674 dividing the ±55.4 acre parcel into 236 single-family residential lots built at the R-5 density, including one remainder lot at the R-20 density, subject to Findings of Fact and Conditions of Approval; and
5. introduced and read by title only an Ordinance authorizing the Mayor to execute the Project Development Agreement as presented.

Council Member Monroe left the Chambers at 7:26 p.m.

#### REPORTS OF THE CITY MANAGER

##### YEAR 2 STORM WATER BEST MANAGEMENT PRACTICES AND CONSTRUCTION SITE STORM WATER QUALITY ENFORCEMENT PROCEDURES

Director Wegener said the City submits annual reports regarding the Storm Water Permit. Year three of the cycle began on July 1, 2005 and input will be sought for the Ordinance and Permit. Environmental Resources Analyst Engel said the permit addresses industrial concerns, construction companies who have their own permits, and municipal issues. The construction control requires the permit preparation and submission of a Notice of Intention to the State. The



City must insure that proper Best Management Practices (BMP) are installed and maintained at construction sites. Pre-wet season workshops were held as were initial inspections with the Regional Water Quality Control board conducted to identify potential problem areas. The key points were to find an effective combination of erosion and sediment controls, that proper BMP were installed, the tracking of sediment onto the streets, that concrete, stucco and other waste management control methods were in place, that any evidence of sediment or other pollutant discharge was identified, updated maps are evident and the detailed monitoring reports are part of the plan. Notices of violation can be issued and could require further monitoring; elimination of connections or discharges; that violating discharges, practices or operations immediately cease and desist; payment of a fine to cover administration and remediation costs; and use of source control or treatment to control BMP's. These enforcement procedures consist of a verbal Notice of Correction, a written Notice of Correction, a written Notice of Violation, and a written Notice of Violation to Stop Work and the City would be directed to contact the RWQCB. The Board can then provide informal enforcement via verbal warnings, staff enforcement letters and Notices of Violation and could then move to formal enforcement via clean up and abatement orders, administrative civil liability, joint enforcement with the Department of Fish and Game and/or the U. S. Environmental Protection Agency and referral to the District Attorney.

At 7:28 p.m., Council Member Monroe returned to the Chambers.

The City must insure that the construction companies adhere to the BMP's. Analyst Engel said the RWQCB was here today to do an inspection on the winterizing for construction. They do random inspections but they had notified the City last year they would be inspecting this year. They visited nine sites and did have good marks. Director Wegener said the City is deputized to enforce the RWQCB regulations. Mayor Rexroad asked if the City could also be fined for the contractor failure to comply. Analyst Engel said it could be the contractor only but if we have been telling the contractor/developer to comply and they have not, the City could be liable for fines as well. The City has hired a firm, Salabar, to handle construction site inspections but the City also has internal staff who will be handling some of that process.

Council Member Peart asked for inspectors to be informed that the RWQCB requirements are being enforced and that it is not the City's ruling. Council Member Pimentel asked if there had been a storm this past weekend, would the City have been liable. Analyst Engel said the City needs to show that we are attempting to enforce and that progress is underway. Mayor Rexroad asked if the State is providing funds for their mandate and enforcement of their requirements and Ms. Engel reported to the negative.



Council Member Pimentel left the Chambers at 7:47.

FIRE STATION #2 CONSTRUCTION PROJECT 00-37-NON-RESPONSIVE BID; BID PROTEST; CONSTRUCTION CONTRACT AND EXPENDITURES,

Contract Engineer Mitchell said the Fire Station #2 remodel project began initially in 1999. Many factors had caused the project to be placed on hold until July of 2005 when it was rebid. There was a large discrepancy in the estimate as there were many unknown factors, but primarily to the dramatic cost increases for steel, wood and oil between the estimate time and the actual bid process. The lowest bid is recommended for rejection and the second lowest bidder recommended for the award. The recommended bidder is still 28% above the anticipated cost.

Council Member Pimentel returned to the Chambers at 7:50.

Some additional costs were that of asbestos abatement and need for an emergency boiler. Council Member Pimentel asked if the protest bid was valid. City Attorney Siprelle said that bidder is protesting items that are allowed to be waived by the City as minor irregularities. Of note, the items the protesting bidder identifies are also items contained in his own bid documents. If the bid protest were upheld, that company would also be eliminated from consideration. The City will not suffer any further concerns. Council Member Pimentel asked about the history of remodeling older buildings that add to the higher contingency costs. Director Wegener said the City normally provides a 10% contingency on new projects, but he recommends 15% as a safeguard.

Mayor Rexroad left the Chambers at 7:55 p.m.

Director Wegener said he is recommending 12% as a contingency on this project.

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by the Members present, Council approved the amended Major Projects Financing Plan sheets for FIRE-175; approved the amended Project Programming Summary Sheet for Fire Station 2 Renovation, Project 00-37, increasing the project total from \$753,000 to \$1,116,868; deemed Hudspeth Corporation as non-responsive and rejected their bid; rejected American River Construction, Inc. bid protest; authorized the City Manager to execute a Construction Contract with United Building Contractors in the amount of \$709,111; authorized expenditures in the amount of \$791,791 for construction; and authorized the City Engineer to execute a Contract Amendment with



Consolidated CM for construction management services in an amount not-to-exceed \$90,000.

#### DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT-PERMANENT URBAN LIMIT LINE

Council Member Peart indicated he is abstaining from discussion on this item due to possible conflict of interest and left the Chambers.

City Manager Kirkwood said the Board of Supervisors has submitted a letter to the City regarding objections to a Permanent Urban Limit Line. Director Stevens will review and comment regarding the letter at a later time. City Attorney Siprelle said they will prepare a response.

Mayor Rexroad returned to the Chambers at 7:56 p.m.

City Manager Kirkwood said Council should make a determination if they support the Permanent Urban Limit Line (ULL) and whether to place the issue on the ballot. It appears there is not adequate support as a Council item and the Council may not wish to spend further funds to complete the Environmental Impact Report without full Council support.

Council Member Monroe asked how long the EIR would be valid. City Attorney Siprelle said it may not be a valid for very long because of the components which would change within the project. If this is an initiative measure by the Council the City must complete the EIR. If a private group submits the initiative, the EIR is not a requirement.

Mayor Rexroad asked how the agricultural land loss is an issue. Director Stevens said the letter from the County does not recognize that the proposal is to protect prime farm land. It refers to the land East of County Road 102 that is now designated as urban reserve and part of our declared area of further urban growth.

Mayor Rexroad said it appears to be a money issue not preservation of agricultural lands. Director Stevens said if the County does not go forward with the EIR, the letter becomes moot.

Council Member Pimentel said in 1996 the citizens voted to have a line at the North and West. There are flood issues, affordable housing and this ULL would be counter-productive to what the City wants to do for growth. Mayor Rexroad said the General Plan lays out that we have an ULL around the City.



Director Stevens said the policy speaks to adjusting the line and putting a permanent ULL in place.

Council Member Monroe said the line as proposed does provide and plan for development. Flood insurance will continue to rise. Companies will be leaving the City if we do not provide flood protection. He feels we should wait a few years before going forward.

Director Stevens said the area North of Kentucky Avenue not annexed is in the urban reserve already as of 1996. There are 25 items to be considered before moving forward.

Vice Mayor Flory said there will be huge development in this City. The Council needs to make decisions to stop further Councils from being influenced by developers to keep that huge growth from occurring.

It was moved by Vice Mayor Flory and seconded by Mayor Rexroad that Council move forward with the Environmental Impact Report on the Permanent Urban Limit Line. Council Members Monroe and Pimentel voted to the negative. Motion lost. The motion would indicate without an EIR, there would be no further action on the Permanent Urban Limit Line.

It was moved by Council Member Pimentel and seconded by Council Member Monroe that the EIR be stopped in the current form. Vice Mayor Flory voted to the negative. Motion carried.

Council Member Peart returned to the Chambers at 8:22 p.m.

#### FALL COUNCIL/STAFF RETREAT AND HOLIDAY SCHEDULE

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried unanimously, Council adopted the following schedule of meetings for the Holiday Season:

November 1, 2005	-	Regular Council Meeting
November 15, 2005	-	Regular Council Meeting
November 19, 2005	-	Special Meeting/Retreat
November 29, 2005	-	Special Meeting/Study Session
December 6, 2005	-	Regular Council Meeting
December 13, 2005	-	Regular Council Meeting
January 10, 2006	-	Regular Council Meeting
January 17, 2006	-	Regular Council Meeting
January 24 or 31, 2006	-	Special Meeting/Study Session



## COMMUNICATIONS - WRITTEN

Council received notification of an Alcoholic Beverage Control application for a person-to-person transfer of an on-sale beer and wine license for Four Seasons Chinese Restaurant located at 525 Main Street.

Council received a notice from Charter Communications regarding additional HDTV channels to be included in their schedule.

## COMMITTEE REPORTS

Council received the minutes of the Water Resources Association meeting of June 20, 2005.

Council received the minutes of the Traffic Safety Commission meeting of July 18, 2005.

Council received the summary of Planning Commission actions taken at their meeting of September 29, 2005 as follows:

- a. held a workshop on the review of the ½ Cent Sales Tax extension
- b. reviewed the Service Improvement Plan

Council received the summary of Planning Commission actions taken at their meeting of October 6, 2005 as follows:

- a. recommended conditional approval of the Merritt/Murphy project.

## ADJOURNMENT

Mayor Rexroad adjourned the regular meeting of the Council at 8:24 p.m.

Respectfully submitted,

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Sue Vannucci, CMC, City Clerk