

Woodland City Council Minutes
Council Chambers
300 First Street
Woodland, California

September 4, 2001

CITY COUNCIL
SPECIAL/CLOSED SESSION

The Woodland City Council met in special session at 6:02 p.m. in the second floor conference room of City Hall in order to convene a closed session. Council Members present were Mayor Steve Borchard, Council Members Dote, Monroe and Vice Mayor Dave Flory. Council Member Peart arrived at 6:18 p.m. Also present were City Manager Rick Kirkwood, Assistant City Manager Phil Marler and City Attorney Ann Siprelle. Council held a conference with Legal Counsel, Anticipated Litigation: Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9. Number of Cases: One (1); conference with Legal Council, Existing Litigation: (Subdivision (a) of Section 54956.9), Name of Case: Friends of Historic Downtown Woodland v. City of Woodland, Yolo County Superior Court Case No: PT 01-1463; and a Public Employee Performance Evaluation Pursuant to Section 54957, Title of Position: City Manager.

CITY COUNCIL
REGULAR SESSION

CLOSED SESSION ANNOUNCEMENT

Mayor Borchard advised that Council held a conference with Legal Counsel, regarding anticipated litigation, significant exposure to litigation and received a report; held a conference with Legal Council regarding existing litigation, Friends of Historic Downtown Woodland v. City of Woodland, Yolo County Superior Court Case No: PT 01-1463 and gave direction; and held a Public Employee Performance Evaluation for the City Manager received a report.

CALL TO ORDER

Mayor Borchard called the regular meeting of the City Council to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE

Mayor Borchard invited all in attendance to join him in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL

COUNCIL MEMBERS PRESENT: Steve Borchard, Martie Dote, David Flory, Jeff Monroe, Neal Peart

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Richard Kirkwood, Phil Marler, Ann Siprelle, Margaret Vicars, George Bierwirth, Henry Agonia, Steve Harris, Gus Bush, Gary Wegener, Sue Vannucci, Marie Bryan, David Ingman, Dick Donnelly, Steve Sante-Croce, Bruce Pollard, Greg Moutinho

OTHERS PRESENT: Contract Traffic Consultant Bob Grandy

MINUTES

On a motion by Council Member Dote, seconded by Council Member Monroe and unanimously carried, Council approved the minutes of the Special meeting of June 26, 2001, with the correction that the Woodland Joint Unified School District/City of Woodland committee is a 3 x 2, and approved the minutes of the Regular meetings of July 3 and July 17, 2001 as presented.

COMMUNICATIONS - WRITTEN

From the Department of Alcoholic Beverage Control, an application was received for a Stock Transfer Application for the Stag Bar.

From Attorney, Stephen J. Dougan, a claim was received on behalf of Kendra Rentaria for injuries alleged to have been sustained in an accident involving a City of Woodland Police Officer.

From Attorney, Stephen J. Dougan, a claim was received on behalf of Roger Ruiz for injuries alleged to have been sustained in an accident involving a City of Woodland Police Officer.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the Council rejected the claims for damages filed by Stephen J. Dougan on behalf of Kendra Rentaria and Roger Ruiz for injuries alleged to have been sustained during an accident involving a City of Woodland Police Officer and referred these claims to the City Insurance Representative.

COMMITTEE REPORTS

A report was received from Community Development Director Steve Harris transmitting the minutes of the Historical Preservation meetings of May 9, 2001 and August 8, 2001.

A report was received from Police Chief Del Hanson transmitting the minutes of the Yolo County Communications Emergency Services Agency meeting of July 3, 2001.

A report was received from Library Services Director Marie Bryan transmitting the minutes of the Library Board of Trustees meeting of July 16, 2001.

A report was received from Public Works Director Gary Wegener transmitting the minutes of the Tree Commission meetings of July 16, 2001 and August 20, 2001.

A report was received from Director Harris transmitting the summary of the Planning Commission meeting July 19, 2001 as follows:

- a. Adopted Resolution 2001-1 recommending changes to the Spring Lake Specific Plan (SLSP) draft, finding the Plan to be consistent with the General Plan and recommending approval of the Plan.
- b. Recommended approval of Appendix E, Scope of Work for Design Standards, of the SLSP June 2001 draft, with edits.
- c. Accepted applicant's request for withdrawal of an appeal from the Zoning Administrator denial for variance to build a 400 square foot addition with a 9 foot rear yard setback.
- d. Rejected the appeal of a staff decision regarding design review approval of conversion of Texaco Station to a Shell Service Station.

A report was received from Parks, Recreation and Community Services Director Henry Agonia transmitting the minutes of the Parks, Recreation and Community Services Commission meeting of July 23, 2001.

A report was received from Director Harris transmitting the minutes of the Redevelopment Citizens' Advisory Committee meeting July 25, 2001.

A report was received from Director Harris transmitting the summary of the Planning Commission meeting of August 2, 2001 as follows:

- a. Rejected an appeal of staff's design review for existing Shell gasoline station and mini-mart.
- b. Conditionally approved a Conditional Use Permit and Design Review to construct a Shell Oil mini-mart and service station.
- c. Approved Holiday Inn Express landscape plan.
- d. Approved Design Review of Smoley Ranch Homes.
- e. Approved Panattoni Development Company's building design landscaping and site plans for a proposed industrial warehouse.

A report was received from Chief Hanson transmitting the minutes of the Yolo County Communications Emergency Services Agency meeting of August 2, 2001.

PUBLIC COMMENT

None heard.

COUNCIL STATEMENTS AND REQUESTS

Council Member Peart mentioned that the Yolo County Fair was a great success with few problems. There was an article in the newspaper regarding Congressman Doug Ose which Council Member Peart felt was inappropriate. He distributed his response to that article for Council review.

Council Member Monroe stated that ten City Administrators and Council Members attended the Emergency Management training in Emmetsburg. The group from our City was declared to be the most prepared in fifteen years of observation by the trainers. The expenses for this trip were paid by the Federal Emergency Management Agency. Council Member Monroe stated this was the most significant

training he has attended. City Manager Kirkwood mentioned that the instructors were impressed with the teamwork by our delegation.

Council Member Monroe read letters from citizens commending Officers Jeff Henderson, Darrel Moore and Brian Meux for their service.

Council Member Dote participated in National Night Out and rode with the Police Department. The event was successful and very well received. There was a meeting with property owners, staff, the City Manager, and legal counsel on the Spring Lake Specific Plan. The City Manager is working on owner participation agreements. An update will be provided at the Council's September 25th meeting. The Gaining Ground group met and received a presentation from the Yolo Land Trust. There was discussion on the land on the West side of County Road 98 at Kentucky. Director Harris will bring their concerns up at the Planning Commission meeting.

PRESENTATIONS

LIBRARY BOARD UPDATE

Bud Goding, Chairperson of the Library Board of Trustees advised Council of the activities at the Library. Highlights are: the reorganization of the Literacy Office and the grants obtained; installation of shelving in the Mechanical Room; the Book Sale to be held this coming weekend in conjunction with the Stroll Through History activities; the replacement of former Library Board of Trustee member Sandra Briggs by Randy Nordmark; attainment of 503(c) status by the Friends of the Library; revision of the Director's evaluation form; passage of the Library Bond Act and application for a branch library in the Southeast area; success of the new hours, Monday through Thursday from 10:00 a.m. to 8:00 p.m. with Sunday hours; plans to furnish the 2,000 square feet of space in the basement of the Library; the work at the Library at present to seal the water from the interior courtyard.

Mayor Borchard reminded the citizens of the current vacancies on the various Boards and Commissions as follows and encouraged citizens to apply for service to their community:

Historical Preservation Commission-	-	Two Vacancies
Parks, Recreation and Community Services Commission	-	One Vacancy
Personnel Board	-	One Vacancy
Planning Commission	-	One Vacancy
Redevelopment Advisory Committee (1 Citizen-At-Large, (1 Residential)	-	Two Vacancies

Traffic Safety Commission	-	One Vacancy
Tree Commission	-	One Vacancy

OVARIAN CANCER AWARENESS MONTH

Earl Balch outlined the risk factors and symptoms of ovarian cancer and presented the Council with a pin designating support of the research for this disease.

On a motion by Vice Mayor Flory, seconded by Council Member Dote and carried by unanimous vote, the Council proclaimed the month of September 2001 as Ovarian Cancer Awareness Month. Mayor Borchard presented the Proclamation to Mr. Balch.

MAKING STRIDES AGAINST BREAST CANCER 2001 WALK

On a motion by Council Member Monroe, seconded by Council Member Peart and carried by unanimous vote, the Council proclaimed their support for the Making Strides Against Breast Cancer 2001 Walk. Council Member Dote read the Proclamation.

GREATER SACRAMENTO AREA ALZHEIMER'S ASSOCIATION EIGHTH ANNUAL MEMORY WALK BENEFIT

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the Council proclaimed support for the Eighth Annual Memory Walk for the Greater Sacramento Area Alzheimer's Association. Denise Davis, representing the area Alzheimer's Association, received the proclamation from Mayor Borchard.

CONSENT CALENDAR

Council Member Dote requested the following items be removed from the Consent Calendar:

8. Receive Report on Senate Bill 910 – Housing Element
11. Accept Letter of Resignation from Tree Commission Member Terri Jessen and Planning Commission Member Jack Mahan

16. Authorize Council Member Dote to Serve as City of Woodland Delegate for League of California Cities Annual Conference

Council Member Peart requested the following item be removed from the Consent Calendar:

13. Receive Woodland Economic Renaissance Corporation Board Minutes for July 27, 2001

On a motion by Vice Mayor Flory, seconded by Council Member Dote and carried by unanimous vote, Council approved the following Consent Calendar items:

MONTHLY STATUS REPORT FROM PARKS, RECREATION AND COMMUNITY SERVICES

Council received the Monthly Status Report from Parks, Recreation and Community Services.

MONTHLY STATUS REPORT AND CAPITAL BUDGET IMPLEMENTATION REPORT FROM PUBLIC WORKS

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

CITY TREASURER'S REPORT FOR JUNE OF 2001

Council reviewed and accepted the June Investment Report as submitted.

INTERNET DOMAIN

Council received an update on the status of the internet domain primary and secondary names.

RESOLUTIONS 4304 THROUGH 4313 FIXING THE EMPLOYER'S CONTRIBUTION FOR PUBLIC EMPLOYEES' RETIREMENT SYSTEM MEDICAL PREMIUMS FOR EMPLOYEES AND RETIREES

Council adopted Resolutions 4304 through 4313 as follows fixing the employers' contribution for Public Employees' Retirement System medical premiums for employees and retirees:

- Resolution 4304 (City Manager)
- Resolution 4305 (Management)
- Resolution 4306 (Confidential)
- Resolution 4307 (Mid-Management)
- Resolution 4308 (Fire Mid-Management)
- Resolution 4309 (Police Mid-Management)
- Resolution 4310 (Police)
- Resolution 4311 (Police Supervisors)
- Resolution 4312 (Fire)
- Resolution 4313 (General Services)

HOMELESS COORDINATOR'S REPORT FOR JULY 2001

Council received the Homeless Coordinator's Report for the Month of July 2001.

SOLE SOURCE BID FOR POLICE DEPARTMENT RIFLES FROM BOTACH TACTICAL

Council approved the sole source bid for Police Department rifles from Botach Tactical.

ENGINEERING SERVICES CONTRACT WITH PONTICELLO ENTERPRISES FOR CAPITAL IMPROVEMENT PROGRAM

Council authorized the City Manager to execute a sole source Contract for on-call services with Ponticello Enterprises to supplement existing staff resources for project design, project management and construction management services for a one-year period with two additional one-year options.

SACRAMENTO METROPOLITAN CHAMBER OF COMMERCE THIRD STUDY MISSION TRIP TO DENVER, COLORADO, OCTOBER 17-19, 2001

Council authorized the City Manager to attend the Sacramento Metropolitan Chamber of Commerce third Study Mission Trip to Denver, Colorado from October 17 through 19, 2001.

ITEMS REMOVED FROM THE CONSENT CALENDAR

SENATE BILL 910 – HOUSING ELEMENT

Council Member Dote said there appears to be a great deal of opposition to Senate Bill 910. There is a similar bill in the works and City Manager Kirkwood stated that bill has been rejected. He will update the Council as more information becomes available.

RESIGNATIONS OF TREE COMMISSION MEMBER TERRI JESSEN AND PLANNING COMMISSION MEMBER JACK MAHAN

On a motion by Council Member Dote, seconded by Vice Mayor Flory and carried by unanimous vote, the Council regrettably accepted the resignations of Terri Jessen from the Tree Commission and Jack Mahan from the Planning Commission.

Council Member Dote stated that Mr. Mahan had been a member of the Planning Commission during her tenure as a member and commended him for his excellent service. She presented Mr. Mahan with a Certificate of Appreciation for his outstanding service to the City.

WOODLAND ECONOMIC RENAISSANCE CORPORATION BOARD MINUTES FOR JULY 27, 2001

Council Member Peart said that he and Council Member Dote attend these meetings and felt it would be appropriate for the Council to view the minutes. Vice Mayor Flory stated some questions had been asked at this meeting and requested they have a response. City Manager Kirkwood said though the minutes do not reflect a response, the questions had been addressed and answered. Vice Mayor Flory requested the responses be placed in the future minutes of WERC. Council Member Peart will follow up on this process.

Council Member Monroe left the meeting at 8:09 and returned at 8:10 p.m.

CITY OF WOODLAND DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Council Member Dote said the City of Del Mar is asking about interest in holding an informal meeting with Cities who deal with Agricultural Districts to exchange ideas on effective strategies, discuss problems and determine whether continuing dialog is necessary. Mayor Borchard said we have a 40th Agricultural District and there are issues that the City is interested in pursuing.

Mayor Flory said the policy is that they receive copies of proposed Resolutions so Council will be aware of the content prior to the delegate attendance. City Manager Kirkwood said these Resolutions were provided to Council on August 13, 2001. Additional copies will be distributed. Council Members should provide their comments to the City Manager's office prior to the conference for compilation.

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by unanimous vote, the Council authorized Council Member Dote to serve as the City of Woodland delegate to vote on Resolutions before the 2001 League of California Cities Annual Conference.

PUBLIC HEARINGS

COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING REHABILITATION LOAN PROGRAM GUIDELINES

Community Development Director Harris advised Council that the City receives Community Development Block Grant (CDBG) funds on an annual basis. They are utilized to assist low and moderate income persons. The Housing Rehabilitation Loan Program Guidelines are in the process of revision.

At 8:19 p.m., Mayor Borchard opened the Public Hearing. Hearing no comments, the Public Hearing was closed at 8:19 p.m.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the Council adopted the Community Development Block Grant Housing Rehabilitation Loan Program Guidelines.

REDEVELOPMENT AGENCY

At 8:20 p.m., Council Member Peart excused himself from the discussion due to a possible conflict of interest in regard to the Redevelopment Agency item.

At 8:20 p.m., Mayor Borchard temporarily adjourned the meeting of the Council and convened the meeting of the Redevelopment Agency Board. At 8:40, Mayor Borchard reconvened the Council meeting.

At 8:40, Council Member Pear returned to the dais.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

LOS CAPORALES UPDATE AND CONSIDERATION OF BEER SALES AT EVENT ON SEPTEMBER 9, 2001

Parks, Recreation and Community Services Director Henry Agonia advised Council of the prior conditions set forth for the Los Caporales events due to continued concerns at their site on Road 102. An event had been held on August 26, 2001 at which there were no incidents of concern. Council Member Peart asked about removal of the litter on the adjacent property and Director Agonia stated there had been compliance. Vice Mayor Flory asked if they would be abiding by the Alcoholic Beverage Control laws on the sale of alcohol and Director Agonia said the conditions outlined by the Police Department comply. There will be two other events this year that will return for Police Department consideration. Council will receive a report instead of necessitating approval of each of these events.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the Council approved the sale of beer at the next Los Caporales event on September 9, 2001.

INFORMATION AND ALTERNATIVES ON TURN ACCESS ON COUNTY ROAD 102 BETWEEN MAXWELL AVENUE AND THE I-5 INTERCHANGE

Traffic Engineer Bruce Pollard said the construction is proceeding on County Road 102 and has caused concerns to surface regarding the property owners in the area and the left turn restrictions which would be imposed by the center median. Meetings have been held regarding the concerns and possible

solutions expressed. Alternatives were proposed through a traffic study. The design was approved initially as part of the Southeast Area Specific Plan. Bob Grandy, Consultant, summarized the alternatives before Council.

Council Member Monroe asked about the traffic flow comparisons on Pioneer. Engineer Pollard said that Pioneer has a flow of 14,000, while Road 102, will have 27,000, with a higher speed of traffic. Council Member Monroe asked if we would reduce the speed and Engineer Pollard said that a speed reduction cannot be arbitrary. The conditions must change in order to conduct another survey to determine flows and speeds. Vice Mayor Flory said Road 102 will become a four lane Road and the speed will increase. The configuration at the intersection and the freeway will be upgraded as well. The overpass will eventually be four lanes, but not for five to ten years.

Council temporarily recessed from 9:12 to 9:25.

Chris Cartwright, owner of the Chevron Station on Road 102, said this is the gateway to the City. With the median in place, there will be no access to his station. There are many other solutions to address the safety issues that other Cities have utilized. A stop sign at the exit ramp off of I-5 South onto 102 would help. He stated he was never notified of this project and he has been at this site for ten years. He did not receive a copy of the traffic analysis. Without access to the station his cash flow and volume will drop dramatically. Option A, which allows a left turn lane Northbound into his station, would help. His station is a "freeway station" and many recreational vehicles go through. They will need to go to Maxwell Avenue to return to the freeway. He believes the traffic flow of 27,000 vehicles per day on Road 102 is eight years away. The overpass is very much in the distant future due to lack of funds.

Mayor Borchard asked about the property use and it Mr. Cartwright said it is highway commercial. Kincheloe Drive would be the access to the Evans property. Mayor Borchard stated that claims have been made about lack of notification and demonstration has shown that notification requirements have been met. The plan was approved in 1990 but Mr. Cartwright purchased his property in 1991. He stated he was not notified about the median construction, but the previous owner would have received the initial notification. Senior Civil Engineer Greg Moutinho said the legal owner of the property would have been notified. Vice Mayor Flory said the former owner of the station was aware of the construction as he had personal conversation with him. A representative from Chevron also attended the Council meeting when this was approved.

Captain Montey Hensley of the California Highway Patrol said CHP had been notified of the median but had understood that full access would be provided. They are requesting an angled left turn onto Road 102 for emergency vehicles. They also have a concern about those vehicles that are to be inspected. Council Member Peart asked how many Code 3's CHP responds to per week and Captain Hensley stated approximately 5, which may increase as the population increases.

Tony Evans said he purchased his property in that area in the 1980's and looked at the property as the best entrance to the City. He said a left turn in and out is critical to the businesses along that corridor. He stated that the map the City has shown is incorrect as he has a contact at CalTrans. Senior Civil Engineer Moutinho stated that the map the City has been using is an official map signed by CalTrans, which is what we must consider as a current and correct. The project is on the horizon but not yet funded.

Vice Mayor Flory said we have gone through this same discussion several times. It was always in the plan that Wintun would not be a signalized intersection. The property owners said they wanted Maxwell to be the signalized intersection. Situations change but for ten to thirteen years this has been the plan. County Road 102 will never be at a 25 mile per hour speed and is a people-moving road. He feels that left-turns-in might be a consideration but not left-turns-out of properties. Two-thirds of the interchange will be funded by development fees and CalTrans will not turn away this type of funding.

Mr. Evans said the storage unit planned for his property would not be going forward because the configuration with the landscaping that was required would not fit on the property. He mentioned he had not seen a traffic study and would like his own study.

Council Member Dote does not feel the speed will drop along Road 102. Transportation funding will come following the I-5/113 and the 2/3 funding support will make it very advantageous to proceed.

Ken Reiff distributed two letters. He asked the purpose of a traffic study at this point as the design is complete. His group would like to look at Wintun only. He also asked if the off ramp will be at a 90° angle. Vice Mayor Flory stated that CalTrans is the controlling agency for the freeway construction. Mr. Reiff said Mr. Lasher had always been told about access to his property through Maxwell and the Heidrick property. Vice Mayor Flory asked what has changed last month to this month and Mr. Reiff said he has never seen the study. They were notified on August 22, 2001 about the study. Consultant Grandy said that in 1991 the EIR addressed access through Wintun. The analysis indicated the

access through Maxwell. A comparison with West Street at Main and the traffic backup through the intersections was discussed.

At 10:30, on a motion by Council Member Dote, seconded by Council Member Monroe and carried by unanimous vote, the Council extended the meeting until 11:00 p.m.

Council Member Monroe feels that access is fundamental to the success of a business. He would rather not have a median but add one later if necessary. Engineer Pollard stated this section of the project is approximately 12 feet in width and is scheduled for completion by the end of November. Public Works Director Wegener said the initial traffic study was undertaken as a result of the Lasher EIR. From a construction standpoint, it would be better to complete what we have, conduct the study and address the concerns following the Winter months.

City Manager Kirkwood expressed concern regarding the additional funds for delay or change in the parameters of the project. If additional funds would be necessary, he suggested the property owners issue a bond to cover these costs. Director Wegener said that we could not go back to a CFD at this time.

Council Member Dote cannot see this project going through the Winter. She would like to suggest Option A and feels Wintun is too near the off and on ramps. Council Member Monroe asked if we could stop the median at Wintun and make it straight until Winter passes. Director Wegener stated it would be his proposal to delay the entire process. Mayor Borchard said Council Member Dote suggested Option A with an addition to add CHP access with a lower median for emergency vehicles only.

On a motion by Vice Mayor Flory, seconded by Council Member Dote and carried, the Council approved implementation of Alternative A in relation to County Road 102 between Maxwell and the I-5 interchange, "left-turn-in only access to Chevron using raised medians", with an amendment that staff design a means for CHP to make a left turn access to the freeway for Code 3 only. Council Member Monroe voted no.

Doug Baxter of the Traffic Safety Commission said the Commission went through the same struggle on this issue. The traffic study was not provided to them until the day before their meeting and they did not feel comfortable with the information. There has been input from the property owners. He feels that there are thousands of users who take this route. Options A and G have some support but the other options do not. The Commission felt they should study

other options because the property owners had requested and there were unknowns with CalTrans. Martin Torres, also of the Traffic Safety Commission, said there were opposing views and he does not feel the plans presented were adequate. He felt that everything has been rushed and did not feel anything given to them was adequate with enough information.

SACRAMENTO-YOLO MOSQUITO AND VECTOR CONTROL DISTRICT BOARD
MEMBER APPOINTMENT

On a motion by Council Member Dote, seconded by Council Member Monroe and carried by unanimous vote, Council postponed this item until the next Regular meeting of the Council on September 18, 2001.

ADJOURNMENT:

At 10:55 p.m., the Council meeting was adjourned.

City Clerk of the City of Woodland