

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

July 31, 2001

CITY COUNCIL
SPECIAL/CLOSED SESSION

The Woodland City Council met in special session at 6:22 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 Peart. Vice Mayor Dave Flory was not present. Also present were City Manager Rick Kirkwood, Assistant City Manager Phil Marler and City Attorney Michael Dean. Council held a conference with Legal Counsel regarding anticipated litigation, significant exposure to litigation. Council also discussed a Public Employee Evaluation, Title: City Manager.

CITY COUNCIL
REGULAR SESSION

Mayor Borchard announced to those present and viewing at home, the passing of former Supervisor Ernie Pfanner and expressed the condolences of the Council.

CLOSED SESSION ANNOUNCEMENT

Mayor Borchard advised that Council held a conference with Legal Counsel regarding anticipated litigation, significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9 and received a report. Council also held discussion on a Public Employee Evaluation (Section 54957), Title: City Manager, and 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, Jeff Monroe, Neal Peart

COUNCIL MEMBERS ABSENT: David Flory

STAFF PRESENT: Richard Kirkwood, Phil Marler, Margaret Vicars, Karl Diekman, Del Hanson, George Bierwirth, Mike Dean, Henry Agonia, Steve Harris, Gus Bush, Gary Wegener, Sue Vannucci

MINUTES

On a motion by Council Member Dote, seconded by Council Member Peart and carried by the members present, Council approved the minutes of the Regular meeting of June 19, 2001.

COMMUNICATIONS - WRITTEN

Council received an Alcoholic Beverage Control License Application for the business located at 1540 East Main Street.

Council was advised of a vacancy on the Sacramento-Yolo Mosquito Vector Control District Board with the passing of Richard Walker. Council will consider possible appointments to this Board.

COMMITTEE REPORTS

From Library Services Director Marie Bryan, a report was received transmitting the minutes of the Library Board meeting held June 4, 2001.

From Public Works Director Gary Wegener, a report was received transmitting the minutes of Traffic Safety Commission meeting July 2, 2001.

PUBLIC COMMENT

None heard.

COUNCIL STATEMENTS AND REQUESTS

Council Member Dote reported she had attended the League of California Cities training session in Monterey. These were exceptional classes and relevant discussions. There will be a constitutional amendment proposed to help stabilize the financial relationship between Cities and the State.

Council Member Peart requested the minutes of the Woodland Economic Renaissance Corporation meetings be provided to the Council on a regular basis.

City Manager Kirkwood noted that City staff will take part in Building a Partnership meetings in regard to the Wayfarer Center on August 28 and 30, 2001 from 6:00 p.m. to 9:00 p.m.

Mayor Borchard said that August 7th is National Night Out. He encouraged neighborhoods to be involved in this event. Chief Del Hanson stated there is excellent participation in this event. Many staff members, including Council Member Dote, will be involved. The Sheriff's Department, approximately 5,000 residents, the Canine Unit and McGruff the Crime Dog will also be visiting.

PRESENTATIONS

PATROL STAFFING FOR "UNOFFICIAL CRUISE NIGHT" ON AUGUST 4, 2001

Chief Hanson introduced Lieutenant Dave Ingman who advised Council that 2000 was the last sanctioned Cruise Night event in the City. The Department is preparing for what may arise as an unofficial event for those who are unaware of cancellation. A staffing plan has been developed to handle any possible event on the evening of August 4th. Other agencies will assist with this staffing. Council Member Peart thanked the Department for their advance planning on this issue.

CONSENT CALENDAR

Council Member Monroe requested the following be removed from the Consent Calendar:

5. Set Public Hearing for Utility Rate Increase for September 18, 2001

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by the members present, the Council approved the following Consent Calendar items:

COMPUTER REPLACEMENT PROGRAM FOR FISCAL YEAR 2001/2002 - UPDATE

Council received an update on the annual Computer Replacement Update Program for the coming fiscal year, 2001-02.

PROFESSIONAL SERVICES CONTRACT WITH LAUGENOUR AND MEIKLE TO COMPLETE PHASE I DEVELOPMENT OF STORZ PARK-PROJECT 00-16

Council authorized the City Manager to enter into a Professional Services Contract with Laugenour and Meikle to provide engineering services required to complete Phase I development of Storz Park, with the deletion of paragraph D on Attachment A as requested by the City Manager.

POLICE DEPARTMENT PARTICIPATION IN YOLO COUNTY-WIDE GANG VIOLENCE SUPPRESSION UNIT AND EMPLOYMENT OF NEW POLICE OFFICER

Council approved the Police Department participation in the Gang Violence Suppression Unit, a Multi-Component Model Grant Program and the employment of one new Police Officer using these grant funds.

CONTRACT FOR PROJECT 96-01 – KENTUCKY AVENUE AND WEST STREET IMPROVEMENTS

Council awarded the construction contract for Project 96-01, Kentucky Avenue/West Street Intersection Improvements, to Teichert Construction Company for \$592,000. Council authorized the Public Works Director to execute the construction contract and to approve additional contract expenditures up to \$59,200.

CONTRACT FOR CITY HALL CARPET INSTALLATION - PROJECT 00-22

Council made a determination that it is in the best interest of the City to suspend formal bidding and awarded the contract for carpet installation on the

second floor of City Hall to the Carpet Dealer of Woodland in an amount not to exceed \$25,478.

RESIGNATION OF TRAFFIC SAFETY COMMISSION MEMBER

Council accepted the resignation of Steven Sprague from the Traffic Safety Commission due to scheduling conflicts.

HOMELESS COORDINATOR'S REPORT FOR JUNE 2001

Council received the Homeless Coordinator report for the month of June, 2001.

PUBLIC WORKS CAPITAL BUDGET EXECUTION STATUS REPORT

Council received the Capital Budget Execution Status Report for the month of July, 2001.

FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR SUBDIVISION NO. 4522, MAPLE GROVE UNIT II

Council approved the Final Map and Subdivision Improvement Agreement for Subdivision No. 4522, also known as the Maple Grove Unit II.

ITEMS REMOVED FROM THE CONSENT CALENDAR

SET PUBLIC HEARING FOR UTILITY RATE INCREASE FOR SEPTEMBER 18, 2001

Council Member Monroe said there has been no increase to utilities since 1990-91 and asked Finance Director Vicars to provide input. Director Vicars stated there is a 45 day period to send out the notices of intended increase, which will go to approximately 14,000 households. Citizens should respond in writing with the APN on the letter to be counted and these letters should be submitted to the City Clerk should they wish to protest the increase. These items can be submitted only until the close of the hearing on September 18, 2001. A 50% plus one is needed to negate the rate increase. The proposed increase will be split into two years, ½ in 2002 and ½ in 2003. The increases will then be tied to the Consumer Price Index. Water is proposed to be at \$9.00 in January of 2002 and \$12.63 in January of 2003. Sewer fees will go from \$14.60 in 2002 to \$18.50 in 2003. Council Member Monroe pointed out how far

behind the City is in their fees. Notices will also be in the newspapers and on the City WEB page.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the members present, the Council set Tuesday, September 8, 2001 as the Public Hearing date for the utility rate increases in water and sewer fees.

PUBLIC HEARINGS

RESOLUTION 4303 - 2001 WEED ABATEMENT/CLEAN LOT PROGRAM COST REPORT

Chief Karl Diekman briefed the Council on the process for abatement of weeds in the City. At 7:33, Mayor Borchard opened the Public Hearing. Hearing no comments, the Public Hearing was closed at 7:34.

On a motion by Council Member Peart, seconded by Council Member Dote and carried by the members present, the Council received the report on the costs of the 2001 Clean Lot/ Weed Abatement Program and adopted Resolution No. 4303 approving the cost report of the 2001 Weed Abatement/Clean Lot Program which authorized the Tax Collector of the County of Yolo to collect these costs.

ADOPT ORDINANCE 1333 - ZONE ORDINANCE AMENDMENT – CHURCHES IN INDUSTRIAL ZONE

At 7:36, Mayor Borchard opened the Public Hearing to consider the adoption of an Ordinance to allow churches in the Industrial Zone. Hearing no discussion, the Public Hearing was closed at 7:36. On a motion by Council Member Monroe, seconded by Council Member Peart and carried by the following roll call vote, the Council adopted Ordinance 1333, "An Ordinance Amending Section 25-18-10, Table 3 of Article 18 of Chapter 25 of the Code of the City of Woodland Pertaining to Uses Within the Industrial Zone", to include churches as an appropriate use.

AYES: Council Members Dote, Monroe, Peart, Borchard

NOES: None

ABSENT: Vice Mayor Flory

ABSTAIN: None

REDEVELOPMENT AGENCY

At 7:38, Mayor Borchard temporarily adjourned the meeting of the Council and convened the meeting of the Redevelopment Agency Board. At 7:54, Mayor Borchard reconvened the Council meeting.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

Council Member Monroe left the meeting at 7:54 and returned at 7:55.

REPORT FROM LOS CAPORALES REGARDING SALE OF ALCOHOL

City Manager Kirkwood stated we have received a letter dated July 27, 2001 from Frank Corona whereby he is requesting that we allow serving of alcohol at the Los Caporales events. Mr. Corona feels he has completed all of the things Council requested of him. It is very important for this beverage service because of the revenue it brings to fund other events. They have been trouble free at the past events. Angela Cabelloros, a member of the Board of La Asocion de Los Caporales said she does not feel the City employees have acted in good faith with the Association. She would like them to be allowed to serve alcohol on a limited basis. Police Chief Hanson asked who have been designated to be the servers and what kind of training have they received. She said if anyone comes intoxicated they will not be allowed to enter. There will be security at the entrance and bracelet issued. They are providing two professional bartenders and a designated driver program. Chief Hanson asked if there is food service and the response was yes and that only two beers can be served at a time to one person. City Manager Kirkwood asked if there is a plan to monitor how many beverages are consumed by an individual. Chief Hanson stressed responsible beverage service training. Ted Thompson, Team Pro Security Services, said Mr. Corona has put his time in on making his events safe and complying with the City requests. They have a lot of training and they do first and second phase events. He is complying with the regulations for these events. Everything will be in a controlled environment. Council Member Peart asked how long the new security company has been working with the Association and Mr. Thompson said they have been working with them over the last four events, all without alcohol service. City Manager Kirkwood mentioned they have not been in compliance with regulations as indicated by events of the past. Mr. Thompson said they try to get a little history, it was not very serious and his company should have been able to take control of those situations

which had happened. City Manager Kirkwood asked if a fee schedule is increased if alcohol is to be served. Mr. Thompson said there is a rate charged for the type of event.

Council Member Dote asked what the attendance has been at this site. The crowd varies and Mr. Corona has asked that a full compliment of security be on site no matter what the attendance. Parks, Recreation and Community Services Director Henry Agonia asked how many of the security staff are of his group and Mr. Thompson said they all are his staff. Director Agonia said in March of 2001, he had made recommendations this Agreement be terminated. A few events in September of 2000 were held and were of great concern. Council had determined they wished to work with the organization and not serving alcohol was one of the conditions to contract continuance. Alcohol is being concealed and brought on the site at present. There have been other concerns as well. There have been four events which have been fairly calm, but there have been complaints about reckless driving when going to or coming from the site. In September, 2000, this was County property. It has now been annexed to the City and the Police Department will now issue approval or disapproval for permits. His position from the beginning has been to not have our own Officers provide security.

Council Member Peart asked about the property and it is now under City jurisdiction. Council Member Peart said it would then be a Police Department problem rather than a Sheriff Department one. The alcohol was to be prohibited for one half year, minimum.

Council Member Peart left the meeting at 8:23 and returned at 8:24.

There had been a list of things to be addressed as a result of the inspection by Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA), the City's insurance carrier. All of those issues have been taken care of.

Director Agonia said his position has not changed. He feels that if the Police Department does not become more involved, there will be issues. There are about 300 people, mostly families. After the rodeo, there is food and dancing. If it is not controlled better than before there will be problems. A single dirt lane road out to the site, dirt parking lot and a site not conducive to ease of control are of great concern. If the events were to be held at the fairgrounds, there would be no problem. Council Member Dote asked what level of security they had prior to March and it was stated that it was not as intense as at present. Mr. Corona said they had a company in the past that was not the

best. The Aeromodelers had complained about speeders down the road. He feels this was a result of the security turning away people who then became angry and this will be resolved by moving the location of the entrance security over by the Aeromodelers which is more central.

Council Member Dote asked how many of the prior security they had on site. Mr. Corona said they had fourteen or fifteen. Council Member Peart is concerned about the liability. If there is alcohol consumed on City property and there is an accident, are we liable. City Attorney Dean said the City is not liable if we have exercised responsible control. Presuming that someone drank to excess nonetheless and caused harm to someone else, we may face a lawsuit, but would be in good shape as long as the reasonable control had been enforced. He suggested the City require insurance be provided around that risk and covers the City. Director Agonia said the insurance is now \$2 million on the liability and we are named as additional insured. City Attorney Dean asked that YCPARMIA look at the endorsements are on the policy and which should include host liability.

Chief Hanson said these events are very conditional. We would require security plans, beer garden concept, training for beverage servers, evidence that beverage servers had been trained, ABC or Police Department monitoring, and would probably be approved event by event. The California Highway Patrol was concerned about people leaving the site intoxicated. CHP was also concerned about being accused of "over watching". Chief Hanson said if a fund raiser is geared towards alcohol sales as a means of making the event successful, he would much rather see the Fairgrounds utilized for safety purposes, as well as, many other issues which would make the event more successful. There are more than one points of egress at the Fairgrounds. His recommendations is to let the request go through this time and then consider further events upon briefing on this one. Mr. Thompson said there is no way to alleviate all of the problems at these types of events. There are individuals who do not care about the facility when they are drinking. Mr. Corona and his staff have worked very hard to prevent any problems. Most of the security personnel are bilingual and try to alleviate the problems.

Council Member Monroe said that Chief Hanson had some conditions and asked if they would meet them. Mr. Thompson said he would like to come to the Chief's office and meet to discuss what his concerns are and how they can meet them. Council Member Monroe said the Chief is the final approving authority on the issuance of the permit. Mayor Borchard proposed allowance of alcohol at one event and prior to further events, the situation be reviewed. Council Member Peart would agree but strongly expressed his desire to void the agreement should there be one additional concern raised. Chief Hanson will ask Alcoholic Beverage Control to assist. City Manager Kirkwood said the action

would be to amend the communication to allow alcoholic beverages on the premises but Council would rely on Chief Hanson to make the administrative decision on this issue. Mr. Corona will meet with Director Agonia and Chief Hanson to set conditions.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the members present, the Council approve allowance of alcoholic beverages at the Los Caporales event to be held on August 5, 2001 provided conditions assigned by Chief Hanson are met.

Council recessed from 8:55 to 9:10.

DOWNTOWN IMPROVEMENT ASSOCIATION

Assistant City Manager Marler summarized the known history of the Downtown Improvement Association. This Association is a 501(c.3) organization which was formed in 1986. It appears there are no regular meetings and membership is sporadic at best. The two most active members at present are Al Iby, President, and Anita Long. A meeting of the Association has been scheduled for August 1, 2001. The bylaws were provided by Mr. Iby. Anita Long summarized the past activities sponsored by the Association, such as the Mural next to the Chicago Restaurant and the Chili Cookoff. The Association is beginning become active again. Council Member Peart feels the City should partner with the Association and he would personally like to become involved. Supervisor Tom Stallard said the Association was originally the Business Improvement District in the 1980's. He wrote the bylaws at that time and set procedures with the help of others in the downtown. With Gary Sandy as the Downtown Coordinator, he feels the group will move ahead as well. The bylaws are in need of updating. They need someone who will promote the downtown.

City Manager Kirkwood said there does need to be renewed energy. There have been several meetings discussing the economic improvement activities the community faces. This defined downtown area does need the support and attention of the community to be successful. We would be doing an inventory assessment on the downtown area. Those things such as the light posts are in need of attention but funding is a concern. The City has been struggling with many budget issues, but with grants obtained, specific issues are to be looked at. The Laugenour contract will support the economic improvement of the area. Council Member Peart thought this might be a jolt for the Association so they can move ahead. There is \$2.3 million in current money before them at present.

At 9:37 it was moved by Council Member Dote and seconded by Council Member Peart to extend the meeting until 10:00.

UPDATE ON THE DOWNTOWN BENCH DESIGN

Community Development Director Steve Harris reminded Council they had requested designs for benches in the downtown area as part of the Downtown Specific Plan update. These proposed designs will be available for viewing on August 1, 2, and 3 at 434 Main Street. He presented the proposed placement of these benches in the core area. They are also working on the downtown sponsorship program with the business, etc. to help offset the cost of these items, benches, trash receptacles, planters.

Council Member Monroe asked about the citizens painting the light posts. City Manager Kirkwood said this would require the use of a "bucket" and the liability would be a concern. Individual merchants can paint them but standards and release of liability would need to be addressed. Council Member Dote said there was a grant application in process and how it was progressing. City Manager Kirkwood said this is a Main Street USA grant. There needs to be an organized downtown association, funding sources, marketing promotion and advertising campaigns, as well as, other qualifications to attain a Main Street USA designation. About 15 to 18 months ago he brought the Downtown Association Coordinator from San Luis Obispo who discussed the process. There was not enough interest in proceeding this direction.

Council Member Dote said the concrete benches become skateboard facilities. They have been recommending a covered mesh wire that is graffiti proof and armrests would help alleviate the skateboarding and sleeping. Council Member Monroe said that a volunteer program to paint the posts, with the City overseeing the project, would be a possibility. City Manager Kirkwood said this is important discussion and the Downtown Coordinator should work on this project. This could be a fund raising type of project as mentioned by Ms. Long.

CONTRACT FOR UPDATE ON ECONOMIC DEVELOPMENT PLAN

City Manager Kirkwood said this item has had a great deal of discussion. The Council adopted a resolution to research and obtain grants to improve the City economic opportunities. Council Members Monroe and Peart met as a sub-committee to identify the issues and develop a plan to help bring forward a revised and updated City Economic Development Strategy and Action Plan. The application period was very short, but was met for the \$88,500 grant. Some of

the projects could go through Woodland Economic Renaissance Corporation and tasks were so identified. Director Harris said this grant will also be used to update the 1994 Economic Development Strategic Plan. There are three phases: (1) a baseline assessment of local conditions, demographics, a labor force gap analysis survey; (2) development of a Strategic Plan for Economic Development, one-on-one contact with the business community, which would be a task for WERC; (3) marketing and implementation, and additional tasks that WERC will facilitate. The dollar amount will be up from the \$9,000 as additional tasks are assigned. Expenses cannot occur until the contracts from Housing and Community Development are received, which should be within a month. Council Member Dote asked about the block grant of \$10,000, downtown office retail space inventory and if that project would be assigned to WERC. City Manager Kirkwood indicated it would and the Gary Sandy would have that as a part of his contract as well. Director Harris said that was money from the last budget year that was approved by Block Grant Funds. Council Member Dote asked if the total was \$97,500 and Director Harris said the amount for Bay Area Economics would be \$88,500, the \$9,000 is the local match.

At 10:00, it was moved by Council Member Monroe, seconded by Council Member Dote and carried by the member present to extend the meeting to 10:30.

Council Member Peart said the staff has acquired \$2,344,814 in grants and commended them for their tenacity.

On a motion by Council Member Dote, seconded by Council Member Peart and carried by the members present, Council authorized the City Manager to enter into a professional services contract dated July 10, 2001 with Bay Area Economics to prepare an Economic Development Strategic Plan.

CONTRACT FOR UPDATE ON GENERAL PLAN

Community Development Director Harris said that in 1996 the General Plan had some improvement measures. One was to review in five years after adoption. This would focus on areas with a series of questions. Mintier and Associates have been utilized for this update as they were part of the original plan process. They have identified funding sources for the update. We need to discuss public participation strategy. We have a July, 2002 deadline for completion. Council Member Dote said there was some concern that we would not have the 2000 census data available before we must update the housing

element and there had been some discussion of changing the cycle to align with release of the data. Director Harris said it has not been provided to date. There has been some discussion of special legislation but there does not seem to be any support in that direction. We will then base our study on the 1990 census information as directed. They will not grant extensions. City Manager Kirkwood asked Council Member Monroe about bringing this into the September agenda discussion on whether there is a need on some type of rental program for affordable housing. During that meeting he had suggested looking at this in updating the General Plan. On page four on phase three where it discusses affordable housing techniques and programs under task 3.2, he suggested having an additional task added to evaluate rental housing supply and demand and determine the ratio of income to the cost of rentals. We would then have some valid data to utilize in determination of whether there is need to address the affordable housing. Council Member Dote is concerned about the timing and also wants to know what actually happens in communities that impose rent control in relation to the economics. City Manager Kirkwood and Director Harris will discuss with Mintier because they may have some information and experience on this situation. Council Member Dote asked if there are any restrictions on the plan update. City Attorney Dean has looked into and there are none because the General Plan was adopted by the City Council and the referendum petition which failed. The Council should be able to go forward.

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by the members present, the Council authorized the City Manager to enter into a professional services contract dated July 26, 2001 with Mintier and Associates to prepare an update to the 1996 City of Woodland General Plan with the additional task to evaluate rental housing supply and demand and determine the ratio of income to the cost of rentals.

ADJOURNMENT:

At 10:15 p.m., the Council meeting was adjourned.

City Clerk of the City of Woodland