

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

January 16, 2001

CITY COUNCIL
SPECIAL SESSION/CLOSED SESSION

The Woodland City Council met in special session at 6:00 p.m. in the second floor conference room of City Hall in order to convene a closed session. The Council held a conference with Legal Council regarding existing litigation (Section 54956.9), Tetzlaff v. City of Woodland and Martino v. City of Woodland.

Council Members present were Steve Borchard, Martie Dote, Jeff Monroe and Neal Peart. Vice Mayor Flory arrived at 6:40 p.m.. In addition, City Manager Rick Kirkwood, Assistant City Manager Phil Marler, City Attorney Jeff Mitchell, Carolee Kilduff and Scott Smith of Angelo, Kilday and Kilduff and Jeff Tonks of Yolo County Public Agency Risk Management Insurance Authority attended the closed session.

The special session and closed session were adjourned at 6:59 p.m.

CITY COUNCIL
REGULAR SESSION

Mayor Borchard called the regular Council meeting to order at 7:01 p.m.

CLOSED SESSION ANNOUNCEMENT

Mayor Borchard advised that Council, in closed session, held a conference with Legal Counsel regarding existing litigation (Section 54956.9), Tetzlaff v. City of Woodland and Martino v. City of Woodland. Council gave direction regarding these discussions. All Council members were in attendance at the beginning of closed session with the exception of Vice Mayor Flory, who arrived at 6:40 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: Borchard, Dote, Flory, Monroe, Peart,

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Richard Kirkwood, Phillip Marler, Jeff Mitchell, Margaret Vicars, Henry Agonia, Gary Wegener, Steve Harris, Karl Diekman, John DeWeerd, Anthony Heredia, Bob MacNicholl, Sue Vannucci

MINUTES:

Council Member Dote requested a language alteration to the December 19, 2000 minutes on page 12, third paragraph, in that the Gibson Road realignment would not encroach upon the new high school, but would allow only a twelve foot width between the Road and the grounds. She also asked that the minutes of December 21, 2000, page 6 be altered to state the Planning Commission was given the plan with constraints, rather than restrictions, on land use and densities.

On motion by Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the City Council approved the minutes of the regular Council and Redevelopment meetings of December 5, 2000, the regular meeting of the Council of December 19, 2000 as amended, the adjourned special meeting of the Redevelopment Agency of December 21, 2000 as presented, and the adjourned special meeting of the Council of December 21, 2000 as amended.

WRITTEN COMMUNICATIONS:

1. From the Department of Alcoholic Beverage Control, Council received an application for a beer and wine license for a business owned by Eusevio Vidales Rivera and Luz Maria Rivera to be located at 524 Bush Street, Woodland. Council Member Peart expressed concern that this business is located directly next door to a church. He asked staff to review the Code as he understood there is a provision that no establishment selling alcohol could be located within 500 feet of a church. This item was deferred until further information is received.

2. From the Department of Alcoholic Beverage Control, Council received an application for transfer of an off-sale beer and wine license between Bozorg Chami and B. & R. Takhar, Inc. for the business located at 450 County Road 102 at Interstate 5.
3. Receive and reject a Claim from Travelers Indemnity Insurance - The Council received information regarding a claim filed by Travelers Indemnity Insurance on behalf of Don C. and Mary K. Huff for damages to their property at 304 Casa Linda as a result of a falling tree limb.
4. Receive and reject a Claim from Philip Carey - The Council received information regarding a claim filed by Philip Carey on behalf of Frank Rodriguez regarding an alleged fall in front of 1271 Alice Street.
5. Receive and reject a Claim from Philip Carey - The Council received information regarding a claim filed by Philip Carey on behalf of Shirley Rodriguez regarding an alleged fall in front of 1271 Alice Street.

On a motion by Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the Council rejected the claims filed by Travelers Indemnity and Philip Carey and referred these claims to the City's insurance representative.

COMMITTEE REPORTS:

1. From Parks, Recreation and Community Services Director Henry Agonia, a report was received transmitting the minutes of the Parks, Recreation and Community Services Commission meeting of November 27, 2000.
2. From Public Works Director Gary Wegener, a report was received transmitting the minutes of the Tree Commission meetings held on December 11, 2000 and January 8, 2001.
3. From Senior Planner Robert MacNicholl, a report was received transmitting the minutes of the Historic Preservation Commission meeting held on December 13, 2000.
4. From Finance Director Margaret Vicars, a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority meeting held on December 13, 2000.
5. From Public Works Director Gary Wegener, a report was received transmitting the minutes of the Solid Waste Committee meeting held on December 7, 2000.

6. From Community Development Director Steve Harris, a report was received transmitting the Summary of the Planning Commission meeting held on January 4, 2001 as follows:

- a. conditionally approved a Tentative Parcel Map #4484 to divide a 12,463 square foot lot into a 5,000 square foot lot and a 7,463 square foot lot. The parcel is located at the Southeast corner of Hanna Way and Hilda Way.
- b. heard presentations from John Murphy, Chairperson of the Tree Commission and Joel Luevano, City Code Enforcement Officer regarding current Code Enforcement activities.
- c. reviewed a request by the Woodland Joint Unified School District for the acquisition of an elementary school site on the North side of Gibson Road at Ogden.
- d. directed staff to refocus the current work efforts of updating the Zoning Code and incorporating the remainder of the work into the upcoming General Plan Update process.

PUBLIC COMMENT:

Dudley Holman stated he feels Council Member Monroe has a continuing conflict with regard to the Olive trees on Gibson Road. He stated that Council Member Dote's recent article in the newspaper on this issue does not state where the funds will be found for the costs associated with widening Gibson Road. He stated these funds would be better utilized elsewhere in the City.

COUNCIL STATEMENTS AND REQUESTS:

Council Member Peart said he and Council Member Dote had attended meetings totaling fourteen hours thus far with staff and the Turn of the Century representatives. He feels positive about the forward movement of the project.

Council Member Monroe stated the City of Stockton has worked with P. G. and E. regarding replacing bulbs with low electricity usage type. P. G. and E. absorbs the cost of the replacement. He also presented information regarding an ordinance adopted by the City of Davis and County of Yolo whereby cigarette displays are placed above floor level. This dissuades shoplifting by young people. He would like the Council to

consider such an ordinance for the City of Woodland. This item will be placed on a future agenda for discussion.

Vice Mayor Flory thanked Mayor Borchard for supporting his appointment to the Board of the Sacramento Area Council of Governments. This is a four-year appointment and will provide continuity in representation for Yolo County.

Council Member Dote would like the Council to consider formation of our own utility district. She also responded to Dudley Holman's statement regarding the funding for the Gibson Road widening in that \$90,000 has been stated as the design cost. The University of California at Davis is proposing support, which may lower that figure. The \$62,000 proposed to move the trees to the Fairgrounds is also an estimated cost at present. Council Member Monroe said the money cannot go to other City Departments because it is specified for this project.

Vice Mayor Flory asked that Council consider a Certification of Appreciation for John Ferns and his support of the Woodland Volunteer Food Closet. He would like this item added to the next Council Agenda.

Mayor Borchard announced the Woodland Recreation Foundation Crab Feed on January 20, 2001 at the Eagles Hall.

PRESENTATIONS:

None

CONSENT CALENDAR

Council Member Monroe requested removal of the following items from the Consent Calendar:

9. Approve Resolution of Appreciation for Service for James Marshall
10. Approve Resolution of Appreciation for Service for Ron Pearson

Council Member Dote requested removal of the following item from the Consent Calendar:

11. Approve Contract Extension for Spring Lake Consultants

City Manager Kirkwood removed the following item from the Consent Calendar Agenda:

16. Receive Notice of Application from Pacific Gas and Electric Company to Increase Rates

On a motion by Council Member Dote, seconded by Council Member Peart and carried by a unanimous vote, the 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 for December 2000.

MONTHLY STATUS REPORT FROM COMMUNITY DEVELOPMENT

Council received the Monthly Status Report from Community Development for December 2000.

MONTHLY STATUS REPORT AND CAPITAL BUDGET IMPLEMENTATION REPORT FROM PUBLIC WORKS

Council received the Monthly Status Report and Capital Budget Execution Status reports from Public Works for December 2000.

TREASURER'S REPORT FOR THE MONTH OF NOVEMBER 2000

Council received and accepted the Treasurer's Investment Report for November 2000 as submitted.

SOLE SOURCE CONTRACT FOR SPRINGLAKE COURT SOUND WALL

The Council authorized the Public Works Director to enter into a contract for \$19,200 for the construction of a soundwall South of Springlake Court. This request for the sole source will insure consistency of appearance as this soundwall was partially completed by the same contractor as recommended.

UPDATE OF THE REGIONAL PARK MASTER PLAN

Council authorized a Request for Qualifications from Landscape Architecture and Planning Design consultants for the preparation of a Park Development Master Plan for the Woodland Regional Park.

FUNDING AGREEMENT FOR THE INTERSTATE 5/COUNTY ROAD 102 ON/OFF RAMP - RESOLUTION 4250

Council approved a Cooperative Agreement with the State of California Department of Transportation, adopted Resolution No. 4250, "A Resolution Approving the Cooperative Agreement with Caltrans for the Construction of a Traffic Signal at the Hays Lane/County Road 102/I-5 Ramp Intersection and Authorizing the Mayor to Execute the Cooperative Agreement on behalf of the City of Woodland", and approved the revised Project Programming Summary Sheet.

MONTHLY HOMELESS COORDINATOR REPORT FOR DECEMBER 2000

The Council received the Homeless Coordinator Report for December 2000.

FARIA PARK PUBLIC UTILITIES DISTRICT IMPROVEMENTS FOR SUBDIVISION 4393

The Council accepted as complete those public improvements constructed with the development of Subdivision No. 4393, Faria Park Planned Unit Development, and directed the City Clerk to file a Notice of Completion.

CONTRACT WITH LANDSCAPE ARCHITECT FOR SOCCER FIELD DEVELOPMENT

The Council authorized the City Manager to enter into a Professional Services Contract with Paul Deering of Deering Design to provide landscape architect services required to complete Phase I development of Storz Park, approved \$10,000 for the conversion of a baseball infield area to that of a soccer field at Douglass Park, and approved the Project Program Summary Sheet as submitted.

BID FOR SEWER LATERAL REPAIRS

Council rejected the bid for Community Facilities District I, Deep Sewer Lateral Repairs, Project 98-45 as presented. This bid was nearly twice the amount projected for these repairs.

FINAL MAP AND SUBDIVISION IMPROVEMENTS FOR SUBDIVISION NO. 4468, MAPLE GROVE SUBDIVISION

Council approved the Final Map and Subdivision Improvement Agreement for Subdivision No. 4468, Maple Grove Subdivision, and directed the City Clerk to file a Notice of Completion.

ITEMS REMOVED FROM THE CONSENT CALENDAR:

RESOLUTION OF APPRECIATION FOR JAMES MARSHALL - RESOLUTION NO. 4251

Council Member Monroe read the resolution commending James Marshall for his thirty-three years of service to the City and congratulated him upon his retirement effective January 18, 2001.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by a unanimous vote, the Council adopted Resolution 4251, "A Resolution of Appreciation for James E. Marshall" for his years of service to the City of Woodland.

RESOLUTION OF APPRECIATION FOR RON PEARSON - RESOLUTION NO. 4252

Council Member Monroe read the resolution commending Ron Pearson for his thirty-four years of service to the City and congratulated him upon his retirement effective December 1, 2000.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by a unanimous vote, the Council adopted Resolution 4252, "A Resolution of Appreciation for Ronald F. Pearson" for his years of service to the City of Woodland.

CONTRACT EXTENSION REQUEST FOR SPRING LAKE CONSULTANTS - RESOLUTION 4253

Council Member Dote stated the applicant would like to speak regarding this item. Tom Lumbrazo of Turn of the Century, presented the Council with a letter requesting language inclusion in the proposed Resolution. This request would include a statement that Turn of the Century could terminate the Contract with a thirty-day notice received not later than the twenty-fifth of the month.

On motion by Council Member Dote, seconded by Vice Mayor Flory and carried by a unanimous vote, the Council adopted Resolution 4253, "A Resolution of the City Council of the City of Woodland Authorizing an Amendment to the Spring Lake Specific Plan Budget" to add \$39,000 for a total of \$1,234,830 and to extend the expiration date of the Agreements with the Contract Planner and Contract Engineer for a three month period to March 31, 2001, with the addition of the statement that Turn of the Century could terminate the contract with thirty days notice by providing such notice not later than the twenty-fifth of the month. (See minutes of March 6th to amend information contained above).

NOTICE OF APPLICATION FROM PACIFIC GAS AND ELECTRIC COMPANY TO INCREASE RATES

City Manager Kirkwood said he has asked a representative from P. G. and E. to speak to Council at their regularly scheduled meeting on February 6, 2001 regarding this issue. In relation to the current power concerns, he has asked staff to conserve energy wherever possible, with the intent of reducing between 5% and 7% usage. Staff is also researching the feasibility of a public utilities district for the City.

PUBLIC HEARINGS

None

REDEVELOPMENT AGENCY MEETING

At 7:47 p.m., Mayor Borchard temporarily adjourned the regular meeting of the City Council and convened the regular meeting of the Redevelopment Agency Board. At 7:52 the Redevelopment Agency Board meeting was adjourned and the City Council meeting reconvened.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

AFFIRM THE REDEVELOPMENT AGENCY DECISION REGARDING LOAN
GUARANTEE ON BEHALF OF SACRAMENTO VALLEY ORGANIZING COMMITTEE
HOUSING PROJECT

On a motion by Vice Mayor Flory, seconded by Council Member Dote and carried by a unanimous vote, the Council affirmed the Redevelopment Agency's decision to guarantee to secure a loan in the amount of \$47,000 on behalf of the SVOC Affordable Housing Project.

SACRAMENTO VALLEY ORGANIZING COMMITTEE DEVELOPMENT AGREEMENT
- RESOLUTION 4254

Vice Mayor Flory asked if there were any substantial differences in the proposed Agreement before Council this evening from the last Agreement presented. City Manager Kirkwood stated the basic differences were in the schedule/timeline for the project. Mayor Borchard stated that Council is anticipating a full commitment from SVOC to proceed with the project with adherence to the approved schedule. The issue of the lot line along the Railroad was addressed in that the City will initiate a Grant Deed for that portion of approximately 12 feet in width to the Railroad, which can be accommodated without affecting the project. Council wished language included in the record to state that no further amendments to this project would be considered.

On motion by Council Member Dote, seconded by Vice Mayor Flory and carried by a unanimous vote, the Council (1) approved an amendment to the Agreement for Development consisting of an Amendment to the legal description of the Sutter Street property; an Amendment to the Schedule of Performance; revision to the Memorandum of Agreement; authorized the City Manager to approve, in writing, a one-time assignment by the developer of all of their rights and obligations under the Agreement to a non-profit benefit corporation wholly owned or controlled by the Developer; (2) authorized the Coordinator of the Redevelopment Agency to prepare Resolution 4254, "A Resolution of the Redevelopment Agency of the City of Woodland Approving a Guaranty of a Portion of a Loan to SVOC Affordable Homes by Local Initiatives Support Corporation", for adoption by the Redevelopment Agency Board of Directors to guarantee a loan for up to \$47,000 from the Rural Local Initiatives Support Corporation (RLISC) to SVOC for predevelopment expenses.

ADOPT CITY OF WOODLAND FIRE DEPARTMENT ORGANIZATIONAL ASSESSMENT AND MASTER PLAN

Fire Chief Karl Diekman summarized the process in the development of the proposed Woodland Fire Department Organizational Assessment and Master Plan. Several meetings were held with the staff and community members to seek input on the Plan. Input was considered and incorporated as feasible, however there were no significant objections to the overall Plan. Council Member Peart stated the only concern he has heard was that of possible funding sources for those areas where additions are needed. Chief Diekman responded to Council Member Monroe's question regarding additions to or updates of the fleet in that there are some falling into either category, that of replacing existing obsolete vehicles and/or additions to the fleet overall. Leasing is also an option which will be explored.

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by a unanimous vote, the Council adopted the City of Woodland Fire Department Organizational Assessment and Master Plan incorporating the recommended changes from the review, feedback and discussions heard.

UPDATE ON STATUS OF FEDERAL EMERGENCY MANAGEMENT ACT (FEMA) FLOOD MAPS AND THE ARMY CORPS OF ENGINEERS FLOOD PROTECTION FEASIBILITY STUDY

Public Works Director Wegener stated the maps are not expected in final form until mid-March 2001. There are two models, the FEMA and Corps, which have different criteria and outcomes. Staff recommends utilization of the Corps model for development of a revised flow map with new base flood elevations. Mayor Borchard asked why FEMA did not utilize the Corps model at the outset. Director Wegener said different criteria was utilized. FEMA is adamant that those properties which could be included in the 100-year flood are a part of the plan, with the Corps looks more toward a levee failure. They have better information now than in 1998. FEMA did not utilize the 1995 data to calibrate the model, while the Corps did utilize the 1995 data. This would make the data comparisons more reliable.

Council Member Peart asked when the Corps Plan will become public and Director Wegener said it is anticipated on February 8, 2001. We would have some information available at that time but the public presentation is on March 23rd. A. B. 1147 changed the funding formulas and cost share between the City/County/State. The local agencies will have more of the responsibility for cost. It is unclear how this will affect the City monetarily at this point. Council Member Monroe said the Flood Plain Task Force presently has a vacancy and Council could appoint a representative. The Council could appoint and ratify at a later time. City Manager Kirkwood will facilitate.

UPDATE ON EAST STREET LANDSCAPING PROJECT AND SET RIBBON CUTTING DATE

Community Development Director Harris said there will be a "walk though" and it is anticipated there will be no major concerns identified. He suggested three dates for the Ribbon Cutting with Saturday, January 27, 2001 at 11:00 as finalized. The Ceremony will take place at Main and East Streets.

AUTHORIZE THE CITY MANAGER TO NEGOTIATE AND ENTER INTO A CONTRACT FOR A RATE STRUCTURE STUDY FOR WATER, WASTEWATER AND STORM DRAIN OPERATIONS

Finance Director Vicars stated this is a utility users and rate structure to be sure of compliance with Proposition 218 regulations. The Request for Proposal resulted in five returns and interviews will be held on January 19, 2001. A ten-week time period will be allowed to complete the study, which would normally take approximately four months. It was encouraged that a Council subcommittee be included in the study to provide input and report to the Council

on the progress. Vice Mayor Flory asked how the \$75,000 cost figure was reached and Director Vicars responded this is based upon the low and high proposals presented.

On a motion by Council Member Peart, seconded by Council Member Dote and carried by a unanimous vote, the Council authorized the City Manager to negotiate and enter into a contract to conduct the proposed study for Utility Users Rate and Rate Structure for Water, Wastewater and Storm Drain Operations for an amount not to exceed \$75,000 and appointed Vice Mayor Flory and Council Member Monroe to the subcommittee to meet with staff and the consultants throughout the duration of the study.

APPOINT MEMBERS TO THE 2001 COMMUNITY SERVICE AWARD NOMINATING COMMITTEE

Assistant City Manager Marler requested names of appointees to the Community Service Award Nominating Committee. Names submitted were as follows:

Council Member PeartKevin Spesert
Council Member MonroeSherrie Cunningham
Council Member DoteLeslie Marcus
Vice Mayor FloryAlan Flory

Mayor Borchard asked for names of prior awardees in order to meet his appointment obligation. The City Manager's Office will so provide. The Awards presentation will take place on February 23, 2001 at 12:00 at the Hotel Woodland.

REQUEST FOR LEGISLATIVE AUTHORITY FOR USE OF DESIGN/BUILD METHOD FOR SELECTED PUBLIC PROJECTS - RESOLUTION 4255

City Manager Kirkwood summarized the proposal for inclusion in the program whereby the City would be included in the design/build program currently utilized by the Cities of Davis and West Sacramento. Our City would be submitted along with the Cities of Benecia and Vacaville. Senator Johannessen is in support of this legislation and will submit on our behalf. At present it is premature to determine the extent of the cost savings for the program usage. It will, however, provide flexibility should the Council wish to pursue.

On a motion by Council Member Peart, seconded by Council Member Dote and carried by a unanimous vote, the Council adopted Resolution 4255, "A Resolution of the City Council of the City of Woodland Requesting Legislative Authority to use Design and Build Method of Procuring Design and Construction from a Single Source".

ORDINANCES:

None

ADJOURNMENT:

At 8:48 p.m. the regular meeting was adjourned.

City Clerk of the City of Woodland