

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

October 5, 1999

**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. Before the closed session the Mayor announced the closed session topics.

The Council then convened a closed session for a conference with Labor Negotiator (the City represented by Assistant City Manager Phil Marler) regarding the following employee organizations: Woodland Professional Police Employees' Association, Woodland Police Supervisors' Association, and Woodland City Employees' Association (Sec. 54957). Council also held a conference with Legal Counsel regarding anticipated litigation (Sec. 54956.9) and significant exposure to litigation pursuant to Government Code 54956.9(b) (one case).

Council Members present at the special meeting were: Losoya, Borchard, Flory, Peart and Ryhal. Council Members absent: none. City Manager Richard Kirkwood and Assistant City Manager Phillip Marler were also present for the closed session.

The special session and closed session were adjourned at 7:00 p.m.

**CITY COUNCIL
REGULAR SESSION**

CLOSED SESSION ANNOUNCEMENT:

Mayor Losoya advised that no Council action was taken during the closed session held at 6:00 p.m. tonight regarding the conference with the City's Labor Negotiator concerning the Woodland Professional Police Employees' Association, Woodland Police Supervisors' Association, and Woodland City Employees' Association.

City Attorney Ann Siprelle reported that the City Council also met in closed session tonight for a conference with legal counsel on anticipated litigation and significant exposure to litigation regarding one case. She said litigation was actually filed after posting of the agenda. She said the plaintiff is Woodmark Apartments, and the Council reviewed some revised plans showing different roof heights and determined that those plans if implemented would be consistent with condition no. 51 for the Apartment project, which was imposed by the Planning Commission. She said staff

hopes to have resolution of this issue very quickly, and staff was given direction to convey that information to the developer so that the stop work order could be lifted.

PLEDGE OF ALLEGIANCE:

Mayor Losoya convened the regular meeting at 7:05 p.m. and invited everyone present to join him in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Losoya, Borchard, Flory, Peart, and Ryhal

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kirkwood, Marler, Kristensen, Agonia, Siprelle, Wegener, Vicars, Pollard, Del Hanson, Rice, Paredes, Lecaire, Wickstrom, Tice, Selimotic

MINUTES:

Vice Mayor Borchard noted that on page 1 of the July 27 Council meeting minutes he pointed out a correction needed for the June 22 special meeting minutes to indicate that he spoke out against the proposed agricultural contract division request of Turn of the Century. He said the indicated vote for approval of the minutes for June 22 does not seem correct.

Mayor Losoya suggested that the Council postponed the approval of the July 27 minutes so that the audiotape can be reviewed. He said action will be taken at the next Council meeting.

WRITTEN COMMUNICATIONS:

1. From Dirk and Cassie Ellena a claim against the City was received regarding the towing of their vehicle in Woodland on August 17, 1999. The City's insurance representative recommended that the Council reject this claim and refer it to them.

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council rejected the claim against the City filed by Dirk and Cassie Ellena and referred the claim to the City's insurance representative.

2. From Rebecca L. Ayon a letter was received requesting that Council adopt an ordinance to prohibit the parking of cars along City streets on street sweeping/yard refuse pickup days.

On motion of Council Member Ryhal, seconded by Council Member Flory and carried by unanimous vote, the City Council referred the matter to staff for an appropriate response to the City Council.

3. From the State Department of Alcoholic Beverage Control a copy of an application was received for an on sale beer and wine license for property at 1264 East Gibson Road, Suite C301 (Jaspers at County Fair Mall). The application was for a person to person transfer, and the Police Department had advised that they have no objections to the issuance of this license.

4. From Sacramento Area Council of Governments a notice was received advising of a public hearing to be held in Woodland on October 28, 1999, 7:00 p.m. in the City Council Chambers regarding unmet transit needs in Yolo County.

5. From Busch Agricultural Resources, Inc. a letter was received in response to a letter from the City Manager regarding the general beautification of the PIRMI facility in Woodland.

Vice Mayor Borchard thanked the City Manager for writing the letter.

6. From Finance Director Margaret Vicars a report was received advising of claims for accounts payable, wire transfers and payroll for July 1999.

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8. From Tim Chapman a letter was received submitting his resignation from the City's Personnel Board. Mr. Chapman had been serving on the Board since November 4, 1997, and the City Clerk indicated that a letter of appreciation to be signed by the Mayor will be sent to him.

COMMITTEE REPORTS:

1. From Community Development Director Steve Harris a report was received transmitting the minutes of the Historical Preservation Commission meeting of September 8, 1999.

2. From Public Works Director Gary Wegener a report was received transmitting the minutes of the Flood Task Force meeting of September 9, 1999.

3. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board of Trustees meeting of September 13, 1999.

4. From Police Chief Del Hanson a report was received transmitting the minutes of the Yolo County Emergency Services Agency Board meetings of September 1 and September 13, 1999.

5. From Parks, Recreation and Community Services Director Henry Agonia a report was received summarizing action taken at the Commission on Aging meeting of September 14, 1999.

6. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of September 16, 1999, as follows:

- a. Commission certified the ND and recommended approval of the proposed zone change from I (Industrial) to CH (Highway Service Commercial) for the two affected parcels located on the south side of Freeway Drive, between I-5 and Freeway Drive, immediately east of County Road 102.
- b. Commission conditionally approved a tentative map and variance for property located at the southeast corner of East Gum Avenue and Matmor Road.
- c. Commission reviewed the General Plan Implementation Update.

PUBLIC COMMENT:

Evelia Genera, resident on Woodland Avenue (Beamer Park area), said her neighbors have a corral, barn horses, goats, and chickens. She said the odor this past summer was terrible. She said she called the County Health Department and discovered that there are no ordinances in the City of Woodland preventing anyone from boarding animals. She said a representative of the County Health Department came to her home and indicated he would send a letter to the property owner. She said the Health Department representative said the neighbors responded that they would pay a professional fee so that someone would clean the area. She said the cleaning should be done on a daily basis, and it was not.

Mayor Losoya suggested that this matter be placed on a future agenda.

Council Member Flory said through former Mayor Holman other neighbors in the area contacted him, and he had requested a future meeting agenda item at the last

Council meeting. He said the City may have to change its ordinance to address the issues. He said the current ordinance does not deal with the housing of large animals.

The City Manager said yesterday at staff meeting he instructed the Police Chief and Community Development Director to work with the City Attorney so that staff can bring a report back to Council in November.

COUNCIL STATEMENTS AND REQUESTS:

There were no statements or requests from Council.

REPORT FROM PLANNING COMMISSION:

Council postponed the report from the Planning Commission until the October 19, 1999 Council meeting.

RESOLUTION OF APPRECIATION FOR EDNA GRIMSRUD:

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council adopted a Resolution of Appreciation for Edna Grimsrud, RN, with Woodland Healthcare.

Mayor Losoya presented the Resolution to Ms. Grimsrud.

PROCLAMATION FOR RED RIBBON WEEK:

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the City Council proclaimed October 23 – 31, 1999, as Red Ribbon Week.

Recreation Program Manager Dan Rice briefed the Council on the activities planned for Red Ribbon Week. Minnie Paredes from the Woodland Police Department introduced a volunteer with the Police Department who was also a 9th grader at Douglass Junior High School who shared with the Council what being drug free signifies.

Vice Mayor Borchard presented the proclamation to Dan Rice.

RESOLUTION OF APPRECIATION FOR CAMELLIA SYMPHONY ORCHESTRA:

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council adopted a Resolution of Appreciation for the Camellia Symphony Orchestra.

Council Member Flory who had requested the resolution said that Mayor Losoya will be presenting the Resolution on Sunday October 9 at the Woodland Opera House to a representative of the Symphony Orchestra.

PROCLAMATION - FIRE PREVENTION WEEK:

On motion of Council Member Peart, seconded by Council Member Ryhal and carried by unanimous vote, the City Council proclaimed October 10-16, 1999 as Fire Prevention Week.

Council Member Peart presented the proclamation to Acting Fire Chief Kent Wickstrom and Fire Marshal Bruce Lecaire.

PROCLAMATION - MENTAL ILLNESS AWARENESS WEEK:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council proclaimed October 2-10, 1999 as Mental Illness Awareness Week.

Council Member Ryhal presented the proclamation to Albert Weiss.

CONSENT CALENDAR:

Council Member Flory requested removal of the item from the Consent Calendar regarding the Parks, Recreation and Community Services Department status report.

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved the following Consent Calendar items:

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

The City Council received the monthly status report from the Community Development Department.

PUBLIC WORKS AND CAPITAL BUDGET IMPLEMENTATION REPORTS:

The City Council received the monthly status report and Capital Budget Implementation Report from the Public Works Department.

TREASURER'S REPORT FOR AUGUST 1999:

The City Council received the Treasurer's Investment Report for August 1999.

ACCEPTANCE OF FRONTAGE IMPROVEMENTS FOR AUTOZONE:

The City Council accepted as complete the public improvements constructed by RAS Builders as part of the Autozone project at 90 West Main Street; directed the City Clerk to file a notice of completion; and authorized the City Manager to execute the notice of completion.

REPORT ON DOWNTOWN PROMOTION COORDINATOR:

The City Council received a report from the City Manager regarding a Downtown Promotion Coordinator. In his report he indicated that on May 20, 1996 the City, the Chamber of Commerce and John Laugenour entered into an agreement to establish a program and provide funding for a Downtown Business Retention and Recruitment Program. The program elements included design coordination, economic restructuring and recruiting, downtown promotion and organization. Funding for the program was a conditional use permit for the Yolo-Polo Plaza Planned Unit Development, which required developer John Laugenour to fully fund the hiring of a Downtown Business Retention and Recruitment Coordinator for a period of three years. The cost for administering the program shall not exceed \$25,230 for the first year and \$22,150 per year thereafter. The Chamber of Commerce is responsible for hiring a one-half time Coordinator. The goal is to develop a successful downtown program, and if the program were successful the Woodland Downtown Business Association would have the option of continuing funding of the Chamber of Commerce Downtown Coordinator position by the Association after the Developer funding has ended. He indicated that there are approximately two years of developer funding remaining. To carry out the conditional use permit requirements the Chamber of Commerce Executive Director Kym Calvert and the City Manager in consultation with the Downtown Business Association are moving forward to hire a Downtown Coordinator by professional service agreement to coordinate the Promotion element of the Downtown Program.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

PARKS, RECREATION AND COMMUNITY SERVICES REPORT:

Council Member Flory inquired about the status of Pioneer Park.

The Public Works Director said the Pioneer Park project was included in his Public Works status report and he gave Council an update.

The City Council accepted the monthly status report from the Parks, Recreation and Community Services Department.

ORDINANCE NO. 1318/RESOLUTION. NO. 4143 - SALES TAX/ADVISORY MEASURES:

City Attorney Ann Siprelle reported that on September 28 the City Council determined to place a proposition on the March 7, 2000 ballot that would authorize a one-half cent general sales tax in the City of Woodland. The tax would "sunset" in six years, at which point it could be renewed by a subsequent vote of the people. She said the Council also determined to place advisory measures on the ballot requesting voters' preferences regarding expenditure of a voter-approved sales tax on specified City facilities and services. She presented to Council a proposed ordinance to amend the City Code to add provisions regarding a sales tax and a resolution that would place the sales tax proposition and related advisory measures on the March 7, 2000 ballot.

Council discussed the funding necessary for each of the projects: new police station, repair and rehabilitation of city roads, new community/senior center, and new softball and soccer facilities.

Dudley Holman and Doug Worl spoke in support of placing a sales tax measure on the March 7, 2000 ballot.

Council continued discussion about including the cost of each project in the advisory measure language. The City Manager said the estimates for each project come from the Major Projects Financing Plan which was adopted by the Council, and these are the best estimates for the projects. He said he would have no problem at all of providing this information to those who will be writing the arguments in favor of the measures.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by the following vote, the City Council approved considering in separate actions the placement of the advisory measures and a sales tax measure for the March 7, 2000 election:

AYES: COUNCIL MEMBERS: Borchard, Ryhal, Losoya
NOES: COUNCIL MEMBERS: Flory, Peart

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved placing Advisory Measure A on the March 7, 2000 election ballot "Measure A. Advisory Vote Only. If Measure E below is approved, should the proceeds fund a new police station?"

On motion of Council Member Peart, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved placing Advisory Measure B on the March 7, 2000 election ballot: "Measure B. Advisory Vote Only. If Measure E below is approved, should the proceeds fund the repair and rehabilitation of city roads?"

On motion of Council Member Flory, seconded by Council Member Peart and carried by the following vote, the City Council approved placing Advisory Measure C on the March 7, 2000 election ballot: "Measure C. Advisory Vote Only. If Measure E below is approved, should the proceeds fund a new Community/Senior Center?"

AYES: COUNCIL MEMBERS: Flory, Peart, Ryhal, Losoya
NOES: COUNCIL MEMBERS: Borchard

On motion of Council Member Peart, seconded by Council Member Ryhal and carried by the following vote, the City Council approved placing Advisory Measure D on the March 7, 2000 election ballot: "Measure D. Advisory Vote Only. If Measure E below is approved, should the proceeds fund new softball and soccer facilities?"

AYES: COUNCIL MEMBERS: Flory, Peart, Ryhal, Losoya
NOES: COUNCIL MEMBERS: Borchard

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the City Council approved placing Measure E on the March 7, 2000 election ballot: "Measure E. Shall the City of Woodland enact a one-half cent sales tax for city facilities, services and programs with the following mandatory restrictions?"

- This sales tax will expire after six years on July 1, 2006.
- The citizens shall receive annually a published report of income and expenditures."

On motion of Council Member Ryhal, seconded by Council Member Peart and carried by unanimous roll call vote, the City Council waived the first reading and introduced by title only Ordinance No. 1318 entitled "An Ordinance of the City of Woodland Adding Article V to Chapter 23 of the Woodland Municipal

Code Relating to a Transactions and Use Tax to be Administered by the State Board of Equalization" and adopted Resolution No. 4143 entitled "Resolution of the City Council of the City of Woodland Calling an Election, Directing the Consolidation of the Election with the Statewide Primary Election, and Placing a Proposition and Advisory Measure(s) on the March 7, 2000 Ballot."

REVISED PLAN "C" FOR TURN OF THE CENTURY SPECIFIC PLAN AREA:

Contract Planner Heidi Tschudin gave Council an update on the Turn of the Century Specific Plan schedule.

On motion of Council Member Ryhal, seconded by Council member Flory and carried by unanimous vote, the City Council set a special meeting to deliberate the Turn of the Century Specific Plan on November 30, 1999, received the report on the Turn of the Century Specific Plan "C" and confirmed staff recommendation for processing the Plan.

STORM DITCH REPAIRS ON KENTUCKY AVENUE:

On motion of Council Member Peart, seconded by Council Member Flory, and carried by unanimous vote, the City Council authorized an additional \$11,500 for construction and awarded the Kentucky Avenue Storm Ditch Repair contract (Project No. 95-25) to Basrai Construction.

COUNCIL GOALS/OBJECTIVES PLANNING SESSION:

Council agreed to discuss the Council goals/objectives planning session after the discussion about authorizing a City delegation to Washington D.C. for a meeting with FEMA representatives.

WASTEWATER TREATMENT PLANT MASTER PLAN:

On motion of Council Member Ryhal, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the Request for Qualifications (RFQ) for engineering consultants to develop a Wastewater Treatment and Disposal Master Plan for the City's Water Pollution Control Facility and appointed Council Member Peart to the Master Plan Advisory Committee.

CACHE CREEK FLOOD PROTECTION/DELEGATION TO WASHINGTON DC:

On motion of Council Member Ryhal, seconded by Council Member Peart and carried by unanimous vote, the City Council authorized City staff and three Council Members to go to Washington D.C. to meet with elected representatives, FEMA, and Army Corps of Engineers officials to discuss resolution of our appeal on proposed Flood Insurance Rate Maps for Woodland.

COUNCIL GOALS/OBJECTIVES PLANNING SESSION:

Council set the tentative date of November 20, 1999 for the annual strategic planning and goal setting session with the City's Senior Management Team.

ADJOURNMENT:

At 10:10 p.m. the regular meeting was adjourned.

City Clerk of the City of Woodland