

Council Chambers
300 First Street
Woodland, California

September 3, 1991

The Woodland City Council convened a special session at 6:45 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall to discuss pending litigation. All Council Members were present at the meeting (present were Holman, Crescione, Flory, Sandy and Timothy). City Manager Kris Kristensen was also present at the meeting.

Council adjourned the closed session and the special session at 7:30 p.m.

The Woodland City Council met in regular session at 7:30 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Holman 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: Holman, Crescione, Flory, Sandy, Timothy

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, O'Toole, Finan, Ruggiero, Suhr, McDonell, Smith, Brown

CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the Council met in closed session from 6:45 p.m. until 7:35 p.m. to discuss issues regarding litigation as provided by Government Code Section 54956.9(b) and 54956.9(c). He said no Council action was taken at the meeting.

MINUTES:

On motion of Council Member Sandy, seconded by Council Member Timothy and

carried by unanimous vote, the City Council approved the minutes of the regular Council meeting of June 18, 1991, the adjourned meeting of June 25, 1991, and the regular meeting of July 2, 1991, as prepared.

COMMUNICATIONS:

1. From Monique D. Apodaca, Elverta, California, a claim against the City was received on behalf of her three minor children and herself. The claim stated that a Police Detective refused to take information in regard to a criminal assault and battery case. The City Clerk advised that the City's insurance representative recommended that Council reject the claim.

On motion of Council Member Sandy, seconded by Council Member Crescione and carried by unanimous vote, the City Council rejected the claim filed against the City by Monique D. Apodaca on behalf of three minor children and on behalf of herself and referred the claim to the City's insurance representative.

COMMITTEE REPORTS:

1. From Library Services Director Marie Bryan a report was received transmitting minutes from the Library Board meetings of July 15 and August 5, 1991. No Council action was necessary.

2. From City Manager Kris Kristensen a report as received transmitting the minutes of the Yolo County Transit Authority Board of Directors meeting of July 24, 1991. No Council action was necessary.

3. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Historical Preservation Commission meeting of August 13, 1991. No Council action was necessary.

4. From the Community Development Director a report was received transmitting minutes of the Growth Management Committee meeting of August 19, 1991. No Council action was necessary.

5. From Parks and Recreation Director John Suhr a report was received summarizing action taken at the Park and Recreation Commission meeting of August 21, 1991. No Council action was necessary.

6. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of August 22, 1991, as follows:

- a. Commission elected Commissioner Dan Friedlander and Tom Schwartz as Chairperson and Vice Chairperson, respectively, of the Planning Commission.

- b. Commission continued action on the Frommelt PUD Project, located east of Walnut Street and south of Walnut Street, until the September 5, 1991 Planning Commission meeting.
- c. Commission approved a tentative map that will allow for the division of a 15,000 square foot parcel into two parcels at 51 Fifth Street. Both parcels will be 53' x 150'. A variance was also approved for the lot width of both parcels that will allow for the construction of a duplex on each parcel. A negative declaration was also certified by the Planning Commission.
- d. Commission set a public hearing to consider the expansion of Off-Street Parking District #1 on October 17, 1991.
- e. Commission set a public hearing on a proposed Zoning Ordinance amendment that will regulate bed and breakfast inns in the C-2, C-3, C-H, and NP/T Zones on November 21, 1991.
- f. Commission approved a condominium map for Beamer Business Park, located at the northeast corner of East Street and East Beamer Street. This map will divide two buildings into a total of 21 condominium units.
- g. Commission granted two exceptions to the I-5 Moratorium Ordinance. The first exception was for the Hoffman Project along Santa Anita Drive. The second exception was for the Wesco Joint Venture project along the extension of Hays Lane. These exceptions will allow building permits to be issued for the two projects during the time that the I-5 Corridor Plan is being prepared. Prior to granting the exceptions, the Planning Commission made the following findings for each of the projects: that the project is consistent with the goals of the General Plan, that the design/ appearance of the project meets the intent of the moratorium ordinance, that the design/appearance of the project is consistent with the design standards currently being prepared by the City, and that the proposed landscaping is in line with the I-5 Corridor Plan currently being prepared.

No Council action was necessary.

PUBLIC COMMENT:

Donna Lewis, Woodland, said she had a problem with the permit process for training a dog in the park. She said citizens need to be informed about the permit requirement for training your dog in the park and the requirement that each person with a dog in the park must have possession of proof of license and rabies vaccination.

Charlotte Christi, Woodland, said she was cited for training her dog in the park. She said even though her dog had vaccination tags the Animal Control Officer did not consider them valid. She said she needed proof of registration in her possession. She also said she felt that citizens should be made aware of these requirements, and she suggested that the information be placed in the Recreation bulletin and the newspaper periodically.

Robert Millsap, Woodland, said he was not aware of the permit requirement to train a dog in the park. He said for years he has taken his dog to the park and let him run, and he said he always cleans up after his dog. He said people need to know about this requirement and when it applies.

Steve Haskell, Woodland, said he did not like the concept of the 30-day permit process for training a dog.

Mayor Holman thanked Melissa Nixon and Burke Lucy who were operating the video camera for the Council meeting.

Mayor Holman announced that the City is currently recruiting for a position on the Planning Commission, and applications are invited. Council Member Flory asked the City Clerk to invite applicants from the last recruitment for Planning Commission to reapply.

PRESENTATION:

Kim Norris who was scheduled to make a presentation regarding the leash law for dogs had not arrived in the Council Chambers, and Mayor Holman said Council will continue with the other agenda items until Ms. Norris arrives.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

On motion of Council Member Flory, seconded by Council Member Timothy

and carried by unanimous vote, the City Council approved the following Consent Calendar items:

COMPLETION OF FIRE STATION 3 CUL-DE-SAC IMPROVEMENTS:

The City Council accepted the Fire Station No. 3 cul-de-sac project as complete by Lund Construction; directed the City Clerk to file a notice of completion; and authorized the Mayor and City Manager to sign the notice of completion.

RESOLUTION NO. 3628 - LANDSCAPE MAINTENANCE AGREEMENT WITH CALTRANS:

The City Council authorized the execution of agreements between Caltrans and the City of Woodland for maintenance of landscaping to be installed in the Caltrans right-of-way at the southwest corner of Gibson Road and State Route 113.

REGULAR CALENDAR:

COLLEGE PARK ANNEXATION AGREEMENT:

On motion of Council Member Flory, seconded by Council Member Sandy and carried by unanimous vote, the City Council approved an annexation agreement between (1) Louis J. Fox and Sweetwater Enterprises, Inc., (2) the City of Woodland, and (3) College Park Voters (neighboring property owners). (The Yolo County Local Agency Formation Commission approved the College Park Reorganization subject to the preparation and execution of an annexation agreement with the subject property owner, the neighboring property owners and the City of Woodland. College Park Reorganization is property bound on the west by College Street, on the north by Kentucky Avenue, on the east by Palm Avenue and on the south by the City limits line.)

ORDINANCE NO. 1193 AND RESOLUTION NO. 3629 RE CAPITAL IMPROVEMENT FACILITIES FEES:

The Community Development Director stated that on August 20, 1991 Council introduced Ordinance No. 1193 following a continued public hearing on the adoption of the Major Projects Financing Plan, making issuance of building permits subject to capital improvement facilities fees.

On motion of Council Member Timothy, seconded by Council Member Flory

and carried by the following roll call vote, the City Council adopted and read by title only Ordinance No. 1193, "An Ordinance of the City of Woodland Repealing Uncodified Ordinances Number 1069, 1086, 1124 and 1174; Repealing Section 23C-6-11 of the Woodland Municipal Code; Amending Section 23C-6-6 of the Woodland Municipal Code Relating to Sewer Connection Charges; and Repealing and Enacting Section 6-1-1 of the Woodland Municipal Code Relating to Capital Improvement Facilities Fees":

AYES: COUNCIL MEMBERS: Crescione, Flory, Sandy, Timothy, Holman
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None

On motion of Council Member Timothy, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 3629, "Resolution of the City Council of the City of Woodland Imposing Capital Improvement Facilities Fees for General City, Fire, Library, Parks and Recreation, Police, Wastewater, Water, Storm Drainage and Road Improvements."

COMMUNITY SWIM CENTER AUXILIARY BUILDING:

Council Member Sandy said that because of a conflict of interest he will not be discussing or acting on the Community Swim Center Auxiliary Building bid call.

Park and Recreation Director John Suhr said that the Woodland Community Swim Pool Auxiliary Building Committee has proposed a plan to construct the auxiliary swim pool building whereby local contractors waive their fees and are only compensated for materials and labor costs. He listed the contractors in his staff report. The General Contractor would be Karl Fisher of Fisher Design, and Parks and Recreation Commission member Skip Davies would be the project coordinator. He said the team of local contractors propose to construct the building, estimated construction cost of \$298,715, with a public quote construction bid of \$185,000. He said the City Attorney has approved this process as long as the proposed plan is made public and other contractors are given the opportunity underbid the contractors in the proposed plan. Funds for the project in the amount of \$198,000 are in the 1990 and 1991 Capital Improvement Budget Park Reserve fund 27, and the Woodland Swim Team Board has pledged \$10,000 to the project. Some of the materials are being donated. The building will provide restrooms, office area for the swim pool staff, training area, storage space, and a snack bar with a total square footage of \$2,539 square feet. The Parks and Recreation Director said if there are no other bids submitted, staff will recommend that Council award the bid to Karl Fisher.

On motion of Council Member Crescione, seconded by Council Member Timothy and carried by the following vote, the City Council authorized staff to call for bids for the construction of the Community Swim Center Auxiliary Building:

AYES: COUNCIL MEMBERS: Crescione, Flory, Timothy, Holman
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None
ABSTAINED: COUNCIL MEMBERS: Sandy

CITY SOUND WALL POLICY:

The Community Development Director said her department received an inquiry regarding the City responsibilities associated with a sound wall along a portion of County Road 98, south of Gibson Road. She said this is a metal wall that was constructed in the late 1970's as protection from noise from County Road 98 to allow one subdivision south of Gibson Road and another subdivision near West Woodland Avenue to be built. Portions of the wall are failing due to corrosion and structural failures. The northern section of the wall (south of West Woodland Avenue) is 390 feet long and the southern section (south of Gibson Road) is 1,180 feet long, a total of 1,520 feet. She said a couple of years ago staff contacted the original subdivider of the land and asked if there was a guarantee on the wall, so that the original subcontractor could do repairs to the wall. Staff found that there was no guarantee on the wall, and the original subcontractor who built the wall is no longer in business. She then raised several issues. First, she said the wall was built on private property and belongs to the property owner and was required by the City as a mitigation measure to alleviate vehicular noise, a requirement of the General Plan. The wall was constructed by subdividers and is located on private property, not in the County Road 98 right-of-way. The wall is in a 5-foot public utility easement and belongs to adjacent property owners. The City will allow minor repairs such as the installation of new sheet metal at the base of the wall. She said due to the height of the wall a building permit is required to replace sections of the wall. She said the property owners have experienced difficulties in obtaining bids from contractors as they are reluctant to accept responsibilities for the structural integrity of replacement sections. The City would require that replacement sections be constructed of a similar metal. She said the City would allow sections to be replaced with masonry fences, but there would be increased cost in replacing the masonry fence on a case by case basis. She then outlined the options to reconstruction: (1) the wall is the private property owners' responsibility, and the City will control replacement, design, location and materials through the building permit process with all costs at property owners' expense; (2)

the wall is the private property owners' responsibility but the City will help coordinate replacement of the entire wall in those areas where there is 100% owner participation in replacement effort; or (3) the wall is private property owners' responsibility but the City will assist in the formation of an assessment district for construction of an eight-foot high masonry wall, and costs of the assessment district would be spread out over a multi-year payment period. The last option would require 51% owner participation to form an assessment district.

After some discussion by Council the following persons spoke about the problems with the soundwalls: Dorothy Thomas, 13 Kent Court, Woodland; Stan Ward, 1502 Saratoga Drive, Woodland; Harold Davidson; Bill Irwin, Valleywood Drive, Woodland; John White, Saratoga Drive, Woodland; Galin Yager, Saratoga Drive, Woodland; David Rollin, Saratoga Drive, Woodland; Paul Ybarbo, 9 Kent Court, Woodland; and Roy Drilling, 371 Valleywood Drive, Woodland.

After further discussion Mayor Holman suggested that the City communicate with the developer the City's displeasure with the wall.

Assistant City Attorney Ann Finan said the assessment district is one option, and if an assessment district were formed the City would have control over the design construction, maintenance and landscaping of the wall. The costs would be borne by the benefitting property owners. She also pointed out that the property owners may have a legal cause of action against the developer, but the City at this point does not. She said it would be a good idea for the City to use its influence to encourage the developer to take some responsibility, but from a legal perspective the property owners would have to take legal action.

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council directed staff to communicate with Lewis Homes the Council's displeasure and disappointment with the performance of the sound wall constructed along County Road 98 west of Gibson Road; and directed staff to enter into negotiations with Lewis Homes regarding replacement of the soundwall.

The Community Development Director said her staff will notify the Board of Realtors and property owners that the soundwalls are the responsibility of the property owners.

From 9:18 p.m. until 9:25 p.m. Council took a recess.

PRESENTATION REGARDING LEASH LAW:

Kim Norris, 127 Pendegast Street, Woodland, requested that the City designate areas in some of the parks in the City to allow dogs to run. She suggested that specific times be set, such as 5:00 a.m. until 7:00 a.m. and possibly some time during the evening hours as well. She said people need a place to exercise their dogs.

Parks and Recreation Director John Suhr said his staff surveyed other cities in Northern California to determine which ones have dog runs in their parks. He said the City of Davis and the City of Chico have dog run areas. He said he contacted representatives from Fairfield, Elk Grove, Folsom, Sacramento (City), Sacramento County, and those five agencies do not allow dogs to be off leash in their park areas. He said Davis and Chico have large parks to designate run areas. He said setting times to allow for dogs to run might be workable. He said the City's permit system for allowing dog obedience training does not allow people to exercise their dogs off a leash in a City park. He suggested that the matter be referred to the Parks and Recreation Commission for study and recommendation. He said the next Commission meeting will be held on September 25, 1991. He said Ms. Norris is correct that there is no place in Woodland to exercise your dog.

Vicki Fletcher, Supervisor from the Yolo County Sheriff's Department, Animal Control Division. She said the leash law violation fines are set by the Court system, just as a motor vehicle violation. She said it would help of an area could be set aside and advertise it as a dog run area. If this does not work, the fees can be raised to force dog owners to use the specific area.

The following persons also commented on the leash law: Robert Millsap, Charlotte Christi, and Steve Haskell.

The Council directed the Parks and Recreation Commission to review the leash law and the proposed designation of areas and times in City parks to allow dogs to run and report back to the Council with a recommendation.

VETERANS ADMINISTRATION (VA) HOSPITAL:

The Community Development Director reviewed for Council the proposal that University of California at Davis is a possible site for a new Veterans Administration (VA) Hospital. The new facility will include 243 beds on a 40-60 acre site (to be selected) on or near the UCD campus. Completion of the facility will take 4 to 6 years, and the hospital will employ 1,200 to 1,400 persons. She said the facility is needed to replace the existing VA Hospital in Martinez which will

close.

Council Member Sandy said the City should support the VA hospital site in Davis because it would employ a number of Woodland residents.

The Community Development Director said she will keep Council informed about the siting of the new VA Hospital.

POLICE STATION/CITY HALL PARKING CHANGES:

The City Manager outlined the various options for the Police Station/City Hall parking changes as a result of the new Police Station modular building to be placed adjacent to the Police building. He said staff attempted to minimize the loss of parking spaces with three proposed reconfigurations. He said staff recommends Option A which creates six new parking spaces and when compared to the loss of eight spaces caused by the addition of the modular there is a net loss of only two spaces. The location of the modular would be on the east side and adjacent to the existing Police Station. The cost of the plan is approximately \$2,000 which includes removal of an existing wall by a City crew, an overhead street light to illuminate the lot, and tree pots for landscaping.

Police Chief Bob McDonell said that the investigative unit of the Police Department will be using the modular.

Mayor Holman, Council Member Crescione and Council Member Timothy expressed support for Option A. Council Member Sandy and Council Member Flory said they preferred Option C which would locate the modular office behind (south) and slightly east of the existing Police Station. After some discussion the following action was taken:

On motion of Council Member Crescione, seconded by Council Member Timothy and carried by the following vote, the City Council authorized staff to make the Police Station/City Hall site parking improvements noted in Option A with the Police modular located on the east side of the Police Building:

AYES: COUNCIL MEMBERS: Crescione, Sandy, Timothy, Holman
 NOES: COUNCIL MEMBERS: Flory
 ABSENT: COUNCIL MEMBERS: None

RECREATION PROGRAM MANAGER POSITION JOB DESCRIPTIONS/SALARIES:

A motion by Council Member Flory, seconded by Council Member Timothy

(1) to approve the job descriptions for the Aquatics Program Manager, the Child Care Program Manager, the Senior Service Program Manager, and the Cultural Arts/Contract Recreation Supervisor and (2) to approve salary range 50 (MM) for the Aquatics Program Manager and the Child Care Program Manager as budgeted in the 1991-92 Operating Budget failed to carry by the following vote:

AYES: COUNCIL MEMBERS: Flory, Sandy
NOES: COUNCIL MEMBERS: Crescione, Timothy, Holman
ABSENT: COUNCIL MEMBERS: None

The City Manager said based on Council's comments the main issue is the salary assignment. He said staff will review the salaries and report back to Council at a later date.

At 11:00 p.m. the Council extended the meeting to 11:15 p.m.

NEW EMPLOYEE VISION PLAN:

Assistant City Manager Kristine O'Toole briefed Council on a proposed new vision care program for City employees which would achieve a 20 percent cost savings by changing to a self-insured program.

On motion of Council Member Flory, seconded by Council Member Timothy and carried by unanimous vote, the City Council adopted an agreement with Medical Eye Services to administer a self-insured vision care program for City employees.

PLANNING COMMISSION INTERVIEWS:

On motion of Council Member Flory, seconded by Council Member Timothy and carried by unanimous vote, the City Council appointed Council Member Crescione and Sandy to interview Planning Commission candidates and extended the deadline for applications from September 6, 1991 to September 20, 1991.

FUTURE MEETING AGENDA ITEMS:

Council Member Sandy requested a future meeting agenda item regarding costs incurred by the City resulting from requests for annexation. He also requested a future agenda item for a discussion of the County's Reapportionment proposals.

ADJOURNMENT:

At 11:15 p.m. there being no further business the meeting was adjourned.

City Clerk of the City of Woodland