

Woodland City Council Meeting  
City Hall, Council Chambers  
300 First Street  
Woodland, California

## **MINUTES**

### **REGULAR CITY COUNCIL MEETING**

**JULY 10, 2007**

**6:00 P.M.**

#### CALL TO ORDER

At 6:02 p.m., Mayor Flory called the regular meeting of the Council to order.

#### PLEDGE OF ALLEGIANCE

Mayor Flory invited all in attendance to join in the Pledge of Allegiance led by Warren Meyer.

#### ROLL CALL

COUNCIL MEMBERS PRESENT: Marlin Davies, William Marble, Jeff Monroe, Artemio Pimentel, David Flory

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Carey Sullivan, Ann Siprelle, Sue Vannucci, Dan Gentry, Barry Munowitch, Paul Miller, Joan Drayton, Jair Camacho, Greg Meyer, Wendy Ross, Kim McKinney

OTHERS PRESENT: Nick Ponticello, Contract Engineer

#### MINUTES

On a motion by Council Member Marble, seconded by Council Member Monroe and carried unanimously, Council adopted the minutes of the special closed session meeting of April 5, 2007 and the regular meeting of April 17, 2007 as presented.



## WRITTEN COMMUNICATIONS

Council received a notice of a new Alcoholic Beverage Control License for Alejos Cellars, located at 2108 Promenade Drive.

Council received a notice of a Fiduciary Transfer of an Alcoholic Beverage Control License for China Smorgy Restaurant, located at 14 West Court Street.

## COMMITTEE REPORTS

Council received the minutes of the Parks and Recreation Commission meeting of May 21, 2007.

Council received the minutes of the Commission on Aging meeting of May 21, 2007.

## PUBLIC COMMENT

Warren Meyer of Senior Center, Inc., said they want additional parking at the Senior Center for the seniors. The parking should be on the West side of the building instead of planting a rose garden, more paths are needed through the planted areas so that seniors don't have to walk as far, parking from 8:00 a.m. to 3:00 p.m. should be provided on the South side of the building to be designated for seniors only, at least seven more handicapped spaces should be designated and the doors to the bathrooms changed because they are too heavy.

Ruthie Lee said she concurs with Mr. Meyer on his concerns about the Senior Center. She also said the fencing at the Farmer's Canal on the North side of the property is also in need of changing because it is a hazard and dangerous. Mayor Flory suggested that Director Gentry contact the Water District as that is their issue, not the City's.

Vice Mayor Davies said he had been meeting with Director Gentry on the concerns of the seniors. Interested seniors should contact the Senior Center Program Manager about the meetings.

## COUNCIL/STAFF STATEMENTS AND REQUESTS

Vice Mayor Davies said he had received a letter from Tom French, President of the Woodland Senior Softball League about the length of the fences for softball. They are looking at moveable fencing.



Vice Mayor Davies said he had received a request to discuss a stoplight at Gum and Matmor and would like the item added to a future Agenda. Council concurred.

Vice Mayor Davies would like future discussion on projects like the Rice Mill Lofts and the fee structure as it does not address that concept. Council concurred to place this item on a future Agenda.

Council Member Monroe would like a Resolution of Support for Health Care Reform placed on a future Agenda. Council concurred.

Council Member Marble said notification has been received that there has been a case of West Nile Virus in the area. He encouraged citizens to actively utilize preventative measures.

Council Member Marble said on June 28, 2007 he attended a Public Safety Policy Committee meeting in San Jose and provided a copy of his notes for the record. He asked about the Crime Stoppers Program in the City. Chief Sullivan said the City does not have that program but has another similar program. He will look into this program as well.

Council Member Marble said the Building Code changes in January of 2008 and will be looking at fire classifications in new homes. He asked that staff look into this and how we will be prepared. Director Munowitch said some of the staff has already received training on these changes and there will be a presentation before the Council on the Code in a few months.

Council Member Marble indicated he will not be present at the July 31, 2007 meeting.

Council Member Marble would like to look at ways to increase the participation in the Neighborhood Watch program and would like to have the item added to a future Agenda. Chief Sullivan recommended this item, as well as, the Volunteer Program come before Council at a Study Session. Council concurred.

Council Member Marble said several months ago Council had asked that a Youth Commission be formed and requested an update at the September 4, 2007 Council meeting. Council concurred.

Council Member Pimentel discussed a report on the Spring Lake Specific Plan and wants staff to look into an Ordinance to stipulate gradual growth that does not allow more than 400 house per year, not including infill. Council concurred.



Mayor Flory would like the Interstate 5/State Route 113 interchange issue to return for further discussion. Several smaller projects could be done in tandem with other Agencies. Deputy Public Works Director Meyer said this item is scheduled for discussion at the September 4, 2007 meeting. Chief Sullivan asked if Council is looking for analysis of the projects that could go into the mix and Council concurred.

## PRESENTATIONS

### ANNUAL PARKS AND RECREATION COMMISSION REPORT

Nate Peterson of the Parks and Recreation Commission said the accomplishments of the Commission include the completion of Phase I of the Community and Senior Center and the design of Phase II. The Commission prioritized the list of park renovation projects to be covered under Measure E, constructed a pocket park, (the Jeff Roddy Park), completed the Master Plan Design of the Woodland Sports Park, provided an outstanding Fourth of July event, worked on the Spring Lake Specific Plan Neighborhood Park #2 construction drawings, continued with the identification and recognition plaques for City Parks and are nearing completion of the Cemetery Revitalization project.

Vice Mayor Davies indicated he has concern about the youth utilizing the computers at the Community and Senior Center and accessing questionable sites. Mr. Peterson said this item on already on the Commission Agenda for discussion. Chief Sullivan encouraged any parents who have concerns on this issue should contact the Police Department for assistance.

Council Member Pimentel said some of the parks have water features proposed and he would like a list of those parks. Director Gentry will provide information as this is in the Measure E report with a prioritization listing. Ferns Park was done five years ago via donations. The rest are five or six years out as the irrigation systems are the higher need at this time.

Council Member Pimentel asked about the computer policy in the Library. Vice Mayor Davies said the Library has no limitations but it is very well monitored. This policy is not working at the Community and Senior Center.

Mayor Flory indicated that the water feature at Ferns Park is very slippery and would like staff to attend to that issue.



## FOURTH OF JULY REPORT

Parks and Recreation Commission Member Peterson said the Fourth of July event is possible primarily due to extensive donations from both Major and Minor Sponsors. The event was excellent again this year with a large attendance. Council presented awards to those Major Sponsors present and thanked them for their continued support of City events.

## CONSENT CALENDAR

At the request of Vice Mayor Davies and with concurrence by Council, the following item was removed from the Consent Calendar for discussion:

### MONTHLY STATUS AND CAPITAL BUDGET EXECUTION REPORTS – PUBLIC WORKS

Vice Mayor Davies said there was a survey on the speed limit on El Dorado Drive and the procedure is that if the speed is consistently higher than the posted limit, the limit is then increased. He would like staff to look at a strong traffic calming policy. It takes the residents to petition to have that done. The Traffic Safety Commission should have a goal of keeping traffic slow. The road may need to have medians, etc. Council concurred to send this to the Traffic Safety Commission for further study.

Council Member Marble said the recruitment for Plant Operators was unsuccessful again. Deputy Director Meyer said the regulations are becoming more strict and the need for qualified operators is increasing. Current operators are retiring and there are not adequate numbers available to employ. They need a T-4 Certificate that is very difficult to achieve. They need some years in other classifications prior to obtaining the higher levels.

Council Member Pimentel asked that research on the cost of having cameras on Pioneer and Gibson to catch those who run lights. Council concurred. See action below.

At the request of Council Member Monroe and with concurrence by Council, the following item was removed from the Consent Calendar for discussion:

### CEMETERY REVITALIZATION PROGRAM PROJECT 02-45

Council Member Monroe questioned the cost of \$343,000 for sod replacement. Director Gentry said the cemetery is a very complex placement due to the headstones and the cleaning that will be required following



installation of the sod. There are sixteen acres and the cost per square foot is 30 cents. Council Member Monroe asked if the prisoners could be utilized to pull weeds. Director Gentry said the process is to kill all of the weeds with several sprayings. Mayor Flory said there have been some problems utilizing the prisoners in that they would need to be paid and covered by compensation insurance.

Council Member Marble asked for the expenditures under the Quimby Act. Director Gentry said Council made a decision in the Master Plan to have specific park land area and the 40 acres near the Community and Senior Center was determined to be the best spot. This allowed the City to collect a fee (in lieu) based on the park value of where they are developing. Stonehaven did not put a park in that division. Council Member Marble asked how much is the labor and Director Gentry said the major cost is the sod itself. He said they would like to have a re-dedication of the Cemetery and possibly make it a historical site. See action below.

On a motion by Council Member Monroe, seconded by Vice Mayor Davies and carried unanimously, Council adopted the following Consent Calendar:

#### MONTHLY STATUS REPORT – COMMUNITY DEVELOPMENT

Council received the Monthly Status Report from Community Development.

#### MONTHLY STATUS REPORT – PARKS AND RECREATION

Council received the Monthly Status Report from Parks and Recreation.

#### MONTHLY STATUS AND CAPITAL BUDGET EXECUTION REPORTS – PUBLIC WORKS

Council received the Monthly Status and Capital Budget Execution Reports from Public Works. See further discussion above.



## CEMETERY REVITALIZATION PROGRAM PROJECT 02-45

Council approved the revised Project Programming Summary Sheet for the Cemetery Revitalization Program Project 02-45, increasing Quimby Funds by \$343,000 for turf renovation. See further discussion above.

## 2007-08 WASTE MANAGEMENT LIENS

Council set a Public Hearing for July 17, 2007 to hear and approve the list of Delinquent Refuse Accounts and direct the Tax Collector of Yolo County to assess liens against real property to collect delinquent accounts.

At 6:59 p.m., Council Member Pimentel left the Chambers and returned at 6:59.

## PUBLIC HEARINGS

### PUBLIC HEARING; TABULATE AND REPORT WRITTEN PROTESTS SUBMITTED REGARDING STORM DRAIN FEE INCREASE

Deputy Public Works Director Meyer said the process for a Proposition 218 vote included a Public Hearing. At present and for several years the fee for Storm Drains repairs and maintenance has been 48 cents per household. To meet the permit requirements of the State, the City will need an additional \$950,000 per year. We have had two major failures that have cost over \$2 million. Money had to be borrowed from other City funds and there is \$9 million of debt over a short period of time. The fee increase would make this program self-supporting. A Citizens' Advisory group thoroughly studied the project and made a recommendation to the Council to increase the fees. This is an infrastructure that is failing. The system is very old and any failure is very costly.

City Attorney Siprelle said the Public Hearing will be opened and the property owners must submit their protest letter to the City Clerk prior to the closing of the Public Hearing. The City would need more than a 50% protest. Proposition 218 was voted on by the voters in the State. The majority of the people voting determine the outcome. Council Member Monroe asked about the difference in the sewer versus the storm drain. Deputy Meyer said the storm drain is that water coming off the streets, roofs, etc. while the sewer is that material coming from toilets, in house drains, etc. and includes industrial waste. Storm drains have been neglected because of lack of funds and staff and the City is now mandated to address the issue.



Council Member Pimentel said the water fees have been going up and asked if we can use those funds. Director Meyer said the City has been looking at the needs to adequately run the system. The storm pond is old and also needs maintenance.

Vice Mayor Davies said there are certain utilities exempt from the Proposition 218 process, such as sewer services, because of the health issues. He asked as this is mandated, can this issue be covered. City Attorney Siprelle said the water and sewer are exempt from the mail in ballot. A Public Hearing must still be held. There is an effort to exempt storm drain from the Proposition 218 process.

Mayor Flory reminded those present that their protest letter must be submitted prior to the close of the Public Hearing.

At 7:11 Mayor Flory opened the Public Hearing.

Frank Paladini said he looked at the reasons and one was more wells. This is taking more water from the same aquifer. We have lots of nitrogen. He asked if we have looked at other sources of water. Mayor Flory said the City is exploring surface water options, as well as, ground water. Deputy Meyer said new wells are replacements for those that are dying.

Ron Arthur is not happy with the proposed increase and said if the City had operated more efficiently there would be no debt. Landlords cannot raise the rents. Sales tax should be paying for this. Funds could come from the street fund. He said to use the General Fund or pursue getting the horse track here. Mayor Flory indicated the City is currently utilizing the General Fund to cover this issue and that is the problem.

Debbie Liles said people on set incomes will be greatly affected by this increase. The water meters that are going in will raise rates even more. The General Fund has money available. Garbage is farmed out and it could bring in money. There should be other sources of funds out there and other meetings should be held to get input from the citizens. The City is wasting money. The City should put in its own power plant. The green waste container will be forced on the citizens. Mayor Flory said he would call Ms. Liles to answer her questions directly.

Bill Wilson said the systems that were put in don't work. He said he will work to get rid of the Council. The Council is wrong and need to also get rid of the City Engineers.



Ruthie Lee said she cannot afford a raise in her rates. The real problem is the people won't get involved in this. People will toss their ballots and we will only get a few back.

Patricia Warren said she had to sandbag her home because of the storm drain flooding. She lives near Elm and Hays Streets. The system cannot handle the water and she had to get flood insurance. She is concerned that she will need to pay fees but the system may not address the issue. Mayor Flory indicated she will be contacted to discuss the issue.

Garmon Hines lives in the Beamer Park area and every year they flood. The problem has been there for many years and it will not change. Seniors have no extra money and cannot afford this. He asked if they could get some relief and help with the cost.

Gary Christopherson read a letter from Pastor Morgan of the Church on North West Street. They have very little water that goes into the drain due to their onsite infrastructure.

At 7:32 Council Member Pimentel left the Chambers.

Mr. Christopherson said the estimate is less than 2% into the system as they have a French drain. He has a concern about the hospitals and churches in the same category. They do not have the funds available.

At 7:35 Council Member Pimentel returned to the Chambers.

Lori Elkins lives on Hays Street and does get flooded. The City also helps them work on the drains. She spoke with Engineer Cocke and he said the fee would probably not cover the needs for that area of town. Mayor Flory said in 1986 a Committee looked at this and it would have been \$2 million to repair. It would have taken an Assessment District. They had a great deal of protest at that time also.

Jess Powell thanked the Council for their work on the green waste and coming to a compromise. There is a new "city" to the East and the citizens in the older part of town are paying for those new homes. People are being hit with all kinds of fees and taxes. Inflation is very high. The environmental impact is causing all kinds of fees also. People are struggling to keep up. Fees



are liens against homes. Sales tax is a better way. People can quit buying things but they must pay fees and taxes. We have too many people in this City.

Robert Doud provided a handout with calculations he did where he indicates the figures from the City are incorrect and the fee should only go to \$2.42 per month. Deputy Meyer said the \$750,000 is the bare bones maintenance for subsistence. The \$950,000 is to meet the new regulatory requirements from the State at the legal minimum. The increase will address the maintenance and repairs on the system and then reduce localized flooding issues and move the water around the City. The Citizens Committee did a detailed financial review and were unanimous on the figures without adding any "fluff" to the projects.

Cliff Dachtler said the increase is 941% and then 15% each year. He asked how long this has been going on. Did the Public Work Director bring it to the City Manager and did the City Manager bring this to the Council. Why has there not been a contingency fund to cover this.

Lafe Kincaid said the citizens should not have to pay for this. He is in a flood zone and cannot get that changed. The City should not do what the legislation is requiring them to do. The Council says they are going to do something and they do not. The Council should fire the Department Directors who have not taken care of this. They should follow the budget and use it.

Jack Freeman said the Council is making us do something we don't want to do. City Attorney Siprelle said Proposition 218 was a voters' initiative, not one put forth by the Council. Mr. Freeman said we are going to get toters. Pretty soon Council will make us haul our own water. The City put out the garbage to save money and it will now cost us more. The fees should only be raised by 20%. The systems could be improved. He thinks the City figures are wrong and we need to get someone who knows the right figures.

Enid Williams said she is protesting the increase. She does not want the increases to be unending. This is a permanent increase built in. She proposed the increase be stopped at \$8.00 by 2010 but no further increases after that time. If there is not enough money at that time, they could then increase the fee again.

At 8:10 Mayor Flory closed the Public Hearing.

The City Clerk reported receipt of 43 protest letters.



Vice Mayor Davies asked the City Attorney for Council options at this point and could they modify the amounts. City Attorney Siprelle said on May 1, 2007 the Council voted on the amount they wished to set. The notices have gone out and since there has not been a majority protest, the ballots will be distributed and received by 5:00 p.m. on August 28, 2007. Council could adopt a smaller increase, but not a larger one.

Council Member Monroe said he had originally supported a smaller increase and maybe the City should propose a lesser amount. City Attorney Siprelle said they cannot make change at this meeting.

Council Member Marble said he had hoped more citizens would have volunteered to work on the Committee. He and Council Member Pimentel serve on the Infrastructure Sub-Committee and it has been very obvious that the increase was essential as there is a \$9 million debt that continues to multiply. The City cannot continue to draw from the General Fund. The City is looking at a huge unfunded amount for health benefits. There are no other sources to pull these needed funds from. Measure E funds cannot be used.

Council Member Pimentel asked that citizens support the increase. For 20 years citizens have paid 48 cents to try and keep up an old system. The Citizens' Committee was unanimous on the need. The affordable rates for people of need will be looked at.

At 8:25 Council Member Pimentel left the Chambers.

**RESOLUTION 4851-CONFIRMING ASSESSMENT REPORT AND REAUTHORIZING ASSESSMENT FOR WOODLAND VISITOR ATTRACTION DISTRICT**

Economic Development Director Ross said in 2004 Council had supported the establishment of the Woodland Visitor Attraction District and had adopted an Ordinance to so establish. At the meeting of June 19, 2007, Council had approved moving ahead and had set the Public Hearing. Discussions will be held with the District over the next several months on the goals, accomplishments and future options.

Vice Mayor Davies would like further information on how much the 1% will raise in the City.



At 8:28 Mayor Flory opened the Public Hearing. With no comments heard, Mayor Flory closed the Public Hearing at 8:28.

On a motion by Council Member Marble, seconded by Vice Mayor Davies and carried by the Member present, Council adopted Resolution 4851, "A Resolution of the City Council of the City of Woodland Confirming the Assessment Report and Approving the Levy of an Assessment for the Visitor Attraction District for Fiscal Year 2007-08 Pursuant to the Parking and Business Improvement Area Law of 1989".

At 8:29 Council Member Pimentel returned to the Chambers.

RESOLUTION 4852-DISTRICT MAP AND ASSESSMENT FOR FISCAL YEAR 2007-08-SPRING LAKE SPECIFIC PLAN AREA LIGHTING AND LANDSCAPING DISTRICT

On a motion by Council Member Pimentel, seconded by Council Member Marble and carried unanimously, Council adopted Resolution 4852, "A Resolution of the City Council of the City of Woodland, California, Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the Spring Lake Lighting and Landscaping District, Fiscal Year 2007-08".

REPORTS OF THE CITY MANAGER

VOTING DELEGATE AND ALTERNATE TO LEAGUE ANNUAL CONFERENCE

On a motion by Council Member Monroe, seconded by Vice Mayor Davies and carried, Council appointed Mayor Flory as the Primary and Council Member Marble as the Alternate Delegates to the Annual Conference of the League of California Cities to be held in Sacramento on September 5 through 8, 2007. Council Member Pimentel voted to the negative.

BOARD AND COMMISSION APPOINTMENTS

Vice Mayor Davies indicated there had been some good applicants for the Board and Commissions. He recommended that Angel Barajas be appointed to



the Parks and Recreation Commission and Ron Liles to the next opening on the Library Board of Trustees.

On a motion by Council Member Pimentel, seconded by Vice Mayor Davies and carried unanimously, Council accepted the recommendations of Vice Mayor Davies and made the appointments as indicated.

Vice Mayor Davies said at a previous meeting he had asked that reference and background checks be included as part of the process. City Clerk Vannucci said the Council had not concurred to place that item on a future Agenda. As it also involves amending the City Municipal Code, it is important for Council to concur. Council concurred to propose the change to the Code and submit an Ordinance for consideration.

#### ADJOURN

At 8:32 p.m., Mayor Flory adjourned the regular meeting of the Council.

Respectfully submitted,

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Sue Vannucci, CMC, City Clerk