

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

MINUTES

**CITY COUNCIL
SPECIAL CLOSED SESSION**

FEBRUARY 5, 2008

5:00 P.M.

CLOSED SESSION

At 5:01 p.m. Council held a closed session for a conference with legal counsel regarding anticipated litigation, significant exposure to litigation pursuant to Subdivision (c) of Section 54956.9, one case. Present at the session were Mayor Flory, Vice Mayor Davies, Council Members Marble and Monroe and City Manager Deven, and City Attorney Siprelle. Absent was Council Member Pimentel.

Council had a second closed session scheduled regarding the public employee appointment of the City Attorney pursuant to Section 54957, but Council did not discuss this matter.

REGULAR MEETING

6:00 P.M.

CALL TO ORDER

At 6:00 P.M. Mayor Flory called the regular meeting of the Council to order.

CLOSED SESSION ANNOUNCEMENT

Mayor Flory announced that Council had met in Closed Session for a conference with legal counsel regarding anticipated litigation, significant exposure to litigation and gave direction to the City Attorney and staff.



PLEDGE OF ALLEGIANCE

Mayor Flory invited all in attendance to join in the Pledge of Allegiance led by City Manager Deven.

ROLL CALL

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

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Mark Deven, Sue Vannucci, Ann Siprelle, Joan Drayton, Barry Munowitch, Carey Sullivan, Cynthia Shallit, Tod Reddish, Dan Gentry, Manuel Soto, Bob MacNicholl, Cynthia Norris, Kimberly McKinney, Kent Perkes, Gary Wegener, Dan Bellini

WRITTEN COMMUNICATIONS

Council received notice of a person-to-person transfer of an Alcoholic Beverage Control license for La Estrella, located at 451 Third Street.

Council received notice of a person-to-person transfer of an Alcoholic Beverage Control license for Woodland Valero, located at 1592 East Main Street.

PUBLIC COMMENT

Dudley Holman, former Mayor and Council Member, has some concerns with actions of the Woodland School Board and their intent to purchase the Blue Shield building. The property will be removed from the tax rolls and will deprive the Woodland Redevelopment District of the tax benefits from the property. The School Board does not have funds to make this purchase, plans to buy the property at an inflated price and will give the seller eminent domain rights which postpone a tax gain on the property. The former owner bought the property for \$4.3 million and will sell it to the School District for \$5.6 within a few weeks.



COUNCIL/STAFF STATEMENTS AND REQUESTS

Vice Mayor Davies attended a meeting on Flood Safe Yolo. They have developed a list of potential solutions. One of the major issues for the City is the Settling Basins. He asked the City Attorney to look at the report on the data and have one of the City staff members report to the Council.

Council Member Marble attended a recent Water Resources Association meeting and discussed the integrated water resource management plan for Yolo County.

Council Member Pimentel said there will be a public hearing on February 11, 2008 before the Yolo County Transportation District Board regarding increasing public transportation in the City of Woodland. The District is exploring increasing to two bus routes in Woodland instead of just one.

Mayor Flory was named as Chair of the Sacramento Area Council of Governments Governmental and Legislative Affairs Committee, which will be overseeing the legislation agenda for SACOG for the coming year.

City Manager Deven will be out of the office February 6-8, 2008 attending a City Manager's conference in Southern California.

PRESENTATION

CERTIFICATES OF APPRECIATION-ANNUAL HOLIDAY PARADE COMMITTEE

Council presented a Certificate of Appreciation to Fred Bailard, who has been Chair of the annual Christmas Parade for the past 35 years. Mayor Flory and Mr. Bailard presented a Proclamation to the Christmas Parade Committee.

CONSENT CALENDAR

Council removed from the Consent Calendar following item:

COMPLETION-COMMUNITY AND SENIOR CENTER, PHASE 2 – DOG PARK PROJECT 08-01

The City Manager advised that the item will come back to Council at its next meeting for consideration of approval.



On a motion by Council Member Monroe, seconded by Council Member Marble and carried unanimously, the City Council approved the following Consent Calendar items:

MONTHLY STATUS REPORT-PARKS AND RECREATION DEPARTMENT

Council received the Monthly Status Report from the Parks and Recreation Department.

MONTHLY STATUS AND CAPITAL BUDGET EXECUTION REPORTS-PUBLIC WORKS DEPARTMENT

Council received the Monthly Status and Capital Budget Execution Reports from the Public Works Department.

MONTHLY STATUS REPORT-COMMUNITY DEVELOPMENT DEPARTMENT

Council received the Monthly Status Report from the Community Development Department.

INFORMATION SYSTEMS DIVISION QUARTERLY TECHNOLOGY UPDATE

Council received the Information Systems Division Quarterly Technology Update for the period ending January 2008.

CONSTRUCTION AND MAINTENANCE CONTRACT-LIGHTING AND LANDSCAPE MAINTENANCE IN SPRING LAKE SPECIFIC PLAN

Council authorized the City Manager to execute a contract with Machado Landscape Construction and Maintenance in the amount of \$2,557.00 per month for the Spring Lake Lighting and Landscape District.

PUBLIC HEARINGS

ANNEXATION 1-GIBSON RANCH LANDSCAPING AND LIGHTING DISTRICT

Senior Accountant McKinney briefly discussed the process to annex property to the Gibson Ranch Landscaping and Lighting District.



Mayor Flory opened the Public Hearing, and there being no comments he closed the hearing.

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried unanimously, the City Council adopted Resolution 4892 declaring the results of the property owner protest ballot proceeding to annex property into the Gibson Ranch Landscaping and Lighting District; adopted Resolution 4893 amending and/or approving the City of Woodland Annexation No. 1 to Gibson Ranch Landscaping and Lighting District Engineer's Report, and the levy and collection of assessments for Fiscal Year 2008-2009; adopted Resolution 4894 ordering the annexation of additional territory to the City of Woodland Gibson Ranch Landscaping and Lighting District, and the levy and collection of annual assessments related thereto commencing with Fiscal Year 2008-2009.

PARKING STANDARDS-ESTABLISH PARKING DISTRICT BOUNDARIES

Vice Mayor Davies in-lieu parking fee for the Downtown District and the concept, but asked Council to consider placing a cost of living construction index on the in-lieu fee. He does not feel the ratios were aggressive enough. The proposal has the \$5,000 in-lieu fee paying for about half of a surface space, but will only pay for about 25 percent of elevated parking. The proposal indicates that two-bedroom complexes will generate 1.5 cars. Council should consider a ratio of 1 to 1.75 or 1 to 2 for parking. Cities compared in the report included two college cities. The City would be compounding the current problem of parking congestion downtown.

Council Member Monroe would like to see a sliding fee. One set fee for large development or small development does not equate. The proposed fees would not pay for anything downtown.

Council Member Marble said the public perception there is inadequate parking in downtown and by having a lower in-lieu fee the City is accentuating that problem. The City wants to encourage economic development Downtown and to do that the City cannot charge the full amount for parking. The Planning Commission recommendations are his choices.

Mayor Flory opened the public hearing. There being no comments, Mayor Flory closed the public hearing.

Council Member Pimentel said Council needs additional information from staff on how this proposal will generate revenues to pay for additional parking.



Assistant City Manager Munowitch said the CPI for the in-lieu fee could include a cost escalator. To use a sliding scale, the City Attorney would need to advise staff of the criteria.

Principal Planner Norris said an earlier proposal included a sliding scale. An existing building enlarged above 10 percent of an increase in the square footage, would only apply if the applicant was unable to meet the parking for that addition only. The in-lieu fee targets larger developments or large expansions. New development would be required to meet the parking requirements.

Assistant City Manager Munowitch said the City does not have a parking problem in the downtown as a whole, but there is an issue of where people park within the inventory of downtown spaces, which is more of a parking management situation.

Council Member Pimentel said there is a perception of a problem with downtown parking, but there are times when there are actually problems with parking.

Assistant City Manager Munowitch said the Planning Commission report attached to the staff report discusses parking management, and staff can come back with a report on those issues.

Council Member Monroe asked how much money will be generated from the in-lieu fees in five years or ten years. Staff indicated they would project those fees.

There was a consensus of the Council that the City should be more aggressive in requiring more parking per square footage of building in the downtown.

REPORTS OF THE CITY MANAGER

URGENCY FUNDING-WOODLAND ACCESS VISUAL ENTERPRISES

Mayor Flory proposed that in-lieu of giving WAVE a \$34,000 or \$35,000 loan against the equipment fund, Council could consider advancing Woodland Access Visual Enterprises (WAVE 21) that amount as a grant now instead of waiting until July. Council would work with WAVE 21 and the Woodland Community College Small Business Development Center to help them develop a



business and marketing plan, financial reports, and give WAVE 21 the time to do their fund-raising and grant writing.

Council Member Pimentel supports the Mayor's proposal but the City should look at what is inherently a problem. The City does not provide WAVE 21 with adequate funding support. The City receives a sufficient amount of money from the Franchise Agreement with Charter Communications and now W.A.V.E. Broadband. WAVE 21 is providing a diverse amount of service to the community which is what the City public television should be doing. The Council should consider a base amount for WAVE 21 and renegotiate additional funding from W.A.V.E. Broadband when the Franchise Agreement comes up for renewal. Some WAVE 21 Board Members feel it should be run more like a business with fundraising and grant writing which is appropriate. Other Board Members believe it should just be a public service and provide as much service as they can, apply for grants and work with Yolo County and the City of Woodland. If the City does not increase the base amount provided to WAVE, the City will need to find some other way to cover community events. The contribution to WAVE should be significantly increased.

Mayor Flory said a business and marketing plan should be developed and studied.

Council Member Pimentel said staff has done a phenomenal job of running the station and there has been a significant increase in productivity. There needs to be some stable funding, a full time Executive Director and another part time individual to be involved in the business side with grant writing, etc.

Council Member Marble said we are in a down economy and it may not be appropriate to double the funding of WAVE.

Vice Mayor Davies said the WAVE staff should not be doing grant writing. The WAVE Board needs to deal with the leadership and recognize that WAVE is not going to be funded at the level the Board wants. WAVE is a public service agency, but the City and the County cannot do it all. Woodland Community College through its foundations, could assist but public service television is restricted in terms of advertising. WAVE is totally based on individuals and public donations. The City should look at any restricted funding not part of the general fund provide funds in exchange for services.

Council Member Monroe asked if there have been any requests for additional police officer positions. City Manager Deven is not aware of any specific requests for additional police officers, but he said one position is currently vacant.



Dudley Holman was on the Council when WAVE was formed, and the intent was to provide some measure of funding for WAVE. They have been suffering from lack of funding over the years and WAVE is providing a wonderful service to the community. One of his objectives was to increase communications and WAVE was a means of doing that. Some measure of assured funding would be helpful to WAVE, and it had always been Council's intention to use some portion of the franchise fee to support WAVE.

Angie Roddan was President of the Board of Directors of WAVE in mid November 2007. She met with the WAVE Treasurer and the Executive Director a couple of weeks ago and developed a budget. Several Board Members met last week to do a "think tank" to address issues such as raising money, how they can better balance their service and better sustain itself.

On a motion by Council Member Monroe, seconded by Council Member Marble and carried unanimously, the City Council approved an urgency funding request of \$35,000 for Woodland Access Visual Enterprises (WAVE) for community access programming through June 30, 2008.

PUBLIC HEARINGS

DOWNTOWN PARKING STANDARDS-ESTABLISHING PARKING DISTRICT BOUNDARIES

Mayor Flory asked the City Clerk to count the ballots for annexation of additional territory to the City of Woodland, Gibson Ranch Landscaping and Lighting District.

City Clerk Vannucci said the ballots are weighted, and there are only two property owners. She said she received 5,407.76 votes in favor of the annexation and 235.12 votes in opposition, thus the annexation to the District passed and Resolutions 4892, 4893 and 4894 were adopted.

ORDINANCE-ABATEMENT OF CHRONIC NUISANCE PROPERTIES

Police Captain Bellini was available to respond to questions from Council on the proposed ordinance regarding abatement of chronic nuisance properties.

Vice Mayor Davies asked the City Attorney what degree of liability exposure Council has by adopting the ordinance. City Attorney Siprelle said



under the tort claims act the City is immune from liability for harm occurring as a result of the enforcement of a law.

Mayor Flory said with the Rental Housing Association (RHA) representatives and their concern was to not preempt State law, notification, etc. The RHA is willing to help educate the Police Department on issues, or if a citation is issued, the matter will go to the City Manager or the Police Chief for solutions. He asked staff to give a brief overview of the proposed Ordinance.

Captain Bellini said the Article would impose penalties on owners of property located within the City's jurisdictional boundaries presenting a risk to the health, safety, and welfare of the general public. It defines certain activities or behaviors as "safety violations." Property owners will be notified when a safety violation occurs on the owner's property. It is a violation of the Article for property owners to allow, permit or fail to prevent a safety violation from occurring on the real property of the owner on a repeated basis after receipt of a notice as set forth in the Article. Everyone has been supportive of the Ordinance, but some had questions about minor details. There is an appeal process included.

City Attorney Siprelle said the fines are \$100 for the first violation, \$200 for the second violation, and \$500 for the third and each subsequent violation within one year. The maximum amount of the fine is \$500, so the references in Section 14A-8-8 and Section 14A-8-9 should be changed from \$1,000 to \$500. Vice Mayor Davies asked if a person exceeds 365 the \$100 fine for the first violation would return and City Attorney Siprelle indicated that is correct. After 365 days a violation will be considered a new violation, and the fine will be \$100.

Council Member Monroe said some property owners might have a problem with the Ordinance, but it will force cooperation with the City and the Police Department.

Captain Bellini said the Ordinance will deal with rental property but will also apply to owner-occupied property, which are the hardest to address as a chronic nuisance.

Vice Mayor Davis asked that the amount of the fine not go back to zero for the habitual offender. He suggested after 365 days that the fine go back to \$250. City Attorney Siprelle said the Government Code states the Ordinance has to be limited to every 365 days for administrative citations.

On a motion by Council Member Marble, seconded by Council Member Monroe and carried unanimously, Council introduced, waived the first reading



and read by title only an Ordinance adding Article 8 to Chapter 14A of the Woodland Municipal Code regarding the abatement of chronic nuisance properties.

ADJOURNMENT

At 7:18 p.m., Mayor Flory adjourned the regular meeting of the Council.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk

Transcribed by: Jean Kristensen, Deputy City Clerk

Approved by Council: May 19, 2009