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

#### **MINUTES**

# CITY COUNCIL REGULAR SESSION

#### MAY 20, 2008

#### 6:00 P.M.

#### **CALL TO ORDER**

At 6:01 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 Amy Cooper.

#### **ROLL CALL**

COUNCIL MEMBERS PRESENT: Marlin Davies, William Marble, Jeff

Monroe, Artemio Pimentel, David Flory

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Mark Deven, Barry Munowitch, Sue

Vannucci, Tod Reddish, Dick Donnelly, Greg Meyer, Ann Siprelle, Joan Drayton, Dan Gentry, Liz Houck, Susannah Reinhart, Jerry Gedatus, Sarena Brumfield, Bruce Pollard, Rex Greenbaum, Kim McKinney, Amber D'Amato, Terry

Beaulieu

#### COMMUNICATIONS – WRITTEN

Council received notice of an application for a person-to-person transfer of an alcoholic beverage control license for El Charro Mexican Restaurant and Bar located at 415-417 Main Street.



#### COMMITTEE REPORTS

Council received the minutes of the Parks and Recreation Commission meeting of March 24, 2008.

Council received the minutes of the Commission on Aging meeting of March 24, 2008.

Council received the minutes of the Library Board of Trustees meetings of April 7, 2008 and April 21, 2008 (there was no quorum for this meeting).

#### PUBLIC COMMENT

Bobbie Harris said the Downtown Specific Plan has been undermined by oversight as a result of lack of vision, leadership and follow through on the part of the concept and application of the Council's policy. Council approved the documents. There will be a new Rite Aid at East and Main Streets, the primary gateway to the Downtown, and in the vision statement for the area there is a phrase that the east end of the Downtown in the future has a range of new uses. The North side of Main Street provides a continuation of the old rice mill design carrying the agricultural heritage reflected in the design directly onto Main Street. The Specific Plan breaks down the areas of the Downtown and states that on the north side of Main Street the mixed use development theme that exists to the north, old rice mill buildings, can be extended southward along East Street along both sides of Main Street. This district offers the potential to expand the rice mill development South of Main Street. In the policies and standards section the Specific Plan states the City shall continue to support mixed use development in District A4 with a similar style and scale of the historic rice mill building. He said that style and scale is not achieved in the Rite Aid building, and this is not his idea of an historic gateway.

#### COUNCIL/STAFF STATEMENTS AND REQUESTS

Council Member Pimentel said the Yolo-Solano Air Quality Management District allocated \$40,000 of Clean Air funds to help the Yolo County Transportation District route over the Yolano area. Children will be able to ride the bus to school at a reduced rate of 35 cents.

Council Member Marble said the Infrastructure Committee discussed Proposition 1B funding. The Chamber of Commerce Government Affairs Committee heard a presentation on the environmental and other impacts of the



expansion of the Cache Creek. He requested Council to agendize a presentation from staff on the potential effects of the creation of a County water agency being considered by the County Board of Supervisors. Mayor Flory said the proposed County water agency issue is scheduled for the County 2x2 next week.

Council Member Monroe said tomorrow at the California Highway Patrol Office, the City will be renaming Wintun Avenue to Andrew Stevens Drive in honor of the CHP officer who was killed in the line of duty just outside of Woodland.

#### **PRESENTATIONS**

#### PROCLAMATION-AS OLDER AMERICAN'S MONTH

On a motion by Council Member Monroe, seconded by Vice Mayor Davies and approved unanimously, Council proclaimed May as Older American's Month.

#### ANNUAL PRESENTATION-COMMISION ON AGING

Karen Wright, Chairperson of the Commission on Aging, said last year the Commission lost its former chairperson, Jane Griffin. Commission brings focus to issues affecting seniors, advocates for support and resources, and promotes healthy aging and quality community The primary issues the seniors face include health care, retirement income, financial stability, affordable housing, self-help and support advocacy and transportation. Last year the Commission's annual work plan included the Woodland apartment list. One Commissioner is responsible for updating all apartments in Woodland and making the list available to all of the older adults in the community. The Commission has the positive aging and promotional educational presentations to create positive images of aging in seniors. The Senior Focal Point Coordinating Council includes Woodland, West Sacramento and Davis. Commissioner is responsible for attending meetings and reporting back to the Commission on senior issues. Each year in May, the Commission holds the annual resource fair and many not-for-profit agencies share their information for older adults. She said the Commission also has the Senior Center Advocacy and the Joint Parks and Recreation Commission and Commission on Aging internet facility policies. Additional activities of the Commission include highlighting active seniors in the community and encouraging involvement in organizations and activities including the senior softball championship players, and a pilot program in collaboration with the Woodland Joint Unified School District to place seniors in kindergarten



classrooms at Zamora Elementary School. The Commission on Aging advocates to the City Council to ensure the unique needs and desires of the senior community are heard and addressed. Woodland seniors are intelligent, active, dynamic, involved and vote regularly.

#### PROCLAMATION-PUBLIC WORKS WEEK

On a motion by Council Member Pimentel, seconded by Vice Mayor Davies and carried unanimously, Council approved a proclamation declaring the week of May 18 through 24, 2008 as Public Works Week.

#### CONSENT CALENDAR

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

## LOAN GUARANTEE-WOODLAND OPERA HOUSE EXPANSION; REALLOCATE MEASURE E FUNDS

Parks and Recreation Director Gentry said Council on May 13, 2008 asked that the loan guarantee for the Woodland Opera House expansion be reconsidered. Staff recommended increasing the Measure E Spending Plan allocation for the Opera House to \$2.8 million and delegating authority to the City Manager to review, approve and sign bank documentation as guarantor of the loan in order to facilitate the currently proposed budget.

Council Member Pimentel said supports the Opera House and the expansion, has a problem with the allocation, the 12 year plan and the reduction over the next 12 years.

Vice Mayor Davies said the allocation will be cut from \$3.3 million to \$2.8 million for the Opera House expansion.

On a motion by Council Member Marble, seconded by Council Member Monroe and carried by the following vote, Council increased the Measure E spending Plan allocation for the Opera House to \$2.8 million and delegated authority to the City Manager to review, approve and sign bank documentation as guarantor of the loan in order to facilitate the currently proposed budget:

AYES: COUNCIL MEMBERS: Davies, Marble, Monroe, Flory



NOES: COUNCIL MEMBERS: Pimentel

On a motion by Vice Mayor Davies, seconded by Council Member Marble and carried unanimously, Council approved the following Consent Calendar items:

#### TREASURER'S INVESTMENT REPORT

Council received the Treasurer's Investment Report for March 2008.

#### ORDINANCE-CITY INVESTMENT POLICY

Council introduced, waived first reading and read by title only, an Ordinance to amend Section 2-6-3 of the Municipal Code regarding the City Investment Policy to provide for quarterly rather than monthly reporting.

#### CONTRACT-LIBRARY MAINTENANCE PROJECT

Council approved the award of a Construction Contract for Library Repairs and Maintenance, Project 07-16 to SGC Construction for \$137,488.

#### CONTRACT-DEMOLITION OF DUBACH PARK

Council approved the bid to demolish the Dubach Park facilities for \$25,000, authorized \$20,000 for demolition, which includes a 10% contingency, and awarded the contract for demolition of Dubach Park, Project 08-18, to Delta Oilfield Services, Inc., in the amount of \$17,900.

## ORDINANCE-SUBMISSION OF AGENDA ITEMS AND DELIVERY OF COUNCIL PACKET

Council introduced, waived first reading and read by title only an Ordinance to amend Section 2-1-5 of Chapter 2 of the Woodland Municipal Code relating to City Council agenda preparation and distribution procedures and processes.



# RESOLUTIONS 4912 THROUGH 4919-GIBSON RANCH, NORTH PARK, WEST WOOD LIGHTING AND LANDSCAPING DISTRICTS AND STRENG POND LANDSCAPING DISTRICT

Council adopted the following Resolutions and called for a Public Hearing on June 17, 2008:

Resolution 4912	-	Initiate Proceedings for the Annual Levy and Collection of Assessments for the Gibson Ranch Landscaping and Lighting District Fiscal Year 2008-2009
Resolution 4913	-	Preliminarily Approve the Engineer's Annual Levy Report and Declare its Intention to Levy and Collect Annual Assessments for the Gibson Ranch Landscaping and Lighting District, Fiscal Year 2008-2009
Resolution 4914	-	Initiate Proceedings for the Annual Levy and Collection of Assessments for the North Park Lighting and Landscaping District Fiscal Year 2008-2009
Resolution 4915	-	Preliminarily Approve the Engineer's Annual Levy Report and Declare its Intention to Levy and Collect Annual Assessments for the North Park Lighting and Landscaping District Fiscal Year 2008-2009
Resolution 4916	-	Initiate Proceedings for the Annual Levy and Collection of Assessments for the Streng Pond Landscaping Maintenance District Fiscal Year 2008-2009
Resolution 4917	-	Preliminarily Approving the Engineer's Annual Levy Report and Declare its Intention to Levy and Collect Annual Assessments for the Streng Pond Landscaping Maintenance District Fiscal Year 2008-2009



Resolution 4918 - Initiating Proceedings for the Annual Levy

and Collection of Assessments for the West Wood Unit No. 1 Landscaping and Lighting District Fiscal Year 2008-2009

Resolution 4919 - Preliminarily Approving the Engineer's

Annual Levy Report and Declare its Intention to Levy and Collect Annual Assessments for the West Wood Unit No. 1 Landscaping and Lighting District Fiscal

Year 2008-2009.

# REIMBURSEMENT AGREEMENT-DESIGN COSTS OF TRAFFIC SIGNALS IN SUBDIVISION 4675 PARKSIDE

On a motion by Vice Mayor Davies, seconded by Council Member Marble and carried unanimously, Council approved a Reimbursement Agreement with HTW II Ventures, LLC for traffic signal design at the intersections of East Gum Avenue at Matmor Road and Gibson Road at Matmor Road, Subdivision 4675 Parkside; Council requested a report back on the affect of the left turn lane on the residents at the intersection of Matmor and East Gum Avenue and any detrimental aspects.

# RESOLUTION OF INTENTION 4920-VACATE PUBLIC ACCESS EASEMENT AT 435 SIXTH STREET

Council adopted Resolution 4920, a Resolution of Intention to Vacate a public access easement at 435 Sixth Street, and set the public hearing for June 10, 2008.

# RESOLUTION 4921-PARTICIPATION IN 2008-09 STATEWIDE FINANCING PROGRAM FOR NON-TAXABLE TAX AND REVENUE ANTICIPATION NOTES

Council adopted Resolution 4921 authorizing and approving the borrowing of funds for Fiscal Year 2008-2009, the issuance and sale by the City of Woodland of a not-to-exceed \$19,000,000 2008-2009 Non-Taxable Tax and Revenue Anticipation Note (TRAN), and authorized the Assistant Finance Director, City Clerk and Senior Accountant to sign financing documents.



# RESOLUTION 4922-EXPENDITURE TO AFFECT EMERGENCY REPAIRS TO AREA SURROUNDING WELL 24

Council adopted Resolution 4922 declaring that the public interest and necessity demand immediate expenditure of public funds to prevent the failure of Well 24, located in the Spring Lake Subdivision and authorized the Public Works Director to enter into contracts to effect emergency repairs.

#### PUBLIC HEARING

# RESOLUTION 4923-DIRECT YOLO COUNTY TAX COLLECTOR TO ASSESS LIEN AGAINST REAL PROPERTY FOR DELINQUENT UTILITY ACCOUNT

Senior Accountant McKinney asked the Council to hold a public hearing and consider a lien placement with respect to delinquent utility charges for property at 784 Bourn Drive.

City Manager Deven said the owners were notified of the delinquent charges and were advised of the time and place for this public hearing.

Mayor Flory opened the public hearing at 6:26 p.m.

Russell Miller said he spoke with the City Manager about the lien to be placed on his property, and thought the matter was worked out. He said damages to his property due to the work of connecting to City sewer services were to cover what he owed. he received a letter stating that he was aware of the damages when the septic system was broken up in April of 1990. There was a bill of \$1,000 for the sewer line, and he said the water bill was \$1,000 which the City forgot to charge him. He received the paperwork on the voting which did not indicate was responsible to pay for the sewer line. There was an error in his Parcel Number, and his property is APN 660-60-11. His property is owned by Mr. Pleasanton, and Mr. Pleasanton was never advised of the bill.

City Manager Deven said Mr. Miller is alleging there was damage done to his property when the sewer connection was made. In March when City staff met with Mr. Miller, staff indicated if he could provide evidence of such damages that would be taken into consideration. To date the City has not received any information.



Mr. Miller said the property information he received is not correct, and he felt a lien should not be placed on his property.

City Attorney Siprelle said at issue is three years of unpaid utility charges on the property. It does not matter who owns the property. The debt goes with the land, so Mr. Miller can either pay the three years of unpaid charges or there will be a lien placed on the property.

Mayor Flory asked if Mr. Miller could meet with staff to develop a short term payment plan. Mr. Miller said he would be willing to pay the utility charges starting today, but did not feel he owed for past charges.

City Manager Deven said the property was hooked up to sewer service in 2002 for six years worth of service. The City is only charging for three years of previous service. Staff has previously tried to set up a payment plan with Mr. Miller but so far have not reached an agreement.

Mayor Flory closed the public hearing at 6:37 p.m.

Council Member Pimentel would like Mr. Miller to work with staff to resolve the matter. City Manager Deven said staff has been working with Mr. Miller for a period of time, and they have not been able to come to an agreement.

On motion of Council Member Marble, seconded by Council Member Monroe and carried unanimously, Council adopted Resolution 4923 to place a lien on property located at 784 Bourn Drive for three years of delinquent utility services in the amount of \$1,154.64 within 30 days should negotiation of a payment plan with the property owner not be settled.

#### REPORTS OF THE CITY MANAGER

#### ART IN PUBLIC PLACES

Mayor Flory said Council received some emails indicating the art in public places proposed Ordinance is outdated. There has been discussion with Vice Mayor Davies, members of the Community and staff on a newer draft Ordinance

Vice Mayor Davies said the City needs an Art in Public Places Commission, and currently works on that issue through the Planning Commission. Art in Public Places is not the Commission's area of expertise. He worked with George Streng for some time to try to form a commission



that does not hold up construction but allows the artists in the community to work with the contractors and developers. there also is the concept of funding the art work. He said the Art in Public Places Commission would make recommendations to the Council.

Assistant City Manager Munowitch said staff will do a detailed analysis on what the cost would be to form a Commission and the percentage that would be recommended for provision in the building permit process.

#### **ORDINANCE**

# ORDINANCE 1495-AMEND ARTICLE III OF CHAPTER 14A REGARDING NUISANCE ABATEMENT

On a motion by Vice Mayor Davies, seconded by Council Member Marble and carried unanimously, Council adopted Ordinance 1495 amending Article III of Chapter 14A relating to public nuisance abatement to clarify cost recovery for summary nuisance abatement and impose standards and procedures for conducting such abatement. On roll call the vote was as follows:

AYES: Council Members Davies, Marble, Monroe, Pimentel, Flory

NOES: None ABSENT: None ABSTAIN: None

#### **ADJOURNMENT**

At 6:46 p.m., Mayor Flory adjourned the regular meeting of the Council in memory of his aunt Audrey Tadlock who passed away over the weekend.

Respectfully submitted,

Sue Vannucci, Director of Administrative Services

Transcribed by: Jean Kristensen, Deputy City Clerk

Approved by Council: October 6, 2009