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

MINUTES

CITY COUNCIL SPECIAL CLOSED SESSION

JUNE 10, 2008

5:30 P.M.

CLOSED SESSION-CITY COUNCIL

At 5:30 p.m. Council held a closed session for a conference with legal counsel regarding anticipated litigation, initiation of litigation pursuant to Subdivision (c) of Section 54956.9 regarding one case. Present at the session were Mayor Flory, Vice Mayor Davies, Council Members Marble, Monroe and Pimentel, City Manager Deven, City Attorney Siprelle, and Assistant City Manager Munowitch. Council provided direction to staff.

CITY COUNCIL REGULAR MEETING

JUNE 10, 2008

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 held a closed session for a conference with legal counsel regarding anticipated litigation, initiation of litigation regarding one case. Council gave direction to staff.



PLEDGE OF ALLEGIANCE

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

ROLL CALL

COUNCIL MEMBERS PRESENT: Marlin Davies, William Marble, Jeff

Monroe, Artemio Pimentel, David Flory

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Mark Deven, Ann Siprelle, Sue Vannucci,

Barry Munowitch, Greg Meyer, Dan Gentry, Tod Reddish, Mark Cocke, Evis Morales, Eric Zane, Sandy Briggs, Christine Engel, Mark Hedington, Bob MacNicholl, Amber D'Amato, Jim Dahl, Marie Wickstrom, Debra Fann, Rex Greenbaum, Kim McKinney, Wendy Ross, Lynn Gatie, Dan Sokolow, Charlie Wilts, Michael Karoly, Dan Gentry, Dick

Donnelly, Kent Perkes

MINUTES

On motion by Council Member Monroe, seconded by Council Member Marble and carried unanimously, Council adopted the minutes of the regular Council meetings of September 18, 2007 and October 2, 2007, as presented.

COMMUNICATIONS – WRITTEN

Council received notification of a new on-sale beer and wine license for Indian Grill, located at 825 East Street, Suite 116, Woodland.

Council received notification of a new on-sale beer and wine license for Ono Teriyaki, located at 10 North East Street, Unit 100, Woodland.

Council received notification of a new on-sale beer and wine license for Bangkok Cuisine Thai Restaurant, located at 525 Main Street, Woodland.



Council received notification from Pacific Gas and Electric Company of two increases to electric rates in the amount of 0.25%.

COMMUNICATIONS – COMMITTEE REPORTS

Council received the minutes of the Planning Commission meetings of February 21, March 6, March 20, April 3, April 17 and May 15, 2008.

Council received the minutes of the Historical Preservation Commission meetings of February 13, March 12, and April 16, 2008.

Council Member Pimentel left the Council meeting at 6:03 p.m. and returned shortly thereafter.

COMMUNICATIONS – COUNCIL/STAFF STATEMENTS AND REQUESTS

Council Member Marble said on June 3 he, the City Manager and Vice Mayor attended the Chamber of Commerce 2x2 and discussed economic issues relative to the City. He attended a Sacramento Valley Division meeting of the League of California Cities. He attended a Water Resources Association Executive Committee meeting, and they agenized the County ordinances proposed relative to water. He asked when the Flood Safe Yolo presentation is scheduled. City Manager Deven said he will attend a Flood Safe Yolo meeting this week and will check on the date of the presentation.

Council Member Marble noted the local Sears has a recycling program for fluorescent bulbs helping residents to save gas in driving to the landfill to dispose of the bulbs. They have indicated the program is coming to an end and he asked staff to look into something to allow residents to recycle their fluorescent bulbs without having to go to the landfill.

CONSENT CALENDAR

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

PROJECT 07-44 - 2008 ROAD REHABILITATION



Council Member Pimentel asked for an explanation by staff of the options for the 2008 Road Rehabilitation Project 07-44. Public Works Director Meyer said adding alternatives at this point is not fiscally feasible. The cost savings should remain until staff has a good idea what this is going to entail and if there are any change orders. Council Member Pimentel asked if there are any options to be added to the proposed construction contract with Teichert Construction on some key streets. Director Meyer said he would check into the request and report back to Council.

At the request of Council Member Marble and with consensus of the remaining Council Members, Council Member Marble asked that Council receive a summary of the changes on each of the monthly status reports from one month to the next. He also expressed that regarding the Memorandum of Understanding for collection and disposal of household batteries, the City should be trying to do a similar program for fluorescent bulbs in the community.

At the request of Mayor Flory and with consensus of the remaining Council, Mayor Flory requested Council commendation to Dr. Wim Van Muyden for his contributions both on the City Personnel Board and the Parks and Recreation Commission. Many things have been accomplished during his time on the Commission.

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

MONTHLY STATUS REPORT - COMMUNITY DEVELOPMENT

Council received the monthly status report from the Community Development Department. See further comments above.

MONTHLY STATUS REPORT - FIRE DEPARTMENT

Council received the monthly status report for April 2008 from the Fire Department. See further comments above.

MONTHLY STATUS REPORT - PARKS AND RECREATION DEPARTMENT

Council received the monthly status report from the Parks and Recreation Department. See further comments above.



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. See further comments above.

RESIGNATION OF WIM VAN MUYDEN FROM PARKS AND RECREATION COMMISSION

Council accepted the resignation of Dr. Wim Van Muyden from the Parks and Recreation Commission effective June 10, 2008. See further comments above.

RESOLUTION 4924 - SUPPORTING REFORM OF MUNICIPAL BOND RATING PRACTICES

Council adopted Resolution 4924 supporting reform of the bond rating system to eliminate discrimination against municipal bonds and authorizing issuance of a letter to the three major rating agencies, Standard & Poor's, Fitch, and Moody's.

YOLO EMERGENCY COMMUNICATIONS AGENCY BOARD

Council appointed Fire Chief Tod Reddish as the alternate member to the Board of the Yolo Emergency Communications Agency, effective July 1, 2008.

<u>SOROPTIMIST INTERNATIONAL GRANT - "NO BARRIERS" LITERACY PROGRAM</u>

Council accepted a grant from Soroptimist International of Davis for the specific purpose of purchasing literacy materials for the "No Barriers" program.

YOLO COUNTY CLERK'S OFFICE GRANT - VOTER LITERACY PROGRAM

Council accepted a grant from the Yolo County Clerk's Office for the specific purposes of implementing the voter literacy program.



<u>PROJECT 07-44 - 2008 ROAD REHABILITATION, LINCOLN AVENUE</u> RECONSTRUCTION CONTRACT

Council, contingent on approval of the Fiscal Year 2009 Capital Budget, awarded the contract for Road Rehabilitation Project No. 07-44, Base Bid plus Additive Alternates "A" and "B" to Teichert Construction, Inc., in the amount of \$2,801,557.56.

CITY COUNCIL MEETING DATES - JULY 2008

Council set the July 1, 2008 Council meeting as the Special Session/Swearing-In Ceremony at 6:00 p.m. at the Community and Senior Center, with regular meetings on July 8, 2008 and July 15, 2008.

MEMORANDUM OF UNDERSTANDING - COLLECTION AND DISPOSAL OF HOUSEHOLD BATTERIES

Council approved the updated 2008 Memorandum of Understanding (MOU) for Collection and Disposal of Household Batteries between County of Yolo and the City of Woodland and authorized the City Manager to execute the MOU. See further discussion above.

RESOLUTION 4925 - CALIFORINA INTEGRATED WASTE MANAGEMENT BOARD USED OIL RECYCLING BLOCK GRANT

Council adopted Resolution 4925 approving the submittal of the Used Oil Recycling Block Grant application to the California Integrated Waste Management Board and authorized the Public Works Director and/or his designee to execute all necessary forms on behalf of the City of Woodland.

ORDINANCE - RECYCLERS AND JUNK DEALERS

Council introduced, waived first reading and read by title only an Ordinance amending Chapter 16 of the Code of the City of Woodland, repealing Sections 16.3 through 16.8, Section 16.10, and 16.11, and amending Section 16.12 regarding pawnbrokers, junk and secondhand dealers.



PUBLIC HEARINGS

VACATION OF EASEMENT - 435 SIXTH STREET

Council postponed holding the public hearing regarding the 435 Sixth Street vacation of easement until 6:15 p.m., the scheduled time for public hearings.

<u>APPEAL - PETROVICH DEVELOPMENT COMPANY - BEST BUY DESIGN</u> EXCEPTION RULING FROM PLANNING COMMISSION

Council postponed holding the public hearing regarding the appeal from Petrovich Development Company until 6:15 p.m., the scheduled time for public hearings.

REPORTS OF THE CITY MANAGER

PRELIMINARY OPERATIONS AND MAINTENANCE BUDGET

City Manager Deven said Council had asked staff to (1) determine a method for continuing to fund the DARE program, either using a Community Services Officer or a uniformed Police Officer, (2) determine a method for funding the program back to the Yolano Recreation Program, including no disruption of other recreational programs and possibly using alternate sites, (3) provide fee schedules for business licenses and building permits, and (4) provide details on costs associated with administering the Community Development Block Grant Program. The DARE program can be provided with a uniformed Police Officer and by utilization of some one-time funds and other adjustments to the operating budget.

Council Member Pimentel asked about revenue the City is expecting as a fee schedule has not been developed for the community fitness center. The City is anticipating generating \$204,000 and how will that occur. City Manager Deven said the fitness center is not opened yet but there is a fee schedule that will be presented to Council shortly.

Council Member Pimentel noted there was a significant decrease in rental income, about \$500,000 over previous years. Director Drayton said the decrease relates to a misclassification in the revenue from last year. A mathematical error was detected in fiscal year 2008 and has been corrected.



Council Member Monroe said the fees for solar panels have been reduced dramatically. Staff did reduce the City's energy bill by \$100,000. City Manager Deven said Analyst Engel and a P. G. & E. account executive reviewed all of the City's accounts and adjusted the rates. This adjustment saves the City \$100,000 annually.

Council Member Marble asked why the City is paying for an extra recreation program and maintenance if Yolano Village is on a County site.

City Manager Deven does not know the history of the property, but the City has had a recreation program on the property for the past six or seven years. Approximately 25 to 30 children are served. The program was listed as a reduction at the May 13 budget workshop. Council had expressed concerns about the alternatives for the youth. Staff felt the program could be funded from the reduced cost of the Dubach Park demolition and agreed to look at the program during the year and develop other alternatives. Council Member Marble said it is a one-time method of funding the program. There should be some discussion with the County as to whose responsibility it is.

Council Member Marble said on the internal service programs group health is one of the largest items in the budget. In 2007-08 there was a 22% increase and another 19% increase from 2008-09, \$4 to \$6 million. Director Drayton said the amounts are based on the negotiated premiums established with PERS, and estimates were calculated based on staff and estimated new retirees.

Council Member Marble said the budget also includes an internal service expense by category, vehicle maintenance, which goes from \$4 to \$6 million. Director Drayton said the City is following the five year recovery plan consistent with the amount of fixed costs and operating costs the City is incurring.

Council Member Marble noted all business license fees have been doubled, even those businesses employing one or two people. The fees seem to be disproportionate to the higher income businesses. The City should consider lowering the fees for the smaller businesses and raising the fees for the larger businesses. City Manager Deven said the estimate for the annual business license renewals reflect the cost of staff time. Assistant City Manager Munowitch said business license renewal fees have not been adjusted for 15 years. City Manager Deven said the City had the lowest fees in the County and one of the lowest in the region, and now the



City is in the middle. Staff feels the fees are fair, based on the market and the fact that the City is covering its operating costs.

Vice Mayor Davies is concerned that City revenue from last year to this year dropped by \$28 million which had to do with building fees. Adopting the budget as presented does not mean anything if the State is looking at two public safety items, the COPS and booking fee programs which could mean another \$500,000 from the General Fund.

Council Member Pimentel said the Housing Authority and some of their programs are important. The Housing Authority runs the housing portion, but there are still Woodland residents the City needs to provide for.

On a motion by Vice Mayor Davies, seconded by Council Member Pimentel and carried unanimously, the Council adopted the Preliminary Fiscal Year 2008-2009 Operating Budget; the City Manager to discuss with the County the reasoning why the City is maintaining the Yolano Program.

PUBLIC HEARINGS

RESOLUTION OF INTENT 4926 - VACATION OF EASEMENT - 435 SIXTH STREET

Assistant City Manager Munowitch said Council is being asked to consider the abandonment of a public easement at 435 Sixth Street which is no longer needed for public uses. The Planning Commission made a finding that the proposed vacation is consistent with the General Plan and recommended that the Council hold a public hearing and approve a Resolution of Intent.

Mayor Flory opened the public hearing at 6:26 p.m. There being no public comment, the Mayor closed the public hearing.

Council Member Monroe asked if the City gives up the easement, will there be any opportunity for extending Lincoln Avenue to East Street.

Assistant City Manager Munowitch said extending Lincoln Avenue is not in any current plan, and the public easement at Sixth was just for access not for road right-of-way.

On motion by Council Member Pimentel, seconded by Council Member Monroe and carried unanimously, Council adopted Resolution 4926 vacating the public access easement at 435 Sixth Street pursuant to the



provisions of the Public Streets, Highways, and Service Easement Vacation Law.

<u>APPEAL - PETROVICH DEVELOPMENT COMPANY ON BEST BUY DESIGN</u> EXCEPTION RULING FROM PLANNING COMMISSION

Planning Manager MacNicholl said Petrovich Development Company is appealing the Planning Commission's denial of a design exception for the Best Buy Store in Woodland Gateway Center to modify the approved elevation design in order to allow an exterior "blue wedge", a contemporary signature architectural design for Best Buy Store. Woodland Gateway Center has design themes, but there are design exceptions which can be used. Historically, the City has done its best to adhere to the themes within each of the areas of the City, and in the case at Woodland Gateway Center there is a theme of historic character equivalent to 1880's design. In this case, however, there is an opportunity for an exception for this feature on this store in that Center because the feature is a significant component for the overall design theme for the Center. The theme is otherwise followed. The Center has many characteristics which are reminiscent of the 1880's section of Woodland. The Downtown historic area has proposed projects which are relatively contemporary in their potential design. Commission had a heartfelt discussion on the issue, and there was a split vote. Several members of the Commission felt the design met the test for allowing an exception, but the majority felt it could not allow an exception. Staff supported the exception.

Mayor Flory opened the public hearing at 6:31 p.m.

David Sanders, Planning Commissioner, said the main issue the Planning Commission had with the project and the exception is the project does not meet the design guidelines. The façade is only 6% of the overall project, but can make a big difference. There are alternatives to the proposed wedge, but Best Buy was never presented with some options. The "blue wedge" as a whole is considered to be a sign which does not meet the City's sign guidelines. When Lowe's was considered for the Center the Planning Commission spent many hours talking about similar signage. He presented a picture of a Best Buy built in Vacaville about three years ago, and the architecture is similar to what is being proposed at the Gateway Center. Council should deny the exception and send the matter back to the Planning Commission. The proposed Best Buy could be placed at the Food 4 Less center which has a contemporary design. The overall design standards of the City do not need to be reviewed.



Mark Hedington with the Woodland City Employees' Association said WCEA is in favor of Best Buy revenue that can be generated for the City. Given the current state of the City's financial situation and the number of City employees who have been hit by the lack of funding, for the City to turn its back on a substantial amount of sales tax generated by Best Buy would be a big mistake.

Seth Wurzel, Planning Commissioner, said he agreed with staff that the sign is 6% of the project. Design standards and the theme of the development would continue.

Eric Zane, President of the Woodland Professional Firefighters Association (WPFA), said in the midst of cuts and realignment of positions, the employees associations agreed help find ways to generate revenue where the City could. The WPFA said the tax revenue and jobs the project creates should be considered.

Martie Dote, Planning Commissioner, said did not support the exception to the design standards. It is tempting to think about sales tax, especially in times of economic downturns. This thinking has led to fiscalization of land use, and many bad planning decisions made over the last 30 years. The Planning Commission acts as a delegated authority for the City Council. Councils have made it known over the years that economic development is the purview of the Council. The Planning Commission does not look at economic development as the basis for its decisions. Those decisions rest with the elected body. She said most of the property at the Center is taken up by Costco and Target, and one of her concerns is that the proposed Best Buy sign is overbearing. Council adopted the standards on behalf of the community. If the Council tonight decides to uphold the appeal, it will be setting aside its standards. Presenting the \$200,000 carrot to the Commission was totally inappropriate. Council should refer the matter back to the Commission if the appeal is overturned.

Jason Kraus, Development Manager with Best Buy, said his company has been excited to locate a store in Woodland for some time. Best Buy does need the wedge but they have worked with other communities to achieve the design for the project.

Paul Petrovich said the proposed elevations of the Best Buy store have many historical elements. The brick behind the "blue wedge", the trellis, the arch, the detail on the tower, the tower, the columns, and the lanterns were not part of Best Buy's prototype. The only element that does not comply is the "blue wedge." He already applied to the City for all of the



building permits and plans for the shops. There are only three positions left up for design. The Michaels store fully complies. The number of retailers doing business today is down two-thirds. The number of businesses which are willing to come to Woodland and to pay the economics are few. By denying Best Buy nothing else in the Center will be built. The Planning Commission should take into account the whole picture. Other cities have design review boards and the Planning Commission serves as a subset to the City Council. The Commissioners are appointed by the City Councils.

Pat Murray, Planning Commissioner spent two years along with a group from the Woodland community working on a Sign Ordinance. The group developed some rules with the Ordinance. The rules were not just for the Downtown or the suburbs, but for the whole community and have applied to everyone. Another two years were spent developing the façade and working with Mr. Petrovich's architect. The Commission is faced with a corporation telling the City what it should look like. Woodland does not want to look like other developments and wants to keep its own façade and unique design.

There being no further comments, Mayor Flory closed the public hearing at 7:04 p.m.

Vice Mayor Davies said the authority to the Commission is delegated by the Council. If a solution is not reached, then the matter is referred to the Council. He supports the exception and feels the 6% is a viable exception. He travelled to Vacaville, Natomas, Roseville and different areas where Best Buy stores are located and did not see anything outlandish.

Mayor Flory does not like the big blue wall, but feels there has been some compromise with the project and the Center will not be ruined.

Council Member Pimentel received many comments from the community, and the issue of sales tax was brought up by some of the City associations. This project is not just about the sales tax that will be generated from the building and Best Buy. The City needs to get away from the issue that this project should be comparable to the Downtown or some of the other buildings in the City. The City take care of the Downtown and this project is not part of the Downtown. There should be standards but the City is trying to attract people.

Council Member Marble said the citizen input he has received has been overwhelmingly in favor of granting the appeal. It is especially



important to note what has been designed when the overall look at the store is viewed. From the freeway the Best Buy store is a small issue.

Council Member Monroe said the colors were toned down, and the wedge was toned down on the freeway side. He said the guidelines are important, but he likes the façade for Best Buy.

On a motion by Vice Mayor Davies, seconded by Council Member Pimentel and carried unanimously, Council supported the appeal of the project proponent, thereby approving the design exception for the Best Buy store through incorporation of a "blue wedge" in its design, and overturned the Planning Commission action.

PRELIMINARY CAPITAL BUDGET - FISCAL YEARS 2008-09 THROUGH 2010-11

City Manager Deven said the Council is being asked to approve the Capital Budget for Fiscal Year 2009 through Fiscal Year 2011 and the Ten Year Capital Improvement Plan. He briefly reviewed the Capital Budget which was discussed in detail at the Council's May 13 budget meeting. Council had also discussed the incorporation about the energy savings, and staff summarized how those savings were derived. He suggested Council should wait until those savings actually materialize before counting on utilizing the funds. Staff analyzed the cost differences resulting in the City's change in cell phone service and adjusted how the Measure E revenues were allocated based on comments made at the May 13 workshop.

Council Member Pimentel said the Energy Task Force will continue to discuss the energy savings. The City should check into what it would take to make all of our City facilities solar powered. City Manager Deven said the Energy Task Force is aware that the City is looking at both the Police Department and the Community and Senior Center. The Finance Department and the Parks and Recreation Department are looking at financing options.

Council Member Marble asked why automated deduction from checking account to pay their utility bills (water, sewer) is not in place and asked staff to into that. He asked when the City is going to monthly billing for utilities. City Manager Deven said the City is moving ahead with monthly billing for sewer and water soon.

On a motion by Council Member Marble, seconded by Council Member Pimentel and carried unanimously, Council authorized Capital



Budget expenditures for the three year period beginning in Fiscal Year 2008-09 and ending Fiscal year 2010-11.

<u>PLAN FOR COUNTY FAIR RELOCATION; DIRECT STAFF TO FACILITATE</u> EVENTUAL RELOCATION

Economic Development Manager Ross said the current fairgrounds site is approximately 52.9 acres and was established in 1935. The Fair has been at the existing site since 1940. Over the past several years there were some assessment reports done, and many problems were identified with the site, including the restrooms, facilities and the infrastructure. The District Agricultural Association, the City and the County of Yolo decided to develop the status report with two general options. The first option was to retain and upgrade the existing facility at estimated cost of approximately \$5.3 to \$6.2 million. The estimate includes the suggested corrections to the site identified in the prior assessment reports. The other option is to select a potential future site with a 90 to 120 acre site outside the City at an estimated cost of \$42 to \$52 million. Staff is requesting direction to utilize the report to facilitate the eventual relocation or future plans for the fairgrounds.

Council Member Marble said Council should add words stating that the action does not compromise the City's fiscal integrity. He was concerned about the potential fiscal impacts on the City.

Council Member Pimentel asked for the next steps and the timeline of when the entities are going to move with the JPA. Assistant City Manager Munowitch said there is no specific timeline at this point. The Fair District Board has just brought on a new Executive Director, and will be evaluating the timing of the cooperative project which involves the Fair Board, the County and the City to explore options.

Council Member Pimentel asked if the State has offered any funding for phasing or relocation. Assistant City Manager Munowitch said there has been no funding or phasing identified.

Council Member Pimentel said the Fairgrounds needs to be as close to Woodland as possible.

Mayor Flory said it would not be a matter of the City finding a site but rather endorsing a development proposal.



Council Member Monroe pointed out the State wants all three entities to put money towards this project. The State should do its ADA (Americans with Disabilities Act) improvements, just as the City does.

Vice Mayor Davies said the State and Fair Board does not have any money to fix the problems. The development community wants the 45 or 50 acres, thus will need to help relocate the Fair. The other issue is flooding, and the Fairgrounds becomes a civil defense headquarters in times of difficulty, so the Fairgrounds must be above the flood plain.

On a motion by Vice Mayor Davies, seconded by Council Member Marble and carried unanimously, Council received the Yolo County Fair Report and directed staff to utilize the report to facilitate the eventual relocation of the fairgrounds to a mutually agreeable site that meets the expectations of the community with the provision that the action does not compromise the City's fiscal integrity.

TRIBAL ENVIRONMENTAL IMPACT REPORT - CACHE CREEK DESIGNATION RESORT PROJECT

Associate Planner Sokolow presented the Draft Tribal Environmental Impact Report issued by the Rumsey Band of Wintun Indians of the Rumsey Rancheria Tribe for the Tribe's Cache Creek Destination Resort Project. The project would add more than 800,000 square feet to the existing facilities which are now slightly more than 400,000 square feet. The project would add a ten-story hotel with 467 rooms and 27 hillside casitas, a spa center, additional restaurants, additional retail and an increase to the existing gaming floor by approximately 25 percent. City staff has spent the past two weeks reviewing the draft EIR, and has a number of issues to be addressed in a letter to the Tribe. Those issues involve traffic, transportation, affordable housing, service demands for Police and Fire Departments, including the City's Main Street Historic District in the Downtown Specific Plan between East and Cleveland Streets. City staff believes the draft EIR underestimates the number of affordable housing units the additional 1,000 employees will need. The traffic impact study assessed only two intersections in Woodland in 2002 when the last large expansion was done, and the new Draft EIR addresses five intersections. For Police and Fire there is a moderate to significant increase in average daily traffic through Woodland which increases the number of calls for service. The City and Redevelopment Agency have put forth a significant investment for Main Street between East Street and Cleveland, including streetscape improvements, marking of the City's historic Main Street area, support for the Opera House expansion project, the grant



application for infrastructure funds, City Center Lofts, the Capital Hotel and Saloon Project, and façade improvements. These investments were designed to attract people to shop, dine and be entertained in the Downtown. Staff has some concerns the expansion of the Casino will bring a significant amount of vehicle traffic that will not necessarily stop and frequent the businesses in Woodland.

In regard to the EIR process, comments to the Tribe are due on June 16, 2008. The Tribe will review the comments and determine whether they will make revisions to the final EIR documents. Once the Tribe adopts the EIR, a 55-day negotiation period begins between the Tribe and the County in which they will negotiate some type of financial settlement that addresses the impacts of the project. If the County and the Tribe cannot reach an agreement, an arbitration period and an arbitrator will be selected. The arbitrator will decide between the two positions. He said the arbitrator does not have the authority to modify or try to seek a balancing of interests, so it's an either/or decision by the arbitrator. Staff hopes the Tribe will make changes to their draft EIR and address the issues the City plans to raise in its comment letter. If the Tribe goes to negotiations the City hopes the County will do its best to represent the City's interest as well as its own.

Council Member Pimentel asked if the Tribe can expand anyway. The Tribe might be trying to get rid of its affordable housing component and passing it on to the City of Woodland.

Planner Sokolow said housing is one of the City's most significant concerns. The draft comment letter from the City states why the Tribe underestimated the number of affordable units required to address the employees with the addition but also where that housing will be provided. He said Woodland will be a logical source for housing.

Assistant City Manager Munowitch said the Tribe has every right and ability to approve the project and approve the EIR as the Tribe sees fit, but is obligated by law to meet with the County to negotiate an agreement. If an agreement is not negotiated, the matter goes to arbitration. If the Tribe does not satisfy the City's concerns through changing their project or offering mitigation, the City's options are to meet with the County and make sure the County represents the City's needs when the County negotiates with the Tribe.

Council Member Pimentel said the City needs to add air quality and transportation to the list of issues.



Vice Mayor Davies said the City needs to be aggressive the comment letter. He and Mayor Flory have been involved in the 2 x 2 and feel the County will represent the City well. Another issue is the parking. With 1,000 additional employees, many of which may live in Woodland and ride the busses to the Casino. There needs to be some mitigation for parking.

Council Member Marble said the impact of Indian gaming on cities is discussed at a very intricate level at the League of California Cities. The League now has a task force devoted to the issue and City staff should contact the League office to see what resources might be available to help the City.

ORDINANCES

ORDINANCE 1496 - SUBMISSION OF AGENDA ITEMS AND DELIVERY OF COUNCIL PACKET

On a motion by Council Member Monroe, seconded by Council Member Marble and carried unanimously, Council adopted Ordinance 1496 amending Section 2-1-5 of Chapter 2 of the Municipal Code relating to City Council procedures. On roll call, the vote was as follows:

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

NOES: None ABSENT: None ABSTAIN: None

ORDINANCE 1497 - CITY INVESTMENT POLICY

On a motion by Council Member Marble, seconded by Council Member Monroe and carried unanimously, the City Council adopted Ordinance 1497 amending Sub-Section 5 of Section 2-6-3 of the Municipal Code relating to quarterly investment reports. On roll call, the vote was as follows:

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

NOES: None ABSENT: None ABSTAIN: None



INTRODUCTION OF ASSOCIATE PLANNER DAN SOKOLOW

Assistant City Manager Munowitch said he failed earlier in the meeting to introduce newly appointed Associate Planner Dan Sokolow. He said Mr. Sokolow has handled a number of difficult projects for the City.

ADJOURNMENT

At 7:42 p.m., Mayor Flory adjourned the regular meeting of the Council.

Respectfully submitted,

Ss: Sue Vannucci, Director of Administrative Services

Transcribed by: Jean Kristensen, Deputy City Clerk

Approved by Council: October 20, 2009