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

MINUTES

CITY COUNCIL REGULAR MEETING

APRIL 17, 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 Assistant City Manager Marler.

ROLL CALL

COUNCIL MEMBERS PRESENT: Marlin Davies, William Marble, Jeff Monroe,

Artemio Pimentel, David Flory

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Rick Kirkwood, Phil Marler, Ann Siprelle, Sue

Vannucci, Barry Munowitch, Gary Wegener, Paul Miller, Joan Drayton, Bob MacNicholl, Cindy Norris, George Ahlgren, Jamie McLeod, Christine Engel, Cynthia Shallit, Greg Meyer, Dan Gentry, Carey Sullivan, Loida Osoteo, Gus Bush, Robert Thomas

MINUTES

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried unanimously, Council adopted the minutes of the special Council meetings of February 27, 2007, March 5, 2007 and March 12, 2007 and the regular Council meeting of March 6, 2007 as presented.



COMMUNICATIONS

Council received a notice of a new on-sale beer and wine Alcoholic Beverage Control License for Silvina's Basket located at 816 Main Street.

Council received a notice from Pacific Gas and Electric of another rate increase.

COMMITTEE REPORTS

Council received the minutes of the Yolo County Communications and Emergency Services Agency Board meetings of February 2, 2007 and March 7, 2007.

Council received the minutes of the Library Board of Trustees meeting of March 19, 2007.

Council received the minutes of the Manufactured Home Fair Practices Commission meeting of March 22, 2007.

PUBLIC COMMENT

Bruce Dumars of Dumars Landscaping thanked the Council and staff for working with him to expedite the East Street and Lemen Avenue realignment project. He feels the project will be good for the City.

COUNCIL/STAFF STATEMENTS AND REQUESTS

Vice Mayor Davies indicated this Saturday will be the large material drop off days at the Fairgrounds.

PRESENTATIONS

PROCLAMATION-TEEN PREGNANCY MONTH

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried unanimously, Council proclaimed the Month of May 2007 as Teen Pregnancy Prevention Month. Representatives of the program presented a briefing on the activities that will take place during the Month and throughout the year. Vice Mayor Davies presented the Proclamation.



PROCLAMATION-DIA DE LOS NINOS

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried unanimously, Council proclaimed April 30, 2007 as the Dia de los Ninos, Day of the Child, in the City. Council Member Marble presented the Proclamation.

PLANNING COMMISSION ANNUAL REPORT

David Sanders, Member of the Planning Commission said in 2006 major projects the Commission was involved included the beginning of the Spring Lake Specific Plan area and the construction of several homes, Woodland Harvest Square, the Agriform Tank Farm, the entryway monument signs, Heritage Plaza kiosk and clock. Projects under construction are the Hampton Inn and Suites, County Fair Mall remodel, the Woodland Memorial Hospital expansion, Capitol Hotel, the Hutchison Valley Lane, Hanson Ranch, and Stonehaven subdivisions, and the Gateway project. Planned projects for 2007 are continuing with the Spring Lake construction, City Center Lofts at 333 Main Street, Country Oaks subdivision, Sahota Subdivision, the Specific Plan updates, the Zoning Ordinance and General Plan updates and parking management strategies.

Mayor Flory said the Council has had some concern about the Woodland Park Project becoming extensive warehouse sites. Mr. Sanders said there is a limit to the number of warehouses that site will allow. The market drives the type of business for the area. The Commission will be pushing for office type business.

Vice Mayor Davies asked about the Tovar Project location. Mr. Sanders indicated is located to the South of Mengali's Florist on West Street. The Project consists of loft living above retail space on the lower floor.

CONSENT CALENDAR

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

AGREEMENT-OPERA HOUSE-USE OF MEASURE E FUNDS

Vice Mayor Davies wanted Council to be aware of the design issue. Council will be approving the expenditure of funds and he would like the design to come in at the right value and be done with adequate controls of expenditures. He wants Director Gentry to watch the project very closely.



At the request of a citizen present and with Council concurrence, the following item was removed from the Consent Calendar for discussion:

LETTER OF INQUIRY TO PG&E REGARDING ELECTRIC FRANCHISE FEES

Dan Berman of Davis said he has been an Advisor of publicly owned utilities. Measure H was supported by the citizens. He wants the option of public power to be kept alive in Yolo County. Mayor Flory said this item is scheduled for discussion later in the Agenda and suggested Mr. Berman wait to address his concerns at that time.

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

<u>APPLICATION-CALHOME PROGRAM FIRST-TIME HOMEBUYERS MORTGAGE</u> ASSISTANCE

Vice Mayor Davies asked about the appreciation on the sale of the housing. Housing Analyst McLeod said it relates to inclusionary housing. The difference is the fair market and the cost of housing. They can only sell to low income buyers in the first ten years. After that time the City has the silent second on the difference. With Cal Home there is just a 3% interest. Director Munowitch said the first time home buyers are required to pay back the 3% per year.

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

TREASURER'S INVESTMENT REPORT – FEBRUARY 2007

Council reviewed and accepted the Treasurer's Investment Report for February 2007.

AGREEMENT-OPERA HOUSE-USE OF MEASURE E FUNDS

Council authorized the City Manager to enter into an Agreement with the Woodland Opera House regarding the use of Measure E proceeds as outlined in Measure D. See additional comments above.



CONCESSION AGREEMENTS-YOUTH BASEBALL ORGANIZATIONS

Council authorized the City Manager to execute Contracts for concession stand leases with Babe Ruth Baseball at Clark Field, Woodland Little League at Camarena and Cal Ripken at Buchignani Field.

ORDINANCE-CABLE COMMUNICATIONS SYSTEM

Council introduced an Ordinance amending Chapter 8A of the Code regarding cable communications systems to comply with the passage of Assembly Bill 2987, State-wide franchise agreements.

ORDINANCE-TRANSFER TAX COLLECTION

Council introduced an Ordinance to amend section 23.62 of the Code to comply with the current California Revenue and Taxation Code Section 11911.

LETTER OF INQUIRY-PACIFIC GAS AND ELECTRIC FRANCHISE FEES

Council authorized the Mayor to sign a letter to Pacific Gas and Electric Company inquiring about and requesting validation of franchise fee calculations. See additional comments above.

INTERIM CITY MANAGER AGREEMENT

Council approved an Agreement between the City of Woodland and Rick Kirkwood for services as Interim City Manager for the period of May 1, 2007 through June 30, 2007.

BEVERAGE CONTAINER RECYCLING AND LITTER REDUCTION ACT GRANT FUNDS

Council approved submittal of a Funding Request Form to the Department of Conservation for a beverage container recycling and litter reduction grant; authorized the Public Works Director and/or his designee to execute all necessary forms on behalf of the City; accepted and executed the grant when funds are available.



PURCHASE OF CHIPPER AND TRACTOR

Council authorized the replacement of the Parks Division chipper and the purchase of a new John Deere Gator utility vehicle for the Community and Senior Center.

RESOLUTION 4818-CALHOME PROGRAM-FIRST-TIME HOMEBUYERS MORTGAGE ASSISTANCE APPLICATION

Council adopted Resolution 4818, "A Resolution of the City Council of the City of Woodland Authorizing the Submittal of an Application to the California State Department of Housing and Community Development for Funding Under the CalHome Program; the Execution of a Standard Agreement if Selected for Such Funding and Any Amendments Thereto; and Any Related Documents Necessary to Participate in the CalHome Program"; authorized the City Manager to execute in the name of the City of Woodland, the application, the Standard Agreement and all other documents required by HCD for participation in the CalHome Program.

2007-2008 NON-TAXABLE TAX AND REVENUE ANTICIPATION NOTES (TRANS)

Council adopted Resolution 4819, a City of Woodland Local Agency "Resolution Authorizing and Approving the Borrowing of Funds for Fiscal Year 2007-2008; the Issuance and Sale of a 2007-2008 Tax and Revenue Anticipation Note Therefore and Participation in the California Communities Cash Flow Financing Program", jointly sponsored by the California State Association of Counties and the League of California Cities.

OFFICIALS FROM SIAULIAI LITHUANIA

Council authorized Mayor Flory to represent the City of Woodland by hosting a reception lunch for officials from Siauliai Lithuania.

LEMEN/NORTH/EAST REALIGNMENT AND TRAFFIC SIGNAL

Council provided advance authorization for the Public Works Director to negotiate and execute land dealings related to the purchase and sale of all necessary land and right-of-way for Capital Project 00-04 Lemen Avenue, North Street, East Street Realignment and Traffic Signals, within 10% of the final appraised values of the related properties.



REPORTS OF THE CITY MANAGER

PUBLIC POWER IN YOLO COUNTY

Council Member Pimentel indicated this topic had returned as the voters had approved one of the measures and it is Council responsibility to address that outcome. Pacific Gas and Electric recently indicated they will raise their rates for the third time since November 2006. The Resolution and recommendation is not about the Sacramento Municipal Utility District but about possible other options for energy and the formation of a Sub-Committee to address those options. The proposed Resolution is non-binding.

Vice Mayor Davies feels that Council needs to continue to look at other options for affordable power for the City and the citizens. The SMUD issue is over. Council Member Marble does not want a formalized Resolution on the matter. It is appropriate for Staff to explore options for the City to save money on our own power costs. Council Member Monroe said he has had contact with citizens who do not want public power.

Dan Berman of Davis feels that the Resolution would help the issue keep from becoming lost. P. G. & E. used our rate fees to campaign against this issue. They spent \$1.8 million in Yolo County alone. They use rate payer money to donate to various causes to improve their image. In Davis an Energy Task Force has been established to look at other options.

Brian Micek of West Sacramento said P. G. and E. rates are substantially higher than other power sources. The Resolution will remind people there are other options available. P. G. & E. should not be concerned about Cities looking at other options if their fees are correctly applied.

James Morante said P. G. & E. has long standing connections to the community and supporting local events. The people in Woodland overwhelmingly supported staying with P. G. & E. in November 2006. They want to move on and do a better job for their customers. They have been named one of the top "green" companies. They would like to be involved with the Task Force. Council Member Pimentel said in five months, P. G. & E. has raised their rates three times. Mr. Morante said it is not just within the last five months, but these increases have been spread over a long period of time. The power is reliable and there are other options for power within P. G. & E.

Loretta Hansen said in November the voters were barraged by materials from P. G. & E in their efforts to frighten the citizens. The Resolution is only asking that we keep our options open. We need to think about the people.



SMUD could not do the kind of propaganda P. G. & E. used because a public entity cannot use public money for campaign issues.

Mariko Yamada, Member of the Board of Supervisors, said the Board was very involved in the public power process. They have not taken formal action as yet. She will be continuing on behalf of the Board to look at other options for power. In Davis it has been on the agenda for over ten years. One issue is a Community Choice Aggregate.

Mayor Flory is not in favor of the Resolution but does want to keep the options open. This is not a SMUD issue. P. G. & E. should not be criticized because they donate to local events. He is supportive of a Committee and possible other sources of energy acquisition. He would like Vice Mayor Davies and Council Member Pimentel to be part of an Energy Committee. There was no formal concurrence or action taken by Council to form a Committee or appoint Council Members to such.

Council Member Pimentel asked if there is currently a staff person identified as the "energy" person. Council Member Marble said this discussion should meld with other energy options into energy conservation. Public Power in general is a big risk and could be higher than other utility rates. With all that is before Council at this time, it may not be appropriate to move in this direction now.

Council Member Monroe said the City should be working to save money on power now. The new Police Station does not have solar panels which should be addressed.

City Manager Kirkwood said the City is always looking for ways to save money. He asked about the formation of an Ad Hoc Committee for a limited term. This Committee could come back with a specific scope. There is no staff member that has available time at present. Vice Mayor Davies said the new City Manager and Mr. Kirkwood should provide counsel on the issue. City Manager Kirkwood said it will depend on the focus, whether it be buildings or vehicles.

PUBLIC HEARINGS

APPEAL OF GRADING PERMIT-COLLET PROPERTY

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried unanimously, Council opened the Public Hearing on an Appeal filed by David Michael Young on behalf of R. C. Collet of Collet-Lukenbill



Enterprises regarding a staff denial of a Grading Permit to import fill for property along Freeway Drive, Assessor Parcel Numbers 027-300-45 and 027-300-54 and continued said hearing to the May 1, 2007 meeting of the Council.

2007-2008 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN

At 7:04 p.m., Council Member Marble recused himself from the discussion on this item and left the Chambers as he is a Board Member of the Food Bank which is one of the applicants and feels it could be a conflict of interest.

Redevelopment Manager Shallit said the entitlement for 2007-08 for the Community Development Block Grant is \$592,363, which is a cut of 1%. The Department of Housing and Urban Development (HUD) allows 20% for Program Administration costs, which is \$118,743. As per Council direction to lower that cost to at maximum 15%, the amount for Administration would be \$88,854. Public services are subject to a HUD 15% cap, which is also \$88,854. Staff is asking that Council adopt new Program Income Reuse Guidelines that will allow for an additional \$23,032 available to Public Services. The CDBG Committee had been disbanded as per Council direction and approval. The approved applicants who have received funds last year will receive approximately the same amount this year. Mayor Flory asked if those who did not spend all of the funds last year would be penalized this year. Manager Shallit said the funds are not fully allowed if not spent because they must show they are ready to go forward and spend all of the funds or they do not comply with HUD regulations.

At 7:11, Mayor Flory opened the Public Hearing.

Barbara Fleck thanked the City staff on the selection process and said it has been more effective without the Committee.

Francisco Rodriguez thanked staff for helping them to complete their project.

Carlos Jackson has a project with the Davis Art Program. There is a U. C. Davis program that has gone through the process and created murals in various locations.

Brenda Pate said she came before Council for funds on her project but it took nine months for the contract to be approved. They had to resubmit their project as a commercial use. It increased the costs and delayed their project.



Pauline Rock from Meals on Wheels and Elderly Nutrition said the process was very good and she felt it was a good way to select recipients. Staff is more aware of the programs and who needs the help.

At 7:20 p.m., Mayor Flory closed the Public Hearing.

Vice Mayor Davies asked that information be provided on the \$8,500 for the brochure printing of the walking tour booklet and \$7,800 for the ADA sidewalk improvements. Director Munowitch said he will meet with the Vice Mayor and go over these items in detail. There is General Fund overhead and internal support of the CDBG program that is not charged against those funds.

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried by the Members present, Council adopted Resolution 4820, "A Resolution of the City Council of the City of Woodland to Approve the Annual Action Plan for the Community Development Block Grant (CDBG) Program"; such Resolution approved the 2007-08 CDBG Annual Action Plan with funding allocations as recommended by staff; directed staff to complete the 2007-08 Action Plan, as well as, any other items required by HUD, incorporated the adopted funding allocations along with any public input received during the public comment period and incorporated changes to past projects as proposed by staff; directed staff to forward the completed 2007-08 Action Plan to the United States Department of Housing and Urban Development by May 15, 2007; authorized the City Manager to execute any agreements, contracts or other documents with the appropriate entities to carry out the CDBG funded activities; approved changes to the City's Program Income Reuse Plan to allow for use of program income for public service activities and amend the 2006-07 Annual Action Plan accordingly; amended the 2006-07 CDBG Annual Action Plan to reprogram \$8,500 in administration contingency for preparation of the historic walking tour booklet; amended the 2006-07 project description for Woodland Youth Services to add construction of a staff office (no additional funds) and for the Woodland Summer House to change their request for funding new flooring to purchasing a new heating and air conditioning system; reallocate the \$7,800 allocated to the Beamer Park facility in the 2003-04 Action Plan to the ADA sidewalk improvement project and approve the revised PPSS for Project No. 05-05; reprogrammed \$813.71 remaining in projects to the City's Housing Rehabilitation Loan Program; and, authorized the City Manager to release a Request for Qualifications, select a vendor and execute a contract for an Administrative Subcontractor.



At 7:22 p.m., Council Member Marble returned to the Chambers.

At 7:22 p.m., Council Members Pimentel and Marble left the Chambers.

REPORTS OF THE CITY MANAGER (continued)

SCHEDULE-CITY MANAGER RECRUITMENT

City Manager Kirkwood said the tentative scheduled dates for the City Manager recruitment had included a May $11^{\rm th}$ date. It appears that is not a good date for several Council Members.

At 7:24, Council Member Pimentel returned to the Chambers. At 7:25 Council Member Marble returned to the Chambers.

City Manager Kirkwood suggested May 15^{th} as an alternate date, with May 19^{th} and 24^{th} as additional dates. May 15^{th} would be an all day session where the top five or six candidates would be interviewed. Council concurred on May 1, 15, 19 and 24, 2007 as dates for the process.

INFORMATION TECHNOLOGY STRATEGIC PLAN

Information Systems Manager Bush said the Plan began with a team effort in February of 2005 and the Council approved the Plan in October 2005. Staff implemented those items that were obvious and easily completed in 2006 and received approval for associated Capital Projects in 2007. The Website redesign was to be implemented in two phases.

Council Member Pimentel asked about the document library and if they all would be on the Website. Manager Bush said most items would be included but there will be some that are too large to be accommodated at this time.

At 7:34 p.m., Council Member Pimentel left the Chambers.



Manager Bush said the plan is to have live streaming at some point. The City will be working with other entities, possibly the County of Yolo on training issues.

At 7:37 p.m., Council Member Pimentel returned to the Chambers.

Vice Mayor Davies asked about the costs associated with the Public Works and Recreation vehicle mobile computing. Replacement of software is often and costly. Manager Bush said the City is trying to keep it through the normal bid process with those costs in mind. He will meet with the Vice Mayor directly to respond to questions.

GREEN WASTE COLLECTION SERVICES RECOMMENDATION AND RATE ADJUSTMENT; ORDINANCE ON YARD REFUSE

Environmental Resource Analyst Engel said the proposed Ordinance will identify the size of the piles allowed which can only be placed in the street once per week. There will be a citation for failure to comply with the standard. Extensive outreach in English and Spanish will be undertaken. Management will provide monthly reports on the amount of green waste collected. There will be a discount for low in come individuals. During the nonleaf season there could be a twice per month street collection at a cost of \$1.75 per household, but that is not recommended as piles would then be left in the street for up to two weeks. Enforcement would be difficult, if at all possible, and it is inconsistent with the Citizen Committee recommendation. recommended that Council receive the recommendations and introduce the Ordinance. If Council chooses to pursue the second pickup, as it is an extra cost, it will be necessary to secure approval of the voters at a cost of approximately \$15,000. The rates for one or two containers will be \$11.59, with three or four containers at \$14.55. The only input she has received has been that the piles cause a safety issue for bicyclists.

Council Member Monroe asked about the placement of the piles in the street seven days before. Analyst Engel said the toters would go out the night before pickup. The green waste on the street was changed so that it would go out the week before. The increase in the franchise fees would not cover the cost for pickup in the street.

Vice Mayor Davies would like to have twice per month pickup during March to be covered by the franchise fee. Mayor Flory said the additional money



from the franchise fees should be utilized elsewhere in the City. City Manager Kirkwood said this is a General Fund item and when the budget is presented to Council at the May $19^{\rm th}$ retreat, it could be an item of discussion.

Vice Mayor Davies asked about the \$7,500 for low income assistance and who would be paying for the cost. Analyst Engel said this comes out of Waste Management profit. City Manager Kirkwood said Waste Management is getting the value out of extending their contract.

On a motion by Council Member Marble, seconded by Council Member Monroe and carried, Council received the Green Waste Collection Services Recommendations and Rate Adjustment as presented; introduced and read by title only, "An Ordinance of the City of Woodland Amending Section 23C-4-14 and Adding Section 23C-4-16 to the Code of the City of Woodland Relating to Yard Refuse Services". Vice Mayor Davies voted to the negative.

TIMING OF CITY COUNCIL ELECTIONS

City Clerk Vannucci indicated Council had requested analysis of the requirements of Assembly Bill 157 as to whether Council should consider change of their Election date to coincide with the Presidential Primary election.

On a motion by Vice Mayor Davies, seconded by Council Member Marble and carried unanimously, Council determined to leave their election date as per current Code and not change to coincide with the Presidential Primary.

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Respectfully submitted,	
Sue Vannucci, CMC, City Clerk	