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

### **MINUTES**

## CITY COUNCIL SPECIAL/CLOSED SESSION

**OCTOBER 17, 2006** 

6:00 P.M.

### **CLOSED SESSION**

At 6:00 p.m. Council held a conference with Labor Negotiators pursuant to Section 54957.6. The Agency Designated Representative was Phillip Marler and the Employee Organizations discussed were Woodland City Employees' Association, Woodland Professional Firefighters' Association, Woodland Police Supervisors' Association; Mid-Management and Professionals' Association.

Council held a conference with Real Property Negotiators pursuant to Section 54956.8 for the property at Beamer and East Streets. The Agency Negotiator was City Manager Kirkwood, the negotiating parties the City of Woodland and Bernard Burks. Under negotiation were price and terms of payment.

Council held a conference with Legal Counsel regarding one care of anticipated litigation, initiation of litigation pursuant to Subdivision (c) of Section 54956.9.

Present at these sessions were Mayor Flory, Vice Mayor Davies, Council Members Monroe and Pimentel (arrived at 6:09), City Manager Kirkwood and Assistant City Manager Marler. Council Member Marble was absent.

# JOINT REGULAR CITY COUNCIL/ REDEVELOPMENT AGENCY BOARD MEETING COUNCIL CHAMBERS

7:00 p.m.

### CALL TO ORDER

At 7:09 p.m. Mayor Flory called the Joint Regular meeting of the City Council and the Redevelopment Agency Board of the City of Woodland to order.



### **CLOSED SESSION ANNOUNCEMENT**

Mayor Flory announced that Council had held a closed session to discuss Labor Negotiations and had received a report. Council also discussed Real Property Negotiations and had provided direction to the Agency Designated Representative and received a report from Legal Counsel regarding one case of Anticipated Litigation, Initiation of Litigation. No action was taken.

### PLEDGE OF ALLEGIANCE

Mayor Flory invited all in attendance to join in the Pledge of Allegiance led by Police Lieutenant Charlie Wilts.

### **ROLL CALL**

COUNCIL MEMBERS PRESENT: Skip Davies, Jeff Monroe, Art Pimentel, David Flory

COUNCIL MEMBER ABSENT: William Marble

STAFF MEMBERS PRESENT: Rick Kirkwood, Phil Marler, Dan Gentry, Ann

Siprelle, Sue Vannucci, Gary Wegener, Barry Munowitch, Charlie Wilts, Cynthia Norris, Rich Thomas, David Turk, Rex Greenbaum, Jamie McLeod, Cynthia Shallit, Curtis Maglinte, Walter

Scruggs, Eric Zane, Gus Bush

### PUBLIC COMMENT

Neal Peart, City Representative on the Sacramento-Yolo Mosquito and Vector Control District Board said that West Nile Virus is coming to an end for the year. This will be a ongoing problem next year as well.

Captain Rich Thomas, President of the Woodland Professional Firefighters' Association thanked the Council for meeting with the Association directly. He said the local Firefighters are paid 16 to 20% below other Firefighters in the area and he is concerned about a mass exodus of Firefighters. The Association wants to utilize other benchmark Cities in the salary study that are mutually agreeable to the City and the Association.



### **COMMUNICATIONS - WRITTEN**

Council received a report on the League of California Cities Annual Conference Resolutions.

### COMMITTEE REPORT

Council received the minutes of the Commission on Aging meeting of July 24, 2006.

Council concurred to reorder the Agenda to make the Presentations at this time and to move the resignation of a Library Board Member from Consent to Presentations as well.

### **PRESENTATIONS**

### LAW ENFORCEMENT RECORDS & SUPPORT PERSONNEL DAY PROCLAMATION

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried by the Members present, Council proclaimed November 1, 2006 as "Law Enforcement Records and Support Personnel Day". Council Member Monroe presented the Proclamation to Senior Police Records Specialists Stacey Brigham, Cathy England, and Melissa Griffith and to Police Records Specialists Josefina Castillo and Carole Crabbe.

### RESIGNATION OF LIBRARY BOARD MEMBER

On a motion by Vice Mayor Davies, seconded by Council Member Monroe and carried by the Members present, Council accepted the resignation of the Library Board of Trustee Member Randy Nordmark, from his position on the Library Board of Trustees. Council Member Pimentel presented Mr. Nordmark with a Certificate of Appreciation for his years of service on the Board.

### COUNCIL/STAFF COMMENTS

Vice Mayor Davies commented on the inundation of materials received from Pacific Gas and Electric over the past several weeks in regard to the proposed annexation to the Sacramento Municipal Utility District. He reiterated the Council's position on the positive aspects of such annexation.



He also stated that Art in Public Places Ordinance is not ready for further action at this time and asked that Council appoint a Sub-Committee to study the item over the next year. City Manager Kirkwood said Art in Public Places item will go to Sub-Committee, meetings will be held with citizens and will return on a future Agenda.

Council Member Pimentel would like Council to take formal action in the form of a Resolution of Support Measures H and I (SMUD annexation). He asked that this request be placed on the next Council Agenda. Council concurred.

Council Member Monroe asked that Council acknowledge the death of Charlie Rominger.

City Manager Kirkwood said next Tuesday's meeting, October 24, 2006 will focus on water and flood issues. The tentative items at this time are:

- Report on the Draft Integrated Regional Water Management Plan
- Update on the Cache Creek Flood Management Stakeholder Process
- Sacramento Valley Flood Control Issues
- Cache Creek Levee Breach and Floodplain Evaluation Report
- Representatives to Take the Lead with the County in Discussion of Global Flood Management Issues and Address County's Request for Funding of Near Term Projects
- Davis-Woodland Water Supply Project Update
- Storm Drain Enterprise Fund Program for the Enterprise Fund Rate Increase Process
- Compliance with Year 3 Storm Water Best Management Practices
- 2006/2007 Construction Site Storm Water Quality Enforcement Procedures

City Attorney Siprelle reminded Council of the legal requirements regarding E-mail in relation to the Brown Act. Messages received from citizens to all Council Members should not be answered via the "respond to all" as that would represent a serial meeting, which is in violation of the Act.

City Manager Kirkwood announced that Jeff Roddy Park will be dedicated on October 24, 2006 at 5:00 p.m.

Vice Mayor Davies indicated that at present there are Council meetings scheduled for November 28, December 5 and December 12, 2006. City Manager Kirkwood said staff will make every effort to handle all items at the December 5<sup>th</sup> meeting and cancel the December 12<sup>th</sup> meeting. Council concurred.



On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried by the Members present, Council approved the following Regular and Redevelopment Consent Calendar items as presented:

### CONSENT CALENDAR-REGULAR

### TREASURER'S INVESTMENT REPORT

Council reviewed and accepted the August 2006 Treasurer's Investment report.

### MONTHLY STATUS REPORT-FIRE DEPARTMENT

Council received the September 2006 Monthly Status Report from the Fire Department.

## RESOLUTION 4771-MEMORANDUM OF UNDERSTANDING-WOODLAND POLICE SUPERVISORS' ASSOCIATION

Council adopted Resolution 4771, "A Resolution of the City Council of the City of Woodland Approving Certain Terms and Conditions for Police Supervisors' Association", for the period July 1, 2006 through June 30, 2009.

# <u>SUPPLEMENTAL REIMBURSEMENT AGREEMENT-DAVID SNOW (DAS HOMES)</u>-GIBSON RANCH COMMUNITY FACILITIES DISTRICT PUBLIC LANDSCAPING

Council authorized the Public Works Director to finalize negotiations and execute a Reimbursement Agreement for public landscaping to be installed in conjunction with the development of the Hanson Ranch Subdivision, at a cost not-to-exceed \$150,000, Project 04-13.

# RESOLUTION 4772-APPLICATION TO CALIFORNIA HOUSING FINANCE AGENCY FOR §1033 EXCHANGE AFFORDABLE HOUSING—FAIR PLAZA EAST APARTMENTS REHABILITATION PROJECT

Council adopted Resolution 4772, a "Resolution of the City Council of the City of Woodland", authorizing the submittal of an application to the California Housing Finance Agency (CalHFA) for funding under Housing Enabled by Local



Partnerships Program (HELP) and the execution of loan agreements and other necessary documents by the City Manager.

### RESOLUTION 4773-GANN APPROPRIATIONS LIMIT 2006-07

Council adopted Resolution 4773, "A Resolution to Set the Appropriation Limit for the City of Woodland, in Accordance with Article XIII-B of the State Constitution for Fiscal Year 2006-07".

### RESOLUTION 4774-FOR STATE DISASTER ASSISTANCE

Council adopted Resolution 4774, a "Resolution Authorizing State Disaster Assistance Reimbursement (FEMA)", approving the designation of applicants agent resolution which authorized City Manager Kirkwood, Assistant City Manager Marler, and Finance Director Drayton to represent the City in matters pertaining to State Disaster Assistance Reimbursement.

### <u>CONSENT CALENDAR – REDEVELOPMENT AGENCY</u>

RESOLUTION 06-05-SECOND AMENDMENT-PARTICIPATION AGREEMENT-COMMUNITY HOUSING OPPORTUNITIES CORPORATION TO INCREASE SUBORDINATION OF HOUSING LOAN FOR CASA DEL SOL AFFORDABLE HOUSING

The Board approved Agency Resolution 06-05, a "Resolution of the Redevelopment Agency of the City of Woodland Approving an Increase in the Amount of Senior Debt Financing Allowed Under the Participation Agreement for the Casa del Sol Project" for the subordination of the Agency's loans and Affordable Housing Covenants.

### PUBLIC HEARING

### **SPRING LAKE INFRASTRUCTURE FEES**

City Manager Kirkwood said there has been no change in the status of this item and recommended continuance of the Public Hearing to the November 7, 2006 meeting. The Spring Lake Specific Plan Sub-Committee is scheduled to meet on October 26, 2006.



On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried by the Members present, Council continued the Public Hearing and Adoption of a Resolution Increasing the Spring Lake Infrastructure Fees to the November 7, 2006 meeting of the Council.

### JOINT REPORT OF THE CITY MANAGER AND REDEVELOPMENT AGENCY

## RESOLUTION 4775-SUPPORT AND PARTICIPATION-SUPERIOR COURTS IN WOODLAND

City Manager/Executive Director Kirkwood said the City has been working with the Court Executive Officer and the County Executive Officer to assist in the decision to maintain the Superior Court system in the downtown Woodland footprint. The Council/Board had confirmed their desire to develop an economic incentive package to assist in the process of maintaining the system here. The Board of Supervisors is considering adoption of a Resolution of support and participation at their meeting this day and along with an affirmative action on their part, the Resolutions of both agencies would be submitted by the October 20, 2006 deadline set by the State Judicial Council for their consideration and recommendations for capital outlay projects for the fiscal year 2008-09.

Court Executive Officer James Perry indicated the Judges, many of whom were present, fully support the maintenance of the system in the City. The project has been ongoing for approximately 10 years. The County Board did pass the Resolution at their meeting held this morning. The success of this endeavor would bring approximately \$113 million for development of the project. There is a very short window and it is crucial to proceed quickly. The Court supports the project as well. If approved, it would be five to seven years before the Courts would be built.

Christine Shewmaker asked that the public and private entities consider all forms of energy saving as part of this project. City Manager said page five of the Council Communication indicates the use of environmentally sound green buildings for the project.

Developer Paul Petrovich has a proposed a theater complex for the area around Third and Main Street. Hoblitt-Haynes will be relocated to a parcel yet to be annexed.

Council Member Pimentel said the project should be widely advertised for maximum citizen information on the dramatic change to be made in the



downtown. Council Member Monroe said Woodland has been the center of the Court system for a very long time. The Council needs to be very proactive on the support of this project.

On a motion by Vice Mayor Davies, seconded by Council Member Pimentel and carried by the Members present, Council adopted Resolution 4775, a "Resolution of the City Council and Redevelopment Agency of the City of Woodland Confirming Policy Statements and Encouragement for the Superior Court of California, County of Yolo Replacement and Expansion Plans", in downtown Woodland.

Council temporarily recessed from 7:40 to 7:50 p.m.

### REPORTS OF THE CITY MANAGER

RESOLUTION 4776-AMENDED AND RESTATED YOLO COUNTY NATURAL COMMUNITIES CONSERVATION PLAN JOINT POWERS AGREEMENT-COUNCIL REPRESENTATIVES

Senior Planner Norris said the proposed amended and restated agreement replaces the expired "Agreement Regarding Mitigation Impacts the Swainson's Hawk Foraging Habitat", updates the existing membership agreement, clarifies roles and responsibilities, and defines adequate funding strategies.

Council Member Pimentel feels the Agreement needs more scrutiny prior to approval. Vice Mayor Davies questioned where the funding source had been on the issue prior to this point. Maria Wong of the Habitat Joint Powers Agency said the recommendation had been discussed with former JPA Board Member representing the City, Matt Rexroad so the information is not new. In the past there had been some problems with financing. In 2005 a grant was received but not in 2006. They have been operating for fourteen years. They need to get in line for consideration for Federal funds and other sources. Vice Mayor Ms. Wong said when Davies asked about the money received to date. organization of the JPA took place there were funding sources available to them. The capital is needed now to move toward getting other funding. They have some backup that will reimburse the operational accounts. Vice Mayor Davies said the \$6 million was acquired from annexation and development fees. There does not seem to be any long term plan. Ms. Wong said the \$6 million was from development and the willing sellers that had come forward and committed



to the program. Incentives cannot be given at this time. The long term goal is for the mitigation trust fund program for Swainson's Hawk to sunset.

Council Member Pimentel asked what the ultimate goal is and what specific areas will be targeted. Ms. Wong said there is movement to target acres. The updates of various General Plans will define the open space conservation network. Council Member Pimentel asked if City development eats up agricultural land can we donate the land to the JPA. Ms. Wong said that is what currently happens. The two methods now are: (1) mitigation for one acre per acre replaced and the specific area of replacement is not defined; and (2) the conservation computation is to keep the land from development.

Vice Mayor Davies would like clarification on stacking. Ms. Wong said there is an end at some point and there are a lot of parts to this. The input from other agencies will summarize the plan. The stacking is related to Swainson's Hawk and may not necessary be a good method. They could expand the footprint but it would use up the money.

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried by the Members present, Council adopted Resolution 4776, a "Resolution Authorizing the Mayor to Execute First Amended and Restated Joint Powers Agreement of the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency"; authorized the Mayor to sign the Agreement and Successor Agreement; appointed Vice Mayor Davies as the primary and Council Member Marble as the alternative representatives to the JPA Board.

### **ORDINANCES**

### ORDINANCE 1471-COUNCIL MEETING BEGINNING AND ENDING TIMES

On a motion by Council Member Pimentel, seconded by Council Member Monroe and carried by roll call vote, Council adopted Ordinance 1471, "An Ordinance of the City of Woodland Amending Sections 2-1-1, 2-1-2, 2-1-31 of the Woodland Municipal Code Regarding Council Meeting Times", changing the beginning time from 7:00 p.m. to 6:00 p.m. and ending time from 10:30 p.m. to 8:00 p.m. unless Council concurs to extend the ending time by majority vote at the meeting in question. On roll call, the vote was as follows:



AYES: Council Members Davies, Monroe, Pimentel, Flory

NOES: None

ABSENT: Council Member Marble

ABSTAIN: None

### ORDINANCE 1472-RESTATING YARD REFUSE COLLECTION PARAMETERS

On a motion by Vice Mayor Davies, seconded by Council Member Monroe and carried by roll call vote, Council adopted Ordinance 1472, "An Ordinance of the City of Woodland Amending Section 23C-4-14 of the Code of the City of Woodland Relating to Yard Refuse Services". On roll call, the vote was as follows:

AYES: Council Members Davies, Monroe, Pimentel, Flory

NOES: None

ABSENT: Council Member Marble

ABSTAIN: None

### ADJOURN

Mayor Flory adjourned the joint regular meeting of the City Council and Redevelopment Agency Board at 8:05 p.m.

Respectfully submitted,	
Sue Vannucci, CMC, City Clerk	