Woodland City Council City Hall – Council Chambers 300 First Street Woodland, CA 95695

#### **MINUTES**

# CITY COUNCIL SPECIAL/CLOSED SESSION

**JUNE 7, 2005** 

6:30

Council held a conference with Legal Counsel regarding existing litigation pursuant to Government Code Section 54956.9(a). The name of the case is the City of Woodland versus the California State Water Resources Control Board, et al. Present at this session were Mayor Rexroad, Council Members Monroe, Peart and Pimentel, City Manager Kirkwood, Assistant City Manager Marler, City Attorney Siprelle and Public Works Director Wegener. Vice Mayor Flory was absent.

# JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD REGULAR MEETING

# 7:00 P.M.

# CALL TO ORDER

Mayor Rexroad called the joint regular meeting of the Council and Redevelopment Agency Board to order at 7:01 p.m.

# PLEDGE OF ALLEGIANCE

Mayor Rexroad invited those present to join in the Pledge of Allegiance led by Council Member Monroe.

# ROLL CALL

COUNCIL MEMBERS PRESENT: David Flory (arrived at 7:05), Jeff Monroe, Neal

Peart (arrived at 7:03), Art Pimentel, Matt Rexroad



COUNCIL MEMBERS ABSENT: None

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

Vannucci, Dan Gentry, Karl Diekman, Carey Sullivan, Joan Drayton, Paul Miller, Tricia Stevens,

Christine Engel, Julie Henson, Debbie Grose

OTHERS PRESENT: Contract Engineer Nick Ponticello

# PUBLIC COMMENT

Ineke de Witt of the Hiddleson Aquatic Care Team, thanked the Council for including the Hiddleson Pool in the new budget. They have had a very successful fund raising to help keep the pool operating and the Parks, Recreation and Community Services staff have been very supportive.

Grace Hiddleson said she is happy that the community and Council compromised in keeping the pool open and active.

# **COUNCIL/STAFF COMMENTS**

Council Member Pimentel thanked Mayor Rexroad for organization of the Bowling Night for the Commissioners, Council and Staff. He reminded Council and members of the public of the Sister City event on Thursday. The Mayor and three Council Members of La Piedad will be here. There is a Community/Senior Center fund raising underway and encouraged he donations.

Mayor Rexroad said he had gone to the Willow Spring Elementary School and spoken to a third grade class. He announced there had been a Park Plaque dedication at Crawford Park at 5:00 p.m. this evening and Parks, Recreation, Community Services and Urban Forestry Commission Member Jack Slaven was commended for his excellent presentation. On August 14, 2005 there will be a Woodland Night at Raley Field to raise funds for the athletic facility at Pioneer High School.

# **PRESENTATIONS**

# FOURTH OF JULY CELEBRATION SPONSORS

Parks, Recreation and Community Services Director Gentry said the Recreation Foundation took responsibility for the Fourth of July Celebration three years ago. The program has been gradually increasing every year, with a live



telecast this year via Woodland Access Visual Enterprises. The sponsors were presented with plaques commemorating their donations to this program.

Woodland Health Care had been added after the preparation of the Council Communication and upon receipt of their plaque, announced they will also be donating \$25,000 toward the Community/Senior Center construction project.

Mayor Rexroad announced the following item had been removed from the Agenda at this time.

# REPORTS OF THE CITY MANAGER

# <u>DIRECTION TO STAFF AND DEVELOPER REGARDING GATEWAY AUTO CENTER</u> PROJECT

City Manager Kirkwood said the project is evolving and advised it should return for Council consideration at the June 21, 2005 meeting where a recommendation to extend the Development Agreement will be requested.

# PUBLIC HEARINGS

General comments made on the Lighting and Landscaping District by Assistant Finance Director Grose indicated that Streng Pond and North Park have caps on the assessment. Streng is capped at \$79.10 and North Park at \$215.40. West Wood will go to \$460.00 and Gibson Ranch to \$235.12, which is an increase of \$33.60 over a five year period. The amount set for last year was not utilized at the full amount as expenses were less than anticipated.

# RESOLUTION 4639A-GIBSON RANCH LANDSCAPING AND LIGHTING DISTRICT ANNUAL LEVY OF ASSESSMENTS

Mayor Rexroad opened the Public Hearing at 7:22.

Loretta Hansen said two years ago the assessment was raised twice. She asked for further information on why the amount is increasing again. Assistant Director Grose said in 2004-05 the amount was set at \$221 but was only levied at \$201. This District is relatively new. There are some reserves that were used to keep the fee from being set at the maximum at that time. There is no reserve left for the 2005-06 year.



Colette Stewart said the fees could be less if different land was used. Director Wegener said when the District was formed the Engineer's Report set those fees to be phased in over ten years. All of the information on the maximums were to be given to the homeowners by the Realtors.

John Murphy of the Parks, Recreation, Community Services and Urban Forestry Commission said the fee structure is set at the creation of the District and the fees change constantly. The information is provided in the purchasing paperwork. The City cannot spend General Fund money in this District and this money must be utilized in the District only.

At 7:29 Mayor Rexroad closed the Public Hearing.

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried unanimously, Council adopted Resolution 4639A, "A Resolution of the City Council of the City of Woodland, California, Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the Gibson Ranch Landscaping and Lighting District, Fiscal Year 2005-2006".

# RESOLUTION 4645A-STRENG POND LANDSCAPING MAINTENANCE DISTRICT ANNUAL LEVY OF ASSESSMENTS

Mayor Rexroad opened the Public Hearing at 7:31. With no comments heard, the Public Hearing was closed at 7:32.

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried unanimously, Council adopted Resolution 4645A, "A Resolution of the City Council of the City of Woodland, California, Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the Streng Pond Landscaping Maintenance District, Fiscal Year 2005-2006".

# RESOLUTION 4642A-NORTH PARK LIGHTING AND LANDSCAPING DISTRICT ANNUAL LEVY OF ASSESSMENTS

Mayor Rexroad opened the Public Hearing at 7:32. With no comments heard, the Public Hearing was closed at 7:32.

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried unanimously, Council adopted Resolution 4642A, "A Resolution of the City Council of the City of Woodland, California, Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection



of Assessments within the North Park Lighting and Landscaping District, Fiscal Year 2005-2006".

# RESOLUTION 4648A-WEST WOOD UNIT NO. 1 LANDSCAPING AND LIGHTING DISTRICT ANNUAL LEVY OF ASSESSMENTS

Mayor Rexroad opened the Public Hearing at 7:33. With no comments heard, the Public Hearing was closed at 7:34.

On a motion by Council Member Peart, seconded by Council Member Pimentel and carried unanimously, Council adopted Resolution 4648A, "A Resolution of the City Council of the City of Woodland, California, Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the West Wood Unit No. 1 Landscaping and Lighting District, Fiscal Year 2005-2006".

#### **ORDINANCE**

#### ORDINANCE 1433-CITY-WIDE GREEN WASTE CONTAINER PROGRAM

Environmental Resources Analyst Christine Engel said the proposal to institute a green waste container program is based on the consistency with the Federal Clean Water Act requirements, the improvement to parking and visual quality, reduced maintenance for storm drain inlets and reduced wear and tear on City streets. The pilot program began in September of 2002. The Solid Waste Committee approved phasing of the container plan in April of 2003, with Council approval of Phase 1 in May of 2003. At the May 17, 2005 Council meeting, direction was received to for Staff to evaluate an extended leaf collection timeline and to add small limb collection during that leaf collection period. The proposed program will provide for residents to have multiple carts should they be needed. There will be a modified street sweeping schedule. The leaf collection period will extend from October to February and include bundles of limbs less than two inches in diameter. An annual landfill coupon will be provided, as will mulching mower/chipper rebates, composting classes and extension of service to some businesses. Waste Management will continue to pick up illegal piles and provide cart movement assistance.

The rates at present are based on lot size. The proposed rates will be based on number of carts, with one cart at \$10.85, two at \$12.70 and three at \$14.05. At present the rate for all services for two months is \$49.22. The new rates will be \$48.52. The Yard Refuse Ordinance will be amended to state that green waste must be placed in containers unless it is leaf collection season. It allows the City to issue a citation to repeat violators placing green waste on City



streets and Waste Management can also charge offenders for collecting the green waste in the street. The anticipated distribution of the carts would be in January of 2006.

Program benefits are multiple and include improved visual quality of the streets, improved parking, cleaner streets, improved storm water quality, reduced maintenance for storm water system, reduced localized flooding and rates are based on use and not lot size.

Between April 25, 2005 and June 5, 2005 there were six articles in the paper announcing meetings on this issue.

Council Member Peart asked if our permit had been issued and Analyst Engel said it was issued for a five year period. Director Wegener said the requirements of the permit are tightening. Council had approved the first phase of the program and indicated it would be continuing with the additional phases. The permit was issued based on that commitment to protect the water systems via this program. The City could be fined up to \$10,000 per day for noncompliance.

John Murphy commended the Public Works Department and the system that is proposed. It will help the City comply with the Clean Water Act requirements.

Council Member Peart left the meeting at 7:50 and returned at 7:51.

Charles Beazell said we have a system that is working and we do not need to change it.

Patricia Gouvera said the proposal will not meet the requirements for our permit because it allow leaves in the street during the drop season. The Water Board is willing to work with the City on a compromise. She was not asked her opinion and does not feel the City is represented via the sampling in the pilot program.

Dan Salmon said there is so much trash that the toters are not feasible. There are toters everywhere and the drivers will not get out to move the toters. They are never cleaned and if you cannot put clippings into the street, how can you wash out the toter.

Steve Keehn is a landscaper. The toters will not work in this City. They had them in Sacramento and Davis and they brought back the old system.



David Scott has one toter now. They smell very bad and they have many flies. His neighbors want them removed. The surveys were done in a new area with new homes and not very large trees. They get no pickup for prunings.

Alan Gering said Los Angeles has a similar system. We need to preserve the green heritage of the City. Transporting the waste to the landfill will pollute the air. Large bins could be placed in the parks and empty lots. There could be transfer stations such as one in Santa Monica. A mulching facility could be provided.

Mike Silan said these are all new fees coming to the residents. He is retired and cannot get more income to pay for these services.

Karl Rietzke said Ms. Engel is assuming we would not have a permit if we did not have this program. His mother will not be able to put the materials into the toter. He would like this to be placed on the ballot for a vote.

Betty Martin said she has many trees in her area. She will not be able to handle them if this program goes into effect.

Gerald Berg presented 515 signatures and read the materials from the petition requesting this proposed program go to the voters. Between First and Fifth Streets and Lincoln and Pendegast, none of the 515 people were surveyed. They feel their comments would not be heard. The City will be responsible for picking up after City trees. He asked who will pick up the leaves in the street and come from other trees.

Earl Balch said he has a large yard. He will not be able to take care of his yard with these containers.

Colette Stewart has been using the toter. It is satisfactory but not great. There are times when it is hard to fit everything into the toter. Leaving the lid open and turning the contents helps with the smell. She has called and received assistance from Waste Management when needed.

Council Member Pimentel left the Chambers at 8:15.

Sheldon Smith has a lot of garbage that goes into the street. The City should look at the will of the people and it should go to a vote.

Council Member Pimentel returned to the Chambers at 8:16.

Sharon Balmain came from elsewhere and likes having the street drop. She has older neighbors that cannot do this.



Gus Hildebrand feels the older people will need some help with this program. He lives in an area with very poor drainage.

Jack Freeman said we have something that works and it should not be changed. Waste Management is not cheaper than when we had City people handling this service. We are going to be a City of toters.

Council Member Peart left the Chambers at 8:25.

Mayor Rexroad asked about the number of miles Waste Management travels and Mr. McGill stated that he feels that one truck could be eliminated with the proposed program. Mayor Rexroad asked about the concept of a transfer station. Mr. McGill stated at present the Biomass facility currently accepts wood materials.

Council Member Peart returned and Council Member Monroe left the Chambers at 8:26.

Mayor Rexroad asked for clarification of Waste Management fees. Analyst Engel said the current system is based on lot size. With the cart system, it is based on usage. The same service that includes street impact fees would be a cost of living increase on an annual basis. Some streets will have no street sweeping but the residential area will be done every other week. There is "five yard" annual free dump.

Council Member Monroe returned to the Chambers at 8:27.

Council Member Pimentel said it was said that Davis tried this program and it failed. Analyst Engel indicated she was not aware of failure in Davis. Sacramento County is participating in the program.

Vice Mayor Flory would like some type of agreement that citizens would not be charged for landfill or Biomass usage. The Biomass creates energy. People could mulch their grass. Director Wegener said there is a high percentage of grass in the parks that is presently mulched. The current City Code prohibits placing materials in the street more than one day prior to pickup. The street is not intended to be a storage area for waste.

Council Member Peart would like to have pilot program in the older areas of the City to see if there are some unidentified problems in those locations that could be addressed.

Council Member Monroe said the City must comply with the Clean Water Act or be faced with fines. Council Member Pimentel said the Federal Clean Water Act must be met. The City streets need to be maintained. People



complain about the roads, storm water and keeping things green. The Council and Staff will be required to utilize these containers as well.

Vice Mayor Flory said this program will not take effect until January of 2006 so there is still time to respond to the questions and concerns. Mayor Rexroad said this is a benefit to the citizens. He sat on the Sub-Committee and feels fees are going up more if we do not have this system in place. Council Member Pimentel would like staff to be sure the citizens are well informed about the program.

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried, Council adopted Ordinance 1433, "An Ordinance of the City of Woodland Amending Chapter 23C, Article IV, Section 23C-4-14 of the Code of the City of Woodland Relating to Yard Refuse Services"; authorized the City Manager to finalize and execute a contract amendment with Waste Management to implement a City-wide Green Waste Container Program, modify the street sweeping schedule, and adjust the green waste and street sweeping rates. On roll call the vote was as follows:

AYES: Council Members Flory, Monroe, Pimentel, Rexroad

NOES: Council Member Peart

ABSENT: None ABSTAIN: None

#### Council recessed at 8:41 and reconvened at 8:48.

# REPORTS OF THE CITY MANAGER

# DESIGNATION OF CACHE CREEK AS WILD AND SCENIC

Vice Mayor Flory said at Council request he had met with Assembly Member Wolk to work on language to protect the Creek and provide for the need for flood protection. They have been meeting with various agencies to meet the needs of all agencies, as well as citizens. He recommends taking no position on the current language of the Legislation.

Assembly Member Wolk said an attorney for Flood Control, Lake County, Friends of the River, and her attorney have developed language that would help our issues. The Lake County Board of Supervisors and Flood Control have approved the proposed language and had negotiated to protect current and future water rights. Changes on the Creek would not be affected by this language. The concern is upstream and the tributaries. No dams or impounds



are allowed. The designation would be on 31 miles only and it is partnered with Yolo County Flood Control.

City Manager Kirkwood said in the event of a need for flood control measures not in the 31 mile area, the City would need to get Flood Control approval. Assembly Member Wolk said Flood Control owns the water rights and they would need to be consulted no matter what the City would do.

Council Member Monroe asked if a dam were to become feasible could the Wild and Scenic designation be voted away and Assembly Member Wolk indicated it could be removed.

Council Member Pimentel asked about the definition of free-flowing and Assembly Member Wolk said it does not have to be a naturally flowing body. We could have structures for protection during the flooding season. Council Member Peart feels we should pull our objection because we want them to continue to work on water projects. Assembly Member Wolk said the winter flows are of concern and they are not affecting the recreation because it is primarily in the summer months. There are staff members available on the Committee that would look at flood issues with the City.

Bob Schneider of Cache Creek Wild said they do support the proposed language. They want to work with the City to help with a flood solution as well.

Council Member Pimentel asked if the language has been analyzed and City Attorney Siprelle said she has not read the language as yet. He would like to know if the Bill is mandating Flood Control support. Assembly Member Wolk said there is not an issue downstream without any other partners. Upstream would need Yolo County Flood Control because they own the water rights.

On a motion by Vice Mayor Flory, seconded by Council Member Peart and carried, Council approved removal of opposition to the Bill at this time and to continue looking at flood protection options. Mayor Rexroad voted to the negative.

Council Member Monroe left the Chambers at 9:15 and returned at 9:16.

# FISCAL YEAR 2005-06 OPERATING BUDGET

City Manager Kirkwood said the City has a "pay as you go" budget. Existing services will be maintained. However, the City does not currently meet the General Plan levels of service and will not so meet them in the near future. There are one-third less numbers in our employee base than like Cities. Many



issues mandated by the State and Federal governments affect our ability to provide services.

Finance Director Drayton said the budget is consistent with the budgets of the past several years. With the passage of the State legislative directives, we have some protection for the future. There are some increases to cover the services which had been directed by Council. The Council established thirteen goals and objectives to be part of the budget preparation and outcomes.

Council Member Peart left the Chambers at 9:23.

Council direction had included maintaining an existing balance and level of City services. Expenditures were to include maintaining consistency with the terms and conditions of employee Memoranda of Understanding and to keep discretionary and controllable costs at a 3% threshold.

Vice Mayor Flory left the Chambers at 9:25.

Revenues for the Operating Budget were to be based on the latest approved fees and projected trends, while with the Capital Budget to be based on the approved budget but not include the proposed Major Projects Financing Plan fees. The State Budget impacts include a \$650,000 reduction in property taxes, \$150,000 loss in booking fees, \$60,000 loss to State mandates, and \$60,000 lost in investment income due to the State Triple Flip. Other unknowns are the Proposition 42 effects, which could be at the \$224 funding level and a potential 50% repayment of the Vehicle License Fees. The significant deficit fund balances are in the Fire Suppression District at \$1.1 million, Police Development at \$3.9 million, Road Development at \$3.1 million, Sewer Development at \$9.4 million and the Storm Drain at \$2.5 million plus a \$6.7 million long term loan. Outstanding open items are the Library where action was taken by the Council to provide \$50,000 for the Literacy Program, Fire Station #2 renovation, the cemetery revitalization project and the request from WAVE for financial support.

Council Member Peart returned to the Chambers at 9:26.

Council Member Pimentel asked where the figure of \$50,000 to the Library was derived. Mayor Rexroad said this is for the scanning system that was to be purchased. There was a request for this to be part of the General Fund.

Vice Mayor Flory returned to the Chambers at 9:30.

The funds could then be spent in any area. The \$50,000 could come out of the Council discretionary funds. City Manager Kirkwood said it would allow



them to make their own policy decisions. It would still leave \$160,000 in the Council discretionary/contingency fund.

Council Member Pimentel left the Chambers at 9:35 and returned at 9:37.

Council Member Peart said the General Fund covers the day-to-day operations but more if the money going into the Fund comes from other sources. City Manager Kirkwood said the City financing and budget is very restrictive. The General Fund revenues are those that cover Police, Fire and Public Works.

Council Member Pimentel asked about the WAVE contribution at this time and what Charter Communications provides. Assistant City Manager Marler said no funds are received from Charter. The \$45,000 went to WAVE in the past, but was reduced to \$30,000. Negotiations were held with Charter Communications for the "Wave a Buck" program, which was not successful. Council did not want them to be dependent on the City. The contract with WAVE is for camera operations. The funds requested would be for a one time only support. Programming has been upgraded and should be supported.

Vice Mayor Flory said as the entire community does not subscribe, the money should be prorated. Assistant City Manager Marler said this is a capital equipment element that Council has provided to the WAVE. Mike Jansen from WAVE said the programming has been dramatically improved. It is a benefit for everyone in the City. Public Access Television provides a local forum. They are a non-profit entity and grants can now be requested. They will obtain sponsorships with the better programming. They will also have a membership/donation program and have a new partnership with Charter Communications. Assistant City Manager Marler said there is an undesignated \$30,000 in the Council budget now that could go toward the \$40,000 support.

Director Gentry said the Cemetery Master Plan was passed two years ago with the Capital Budget. Because of the budget concerns last year, the project was stalled. The cemetery will reach capacity in approximately one year and the City needs to move ahead with the project to help generate revenue. The endowment fund is at approximately \$500,000. In twenty-five years the City should have \$25 million in the fund to care for the cemetery. The sprinkler system is 50 years old and should be replaced at this time. Director Wegener said the new grave sites will generate more fees. Director Gentry said the conversion of some of the roadways will provide additional space.

Mayor Rexroad asked for clarification on the renovation of Fire Station #2. Fire Chief Diekman said the 2000 Study indicated the facility is forty years old. The heating, ventilation, and air conditioning system need to be replaced. It is not compliant with the Americans' with Disabilities Act requirements, nor is it



gender compliant. The building permit is over one year old. If a new permit is required some redesign will be necessary.

On a motion by Vice Mayor Flory, seconded by Council Member Monroe and carried unanimously, Council approved the Preliminary Operating Budget for Fiscal Year 2005-2006 as presented.

#### **CONSENT CALENDAR - REGULAR**

Council Member Pimentel requested removal of the following item from the Consent Calendar for discussion. Council concurred.

CONTRACT AMENDMENT-MINTIER & ASSOCIATES-PERMANENT URBAN LIMIT LINE STUDY

Mayor Rexroad requested removal of the following item from the Consent Calendar for discussion. Council concurred.

YOLO COUNTY HOMELESS COALITION-2005 POINT-IN-TIME HOMELESS COUNT

The following items were removed from this Agenda and will be considered at a future time.

PROJECT MANAGEMENT SERVICES CONTRACT-PONTICELLO ENTERPRISES-CONSTRUCTION OF PROJECTS ASSOCIATED WITH PARKS MASTER PLAN

MEMORANDUM OF UNDERSTANDING-JOINT SURFACE WATER SUPPLY CEQA ANALYSIS; FUNDING FOR PROJECT PROGRAM SUMMARY SHEET 04-28 FOR THE CEQA ANALYSIS

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

# MONTHLY STATUS REPORT-COMMUNITY DEVELOPMENT

Council received the Monthly Status report for May 2005 from Community Development.



#### MONTHLY STATUS REPORT-PARKS, RECREATION AND COMMUNITY SERVICES

Council received the Monthly Status Report for May 2005 from Parks, Recreation and Community Services.

# MONTHLY STATUS AND CAPITAL BUDGET EXECUTION REPORTS-PUBLIC WORKS

Council received the Monthly Status and Capital Budget Execution Reports for May 2005 from Public Works.

#### RESOLUTION 4654-APPROPRIATION LIMITS FOR FISCAL YEAR 2005-06

Council adopted Resolution 4654, "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 2005-06".

# ANNUAL MEASURE 'H' REPORT

Council received the annual Measure H Report.

# LEASE AGREEMENT-WOODLAND UNITED WAY

Council authorized the Parks, Recreation and Community Services Director to execute a Lease Agreement with the Woodland United Way for use of the building at 1017 Main Street.

# <u>CONTRACT-NORTHERN</u> <u>CALIFORNIA</u> <u>TRAINING</u> <u>INSTITUTE-EMERGENCY</u> MEDICAL TECHNICIAN CONTINUING EDUCATION SERVICES

Council authorized the Fire Chief to enter into a Contract for Services with the Northern California Training Institute for Emergency Medical Technician Continuing Education Services for the period of July 1, 2005 through June 30, 2006, in an amount not-to-exceed \$15,000.



# MEMBERSHIP TO YOLO COUNTY TRANSPORTATION DISTRICT BOARD

Council approved a change in the primary and alternate memberships to the Yolo County Transportation District Board to that of Council Member Pimentel and the primary and Council Member Monroe as the secondary.

# RESIGNATION OF PARK, RECREATION AND COMMUNITY SERVICES AND URBAN FORESTRY COMMISSION MEMBER

Council accepted, with regret, the resignation of Don Permenter from the Parks, Recreation, Community Services and Urban Forestry Commission, effective immediately.

#### **RESOLUTION 4655-WATER AND SEWER USAGE RATES**

Council adopted Resolution 4655, "A Resolution of the City Council of the City of Woodland, California, Adopting the Schedule of Services for Water and Sewer Usage".

# JOB DESCRIPTIONS-INFRASTRUCTURE OPERATIONS AND MAINTENANCE MANAGER, UTILITIES MAINTENANCE WORKER I/II/III, AND DEPUTY FIRE CHIEF

Council approved revisions to the job descriptions for Infrastructure Operations and Maintenance Manager and Utilities Maintenance Worker I/II/III and a new job description for Deputy Fire Chief.

# RESOLUTION 4656-STANDARDS FOR EXEMPTIONS-CONSTRUCTING SHOPPING CART CONTAINMENT SYSTEMS

Council adopted Resolution 4656, a "Resolution to Establish Standards for Cart Retrieval Programs".

# ITEMS REMOVED FROM CONSENT FOR DISCUSSION

# CONTRACT AMENDMENT-MINTIER & ASSOCIATES-PERMANENT URBAN LIMIT LINE STUDY

Council Member Pimentel does not feel this is a good use of City funds.

On a motion by Council Member Peart, seconded by Vice Mayor Flory and

City Council Minutes – June 7, 2005

Page 15



carried, Council authorized the Community Development Director to sign an amended Professional Services Contract with Mintier and Associates on the Permanent Urban Limit Line Study for preparation of an environmental document. Council Member Pimentel voted to the negative.

# YOLO COUNTY HOMELESS COALITION-2005 POINT-IN TIME HOMELESS COUNT

It was moved by Council Member Peart and seconded by Council Member Monroe to accept, for purposes of the Consolidated Plan only, an update from the Yolo County Homeless Coalition on the 2005 Point-in-Time Homeless Count as requested by Council on May 3, 2005. Mayor Rexroad does not agree with the count. City Manager Kirkwood said the City cannot change the method as it is not our prerogative. Police Chief Sullivan said this is a report to Housing and Urban Development. The City must submit the Consolidated Plan for the Community Development Block Grant and a number must be inserted. These are definitions that HUD requires we use. Council Member Pimentel said we should write a letter indicating our opposition to the figures.

It was moved by Council Member Pimentel and seconded by Council Member Monroe to write a letter to HUD indicating our disagreement with the figures on the homeless. Mayor Rexroad, Vice Mayor Flory and Council Member Peart voted to the negative. Motion fails.

Director Stevens said the application must be submitted tomorrow and we can provide our concerns in the form of a letter to HUD.

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried, Council accepted for purposes of the Consolidated Plan, an update from the Yolo County Homeless Coalition on the 2005 Point-in-Time Homeless Count as requested by Council on May 3, 2005 with submission of a "nasty" letter that the Council disagrees with the count. Council Member Peart voted to the negative.

# **PUBLIC HEARING (continued)**

# URGENCY ORDINANCE 1434-INTERIM DEVELOPMENT IMPACT FEES BASED ON CITY MAJOR PROJECTS FINANCING PLAN UPDATE AND FEE NEXUS STUDY

Council Member Peart feels these fees are causing prospective businesses to bypass the City. City Manager Kirkwood said the Major Projects Financing Plan must be set in order to determine what can be funded. He recommended moving ahead and addressing specific projects and they surface.



On a motion by Council Member Pimentel, seconded by Vice Mayor Flory and carried, Council adopted Urgency Ordinance 1434, "An Urgency Ordinance of the City of Woodland Establishing Interim Development Impact Fees Based on the City of Woodland Major Projects Financing Plan Update and Fee Nexus Study 2005" to extend the fees through July 7, 2005. On roll call the vote was as follows:

AYES: Council Members Flory, Monroe, Pimentel, Rexroad

NOES: Council Member Peart

ABSENT: None ABSTAIN: None

At 10:30 p.m., on a motion by Council Member Pimentel, seconded by Vice Mayor Flory and carried unanimously, Council extended the meeting until 10:45.

# REPORTS OF THE CITY MANAGER (continued)

# RESOLUTION 4653-MAJOR PROJECTS FINANCING PLAN FEES

Tim Youmans of Economic and Planning Systems said that Capital Improvements are derived from the City of Woodland 1996 General Plan and the Infrastructure Master Plan. The proposed fees will be higher than the interim fees for several reasons. The Northeast Fire Station funding source changed from MPFP fees to planned neighborhood fees, odor control measures at the Waste Water Treatment Plant project were eliminated, cost to rebuild City Streets reduced, some costs to widen County Road 102 shifted to a planned neighborhood funding source, and some minor increases in the number of dwelling units.

On a motion by Council Member Monroe, seconded by Council Member Pimentel and carried, Council adopted Resolution 4653, a "Resolution of the City Council of the City of Woodland Establishing Development Impact Fees Based on the City of Woodland Major Project Financing Plan Update and Fee Nexus Study 2005". Council Member Peart voted to the negative.

Council concurred to remove the following item from discussion on this Agenda.

# UPDATE ON SMUD ANNEXATION



# A.B. 1605, FINANCIAL ELDER ABUSE

Council Member Monroe said the proposed Assembly Bill 1605 will provide protection to seniors in regard to their finances. At present, the law requires financial institutions to respond after the fact to issues where it is felt citizens are being taken advantage of in relation to their funds in the care of these institutions. The Bill provides the lending institutions with protection as along as they act in good faith regarding potential misuse of their clients funds.

It was moved by Council Member Peart and seconded by Council Member Monroe to issue a letter of support for Assembly Bill 1605, Financial Elder Abuse. Mayor Rexroad said the City should not become involved in issues to which there is no direct relation to City operations. Council Member Pimentel said the Bill is difficult to implement. Mayor Flory indicates there is no training provided to employees on this mandate. Mayor Rexroad, Vice Mayor Flory and Council Member Pimentel voted to the negative. Motion failed.

# ORDINANCE 1435-REGULATION OF SHOPPING CARTS

On motion by Council Member Pimentel, seconded by Vice Mayor Flory and carried, Council adopted Ordinance 1435, "An Ordinance of the City of Woodland Adding Article V to Chapter 14A of the Woodland Municipal Code Regulating Shopping Carts". On roll call the vote was as follows:

AYES: Council Members Flory, Pimentel, Rexroad

NOE: Council Members Monroe, Peart

ABSTAIN: None ABSENT: None

#### CONSENT-JOINT COUNCIL/REDEVELOPMENT

RESOLUTION 05-02-U.S. BANK NATIONAL ASSOCIATION CERTIFICATE OF DEPOSIT-COMMERCIAL FAÇADE IMPROVEMENT LOAN PROGRAM-

On a motion by Board Member Peart, seconded by Board Member Monroe and carried unanimously, the Board approved Resolution 05-02, a "Depository Services Resolution for Governmental Entities" to establish a Certificate of Deposit for the Redevelopment Agency's existing Commercial Façade Improvement Loan Program with U. S. Bank National Association.



#### MINUTES

Council approved by consensus the minutes of the special Council Study Session of February 22, 2005, the regular Council meeting of March 1, 2005, and the joint Council and Redevelopment Agency Board meeting of March 15, 2005 as presented.

# **COMMUNICATIONS - WRITTEN**

Council received a letter of commendation regarding the Neighborhood Watch Program and Woodland Police Department.

Council received a Notice of Filing Applications for Increases in Electric and Gas Revenues for Pacific Gas and Electric.

# COMMUNICATIONS - COMMITTEE REPORTS

Council received the minutes of the Library Board of Trustees meeting of May 2, 2005.

Council received the minutes of Yolo County Communications Emergency Services Agency meeting of May 4, 2005.

Council received a summary of actions taken by the Planning Commission at their meeting of May 12, 2005 as follows:

- (a) conditionally approved a Tentative Parcel Map and Conditional Use Permit for 1103 Gum Avenue to split a parcel with five existing residential structures and a Conditional Use Permit for Deep Lot Development to allow the construction of four additional dwelling units
- (b) approved the Ceramic Cats Art Work on Dead Cat Alley
- (c) approved the Energy Efficiency Standards Determination relating to dark roofing materials for the Spring Lake Specific Plan Planning Area

# ORDINANCES (continued)

# ORDINANCE 1436-SPECIAL EVENTS

On a motion by Council Member Pimentel, seconded by Council Member Peart and carried unanimously, Council adopted Ordinance 1436, "An Ordinance of the City Council of the City of Woodland Enacting Article XI of Chapter 20 of



the Woodland Municipal Code Relating to Special Events". On roll call the vote was as follows:

AYES: Council Members Flory, Monroe, Peart, Pimentel, Rexroad

NOES: None ABSTAIN: None ABSENT: None

# ORDINANCE 1437-ACCESSORY BUILDINGS

On a motion by Council Member Pimentel, seconded by Vice Mayor Flory and carried unanimously, Council adopted Ordinance 1437, "An Ordinance Amending Section 25-21-10 of Article 21 of Chapter 25 of the Code of the City of Woodland Pertaining to Accessory Buildings and Uses". On roll call the vote was as follows:

AYES: Council Members Flory, Monroe, Peart, Pimentel, Rexroad

NOES: None ABSTAIN: None ABSENT: None

# <u>ADJOURNMENT</u>

Mayor Rexroad adjourned the joint regular meeting of the Council and Redevelopment Agency Board at 10:43 p.m.

Respectfully submitted,
Sue Vannucci, CMC, City Clerk