Woodland City Council Minutes Council Chambers 300 First Street Woodland, California

May 4, 2004

### SPECIAL/CLOSED SESSION SECOND FLOOR CONFERENCE ROOM

May 4, 2004 6:00 P.M.

#### **CLOSED SESSION**

Council held a conference with Legal Counsel regarding two cases of anticipated litigation, initiation of litigation pursuant to Subdivision (c) of Section 54956.9 and one case of anticipated litigation, significant exposure to litigation pursuant to Subdivision (b) of Section 54956.9. Present at these sessions were Mayor Rexroad, Vice Mayor Flory, Council Members Monroe and Pimentel, City Manager Kirkwood, Assistant City Manager Marler and City Attorney Siprelle. Council Member Peart was absent.

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

#### 7:00 P.M.

#### **CLOSED SESSION ANNOUNCEMENT**

Mayor Rexroad announced that Council had met in Closed Session to discuss two cases of anticipated litigation, initiation of litigation and had provided direction to the City Attorney and staff. Council also received a report on one case of anticipated litigation, significant exposure to litigation.

#### CALL TO ORDER

Mayor Rexroad called the joint Council and Redevelopment Agency Board meeting to order at 7:00 p.m.

#### PLEDGE OF ALLEGIANCE

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



#### ROLL CALL

COUNCIL MEMBERS PRESENT: David Flory, Jeff Monroe, Art Pimentel, Matt

Rexroad

COUNCIL MEMBERS ABSENT: Neal Peart

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

Vannucci, Dan Bellini, Dan Gentry, Tricia Stevens, Susannah Reinhart, Karl Diekman, Jon Cristy, Jennifer Dzakowic, Gary Wegener, Bruce Pollard,

Joan Drayton

OTHERS PRESENT: Contract Engineer Nick Ponticello, Contract

Finance Consultant Margaret Vicars

#### PUBLIC COMMENT

Frank Cooper urged Council to reinstate the off-leash allowance for permitted dogs in parks for a limited time of day when others are not normally present.

Ken Trott of the Woodland Tree Foundation reported the Foundation had planted 40 trees in conjunction with a local Eagle Scout candidate. Other plantings have been accomplished and they are assisting the schools in plantings as well. He thanked Council Member Monroe for assisting in the watering of trees along Highway 113. He also presented a plaque to Mayor Rexroad for assisting in the watering of trees.

#### COUNCIL/STAFF COMMENTS

Vice Mayor Flory announced there will be a budget retreat on May 8<sup>th</sup> and invited members of the public to attend. He also said the signs announcing the Babe Ruth World Series winners had been removed from the entrances to the City and were to be placed at Clark Field and other select sites around the City. He asked that staff check on the status of that posting. Vice Mayor Flory also said he has received a request for a stop sign at College and Pendegast Streets.

Council Member Pimentel said he and Vice Mayor Flory had attended the Sacramento Area Council of Governments Tall Order Forum. They are stressing the preservation of agricultural land.

Council Member Monroe said the Sheriff's Department had been successful in overpowering the Police Department at the Scottish Games and had donated their \$150



prize to the Staff Sergeant Jimmy Arroyave Memorial Fund. Mayor Rexroad said the fund has reached \$45,000 and thanked members of the community for their support.

#### **PRESENTATIONS**

#### **COMMISSION ON AGING**

Colette Stewart of the Commission on Aging advised Council that some of the major issues before the Commission are the recruitment of members, the Community/Senior Center construction project, the Focal Point Coordinating Council, important records document, long-term care, Yolo County Senior Resources Guide for 2004, which she distributed to Council, the rummage sale, apartment list and involvement in the Yolo County Commission on Aging. Commissioners serve as liaisons on other Commissions within the County.

#### **OLDER AMERICANS MONTH**

On a motion by Vice Mayor Flory, seconded by Council Member Pimentel and carried by the Members present, Council proclaimed the Month of May 2004 as Older Americans Month. Vice Mayor Flory presented the Proclamation to Colette Stewart of the Commission on Aging.

#### REPORTS OF THE CITY MANAGER

## PROFESSIONAL SERVICES CONSULTING CONTRACT-AUTO MALL FEASIBILITY STUDY

City Manager Kirkwood said Council had asked staff to move forward with dispatch to put together a request for proposals for Auto Mall companies to analyze the capacity of the City to absorb an auto mall or auto related industries. Council indicated they wished to take a broader view to understand the market capacity, absorption rate and if there are other locations to consider for auto related businesses. Three companies have been identified. A request for proposal was distributed and two proposals received. Two individuals jointly came together and put together a proposal. One was Auto Pilot Development Services, LLC who joined with Mark Sump, of Auto Mall Advisory Group. They prepared a response in the price not-to-exceed \$40,600. A sub-committee consisting of Council Member Neal Peart, Planning Commissioner David Sanders, Tricia Stevens and City Manager Kirkwood reviewed the two proposals.



The other proposal received was with Staubach Auto Group for an amount that should not be exceeding \$60,000. Both proposals have timelines in the 15 week period which would take us into the last week in July or first week of August. If Council wishes to move forward, we will negotiate for final a product by July 27<sup>th</sup>. There are a number of specific questions to ask the two companies, finish the reference checks, hold a the telephone interview, request disclosure of relationships or interests within the City, whether it is a financial relationship or a business interest. The product needs to useable and sellable in the market place. We will try and negotiate the earliest possible release date on this so that the community had an opportunity to react and Council could make a decision on July 27<sup>th</sup>.

Cath Posehn urged Council to follow through with the contracting with one of these people to get more information for the community about the feasibility of the auto mall.

Paul Petrovich said all of these firms are brokers who want to represent manufacturers. The reports are a method to obtain a brokerage role in representing the manufacturers for an auto mall. Council should preclude and exclude these entities or the person doing the report from representing manufacturers for this project. He will not hire them to represent any manufacturers. He has contacted all of the manufacturers and the dealers known are the only ones that are interested in Woodland.

Council Member Monroe would like the report to be completely unbiased. City Manager Kirkwood said a specific statement could be in the follow-up report. Vice Mayor Flory would like City Manager Kirkwood to determine whether adding such language is important or has weight, and have it part of his recommendation. City Manager Kirkwood said whatever report is received should be a viable document on which a lending agency or a developer can rely.

Mayor Rexroad would like to wait until after the May 8<sup>th</sup> budget retreat to consider our options and the cost for these resources. City Manager Kirkwood said we need to negotiate in good faith. He will do some follow-up questions, make a determination and make a recommendation. It appears that Council is divided on the direction and he will continue to work, make the contact, do the reference checks, try to negotiate the best deal and return to Council on May 18th.

#### PUBLIC HEARINGS



#### RESOLUTION 4535 - WILSON WAY PLAN LINE ADJUSTMENT

Engineer Pollard said this item had been continued from the April 6<sup>th</sup> meeting. Staff met with the adjacent property owners to discuss and attempt resolution to all concerns. The primary concern had been in relation to the existing right of way, access to the City parcel and other parcels fronting on Beamer Street. It is recommended the easement not be abandoned on the South until the City owned piece is sold to other property owners. If this is not sold, it is impossible to build on.

#### At 7:35, Mayor Rexroad opened the Public Hearing.

Dan Mezger owns property that borders Matmor Lane. The property was deeded to the City with the stipulation that Wilson Way would go through. Since that is not going to happen, he would like the property returned to him.

Helena Ochoa said the trucks are going in to Wilson Way and tearing up the road and property when they turn around. She would like the road to go through to alleviate that problem.

#### At 7:38, Mayor Rexroad closed the Public Hearing.

Vice Mayor Flory asked if backing up and U-turns on Wilson Way are illegal and Director Wegener said there is no allowance for U-turns but it is the only way out of that street. There is no public purpose served for continuing the street at this time.

Council Member Monroe asked about the cost to put the street all the way through. Director Wegener said because it would be a considered a small job, it could be approximately \$100,000. In addition, the land would need to be purchased from the surrounding five property owners.

On a motion by Council Member Monroe, seconded by Vice Mayor Flory and carried by the Members present, Council adopted Resolution 4535, "A Resolution of the City of Woodland City Council Approving the Abandonment of the Existing Wilson Way Plan Line and Adoption of New Plan Line".



#### **PUBLIC COMMENT (continued)**

Bud Goding of the Library Board of Trustees said the reduced the Library hours have severely handicapped operations. They have been collecting signatures to ask Council to immediately authorize hiring of the needed staff members at the Library.

#### REPORTS OF THE CITY MANAGER

The following item was removed from the Agenda.

#### RESOLUTION AUTHORIZING RECOMMENDED INCREASES TO CITY USER FEES

### VOTING DELEGATE AND ALTERNATE FOR THE LEAGUE OF CALIFORNIA CITIES GENERAL ASSEMBLY SPECIAL MEETING

On a motion by Council Member Pimentel, seconded by Vice Mayor Flory and carried by the Members present, Council appointed Council Member Monroe as the primary and Vice Mayor Flory as the alternative voting delegate for the League of California Cities General Assembly Special Meeting on May 13, 2004.

### COUNTY OF YOLO NOTICE OF INTENTION TO PURCHASE FORMER K-MART FACILITY

City Manager Kirkwood advised the City has recently become aware that the County of Yolo intends to purchase the former K-Mart Building at 1368 and 1388 East Main Street. The purchase price of the property is \$4,825,000 and the County intends to locate the Department of Alcohol, Drug and Mental Health Administration in this building. The General Plan states this area is intended for general commercial use and is located in the Redevelopment Area. estimated loss in property tax to the City would be at minimum \$50,000 with foreseeable loss in sales tax should this become a viable retail space, at \$150,000. It is recommended the County be requested to provide a fiscal impact analysis on the loss of taxes to public agencies, cost of City services to support the new expanded County services, the synergy loss or gain to the remaining commercial properties surrounding the site. In addition, the City should request a copy of the County Facilities Master Plan, a report from the Community Development Department regarding General Plan consistency, review by Community Development of the reconstruction, parking, landscaping and consideration to maximize opportunities of adjacent commercial properties, and



information regarding consideration by the County of a lease versus purchase option.

Mayor Rexroad indicated he had spoken with the County two years ago regarding the property on Cottonwood and Beamer Streets and the future plans. He had been informed at that time the County was in the process of developing a Facilities Master Plan and they would advise the City prior to moving forward with any facilities movement. His understanding at this time is the Facilities Master Plan has not been done. He has had private parties contact him regarding interest in property. The City was informed in confidence of the negotiations underway regarding the property and the County had held a meeting to make their decision to purchase prior to official public notification to the City as the County had indicated. The County had urged cooperative relations in working on the Conaway issue but did not feel that need for cooperative relations on this issue. The purchase of this facility is detrimental to the City and the Council should take a stand to officially oppose this purchase.

Council Member Monroe asked if there is any legal recourse for the City to block the purchase and the City Attorney indicated even though this project may not be consistent with the General Plan, it can still go forward.

Vice Mayor Flory urged the Morning Group and the Woodlanders for Responsible Government group to support the City's position on this issue.

On a motion by Council Member Monroe, seconded by Vice Mayor Flory and carried by the Members present, Council moved to support the recommended action of requesting the County to provide a fiscal impact analysis on the loss of taxes to public agencies, cost of City services to support the new expanded County services, the synergy loss or gain to the remaining commercial properties surrounding the site. In addition, the City should request a copy of the County Facilities Master Plan, a report from the Community Development Department regarding General Plan consistency, review by Community Development of the reconstruction, parking, landscaping and consideration to maximize opportunities of adjacent commercial properties, and information regarding consideration by the County of a lease versus purchase option. All Council Members indicated their wish to sign the letter to the County so requesting the above.

#### **CONSENT**

Council Member Monroe requested the following item be removed from the Consent Calendar for discussion:



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

Council Member Monroe asked for a status of the Pioneer Park Basketball Court and Director Wegener indicated that project would be underway with the approval of the alternate procurement process for indefinite quantity/indefinite delivery concrete contract project which is on the Consent Calendar this evening.

Mayor Rexroad requested the following items be removed from the Consent Calendar for discussion:

#### DONATION OF FORMER POLICE TRAILER TO YOLO COUNTY FAIRGROUNDS

Mayor Rexroad asked for a valuation of the trailer and Assistant City Manager Marler said it would be a negotiated item on the value of services the Yolo County Fairgrounds would provide to the City in exchange for the donation of the trailer. The City has worked cooperatively on fair exchange of equipment versus services with the Fairgrounds in the past. On a motion by Council Member Monroe, seconded by Vice Mayor Flory and carried by the Members present, Council approved the donation of the former Police trailer to the Yolo County Fairgrounds and authorized the City Manager or his representative to negotiate the terms of such donation.

### RESOLUTION OF SUPPORT FOR HOUSE RESOLUTION 1039, WHOLESALE MOTOR FUEL FAIRNESS AND COMPETITION RESTORATION ACT

Mayor Rexroad does not feel this resolution has any direct benefit to the City. A motion was made by Council Member Pimentel and seconded by Council Member Monroe to adopt a Resolution in support of Congressman Mike Thompson's House Resolution 1039, Wholesale Motor Fuel Fairness and Competition Restoration Act. Mayor Rexroad and Vice Mayor Flory voted to the negative. Motion failed.

#### ASPHALT POT/CRACK SEALER FOR ROAD MAINTENANCE

Mayor Rexroad asked if this equipment would be purchased with General Fund money and Director Wegener indicated it would not. On a motion by Council Member Monroe, seconded by Vice Mayor Flory and carried by the Members present, Council authorized the purchase of an asphalt pot/crack sealer for an amount not-to-exceed \$33,000.



### ALTERNATE PROCUREMENT PROCESS FOR INDEFINITE QUANTITY/INDEFINITE DELIVERY CONCRETE CONTRACT, PROJECT 03-40

Mayor Rexroad asked if this project would be funded through the General Fund and Director Wegener indicated it would be through Community Development Block Grant and other non-General Fund money. On a motion by Council Member Monroe, seconded by Vice Mayor Flory and carried by the Members present, Council authorized an alternative procurement process in accordance with the Public Contract Code for the Concrete Maintenance and Repair Indefinite Delivery/Indefinite Quantity Project 03-40.

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

#### MONTHLY STATUS REPORT-COMMUNITY DEVELOPMENT

Council received the Monthly Status Report for April 2004 from Community Development.

### MONTHLY STATUS AND CAPITAL BUDGET IMPLEMENTATION REPORTS-PUBLIC WORKS

Council received the Monthly Status and Capital Budget Implementation Reports for April 2004 from Public Works.

### CONTRACT FOR DEMOLITION OF STRUCTURES ON SITE OF NEW FIRE STATION #1, PROJECT 02-27

Council authorized the Public Works Director to execute a Construction Contract with A-1 Remediation Service in the amount of \$28,465 for abatement and demolition of the existing structures at 101, 105 and 107 Court Street and authorized expenditures in the amount of \$31,312.

## REVISED PROJECT PROGRAMMING SUMMARY SHEET FOR SPRING LAKE SPECIFIC PLAN ON-SITE WATER WELL INFRASTRUCTURE, PROJECT 00-23

Council approved the revised Project Programming Summary Sheet for Project 00-23, Spring Lake Specific Plan On-Site Water Well Infrastructure.



RESOLUTION OF INTENTION 4536 - RATE, METHOD OF APPORTIONMENT AND MANNER OF COLLECTION OF SPECIAL TAX; SET DATE OF PUBLIC HEARING FOR FORMATION OF COMMUNITY FACILITIES DISTRICT 2004-01, SPRING LAKE SPECIFIC PLAN

Council adopted Resolution of Intention 4536, a "Resolution of Intention to Establish Community Facilities District No. 2004-1 (Spring Lake) and to Levy a Special Tax and to Incur a Bonded Indebtedness to Pay for Certain Public Facilities" regarding the rate, method of apportionment, and manner of collection of special tax; set the date for the Public Hearing as June 15, 2004.

BID ADVERTISEMENT FOR SPRING LAKE SPECIFIC PLAN OFF-SITE REGIONAL STORM DRAINAGE FACILITIES, PHASE I PROJECT 02-36 AND OFF-SITE SEWER PIPELINE CONVEYANCE SYSTEM PROJECT 02-37

Council authorized the Public Works Director to advertise for bids to construct the Spring Lake Specific Plan Off-Site Regional Storm Drainage Facilities, Phase I, Project 02-36 and the Off-Site Sewer Pipeline Conveyance System, Project 02-37.

RESOLUTION 4537 - ADDENDUM #1 TO SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR OFF-SITE INFRASTRUCTURE FACILITIES AND APPROVE PLAN, SPRING LAKE SPECIFIC PLAN AREA

Council adopted Resolution 4537, a "Resolution of the City Council of the City of Woodland Adopting CEQA Addendum #1 to the Supplement to the Turn of the Century Specific Plan EIR to Address Off-Site Infrastructure Facilities".

### CONDITIONAL RENEWAL GRANT FOR 2004 SUPPORTIVE HOUSING GRANT AND SUB-RECIPIENT AGREEMENT

Council authorized the City Manager to execute a Conditional Renewal Grant Agreement with the U. S. Department of Housing and Urban Development for a 2004 Supportive Housing Grant in the amount of \$175,151 and to enter into a Sub-Recipient Agreement with the project sponsor, Yolo Wayfarer Center.



# MEMORANDUM OF UNDERSTANDING WITH YOLO LAND TRUST FOR ADMINISTRATION OF CONSERVATION EASEMENT AND SWAINSON'S HAWK MONITORING PROGRAM

Council authorized the City Manager to execute a Memorandum of Understanding with Yolo Land Trust related to the monitoring, administration and enforcement of Conservation Easements and the implementation and administration of the Swainson's Hawk Monitoring Program.

### PUBLIC IMPROVEMENTS CONSTRUCTED WITH SUBDIVISION 4574, NANTUCKET UNIT 2

Council accepted as complete those public improvements constructed with the development of Subdivision 4574, Nantucket Unit 2 and authorized the City Clerk to file a Notice of Completion.

## LETTER TO CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD AUTHORIZING THE COUNTY OF YOLO AS LEAD AGENCY FOR SUBMITTAL OF REGIONAL APPLICATION FOR HOUSEHOLD HAZARDOUS WASTE GRANT

Council authorized the City Manager to sign an authorization letter to the California Integrated Waste Management Board authorizing Yolo County as the lead agency to submit a regional application for a Household Hazardous Waste fiscal year 2004-05 grant.

#### **MINUTES**

On a motion by Vice Mayor Flory, seconded by Council Member Pimentel and carried by the Members present, Council adopted the minutes of the Regular/Reorganization meeting of March 16, 2004 and Joint Council/Redevelopment Agency Board meeting of March 23, 2004 as submitted.

#### **COMMUNICATIONS**

Council received a copy of an Application for Transfer of an Alcoholic Beverage Control License for the Shanty, 533 Main Street.

Council received a copy of an Application for Transfer of an Alcoholic Beverage Control License for Big Mac Daddy's Pub, 102 Main Street.



Council received a copy of an Application for Transfer of an Alcoholic Beverage Control License for MC Mini Mart, 1085 East Street.

Council received a copy of an Application for a New Alcoholic Beverage Control License for Perk Up, 755 N. East Street.

Council received a Letter from Sacramento Blood Source regarding City participation in Blood Drives.

#### COMMITTEE REPORTS

Council received the minutes of the Commission on Aging meeting of March 9, 2004.

Council received the minutes of the Tree Commission meeting of March 15, 2004.

Council received the minutes of the Parks, Recreation and Community Services Commission meeting of March 22, 2004.

Council received the summary of Planning Commission actions taken at their meeting of April 1, 2004 as follows:

- (a) recommended approval of a General Plan Land Use Designation change from Highway Commercial to Service Commercial and zoning be so changed for the property located at 528 N. East Street.
- (b) approved modification to an existing Use Permit to allow Dutch Brothers Drive-thru Coffee Stand to be located at the Northeast corner of E. Main and Thomas Streets.

Council received the minutes of the Traffic Safety Commission meeting of April 5, 2004.

Council received the minutes of the Library Board of Trustees meetings of April 5 and April 12, 2004.

Council received the minutes of the Historical Preservation Commission meeting of April 14, 2004.

Council received the summary of Planning Commission actions taken at their meeting of April 22, 2004 as follows:



- (a) conditionally approved the Conditional Use Permit for the Steve Machado Mixed-Use Project on approximately 5 acres located at 1540 and 1542 Tanforan Avenue in the Industrial Zone.
- (b) accepted the Schellinger Homes West Wood Unit 2 General Plan Amendment, Rezone and Annexation petition for further processing by the Planning Commission.
- (c) instructed staff to initiate a review of the Land Use Table of the East Street Specific Plan focusing on Areas D and E and report back to the Commission regarding recommended amendments that will provide improved consistency between the allowed uses, goals and policies of the Plan.

#### **ORDINANCES**

### ORDINANCE TO AMEND ZONING RELATING TO PARKING OF VEHICLES ON FRONT YARDS

On a motion by Vice Mayor Flory and seconded by Council Member Pimentel, the proposed adoption of an Ordinance to amend sections of the Municipal Code related to parking in front yards was not passed. Mayor Rexroad and Council Member Monroe voted to the negative and Council Member Peart was absent. This item to return for consideration at the next regular Council meeting.

### ORDINANCE 1391 - GENERAL PLAN AMENDMENT REGARDING ZONING OF PROPERTY AT 528 N. EAST STREET

On a motion by Vice Mayor Flory, seconded by Council Member Pimentel and carried by the Members present, Council adopted Ordinance 1391, "An Ordinance of the City Council of the City of Woodland Amending Chapter 25, Article 2, Sections 25-2-20", of the Municipal Code to rezone the property at 528 N. East Street from Highway Commercial to Service Commercial. On roll call, the vote was as follows:

AYES: Council Member Flory, Monroe, Pimentel, Rexroad

NOES: None

ABSENT: Council Member Peart

ABSTAIN: None



### **ADJOURNMENT**

Mayor Rexroad adjourned the meeting of the Council at 8:03 p.m.	
	Respectfully submitted,
	Sue Vannucci, CMC, City Clerk