

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

June 18, 2002

CITY COUNCIL
SPECIAL/CLOSED SESSION

Council met in closed session at 6:01 p.m. in the second floor conference room at City Hall to hold a conference with Real Property Negotiator Richard Kirkwood pursuant to Subdivision (c) of Section 54956.9 regarding the property at 1122 Main Street. Under negotiation are price and terms of payment. In attendance at this meeting were Mayor Flory and Council Members Dote (arrived at 6:03), Monroe and Peart. Vice Mayor Rexroad was absent. Also in attendance were City Manager Kirkwood, Assistant City Manager Marler, City Attorneys Hobbs and Siprelle, Redevelopment Agency Attorney Hawkins, and Redevelopment Manager Ross. Manager Ross and Attorney Hawkins left the closed session at 6:20 p.m. Also under discussion with Legal Council was existing litigation pursuant to Subdivision (a) of Section 54956.9, Pelican and Smallwood versus the City of Woodland and Yohannan versus City of Woodland and John Irvin. Closed session was adjourned at 7:02 p.m.

CITY COUNCIL
REGULAR SESSION

Mayor Flory announced that Council had met in Closed Session for the purpose of holding a Conference with Real Property Negotiator regarding property negotiations and Legal Counsel regarding existing litigation, received a report and gave guidance.

CALL TO ORDER

Mayor Flory called the regular meeting of the Council to order at 7:04 p.m.

PLEDGE OF ALLEGIANCE

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



ROLL CALL

COUNCIL MEMBERS PRESENT: Martie Dote, Jeff Monroe, Neal Peart, David Flory

COUNCIL MEMBERS ABSENT: Matt Rexroad

STAFF MEMBERS PRESENT: Richard Kirkwood, Phil Marler, Ann Siprelle, Sue Vannucci, Dan Bellini, Margaret Vicars, Gary Wegener, Steve Harris, Mark Feuerstein, Mark Dennis, Karl Diekman, Steve Santa-Croce, Mini Garcia, Dan Gentry, Wendy Ross, Julie Henson

OTHERS PRESENT: Contract Planner Heidi Tschudin

COUNCIL MINUTES

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council adopted the minutes of the Regular Council meeting of June 4, 2002 as presented.

COMMUNICATIONS - WRITTEN

Council received a letter from Charter Communications indicating an increase in their basic fees effective July 1, 2002.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council rejected a Claim for Damages filed by Mark Swartz on behalf of Shannon McPartland and referred this Claim to the City Insurance Representative for action.

COMMITTEE REPORTS

Council received a report from Fire Chief Diekman transmitting the minutes of the Yolo County Communications Emergency Services Agency meetings of May 1 and June 5, 2002.

Council received a report from Redevelopment Agency Manager Ross transmitting a summary of the actions taken by the Redevelopment Citizens' Advisory Committee at their meeting of May 22, 2002.



Council received a report from Parks, Recreation and Community Services Director Gentry transmitting the minutes of the Parks, Recreation and Community Services Commission meeting of May 30, 2002.

Council received a report from Public Works Director Wegener transmitting the minutes of the Traffic Safety Commission meeting of May 30, 2002.

Council received a report from Community Services Director Harris transmitting the summary of the Planning Commission actions taken at their meeting of May 30, 2002 as follows:

- a. recommend approval of the Housing Element Update
- b. recommend amendment of Ordinance 14A-1-3 (11), Restrictions on Vehicle Parking
- c. recommend implementation of local CEQA Guidelines

Council received a report from Director Harris transmitting the summary of the Planning Commission actions taken at their meeting of June 6, 2002 as follows:

- a. recommend adoption of Ordinance establishing pre-zoning districts for Spring Lake Specific Plan and property to permit annexation
- b. recommend implementation of Interstate 5 and County Road 102 entryway zoning and design elements
- c. recommend adoption of amendment to Zoning Ordinance for Neighborhood Preservation Zone and Other Zones with non-complying dwellings to require a Zoning Administrator Permit, Conditional Use Permit, and building inspections for life, health and safety code violations.

PUBLIC COMMENT

Elisa Navarette spoke to Council regarding the Cottonwood Healthcare employer-employee negotiations ongoing issues.



COUNCIL AND STAFF STATEMENTS AND REQUESTS

City Manager Kirkwood stated there will be a reception and swearing in ceremony for the new Police Chief, Carey Sullivan on July 8th from 4:00 to 6:00 p.m. at the Woodland Hotel.

Assistant City Manager Marler stated that Charter Communications will be holding a Cable Television Forum on Wednesday, June 19th at 7:00 p.m. in the Council Chambers. Council had received under Written Communications a notification of a rate increase which may be discussed at this Forum.

Council Member Dote indicated that the Cities of Davis and Winters and the County of Yolo have approved the Joint Powers Agreement and Memorandum of Understanding for the Gaining Ground. She asked that this item be placed on the July 2nd Agenda for consideration. She also indicated that A. B. 680, in revised form, will be heard at the Senate on Wednesday, June 19th at 9:30.

PRESENTATIONS

ANNUAL REPORT OF THE PLANNING COMMISSION

Kevin Bryan, Chairperson of the Planning Commission, indicated the Commission will be focusing on eight projects at a time. Current items include: (1) revision of the Community Design Guidelines; (2) Spring Lake Design Guidelines; (3) Local CEQA Guidelines; (4) Sign Ordinance Update; (5) Downtown Specific Plan Update; (6) Overview Map of the Interstate 5/County Road 102 Area; (7) Standards for Tree Plans; and (8) General Plan/Housing Element Update.

Council Member Dote said that the Planning Committee of SACOG is looking for representation on the Land Use Committee and would like the City to participate as part of the technical aspect. City Manager Kirkwood stated that with staffing levels at present, he will need to discuss the availability of staff to assist on this Committee.

Council Member Dote said A. B. 680 had been focusing on low to moderate income housing but that focus had been dropped. The League of California Cities is interested in pursuing that portion. Also, S. B. 910 has resurfaced which identifies those Cities who have not attained their fair share and imposes a fine. Director Harris said the Planning Commission and Council will be receiving the final documents on Housing.



HIGH FIVE AWARDS

Council presented the High Five Awards to each recipient. These awards were presented to young people who have shown heroic resilience, community service, and strength of character. They were done in conjunction with the Volunteer Connection and the Parks, Recreation and Community Services Department.

NATIONAL HOMEOWNERS MONTH

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council declared the month of June 2002 as National Homeowners Month.

CERTIFICATE OF APPRECIATION TO ADRIENNE MONROE

On a motion by Council Member Dote, seconded by Council Member Peart and carried by the Members present, Council approved presentation of a Certificate of Appreciation to Adrienne Monroe for her efforts in raising funds for the new chairs for the Firefighters. Council Member Monroe presented the Certificate to Ms. Monroe.

CONSENT CALENDAR

The following items were removed from the Consent Calendar to be considered at a future Council meeting:

PROCLAMATION ENCOURAGING INFORMAL ATTIRE DURING SUMMER MONTHS

TRANSFER OF TWO CITY VEHICLES TO PERMANENT USE BY THE VOLUNTEER AND CHAPLAINCY PROGRAMS

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

SPRING LAKE SPECIFIC PLAN PROCESS AND SCHEDULE

Council Member Dote asked that project scheduling move forward expeditiously. Council Member Monroe indicated that Turn of the Century has indicated they will pay any associated costs for increased staff in regard to the



process. Mayor Flory would like a schedule with anticipated dates set and adhered to as closely as possible. City Manager Kirkwood indicated a report will return including a schedule with those items needing conclusion. As many agencies are involved in the process, it will be somewhat difficult to make specific assurances of dates as the City is not entirely the decision-makers on all of the areas of concern.

On a motion by Council Member Dote, seconded by Council Member Monroe and carried by the Members present, Council approved the following Consent Calendar items:

TREASURERS' REPORT FOR APRIL 2002

Council reviewed and accepted the April Investment Report as submitted.

FEASIBILITY ANALYSIS OF PUBLIC EDUCATION FOR SOUND AMPLIFICATION ENFORCEMENT

Council received a report on the various codes in relation to vehicle stereo equipment amplifications and enforcement methods.

CHAIRS PAID FOR BY FUNDS DONATED BY CITIZENS FOR USE IN FIRE STATIONS

Council accepted the chairs paid for by funds donated by citizens of Woodland for use in the Fire Stations.

GRANT FOR EXTRICATION EQUIPMENT PROJECT

Council received notice that the City had applied for a grant in the amount of \$48,868 from the State of California Office of Traffic Safety for extrication equipment. The City was granted \$19,000 of the total request.

PRE-ZONING ORDINANCE OF THE SPRING LAKE SPECIFIC PLAN AREA

Council received information on the findings that pre-zoning is covered by the certified Turn of the Century Environmental Impact Report of August 15,



2000 and adopted as an Addendum on December 18, 2001 which requires no other CEQA clearance. Council introduced and read by title only "An Ordinance of the City Council of the City of Woodland Adding Article 12.5 to Chapter 25 of the Woodland City Code to Establish Pre-Zoning Districts for the Spring Lake Specific Plan Area and Pre-Zone Land in the Spring Lake Specific Plan Area".

NUISANCE ABATEMENT BOARD SUMMARY

Council received a report regarding nuisance abatement cases underway at present in relation to properties at 1238 West Street, 1570 and 1574 Hutchinson Valley Lane and the North side of Hutchinson Valley Lane.

TRAFFIC SAFETY COMMISSION ANNUAL WORK PLAN

Council received and approved the Traffic Safety Commission Work Plan.

PROJECT 01-16 SLURRY SEAL CONTRACT

Council awarded the Construction Contract for Measure H Slurry Seal, Project 01-16 to Valley Slurry Seal in the amount of \$286,954.88 and authorized the Public Works Director to execute this Contract and change orders not-to-exceed \$316,000.

CONTRACT FOR AFFORDABLE HOUSING PROGRAM IMPLEMENTATION GUIDELINES

Council authorized the Community Development Director to enter into a Professional Services Contract with Vernazza Wolfe Associates, Inc., for the preparation of Affordable Housing Program Implementation Guidelines for a not-to-exceed cost of \$20,000.

HOMELESS COORDINATOR REPORT FOR MAY, 2002

Council received the Homeless Coordinator Report for the month of May 2002.



SPRING LAKE SPECIFIC PLAN OFF-SITE SANITARY SEWER CONVEYANCE

Council received information on the study of forced versus gravity flow sanitary sewer conveyance method for the Spring Lake Specific Plan area. Staff recommendation is to proceed with a forced main system.

PUBLIC HEARINGS

RESOLUTION 4360-GIBSON RANCH LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

Mayor Flory opened the Public Hearing at 8:01 p.m. Hearing no comments from the public, the hearing was closed at 8:02. On a motion by Council Member Peart, seconded by Council Member Monroe and carried by the Members present, Council adopted Resolution 4360, "A Resolution of the City Council of the City of Woodland Amending and/or Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the Gibson Ranch Lighting and Landscaping District, Fiscal Year 2002-2003".

RESOLUTION 4361-NORTH PARK LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

Mayor Flory opened the Public Hearing at 8:03 p.m. Hearing no comments from the public, the hearing was closed at 8:03. On a motion by Council Member Monroe, seconded by Council Member Peart and carried by the Members present, Council adopted Resolution 4361, "A Resolution of the City Council of the City of Woodland 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 2002-2003".

RESOLUTION 4362-STRENG POND LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

Mayor Flory opened the Public Hearing at 8:04 p.m. Hearing no comments from the public, the hearing was closed at 8:04. On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council adopted Resolution 4362, "A Resolution of the City Council of the City of Woodland Amending and/or Approving the Annual Levy



Report and Ordering the Levy and Collection of Assessments within the Streng Pong Landscaping and Maintenance District, Fiscal Year 2002-2003”.

REDEVELOPMENT AGENCY

At 8:04, Mayor Flory temporarily adjourned the meeting of the Council to convene a meeting of the Redevelopment Agency Board. At 8:14, Mayor Flory reconvened the meeting of the Council.

Council recessed from 8:15 to 8:26 p.m. Council Member Peart returned at 8:27 p.m.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

FISCAL YEAR 2002/2003 PRELIMINARY OPERATIONS & MAINTENANCE BUDGET

Finance Director Vicars presented the Preliminary Budget outlook for the Council. She indicated that funding sources are uncertain. Measure H funds were not included in the charts presented. The fee increases for users have been included. Police, Fire and Public Works comprise 71% of the budget. With the exception of 1993, General Fund Revenues were all slightly higher than anticipated, with 1993 affected by the ERAF. Vehicle in Lieu fees are still a topic of discussion by the State as a means of balancing their deficit. These fees are our third largest source of revenue. Property tax is the second largest source of revenue with sales tax as the primary source. This source of funds is collected by quarters. Last year we collected \$7.6 million without the Measure H funds. In 2003 we should have an increase of 4.5% in sales tax.

On the expenditure side, Police comprises 23.2%, Fire at 12.2% and Public Works at 36%. These percentages remain fairly constant from the previous year. Council has indicated they wish an increase in staff, primarily in Fire and Police. To meet the State average of employees per thousand residents, the City would need to add over 150 employees. Our City has declined in growth per thousand by 6% since 1990.

Council Member Monroe strongly feels the City needs to add safety employee staff, Fire and Police. As the City has been over-estimating budget



revenue for several years, he proposed increasing Fire and Police by 3 each, which he estimates to be approximately \$375,000 per year. Director Vicars said there are \$500,000 in excess funds this year. The State has already indicated they will be taking \$265,000, which leave us only \$235,000 in reserve. Council Member Monroe indicated we could freeze the hiring of new staff should the State cut further. City Manager Kirkwood said in February, the budget uncertainty was presented to Council. A 4.7% increase in operating expenses did not include staff increases. Adjustments could be made to the budget as more definitive information is received from the State. He recommended bringing this item to the annual Council retreat in the Fall. We are presently approximately 15 Officers below our goal and 9 additional Firefighters are also needed which would add \$1 million plus to the budget. He recommended adopting the budget as presented and bring this forward with position papers when there is more time to discuss. He feels it is too risky to add staff at this time.

Council Member Monroe feels we need to take the chance on adding the staff and cover the cost with contingency funds. Council Member Peart feels we are "neutral" in funds and to add staff, we need to increase income. Director Vicars stated we have an 8% contingency or \$2 million. We are looking at increasing fees. The Spring Lake Specific Plan will fund only those items which will be of benefit for that area. This levels of service for Police is one of the issues under discussion with TOC at present. Mayor Flory asked if we could "front load" because they are not needing services immediately. Director Vicars said there is a three year window between the time they start and when Police and Fire are needed. Mayor Flory asked if revenue is coming in prior to that time the could the money be used for funding staff at present. Director Vicars indicated there is an operating deficit in the SLSP at present. We do not have adequate information to determine how many years it will take to recover that deficit. Council Member Monroe said that Home Depot said they will generate funds that will cover these costs. City Manager Kirkwood said those figures are already calculated in the budget presented. Director Vicars said we should have more concrete information in September. Council Member Peart said we should expect the worst case scenario and should not move to add staff at this time.

On a motion by Council Member Monroe, seconded by Mayor Flory and carried by the Members present, it was moved to consider the addition of three Police Officers and three Firefighters to the City staff at the second meeting in September 2002. Council Member Dote feels we need security on the certainty of revenues because this will be an ongoing expenditure. City Manager Kirkwood will take this discussion up with the Chiefs of the Departments on the logistics of



adding staff. Council Member Monroe requested information contained in the General Plan on the numbers of Officers and Firefighters recommended.

Council Member Monroe amended his motion, Council Member Dote seconded and Council carried that the Exception List will return in September for consideration as well. Randy Nordmark of the Library Board of Trustees requested Council consideration of additional staff to all Departments as the staffing levels are well below required and needed. The Exception List also includes the funding of benefits for the part-time Library employees and he encouraged Council to consider funding of that request.

ANNUAL MEASURE H REPORT

Council received the annual report on Measure H income and expenditures. Director Vicars indicated this report had been noticed twice in the Daily Democrat and Davis Enterprise. Council Member Dote requested this notice also be placed on the City WEB page.

PROPOSITION 12 FUNDS FOR DUBACH PARK DRAINAGE MEDIATION AND ARMORY AMERICANS WITH DISABILITIES ACT RETROFITTING

Parks, Recreation and Community Services Director Dan Gentry summarized the request to utilize Park Bond Act Funds to fund \$75,000 of retrofitting at the Armory building to meet the Americans with Disabilities Act standards and to fund the de-watering project at Dubach Park.

The Armory has been inspected by the Chief Building Official and the Fire Marshal who outlined Code violations in the structure. Many of the violations are minimal and will be corrected immediately. Others are of a stature to require funding to support, primarily that of bringing the facility in compliance with ADA regulations. Council Member Dote asked who owns the facility and Director Gentry indicate it is owned by the City. The National Guard leases it from us for \$1 per year and it is our obligation under the Lease Agreement to make repairs. City Attorney Siprelle indicated the Lease will be reviewed. Director Gentry said this is the last of the funds under Proposition 12 to be expended. This expenditure is of importance to clear the ADA requirements. Council Member Monroe asked about photoelectric devices at the tennis courts and Director Gentry said this would be addressed at a future time with other funds. Council Member Peart said he thought the National Guard was going to do some of the retrofitting but Director Gentry reiterated the Lease Agreement is specific in requiring the City to accomplish.



It was the consensus of Council to not take action on this item until further research could be done on the responsibility for the retrofitting.

Council Member Dote said that Woodland Sports Park (Quantum) is a private company. Director Gentry said that Quantum has put over \$800,000 into the facility (Dubach) to date when they had originally anticipated only a \$400,000 cost. This is a premier facility and they do not want it to be under water again. Mayor Flory said that Council had been asked to fund this de-watering process earlier but it was concluded it was Quantum's responsibility. Council Member Peart would like the contract with Quantum reviewed.

Council Member Dote said that this company has all of the concessions as well.

On a motion by Council Member Peart, seconded by Council Member Dote and carried by the Members present, Council moved to hold this item over for further research.

PUBLIC REVIEW PROCESS TO ALLOW FOR EXISTING NON-COMPLYING DWELLINGS WITHIN THE NEIGHBORHOOD PRESERVATION ZONE

Community Development Director Harris reminded Council of the origins of this review process in that a structure at 520 Cleveland was found to be illegal and non-conforming in the Neighborhood Preservation Zone (NP). Council had requested the Planning Commission to review the processes and recommend whether there was a method for this structure to become legal. As well, the Commission was asked to consider possible amendments to the NP zone to address non-compliant dwellings.

The new owner of the property in question has agreed to re-covert the unit back to its original form, which was a legal use, or to convert two of the other units into one unit to comply. The staff recommendation would be to covert the garage unit. The Commission was uncomfortable making recommendations on other non-conforming units as the affordable housing stock would be dramatically affected. A listing of five criteria have been developed to address these illegal non-conforming units. Council Member Peart asked what would trigger the process to determine non-conforming. Director Harris said random observation or complaints would be the activator. The owner would then have to apply for a conditional use permit. A Certificate of Compliance would be issued if they were in place prior to the implementation of the NP zone adoption. The census data will give a better view of the problem. It was also



suggested that when property is sold, it be inspected. Council Member Peart said when property is discovered as illegal and the property owner cannot afford to or chooses not to bring to Code, the residents will then be displaced. Director Harris said people are living in sub-standard units but there is money available through loans and grants to assist in correcting the life safety issues.

A motion was made by Council Member Monroe and seconded by Council Member Dote to approve the recommendations of the Planning Commission regarding public review process to allow for existing non-complying dwellings within the NP zone.

Colette Stewart said there are many things wrong with the process: this will be entirely a voluntary process and no one will comply; Code Enforcement does not have the time to look for them; owners will not be able to raise the rent on these units because they must be kept affordable. There are many units throughout the City that should be inspected when sold.

Council Member Monroe asked if there was rent control language and City Attorney Siprelle said that if the property was legalized, there would be some rent restrictions. Council Member Dote said this is not rent control but affordable rent. Council Member Peart said the rent would be kept at a reasonable level.

On a motion by Council Member Monroe, seconded by Council Member Peart and carried by the Members present, the Council approved the recommendation of the Staff to convert the illegal non-conforming structure located at 520 Cleveland Street back to its original use as a garage.

Council Member Monroe does not want to require the property owner to improve their property and then not be allowed to increase their rents. Director Harris said they could offer the program through the CDBG funds and then could request rent restrictions to maintain their affordability.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council approved the staff recommendations regarding NP zone illegal dwellings with actions to allow for compliance through the following process:

Require either a Zoning Administrator Permit or a Conditional Use Permit application for the unit. The permit would be conditioned to correct any zoning code deficiencies and the issuance of a Certificate of Compliance before the permit would be valid.



Submission of proper building permit and inspections; inspections to address necessary life/safety code requirements.

Upon correction of any life/safety code deficiencies, conduct a final inspection and if successful, issue a Certificate of Compliance.

Should Community Development Block Grant funds be utilized for correction of these deficiencies, enter into and record a rental restriction agreement with the City to maintain affordability of the unit for a pre-determined period of time.

Limit of one unit per lot could utilize this process, applicable only to existing units.

These recommendations will return to the Council for final consideration in the form of an Ordinance.

STORAGE OF VEHICLES, TRAILERS, BOATS, AND RECREATIONAL VEHICLES ON LANDSCAPED AREAS AND LAWNS

Community Development Director Harris said the Planning Commission had recommended language that would change motor vehicle to any vehicle could not be parked in the landscaped area of a front yard unless paved. Staff further recommends that the width of the paved area can be no more than 8 feet; shall be adjacent to the existing driveway; an encroachment permit will be required if within the utility easement, crosses a public sidewalk or if a new driveway is cut; and that acceptable paving materials would be concrete, turf block, or other materials acceptable to the Department.

Mayor Flory asked if the Spring Lake Specific Plan will be more restrictive on recreational vehicle parking. Director Harris said this would be a City-wide Ordinance but an individual CCR could be put in place in SLSP. Most Cities do not allow recreational vehicle parking of any kind in residential areas. Mayor Flory said this language seems to encourage people to park their vehicles in their yards. Director Harris said a permit could be issued. Council Member Dote was concerned that present language would preclude bicycle parking in the front yard and suggested the language include only those vehicles requiring Department of Motor Vehicle registration. Director Harris said he needs to know if there is a desire to continue to allow the current parking, to regulate or to prohibit. Council Member Peart feels the Council has been working very hard to upgrade



the appearance in the City and should address the storage of recreational vehicles away from homes.

Council Member Monroe asked if there is an Ordinance already in place and Director Harris said that a recreational vehicle may only be parked in front of a residence for 72 hours at present. No motor vehicle can be parked on a lawn or landscaped area. City Attorney Siprelle said the expansion to cover any vehicle is the proposed language with the Commission indicating unless the parking area is paved. Council Member Peart suggested this item return to Council with more restrictive language. There should be some common ground on this issue.

ORDINANCE

ORDINANCE 1345 AMENDING CHAPTER 2 OF CITY CODE REGARDING ORDER OF ITEMS ON COUNCIL AGENDA

On a motion by Council member Monroe, seconded by Council Member Dote and carried by the Members present, Council adopted Ordinance 1345, "An Ordinance of the City Council of the City of Woodland Amending Chapter 2 of the City Code Relating to the Order of Business of the City Council".

ADJOURNMENT

Mayor Flory adjourned the regular meeting of the Council at 10:22 p.m.

Sue Vannucci, City Clerk