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

January 9, 2002

CITY COUNCIL SPECIAL/CLOSED SESSION

The Woodland City Council met in special session at 6:04 p.m. in the second floor conference room of City Hall in order to convene a closed session. Council Members present were Mayor Borchard and Council Members Dote, Monroe and Peart. Vice Mayor Flory was absent. Also present were City Manager Rick Kirkwood, Police Chief Del Hanson (left at 6:43) and Parks, Recreation and Community Services Director Henry Agonia (arrived at 6:43). The purpose of the closed session was to hold a conference with Legal Counsel regarding existing litigation pursuant to Subdivision (a) of Section 54956.9, Fairbanks v. City of Woodland and to hold Public Employee Evaluations pursuant to Section 54957, for the Police Chief and Parks, Recreation and Community Services Director.

CITY COUNCIL REGULAR SESSION

Mayor Borchard announced that City Council met in a special closed session to hold a conference with Legal Counsel regarding existing litigation but this item was deferred, and to hold Public Employee Evaluations for the Police Chief and Parks, Recreation and Community Services Director. He stated that Police Chief Del Hanson had submitted his request for retirement from the City effective January 31, 2002 and commended him for his dedicated service to the citizens. He also stated that Parks, Recreation and Community Services Director Henry Agonia will be retiring with an effective date of February 20, 2002 and commended Director Agonia for his service as well.

CALL TO ORDER

Mayor Borchard called the regular meeting of the Council to order at 7:13 p.m.

PLEDGE OF ALLEGIANCE

Mayor Borchard invited all in attendance to join the Council in the Pledge Allegiance.



ROLL CALL

COUNCIL MEMBERS PRESENT: Martie Dote, Jeff Monroe, Neal Peart, Steve

Borchard

COUNCIL MEMBERS ABSENT: David Flory

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

Margaret Vicars, Del Hanson, Steve Harris, Gary Wegener, Henry Agonia, George Bierwirth, Dan Bellini, Dick Donnelly, Mike Horgan, Tami Burnham, Bruce Pollard, Dave

Ingman, Sue Vannucci

ALSO PRESENT: Asa Utterback, Ponticello Enterprises (Contract

Engineering)

COUNCIL MINUTES

On a motion by Council Member Dote, seconded by Council Member Peart and carried by a vote of the Members present, Council approved the minutes of the special Council meeting of November 6, 2001 as presented.

COMMUNICATIONS - WRITTEN

Council received a letter from Congressman Wally Herger who will be the new representative for the City. The Congressman acknowledged receipt of a letter from the City requesting support for flood protection. He indicated he will assist and support our current representative, Congressman Doug Ose, but stated he believes in locally driven solutions and that his role is to support and facilitate local collaboration.

Council received a letter from Elsie Hickey of Community Care Car, Inc. thanking the City for a donation of \$6,600 to offset the insurance for the three Community Care Cars.

COMMITTEE REPORTS

Council received a report from Public Works Director Gary Wegener transmitting the minutes of the Water Resources Agency meeting of December 3, 2001.



Council received a report from Community Development Director Steve Harris transmitting the minutes of the Historical Preservation Commission meeting of December 12, 2001.

Council received a report from Parks, Recreation and Community Services Director Henry Agonia transmitting the minutes of the Parks, Recreation and Community Services Commission meeting of December 13, 2001. Council Member Peart requested these minutes consistently state the Senior/Community Center construction as a dual facility for seniors and the community as a whole.

Council received a report from Finance Director Margaret Vicars transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority meeting of December 14, 2001.

Council received a report from Public Works Director Wegener transmitting the minutes of Tree Commission meeting of December 17, 2001.

Council received a report from Assistant City Manager Phil Marler transmitting the minutes of the Manufactured Home Fair Practices Commission meetings of December 18 and 20, 2001.

Council received a report from Director Harris transmitting the summary of Planning Commission actions taken at their meeting of December 20, 2001 as follows:

- a. conditionally approved certification of a Negative Declaration and approved a Conditional Use Permit and Design Review for Bender Warehouse, ICI Paint to be located at 1660 Tide Court.
- b. conditionally approved Home Depot Mixed Industrial Center project to be located on East Main Street.

PUBLIC COMMENT

Warren Meyer said the traffic signal at Lincoln and West Streets is in need of attention. He also said on June 20th Council said the Senior/Community would be open by 2003. The Police Station is priority 2 with the Center at priority 3. He would like information on the status.

Supervisor Tom Stallard said he supported dialog in regard to A. B. 680. He is concerned about the future of Woodland and the loss of sales tax and does not want local discretion diminished. This issue will be before the Board of Supervisors on



January 22nd. He feels this Bill will not be supported by the Board due to current language and will support the decision of the City when it comes before the Board.

COUNCIL STATEMENTS AND REQUESTS

Council Member Peart announced there would be a planning meeting for support of Measure G, Sales Tax Extension, at 7:00 a.m. on January 16th at the Chamber of Commerce Conference Room.

Council Member Dote requested a report in regard to the implications of spot zoning. Council Member Dote attended the League of California Cities Annual Conference in Sacramento in December as a voting delegate. They, along with CSAC are sponsoring a proposition for the November 2002 to make local funding exempt from tampering. There is also a proposal form the Fire Chiefs' Association, Police Chiefs' Association, Firefighters, Professional Police Officers and Emergency Medical Technicians, for a State-wide sales tax which would guarantee funding levels to jurisdictions for those services. The League voted discretion to the Board of Directors to make the determination as to the level of support. We would not be able to participate in both Bills.

Mayor Borchard attended a 2 X 2 with Council Member Monroe and the West Sacramento Council in regard to A. B. 680. He attended a Farm Bureau meeting where the topic was flood issues. There was some discussion to procure more funds for the setback levee option.

Mayor Borchard announced that Item 7 on the Agenda, "Receive Measure H Road Report Update" would be moved to Presentations.

City Manager Kirkwood said that Congressman Mike Thompson would be at the County Administrative Building Atrium on January 10th from 9:30 to 11:00. Council Members Dote and Peart will attend. Information previously provided to Congressman Ose will be given to Congressman Thompson. Senate Bill 356 was introduced one year ago by Senator Johannesson regarding design/build and is resurfacing. The City Attorney will look at this process to see how we can move forward. Last June we had an expectation to move forward with the Police Station and Senior/Community Center at the same time. The site issue for the Senior/Community Center is of concern. Community Development Director Harris said the report would be to the Planning Commission and Advisory Commission on January 24th prior to returning to Council. City Manager Kirkwood said if the process is successful with the Police Station, it will be considered for the Senior/Community Center. It is vital that all issues in regard to the Center be considered and addressed prior to moving ahead.



PRESENTATIONS

CERTIFICATE OF APPRECIATION FOR YOLO HISTORIC SOCIETY

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council received a contribution from the Yolo County Historical Society Cemetery Committee in the amount of \$17,960 in support of the installation of the final phase of wrought iron fencing at the Cemetery. Parks, Recreation and Community Services Director Henry Agonia introduced BJ Ford, Mary Aulman and Marcia Carey and acknowledged Nadine Salonites and Liz Tara for their efforts in regard to this fund raising activity. Mayor Borchard presented a Certificate of Appreciation to the Committee.

COMMUNITY POLICING PROGRAM REPORT

Lieutenant Dan Bellini summarized the Strategic Plan of the Community Policing Program. Examples of the program recently addressed were outlined. The first was that of the Los Caporales and Regional Park concerns. Management of events at the site has been closely monitored. Staff have visited and inspected events and as a result, minimal requests for Police services have been needed. Freeman Park has been another issue of concern. Police Staff has worked closely with the "Friends of Freeman Park" and the Wayfarer Center to offset problems found. The Park Curfew Ordinance has been instituted and concerns about Parolees continues to be monitored. Donnelly Circle strategies are being developed. Neighborhood Watch meetings held, hours and use of soccer fields and increased enforcement problem hours utilizing Bicycle Patrol have been instituted. There was also a concern in a City neighborhood in regard to problems between neighbors. The Staff met with the parties involved, advised of the City regulations and concerns of the various neighbors and was able to diminish the problems.

MEASURE H ROAD REPORT UPDATE

City Junior Engineer Tami Burnham presented an update of the Measure H road improvements. The City presently maintains 156 miles of roadway, with 72 in need of work. Prior to Measure H funding, the City experienced \$10.2 million in backlog with a \$1.1 million shortfall. There were no major funding sources available and Federal funding was miniscule. With Measure H funding, there are \$10 million of funds available, \$1.5 million in development fees to match on



arterial and collector streets, but the \$1.1 million annual shortfall remains. By the end of 2007, the City will have accomplished \$21.1 million on road reconstruction, rehabilitation, seal coat, and routine maintenance with \$6.6 million of unfunded work remaining. Projects completed are the 2001 sand seal, and two State Transportation Program rehabilitation projects. Presently under construction are the Community Facilities District Phase II project, signal and intersection improvements at Kentucky and West Streets, and the signal and intersection improvements at West Main and County Road 98. Planned projects are the 2001 seal coat, Court Street rehabilitation, the 2001 road rehabilitation project, the 2002 slurry/cap seal project and the 2002 sand seal. Remaining and included in the unfunded \$6.6 million are 1.8 miles of reconstruction and 6.1 miles of rehabilitation.

Public Works Director Wegener said we had some problems with the achievement of what we had anticipated in funding due to 9/11 and shortfall from the State budget deficit to provide the additional funding.

CONSENT CALENDAR

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

REPORT ON ACQUISITION OF AND/OR PROTECTION OF CALTRANS PROPERTY AT MAIN & COTTONWOOD TO PRESERVE HERITAGE OAK TREE

Council Member Peart requested the following item be removed from the Consent Calendar:

SACRAMENTO-YOLO MOSQUITO AND VECTOR CONTROL DISTRICT BOARD ALTERNATE

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



MONTHLY STATUS REPORT FROM PARKS, RECREATION AND COMMUNITY SERVICES

Council received the December 2001 status report for activities in the Parks, Recreation and Community Services Department.

MONTHLY STATUS REPORT FROM COMMUNITY DEVELOPMENT

Council received the December 2001 status report of activities in the Community Development Department.

MONTHLY STATUS AND CAPITAL BUDGET IMPLEMENTATION REPORTS FROM PUBLIC WORKS

Council received the monthly status and Capital Budget Implementation report from Public Works.

ANIMAL SERVICES AGREEMENT WITH YOLO COUNTY SHERIFF'S DEPARTMENT

Council approved the renewal of the Animal Services Agreement with the Yolo County Sheriff's Office for fiscal years 2001 through 2003.

CREDIT CARDS AS PAYMENT METHOD

Council received an update of the status regarding activation of the credit card payment method for utility services, parking citations and miscellaneous services.

MCKINNEY-VENTO HOMELESS ASSISTANCE FUNDING

Council acknowledged receipt of the 2001 McKinney-Vento Act Homeless Assistance Funds in the amount of \$175,151 to be applied to the Yolo Wayfarer Center Transitional Housing Safe Harbor Program.



HOMELESS COORDINATOR REPORT

Council received the Homeless Coordinator Report for the month of November 2001.

RESIGNATIONS OF CECIL ROOKER AND KEVIN SPESERT FROM CITY BOARD/COMMITTEE/COMMISSION

Council accepted the resignations of Cecil Rooker from the Redevelopment Citizens' Advisory Committee and Kevin Spesert from the Parks, Recreation and Community Services Commission.

REVISED PROJECT PROGRAMMING SUMMARY SHEET FOR CROSS AND EAST STREET PROJECT NO. 98-03

Council approved the revised Project Programming Summary Sheet for Project 98-03, East and Cross Streets traffic signal and intersection improvements; authorized the addition of \$22,000 to the Capital Budget; and authorized proceeding with the project including the construction of a median to preclude left turns to and from East Street at Oak Avenue and East Oak Avenue.

RESOLUTION 4331 IN SUPPORT OF PROPOSITION 40 - PARK BOND ACT

Council approved Resolution 4331 a "Resolution in Support of the Proposition 40 Clean Water, Clean Air, Neighborhood Parks and Coastal Protection Bond Act 2002".

RESOLUTION 4332-CONTRACT EXTENSION FOR SPRING LAKE SPECIFIC PLAN PROJECT PLANNER AND ENGINEER

Council adopted Resolution 4332, a "Resolution of the City Council of the City of Woodland Authorizing Amendment to Contracts with Planner Heidi Tschudin and Engineer Nick Ponticello" for consulting services through June 20, 2002.



FIRE SUPPORT BRANCH ACTIVITIES

Council received the 2001 summary of Woodland Fire Department Volunteer Support Branch activities.

MOVEMENT OF INVESTIGATIONS DIVISION OF THE POLICE DEPARTMENT TO COUNTY-OWNED BUILDING AND SIGNING OF TWO YEAR LEASE

Council approved movement of the Investigations Division of the Police Department to the County-owned building located at 120 West Main Street, Suite G, and authorized the signing of a two-year lease of the facility.

ITEM REMOVED FROM CONSENT CALENDAR

ALTERNATE TO SACRAMENTO-YOLO MOSQUITO AND VECTOR CONTROL DISTRICT BOARD

Council Member Peart asked that this item be deferred until the next Council meeting in order to consider another interested applicant for this position. Council concurred.

ACQUISITION AND/OR PROTECTION OF CALTRANS PROPERTY AT MAIN & COTTONWOOD TO PRESERVE HERITAGE OAK TREE

Council Member Dote reiterated the comments in the report that CalTrans had agreed not to remove the tree located on their property and would indicate in the sales listing that the buyer would need to contact the City regarding any plans involving the tree.

PUBLIC HEARINGS

None



REDEVELOPMENT AGENCY

Mayor Borchard adjourned the meeting of the Council at 8:10 and convened the meeting of the Redevelopment Agency Board of Directors. At 8:35, Mayor Borchard recessed the meeting of the Board and reconvened the meeting of the Council.

Council recessed from 8:35 until 8:45 p.m.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

DISCUSS AND SET STRATEGIES IN OPPOSITION TO ASSEMBLY BILL 680

City Manager Kirkwood said the Council has indicated they wish to preserve local control, provide constitutional preservation of local resources, eliminate unfunded mandates, provide local government predictable and discretionary funding, insure revenue stability, and recognize the connection between service costs and revenues to promote balanced planning. We have \$19 million in the General Fund that is very limited for our population. December of 2001, Council adopted Resolution 4329 which generated many letters to those who need to understand our issues which should be left to the "home rule" because we know our community better than the State. This City has lost \$14 million over the last several years. Our services have suffered greatly with this loss. The League of California Cities Priority Focus has good coverage and indicates their opposition to Assembly Bill 680. The Editorial of January 9, 2002 from the Daily Democrat provides excellent, accurate information in regard to this Bill. A letter of support from the Woodland Chamber of Commerce adopting a position to oppose any proposed legislation further degrading the funding of the City, as well as supporting Resolution 4329.

This legislation as written will further seize 1/3 of the growth in sales tax at the local level. Council may wish to consider authorizing up to \$10,000 to support the lobbying effort against this bill. The City of Roseville will be the lead agency in a group of Cities and Counties who will pool resources to oppose the Bill. They propose a strategic approach to specifically identify those who need to receive input prior to voting on this Bill.

Council Member Dote stated the Bill affects the whole SACOG region. They have a critical use under this Bill. The 1/3 of the growth in sales tax that



did not come back to jurisdictions not meeting the requirements of the allocation formula could be programmed to different priority projects. The of creation of "winners" and "losers" must be minimized. There have been many amendments but it does not address the core problem. The League opposition is based on the constitutional protection of local revenue should be a top priority. State policies have not been in support of local finance in the past. This legislation sets a precedent to redistribute local revenues in other regions of the State. Assembly Member Steinberg has been asked to remove Yolo Country from the Bill language but he has not been very receptive. She asked if we receive credit for the open space (agricultural land preservation) and the 17% affordable housing element in the Spring Lake Plan. The Bill is not specific enough to provide confidence.

Matt Rexroad said that while the comments heard are correct, he does not feel it is prudent to approve a \$10,000 expense to lobby against this Bill. Assembly Member Helen Thomson is leading the opposition in regard to this Bill. There are several other hurdles the Bill must pass through prior to approval. It is complicated and the community of support is diminishing. He urged the Council to contact Assembly Member Thomson immediately.

Mayor Borchard feels that not supporting a cooperative effort at this time will affect the process. City Manager Kirkwood said the other communities are pledging funds at this time and feels we should participate in the cooperative agreement to put forth an effort at this point.

Council Member Monroe would like to speak with the Legislators directly. Mayor Borchard said the City had committed monetary support for this opposition effort and should follow through with that commitment.

City Manager Kirkwood suggested setting an initial contribution rate and levels of additional contribution with a cap on total.

On a motion by Council Member Dote, seconded by Council Member Peart and carried by the Members present, Council authorized expenditure of a contribution/commitment to the City of Roseville for the lobbying effort in opposition to A. B. 680 in increments of \$2,500 up to \$5,000 and to be reviewed by Council at the \$5,000 level. One or two Council Members will sit with others in this "JPA" to discuss strategies and processes on how this will go forward.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council appointed a Sub-Committee of Council Members Dote and Peart to meet with Legislators in an effort to



discourage passage of Assembly Bill 680. Council Member Monroe will also make an effort to so meet with the Legislators.

SACRAMENTO VALLEY ORGANIZING COMMITTEE HOUSING PROJECT AND MILESTONES

Director Harris provided an update of the Sacramento Valley Organizing Committee (SVOC) "Nueva Vista" project located at the former City of Woodland Fire Department Training Center on Sutter Street. The Negative Declaration should be released soon with Planning Commission hearing on February 7th. The Schedule of Performance as amended was presented to Council. Many of the issues which caused deviation from the original schedule were unforeseen when the timeline was set, two of which were acquisition of the land from the Railroad, with the other the hazardous materials found on the property. Mayor Borchard asked for clarification of the indication of "Sutter Street property". Rich Ciraulo of Mercy Housing said it is just the transfer of the Sutter Street yard to SVOC, with the actual project name as Nueva Vista. The Tentative Map approval and close of escrow should occur in April 2002.

Council Member Peart said his concern is that this project has been in the works for $3\frac{1}{2}$ years. There is no payment due for 10 years. The return on this to the City is now going to be 14 years. He would like this project to move forward as quickly as possible.

COMMUNITY SERVICE AWARD NOMINATING COMMITTEE

On a motion by Council Member Dote, seconded by Council Member Peart and carried by the Members present, Council approved the following names to serve as members of the 2002 Community Service Award Nominating Committee: Mayor Steve Borchard, Jack Slaven, Fred Bailard, Lonny Wunder, Adrienne Monroe and Leslie Marcus, with approval of that name to be submitted as Vice Mayor Flory's nominee as soon as possible.

REAPPOINT BOARD AND COMMISSION MEMBERS TO CONTINUING TERMS

On a motion by Council Member Dote, seconded by Council Member Monroe and carried by the Members present, Council reappointed the following Members to the various Boards, Committees and Commissions for the terms ending as indicated:



Edward Puccetti	Board of Building Appeals	12/31/05
Kristyn Eagleton	Historical Preservation Commission	12/31/05
Bud Goding	Library Board of Trustees	12/31/04
Tanya McKay	Parks, Recreation and	
	Community Services Commission	12/31/05
Don Permenter	Parks, Recreation and	
	Community Services Commission	12/31/05
James Staker	Planning Commission	12/31/05
Andrea Zeller	Redevelopment Citizens' Advisory	
	Committee	12/31/04
John Murphy	Tree Commission	12/31/03

There are several remaining vacancies on Commissions that need to be filled as soon as possible. Efforts are under consideration to encourage citizen support. Assistant City Manager Marler stated the most effective method of recruiting for these positions is by contact from the Council directly with citizens encouraging participation. Mayor Borchard asked Department Directors to seek the assistance of their and Boards to encourage participation.

COMMUNITY DEVELOPMENT BLOCK GRANT ACTIVITY FUNDING GUIDELINES FOR FISCAL YEAR 2002-03

Director Harris summarized the purpose of the Community Development Block Grant (CDBG) Committee in that they conduct public hearings and recommend priorities for funding Community-Based Organizations (CBO's). Housing and Urban Development (HUD) guidelines allow 15% of the funds for food and shelter programs. It is recommended that Council establish guidelines for eligible activities for the Committee to utilize in their review process. There are also associated funding ranges and possible repayment schedules for those currently funded.

Vice Mayor Flory had asked that Council become more involved early in the process and identification of use of the funds. A Public Hearing would then need to be set for the January 22, 2002 meeting to hear comments and set priorities. Director Harris requested direction from Council as to further refining and defining the priorities for this year, as well as, setting funding ranges for the coming year to help the Committee. In an earlier agreement with the Community Housing Opportunities Corporation on the Woodland and Dana Mobile Home Parks, a Section 108 loan of \$1 million to HUD to help with improvements and purchase would be repaid out of CDBG funds. HUD has amended their repayment schedule to allow up to 20 years to repay.



Council Member Monroe asked if this money could also be utilized for a downtown-parking garage. Director Harris said it would be out of capital projects and could be utilized for leverage. We would only have a portion of the funds for this type of project. Council Member Monroe would like us to take control early on in the process. Mayor Borchard asked for clarification on the Council Member Dote requested information level of grant eight uses. applications for and from various programs for the last several years. The \$125,000 available does not include the funds earmarked for the purchase of the mobile home parks. The \$135,000 is still on hold from the proposed purchase of the Idle Wheel/Royal Palm by the residents. Council Member Monroe stated the Association is still attempting to purchase the parks. City Manager Kirkwood said Council could state they want to put specific amounts into the downtown area. Council Member Peart concurred. We need to look at changing directions toward economic development. Council Member Monroe would like up to \$150,000 put into the downtown efforts. Mayor Borchard would like to have a better view of the funding and the areas recommended for expenditure prior to making a decision.

Nancy Conk, Executive Director of CHOC, is concerned about the recommendation to remove 50% to 75% of funds previously allocated to affordable housing away from that need. The original development of CDBG funding programs by the Federal government was for affordable housing. Seventy percent of the funds must go to low or moderate income. The parking garage is not an eligible activity for CDBG. The \$135,000 set aside for the Mobile Home Association possible purchase could be lost if not spent. There are two loans, one to the City and HUD, which could be repaid over a period of 10 to 20 years, dependent upon Council decision. The loan between CHOC and the City with no specific defined terms in the participation agreement, but the proformers shown have assumed there is no mandated debt service on that loan. This is because it is a standard structure for affordable housing when using "soft financing", or public financing, not amortized loans. service is reviewed and considered in their debt coverage when going through a lending agency. Depending upon other debt attached to the project, the lending agency can then reduce the size of their loan. She urged that the Council not mandate debt service on the loan between the City and CHOC for those reasons.

City Manager Kirkwood asked Ms. Conk if in the proformers for the mobile home parks on the \$1 million 108 loan there was an assumption there would not be a repayment schedule. They had not made that a condition as it is not known how many other funding sources are needed and if they would require a senior position to the City's 108 loan. City Manager Kirkwood said that



a financial and legal contract the City would be needed to make a decision and it should return to Council for decision. Council Member Peart asked Director Harris to set a time frame on the expenditure of the \$135,000. Mayor Borchard said it should be included in the public hearing with more breadth on guidelines and thresholds.

On a motion by Council Member Monroe, seconded by Council Member Peart and carried by the Members present, Council directed staff to provide the appropriate public notices to have a Public Hearing for the allocation/reallocation of Community Development Block Grant funds and in that hearing the Council will also receive a report from the Staff with recommendations on how the money is currently appropriated and what the legal requirements are for appropriation to allow the Council to determine how much money could be set aside. The Council will establish certain guidelines specifically to discuss use of money for economic development purposes.

Council Member Dote would like a two to three year historical perspective of what applications came in, what was funded and level of funding. Mayor Borchard said he has seen that type of information in the past. When it applies to a CBO, they cannot receive funding more than two years in a row, he would like those pre-established guidelines and restrictions brought to the Council as well.

<u>ORDINANCE</u>	
None.	
<u>ADJOURNMENT</u>	
Mayor Borchard adjourned the regular	meeting of the Council at 10:17 p.m.
	Sue Vannucci, City Clerk