

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

June 5, 2001

**CITY COUNCIL**  
**SPECIAL SESSION/CLOSED SESSION**

The Woodland City Council met in special session at 6:00 p.m. in the second floor conference room of City Hall in order to convene a closed session. The Council held a conference with Legal Counsel regarding Anticipated Litigation (Section 54956.9, Subdivision [b]), Number of Potential Cases: 2.

Council Members present were, Steve Borchard, David Flory, Martie Dote, Jeff Monroe and Neal Peart. In addition, City Manager Rick Kirkwood, Assistant City Manager Phil Marler, and City Attorney Ann Siprelle were present.

The special session and closed session were adjourned at 7:08 p.m.

**CITY COUNCIL**  
**REGULAR SESSION**

**CLOSED SESSION ANNOUNCEMENT**

Mayor Borchard advised that the Woodland City Council met in special session at 6:00 p.m. in the second floor conference room of City Hall in order to convene a closed session. The Council held a conference with Legal Counsel regarding Anticipated Litigation pursuant to Subdivision (b) of Section 54956.9, with two potential cases, received a report and gave direction to staff.

**CALL TO ORDER**

Mayor Borchard called the regular meeting of the City Council to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE

Mayor Borchard invited all in attendance to join him in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Richard Kirkwood, Phillip Marler, Ann Siprelle, Mitch Dion, Steve Harris, Henry Agonia, George Bierwirth, Ken Zeier, Nell Hessell, Bruce Pollard, Sue Vannucci

MINUTES

On motion by Vice Mayor Flory, seconded by Council Member Dote and carried by unanimous vote, the Council approved the minutes of the regular Council and Redevelopment meetings of May 15, 2001 and the Special Council meeting minutes of May 22, 2001 as presented.

WRITTEN COMMUNICATIONS

1. From Alcoholic Beverage Control, an Application was received for a Person-to-Person Transfer of an On-Sale Beer and Wine License from Asia International to Leon and Anita Hernandez for the business located at 420-422 First Street.
2. From Alcoholic Beverage Control, an Application was received for an On-Sale Beer and Wine License from Gregory Scott Tanner for the business located at 722 Main Street, Unit A.
3. From Alcoholic Beverage Control, an Application was received for a Person-to-Person Transfer of an On-Sale Beer and Wine License from Robert Klinkhammer to Cracchiolo's Market for the business located at 1540 Tanforan Avenue, Suite B.

4. From Congressman Doug Ose, a copy of letters to Federal Appropriations Subcommittee Members James T. Walsh and Alan Mollohan requesting support for \$1,738,751 for the Redevelopment Area.
5. From Congressman Doug Ose, a copy of letters to Federal Appropriations Subcommittee Members James T. Walsh and Alan Mollohan requesting support for \$2,800,000 for the Storm Water Infrastructure System.

#### COMMITTEE REPORTS

1. From Library Services Director Marie Bryan, a report was received transmitting the minutes Library Board of Trustees meeting of May 7, 2001.
2. From Parks, Recreation and Community Services Director Henry Agonia, a report was received transmitting the minutes of the Joint Commission on Aging meeting of May 8, 2001.
3. From Public Works Director Gary Wegener, a report was received transmitting the minutes of the Flood Control Task Force meeting of May 10, 2001.

Council Member Monroe asked whether the local Cache Creek flood protection is the overland flood barrier. He asked for clarification as to what that includes. Mayor Borchard stated this is the floodwall.

4. From Director Harris, a report was received transmitting a summary of the Planning Commission actions at their meeting of May 17, 2001 as follows:
  - a. removed from the Agenda the modification of a previously approved Use Permit to allow the building at 1580 Case Place to be used as a Church.
  - b. continued to undetermined date the Amendment of Section 25-24-20-C.5 of the Zoning Ordinance regarding portable signs as this Ordinance is presently under review.
  - c. continued Interstate 5/County Road 102 Land Use Study to June 21, 2001 meeting.
  - d. adopted a Mission Statement for the Planning Commission.
5. From Public Works Director Gary Wegener, a report was received transmitting the minutes of the Tree Commission meeting of May 21, 2001.

Vice Mayor Flory asked about the reference in the Tree Commission minutes to Co-Chairperson and asked if it was in the Ordinance. City Manager Kirkwood stated we will check the language and report to Council.

PUBLIC COMMENT:

Sue Goodall of the Friends of Freeman Park, invited the Council and public to the City of Woodland Parks, Recreation and Community Services Department sixth annual Independence Day Family Celebration and Kid's Carnival on Wednesday, July 4 from 11:00 a.m. to 6:00 p.m. at Freeman Park.

Carolyn Luttrell requested Council assistance regarding the alleyway on Emerald. There are six businesses located on the alley, they are leaving messes and equipment lying about and the traffic flow is heavy.

The following spoke in support of adoption of a Gay Pride Day Resolution in the City: Chuck Huneke and Lynn Fowler. Sue Alves gave statistics regarding gays and lesbians in the area. Kathy Dreyer would like the Council to recognize those who are different. David Wilkinson was concerned that Council did not even discuss the issue. The Cities of West Sacramento, Winters and Davis, as well as the County of Yolo have adopted such Resolutions and the City of Woodland should follow suit. Diane Adams stated the Human Rights Resolution adopted by the Council at their May 22<sup>nd</sup> meeting is virtually the same as the County Gay Rights Resolution with the exception of the removal of the reference to gays. She proposed a City Commission be formed on Human Relations who would advise the Council on human rights and issues of diversity. Emily Wilkinson is disappointed that Council did not put this forth for a vote. Rose Wilkinson feels Council should support and recognize diversity. Susan Miramontes was on the school district student board and is a founding member of the Gay/Straight Alliance. She supports Gay Pride Day. Dick Fisher is opposed to all forms of discrimination. Ann Dryden McKeever is the Gay/Straight Alliance Advisor and a teacher at Woodland High School. She is disappointed in the Council in that they did not support a Gay Pride Day Resolution. She said Council plagiarized the County of Yolo Resolution when developing the Human Rights Resolution. Council Member Flory stated he had utilized the County Resolution as a guide because the language was good. It is common for Cities and Counties to share the language of Resolutions and may even encourage each other to do so. Joy Cohan feels the Human Rights Resolution was a start but as 10% of the population is homosexual, we need to go further. Meg Hehner feels the Council should adopt a Resolution specific to gay rights. Maureen Stanton quoted the Pledge of Allegiance, "liberty and justice for all" and stated we must repudiate hate. Monica Turner compared the Council to "hear no evil, see no evil, speak no evil". Griselda Castro supports diversity and gay pride and would like to

have a Human Right Commission. Larry Love feels that homosexuals do not choose their lifestyle, they are born with it. Most homosexuals are Christians. He wants this City to be one to recognize diversity. Betty Hornbostel started Parents and Friends of Lesbians and Gays in the City and urged the Council to do whatever they could to encourage recognition of gays and lesbians to help stop homophobia.

Martha Fuschlin feels gays should be treated with respect and dignity. She asked what a gay parade would have to do with human rights. There are no other parades honoring sexual orientation.

#### COUNCIL STATEMENTS AND REQUESTS

Council Member Monroe would like the City to form a Human Rights Commission and would like this item placed on a future Council Agenda. He would also like the Gay Pride Resolution placed on the next Council Agenda.

Council Member Peart attended an Energy Summit on June 1<sup>st</sup> hosted by Supervisor Rosenberg. He distributed Utility Service Assistance sheets. Members of the public may find these sheets at the Senior Center, Public Works at 300 First Street and it will also be placed on the City WEB site. Council Member Monroe mentioned that by installing a whole house fan, P. G. and E. will rebate customers \$150.

Council Member Dote reminded Council of the Chamber of Commerce Barbecue on Thursday, June 7<sup>th</sup> beginning at 4:30 at the Fairgrounds. She attended the Valley Vision Regional Compact luncheon last week. The Council adopted the Regional Compact this past year. It is a non-binding compact that specifies four or five goals regarding land use planning. One of the speakers was Assembly Member Steinberg who authored A. B. 680. A report would be prudent on the impact of this Bill as one of the core elements of it is revenue tax sharing in the region. City Manager Kirkwood stated the City Managers will be working with the Sacramento Area Council of Governments (SACOG), on how the sales tax shift will affect us. It would be distributed on a population formula rather than a point of sale basis. Woodland is at \$158 per capita, while other Cities are in the \$250-\$400 per capita so there will be an equity issue. The Consultants have been hired and have a ten-day turnaround. We anticipate by the second meeting in July we will have a report to Council on this issue. Vice Mayor Flory said SACOG has approved employment of a Consultant who will also look at this issue.

Council Member Dote said she had introduced the Resolution to support gay pride because she had been approached by community members who felt the Resolution should be adopted. The other jurisdictions in the County have passed

similar resolutions. The Gay Pride Day occurs in Davis on June 10<sup>th</sup>. The resolution would support the activities to be held in Davis. She also supports Council Member Monroe's request for a Human Rights Commission formation.

On a motion by Council Member Dote, seconded by Council Member Monroe and carried, the Council moved to place on a future Agenda, not too far distant, a Resolution in support of Gay Pride Day in Davis. Mayor Borchard and Council Member Peart voted against this placement on the Agenda. Vice Mayor Flory stated he supports placing as item that addresses the issue rather than the day as it will have passed by the time the Council next meets. Council Member Dote amended her motion to so include. Vice Mayor Flory said the Human Right Resolution is the appropriate Resolution to have on file and he would continue to support it. However, if there are those who feel they were not heard, they should be given the opportunity to present their views. Mayor Borchard said Vice Mayor Flory was bridging the gap with the Human Rights Resolution. Council Member Peart commended Vice Mayor Flory for bringing the Human Rights Resolution forward but stated he will not support pinpointing one particular group. Mayor Borchard agreed with Council Member Peart and will not support something that does not support people as a whole. This item will be on the Council Agenda for June 19, 2001. The maker of the motion will be writing the proposal to come before the Council.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried, the Council placed consideration of Human Rights Commission formation on a future, yet to be set, Council Agenda. Mayor Borchard and Council Member Peart voted to not place this on a future Agenda. This item will be presented at a flexible date.

## PRESENTATIONS

### HERITAGE HOME AWARDS

Joy Cohan, Chairperson of the Historical Preservation Commission stated approximately 65 homes have been presented this award since the process began. This year the five homes are:

The Elmstrom home, a Mission Revival home at 601 Hollister Road, built in 1938 by Joseph Motroni for James and Susan Goss.

The Godfrey home, a Tudor Revival home at 401 Bartlett Street, built in 1929, possibly by Joseph Motroni.

The Videan home, an Italianate Victorian home at 25 Third Street, built in 1889 by Sam Caldwell.

The Scibienski home, an Italianate Victorian home at 546 First Street was constructed in 1874 for the Hunt family.

The Manley-Gonella home, a Tudor Revival home at 716 First Street was constructed in 1935 for Dr. and Mrs. Noble by Joseph Motroni.

Senior Planner Bob MacNicholl advised the Council that he has been contacted by Home and Garden Television who will be visiting Woodland this summer and selecting homes to be featured on HGTV. Council Member Peart asked that a book be constructed with all of the homes receiving the award since its inception.

#### RESOLUTION OF APPRECIATION FOR MARY EBBINGHAUSEN

Parks, Recreation and Community Services Director Henry Agonia stated that Mary Ebbinghausen had donated \$5,000 to the Woodland Community Center Building Fund in memory of her husband, Floyd. He advised Council that recognition would occur again when the Center is opened.

On a motion by Vice Mayor Flory, seconded by Council Member Dote and carried by unanimous vote, the Council adopted a Resolution of Appreciation recognizing Mary Ebbinghausen for her generous donation to the Woodland Community Center Building Fund.

#### RESOLUTION 4286, PRESENTED TO RONALD P. VANNUCCI

On a motion by Council Member Dote, seconded by Council Member Peart and carried by unanimous vote, the Council adopted Resolution 4286, "A Resolution of Appreciation for Ronald P. Vannucci for his Fourteen Years of Service to the City of Woodland". Vice Mayor Flory presented the Resolution to Mr. Vannucci.

RESOLUTION OF APPRECIATION - STUDENT PARTICIPATION IN YELLOW RIBBON WEEK PROGRAM

On a motion by Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the Council presented Resolutions of Appreciation to Emily Beall, Andrea Pedroza and Emily Tucker for organizing and presenting the "Yellow Ribbon Week Program to Stop School Violence – Accept Differences" to the secondary school campuses and community. Council Member Peart presented each of the students with a Resolution for their efforts.

CONSENT CALENDAR

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

8. Award of Sycamore Ranch Community Facilities District 1, Phase 2 Construction, Project 98-05

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

14. Master Plan Area Community Park ("Western Park") and Acquisition Update

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

17. Appropriations Limit for 2001-02
23. Conversion of Habitat Conservation Plan to Natural Community Conservation Planning Document

On a motion by Vice Mayor Flory, seconded by Council Member Dote and carried by unanimous vote, the Council approved the following Consent Calendar items:

MONTHLY STATUS REPORT FOR PARKS, RECREATION AND COMMUNITY SERVICES

Council received the Status Report for Parks, Recreation and Community Services projects for May 2001.

MONTHLY STATUS REPORT FOR COMMUNITY DEVELOPMENT

Council received the Status Report for Community Development projects for May 2001.

MONTHLY STATUS AND CAPITAL BUDGET IMPLEMENTATION REPORTS FOR PUBLIC WORKS

Council received the Public Works and Capital Budget Implementation Reports for May 2001.

UPDATE ON SKATEBOARD PARK CONSTRUCTION

Council received an update on the status of the Skate Park to be implemented at Crawford Park. This facility should be functioning at the end of June, 2001.

RESOLUTION 4286 AUTHORIZING THE DESTRUCTION OF CERTAIN PERSONNEL FILES

Council adopted Resolution 4286, "A Resolution of the City Council of the City of Woodland Authorizing Destruction of Certain Human Resources Records".

ORDINANCE TO AMEND PUBLIC EMPLOYEES' RETIREMENT SYSTEM CONTRACT FOR 3%@50 AND 1959 4<sup>TH</sup> LEVEL SURVIVOR BENEFITS

Council adopted Ordinance No. 1332 to amend the Public Employees Retirement System Contract to add the Fourth Level of 1959 Survivor Benefits for miscellaneous members and the 3% at 50 retirement benefits for Fire members to the existing PERS contract.

HOMELESS COORDINATOR REPORT

Council received the Homeless Coordinator Report for April 2001.

INTERSTATE 5/COUNTY ROAD 102 LAND USE STATUS REPORT

Council received a report on the status of the Planning Commission recommended amendments to the Zoning Ordinance, Community Design Guidelines, Southeast Area Specific Plan, and General Plan in relation to the Interstate 5 and County Road 102 study.

REPORT ON ASOCIATION CHARROS LOS CAPORALES DE WOODLAND ACTIVITIES

Council received a report on the activities of the Asociation Charros Los Caporales de Woodland and directed staff to monitor events and activities scheduled.

BID AWARD FOR CITY LIBRARY DRAINING REPAIR PROJECT NO. 97-31

Council awarded the Construction Contract for the City Library Drainage Repair, Project No. 97-31, to Olympic Land-Construction, in the amount of \$102,690, authorized expenditures in the amount of \$115,000 and authorized the Public Works Director to execute the Construction Contract on behalf of the City.

FIRST QUARTER REPORT ON WATER STUDIES

Council received a report on the well field and surface water use feasibility studies per the grant agreements signed with the Department of Water Resources in February of 2001.

CALIFORNIA HOUSING FINANCE AUTHORITY (CHFA), FINANCING AWARD

Council received information that the CHFA loan in the amount of \$1 million to be applied to acquisition costs of the Woodland and Dana Mobile Home Parks has been approved.

REDEVELOPMENT CITIZENS' ADVISORY COMMISSION MEMBER RESIGNATION

Council accepted the resignation of Chris Manzer from the Redevelopment Citizens' Advisory Committee, effective May 15, 2001.

ANNUAL SAND/SEAL UPDATE N

Council received information on the locations and schedule of the annual sand and seal project for City streets.

REGIONAL HOUSING NEEDS PLAN

Council received an update on the Sacramento Area Council of Governments approval of the Draft Regional Housing Needs Plan, which is State-mandated.

ITEMS REMOVED FROM THE CONSENT CALENDAR:

AWARD OF SYCAMORE RANCH COMMUNITY FACILITIES DISTRICT 1, PHASE 2 CONSTRUCTION, PROJECT 98-05

Council Member Peart stated the Engineer's estimate of cost was at \$9,089,000 for the project, but this bid is \$6,767,000. He spoke with one of the bidders who said they worked very hard to keep the numbers down as they were anxious to receive the bid award. Council Member Dote said we had spent a great deal of money and time on this and she is pleased the City will be under the anticipated costs. There should be enough money to pay for the project. This will allow adequate funds to relocate the Olive trees. Council Member Monroe expressed surprise that the project came in over \$2 million under budget. Council Member Dote stated that competitive bidding allows for the best price on these types of projects and best use of public money.

David Wilkinson stated that Gibson Road widening was an item of considerable discussion. The sole argument for moving the trees was the cost to realign the road. Since the bid is so low, he asked Council to consider a change order to realign the road and not move the trees. Council Member Dote said the cost was a major concern as it was about \$500,000 or more due to the lighting and other associated issues. The realignment would also have removed the

frontage along the new high school, which is a safety issue and is dangerous. At present it will be about twelve feet with a chain link fence and the realignment would have left three or four feet with the fence. In response to a question by Mr. Wilkinson, Nick Ponticello, Contract Engineer, said there was no urgency to start the project from a traffic impact and it could have waited another year. However, once the project was started, planned and the design process underway, the Olive tree consideration became a point of discussion. Council Member Monroe said there was a question about possibly inadequate funding for the third Phase, but because this bid came in so low, will that assure the third phase will go forward. Engineer Ponticello said the project started at \$6.7 million and as debate continued over the Olive trees, the last estimate was substantially higher because of information received from construction firms. This was based on the consultant's estimates on asphalt prices at that time by those who produce asphalt. The energy prices were a large concern on what the cost would be to produce that product. He feels we will be right at the fringe to finish Phase III. We still have the issue with the utility companies to coordinate relocation of their lines in order to relocate the trees. Segments of Gibson and Road 102 segments may not start this year. Council Member Monroe said that Pioneer and Gum is dangerous, especially with children crossing in that area. Consultant Ponticello said the intersection at Gum is part of Phase II. The only segment of the arterial that is not being widened at this point is Pioneer, South of Gum to Gibson Road.

On a motion by Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the Council authorized the City Manager to award the construction contract for Project 98-05, Sycamore Ranch Community Facilities District, Phase 2, to Granite Construction Company, Inc., for \$6,767,676, authorized the Public Works Director to execute the construction contract and to approve additional expenditures up to \$680,000 (10% contingency).

#### MASTER PLAN AREA COMMUNITY PARK ("WESTERN PARK") AND ACQUISITION UPDATE

Parks, Recreation and Community Services Director Henry Agonia stated Council had established a subcommittee to study the possible acquisition of 154 acres for a community park at East Street and the Southern edge of the City, which is within the Master Plan Area. The subcommittee including Council Members Dote and Monroe, the property owner, his representatives, and staff met to discuss the issues. Three funding alternatives are under review to purchase the parcel at \$2 million. It is recommended that discussions continue.

Council Member Peart left the meeting at 8:45 and returned at 8:47.

The three alternatives for funding include:

1. Creation of a mitigation bank for developers for habitat and agricultural mitigation to satisfy the City required 1 to 1 ratio.
2. Allowing a small number (up to 7) of large lots to be developed.
3. City consideration of funds provision that could be paid over a long period of time.

Director Agonia said there should be a correction to the letter from Mr. Lumbrazo in that the City's requirement of a 1 to 1 ratio for habitat and agricultural mitigation is incorrect.

#### RESOLUTION 4288 - SETTING THE APPROPRIATIONS LIMIT FOR 2001-02

Council Member Dote asked about the population figure at 50,614 and how it relates to the Census. Finance Director Vicars stated the Census figure was set January 1, 2000. The new figure is certified as of June 1st by the State Department of Population to be the figure for the City as of January 1, 2001. The appropriations limit for 2001-02 will be at \$34,954.427, based upon this new figure.

On a motion by Council Member Dote, seconded by Vice Mayor Flory and carried by unanimous vote, the Council adopted Resolution 4288, "A Resolution to Set the Appropriations Limit for the City of Woodland in Accordance with Article XIII-B of the State Constitution for Fiscal Year 2001-02."

#### CONVERSION OF HABITAT CONSERVATION PLAN TO NATURAL COMMUNITY CONSERVATION PLANNING DOCUMENT

Council Member Dote Council asked Council to support the conversion of the Habitat Conservation Plan to the Natural Community Conservation Planning and she felt Council should take direct action. Senior Planner Bob MacNicholl has copies available of which portions of the Plan may be converted. Council Member Dote asked if there were any concerns in the NCCP of which Council should be aware and the City Attorney stated to the negative.

On a motion by Council Member Dote, seconded by Vice Mayor Flory and carried by unanimous vote, the Council indicated support of the Gaining Ground recommendation for the conversion of the Habitat Conservation Plan (HCP) to a Natural Community Conservation Planning (HCP/NCCP) document.

## PUBLIC HEARINGS

### RESOLUTION 4289-GIBSON RANCH LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

Mayor Borchard opened the Public Hearing at 8:53. With no comments heard, the Public Hearing was closed at 8:54. On a motion by Council Member Peart, seconded by Vice Mayor Flory and carried by unanimous vote, the Council adopted Resolution 4289, "A Resolution of the City Council of the City of Woodland, California Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the Gibson Ranch Landscaping and Lighting District, Fiscal Year 2001-02."

### RESOLUTION 4290-NORTH PARK LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT

Mayor Borchard opened the Public Hearing at 8:55. With no comments heard, the Public Hearing was closed at 8:55. On a motion by Council Member Monroe, seconded by Council Member Peart and carried by unanimous vote, the Council adopted Resolution 4290, "A Resolution of the City Council of the City of Woodland, California Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the North Park Landscaping and Lighting District, Fiscal Year 2001-02."

### RESOLUTION 4291 - STRENG POND LANDSCAPING MAINTENANCE DISTRICT

Mayor Borchard opened the Public Hearing at 8:56. With no comments heard, the Public Hearing was closed at 8:56. On a motion by Council Member Dote, seconded by Vice Mayor Flory and carried by unanimous vote, the Council adopted Resolution 4291, "A Resolution of the City Council of the City of Woodland, California Approving the Annual Levy Report and Ordering the Levy and Collection of Assessments within the Streng Pond Landscaping Maintenance District, Fiscal Year 2001-02."

**Council recessed from 8:56 to 9:08 p.m.**

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

On a motion by Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the Council reordered the Agenda to move the Item, "Update on the Wayfarer Center Project and Impact on Local Businesses" ahead of the remaining items on the Agenda to facilitate members of the public present.

UPDATE ON WAYFARER CENTER PROJECT & IMPACT ON LOCAL BUSINESSES

Council Member Peart abstained from discussion and left the dais as he owns property near the Wayfarer Center.

Assistant City Manager Phil Marler advised Council that several meetings have been held, and one yet to be held regarding facilitation of discussion between the parties. Concerns expressed were the management of the notification process, expansion will attract more indigent people to the area, and crime and safety will be compromised. City Attorney Siprelle said Notices and Hearing requirements were met and the project was not appealed. The City cannot issue a "stop work order", as there are no violations on which to base such an order. A statement had been made about false information on the original application. However, there is no evidence of misinformation indicated.

Cynthia Beaver said when she first came to Woodland she was 9 months pregnant and homeless. The Wayfarer Center helped her who would all like to become active citizens of society. This program will take most of these people off the street.

Betsy Shanafelt said the Center has supported the community and the downtown area. She feels the people need to support the downtown businesses and all facets of the community. The services provided are good and make a healthy community. The reaction is due to lack of knowledge about the Center. They feed many people who are not homeless but do not have the funds to carry them through the month.

Pastor Larry Love stated this is one of the best programs to help those people who need assistance. He has taken his son to help serve meals and never feels that his child is threatened.

Benjamin Cotton said he has come through the "mission" and was changed through working through the program. These people have led him in the right direction.

David LeGaillon is a business owner who has mixed feelings about the Center. He feels the program is good but has a concern about this family and business. He has not seen a lot of good Centers throughout the Cities he has visited. He feels it would be better if located elsewhere. The 300 feet notification distance is not adequate.

John Gerald said he started at the mission helping out a few years ago and his children have been involved. He has never had any problems while at the mission. The new building will be beautiful addition to the area. This is a great opportunity for the City and is very much needed for those who need to get back into society.

Machille LeGaillon has a business on Main Street two blocks from the Center. She feels the Center is worthwhile, but the location is unacceptable. She has concerns about safety in the downtown and Woodland as a whole. The City will attract a large number of people to Woodland if we open this new Center. They have had situations with the homeless that have not been pleasant. The City has tried to attract new businesses to the downtown and this element will be a detriment to those businesses. Many of the people within the 300-foot radius are Spanish speaking and were not aware of what is transpiring. She asked that this expansion be stopped until there is more information.

Paul MacDonald was homeless and without direction until he went through the Center. The Center is Christian-based, saved his life and changed his direction.

Martha Fuschlin said the Center has been at this location for many years and with few problems. They are having opposition from people who are not even nearby. To her knowledge, homeless people do not attack children. Many are Veterans who have had problems. This program deserves our gratitude and support.

John Hoover feels the Center is a good project but had heard that some of the businesses on Court Street and Main Street will be leaving if this project goes forward.

Xavier Tafoya said there are several of these types of programs in the area and feels this is not the place for expansion of another. When he was a Council Member he opposed the location of the present Center on this site. He has a business in the area and all of these Centers are impacting his business. He asked Council to stop the building.

John Quintana lives on Fourth Street, 1/3 of a block from the Center. He was once homeless and the Center helped him. He feels this Community would be better with this new building.

Mike Rooker, a business owner in the area, has a problem with the location as well. He feels there will be long-term effects on this section of the City with the expansion.

Merle Sweeten was one of the first ones who went to the Center. There is no other place that will help these people. The Center will help a lot of people who are hungry. The Center is cleaner than most homes in Woodland.

Jack Edens supports the Center and was once a recipient. He now goes to assist. The Center has helped him for many years.

Al Iby, President of the Downtown Improvement Association (Downtowners), said there was a meeting held this afternoon to discuss this issue. At this meeting, the City staff indicated there was nothing they could do to stop this project. The lack of communication is of concern. The people deserve information on what is going on around them. There is no easy solution to this and the City is at fault for not communicating to the public on this issue.

John Sublet is Chairperson of the Community Development Block Grant Selection Committee and said grants of funds have been received for this project. He is the Pastor of the Church at North and Second, which is very close to the Center. Before the Center was established there were far more people sleeping on their doorstep and asking for help. He encouraged the Council to see that the project proceeds. This will provide more resources for those who need help.

Ed Mast is a business owner and property owner but not a resident of Woodland. He is opposed to the expansion.

Mark Hubert lives 150 feet from the Center and was not notified. He got a copy of a letter but it does not say the Center will be housing 40 people. His neighbor and father own homes and were not notified. The property owners do not live on their property. Someone is living in a van near the Center. He has had things stolen from his yard. There is an over abundance of vagrancy, people sleeping on lawns, no parking available, the noise and loitering is bad. The people are put out of the Center at 7:00 a.m. and told not to return until 7:00 p.m. The 300-foot rule should be more widespread. There are too many facilities in this area which attract these types of people.

Paul Christian lives 300 feet from the Center and feels there is a better location.

Joanne Welty said the people at the Center have rights as to all of the other people. If you look at the Daily Democrat at the people arrested, none of them are in the area of the Center. She serves the same clients that are served at the Center through her church. They are polite, courteous and have never been disrespectful. When the flood was in the area a few years ago, their donations were overwhelming. If this Center is stopped, we should then cleanse the downtown historic district and remove all bars, restaurants and stop serving champagne at the Opera House. This mission will help the area. Those who have a problem should visit and see what the mission is about.

Sue Goodall said since 1937 her family has lived in the 900 block of Court Street. It has taken her ten years to bring Freeman Park back and now it is starting to decline again due to parolees and those from probation. If they violate the conditions and are expelled, where to they go. People are afraid to go to the park because of the people. She has to live with their failures.

Buddy Piearcy said the Center has given him a lot of self-esteem and without it he would be on the street. He has found a job and the staff is exceptional and kind. There is a curfew and you must sign in and out. It is a family structure. He is now enrolled in college due to their guidance.

Lisa Sheldon lives four blocks from the proposed expansion site. She has worked at the Center and at one time and it has affected her life positively. This service has been of benefit for her. The expansion plan was on the front page of the Democrat several months ago. She feels that it can work to improve and upgrade the area.

At 10:25 p.m., it was moved by Vice Mayor Flory, seconded by Council Member Dote and unanimously carried by the Members present, to extend the Council meeting until 11:30 p.m.

Connie Allen feels the City is missing the point. She lives on Main Street above her business across from the Woodland Hotel. Her staff are afraid to go to their cars after work in the evening. She feels a plan needs to be developed to address the issues.

Carla Ramstad is a business owner in Woodland. She did not know about this issue until one month ago. Those who have spoken want help. There are those who do not want help and are doing things they should not be doing in front of the public in broad daylight. She is concerned because she feels businesses will not want to locate or stay here due to the expansion of this Center.

Brenda Cedarblade presented pictures of Freeman Park when there was a fountain which had to be removed because of the transients. The Park was rebuilt in the 1980's and is now declining once again. Her issues are: the 300-foot notice appeared in the paper only one day. The notice did not go out to residents within 300 feet. Over 80% of these people did not receive the notice. There were names missing from the list. She feels that their due diligence and rights have been violated. Within one block there is Summerhouse, Victory Outreach, an elderly assistance facility, a correctional facility, a holding jail, community park activities for kids, Toy Library, Domestic Violence Center, Anger and Batterer Center, all in the same area. Freeman Park and the Woodland Hotel have major issues. How can we expand something when we are not dealing with the issues at these two locations. The Homeless Center is a step down from the Woodland Hotel. No one is against the existing Center but they are opposed to the expansion because of the quantity of people who will be drawn to this area, those from West Sacramento, Davis, and Winters. Once they are drawn here we cannot send them away. There will be a social and economic impact on the residents and businesses. There are only seven parking spaces and the City wants us to pay for a new parking structure. This facility will service people on parole from the State prison who have committed major crimes. She offered another location at the Dana Hotel. This area has already been impacted by these types of people. She has talked with businesses in the Loaves and Fishes area and when it went it, their retail businesses were moved. The windows have been replaced with plexi-glass and bars. Razor wire is around the residences and businesses and they are fenced. The downtown area of Roseville is having major issues and they voted not to have this type of facility in that

area. In downtown Sacramento, the only business that looked nice was a café that had a 24-hour security guard. We have four to five Police for 50,000 people. None of the businesses can afford hiring security guards.

Leslie Marcus lives two blocks from the Center and her office is also two blocks away. She works for Legal Services who serve the same clientele as the Center. They have never had any concerns about the people who use the services. She is angry about the complaints the business owners have been issuing. These people should be very careful about the people they are driving away from the area because they may be their customers. The CPA firm and Law firm mentioned as leaving the area due to the expansion have no intention of moving. She asked Council and the public to pay closer attention to the project. She asked that the training program be put out so people can get information about what does on in the City. It is the people's responsibility to keep informed. She asked that no action be taken and that Council work with people to help them understand.

Calvin Hubert grew up on this street and the area and owns property. There have been many changes and there is junk stacked in the alley, grocery carts, and attack dogs. There is an over abundance in one spot. There must be something done with these people during the day. It is affecting his property. It is a burden for homeowners in the area.

David Long has a business at 617 Main Street. This is a public policy issue. They need to weigh the good against the bad. There are a lot of issues before them tonight and they need to look at all of them before moving ahead.

Till Angermann said we have the good people who have been helped and the good people who have helped them. Then we have the evil business owners. The Council needs to look much beyond Woodland to see what has and does happen in areas where food, soup kitchens, homeless shelters, food banks, are placed into residential areas.

Anita Long said she has been a volunteer, a teacher and has raised extensive funds for the homeless. However, she does not feel safe in her business nor comfortable with the fact that the Center rejects a good number of people who will not abide by the rules and they cannot assure us of where they will go once they leave the shelter. No one could answer this question at the meeting held this afternoon. She stays in front of issues before the City and would have been here to address the issue had she been properly notified at the beginning of the process. The legalities have been met, but where do the legalities end and the morale obligation begin.

Sergei Shkurkin, Yolo County Homeless Coordinator said there have been a number of issues of people being brought or coming into the community and where they would go if not served by the Center. They have been studying who these people are. Residential stability, how long have these people been in Woodland, 4% were here one month or less, 19% one year or less, 73% more than one year. The median of residency is 321 weeks or 6.2 years. This indicates the people are already here, not coming from or going to somewhere, but are part of the stable population. Between 1995 and 2000 homelessness has decreased in Woodland by 50% which he believes is due to provision of beds, as 56 shelter beds have been added. In other Cities in the County which have gone through this process, they have met with the residents and businesses one year after and in none of the cases were there continuing concerns heard. This included the Battered Women's Shelter in Davis, the Singles Transition Housing in Davis and the Resource Center and Singles Program in West Sacramento.

Clara Tafoya has worked on Committees through HUD for many years. The area where the expansion is proposed was once a good area and is now a ghetto.

Tom Stallard, Yolo County Supervisor and business owner in the area, supports this project. He has rehabilitated several pieces of property in the Redevelopment Area. In the 1970's, the downtown was in poor condition and it has been brought back. There were many "street people" in the 1970's and there are substantially fewer now even with a larger population. There is not a 100% success ratio at the Center but without it there would be many more problems. We will be working with the Center to keep the problems to a minimum. There are Federal and State agency mandates to provide this program. There has been no effort to hide this project. It was on the front page of the paper and notices were sent to over 1400 people that stated the location. This project has been in the works for four years. He hopes the fear can be overcome and we can move forward.

City Attorney Siprelle said noticing requirements are governed by State law. The 300 feet mentioned is a State law requirement for noticing. It is required to notice owners, but not renters. However, it is her understanding that this notification went to renters which is beyond what the law requires. The publication in the paper is once ten days prior to the public hearing, which was done. The contents include date and time of the hearing and a general explanation of the matter to be considered. There is no requirement for other than English language notification. If the use permit is violated and revoked, then the use would no longer be permitted in that location. The City does not dictate what happens to the building or the people should the permit be revoked.

In November of 2000 the notice was distributed and the project was approved seven months ago. The suggestion that Council is weighing the evidence and will decide this evening is not valid as there is no decision before the Council. The project has been approved, it was not appealed, and the decision is final. The Council has no basis to stop the project and the Center is entitled to implement the project unless there is a violation of the permit. Vice Mayor Flory said that other than the Conditional Use Permit and any problem attached to it, the Council has no other avenue in which to proceed. City Attorney Siprelle said the City's role from this point forward would be to insure that operation of the project would meet all of the conditions of the Use Permit, doesn't create a public nuisance, meets the zoning requirements and building requirements. Vice Mayor Flory said there was a statement made that there might be a group of people who would come up with an alternate site for the Center and if they reach agreement, can the grant provided through the Community Development Block Grant continue. City Attorney Siprelle said the grant money would then have to be reapplied for with a new site and would come forth next year. The application process would need to begin again and a new use permit applied for.

Council Member Dote said it appears the Council has very little discretion because of the approval already undertaken. The applicant has proceeded with design and construction bid processes and are ready to begin. There are issues that business owners feel were not addressed. She would like the people who continue to have concerns to work together to understand and receive information on the project. She would like Council to look at the requirements under the law on notification. Council could adopt other provisions that go beyond the law. City Attorney Siprelle said that said Council could adopt an Ordinance to provide notice beyond 300 feet or by additional means.

Vice Mayor Flory said if the Center goes in at this location, we would have to work closely with the downtown and Center to be sure problems are addressed. He would like the City officials to be in the downtown on a regular basis and provide a number where people could call to receive help on these issues immediately to increase comfort level. In the past, the Center has been very proactive about addressing problems. Council Member Monroe said even if Council wanted to take action on this matter, they are powerless to do so. He thinks the best process would be to work with the Center. The City would be open to litigation if we should move to stop this project once approved.

Mayor Borchard said there was a Planning Commission Public Hearing, there was a front page article on the facility, there was a flier sent out, not just to property owners, but to all residents in the area. The City Attorney has said that failure to receive a notice is not grounds to stop the project. The figures of

those who have not received a notice has been stated to be between 50% to 90%. When a consistent number is not heard, the source is questionable. City Attorney Siprelle reiterated the State law states that failure to receive a notice that is given is not grounds for a Court to invalidate the decision as long as there was a good faith effort to do so. The applicant was required to use the latest Assessment Role and the City was required to so mail. Mayor Borchard said the applicant did everything correctly and it is too late to act at this point.

At 11:23 p.m., it was moved by Council Member Dote, seconded by Council Member Monroe and carried by unanimous vote of the Members present to extend the Council meeting until 12:00.

At 11:24, Council Member Peart returned to the dais.

**The meeting was recessed from 11:24 to 11:30.**

CONSULTANT SELECTION FOR DOWNTOWN PLANNING SERVICES AND DESIGN/BUILD CONSTRUCTION PROPOSALS

City Manager Kirkwood advised Council of the selection process for the Downtown Planning Services and Design/Build Construction. The firm of BRW/Mintier is recommended by the Committee for the planning services. The firms of McCarthy, Panattoni and Turner will continue with the process to prepare formal proposals for the design/build. Community Development Director Steve Harris thanked the Council, Planners and the Redevelopment Citizens' Advisory Committee for participating in the process. BRW is a firm with offices around the Country and have a great deal of experience in the area with a focus in downtown revitalization and Redevelopment Projects. They will be meeting and discussing with them next week the scope of work and will return with a cost figure and more refined scope. There are some grant monies available to pay for a portion of the work with another grant application outstanding which could be utilized as well. It is anticipated to return in July with a contract approval and plan for public participation for the planning services of the Downtown update. Council Member Peart said they spent a great deal of time looking at the proposals. The task was to look at the qualifications and make a decision. BRW/Mintier has been working on the General Plan and has the experience to handle this project.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the Council authorized staff to proceed with contract negotiations for planning services and confirm the selection of the three design/build construction firms as recommended by the City Council appointed selection committee.

Council Member Dote asked if the Police facility and the Community Center will be on the same construction timeline. City Manager Kirkwood said the Police facility is slightly further along so they may proceed first. Council Member Dote asked how dependent are these projects on Measure H revenues. City Manager Kirkwood said under the design/build process even the financing scenarios can be flexible.

#### DOWNTOWN COORDINATOR STATUS REPORT

Downtown Coordinator, Gary Sandy, said as a condition of his contract he is to provide the Council with quarterly reports. There has been an initial organizing event on April 12<sup>th</sup> with the downtown property owners and business people. There has been a presentation to the Chamber of Commerce Ambassadors and he has participated in a number of meetings related to parking, signage, marketing and coordination of downtown improvement efforts. Permission has been secured from Woodland Community College and the Woodland Joint Unified School District to explore opportunities for a joint downtown center for both entities. Monthly breakfast meetings are being held to enhance communication throughout the downtown area and provide information. Some of the additional projects underway are countertop displays, survey of businesses, children's parade, shade structure at Heritage Plaza, flower pot placement, office furniture program, façade loan brochure. Coordinator Sandy also submitted a budget request in the amount of \$23,900 for additional activities. Primary funding at present is from WalMart.

City Manager Kirkwood reminded Council that the budget report a few weeks ago placed this item on a priority list but it is not funded at present.

#### STUDY OF ANGLED PARKING ON MAIN STREET

City Manager Kirkwood said Traffic Engineer Bruce Pollard and Consultant Bob Grandy have been working very hard on various downtown issues in relation to parking. Council Member Peart had suggested the concept of angled parking and it has CEQA issues to be addressed. He is asking Council to discuss

comments received from the Community on this possibility. Engineer Pollard said that angled parking on one side of the street would necessitate the elimination of left turn lanes at the intersections and that would redistribute traffic in the area. We would need to look at capacity impacts on this street and adjacent streets, backing out traffic on Main Street, and safety issues, which fall under CEQA. It was anticipated this would be done with the study on the Downtown Specific Plan but Council had requested this be moved in advance. To do this study, we are asking for a contingency of \$15,000. Council Member Dote asked if it was available in the budget. City Manager Kirkwood said it is not in the General Fund but out of Gas Tax so it would be covered. Council Member Peart said BRW/Mintier will be looking at the Downtown Plan and asked how long it would take for completion. Community Development Director Harris said a six to eight month timeframe and public hearings after the first of the year. Council Member Peart asked if the angled parking could be run with this Plan. City Manager Kirkwood said we would still need CEQA and the funding. Director Harris said we would still need to set aside money for a traffic study and CEQA document. Council Member Peart said as part of the Downtown Specific Plan states angled parking will be added. Director Harris said it could be rolled into the Plan. Engineer Pollard said it could be 10% cost factor savings if put into the study. Vice Mayor Flory is not in favor of review of the Downtown Specific Plan as it keeps getting reviewed without moving forward. Council Member Peart brought this to Council because there is a need for parking on Main Street. This will add 32 spaces but will be some disadvantages. Each parking space would cost about \$8,000. He would like the study to move forward. Vice Mayor Flory said the comments received and heard are not in favor. Council Member Dote has heard concern about backing out and losing turning lanes.

Al Iby, President of the Downtowner's Association, took a poll of business owners on Main and the side streets. Eighty percent of whom he spoke with (102 businesses) are opposed to angled parking. The duty of the Council is to not spend the money but to speak with the business owners. He was told that angled parking was not to be implemented until one way streets on Lincoln and Court were instituted. There will be incidents with traffic and safety. The ambulance company said if we remove the turning lanes, they will have no where to go because traffic does not pull over to allow them through. Officers have said there will be a 50% increase in traffic accidents.

At 11:59 it was moved by Vice Mayor Flory, seconded by Council Member Dote and carried by unanimous vote to extend the Council meeting until 12:15.

Mayor Borchard said we have a Downtown Specific Plan which we are looking at revising, but asked what surveys and interaction has happened in prior years. Vice Mayor Flory said there seemed to be more coordination and communication with the Downtowners in past years. The issues have changed and we are addressing more regional issues. We are trying to get agreement for a \$100 million project with the Army Corps of Engineers and passed Measure H. We are still addressing former issues and now other major ones with the same amount of staff. There was more of a stake and investment in the City because the business owners all lived here. There was more money available. We were in constant contact with the Downtowners and the Chamber of Commerce. The dialogue has been lost. Committees were put together to discuss and develop programs. Council Member Peart said this was discussed before and a survey was to have been done. He asked that this be done now. He suggested he, Vice Mayor Flory and Al Iby be involved. Mayor Borchard suggested that the Chamber of Commerce be involved as well. Vice Mayor Flory said there seems to be a negative attitude and we need to be cheerleaders for the Downtown. Council Member Peart spoke to merchants about the angled parking and they felt there would be increased wrecks. They want the parking but are worried about the safety. Mayor Borchard said public input will be received but we need input from the Police Department, Fire Department, Public Works, etc. on how the issues may affect their ability to maintain safety. Al Iby said if we remove the left hand turn lane, there would be no place for the ambulance to go. He is not willing to compromise the safety of anyone for those 32 spaces. Council Member Peart suggested that we have some input to help determine whether we have a traffic study. City Manager Kirkwood is meeting tomorrow on this issue with staff. He will be discussing the survey process with them and till try and return with information on July 3<sup>rd</sup>.

#### RE-NAMING OF COUNTY ROAD 102

Council Member Monroe mentioned this issue came up when the discussion of a moratorium on construction on County Road 102 and Interstate 5 began. On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the Council voted to establish a Task Force with a report to return to the Council in November. The Members will be Mayor Borchard and Vice Mayor Flory. Management Analyst Nell Hessel from the Fire Department said there was a Street Naming Committee for the conversion of Road 101 to Bourn Avenue. Mayor Borchard suggested someone from the Chamber of Commerce and Council Member Peart suggested that WERC also be involved. Community Development Director Steve Harris said the Planning Commission has two members now appointed to the I-5/CR 102 Land

Use Study. City Manager Kirkwood recommended that the two Council Members establish the size of the Task Force and appoint Members. Mayor Borchard said he and Vice Mayor Flory will direct staff to write a memo for next meeting. Analyst Hessel will develop this memo with direction from the Council Members.

At 12:13 it was moved by Council Member Peart, seconded by Council Member Dote and carried by unanimous vote to extend the Council meeting until 12:25.

ORDINANCE 1331 - FIRST READING OF AMENDMENT TO ZONING ORDINANCE  
ACCESSORY BUILDINGS

It was moved by Vice Mayor Flory, seconded by Council Member Monroe and carried by unanimous vote to introduce by title only, Ordinance 1331, to amend Section 25-21-10 of the Zoning Ordinance pertaining to accessory buildings.

CITY COUNCIL COMMITTEE APPOINTMENTS

Council consensus was to postpone this item until the June 19, 2001 meeting.

ADJOURNMENT:

At 12:17 p.m., the Council meeting was adjourned.

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City Clerk of the City of Woodland