

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

**May 18, 1999**

**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. Before the closed session the Mayor announced the closed session topics.

The Council then convened a closed session to discuss the following topics: (1) public employee appointment (Government Code Sec. 54957) regarding job title of Parks, Recreation and Community Services Director; and (2) conference with legal counsel regarding existing litigation (Government Code Sec. 54956.9) and the case of Eller Media v. City of Woodland (Yolo County Superior Court Case No. V97000242).

Council Members present at the special meeting were: Losoya, Borchard, Flory, Peart and Ryhal. Council Members absent: None. Council Member Peart left the closed session before any discussion of the case of Eller Media v. City. City Manager/Executive Director Richard Kirkwood and Assistant City Manager Phillip Marler were present for the closed session.

The special session and closed session were adjourned at 6:30 p.m.

**CITY COUNCIL  
REGULAR SESSION**

**CLOSED SESSION ANNOUNCEMENT:**

Mayor Losoya reported that the City Council met in closed session at 6:00 p.m. tonight to discuss public employee appointment of the Parks, Recreation and Community Services Director. He said the City Manager gave Council an update on the selection process. He said the City Manager is continuing to interview applicants and will come to a decision in the near future. Under conference with legal counsel regarding existing litigation (Eller Media v. City) legal counsel will continue to negotiate with Eller Media representatives.

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Mayor Losoya convened the City Council regular session at 7:10 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Losoya opened the regular meeting and invited everyone present to join him in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Losoya, Borchard, Flory, Peart, Ryhal

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kirkwood, Marler, J. Kristensen, Siprelle, Wegener, Fleming, D. Hanson, T. Brown, Gill, Lucero, Pollard, Monahan

AGENDA ADDITIONS:

Mayor Losoya announced that there are two additions to the Consent Calendar. The first item is an amendment to Resolution No. 3973, and the second item is a certificate of commendation for Eagle Scout David Flory II.

MINUTES:

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council approved the minutes for the regular Council meeting of April 20, 1999, as prepared.

WRITTEN COMMUNICATIONS:

1. From Mary Schiedt, President of the Yolo Audubon Society in Davis, a letter was received urging the City to utilize wetland treatment as a solution to upgrade the City's wastewater treatment plant.

2. From John Kemper a letter was received requesting that the Council consider a wetlands project at the City's wastewater treatment plant.

3. From Lloyd L. Ingraham a letter was received submitting his resignation due to health reasons from the Tree Commission. The City Clerk

advised that Mr. Ingraham has been serving on the Commission since 1990, and a letter of appreciation will be sent to him. The City Clerk said recruitment will begin to fill the position.

COMMITTEE REPORTS:

1. From Interim Community Development Director Don Fleming a report was received transmitting the minutes of the Historic Preservation Commission meeting of April 14, 1999.

2. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board of Trustees meeting of April 19, 1999.

3. From Assistant City Manager Phillip Marler a report was received summarizing action taken at the Parks, Recreation and Community Services Commission meeting of April 26, 1999.

4. From the Interim Community Development Director a report was received advising of action taken by the Board of Building Appeals at its meeting of April 27, 1999.

5. From Finance Director Margaret Vicars a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority Board meeting of April 28, 1999.

PUBLIC COMMENT:

Dudley Holman thanked Council Members Dan Ryhal, Steve Borchard and Neal Peart for the discussion regarding AB 222. He said he is aware that Council Member Ryhal has been verbally attacked for bringing the matter up. He said he does not agree with the attacks, and he said anytime there is an opportunity for our City Council to deal with family values and youth morality it is entirely appropriate for the Council to bring the matter up. He said he agreed with the Council's stand on that issue. He said laws are already on the books to address that issue and another law will not help.

Warren Meyer said he served on the Parks and Recreation Commission for 11 years, and during that time the Commission spent much time plotting a softball, hardball, soccer complex at the City's Regional Park (former City landfill). He said the plans were drawn and nothing has happened with those plans. He said he would like the City Council to direct someone at the Parks, Recreation and Community Services Department to dig those plans out and

give them to the present Parks, Recreation and Community Services Commission, and let them get started utilizing those plans.

Andy Nantz, 699 Third Street, Woodland, said he wanted to file a formal complaint against the City based on existing problems with a fee that residents already pay. He said he is speaking about the fee residents pay for having yard refuse picked up and streets swept. He said almost any city will place signs to prohibit parking on the streets on the day of trash/yard refuse pickup. He said this City has always been too "cheap" to do that. He said very seldom does he get his frontal property on Third Street swept because people park their cars for the Woodland Skilled Nursing facility across the street.

COUNCIL STATEMENTS AND REQUESTS:

Mayor Losoya requested a future agenda item regarding an East Street update. He also requested a future agenda item pursuant to the inquiry of Warren Meyer regarding a ball park update.

Council Member Peart thanked the citizens of Woodland for his trip to Washington D.C. He said he felt the Council Members who went to Washington accomplished what they intended to do, particularly with respect to the FEMA flood maps. He said Assemblywoman Helen Thomson, two Yolo County Board of Supervisors and two Aides from Congressman Doug Ose's office also attended the FEMA meeting. He said the meeting was very productive.

Council Member Flory requested that Council discuss at the June 1 Council meeting a possible 2 x 2 with the City of Woodland and University of California at Davis. He said when he sat on the SACTO Board they talked about UCD's importance to Woodland's economic growth.

Vice Mayor Borchard thanked Council Member Ryhal and Mayor Losoya for going to Washington D.C. to help in the FEMA effort. He said they laid the groundwork for the following trip, the Cap to Cap, which Council Members Ryhal, Flory and Peart attended. He said he was not able to attend, and he thanked them for committing five days in Washington D.C. He said an earlier written communication from the Yolo Audubon Society points out that there are other communities that incorporate wetlands in their wastewater treatment facilities. He said the City of Davis as well as the City of Arcata have such facilities. He said he would like to look into this prospect, particularly in the light of the fact that the City is still struggling with the State Water Quality Control Board and the Regional Water Quality Control Board. He said he felt this would warrant a Council study session next month or the month after that. With respect to a previously raised issue by Dudley Holman regarding where Redevelopment

money is spent, he wanted to reassure everyone that the Redevelopment Agency Board will be looking at that at an upcoming meeting.

Mayor Losoya suggested that a study session be scheduled to focus on Redevelopment and setting some priorities.

City Manager Richard Kirkwood said in regard to the request of Dudley Holman regarding Redevelopment funds he spoke with Redevelopment Coordinator John De Weerd, and they are pulling together the material to demonstrate where Redevelopment funds have been spent, what projects have been completed and the goals and policies within the Redevelopment Project Plan Area. He said they anticipated having a report in July or possibly September if Council takes a break in August.

Council Member Ryhal read a letter which was sent to him in regard to AB 222 as well as Council Members Borchard, and Peart thanking them for their position taken.

PRESENTATIONS - PUBLIC SAFETY RESPONSE TO RECENT SCHOOL/COMMUNITY INCIDENTS:

Acting Police Chief Del Hanson said he and the City Manager met with representatives of the Woodland Joint Unified School District to review emergency response to a violent event at the schools. He said they also discussed formulating some prevention and intervention strategies to hopefully curtail or prevent a violent event. He said their meeting was timely because shortly thereafter there were rumors about a violent event to occur on Cinco de Maio celebrations at the High School. He then briefed the Council on the Public Safety response to the rumors. He also reported on the associated costs for responding to the bomb related calls.

Council and members of the viewing audience applauded the efforts of Police Lieutenant Terry Brown who was in charge of all field operations related to security at the schools, Lieutenant Doug Bera who was the voice of the Police Department in the form of timely news releases, Police Officer Jim Lucero and Police Officer Steve Gill.

Wayne Ginsburg, Director of Communication and Public Information of the Woodland Joint Unified School District, thanked the Police Department for the fine job and cooperation. He also thanked the County Probation Department, and Yolo County Sheriff's Office.

CONSENT CALENDAR:

On motion of Council Member Peart, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved the following Consent Calendar items:

TREASURER'S REPORT FOR MARCH 1999:

The City Council accepted the March 1999 Treasurer's Investment Report.

RESOLUTION NO. 4122 - APPROPRIATION LIMITS:

The City Council adopted Resolution No. 4122 setting the Fiscal Year 1999-2000 Appropriations limit for the City of Woodland at \$29,134,374.

UPDATE ON MODIFCATIONS TO CALIFORNIA AND CROSS STREETS:

The City Council reviewed the proposed realignment and traffic detour plan (California and West Street Realignment Project No. 95-23) and authorized staff to proceed with the project.

DONATION OF SURPLUS STREET LIGHT POLES TO YOLO COUNTY FAIRGROUNDS

The City Council authorized donating five (5) surplus, obsolete light poles to the State of California, 40<sup>th</sup> District Agricultural Association (Yolo County Fair Grounds).

INFLOW/INFILTRATION CONTRACT FOR WASTEWATER TREATMENT PLANT:

The City Council authorized the Director of Public Works to execute an amendment to the City's Infiltration and Inflow Assessment contract with Holmes International of Sacramento, California, in an amount not to exceed \$22,500.00.

OBJECTIVES FOR YOLO COUNTY ECONOMIC DEVELOPMENT COUNCIL:

The City Council received the proposed objectives for the Yolo County Economic Development Council.

CERTIFICATE OF COMMENDATION FOR DAVID FLORY II:

The City Council approved a certificate of commendation for David M. Flory II for achieving his Boy Scout Eagle Award. Council determined there was an immediate need to take action on this item which was not on the scheduled agenda.

RESOLUTION NO. 4123 - EXECUTION OF HOME FUND DOCUMENTS:

Interim Community Development Director Don Fleming said that yesterday morning the State Office of Housing and Community Development notified the City that the City's previously adopted Resolution No. 3973 was inadequate to allow completion of the application for HOME funds for the Sycamore Pointe apartment project. He said they are ready go to bond closing on the project and the closing is scheduled for tomorrow, May 19, 1999, at 8:00 a.m. He said Resolution No. 3973 authorized by name and title certain individuals who are no longer employed by the City to be able to sign the documents. He said the resolution needs to be amended to simply give the titles of those positions who are authorized to sign the documents.

City Attorney Ann Siprelle noted that the amount of the loan of HOME Funds to the Sycamore Pointe developer is \$885,000.00. She said this should be corrected in the amending Resolution.

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council made the finding that there is an immediate need to take action on Resolution No. 4123; the City Council made the finding that the need to take action on Resolution No. 4123 came to the attention of the City Council after the agenda for the May 18, 1999 City Council meeting was posted; and the City Council adopted Resolution No. 4123.

PUBLIC HEARING - PROPOSED HISTORIC STREET LIGHTING DISTRICT:

Public Works Director Gary Wegener reported that in May of 1998 the Council authorized \$28,500 in General Fund money for preliminary engineering to better estimate construction costs and facilitate polling of those in the proposed historic street lighting district to gage the degree of support for district formation. That preliminary engineering was completed in October. He said the next step in the process is to decide whether to proceed with assessment engineering which requires confirming the type of district to proceed with and the completion of the plans and specifications in order to put the work out to bid. He said prior to doing so the Council had agreed to cap initial assessments, to include operations and maintenance costs, at the rate of \$15 per single

family residence, and indicated a preference for a Mello-Roos type district. He then gave Council an update on the survey results. He said earlier staff gave Council a survey based on two surveys conducted, one a petition and the other a written survey showing differing results relative to support for the proposed Historic Street Light District. He said there was 30 percent supporting the formation and 68 percent against formation of the District. He said a separate survey was mailed out by the City to property owners and registered voters (when there was rental property). He said 166 surveys were returned out of 343 surveys sent out. He results of that survey showed the same split of 30 percent supporting and approximately 70 percent against. He said the Council needs to decide where we should go. He said the preliminary engineering was estimated at \$25,500, and the final engineering cost was \$16,000. He added that if the Mello Roos district was selected there is a 2/3 vote of the registered voters required for support, but the lighting and landscaping district would require a simple majority support of the property owners.

Mayor Losoya opened the public hearing.

The following persons spoke about the proposed Historic Street Light District: Dwight Baier, Bernice Baier, Bill Long, Joe Keehn, Frank Joule, David Wilkinson, Ken Trott, Michele Macula, Kevin Bryan, Carole Scibienski, Robert Henigan, Elizabeth Tara, Bob McGriff, Pat Dinwiddie, Judy Boyer, Bruce Dumars, and Bud Zane.

There being no further comments, Mayor Losoya closed the public hearing. Council discussion followed.

On motion of Council Member Borchard, seconded by Council Member Peart and carried by unanimous vote, the City Council agreed not to support any further time, effort or dollars on the proposed Historic Street Lighting District.

**The City council took a recess from 9:00 p.m. until 9:09 p.m.**

TEMPORARY CONVENING OF JOINT COUNCIL/REDEVELOPMENT MEETING:

Mayor Losoya temporarily convened a joint meeting of the City Council and the Woodland Redevelopment Agency Board at 9:09 p.m. See Agency minutes attached to these Council minutes as Exhibit A. At 9:17 p.m. the joint meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

PRELIMINARY FY 1999/2000 CITY BUDGET:

City Manager Richard Kirkwood gave the Council a review of the Preliminary Fiscal Year 1999-2000 Preliminary Budget. No Council action was necessary.

RESOLUTION NO. 4125 - TRANSFER OF CABLE TELEVISION FRANCHISE OWNERSHIP:

John Adams, General Manager of Charter Communications, discussed local operations of Charter.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council adopted Resolution No. 4125 consenting to the transfer of control of the cable television franchise from Charter Communications to Paul G. Allen.

RESOLUTION NOS. 4126, 4127 AND 4128 - LANDSCAPE LIGHTING DISTRICTS:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved the annual report for the Gibson Ranch Lighting and Landscaping District pursuant to the Landscaping and Lighting District Act of 1971 and adopted Resolution No. 4126 calling for a public hearing on June 15, 1999.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved the annual report for the North Park Landscaping and Lighting District pursuant to the Landscaping and Lighting District Act of 1971 and adopted Resolution No. 4127 calling for a public hearing on June 15, 1999.

On motion of Council Member Borchard, seconded by Council Member Peart and carried by unanimous vote, the City Council approved the annual report for the Streng Pond Landscaping Maintenance District pursuant to the Landscaping and Lighting District Act of 1971 and adopted Resolution No. 4128 calling for a public hearing on June 15, 1999.

ORDINANCE NO. 1315 - UNIFORM CONSTRUCTION CODES:

On motion of Council Member Ryhal, seconded by Council Member Peart and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1315, "An Ordinance of the Woodland City Council of the City of Woodland Repealing and Reenacting Article 1 of Chapter 6, Article 1 of Chapter 9, and Article 1 of Chapter 17 of the Municipal Code of the City of Woodland, California, Adopting by Reference the 1998 Editions of the California Building Standards Code, known as the California Code of Regulations, Title 24, and Amending those California Building Standards as identified herein, through express findings of local necessity" and scheduled a public hearing on June 1, 1999, at which adoption of this ordinance will be considered.

ORDINANCE NO. 1316 - FIRE REGULATIONS:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1316, "An Ordinance Adopting the Uniform Fire Code Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire, Hazardous Materials or Explosion; Providing for the Issuance of Permits for Hazardous Uses or Operations; establishing a Bureau of Fire Prevention and Providing Officers Therefor and Defining Their Powers and Duties; providing for Automatic Fire Extinguishing Systems; and Providing for a Citation Program" and scheduled a public hearing on June 1, 1999, at which adoption of this ordinance will be considered. Included in the revision is a revision to the Fire Code to allow for the sale of "Safe and Sane Fireworks" for the Millennium Celebration for the period of 12:00 noon on December 26, 1999 through ending at 12:00 midnight on January 1, 2000.

Council Member Flory was absent from the meeting from 9:50 to 9:55 p.m.

INFORMATION ON CAL-OSHA FIRE SUPPRESSION STAFFING:

Acting Fire Chief Kent Wickstrom reported that on January 8, 1998 the Occupational Safety and Health Administration's Rules known as "Respiratory Protection 29, CFR 1910.134" were published in the Federal Register. He said the Rules were then adopted by the State of California Occupational Safety and Health Standards Board (Cal-OSHA) as

respiratory protection amendments to Title 8. The effective date was November 23, 1998 and the last day to comply is May 22, 1999. He said these rules or amendments are commonly referred to as "Two In/Two Out" in the fire service. He said this regulation represents one of the most significant changes to the fire service since the past 20 years. He said this is an unfunded regulation. He said even though the City will not be in full compliance by May 22 the fact that the City is working on a resolution of the issue satisfies OSHA's concerns that the City is not ignoring the issue. The "Two In/Two Out" rule means that when firefighters go in and work in a hazardous environment they must go in a pair of two people and they must have two people outside ready to save them or pull them out if necessary.

Council Member Peart said he will work closely with the Fire Department and the City Manager on some ideas he has to comply with the regulations.

Mayor Losoya suggested bringing the issue back to Council at the June 1 Council meeting.

Assistant City Manager Phil Marler said maybe the financial impact of this regulation could be discussed at the May 25 Budget session.

ORDINANCE NO. 1317 - COUNCIL PROCEDURES:

Mayor Losoya suggested adding a provision to the proposed ordinance on Council Procedures to state that City Council Members shall respect members of the public addressing the Council and solicit meaningful dialogue and avoid negative debate.

Council Members Ryhal and Borchard said they disagreed.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by the following vote, the City Council introduced, waived the first reading and read by title only Ordinance No. 1317, "An Ordinance Amending Chapter 2 of the Woodland Municipal Code Relating to City Council Procedures" (not including language proposed by Mayor Losoya):

|       |                  |                               |
|-------|------------------|-------------------------------|
| AYES: | COUNCIL MEMBERS: | Flory, Borchard, Peart, Ryhal |
| NOES: | COUNCIL MEMBERS: | Losoya                        |

**On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council extended the meeting from 10:30 p.m. until 11:00 p.m.**

JOINT WORKSHOP REGARDING TOC SPECIFIC PLAN:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council scheduled a joint workshop between the City Council and the Planning Commission on the Turn of the Century Specific Plan on July 15, 1999, and scheduled a community forum on July 29, 1999 regarding how to keep the small town feeling in Woodland as new growth takes place in the community.

ADJOURNMENT:

At 10:35 p.m. the regular meeting was adjourned to May 25, 1999, 7:00 p.m.

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City Clerk of the City of Woodland