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

March 16, 1999

CITY COUNCIL/REDEVELOPMENT AGENCY SPECIAL SESSION/CLOSED SESSION

The Woodland City Council and Woodland Redevelopment Agency Board met in special session at 6:00 p.m. in the second floor conference room of City Hall in order to convene closed sessions. Before the closed sessions the Mayor/Agency Chair announced the closed session topic.

The Council then convened a closed session to discuss the following topics:

- Conference with Legal Counsel Existing Litigation (Sec. 54956.9)
 Name of Case: Jolynn Tetzlaff v. City of Woodland et al, Case
 No. U.S. District Court Eastern District of California,
 CIV-S-97-0419 DFL GGH
- 2. Conference with Legal Counsel Existing Litigation (Sec. 54956.9)
 Name of Case: Darab Bozorg Chami v. City of Woodland, the
 City Council of Woodland, et al Case No. Yolo
 County Superior Court V98000677
- Conference with Real Property Negotiator (Sec. 54956.8)
 Negotiating Parties: City of Woodland and Layton Knaggs
 Property: APN 027-330-17 (Kentucky Avenue and West Street)
 Under Negotiation: Price

The Redevelopment Agency Board then convened a closed session to discuss the following topic:

Public Employee Appointment (Sec. 54957)
 Title: Legal Counsel

Council Members/Agency Board Members present at the special meeting were: Losoya, Borchard, Flory, Peart and Ryhal. Council Members absent: None. Council Member Peart abstained from discussion of the Knaggs Property. Interim City Manager Gerald Davis and Assistant City Manager Phillip Marler were present for the closed sessions.

The special session and closed session were adjourned at 6:50 p.m.

CITY COUNCIL REGULAR SESSION

The Woodland City Council met in regular session at 7:02 p.m. in the City Hall Council Chambers.

CLOSED SESSION ANNOUNCEMENT:

Mayor Losoya reported that in closed session the Council held a conference with legal counsel concerning existing litigation (Sec. 54956.9) regarding the case of Jolynn Tetzlaff v. City of Woodland, et al. He said that case has been decided in the City's favor, however there is an appeal pending. In the matter of existing litigation (Sec. 54956.9) regarding the case of Chami v. City of Woodland, the case is still pending. He said in the matter of real property negotiations (Section 54956.8) regarding the Layton Knaggs property the issue is still pending. He said the Redevelopment Agency closed session topic regarding appointment of legal counsel is still under consideration and direction has been given to staff to develop further information for Agency approval.

PLEDGE OF ALLEGIANCE:

Mayor Losoya opened the 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: Bryan, Marler, Davis, Winnop, Siprelle, Wegener,

Fleming, Hanson, Phillips, Lundquist, Vicars

MINUTES:

On motion of Council Member Borchard, seconded by Council Member Peart and carried by unanimous vote (Council Member Flory abstained), the City Council approved the minutes for the adjourned Council meeting of February 23, 1999, as prepared.

On motion of Council Member Ryhal, seconded by Council Member Flory and carried by unanimous vote (Mayor Losoya abstained), the City Council approved the minutes for the regular Council meeting of March 2, 1999, as prepared.

COMMUNICATIONS:

- 1. From the State Department of Alcoholic Beverage Control a copy of an application was received for an off sale beer and wine license for Exxon Mini Mart, 1592 East Main Street, Woodland.
- 2. From the law office of James J. Christianson an application to file a late claim was received on behalf of Maria and Agustin Muniozguren. The claim was relevant to an arrest by the Woodland Police Department, which occurred on August 29, 1998. The City's insurance representative recommended that the Council deny the application.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council denied the application for late claim filed on behalf of Maria and Agustin Muniozguren.

3. From the law offices of Catherine Walsh a claim against the City was submitted on behalf of Douglas Kishiyama and Jose Sanchez. The claim was submitted as a result of an accident, which occurred at West and Main Streets involving a bicycle and a van driven by Mr. Kishiyama and owned by Mr. Sanchez. The City's insurance representative recommended that the Council reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Peart and carried by unanimous vote, the City Council rejected the claim against the City submitted on behalf of Douglas Kishiyama and Jose Sanchez and referred the claim to the City's insurance representative.

COMMITTEE REPORTS:

- 1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board of Trustees meeting of February 22, 1999.
- 2. From Interim Parks, Recreation and Community Services Director Richard Conzelmann a report was received summarizing action taken at the Parks, Recreation and Community Services Commission meeting of February 22, 1999.
- 3. From Public Works Director Gary Wegener a report was received transmitting the minutes of the Traffic Commission meeting of March 1, 1999.

- 4. From Police Captain and Acting Police Chief Del Hanson a report was received transmitting the summary of the Yolo County Communications Emergency Services Agency Board meeting of March 3, 1999.
- 5. From Interim Community Development Director Don Fleming a report was received summarizing action taken at the Planning Commission meeting of March 4, 1999, as follows:
 - a. Commission continued the General Plan Amendment for Street Classifications to the March 18, 1999 meeting.
 - b. Commission certified a ND and conditionally approved a use permit for the Church of the Rock located at 618 Cottonwood Street. This approval will allow the use of a 2,600 square foot building to be used for worship and Sunday School Classes for approximately 50 people.
 - b. Commission conditionally approved the site plan, landscape plan, building designs and elevations and sample colors and materials submitted for the Woodmark Apartments. The property is located on the extenuation of Kincheloe Drive, north of County Road 23. This apartment complex has 173 units and an office/recreation/laundry facility.

PUBLIC COMMENT:

Vice Mayor Borchard said that Mayor Losoya presented a proclamation this morning at a breakfast to celebrate Agricultural History Week. He said at the breakfast Senator Maurice Johannessen's Chief Staff Forrest Sprague talked about the possible concern we should all have about the whole Cal Fed process and where our water will go.

Council Member Peart said recently he was honored to serve as Principal of the day for Whitehead School. He said it was a good experience, and he hoped other Council Members could serve the community in this capacity.

REPORT FROM REDEVELOPMENT CITIZENS ADVISORY COMMITTEE:

Peter Holmes, Chair of the Redevelopment Citizens' Advisory Committee, gave Council an update on the functions of the Committee and issues addressed over the past year.

PUBLIC HEARING - LOCAL LAW ENFORCEMENT BLOCK GRANT:

Mayor Losoya said at this time Council will hold a public hearing to receive comments and accept the Advisory Board recommendation regarding the use of 1997 and 1998 Local Law Enforcement Block Grant funds.

Ellasion Phillips, Management Analyst from the Police Department, reported that the Woodland Police Department received Local Law Enforcement Block Grant (LLEBG) funds in 1997 and 1998. Said this is a non-competitive grant to the City from the U. S. Department of Justice and the amount of the grant is based on crime statistics. She said the Community Advisory Board met on March 5, 1999, and attendees included representatives from the Court, District Attorney, School District, Police Department and community groups (Hispanic Chamber and Police Chaplain Program). She said the Board supports the following recommendation for the use of LLEBG funds:

- (1) 1997 Grant of \$75,668 plus \$8,408 in local match for a total of \$84,076.
- (2) 1998 Grant of \$85,631 + 9,515 in local match for a total of \$95,146.

She then explained what the grant would accomplish.

Mayor Losoya opened the public hearing. There being no comments, he closed the hearing.

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the City Council accepted the Community Advisory Board recommendation regarding use of 1997 and 1998 Local Law Enforcement Block Grant funds.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Losoya temporarily adjourned the meeting of the Council at 7:35 p.m. in order to convene a meeting of the Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit A. At 7:45 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF THE CITY MANAGER:

CONSENT CALENDAR:

Vice Mayor Borchard requested that the City Hall expansion project be removed from the Consent Calendar.

Council Member Peart requested removal of the Traffic Calming Report from the Consent Calendar.

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

RESOLUTION NO. 4116 - TDA CLAIM:

The City Council adopted Resolution No. 4116 entitled "Resolution Authorizing Filing of Annual Transportation Development Act (TDA) Claim with Sacramento Area Council of Governments (SACOG).

UPDATE ON PIONEER PARK CONSTRUCTION PROJECT:

The City Council received an update on the Construction of Pioneer Park, Project No. 96-23.

COPS IN SCHOOLS GRANT:

The City Council authorized the Police Department to apply for a COPS in Schools grant to fund a second School Resource Officer.

REGULAR CALENDAR:

CITY HALL EXPANSION, PHASE II, PROJECT NO. 98-10:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved the amended Project Programming Summary Sheet for City Hall Expansion, Phase II, Project No. 98-10 (Police Locker Room) and authorized \$50,652 for procurement of lockers and modular furniture.

TRAFFIC CALMING REPORT:

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted the Neighborhood Traffic Management Program Development Report as the City's policy for traffic calming measures.

EXPANSION OF CITY LIBRARY HOURS:

Library Services Director Marie Bryan reported on a proposal to allow the City Library to open on Sundays and to restore evening hours eliminated in 1994 as a cost cutting measure.

Council members expressed support for the increased hours of operation at the City Library.

DEFERRAL OF DEVELOPMENT FEES:

On motion of Council member Ryhal, seconded by Council Member Peart and carried by unanimous vote, the City Council authorized the City Manager to sign a deferral fee agreement with Panattoni Development for three warehouse buildings. The fee will be deferred until occupancy of the buildings. As one building is completed and occupied the development fees will be paid on that building.

RESOLUTION NO. 4117 - SIEVERS/PRUDLER ANNEXATION:

On motion of Council Member Flory, seconded by Council Member Peart and carried by the following vote, the City Council adopted Resolution No. 4117 approving the property tax revenue exchange for the Sievers/Prudler Reorganization to the City of Woodland and approved and authorized the Mayor to sign the Revenue Sharing and Property Tax Exchange Agreement for the Sievers/Prudler Reorganization:

AYES: COUNCIL MEMBERS: Flory, Peart, Ryhal, Losoya

NOES: COUNCIL MEMBERS: Borchard

PERS ACTUARIAL STUDY:

Finance Director Margaret Vicars reported to Council on the most recent actuarial study conducted by PERS. She said PERS each year looks at the City's employee census and determines how many people will be retiring and at what time to set a rate for what the City pays PERS to build the retirement plan for those employees in the census. In her staff report she indicated the rates for the two covered groups (safety employees and miscellaneous employees). She said since 1996 PERS has been executing instructions from their Board of Directors to change the methodology of the actuarial studies. In the past PERS has looked at the miscellaneous group as having one actuarial study for the entire broad group rather than looking at individual costs for various parts of the contract for the miscellaneous group. PERS has been instructed to break the large group to smaller pieces and use the total as the new rates. She said PERS is hoping this will even out the erratic PERS rates the City has been getting. Also in 1996 PERS had to comply with a new auditing rule from the Government Accounting Standards Board (GASB). At that time the City of Woodland became aware that there were dollars in the Excess Assets accounts. Excess Assets means the City would have more money than it needs to meet future retirement needs based on the current census of City employees. During 1996, she said PERS was not to a point where they were ready to distribute those Excess Assets that the City of Woodland had, and PERS was still working on its three-year plan. As PERS refined their actuarial studies those numbers have increased. She said the actuarial study for June 30, 1999 has now been distributed. The Excess Asset amount is now nearly \$10,000,000 for the combined Safety and Miscellaneous groups. PERS is proposing that the City use those Excess Asset dollars for future premiums that are due from the City for employer rate only, not the employee portion. She said the expenditure reduction for the City of Woodland is approximately \$985,000 a year. She said staff discussed how long this was to go on, and PERS estimated it would take 13 years with the City's current balances and current census of employees before the City would have a substantial PERS rate on either Safety or Miscellaneous. She said that is a long range projection. The rates for the employer's share this year and the future years is virtually zero. She said her major concern is what will happen in year 14 when the City is billed by PERS for reinstatement of those rates. She gave Council suggestions for how to mitigate the future reinstatement of full PERS rates. She said one of the best ways to use the dollars is to use them for employees rather than the non-general fund items, but the City needs to be careful how it uses the dollars.

Council discussed increasing the City's reserve with the funds. After further Council discussion the Finance Director said she will ask the Council to review the issue in mid to late June 1999.

FEDERAL GRANT APPLICATION PROJECTS:

A motion was made by Council Member Borchard, seconded by Council Member Ryhal, to approve the list of candidate projects for Federal funding applications as proposed by staff.

Council Member Borchard amended the motion to add under Competitive STP road maintenance as determined by City staff, and Council Member Peart seconded the amendment.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved the following list of candidate projects for Federal funding applications:

Non Competitive STP (Surface Transportation Program) (estimated available funding level \$645,709 City share)

Overlay/reconstruct the following streets:

- West Beamer Street between Ashley Avenue and Mariposa Street
- East Beamer Street between East Street and 2112 feet east of Matmor Road
- West Cross Street between Cottonwood Street and California Street
- California Street between Court Street and Main Street

Competitive STP (Surface Transportation Program) (estimated available funding level \$1,111,162 County total/competitive)

Preparation of design and environmental documents for the realignment of the North/Lemen/East Street intersection

Overlay/reconstruct North College Street between Woodland Avenue and Sunset Avenue

Additional road work

CMAQ (Congestion Management and Air Quality Program) (estimated available funding level \$4,565,097 County total/competitive)

Court Street corridor traffic signal timing and pedestrian enhancement project

Implement construction of remaining Bikeway Master Plan Projects (excluding East Street)

TEA (Transportation Enhancement Act Program) (estimated available funding level \$661,000 County total/competitive)

Architectural enhancement within the East Street Corridor Specific Plan Area.

TRIP TO WASHINGTON, D.C.:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council approved sending Mayor Melton Losoya, Council Member Daniel Ryhal and Interim City Manager Gerald Davis to Washington, D.C. to meet with FEMA and State legislators on the issue of the proposed Flood Insurance Rate Maps.

Council was advised that Council Member Flory will be going to the "Cap to Cap" trip in Washington D.C. representing the Yolo Solano Air Quality Management District, and Council Member Ryhal will be going to the "Cap to Cap" representing the Yolo County Transportation District at no expense to the City.

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council approved sending any Council Members who are interested representing the City of Woodland to attend the "Cap to Cap" trip to Washington D.C. scheduled for May 1-5, 1999 to lobby our congressional delegation on behalf of the City of Woodland.

INTERGOVERNMENTAL RELATIONS AND LEGISLATIVE MATTERS:

Council received a list of issues to be discussed during a meeting with Council and Assembly Woman Helen Thomson, including: Waste Discharge Permit, road rehabilitation Funding, EERAF mitigation legislation, and Woodland flood concerns.

Mayor Losoya added maintaining local revenue sources to the list of topics to be discussed.

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Council agreed to make the same offer to meet with Senator Maurice Johannessen.

CHANGING DATE OF MAY 4 REGULAR COUNCIL MEETING:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, Council agreed to change the Council's regular meeting scheduled for May 4, 1999 to April 27, 1999.

FUTURE MEETING AGENDA ITEMS:

Council Member Peart requested a future meeting agenda item for an update of the SVOC project.

Interim City Manager Gerald Davis said for the March 23 Council meeting there will be a discussion of the Second Street streetscape and vehicle replacement purchases.

ADJOURNMENT:

At 9:07 p.m. the regular meeting was adjourned.

City Clerk of the City of Woodland	