

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

October 7, 1997

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 that the closed session scheduled was for the purpose of conferring with Legal Counsel regarding existing litigation (Subdivision (a) of Sec. 54956.9) for two cases: United States District Court Eastern District of California, Case No. CIV-S-97-0419 DFL GGH, Jolynn Tetzlaff v. City of Woodland, City of Woodland Fire Department, John Buchanan, Patrick Whelen, Kent Wickstrom, et al, and United States District Court Eastern District of California, Case No. CIV-S-97-0141 GEB JFM, Joseph Hernandez, Jr. v. City of Woodland, Carol Souza and Does 1 through 10, inclusive. Council also conferred with legal counsel regarding anticipated litigation (Sec. 54956.9) and significant exposure to litigation pursuant to subdivision (b) of Sec. 54956.9 and initiation of litigation pursuant to subdivision (c) of Sec. 54956.9 (one case).

Council Members present at the meeting were: Rominger, Borchard, Flory, Losoya and Ryhal. Council Members absent: none. City Manager Kris Kristensen, Assistant City Manager Phil Marler, City Attorney Ann Siprelle and other legal counsel representatives were present.

The special session and closed session were adjourned at 7:09 p.m.

The Woodland City Council met in regular session at 7:15 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Rominger opened the meeting and invited everyone present to join her in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Rominger, Borchard, Losoya, Ryhal,  
Flory (arrived at 8:55 p.m.)

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Siprelle, Marler, Ruggiero,  
Winnop, Wegener, McDuffee, Ahlgren, De Weerd,  
MacNicholl, Vicars, Hanson

#### CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the City Council just completed a closed session dealing with existing litigation and anticipated litigation. He said these items are permitted for closed session pursuant to the Government Code.

#### MINUTES:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved the minutes for the regular Council meeting of July 1, 1997, as prepared.

#### COMMUNICATIONS:

1. From the State Department of Alcoholic Beverage Control (ABC) a copy of an application was received for an on sale beer and wine license for Mariscos El Jaliscience, 1226 East Main Street. Council also received a letter from Police Captain Del Hanson to ABC indicating that this location is an area of over concentration of alcoholic beverage establishments and listing several conditions to assure that the facility is operating as a bone fide restaurant.

2. From the Sacramento County Board of Supervisors a letter was received requesting that the Woodland City Council join with Sacramento County in adopting a resolution requesting that President Clinton veto the 1998 Defense Authorization bill. This bill has language which would end public-private competition at McClellan Air Force Base. Council Members Ryhal and Borchard said they would need more information before considering the request.

3. From the State Department of Alcoholic Beverage Control (ABC) a copy of an application was received for an on sale beer and wine license for Main Street Hof Brau, 435 Main Street. Attached was a letter from Police Captain Del Hanson to ABC indicating that this location is in the City's downtown core and currently considered an area of over concentration. His letter listed several conditions assuring that the facility is operating as a bone fide restaurant.

4. From Bernd W. Schmidt, Attorney at Law, a claim against the City of Woodland and Chief of Police was received on behalf of Terry Lynn Charbonneau. The

claim stated that the claimant was incorrectly notified that her driver's license had been suspended because of an arrest in Woodland. The City's insurance representative recommended that the claim be rejected and referred to them.

On motion of Council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council rejected the claim against the City of Woodland/Chief of Police submitted on behalf of Terry Lynn Charbonneau and referred the claim to the City's insurance representative.

5. From Frank J. Quadrelli a petition and letter were received requesting additional stop signs on California Street at Elizabeth Way, West Southwood Drive and Greenwood Drive. A letter was also received from Don Sharp in support of additional stop signs and from Kay Stickel, Steven Wallace, and Manuel Castaneda expressing concerns regarding excessive speeding along California Street. The City Clerk said that Mr. Quadrelli was advised that Council would be asked to refer the matter to the City Traffic Safety Commission for its review.

On motion of Council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council referred the petition and letters regarding additional stop signs on California Street to the Traffic Safety Commission.

#### COMMITTEE REPORTS:

1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board meeting of August 4, 1997.

2. From City Manager Kris Kristensen a report was received transmitting the minutes of the Yolo County Transportation District Board meeting of August 12, 1997.

3. From the City Manager a report was received transmitting the minutes of the Yolo-Solano Air Quality Management District Board meeting of August 13, 1997.

4. 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 August 27, 1997.

5. From Human Resources Manager Dean Gualco a report was received transmitting the minutes of the Personnel Board meeting of September 4, 1997.

6. From Parks, Recreation and Community Services Director Tim Barry a report was received summarizing action taken at the Commission on Aging meeting of September 9, 1997.

7. From the Community Development Director a report was received advising

that at the Historical Preservation Commission meeting of September 10, 1997, the Commission reviewed the properties which were identified by the historic consultant Don Napoli as both contributing and non-contributing properties. In each case the properties were reviewed to determine whether or not the Commission agreed with the consultant's earlier determination.

8. From Public Works Director Gary Wegener a report was received transmitting the minutes of the Traffic Safety Commission meeting of September 11, 1997.

9. From the Parks, Recreation and Community Services Director a report was received summarizing action taken at the Parks, Recreation and Community Services Commission meeting of September 17, 1997.

10. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of September 18, 1997, as follows:

a. Commission approved a tentative map for a parcel at 264 Chandler Court which will allow an existing duplex to be converted into a split lot duplex.

b. Commission considered a petition from the Turn of the Century requesting approval to prepare a specific plan for 977 acres located south of the existing City limits, east of East Street, west of County Road 102, and north of County Road 25A. The Planning Commission held a public hearing and discussed the issue at great length before deciding to continue the matter to their October 2nd meeting. (Commission was advised that this item will be on the October 7th City Council agenda.)

c. Commission approved revised house elevations for the Morrison Homes' Hunter Glen subdivision in the Gibson Ranch area.

d. Commission received a presentation from the Public Works Department on their update to the Bikeway Master Plan. The Planning Commission found the Bikeway Master Plan to be consistent with the General Plan and recommended that the City Council adopt the Bikeway Master Plan. The Council is scheduled to consider the Bikeway Master Plan at an upcoming meeting.

e. Commission considered a request from a resident who was desirous of changing the Home Occupation Ordinance in order to allow woodworking as a Home Occupation. After learning more of the resident's proposed activity, it was determined that it would qualify as an arts and crafts activity -- not commercial woodworking. The activity is therefore eligible to be conducted as a Home Occupation use.

11. From the City Manager a report was received transmitting the agenda of

the County/City 2 x 2 meeting of September 23, 1997.

12. From the Community Development Director a report was received summarizing discussion from the East Street corridor mobile home workshop held on September 11, 1997.

**PUBLIC COMMENT:**

Allison Mitchell inquired about the status of a town hall meeting the Public Works staff will be holding on Wednesday, October 15, 1997, at 7:00 p.m. at Prairie School regarding flooding on Towse Drive. The Public Works Director said notices are being prepared to advise property owners in this area of the meeting.

**RESOLUTION NO. 4018 - RESOLUTION OF APPRECIATION:**

On motion of Council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council adopted Resolution No. 4018 recognizing Byron Perez and John Burgren for their display of good citizenship on August 19, 1997.

Mayor Rominger presented the resolution to Byron Perez and John Burgren for their assistance in the search and location of a missing senior citizen suffering from Alzheimer's.

**CERTIFICATE OF APPRECIATION FOR EAGLE SCOUT JASON DENNIS:**

Park Superintendent George Ahlgren showed slides highlighting a project to install new playground equipment at Everman Park and Tredway Park. He said the project was largely accomplished by Eagle Scout Jason Dennis.

Mayor Rominger presented a certificate of appreciation to Jason Dennis.

**MONTHLY BOARD/COMMISSION REPORT - PLANNING COMMISSION:**

Dennis O'Bryant, Chair of the Planning Commission, outlined for the Council the responsibilities of the Commission and the Commission's current projects.

**PROCLAMATION - MENTAL ILLNESS AWARENESS WEEK:**

On motion of Council Member Losoya, seconded by Council Member Borchard and carried by unanimous vote, the City Council proclaimed October 4-11, 1997 as Mental Illness Awareness Week.

Mayor Rominger presented the proclamation to Karen Treacher, representing the

Alliance for the Mentally Ill of Yolo County.

**PROCLAMATION - RED RIBBON WEEK:**

Dan Rice of the Parks, Recreation and Community Services Department described the various activities planned for Red Ribbon Week to promote drug awareness.

On motion of Council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council proclaimed October 24-31, 1997 as Red Ribbon Week.

Dusty Kimura, Senior at Woodland High School, and Megan Denny, ninth grader at Lee Junior High School, and Lisa McClanden of Lee Junior High School explained what Red Ribbon Week means to them.

Mayor Rominger presented the proclamation to the students.

**PROCLAMATION - GARFIELD'S BIRTHDAY:**

On motion of Council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council proclaimed October 11 as Garfield's birthday and "We Love Garfield Day."

Mayor Rominger presented the proclamation to Garfield recognizing his 20 year birthday.

**PUBLIC HEARING - PREZONING NORTH KENTUCKY PARTNERS PROPERTY:**

Mayor Rominger said the first public hearing scheduled was to consider introduction of an ordinance to prezone the North Kentucky Partners property to service commercial.

Senior Planner Colleen McDuffee reported that the Planning Commission on September 4 held a public hearing on a request to prezone approximately 27 acres of land to service Commercial (C-3). She said the land is located on the north side of Kentucky Avenue, north of College Street and west of the railroad tracks. She said the Planning Commission unanimously recommended approval of the prezoning to the Council. She said prezoning is the first step in the process to get this property annexed to the City of Woodland. Once the City Council acts on the prezoning, the applicant can file an application with the Local Agency Formation Commission (LAFCO) requesting annexation to the City of Woodland. After the annexation proceedings are completed the property owner can apply for actual development permits for the property.

Mayor Rominger opened the public hearing.

Bill Streng, applicant, said he was available for any questions.

There being no further comments, Mayor Rominger closed the hearing.

Ordinance No. 1297:

On motion of Council Member Ryhal, seconded by Council Member Borchard and carried by unanimous vote, the City Council:

1. Made the finding that no further environmental assessment is needed as the North Kentucky Partners property rezoning to Service Commercial is consistent with the EIR prepared for the General Plan;

2. Introduced and read by title only Ordinance No. 1297 rezoning the property known as North Kentucky Partners Property to Service Commercial with findings and conditions of approval as specified below:

Findings:

The environmental assessment for this project has been completed and no further environmental review is needed;

The rezoning is consistent with the 1996 General Plan which designates this property for service commercial uses;

Conditions:

The applicant shall hold harmless the City, its Council Members, Officers, Agents, employees, and representatives from liability for any award, damages, costs, and fees incurred by the City and/or awarded to any plaintiff in an action challenging the validity of this permit or any environmental or other documentation related to approval of this permit. Applicant further agrees to provide a defense for the City in any such action.

3. The City Council agreed to request that LAFCO amend its sphere of influence to include the property known as North Kentucky Partners Property.

**PUBLIC HEARING - TURN OF THE CENTURY SPECIFIC PLAN:**

Mayor Rominger said the second public hearing scheduled was to consider a petition filed by Turn of the Century requesting approval to prepare a specific plan for the area south of the existing City limits, east of East Street, west of County Road 102

and north of County Road 25A. She said the purpose of this agenda item is to consider setting a joint session with the Planning Commission.

Council Member Borchard said he has a conflict of interest with respect to this issue, and he left the Council Chambers.

The Community Development Director said the one of the processes in implementing the General Plan is to address the specific plan application process. The date for closure of that application process was on September 2, and one application was received. As part of that process the application was submitted to the Planning Commission for its review as to the issue of boundaries on that particular application. There were several alternatives before the Commission relative to the boundaries as well as whether to accept the application or not to accept the application. She said the Planning Commission on two separate occasions has held public hearings on this matter and was working earnestly to try and reach the deadline. She said the Council had asked to receive the Commission's recommendation by this date. She said the Commission has gone through six hours of hearings and the Council received the tapes. At the last meeting on October 2 the Commission was frustrated in trying to reach a consensus for a recommendation to the Council.

Planning Commission Chair Dennis O'Bryant briefed the Council on the position of the Commission. He said the Commission feels there is a structural problem, and one of the problems identified is having the developer prepare the specific plan rather than the City. He said there are dueling developers and dueling land owners which is not conducive to good planning in this area. A second issue is the two-year time frame for the specific plan. Given the problems the Commission has seen this deadline could push things too quickly and result in planning that is not of good quality. He said the accusations at the Commission's meeting were significant, and the Commissioners felt uncomfortable with that. He said it starts to look like the process itself is not working, and he said he felt it is inappropriate that the City is being asked to go forward with the project that has this many problems remaining before it. He said he did not feel good about the process at this point, but the Commission can certainly discuss the process with the Council.

Planning Commission Member Toni Thompson said the Commission after six hours of mediation has come to the conclusion that the land owners and developers have no consensus and do not trust each other. She said the Commission's best consensus is that the policy that was enacted to allow developers to finance the City's specific plan has resulted in a competition of development instead of a cooperation of developers. She said the core issue is deeply personal and difficult to categorize; it is one of identity. She said the land and home owners on these farms are intergenerational with a strong sense of family and community identity.

Vice Mayor Losoya said he did not want to proceed with the discussion at this

time but wait until the joint meeting with the Commission. After further Council discussion the following action was taken:

On motion of Council Member Losoya, seconded by Council Member Ryhal and carried by unanimous vote, the City Council continued the hearing regarding the petition of Turn of the Century to prepare the specific plan to November 18, 1997, and Council set a joint meeting with the Planning Commission for October 20, 1997, 7:30 p.m. to talk through the issues.

Council took a recess from 8:40 p.m. until 8:50 p.m.

#### TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 8:50 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 11:25 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

#### REPORTS OF THE CITY MANAGER:

##### CONSENT CALENDAR:

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

##### UPDATE ON PARKS, RECREATION & COMMUNITY SERVICES PROJECT:

The City Council received an update on Parks, Recreation and Community Services Department projects.

##### CAPITAL BUDGET EXECUTION:

The City Council received a Capital Budget Execution status report from Public Works Director Gary Wegener.

##### TREASURER'S INVESTMENT REPORT:

The City Council received the monthly report from City Treasurer Margaret Vicars regarding investment activity for July and August of 1997.

##### FINAL MAP/AGREEMENT FOR GIBSON RANCH UNIT 2A1:

The City Council approved the Final Map and Subdivision Agreement for Subdivision No. 4252, also known as Gibson Ranch Unit 2A1, a 53 unit (10.975 acre) subdivision located east of Pioneer Avenue and north of Branigan Avenue.

**RESOLUTION NO. 4019/COMPLETION OF 1997 CURB RAMP PROJECT:**

The City Council accepted the 1997 Curb Ramp Project, Project Nos. 96-03 and 96-29, by Ramirez Construction of Woodland; adopted Resolution No. 4019 commending Ramirez Construction for excellence in contracting on this project; and directed the City Clerk to file a Notice Completion.

**COMMUNITY DEVELOPMENT BLOCK GRANT PERFORMANCE REPORT:**

The City Council instructed staff to forward a Community Development Block Grant Performance report to HUD.

**1997-98 VEHICLE PURCHASES:**

The City Council authorized the purchase or solicitation for bid of all vehicles and/or equipment contained in the 1997-98 City of Woodland budget. The vehicles to be purchased through a cooperative purchase agreement with the State of California Office of Procurement consist of:

Police Department: Three patrol vehicles, two unmarked sedans, and one DARE vehicle;

Fire Department: One Mini-van and one 3/4 ton 4x4 pickup truck;

Public Works Department: one mini-van and two 3/4 ton pickup trucks with utility bed;

for a total cost of \$255,900.

The vehicles that will have solicitations for bid are:

Parks Department: One 60 hp tractor and one 16 hp mid mount tractor/mower;

Public Works Department: One ten/twelve cubic yard dump truck, one low profile dump truck, one tilt deck trailer,

one mini-backhoe, and one 4x4  
vehicle

utility

for an estimated cost not to exceed \$213,500, the bid results to be brought back to Council for award.

REGULAR CALENDAR:

RESOLUTION NO. 4020 - VOLUNTEER FIREFIGHTERS LENGTH OF SERVICE:

On motion of Council Member Ryhal, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 4020, authorizing the Mayor to sign a contract with the Public Employees' Retirement System to provide a Length of Service Award System for Volunteer Firefighters of the Woodland Fire Department.

LOCALIZED FLOODING AT BROWN'S CORNER:

Public Works Director Gary Wegener outlined options regarding localized flooding at Browns Corner (County Road 98 and West Main Street) and portions of Main Street to the east.

RESOLUTION NO. 4021 - NORTH KENTUCKY PARTNERS ANNEXATION:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council extended the Council meeting from 12:00 a.m. until 12:30 a.m.

On motion of Council Member Ryhal, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 4021 reaffirming the use of the 1982 County/City Master Property Tax Agreement formula with the County of Yolo for the annexation of the North Kentucky Partners/Gorman commercial properties (18 acres located on the north side of Kentucky Avenue immediately west of the Cal Northern railroad intersection.

HEIDRICK OPERATION EAST OF WOODLAND:

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council concurred with staff that the proposed Heidrick trucking operation (eastern boundary of the City of Woodland and Interstate 5) is inconsistent with the Woodland General Plan and the Urban Development Policy.

LIBRARY BOARD/PARKS, RECREATION AND COMMUNITY SERVICES  
COMMISSION APPOINTMENTS:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council appointed Christopher Almeida to the Library Board effective immediately for a term expiring December 31, 1999; and appointed Dr. Daniel Nealon to the Library Board effective January 1, 1998 for a term expiring December 31, 2000.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by the following vote, the City Council appointed Jesse Ortiz, Jr., to the Parks, Recreation and Community Services Commission for a term ending December 31, 1999:

AYES: COUNCIL MEMBERS:	Borchard, Flory, Losoya, Ryhal
NOES: COUNCIL MEMBERS:	Rominger

LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS:

The City Council gave the City of Woodland's Voting Delegate, Vice Mayor Losoya, direction with respect to the resolutions to be considered at the League of California Cities Annual Conference to be held in San Francisco October 12-14, 1997. Council approved Resolution Nos. 1 (election of Policy Committee Chairs and Vice Chairs) and 2 (open and equal participation on all resolutions at the Annual Conference). The Council disagreed with Resolution No. 4 regarding State funding for the arts. Council gave a "no" vote to Resolution No. 11 relating to corporate average fuel economy (cafe) standards. Council agreed to the recommended approval of Resolution No. 13 relating to maintenance and operating costs for environmental projects. Council recommended removal of the last paragraph of Resolution No. 24 regarding return of property tax revenue, and Council concurred in the recommendation of the City Manager to support Resolution No. 15 relating to amortization of pole signs. Council made no comments on the remaining resolutions.

ADJOURNMENT:

At 12:28 a.m. the meeting was adjourned.

City Clerk of the City of Woodland

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