Council Chambers 300 First Street Woodland, California

October 1, 1996

The Woodland City Council met in special session at 6:00 p.m. in order to convene a closed session. Before the closed session the City Manager announced the purposes of the closed session. The first item was a conference with Labor Negotiator (Sec. 54957.6) William Avery regarding Employee Organizations: Woodland Professional Police Employees' Association, Woodland Professional Firefighters' Association, and Woodland Police Supervisors Association. The second item was a conference with real property negotiator (Sec. 54956.8); negotiating parties: P G and E Enterprises and City of Woodland; property: Conaway Ranch; under negotiation: price and terms of payment. Council Members present at the meeting were: Borchard, Flory (arrived 6:10 p.m.), Losoya, and Ryhal; Council Members absent: Rominger. City Manager Kris Kristensen and Human Resources Manager Dean Gualco also attended the closed session. The special session and closed session were adjourned at 7:08 p.m.

The Woodland City Council met in regular session at 7:12 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Vice Mayor Losoya in the absence of Mayor Rominger 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: Borchard, Flory, Losoya, Ryhal

COUNCIL MEMBERS ABSENT: Rominger

STAFF PRESENT: Kristensen, Siprelle, Ruggiero, Smith, Barry, Whelan,

Wegener, DeWeerd, Vicars, Ponticello

CITY MANAGER ANNOUNCEMENT:

The City Manager said the City Council just completed a closed session for a conference with the City's Labor Negotiator and a conference with real property negotiator regarding the Conaway Ranch pursuant to the California Government Code.

MINUTES:

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved the minutes for the regular Council meeting of July 30, 1996, as prepared.

COMMUNICATIONS:

1. From Ginger Minney a letter was received submitting her resignation from the Tree Commission. Council was advised that a letter of appreciation will be sent to her and that Council action will be taken later in the meeting to appoint Council Members to interview candidates to replace her.

COMMITTEE REPORTS:

- 1. From Parks, Recreation and Community Services Director Tim Barry a report was received summarizing action taken at the Park, Recreation and Community Services Commission meeting of July 17, 1996.
- 2. 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 12, 1996.
- 3. From City Manager Kris Kristensen a report was received transmitting the minutes of the Yolo County Transit Authority Board meeting of August 28, 1996.
- 4. From the Parks, Recreation and Community Services Director a report was received summarizing action taken action at the Commission on Aging meeting of September 10, 1996.
- 5. From Human Resources Manager Dean Gualco a report was received transmitting the minutes of the Personnel Board meeting of September 12, 1996.
- 6. From Director of Public Works Gary Wegener a report was received transmitting the minutes of the Traffic Safety Commission meeting of September 12, 1996, including recommendations for (1) installation of a stop sign on Second Street at Marshall Avenue, (2) installation of a four-way stop at the intersection of Ashley Avenue and West Lincoln Avenue, (3) installation of an on-street handicap parking space in front of 506 Main Street, and (4) the speed limit on Ashley Avenue and on Cottonwood Street remaining unchanged.
- 7. From the Director of Public Works a report was received transmitting the minutes of the Tree Commission meeting of September 16, 1996.
- 8. From the Parks, Recreation and Community Services Director a report was received summarizing action taken at the Park, Recreation and Community Services Commission meeting of September 18, 1996.
- 9. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Planning Commission meeting of September 19, 1996, as follows:

- a. Commission approved a tentative map for the Commerce Park Condominium Project at 1240 Commerce Avenue. This map divides an existing building into four condominium units.
- b.Commission approved a Zoning Administrator permit for the Capitol Saloon Sports Bar and Grill at 601 Main Street. This permit allows the restaurant to serve alcoholic beverages past 10:30 p.m.
- c.Commission considered two variance requests by Dennis and Karen Gay for their property at 527 College Street. The Planning Commission approved one variance which allows for a carriage house with a height of 25 1/2 feet where the Zoning Ordinance normally only allows 16 feet. The Planning Commission denied the variance which would have allowed a tank house/tower with a height of 24 feet where the Zoning Ordinance normally only allows 16 feet.
- d.Commission determined that the acquisition of property on the southwest side of Leiser Drive north of East Gum Avenue for a school site is in conformity with the General Plan.

PUBLIC COMMENT:

Parks, Recreation and Community Services Director Tim Barry encouraged members of the audience to attend the Autumn Festival to be held October 5 and 6 in the Downtown area, primarily at Heritage Plaza. He said the event is sponsored by the Woodland Chamber of Commerce and includes activities at Freeman Park, a children's carnival, and a farmer's market.

Jan Hicks and Lew Harris expressed their support for the passage of Measure B (1996 General Plan) on the November 5, 1996 General Election ballot.

Dudley Holman expressed his support for a "no" vote on Measure B on the November 5, 1996 General Election ballot.

Brian Kreuser, Facility Director for Woodland Access Visual Enterprises (WAVE), announced that WAVE will be broadcasting the Woodland High School Junior Varsity and Varsity football games on Cable Channel 21.

Robert Haws, representing property owners on County Road 101, inquired about the status of the agreement between Morrison Homes and the City of Woodland.

Vice Mayor Losoya said the City Council is very much interested in the citizens' concerns regarding the traffic issues at County Road 101 and Gibson Road, and the Council is continuing to discuss the issues and will continue until they come to some

resolution.

PROCLAMATION - FIRE SAFETY AWARENESS WEEK:

Assistant Fire Division Chief Pat Whelan briefed the Council on events planned for "Fire Safety Awareness Week."

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council proclaimed October 6-12, 1996 as "Fire Safety Awareness Week."

Vice Mayor Losoya presented the proclamation to Division Chief Whelan.

PRESENTATION - MEASURE D/CACHE CREEK GRAVEL MINING:

Yolo County Board of Supervisors Chairman Tom Stallard gave the Council background on Measure D, the Cache Creek gravel mining measure sponsored by the Board of Supervisors which will appear on the November 5, 1996 Statewide ballot. He explained the various technical studies conducted regarding scientific evidence, biological concerns of Cache Creek, and ground water.

Mr. Stallard and consultant Heidi Tsudin responded to questions from Council Members. Mr. Stallard said he would have answers prepared for some of the technical questions asked.

HEARING - PREZONING OF CITY PROPERTIES:

Vice Mayor Losoya said the first of two public hearings scheduled is to consider prezoning of City Wastewater Treatment Plant and Regional Park property to Open Space.

Associate Planner Bob MacNicholl said the Planning Commission considered the prezoning at its September 5, 1996 meeting, and the Commission found that the Negative Declaration of Environmental Impact which accompanied the proposal was complete and adequate, and that the project was not expected to generate any significant adverse environmental impact. He said there were only four Commissioners present at the meeting, and the Commission made no formal recommendation (2 to 2 vote) concerning the prezoning of the City property. As a result of the split vote, there was no recommendation to prezone the property. He said the City Council can take action to approve the prezoning if it desires after considering the Commission's action regardless of the fact that the Commission in this case essentially denied the prezoning. With no new information and no new circumstances the Council can move ahead with the prezoning. Mr. MacNicholl said the matter was originally initiated by the City Council on January 16, 1996. Due to a request for direction by the Planning Commission on April 18, 1996, the City Council redirected the Commission to consider the prezoning, and make a recommendation concerning the prezoning and annexation to the City Council. These

actions led to the September 5, 1995 split vote by the Commission. He said the Open Space designation under State law when it is for public purposes is in fact conformance for a noncontiguous annexation. If the Open Space designation was not for public purposes, then there would be an issue.

City Attorney Ann Siprelle said it would be appropriate for the Council to decide whether the Council wants to consider the prezoning, and if so, the Council will need to open the public hearing.

Vice Mayor Losoya said he had concerns that some action on the prezoning might influence the November 5, 1996 ballot with respect to the City's Measure B. Council Member Flory said he would vote against considering the prezoning for that same reason; he said the Council should wait until after the November 5 election.

Council Member Ryhal recommended shelving the issue until the next Council meeting. Council Member Borchard said in the absence of Mayor Rominger he would like to discuss the matter at a future meeting.

The City Manager suggested that the Council set the matter as a continued public hearing to a specific date to avoid the cost of readvertising the hearing.

A motion of Council Member Borchard and seconded by Council Member Ryhal to continue the public hearing on the prezoning of City properties to the second regular meeting in October, 1996, failed to carry by the following vote:

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

The City Attorney said the result of the vote is that the matter is tabled and if the Council decides to reconsider the prezoning at a later date readvertising and notification will be required.

A motion of Council Member Flory and seconded by Council Member Losoya to continue the public hearing on the prezoning of City properties to November 19, 1996, failed to carry by the following vote:

AYES: COUNCIL MEMBERS: Flory, Losoya

NOES: COUNCIL MEMBERS: Ryhal ABSTAINED: COUNCIL MEMBERS: Borchard

ABSENT: COUNCIL MEMBERS: Rominger

The City Attorney said the abstention is treated as a "no" vote so the matter is tabled.

<u>HEARING - 1996-97 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND</u> BUDGET:

Vice Mayor Losoya said the second public hearing scheduled was to consider approval of the 1996-97 Supplemental Law Enforcement Services Fund budget (State COPS-Program).

Police Chief Russ Smith said the Woodland Police Department has already received \$100,650 as a result of a new State program, Citizens Option for Public Safety (COPS), authorized by AB 3229. To receive the funds the Council needs to approve the use of the funds, and he said staff recommends the funds be used to improve technology. He said the current technology in the Police Department is about 15 years old. Also, he said if the funds are not on-going, they are better used for purchasing equipment. He said the Department proposes to use the funds to purchase 12 laptop computers, appropriate accessories (mounting brackets, wireless modems, batteries, cables, etc.), and software applications for use in patrol cars. Laptops in patrol cars will allow officers to create, transmit and retrieve police reports electronically.

Vice Mayor Losoya opened the public hearing.

Joe Crescione urged support for approving the funds for improved technology in the Police Department.

There being no further comments, Vice Mayor Losoya closed the hearing.

On motion of Council Member Borchard, seconded by Council Member Ryhal, and carried by unanimous vote, the City Council authorized the use of State funds disbursed to the City of Woodland through the AB 3229 Citizens Option for Public Safety (COPS) Program for purchase of technological equipment which will improve the efficiency and effectiveness of officers on the street.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Vice Mayor Losoya temporarily adjourned the meeting of the Council at 8:39 p.m. in order to convene the meeting of the City of Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit A. At 8:55 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

Council took a recess from 8:55 p.m. until 9:05 p.m.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

Council Member Borchard requested removal of the following items from the Consent Calendar: (1) report on status of internal fund borrowing; (2) bid award for purchase of replacement parks tractor mower; and (3) authorization of the sale of surplus/obsolete City-owned property and equipment.

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:

LAUNDRY/UNIFORM SERVICE:

The City Council authorized a request for proposal (RFP) for laundry and uniform services.

UPDATE ON CITY COMPUTER NETWORK PROJECT:

The City Council received an update on the City computer network project.

UPDATE ON LEE JUNIOR HIGH SCHOOL FIELD LIGHTING PROJECT:

The City Council received a status report on the Lee Junior High School baseball field lighting project.

BID AWARD - TRAFFIC SIGNAL PROJECTS:

The City Council (1) awarded the contract for Various Traffic Signal Projects Bid Alternative A to M & M Electric for \$29,790; (2) authorized the Director of Public Works to execute the contract on behalf of the City; and (3) authorized the Director of Public Works to execute change orders up to a total of 15% (\$4,468.50) of the value of the contract.

PROCLAMATION - MENTAL ILLNESS AWARENESS WEEK:

The City Council proclaimed October 7-13, 1996 as Mental Illness Awareness Week in Woodland.

REGULAR CALENDAR:

STATUS REPORT ON INTERNAL FUND BORROWING:

Council Member Borchard asked why interest is charged when one fund borrows from another in internal fund borrowing.

Finance Director Margaret Vicars said as a matter of policy the Council decided in the past if there is going to be long term borrowing interest is charged to make up for that earned interest.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council acknowledged receipt of the report from the Finance Director on the status of internal fund borrowing.

BID AWARD - REPLACEMENT TRACTOR MOWER:

Council Member Borchard asked why the staff is recommending awarding the bid for the purchase of a replacement tractor mower for the Parks Division to a company in Stockton when there is only a \$10.00 difference with a bid from a local company.

Purchasing Manager Al Mancilla said the specifications state that the City is allowed to do that. He noted that the bid of Westside Machinery of Woodland already included the vendor preference that is given to local vendors. The bids received were:

1. Mid-Cal Tractor \$16,500.41 Stockton, CA

2. Westside Machinery \$16,510.61* Woodland, CA

3.Woodland Tractor & Equipment \$14,242.80** Woodland, CA

The Purchasing Manager said the price discount for local vendors means that the bid of Westside Machinery was lowered one percent. He said the discount is given because for any sale within the City of Woodland the City receives one percent back in sales tax.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council awarded the bid for one (1) 20 horse power front-end mower to Mid-Cal Tractor from Stockton, CA, in the amount of \$16,500.41.

SALE OF SURPLUS/OBSOLETE CITY-OWNED PROPERTY AND EQUIPMENT:

Council Member Borchard inquired about the advertising for the public

^{*}Includes price discount given to City of Woodland vendors

^{**}Did not meet the minimum specifications

auction for surplus/obsolete City-owned property and equipment.

The Purchasing Manager said he has contacted auction companies, and the City has a contract with a local vendor for auctioneering services. In the past, he said there has been the question on whether the City can take the equipment to another city for bidding. He said there would be a cost in shipping the equipment to a vendor outside the City.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council authorized the sale and disposal of all the City's surplus and obsolete property and equipment through public auction.

CONAWAY RANCH:

Vice Mayor Losoya said the City has been given the deadline of October 7, 1996 to respond with some sort of offer for the acquisition of water on the Conaway Ranch. He said the Council has had some discussion regarding this issue in closed session, and he said this discussion of the deadline and an offer to purchase water will be continued in open session. After inviting comments from Council, Vice Mayor Losoya said the City does not really have enough information regarding the permits for use of the water and how the City would use the water if the City were able to obtain it. He said Council has decided that the City will not make an offer, and if there is still an opportunity to acquire water after October 7, 1996, the City will consider some way of negotiating the issue.

The City Manager said this decision does not diminish the City's interest in the water, and he recommended that the Council ask him and the City Attorney to prepare a letter to the realtors indicating that the City does not plan to respond at this point but remains interested in acquiring some water.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council directed the City Manager to send a letter to the owner of the Conaway Ranch stating that the City of Woodland is not able to make an offer on the purchase of water rights at this time but would consider evaluating options to acquire water in the future.

REPORT ON SCOTTISH GAMES:

Vice Mayor Losoya said he attended the Scottish Games on September 14 and 15, 1996 in Fresno because there has been some interest in the Scottish Games being moved from the Roseville area to Woodland. He said he was very impressed with the games, and approximately 8,000 to 10,000 people attended. He said the events were very well-coordinated, and he was pleased with the opportunity to learn about different cultures. He said he hoped there is still some interest in having the games relocate to Woodland.

I-5 BORROW PIT (DUBACH):

Director of Public Works Gary Wegener said the Council received a report in July regarding an offer from Merle Dubach to turn the I-5 borrow pit property (37 acres) at County Road 98 over to the City. In the process of evaluating that offer he said he asked for a proposal from Laugenour and Meikle engineers to evaluate the value of the pit and to address flooding issues experienced at Browns Corner and other areas west of County Road 98. He said shortly after Mr. Dubach made the offer to the City the pit property was transferred to a corporation, CDEC Corporation, and he said he has been trying to contact the president of the Corporation but had no response. He recommended that Council award a consultant contract to look at the different drainage alternatives for the areas west of the City. Part of the scope of work would include a basic evaluation of the pit. He said there was some concern about erosion problems.

Council Member Borchard expressed his interest in the outcome of the study.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized the award of a consultant contract for evaluation of drainage alternatives for Brown's Corner (County Road 98 and Main Street) at a cost not to exceed \$3,500 to Laugenour and Meikle.

WATER SUPPLY ISSUES:

The Public Works Director said because Mayor Rominger was not present at the meeting he suggested that the staff take the comments from other Council Members regarding water supply issues, and staff can talk with Mayor Rominger separately. He said staff wanted Council input before soliciting proposals from a consultant for the Water Master Plan.

Senior Civil Engineer Mike Horgan began a review of a series of questions and issues regarding water supply, including the status of the current City ground water supply, the forecast for the future of the groundwater supply, City's requirements for a supplemental water supply, supplemental water supply options, the public perception of and its willingness to pay for a supplemental water supply, and joint research for answers to supplemental water supply questions.

Vice Mayor Losoya suggested that Council Members review the water supply discussion report and give input when the full Council is in attendance.

NEIGHBORHOOD INFORMATION FAIRE PROJECT:

The City Manager reported on the success of a June 27, 1996 City

sponsored neighborhood information faire held at Yuba College for the benefit of residents of Sycamore Ranch. He then outlined plans for a information faire project scheduled to be held at Beamer School on Thursday evening, November 14, 1996. He said he intended to rotate the City departments responsible for setting up future Faires, and he recommended that Information Faires be scheduled in March or April 1997 and September 1997 at sites to be determined by the City Council.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council authorized a program of Neighborhood Information Faires.

PROPOSITION 218 ON NOVEMBER 1996 STATEWIDE BALLOT:

The City Manager provided the Council with the text of Proposition 218 on the November 1996 statewide ballot. He said the proposition has several titles, including "The Right to Vote on Taxes Act", "Jarvis III", and "the Fox Initiative" (named after Joel Fox, the leader of the Howard Jarvis Association). He said the measure deals with four particular areas on local taxes: local taxes, initiatives to repeal or reduce taxes, assessments and charges; special assessments; and property related fees and charges. He outlined in his staff report the major effect on the City of Woodland if the proposition passes. He said he was particularly concerned about the initiative on local taxes, assessments, fees and charges. He said if this were to be utilized in this community the City may be required to redirect a considerable amount of time and effort away from other City services to evaluate those particular revenue items. He said it depends on the degree of local interest in the issue. Another issue he said in regard to property related fees and charges is that the City currently has a franchise agreement with Waste Management which calls for an annual increase to occur equal to a change in the Consumer Price Index, and Proposition 218 may require that this increases in the future be subject to the mailing of a notice, public hearing and written protest process. That process does not occur now with garbage, yard refuse and street sweeping charges. Finally, with regard to special assessments he said any special assessments that have been approved in the past which have not gone through the voter requirements that are outlined in 218 would require that the agency which imposed the lighting and landscaping special assessment to be revoted He said the City of Davis, for example, has a citywide lighting and landscaping district, and the City of Davis will be responsible for going out to the voters by July of 1997 to get reaffirmation from the voters. He said the City of Woodland has three lighting and landscaping districts, which were created by the property owners themselves. The property owners through the developers went through a voting process to determine that those properties should be in a lighting and landscaping district. He said staff believes that the process used constitutes voting requirements that are outlined in 218. He said the City Attorney's office is looking into that question. He said the City may be required to go to another vote

in those districts. The developments may be in a situation of having services with no funds to support them, and that will be a very difficult issue for Woodland. He said the League of California Cities opposes Proposition 218, and he provided the Council with additional material on the measure.

ASSISTANT CITY MANAGER JOB DESCRIPTION:

The City Manager said the Assistantss City Manager positinhas been vacant since August, and he has reviewed revisions to the job description with department heads and the various City employee organizations. He said he plans to proceed with an open recruitment to fill the vacancy, so applications will be accepted from inside and outside of the City organization.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the updated Assistant City Manager job description.

LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS:

During review of the League of California Cities Annual Conference proposed resolutions the City Council recommended the following actions:

Resolution No. 1 - Presidential Appointments to Policy Committees

Council had no recommendation.

Resolution No. 2 - Appointment of Policy Committee Chairs and Vice Chairs

Council had no recommendation.

Resolution No. 3 - Composition of Board of Directors

Council had no recommendation.

Resolution No. 4 - Business Confidentiality and Customer Privacy for Municipal Utilities

Council recommended support.

Resolution No. 5 - Open Meetings of Governmental Agencies

Council recommended support.

Resolution No. 6 - Media Literacy

Council recommended support.

Resolution No. 7 - Human Dignity & Zero Tolerance for Hate Crimes

Council recommended support.

Resolution No. 8 - Electric Industry Restructuring

Council recommended support.

Resolution No. 9 - Air Quality Funds

Council recommended support.

Resolution No. 10 - Urban Forestry Programs

Council had no recommendation.

Resolution No. 11 - Brownfield Development

Council had no recommendation.

Resolution No. 12 - Criminal Alien Impacts on Local Government

Council recommended support of the resolution with respect to "reimbursement to local agencies, specifically cities, for the costs associated with incarcerating criminal illegal aliens, including the pending Immigration Bill HR 2202."

Council recommended opposition to the resolution regarding assignment of Immigration and Naturalization Service agent "to cities that operate jails and detention centers to identify and place a hold on suspected criminal aliens in an effort to enhance the criminal justice process and prevent such criminal aliens from being released into California communities."

Resolution No. 13 - Fire Extinguishers

Council recommended support.

Resolution No. 14 - Voter Approval for Revenue Measures

Council recommended support.

SCHEDULING SECOND REGULAR MEETING FOR OCTOBER:

Council set October 22, 1996, at 7:00 p.m. for the second regular meeting for October, 1996.

TREE COMMISSION APPLICANT INTERVIEWS:

Council appointed Council Members Ryhal and Losoya to interview applicants for a Tree Commission vacancy (filling the position of Ginger Minney).

FUTURE MEETING AGENDA ITEMS:

There were no future meeting agenda items suggested.

ORDINANCE NO. 1291 - UNIFORM CONSTRUCTION CODES:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous roll call vote, the City Council adopted and read by title only Ordinance No. 1291, "An Ordinance Repealing Article 1 of Chapter 17 of the Code of the City of Woodland, California, 1955, and Enacting Article 1 of Chapter 17 Concerning Plumbing, Mechanical and Other Construction Regulations."

CLOSED SESSION:

The Council originally scheduled a closed session for a conference with legal counsel regarding anticipated litigation and significant exposure to litigation, but Vice Mayor Losoya announced that there was no need for the closed session.

ADJOURNMENT:

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