Council Chambers 300 First Street Woodland, California

March 19, 1996

The Woodland City Council met in special session at 6:15 p.m. in order to convene a closed session concerning a public employee performance evaluation (Government Code Section 54957) regarding City Manager. Council also held a second closed session for a conference with Legal Counsel concerning significant exposure to litigation pursuant to Government Code Section 54956.9(b). Council Members present at the meeting were: Sandy, Borchard, Rominger, Slaven, Flory (arrived at 6:35 p.m.); Council Members absent: None. City Manager Kris Kristensen, Finance Director Margaret Vicars, Community Development Director Janet Ruggiero, and City Attorney Ann Siprelle attended the second closed session. The special session was adjourned at 6:55 p.m.

The Woodland City Council met in regular session at 7:00 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Sandy 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: Sandy, Borchard, Flory, Rominger, Slaven

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Ruggiero, Siprelle, Wegener, Vicars, Bryan, Smith,

Ponticello, Moutinho, Rice, James, Wilson, Tice,

Martinez, Buchanan

MINUTES:

On motion of Council Member Borchard, seconded by Council Member Slaven and carried by unanimous vote, the City Council approved the minutes for the regular Council meeting of February 6, 1996, as prepared.

COMMUNICATIONS:

- 1. From Finance Director Margaret Vicars a memo was received advising of claims covering payroll and accounts payable the City of Woodland paid for February 1996.
- 2. From the State Department of Alcoholic Beverage Control a copy of an application was received for an off-sale beer and wine license (person to person transfer) for Exxon Mini Mart, 1592 East Main Street, Woodland.

3. From Norma A. Cordova a claim against the City was received in regard to an accident on January 29, 1996, at 175 Walnut Street, when claimant fell and injured her right leg. The City's insurance representative recommends that the Council reject the claim and refer it to them.

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council rejected the claim against the City filed by Norma A. Cordova and referred the claim to the City insurance representative.

4. From Steven C. Sabbadini, attorney, a claim against the City was received on behalf of Cara Joan Weisenberg. The claim stated that claimant was injured during an arrest which occurred at her residence on September 3, 1995. The City's insurance representative recommended that the Council reject the claim and refer it to them.

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous vote, the City Council rejected the claim against the City filed on behalf of Cara Joan Weisenberg and referred the claim to the City insurance representative.

5. From Jerry Kaneko, Chair of the Yolo County Transit Authority, a letter was received requesting that the Council review and comment on AB 2151 which would create the Yolo County Transportation District.

Vice Mayor Rominger inquired about page 7 of AB 2151 which suggests that the District Board of Directors may have authority over "the movement of information" such as the InfraNet proposal.

The City Manager said he was quite sure that the organizers of the District were not interested in trying to regulate communication networks, etc., but he said he will prepare a letter in support of AB 2151 and ask for that clarification.

- 6. From Jonathan P. Perlman, M.D., from the Department of Ophthalmology of the Woodland Clinic Medical Group a letter was received in support of the installation of acoustic crossing signals at certain crosswalks in Woodland.
- 7. From Marilyn Kregel a letter was received advising that she was nearly run over by a bicycle rider on Main Street in front of the Daily Democrat building as she was leaving an Opera House function.

The City Manager said he will request that the Police Department look into the matter and post appropriate signs at Heritage Plaza. He pointed out that enforcement is very difficult on a 24-hour basis.

COMMITTEE REPORTS:

- 1. From Fire Chief John Buchanan a report was received transmitting the minutes of the Yolo County Communications Emergency Services Agency meetings of February 7 and February 23, 1996.
- 2. From City Manager Kris Kristensen a report was received transmitting the minutes of the Water Resources Association meeting of February 9, 1996.
- 3. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Historical Preservation Commission meeting of February 14, 1996.
- 4. From the City Manager a report was received transmitting the minutes of the Yolo Solano Air Quality Management District Board meeting of February 14, 1996.
- 5. From the Community Development Director a report was received transmitting the minutes of the Community Development Block Grant Evaluation Committee meeting of February 22, 1996.
- 6. From Director of Public Works Gary Wegener a report was received transmitting the minutes of the Traffic Safety Commission meeting of February 26, 1996.

Vice Mayor Rominger noted that the minutes state that the Woodland Police Department has adopted a General Order that authorizes the impounding of vehicles for up to 30 days if driven by people with suspended or revoked drivers licenses. She said she feels this is okay but asked if the Police Department can come out with a General Order without Council approval.

The Community Development Director said she attended this meeting, and the General Order was in response to a State law which went into effect and allows cities to impound for this purpose. She said there had already been some delay in enforcement of the law, and therefore the Police Department was able to go ahead and implement the State law.

- 7. From the City Manager a report was received summarizing topics discussed at the Yolo Economic Strategies Group Steering Committee meeting of March 4, 1996.
- 8. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of March 7, 1996, as follows:
 - a. Commission cancelled the March 21 meeting due to lack of items.
 - b.Commission approved Tentative Map No. 4283 which divides a 5.67 acre parcel into two lots at the southeast corner of Thomas and East Main

Streets. Parcel A is 5 acres in size and contains the Orchard Super Hardware store and the adjacent parking lot, and Parcel B is .67 acres in size and contains the vacant pad at the corner of Thomas and East Main Streets. The Commission also certified a categorical exemption.

9. From the City Manager a report was received summarizing topics discussed at the Chamber/City 2 x 2 meeting of March 13, 1996.

PUBLIC COMMENT:

Martha Fuchslin thanked Mayor Gary Sandy and Council Member Slaven for serving the citizens of Woodland well during their terms on the Council.

Ernie Pfanner said he was speaking to the Council as a friend and a neighbor and not as a member of the State Water Quality Control Board. He distributed to the Council copies of an article in the Sacramento Bee which stated that a survey conducted indicated that water quality was a first priority and education was second. He also distributed other data. He said he was appointed by Governor Wilson as a member of the Central California Water Quality Control Board which represents 35 counties and 65,000 square miles. He said Yolo County is fortunate to have the Sacramento River for surface water, Cache Creek for surface water and Putah Creek. He said the County also has a great underground system, and he urged the City to do anything it can to protect that system. He said we have recently found out that we have the highest mercury count in Cache Creek that we have ever had. Because of that we should watch that very closely.

Library Services Director Marie Bryan thanked Mayor Gary Sandy on behalf of the Woodland Library Board and the Strategic Planning Committee for his hard work on that committee. She presented the Mayor with a W.P.L.S.P.C. (Woodland Public Library Strategic Planning Committee) t-shirt.

Don Sharp, 806 California Street, Woodland, said there is a potential problem for the downtown area. He said he received a parking ticket today for edging into the "red" area between two parallel parking spaces along Main Street. He noticed that the parking enforcement officer was ticketing any car which infringed on the "red" zone between the two parking spaces. He said this will not work well for merchants along Main Street especially since parking at the Mall is free.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Sandy temporarily adjourned the meeting of the Council at 7:20 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 7:21 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

Vice Mayor Rominger requested removal of the final map and agreement for Sycamore Ranch East, Unit 2, from the Consent Calendar.

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

WASTEWATER TREATMENT PLANT STAFF CHANGES:

The City Council (1) approved the addition of three positions, Senior Water Pollution Control Operator Range 47, Pretreatment Specialist Range 49, and Pretreatment Assistant-in-Training/Pretreatment Assistant Ranges 39/43; (2) approved the reclassification of the Wastewater Treatment Supervisor position Range 50 to Water Pollution Control Manager Range 53; and (3) approved the new job descriptions for the Wastewater Division.

LEASE AGREEMENT FOR PORTION OF DUBACH PROPERTY:

The City Council authorized the City Manager to execute a lease agreement with Bernie Gorman, Jr., on behalf of the City of Woodland (for use of 8.5 acres of land north of Kentucky Avenue formerly owned by Mr. and Mrs. Leo Volkl).

LOCAL AREA NETWORK (LAN) WIRING:

The City Council authorized the Finance Director and Purchasing Manager to negotiate a contract for Network wiring services for an amount not to exceed \$24,000 (for City Hall and Municipal Service Center).

<u>CERTIFICATES OF APPRECIATION FOR CHILD CARE AND PARKS AND RECREATION COMMISSION MEMBERS:</u>

The City Council approved certificates of appreciation for Child Care and Parks and Recreation Commission members.

AUDIT SERVICES:

The City Council authorized the Finance Director and City Manager to

negotiate a contract with the firm of Maze and Associates for annual audit services for three fiscal years beginning with Fiscal Year 1995-96.

YOLO COUNTY ORDINANCE REGULATING GROUNDWATER EXPORTS:

Council received an update on the proposed County ordinance regulating groundwater exports. Council was advised that a public workshop is scheduled for April 15, 1996, at 625 Court Street, Woodland.

RESOLUTION NO. 3949 - RESIDENTIAL SEPTAGE DISPOSAL FEES:

The City Council adopted Resolution No. 3949 establishing a septage disposal fee of \$0.05 per gallon, a septage laboratory testing fee of \$20.00 per truckload of domestic septage, and a liquid waste hauler discharge permit fee of \$100.00.

REGULAR CALENDAR:

FINAL MAP FOR SYCAMORE RANCH EAST, UNIT 2:

Vice Mayor Rominger noted that the final map Subdivision No. 4245 (Sycamore Ranch East, Unit 2), indicates that Witham Drive goes into Hoppin Court. She said she thought the City's street naming policy was to extend the drive to a court and not change names.

The Community Development Director said the Fire Department has named all of the streets, and she said normally that is what would occur.

The Public Works Director said Council could defer action on this item to give him an opportunity to discuss it with the Fire Chief.

REFERENDUM PETITION ON GENERAL PLAN:

Council Member Borchard said he will not speak to the items regarding the General Plan where he has a conflict of interest, but will remain in his Council seat to address issues he can.

City Clerk Jean Winnop outlined the process regarding the referendum petition on the General Plan. She said she received on March 8, 1996 a letter of intent from Citizens Right to Vote Committee as well as a sample petition requesting that the City of Woodland either repeal Resolution No. 3944 which was adopted on February 27, 1996, approving the General Plan or submit the matter to a vote of the electors of the City at an election. She said the petition would have to be filed in the City Clerk's office on or before March 28, 1996, and 1,982 signatures would be necessary to make the referendum petition sufficient. With

respect to cost she said the County Clerk has estimated a cost of \$35,000 for a stand alone election or \$27,000 for placing the matter on the November 5, 1996 ballot coinciding with the State General Election.

Responding to a question from Mayor Sandy, the City Attorney said people may withdraw their signatures from the petition by filing a statement with the City Clerk's office. Answering a question from Vice Mayo Rominger, she said if the resolution approving the new General Plan is placed on the ballot for a vote and if the majority of voters do not vote in favor of the resolution, then the City cannot adopt the same resolution with the same General Plan within one year. The Council could adopt a different General Plan within one year.

Community Development Director reviewed three questions which have been raised. The first question was "If sufficient signatures are gathered and the petition is certified, which General Plan is in effect?" She said once the petition has been certified the City goes back to the 1988 General Plan. The 1996 General Plan would not be in effect and cannot be implemented. The 1988 General Plan would remain in effect until (1) an election is held and the referendum is defeated, (2) an election is held and the referendum is approved and a new General Plan is adopted, or (3) the City Council rejects the 1996 Plan and a new General Plan is adopted. The second question was "What happens if the City remains with the 1988 General Plan?" She said any project that was relying on a change in a land use designation or inclusion within an expanded urban limit line is impacted. These include specifically the County Fair Mall expansion which needed a change in land use designation and is already in the Urban Limit Line, the Spreckels industrial area which needed expansion of the Urban Limit Line, and the Woodland Christian School which is working on the extension of sewer services contingent on the inclusion of their land within the Urban Limit Line. She said the school use itself would be allowed outside the Urban Limit Line, but preparers of the Environmental Impact Report are dealing with sewer issues and have been working with City Public Works staff to see if connection could be made. She said in the past those connections have been limited to the area within the Urban Limit Line. The area north of Kentucky Avenue would still be designated residential even though it is within the Corps study for a 100 year floodplain. Additionally, the Utility Master Plans will need to be placed on hold pending a determination of the General Plan status because the basis for their development is the land configuration and designation identified within the General Plan. She said storm drainage and water are really the two main concerns, and also there are some issues regarding sewers which were being addressed through the Sewer Master Plan reflecting the updates.

Director of Public Works Gary Wegener said the Street Master Plan was also an issue which the City needed to move forward in relation to the East Street Corridor Specific Plan. The I-5/SR 113 connection is impacted also in that area.

The Community Development Director said the reason the Street Master Plan becomes a problem is because the 1988 traffic model is out of date based on SACOG projections, and the City updated the 1996 traffic model to reflect the 1996 Plan with the updated SACOG figures. She said these are on hold if the 1996 Plan is rescinded, and there are changes that effect traffic distribution and the traffic She said the third question is "What if the City Council decides to repeal the Resolution adopting the 1996 General Plan and agrees to reopen the General Plan discussion?" She said the referendum is written in such a way that it essentially calls for the repeal of the whole plan. She said the Council would then need to determine whether to remain with the 1988 General Plan or to modify the 1996 General Plan. She noted that the City Council cannot approve a General Plan that is essentially the same as the Plan under the referendum for one year. If the Council decides to modify the 1996 General Plan, it must reopen the entire Plan for public review and process. The Council will want to give direction in terms of what areas the Council would like to see changed, keeping in mind there are two new Planning Commissioners and new Council Members. The public will also take the opportunity to give additional input into the Plan. She said the data collection that has been done and much of the analysis that has been done will be reusable and available. The City will still need to go through the process of preparing a draft document for review. A draft EIR will have to be prepared, and the EIR will have to go out for review and comment both at the Planning Commission and Council level. The time frame on the review will depend on the changes that are proposed to the 1996 document. She said she was uncertain about the cost because it would depend on what changes are made.

The Public Works Director said in addition to what the City has paid to Mintier and Associates for the General Plan the City has also funded the consultants for the Water, Sewer, Storm and Street Master Plans.

Mayor Sandy pointed out that the funds for the 1996 General Plan were budgeted, and he was not certain where the new funds will come from. He then invited comments from the audience.

Annamarie Barros, member of Citizens Right to Vote Committee, read a prepared statement. She said the Committee is a cross section of Woodland voters. The original supporters include former elected officials and Planning Commission appointees, as well as concerned citizens of varying ages, time in the community and participation in local activities. She said they are a responsible and concerned body which supports the principals of the rights of all citizens to be assured that their governing body operates under democratic principles and that the decision making process allows for full disclosure. She said they truly believe that the process from the very start did not allow for discussion of all pertinent issues. Se said there were road blocks set up that placed restrictions on information gathering by both staff and the Planning Commission. Public input and comment, therefore, was hampered by incomplete data. She said their concern is

limited to data related to the land use portion of the Plan. They do not question the other elements such as transportation and circulation, housing, historical preservation, etc. She said they tried to participate in the process by bringing their concerns forward in all discussion arenas, but they were unsuccessful. She said they believe their Petition of Referendum as provided under Section 9237 of the California Elections Code is the way to determine if the adopted Plan has the degree of community support appropriate to a 25-year Plan. All previous General Plans and updates have had unanimous endorsement and support by both the Planning Commissions and City Councils that studied them. The fact that the Council "re-drew" the urban limit lines and reconfigured the planning area boundaries in December, near the end of the process, demonstrates a lack of concern for the many hours put in by staff, volunteers and the community at large. She said this action was divisive and polarizing. She said unanimity of purpose is not a requirement, but to break a precedent makes people ask why did it happen that way. She said the Committee therefore felt there was nothing else to do, given the time frame, but to attempt to put the issue before the voters. She said they recognize some problems, but do not believe the problems will be any greater than beginning to implement a 25-year plan with the guestion of community support in doubt. The referendum is a simple right to vote issue. She said when the signatures are obtained then time will be available to explore those specific issues of concern expressed by many individuals. It will also allow time to gather information necessary to make an informed decision. She said she hoped the Council will appreciate their concerns and look to other alternatives that might eliminate the need for a vote.

Pat Murray said she previously expressed support for the 1996 Plan the Council approved, and she had that opportunity at a public meeting. She said she understands that a referendum is a democratic process allowed within our system, but she is concerned about the current referendum. She said the citizens are not circulating petitions because they are not being heard. The signatures are being collected and being paid for by people who are not members of our community. She said the people gathering the signatures are coming from the outside and being paid large sums of money. She said she is not certain that represents her democratic opinion of how our government works. She said she felt she could come to the Council meetings and express her views just as anyone else could.

Tom Lumbrazo, planning consultant of Northern California and member of the Chrysalis Group, said referenda create a negative image for a community, and that is important as it relates to business attraction. He said Chapter 9 of the General Plan which is the Economic Element was developed to attract business. He pointed out that a community to the south has had numerous referenda and is now having difficulty balancing its budget. He said many valued and prized businesses do not consider locating in communities that have referenda or problems in terms of a support base. He said in January of 1995 he brought an executive from Hewlett Packard to meet with UCD officials, Woodland officials,

Davis officials and Yolo County officials for the purpose of discussing site selection criteria for major corporations. He said one issue such corporations want is solidarity in the Council with 5-0 votes and no referenda. He said this is an issue important to them when they want to invest \$50,000,000 or \$100,000,000 in a community. He said InfraNet was interested in Woodland because of the size of the community, the planned growth area, and the proximity of UCD. He said there is uncertainty in terms of the planned growth area, and that could have an impact ultimately on how InfraNet could work.

Reed Youmans said the Council has made a great effort to come up with a fair solution, and there have been many public hearings and all have been able to participate. He said not everyone has gotten what they wanted out of the General Plan but the job is done. He said the City should press on with an equitable way to proceed and get the future going for the City of Woodland.

Dave Taormino said he has been through four referenda in the City of Davis, and one of his concerns is candor. So far, he said it has been a mystery about who is paying for the petition gatherers. He said in politics when you do not understand what is going on you always look to the money and where is the money coming from. He said when a group fails to disclose where the money is coming from you cannot help but wonder if it is all good will or bad will. He said his personal belief is that this is a battle between two different groups of land owners. Some people are in the General Plan and others are not in the General Plan. Those who are not in the General Plan are unhappy about it, but he said the public is not stupid and eventually will understand what the battle is all about. Unfortunately, he said the City and its citizens become the whipping post. There are land interests on one side and land interests on the other side, and it will eventually become clear what those interests are. Unfortunately by the time it becomes clear there is a lot of money spent, and there is a lot of anger involved. He said this General Plan is not perfect, but he has not seen a perfect general plan. He said that is the purpose of the General Plan amendment process. He said he hoped that the signatures are verified as well as the process used in gathering the signatures.

Don Sharp, 806 California Street, Woodland, spoke as chairperson for the General Plan task force of the Chamber of Commerce. He said the process was lengthy with over 2 1/2 years of study, and there was a considerable amount of money spent in coming to a decision. He said the Chamber of Commerce supports the 1996 General Plan and wishes it to move forth in an expedient manner. He said the referendum would invalidate the entire General Plan, and that is important for people to understand. The wheels of development will generally be stopped.

Jim Nielsen, 27 year resident of Woodland, said three of his children attend Woodland Christian School. He said he has followed the General Plan, and it appeared to be a long and deliberative process. He said there are issues of good

faith and projects are pursued and planning occurs based on some anticipation. He said once a community has a general plan there is concrete assurance. He said the referendum allows for the election process, but he came in support of the Woodland Christian School project. He said Hiram Johnson when he first conceived the idea of the referendum did not feel that simple descent from an issue was a reason, but rather that there was some abuse which did require redress by the full participation of the public.

Joe Crescione, citizen of Woodland and former Council Member, said initially he was very deeply involved in the General Plan process which was very well developed. He said he agreed with the entire process and he questioned many issues until he was confident with the process. He said he monitored the development of the Plan until the very end, and he said he was concerned about the way the General Plan process ended. He said the entire process was disregarded in the end, and that is the problem he has with the General Plan. He said he felt the studies were very well done and the information gathered was accurate, but he said not all of the area that surrounds the community was taken into account. He said that final decision left no confidence. He said when talking about the Christian School project we are just talking about engineering. He said he is afraid that the Council tried to rush its decision.

Mark Aulman, 904 First Street, Woodland, said he was a member of the Baseball Facilities Planning Group which presented the Baseball Specific Plan (approved by the Council on February 22, 1996). He said the Baseball Specific Plan is going to become an accidental casualty with the referendum process. He said he understands there is provision that the General Plan can be amended four times a year, and he wanted to know why the General Plan amendment process could not be followed.

William Tolson said as a potential Council Member he has some concerns about this whole process. He asked why the lawyers involved in wording the referendum petition could not keep the elements of the General Plan which every one agrees on. He said the argument for this whole referendum is geography. He said the ultimate decision on approving the Plan has been removed from the hands of the Council and placed in the hands of the people who are circulating the petition. He said he did not know what it would take to satisfy them. He said he wished they would have defined some parameters within which this decision is going to be made, and he said the supporters are asking the people to sign a blank check to them.

Elizabeth Zemmels, Yolo County Superintendent of Schools and resident of Woodland, said Yolo County Schools have challenges in planning for facilities and for future expansions throughout the County, and her office has tried to be involved in the planning process of the communities. She said she has been a member of the Davis General Plan update committee. She said she has attended

numerous meetings on Woodland's general plan and each time she has spoken and was treated with respect. She said she knows her ideas have been considered. She said schools have a difficult time planning if they do not know where the community is going. She said many times bonding has to be used to get funding for the schools. She said there have been many opportunities for input into this Plan, and a final decision has been made.

Cirenio Rodriguez said he has been a resident of Woodland for 15 years and is very concerned with the petition that is being circulated. He said a 3-1 vote of the Council approving the General Plan is not a bad decision. He said in a democracy the citizens have the right to circulate a referendum petition, but they do not have the right to incur costs to this community. He said the \$300,000 spent on the General Plan will have been wasted.

B. J. Ford said when thinking of the passion involved in this referendum, she recalled the toter issue. She said citizens of Woodland felt the toters were being forced on them without adequate input. Then she remembered the television cable outlets which destroyed the beautiful landscaped yards of Woodland but now are very seldom noticed. She said these issues could have been submitted to the voters as well. She said the City spent a lot of time and money resolving the two issues. When the City spends money the taxpayer is paying. Now the City has spent \$300,000 to put together the updated General Plan with 57 separate meetings. The Council received from the Planning Commission, an advisory commission, the suggested Plan, and together they worked out several revisions. The Plan was then adopted by a majority of the Council, which is all that the law requires. She asked if all of the 30 people backing the referendum participated in all or any of the public meetings or studied the Plan. She said the referendum may cost Woodland a lot of energy, money and time but this too shall pass.

Vice Mayor Rominger said she asked the City Manager to have this matter placed on the agenda because there have been a lot of rumors and innuendos and misinformation circulating in the community. She said she wanted the community to be advised what the process is, what the impacts are, and the cost. She encouraged the members of the community to read the General Plan, read the referendum petition and consider that the General Plan did pass by a 3-1 vote of the Council. She said it is important to remember that the Council is the elected body. She said her position is that she is a member of the City Council, a representative of the City, and the City Council has an adopted General Plan.

Council Member Slaven thanked those who spoke at the meeting. He said there has been a deliberate attempt by individuals to delay action on the General Plan until the new Council is seated, and this has held back the progress of Woodland and is costly to the City. He said his biggest concern with the referendum is that Woodland has always taken pride in its community spirit by pulling together on various projects with a tremendous amount of volunteers. Since the referendum has said he has already seen a split coming, and there are hard feelings being developed. He said if this continues and results in an election, there will be a further division in the community. He said another negative side is the delay in important projects which is caused by the referendum.

Council Member Flory said he agreed that the community is being split by this referendum. He said the community and the Chamber of Commerce is working hard on economic development. He said the community will get a negative reputation with the referendum. He said the whole issue is geography, and he said it is only through compromise that the Council came up with the Plan that it did. He said the reason for the compromise is that it is so important for this community and the future of this community to get the Plan out. He said it is a workable Plan. He said the General Plan can be amended four times a year, so the process is there. He said he felt it is important that the people involved in gathering the signatures for the referendum are educated on what the issues are and do not give out misinformation.

Council Member Borchard said the area where he has a conflict of interest is a large component of the General Plan so he will not comment.

Mayor Sandy said the worst part of the referendum is that the General Plan is a good one. He said 98 percent of the Plan met with nothing but universal acclaim. He said the Plan is being trashed by this ill-fated process in place. He said he agreed with Mr. Tolson that if the petitioners were interested in the community's interest they would challenge only the land use portion and not throw the whole Plan out. He said over two years ago the City said it would complete the Plan in two years and not one objection was heard. He said as the deadline drew closer there were several people stating that the decision should not be made. He said there were numerous opportunities for public comment.

STUDY OF POTENTIAL GROWTH EAST OF COUNTY ROAD 102:

The Community Development Director said the 1996 General Plan Policy Plan calls for the City to study the implications of the future development of the Urban Reserve area to determine if it is a feasible and appropriate location for future development. She said if the Council is interested commencing the study staff suggested that Council direct staff to prepare a scope of study, a preliminary budget and estimated time line.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council instructed staff to prepare a scope of study, an estimated budget and time line for the study of potential growth east of County Road 102.

FUNDING FOR GENERAL PLAN EIR COST:

The Community Development Director said the firm of Mintier and Associates have completed their work on the preparation of the General Plan and final and draft Environmental Impact Report to the General Plan. She said they exceeded the contract amount by \$12,000. She said the last time staff presented the contract to the Council the staff had estimated costs at \$25,000 based on a best-case scenario. She said because two of the comments on the draft EIR were lengthy and complicated and required many hours of work in preparation of the Final EIR the work exceeded estimates.

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council authorized the City Manager to sign an amendment to the contract for services for J. Laurence Mintier and Associates in the amount of \$12,000 (from General Fund reserves).

Council took a recess from 8:42 p.m. until 8:48 p.m.

CURFEW ORDINANCE:

Mario Martinez, Diversion Counselor of the Youth Services Unit of the Woodland Police Department, briefed the Council on the City's curfew which has been in effect since January of 1965. The City's curfew ordinance provides that minors under the age of 18 shall not be allowed in public streets and other palces betweeen the hours of 10:00 p.m. (11:00 p.m. daylight savings time) and sunrise immediately following. He said the Police Department established a Diversion Program in 1987 when the Probation Department was no longer directly prosecuting curfew violations. Instead the Probation Department had a contract with Diogenes to deal with these violations. At that time, the Youth Services Officer assisted Diogenes in managing the curfew program. In 1988 the Probation Department stopped funding the program and Diogenes withdrew from participation. The Police Department remains the sole respondent in conducting curfew hearings.

Vice Mayor Rominger said she felt a daytime curfew could be helpful. After some discussion Council Members agreed the City should look into a daytime curfew. Staff also agreed to send a flier to the schools reminding of the curfew hours.

LIBRARY BLOCK LANDSCAPING IMPROVEMENTS:

The Director of Public Works reported that he met with Julie Mata and Mary Ellen Macenzie of the Library Rose Club and Mr. Ed Ketchum, an engineer working with the Army Corps of Engineers in Sacramento, to review plans for the proposed Children's Garden and Trellis areas. The long range goal, as stated in a February

27, 1996 letter to Mayor Sandy, is to fully implement the parking area to the west of the Library into a Rose Garden and Amphitheater, and the gravel lot to the north into a Species Rose Garden. He said after discussion about the area parking requirements there appeared to be agreement to relook at how the Rose Club could develop the landscaping plan for the future parking improvements that were designed as a future phase of th Library improvement project. This could possibly include a trellis structure over the planned parking against the west wall of the Library, which would avert the elimination of ten+ parking spaces. In the interim he said it appears feasible to allow the Rose Club to proceed with the Children's Garden as it would only impact a little utilized motorcycle parking area. The City will further evaluate the costs and possible construction timeframes for the parking lot improvements. He said Mr. Ketchum is completing his report on drainage issues related to the Library. Discussion with him indicates there are several issues that should be addressed this summer, which should greatly assist the drainage in the inner courtyard of the Library. A cost estimate is \$15,000 to \$20,000. Several of the problems appear to relate to the original design and/or funding shortages with the last expansion project on the Library.

Bonnie Freshwater of the Library Rose Club explained their proposal to utilize the \$6,500 from the Stroll Through History earnings last year for the Children's Garden. She said they envisioned miniature roses with topiary work, including the White Rabbit from Alice in Wonderland. She said they plan to have children actually plant the roses. She said they plan to take the landscaping out in the area in back of the existing garden because that is where the serious drainage problem exists. She said the rose planting is an educational as well as a beautification process. She said they are aware of the need for parking for the public as well as the Library but have asked to have a species garden in the gravel lot to the north. She said what they are proposing is so distinctive is that it will change the character of the Downtown. She said they are not just asking for a bunch of flowers or a decorated parking lot but an outdoor community center adjacent to the City's cultural center, the Library.

The Public Works Director suggested that staff come back to Council with a plan to proceed with the Children's Garden. The issue of the trellises along the west wall of the Library is really tied in with the parking issue. He said they will be reporting back shortly with improvements to the parking lot. One possible trade off is that the rose theme can be incorporated into the landscaping aspects of the parking lot. He said there will be some City funding with the demolition work for the Children's Garden, the curbing and irrigation system.

The City Manager said the City can proceed with the Children's Garden now, but if trellises and landscaping work is done along the edges near the curb significant changes have to be made to the parking lot. At that point he said the Council needs to decide if the area will be parking, roses, or a combination of the two. He said the Rose Club is asking that the area eventually become an entire

rose garden.

The Public Works Director said the approximate cost of surface parking when land acquisition is included as well as paving, landscaping and site improvements is approximately \$5,000 per space. He said this would be the cost to replicate that parking lot elsewhere.

After some discussion the Council agreed staff will report to the Council on the Children's Garden proposed by the Library Rose Club and report on long term plans for the lot at College and Court Streets.

COMMUNITY INFORMATION COOPERATIVE FEASIBILITY STUDY:

The City Manager proposed a cost sharing agreement between the City, InfraNet and the Chrysalis Group for a feasibility study on the possible creation of an integrated community interactive network. He said the agreement calls for a four to five month process conducting a three-phase feasibility study to examine what the current capabilities are in the community and what is the current demand for new services. If the demand is sufficient the study will address how might a utility be constructed, created and operated as a functional network. The entire cost of the study is estimated at \$270,000. InfraNet will pay \$150,000; Chrysalis Group will contribute \$85,000 (including a \$35,000 direct contribution); and the City of Woodland would contribute a maximum of \$35,000. The City's contribution would be offset by contributions from other agencies in the community. Pledges so far have been received from Woodland Memorial Hospital, Yuba College, Woodland Joint Unified School District, Yolo County, and the Yolo County Office of Education. He recommended that the Council fund the City's portion from the Redevelopment Agency's 1995-96 economic development budget, and a \$6,000 balance would come from the City's General Fund reserves. He said the Council would receive reports at the end of each phase of the study.

Eric Paulsen said he is not opposed to the idea of the InfraNet fiber optics proposal, but he said the Council might want to consider having the new Council make the decision since it will be living with the agreement. He also suggested looking at other companies which have a proven history for comparison.

Tom Lumbrazo of Chrysalis Groups said the Council should be proud of the partnering effort that has occurred. He said the main benefit is the interconnectivity between the various agencies, there will be cost savings from working together, and there will be better communications between the agencies.

Council Member Slaven said the City has been studying this proposal for quite some time, felt it is quite refined and supported moving ahead.

Vice Mayor Rominger said her initial reaction was one of caution, especially

since the City is often asked to go out alone with upfront money. She said she feels more comfortable with the City's participation when there are other agencies participating.

Mayor Sandy said he felt this is a great opportunity for the City.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council approved a cost sharing agreement between the City of Woodland, InfraNet, Inc., and Chrysalis Group to conduct a feasibility study regarding the possible creation of an integrated community network at a cost to the City not to exceed \$35,000; and appointed Vice Mayor Rominger as a representative and Council Member Borchard as an alternate to act on behalf of the City in the progress of the study.

SOUTHEAST AREA SPECIFIC PLAN AMENDMENT/COUNTY ROAD 101 & GIBSON ROAD INTERSECTION CONTROLS:

The Southeast Area Specific Plan outlines certain traffic control improvements that were necessary for implementation of the Plan at the intersection of Gibson Road and County Road 101. Those were implemented last September which caused some controversy among neighbors in the area of the intersection. The City Council was approached with a petition from a number of residents disagreeing with implementation of the changes and asking for the Council to change it back. The Council appointed a committee headed by Vice Mayor Rominger to meet with property owners adjacent to the Southeast Area development as well as School representatives to try to work out some solution There were two meetings in November and December and a compromise solution was reached. The solution would allow left turns traveling east bound on Gibson Road to turn northbound onto County Road 101. He said Morrison Homes which owns 17 properties on the east side of County Road 101 north of the intersection indicated the resulting increase in traffic from the change would hurt the values of those particular properties. Since the compromise solution staff has been working with Morrison Homes to see if an agreement could be reached in terms of compensation given to Morrison Homes. He presented Council with a draft agreement which calls for the City to credit in the form of City permit fees and City development fees to a total of \$155,000 for the resulting loss in value to those 17 properties with the understanding that the information would have to first be made known to the potential buyers and would be recorded against the property. He said this matter still requires a change to the Southeast Area Specific Plan before actual implementation can take place.

The following persons offered comments: Nancy Weatherford, principal of Willow Springs School; Michele Hicks; Darren Iketani; Barbara Fleck; and Kim Jett. After discussion the following Council action was taken:

On motion of Council Member Rominger, seconded by Council Member Flory and carried by the following vote, the City Council (1) approved an agreement with Morrison Homes regarding the possible increase in traffic volumes along County Road 101 north of Gibson Road and (2) directed staff to begin the process necessary to amend the Southeast Area Specific Plan to change the traffic controls at the intersection of County Road 101 and Gibson Road to allow for left turns from Gibson Road onto northbound County Road 101:

AYES: COUNCIL MEMBERS: Flory, Rominger, Sandy

NOES: COUNCIL MEMBERS: Slaven, Borchard

Vice Mayor Rominger asked that the Council send a letter to the School District advising of the changes that may be occurring and asking for the topic to be discussed at a 2x2.

NOISE STUDY - VICINITY OF IDLE WHEEL ESTATES AND ROYAL PALMS:

The Community Development Director said the City received a letter from George Moffett with a petition requesting that the City erect a soundwall for Idle Wheel Estates and Royal Palms on County Road 101 and Gum Avenue. She said the Southeast Area Specific Plan EIR indicates that a noise wall is not necessary for County Road 101 or Gum Avenue at Idle Wheel Estates. The EIR required a soundwall along Pioneer Avenue which has been installed. Because of these concerns and the number of questions directed to her department, staff suggested that Brown-Buntin, the firm that did the noise analysis for the Southeast Specific Plan EIR conduct a noise study to determine if the requested soundwall should be installed. The cost for such a study is estimated at \$2,000.

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized the City Manager to sign a contract for \$2,000 with Brown-Buntin to conduct a noise study of Idle Wheel Estates and Royal Palms.

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

COMMUNITY EMERGENCY SERVICES AGENCY EQUIPMENT ACQUISITION:

Fire Chief John Buchanan said January 17, 1995 Council approved the proposed plan for a new computer assisted dispatch computer and associated emergency dispatch console equipment. In January of 1996 Yolo County Communications and Emergency Services Agency (YCCESA) learned that additional radio communications equipment and a Technical Systems Integrator (consultant) associated with the new technology for the successful operation of the system was

needed and would be in addition to the original estimates. The YCCESA Board met with the vendor, Motorola Corporation, to negotiate a reduction in new cost estimates. A plan was agreed upon, pending each governing board's approval to share costs for the new requirements. The proposed adjusted payment schedule gives the following amounts: 1995 \$48,305; 1996 \$53,512; 1997 \$75,007; 1998 \$83,685; 1999 \$83,685; 2000 \$83,685; and 2001 \$83,685. The total with the adjustment increased from \$435,910 to \$511,564.

On motion of Council Member Slaven, seconded by Council Member Borchard and carried by unanimous vote, the City Council authorized the City's representative to the Yolo County Communications and Emergency Services Agency (YCCESA), to approve the adjustment to the expenditure plan adopted by the City Council on January 17, 1995.

FINAL MAP AND AGREEMENT FOR SYCAMORE RANCH EAST UNIT 2:

Vice Mayor Rominger inquired about the street designations for the Sycamore Ranch East Unit 2 map.

The Fire Chief said he will research why the streets were named as outlined. He suggested that Council approve the map with the understanding that he and the Director of Public Works will get together with the street naming.

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved the Final Map and Subdivision Agreement for Subdivision No. 4245 also known as Sycamore Ranch East Unit 2 with the understanding that the final naming of the cul-de-sac will be resolved.

CHANGES FOR CERTAIN RECREATION POSITIONS:

On motion of Council Member Slaven, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved changes to certain recreation positions as proposed at no additional cost to the Parks, Recreation and Community Services Department Budget, as follows: (1) updated and broadened the Recreation Supervisor job description, (2) increased 75% regular part time Recreation Supervisor to full time Recreation Supervisor, (3) eliminated 75% regular part time Child Care Resource Specialist; (4) created temporary part time Special Program Coordinator for Youth Programs (1,000 hrs/yr); (5) created full time Administrative Clerk I position; and (6) created 75% regular part time Aquatics Coordinator position.

CITY'S SURPLUS PUBLIC EMPLOYEES' RETIREMENT SYSTEM FUNDS:

Council discussed uses of approximately \$500,000 in Public Employees'

Retirement System (PERS) surplus funds.

On motion of Council Member Slaven and carried by unanimous vote, the Council extended the meeting from 11:00 p.m. until 11:30 p.m.

After discussion the Council agreed to allocate the \$500,000 surplus in PERS funds as follows:

Council Chambers Audio/Video \$ 66,000
Storm Drain/Bush & College Streets 30,000
Park Playground Equipment 65,000
Baseball Lights 97,000
Two Police Officers for two years 234,000
Defibrillator seed monies 8,000

\$500,000

The City Manager said staff has direction from the Council on the surplus, and he said staff will come back to Council subsequently and try to specify exactly what has to happen with each one of the items.

CAPITAL BUDGET:

On motion of Council Member Rominger, seconded by Council Member

Slaven and carried by unanimous vote, the City Council approved the 1995-96 - 1996-97 Capital Budget.

FINAL FY 1995-96 OPERATIONS AND MAINTENANCE BUDGET:

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council adopted the final Fiscal Year 1995-96 City Operations and Maintenance Budget.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council extended the meeting from 11:30 p.m. to 12:00 a.m.

REVISIONS TO ROAD MAINTENANCE ASSESSMENT ENGINEER'S REPORT:

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council approved changes recommended by the Road Maintenance Assessments Engineer's Report Review Committee to: (1) utilize an average Industrial trip based DUE (dwelling unit equivalent) of 4.63 vs. 9.8; (2) assess vacant land at 15% of the assessments of fully developed land; and (3) require a comprehensive review of road maintenance requirements and funding on a five year cycle.

COMMISSION ON AGING APPOINTMENT:

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous vote, the City Council appointed Anthony Provine to the Commission on Aging for a term ending December 31, 1999.

ORDINANCE NOS. 1282 AND 1283 - ADULT ENTERTAINMENT:

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous roll call vote, the City Council adopted and read by title only Ordinance No. 1282, "An Ordinance Adding Section 25-21-75 to Article 21 of Chapter 25 of the Woodland Municipal Code Relating to Adult Entertainment Establishments"; and the City Council adopted and read by title only Ordinance No. 1283, "An Ordinance Amending and Adding to Sections 25-13-10-Table 2 and 25-13-20 of Article 13; and Section 25-14.5-40 of Article 14.5 of Chapter 25 of the Woodland Municipal Code."

ORDINANCE NO. 1285 - HOME OCCUPATIONS:

On motion of Council Member Borchard, seconded by Council Member Rominger and carried by unanimous roll call vote, the City Council adopted and read by title only Ordinance No. 1285, "An Ordinance Amending Section 25-21-45 of the Woodland Municipal Code (Zoning Ordinance) Dealing with Home Occupations."

ORDINANCE NO. 1286 - DISPOSAL OF RESIDENTIAL SEPTAGE:

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous roll call vote, the City Council adopted and read by title only Ordinance No. 1286, "An Ordinance of the Council of the City of Woodland Revising Chapter 19 of the Code of the City of Woodland Relating to Wastewater Discharge and Pretreatment."

ADJOURNMENT:

At 11:44 p.m. the meeting was adjourned to April 9, 1996, 7:00 p.m.

City Clerk of the City of Woodland	