Council Chambers 300 First Street Woodland, California

January 15, 1991

The Woodland City Council met in regular session at 7:30 p.m.

PLEDGE OF ALLEGIANCE:

Mayor Holman 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: Holman, Crescione, Flory, Sandy, Timothy

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Moe, Ruggiero, Bach, Moutinho, McDonell,

Hanson, Paulson

MINUTES:

On motion of Council Member Flory, seconded by Council Member Timothy and carried by unanimous vote, the City Council approved the minutes of the adjourned meeting of October 16, 1990, and the regular meeting of November 6, 1990, as prepared.

COMMUNICATIONS:

No communications had been received since the January 2, 1991 Council meeting.

PRESENTATION - PEDESTRIAN SAFETY CITATION:

Patrick Kane, Woodland District Manager of the California State Automobile Association, presented to Police Chief Bob McDonell on behalf of the City of Woodland a Pedestrian Safety Citation.

HEARING - APPEAL FOR APOSENTO ALTO CHURCH:

City Manager Kris Kristensen said the first of four public hearings scheduled is for the purpose of considering the appeal of the Planning Commission's denial of a conditional use permit for the Aposento Alto church to locate at 607 Main Street (formerly Breit's clothing store).

Senior Planner Tim Bach gave the staff report. He said the Planning Commission on December 20, 1990 denied the application of Aposento Alto church for a use permit to locate its facility at 607 Main Street with the following findings: (1) the property is located next door to an established alcoholic beverage outlet which additionally provides for dancing on specific evenings and is therefore an incompatible land use; (2) the project is within 500 feet of four established on sale liquor establishments; (3) the project would result in an increased burden to the Police Department to resolve disputes between the church use and the saloon use; (4) the Police Department has recommended denial of the project; (5) the Woodland Downtown Improvement Association is opposed to the project; and (6) the location is more suited for retail and/or business uses than for church uses. He said the Church proposed to reoccupy the old Breit's store and has a congregation of 125, two employees, one volunteer staff member and a twelve member board. He noted that the Council received three letters in regard to the appeal: (1) from Gary Evan McCurdy of the Woodland Presbyterian Church a letter of support of the appeal of the Aposento Alto Church; (2) from Gary Wirth of Wirth & McCandless architects a copy of a letter to Bob Warren, Realtor, suggesting some alternative sites for the Aposento Alto Church; and (3) from Jerome W. Grenley, Partner of Malgren and owner of the Breits store, a letter urging the processing of the use permit for the former Breits building by Aposento Alto Church.

Mayor Holman opened the hearing.

The following persons gave oral testimony: Reverend Ismael Castillo, pastor of the Aposento Alto Church; Mike Davis, 515 First Street, Woodland; David Wilkinson, 745 First Street, Woodland; Yolanda Martinez, 121 Inyo Place, Woodland; Gary Wirth, architect, 666 Dead Cat Alley, Woodland (and president of Downtown Improvement Association); Reverend Randy Vaughan, minister of the Woodland Alliance Church; Greg Barge, owner of The Daily Grind, 628 Main Street, Woodland; Larry Diaz, Woodland resident; James Schlueter, owner of Dead Cat Alley Brewing Co., 667 Main Street, Woodland; Rosalinda Martinez-Contreras, 805 Lewis Avenue, Woodland; Ann Edmondson, 911 Cleveland Street, Woodland; Ed Shelley of Corner Drug, 602 Main Street, Woodland; Lorri Saragoza; Doug Zeck, pastor of New Testament Church, Woodland; Joe Johnson, B J Heating and Air Conditioning, 1240 Wilson Way, Woodland; Tom Stallard, downtown property owner; and Tom Haggler, attorney representing Aposento Alto Church.

There being no further comments, Mayor Holman closed the public hearing.

After comments from City Attorney Ron Moe and Council the following action was taken:

On motion of Council Member Sandy, seconded by Council Member Crescione and carried by unanimous vote, the City Council upheld the action of the Planning Commission to deny a conditional use permit for a church at 607 Main Street with the following findings:

- 1.The property is located next door to an established beverage outlet which additionally provides for dancing on specific evenings and is therefore an incompatible land use.
- 2. The project is within 500 feet of four established on sale liquor establishments.
- 3. The project would result in an increased burden to the Police Department to resolve disputes between the Church use and the saloon use.
- 4. The Police Department has recommended denial of the project.
- 5. The Woodland Downtown Improvement Association is opposed to the project.
- 6. The location is more suited for retail and/or business uses than for church uses.

HEARING - RESIDENTIAL SPRINKLER ORDINANCE:

The City Manager said the second public hearing is for the purpose of introducing an ordinance to continue residential fire sprinkler ordinance provisions.

Dave Ostebo, Fire Division Chief, gave the staff report.

The following persons gave oral testimony: Chuck Townsend, Tanner Real Estate; Bob Bowen, Camray Development; and Bob Langhi of Camray Development. There being no further comments, Mayor Holman closed the public hearing.

After some discussion Council took the following action:

Ordinance No. 1182:

On motion of Council Member Timothy, seconded by Council Member Crescione and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1182, which supersedes Ordinance No. 1156, amending Section 9A-6 of Chapter 9A of the Woodland City Code providing for automatic fire extinguishing systems.

HEARING - SALE OF SAFE AND SANE FIREWORKS:

The City Manager said the third public hearing has been scheduled to consider introducing an ordinance to amend Chapter 9A of the City Code regulating the sale of safe

and sane fireworks.

Fire Division Chief Dave Ostebo gave the staff report.

Mayor Holman opened the public hearing, and there being no comments he closed the hearing.

Ordinance No. 1183:

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1183, "An Ordinance Amending Chapter 9A of the Code of the City of Woodland, California, 1955, Concerning the Sale of Safe and Sane Fireworks."

HEARING - RECYCLING TRANSFER STATION:

Director of Public Works Ron Tribbett said the last public hearing scheduled is for the purpose of considering adoption of a resolution establishing a policy for siting or expanding solid waste transfer stations recovering for recycling less than 15% of material received. He said recent legislation has invalidated Yolo County's Solid Waste Management Plan. That plan established procedures for siting solid waste facilities within the County. For the interim period until a new plan can be adopted the State Legislature has enacted AB 2196 which specifically addresses the procedure for siting facilities which recover more than 15% of the material received for recycling purposes. Also AB 2296 requires that local jurisdictions hold a public hearing and adopt two resolutions which address the review and comment procedure for facilities which recover less than 15% of material received for recycling purposes. The first resolution addresses facilities serving one jurisdiction and the second addresses facilities serving more than one jurisdiction.

Mayor Holman opened the public hearing, and there being no comments he closed the hearing.

On motion of Council Member Flory, seconded by Council Member Sandy and carried by unanimous vote, the City Council adopted the following resolutions:

<u>Resolution No. 3587</u> - A resolution establishing policy for siting or expanding solid waste transfer stations that are assigned to recover for recycling less than 15% of the material received (for facility which serves one jurisdiction).

Resolution No. 3588 - A resolution establishing policy for siting or expanding solid waste transfer stations that are assigned to recover for recycling less than 15% of

the material received (for facility which serves more than one jurisdiction).

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

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

SOUTHEAST AREA PARK PLAN DESIGN:

The City Council authorized the retention of Paul Deering, Deering Design, to prepare the plans and specifications for two parks in the Southeast Area Specific Plan.

SENIOR WORKER EMPLOYMENT PROGRAM:

The City Council approved the contract between the City of Woodland and the Community Partnership Agency. This contract provides funding in the amount of \$5,727.00 from the Community Partnership Agency to assist in funding the City's Senior Worker Employment Program.

BID AWARD - CONCRETE PLAY AREA ENCLOSURES:

The City Council awarded the bid to construct three concrete play area enclosures to K Bennett Concrete from Woodland, California, in the amount of \$13,350.00. The enclosures will be installed at Beamer Park and Ralph Harris Park. Harris Park improvements are funded through the Capital Improvement Budget, Fund 02, where \$100,000 is budgeted, and Beamer Park is funded through Park Reserves, Fund 27, where \$50,000 is in reserve.

ENGINEERING CLASSIFICATION ADDITION AND SALARY CHANGE:

The City Council approved the addition to the salary schedule of Associate Engineer (no registration) at Range 57 (MM).

In July of 1990 the City was notified by the Department of Consumer Affairs that the City could no longer use the title of Civil Engineer for anyone who was not a registered engineer. Therefore, the City removed the word "Civil" from all job titles that did not require a registration. Associate Civil Engineer (registration

required) will be paid at Range 59 (MM) of the salary schedule.

HEARING SET RE RESIDENTIAL LOT FRONTAGE:

The City Council set February 5, 1991 for a hearing to consider a Zoning Ordinance amendment that would allow residential lot frontage to be measured at the 20 foot setback line instead of along the street right-of-way.

APPOINTMENT TO COUNTY EMERGENCY MEDICAL CARE COMMITTEE:

The City Council authorized the City Manager to appoint the City's representative to the new County Emergency Medical Care Committee.

RESOLUTION NO. 3589 - ABANDONMENT HEARING:

The City Council adopted Resolution No. 3589 setting a February 5, 1991 hearing to consider the abandonment of street right-of-way at 1960 East Main Street (APN 27-310-15).

RESOLUTION NO. 3590 - RESTRICTED PARKING ON KENTUCKY AVENUE:

The City Council adopted Resolution No. 3590 prohibiting parking between the hours of 2:00 a.m. and 6:00 a.m. along portions of Kentucky Avenue and County Road 98 adjacent to residential areas.

FINAL MAP FOR GATEWAY INDUSTRIAL PARK:

The City Council approved Final Map No. 3824 also known as Gateway Industrial Park, a 109 acre industrial subdivision located north of East Main Street, east of County Road 102.

SET MEETING TO APPROVE CITY ATTORNEY SERVICES CONTRACT:

The City Council set the adjourned regular meeting of January 22, 1991 to take action on the contract for City Attorney services.

GIBSON ROAD STUDY:

The City Council received a status report on the Gibson Road study.

TRANSPORTATION DEVELOPMENT ACT CLAIM AMENDMENTS:

The City Council amended the Transportation Development Act Claim to provide the following:

Congestion Management Program - \$15,651

Sacramento Area Council of Governments/Origin Destination Study - \$6,419

Woodland Transit Survey - \$909

REGULAR CALENDAR:

BEAMER & KENTUCKY ASSESSMENT DISTRICT ENGINEERING SERVICES:

The City Manager said Council is being asked to consider approving an engineering services contract for the proposed Beamer and Kentucky Assessment District.

Director of Public Works Ron Tribbett gave Council an update on the proposed Assessment District since there have been several changes. He discussed the boundaries of the District and the options available.

Assistant Engineer Greg Moutinho explained to Council the severely deteriorating roadway conditions that exist in the area of the District and the need for street widening for street lights and traffic signals. He said the problems are the result of 20 years of allowing development without requiring frontage improvements. He said several property owners within the District area signed agreements saying they will agree to join an assessment district if it is formed in He said staff's concern is that after several petition drives and meetings with property owners staff has the feeling that many property owners are not in favor of participation in an assessment district and that there could be much resistance at the public hearing stage which would be eight to nine months from now if the City moves ahead with the project. That could result in a majority protest at the public hearing. If there is a majority protest the Council has several options: (1) Council could not overrule the majority protest, and by law the project could not be revived by the City for a minimum of one year; (2) Council may overrule the majority protest (requiring a 4/5 vote) and proceed with the project; (3) Council may also make modifications to the scope of work in the overruling of majority protest. At this time, he said, staff would like Council authorization to retain an engineering firm to prepare the Engineer's Report. That puts the City on the hook for the financing of that contract at this time. If the district is formed, those cost are born by the district. If the district is not formed, the City absorbs that cost.

The Public Works Director said the cost of the engineering services is approximately \$300,000.

The City Manager noted that very basic improvements are being proposed on what have been rural agricultural roads which are supporting industrial operations. He said it is not a matter of if we are going to make those improvements it's when we are going to make the improvements.

On motion of Council Member Sandy, seconded by Council Member Timothy and carried by unanimous vote, the City Council extended the meeting adjournment time from 11:00 p.m. to 11:15 p.m.

After some discussion Council agreed to postpone action on the contract for engineering services for the Beamer and Kentucky Assessment District until February 5, 1991.

WASTE MANAGEMENT:

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the retention of EBA Wastechnologies, and authorized the execution of an agreement between the City of Woodland and the County of Yolo to retain EBA Wastechnologies for the preparation of the City's Source Reduction and Recycling Element and Household Hazardous Waste Element as required by AB 939.

On motion of Council Member Timothy, seconded by Council Member Sandy and carried by unanimous vote, the City Council extended the meeting adjournment time from 11:15 p.m. until 11:30 p.m.

NEEDS ASSESSMENT FOR TAORMINO/WOODLANDS PROJECT:

City Attorney Ron Moe advised that the City just received yesterday a letter from the Fair Political Practices Commission (FPPC) regarding a clarification of the possible conflict of interest for Council Members Crescione and Timothy with regard to the Taormino (Woodland's) project. He said the letter constitutes an advice letter and indicates that the Council Members do not have a conflict of interest and are free to participate in the discussions. He said, however, that FPPC advises that down the road if there are further decisions to be made there will have to be further review as to whether there has been any change in the project. He said the closer we get to the fruition of the project and any change that may occur we may need to reanalyze all of the information that was being provided the FPPC and see if anything changes. He said he is confident with this advice letter that at this initial stage of the project the Council Members can fully participate in discussion and action.

On motion of Council Member Timothy, seconded by Council Member Sandy and carried by the following vote, the City Council agreed to reconsider the needs assessment study for the areas M and N on February 5, 1991:

AYES: COUNCIL MEMBERS: Flory, Sandy, Timothy, Holman

NOES: COUNCIL MEMBERS: None

ABSTAINED: COUNCIL MEMBERS: Crescione

After some discussion Council agreed to consider appointment of a Council Member and a Planning Commissioner to serve on the consultant selection committee for the needs study for areas M & N on February 5, 1991.

FUTURE MEETING AGENDA ITEMS:

Council Member Sandy requested an agenda item at a future meeting for a report on the task force called "Yolo 2020 and Beyond", a proposed planning conference. He also asked for the scheduling of a report by Jesse Ortiz and him regarding the Children's hearings that were recently conducted.

ADJOURNMENT:

At 11:35 p.m. the meeting was adjourned to January 22, 1991, at 7:00	At 11:35 r	.m. the meeting	ı was adiourned t	o January	22.	1991.	, at 7:00 เ	o.m
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City Clerk of the City of Woodland	_