

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

June 4, 2002

CITY COUNCIL
SPECIAL/CLOSED SESSION

Council met in closed session at 6:00 p.m. in the second floor conference room at City Hall to hold a conference with Legal Counsel regarding initiation of litigation pursuant to subdivision (c) of Section 54956.9, one case. In attendance at this meeting were Mayor Flory and Council Members Dote, Monroe and Peart. Vice Mayor Rexroad was absent. Also in attendance were City Manager Kirkwood, Assistant City Manager Marler, City Attorney Siprelle, Public Works Director Wegener and Associate Planner Hanson. Director Wegener and Planner Hanson left the closed session at 6:15 p.m. Also under discussion with Legal Council was existing litigation pursuant to subdivision (a) of Section 54956.9, Pelican and Smallwood versus the City of Woodland. Closed session was adjourned at 6:45 p.m.

CITY COUNCIL
REGULAR SESSION

Mayor Flory announced that Council had met in Closed Session for the purpose of holding a Conference with Legal Counsel regarding initiation of litigation and existing litigation, received a report and gave guidance.

CALL TO ORDER

Mayor Flory called the regular meeting of the Council to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

Mayor Flory invited all in attendance to join the Council in the Pledge Allegiance led by Council Member Dote.



ROLL CALL

COUNCIL MEMBERS PRESENT: Martie Dote, Jeff Monroe, Neal Peart, David Flory,

COUNCIL MEMBERS ABSENT: Matt Rexroad

STAFF MEMBERS PRESENT: Rick Kirkwood, Phil Marler, Ann Siprelle, Julie Henson, Dean Shelton, Dan Bellini, Dan Gentry, Margaret Vicars, Gary Wegener, Steve Harris, Ron Pinegar, Sue Vannucci, Dick Donnelly, Hossein Khatami, LaDonna Williams, Charlie Wilts, Dan Letamendi, Jack Scoggins, Jack Shubert, Brian Walters

OTHERS PRESENT: Contract Engineer Alan Mitchell

COUNCIL MINUTES

JOINT SPECIAL MEETING OF THE CITY COUNCIL, PLANNING COMMISSION, COMMISSION ON AGING AND PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION OF APRIL 30, 2002

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by the Members present, Council adopted the minutes of the Joint Special Council, Planning Commission, Commission on Aging, and Parks, Recreation and Community Services Commission meeting of April 30, 2002 as presented.

REGULAR COUNCIL MEETINGS OF MAY 7 AND 21, 2002

On a motion by Council Member Dote, seconded by Council Member Monroe and carried by the Members present, Council adopted the minutes of the Regular Council meetings of May 7 and 21, 2002 as presented.

COMMUNICATIONS - WRITTEN

Council received a letter from the U. S. Department of Housing and Urban Development thanking the City for timely use of Community Development Block Grant Funds.



Council received a notice from Pacific Gas and Electric in regard to the filing for gas and electric revenue increases for their cost of capital and annual earnings assessments.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council rejected the following claims and referred them to the City Insurance Representative for action:

Claim for Damages Filed by David Janes, Attorney, on Behalf of Ed and Oleta Hiatt

Claim for Damages Filed by Ralph Cochran

Claim for Damages Filed by James Nolan, Attorney, on Behalf of Tom Malugani.

COMMITTEE REPORTS

Council received a report from Public Works Director Wegener transmitting the minutes of the Water Resources Agency meeting of April 15, 2002.

Council received a report from Director Wegener transmitting the minutes of the Traffic Safety Commission meeting of May 6, 2002.

Council received a report from Parks, Recreation and Community Services Director Gentry transmitting the minutes of the Commission on Aging meeting of May 14, 2002.

Council received a report from Community Development Director Harris transmitting the summary of actions taken by the Planning Commission at their meeting of May 16, 2002 as follows:

- a. continued request for Use Permit for a 30 unit apartment complex at 505 Community Lane
- b. approved a conditional Use Permit to a self-storage facility at 480 Pioneer Avenue
- c. discussed extensively the draft Housing Element Update, which will return for further discussion at a meeting yet to be determined
- d. approved the Planning Commission Work Plan



Council received a report from Director Wegener transmitting the minutes of Tree Commission meeting of May 20, 2002.

PUBLIC COMMENT

None heard.

COUNCIL AND STAFF STATEMENTS AND REQUESTS

Council Member Dote announced that the Farmer's Market will be starting again on Tuesdays from 5:00 to 8:00 p.m. and Saturday mornings.

Council Member Peart stated he had attended a 2 X 2 with the Chamber of Commerce and it was requested that the Planning Commission devise a formula for other uses when warehouses in the industrial area become vacant.

Mayor Flory requested that a WELCOME sign be created to be located above the dais. He also requested a Resolution (Proclamation) stating that between July 1 and September 1 each year be designated as "No Tie Zone" at City Hall.

City Manager Kirkwood announced that a new Police Chief, Carey Sullivan, has been selected and he will begin service the first week of July. City Manager Kirkwood commended the Interim Police Chief, Dean Shelton for his excellent service to the community during his tenure with the City.

PUBLIC COMMENT (continued)

Mayor Flory reopened the Public Comment portion of the meeting to accommodate citizens who arrived later in the meeting.

Eloise Reece Burns, an employee of Cottonwood Healthcare advised the Council that there would a one day strike on Wednesday, June 6, 2002 of all employees of the facility.

City Manager Kirkwood advised Council that the following item would be removed from the Public Hearing portion of the meeting:

RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY FOR THE DOWNTOWN GATEWAY SIGN



PRESENTATIONS

2002 HERITAGE HOME PRESENTATIONS

Historical Commission member, Bill Butler, outlined the processes and procedures developed for Heritage Home awards presented by the Commission on an annual basis. Some of the highlights for selection are the age and historical significance, adornment, appropriateness of color schemes, landscaping, location, and restoration. He advised the Council of the locations of the five homes awarded this year.

CONSENT CALENDAR

Council Member Peart asked that the following item be removed from the Consent Calendar:

PROJECT PROGRAMMING SUMMARY SHEET FOR PROJECT 98-03 EAST STREET AND CROSS STREET CONSTRUCTION

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council approved the following Consent Calendar items as presented:

MONTHLY STATUS REPORT FOR COMMUNITY DEVELOPMENT

Council received a report on the status of projects underway through the Community Development Department through the month of May.

MONTHLY STATUS REPORT FOR PARKS, RECREATION AND COMMUNITY SERVICES

Council received a report on the status of projects underway through the Parks, Recreation and Community Services Department through the month of May.



MONTHLY STATUS AND CAPITAL BUDGET IMPLEMENTATION REPORTS FROM PUBLIC WORKS

Council received a report on the status of projects underway through the Public Works Department through the month of May.

APPLICATION FOR FEDERAL ASSISTANCE - 2002 SUPPORTIVE HOUSING GRANT

Council authorized the City Manager to sign the renewal application for Federal Assistance for the one year 2002 Supportive Housing Grant in the amount of \$175,151.

SUTTER STREET CORPORATION YARD METAL BUILDINGS

Council received a report on the disposition of the metal buildings located at the Sutter Street Corporation Yard/old Fire Training Center, 20 Sutter Street, which will become affordable housing through Sacramento Valley Organizing Committee.

EQUIPMENT PLAN FOR THE UTILIZATION OF THE CHARTER CABLE COMMUNICATIONS EQUIPMENT GRANT FOR PUBLIC EDUCATION AND GOVERNMENT ACCESS

Council approved the equipment plan for the utilization of the Charter Cable Communications equipment grant in the amount of \$50,000.

ORDINANCE AMENDING COUNCIL MEETING PROCEDURES

Council received, introduced and read by title only a proposed Ordinance amending Chapter 2 of the City Code relating to the Council's order of business.

TURN/ACCESS ISSUES OF MONROE DETENTION CENTER/SHERIFF COMPLEX ACCESS TO GIBSON ROAD

Council received a report on the turn and access to and from the Monroe Detention Center and Sheriff's Complex off of Gibson Road in relation to the construction of the center divide on Gibson.



HOMELESS COORDINATOR REPORT

Council received the Homeless Coordinator report for the month of April.

NATIONAL POLLUTION DISCHARGE EVALUATION SYSTEM PERMIT STRATEGY

Council received information regarding the National Pollution Discharge Evaluation System permit for effluent discharge and the renewal requirements.

ELEVATED WATER TOWER IN CHRISTENSEN PARK

Council received a report regarding the effectiveness of the existing elevated water tank in protecting the system from pressure surges and whether additional surge protection is warranted at well sites distant from the water tank.

CAPITAL ACCOUNT ADJUSTMENT AND PURCHASE OF A REPLACEMENT MOTORCYCLE

Council authorized the Police Chief to purchase a replacement motorcycle with \$13,300 from the Police Department's Machinery and Equipment budget. They also authorized the Police Chief to make this purchase a sole source procurement from Vallejo Harley Davidson, the Department's current motorcycle dealer. Funds will be transferred among the Department's Machinery and Equipment funding accounts.

SPRING LAKE SPECIFIC PLAN - OFFSITE SEWER SYSTEM EVALUATION

Council received a report on the discussions in regard to the off-site sewer conveyance system for the Spring Lake Specific Plan development.

ITEM REMOVED FROM CONSENT CALENDAR

PROJECT PROGRAMMING SUMMARY SHEET FOR PROJECT 98-03 - EAST AND CROSS STREETS CONSTRUCTION CONTRACT

Council Member Peart requested that Public Works place signs out to notify the public about the projects that will be undertaken throughout the City. Director Wegener said that a weekly article is published regarding the upcoming



projects, as well as, signs indicating the Measure H funding as the source of the project funds.

On a motion by Council Member Peart, seconded by Council Member Dote and carried by the Members present, Council approved the revised Project Programming Summary Sheet authorizing the addition of \$237,600 to the Capital Budget. Council also awarded the contract for Project No. 98-03, East and Cross Streets Traffic Signal and Intersection Improvements to Teichert Construction Company for \$576,888 and authorized the Public Works Director to execute the construction contract on behalf of the City.

PUBLIC HEARINGS

RESOLUTION OF NECESSITY TO ACQUIRE PROPERTY FOR THE DOWNTOWN GATEWAY SIGN

This item removed from the Agenda.

ALLOCATION OF PROPOSITION 40 FUNDS

Parks, Recreation and Community Services Director Dan Gentry indicated that due to Proposition 40, the City will be receiving \$240,000 for financing programs to acquire, develop improve, rehabilitate, restore, enhance and protect park, recreation, cultural, historical, fish and wildlife, lake, riparian, reservoir, river and coastal resources. However, the Governor has not yet placed these funds into the State budget for allocation. Receipt is not expected until 2004. Funding is recommended for the refurbishing and addition of equipment at Schneider, Cline and Woodside Parks.

Council Member Dote indicated that tree removal was shown at Schneider and Woodside Parks and asked for details. Director Gentry said that these trees were planted in too close a proximity to the play area and would need to be removed to meet health and safety compliance for distance away from play equipment. Council Member Peart asked if the money will be in the budget next year and Director Gentry said there is no assurance when it will be included. Mayor Flory asked Director Gentry to advise Council informally on the tree removal plan when available.



At 7:56, Mayor Flory opened the Public Hearing. Hearing no comments, Mayor Flory closed the Public Hearing at 7:57.

Council Member Dote asked if this is a Bond Act, why is it not included in the State Budget. City Manager Kirkwood said the Governor can choose to exclude items from the budget as desired. The Legislature can select to override that decision.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, Council approved funding of the \$30,000 for Schneider Park, \$20,000 for Cline Park and \$190,000 for Woodside Park equipment and rehabilitation from Proposition 40 Bond Act funds.

Mayor Flory indicated that the Chamber of Commerce had indicated support of the Leave Our Community Assets Local (LOCAL) coalition.

REDEVELOPMENT AGENCY

None.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

ACE HARDWARE PROJECT IN AN UNINCORPORATED AREA

City Manager Kirkwood stated that Vice Mayor Rexroad and Council Member Dote had met with Supervisors Pollock and Stallard in regard to the request of representatives of Ace Hardware, Developer Gerry Kamilos, City and County staff to construct a facility in Woodland. The property is located on 544 acres currently belonging to Spreckels, Marks and the City and would need to be annexed into the City. Ace Hardware would develop on 70 to 75 acres of the total area to be annexed. They are requesting expedition of the annexation process to begin grading the property by July, 2002, with occupation in the Fall of 2003. They also request City services pending the annexation of the area. Part of their commitment would be to participate in and fund a Specific Plan and Master Plan to address long term development. The property is located directly across from the Biomass Plant. Mayor Flory asked if the County had taken an official position on this project. City Manager Kirkwood stated a County Planning



Department Representative is present to respond to this and other questions that may arise.

Mr. Kamilos of Gerry N. Kamilos, LLC indicated his company is in escrow to purchase the entire 544 acres currently owner by Spreckels Sugar/Holly Sugar Company. The property, although presently in the County, is within the City's urban limit line. They wish to proceed with due diligence to a Master Plan for the entire property and participate in the ongoing annexation. None of the existing buildings in the City would meet the needs of Ace Hardware. This facility would support 300 retail stores, employ senior and mid-level management, administrative and training staff, sales support, accounting and distribution staff. The long term employment statistics would be over 300 people. The benefits to the City would be: this facility would provide a transitional zone for planning along County Road 102; Ace holds a Triple-A credit rating; they will participate in flood solutions; location of the Ace facility will encourage other businesses to locate here; a detention basin on the East side of the property will be created; 40,000 square feet of the facility is for office use. The zoning on the property presently allows for this type of development. One hundred sixty acres of the total 544 will be removed for fill to allow for the detention basin. The City could then utilize the parcel on the West side of the property for development.

Council Member Monroe asked if this property would all be built out and Mr. Kamilos stated this is the planned use for the area with Ace beginning the process. Mayor Flory said that if Ace was not going in, the developer would still need to work with the City for services. Council Member asked for the square footage of the facility and Mr. Kamilos stated the final building would be 1.2 million square feet. Council Member Dote asked about the total acreage in the Master Plan Area. Mr. Kamilos said this is 544 acres less the 75 for the Ace project. He would like the City property and the others in the area to be included in the Master Plan, which would total 800 acres. Council Member Monroe asked what the benefits would be to the citizens. Mr. Kamilos said that this will be a transition from the structures presently in the area. They have a commitment to the community, in addition to those benefits listed previously. The property value will increase dramatically with the shift of the detention pond and the development, with the facilities and services. Council Member Monroe asked what type of sales tax would Ace generate and the City Manager said we would need to have a tax exchange agreement. This would be business-to-business sales.

Representatives from Ace Hardware indicated there are 5,000 independent retailers, 70 foreign companies on 6 continents, 80,000 retail



associates, and 5,000 corporate employees. This facility exists solely to support neighborhood stores. They have outgrown their current facility in Rocklin at 480,000 square feet. The company wishes to remain in the area. Buildings currently available in the City are not large enough or cannot be retrofit to accommodate their needs. The original plan to locate in Esparto was dropped due to concerns about the high concentrations of nitrate in the water. The working relationship with the County thus far has been encouraging. Timing is integral to the construction. Their facilities have several meeting rooms which can be shared with the community for various functions, with the training room at 2,500 square feet. The company retains their employees for long periods due to the corporate policies and compensation packages. Most of the employees will be hired locally.

Council Member Peart is concerned about the saturation of warehouses in the City. He encouraged Ace to locate in the City but utilize an existing vacant warehouse for their facility. Mayor Flory does not support the project. There are many properties in the Redevelopment Area that have not been developed. Council Member Dote feels this a good project for the "fallout" benefit to the City property located nearby. Locating the facility across from the Biomass will improve the area. Council Member Monroe does not support the project unless they move into an existing facility.

Council took no action on the recommendation to proceed with this project, thereby negating forward movement at this time.

Council recessed from 9:15 through 9:28.

POLICE FACILITY PROJECT 96-19 DESIGN/BUILD PROPOSAL - CONTRACT WITH McCARTHY/LPA

City Manager Kirkwood commended Council Members Monroe and Peart for their work on the selection of the design/build team for the new Police Facility. Extensive study and time have been spent to begin this project funded primarily by Measure H. Contract Engineer Alan Mitchell said that McCarthy is the recommended team and a recommended award will return to Council at their July 2, 2002 meeting.

Council Member Peart said the City has never participated in the design/build process prior to this project. The process is an extremely good one for



projects of this type. Council Member Monroe stated the teams were all excellent but the recommended team stood out above the others to meet our needs.

Rod Thayer, Vice President of McCarthy gave the Council an overview of the process and design. Paul Breckenridge, Senior Designer reviewed the design of the building in detail. This building will be a leadership in environmental design building. Mr. Thayer said that construction should begin in October, 2002 and conclude in December of 2003. This is a commitment to the revitalization of the area and a stepping stone for other projects that may come forward.

On a motion by Council Member Peart, seconded by Council Member Monroe and carried by the Members present, Council concurred with the Facility and Executive Committees' ranking of the three design/build teams and authorized staff to proceed with negotiations with the number one team of McCarthy/LPA.

PERMIT FOR CASA DEL SOL RELOCATION AND LANDSCAPING PLAN

Council Member Peart excluded himself from this discussion and left the dais.

Community Development Director Harris reminded the Council that ratification of the Zoning Administrator Permit for the Casa Del Sol Mobile Home Park had been requested to return to Council with clarification on the following issues: East Street fencing and landscaping; setbacks along East Street of the temporary placement of the coaches; phasing of the East Street landscaping installation. Nancy Conk, Executive Director of Community Housing Opportunities Corporation (CHOC), said the interim plan and temporary improvements will be a significant improvement over the present appearance of the site. The buildings will be completely demolished by the end of this week. All new structures and landscaping will be the only things visible from East Street. They want to minimize the displacement of the families. Much of the existing open areas of the parks will house trailers temporarily for those families to remain on site during construction.

Cindy Heavens, Project Manager, said the temporary facilities will be located toward the front of the park. The hardscape near the market will remain. The coaches will be located fifteen feet from the existing sidewalk. They are proposing a staggered wood fence to prevent vandalism. Landscaping will not be included at this point as it would only be temporary.



Mayor Flory asked about the area between the fence and the sidewalk and Ms. Heavens indicated this is all asphalt at present. The finishing will include a five foot sidewalk, eight feet of landscaping, the fence and the homes would be fifteen feet from the fence. The temporary fence would be variable in distance from the sidewalk during construction, ten feet near the market with fifteen feet maximum as movement is made to the South.

Council Member Dote asked how long the fence sections would be and it was stated they will be six to seven feet longer than the width of the coaches located behind them. Openings between these sections would allow for ingress and egress. City Manager Kirkwood asked about the relocation of the twenty-two homes. Ms. Heavens said they will be located in the area South of the market. Mayor Flory said that he must have something with more specifics to answer to his concerns. Ms. Conk said that it is difficult to provide specifics when the Council is unclear as to exactly what they are requesting from CHOC. Council Member Dote asked if CHOC was under a deadline. Ms. Conk said that the relocation of tenants is the issue. There are noticing requirements and the Redevelopment Agency made a loan for the demolition of the Dana which must be repaid by September. Their source of payment is construction financing. Council Member Monroe said he wants the project completed in eighteen months. He suggested that they approve this and work with the Mayor to alleviate his concerns.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried, Council ratified the Community Housing Opportunities Commission Zoning Administrator permit for the Casa Del Sol Mobile Home Park. Director Harris will work with Mayor Flory and Ms. Conk in regard to concerns expressed about the design, landscaping and setback issues.

Council Member Peart returned to the dais.

At 10:28, on a motion by Council Member Dote, seconded by Council Member Monroe and carried by the Members present, Council extended the meeting until 10:45 p.m.

ONE THOUSAND (1000) FOOT NOTIFICATION REQUIREMENT

Assistant Planner Hossein Khatami, advised Council of the substantial increase in percentages of cost and time with the adoption of Ordinance 1339 in



December of 2001 extending the notification radius from the State mandated 300 feet to 1,000 feet. The increases for randomly selected projects since that adoption range from a low of 161% to a high of 4,138.5%. He suggested returning the notification radius to 300 feet with an increase to 1,000 when the project is significant. Council Member Monroe stated his concern is about the benefit to the community, not the cost. Council Member Peart asked what would determine significance. This could be a judgment call or a set number of acres of the project. Mayor Flory suggested that Planner Khatami return with some criteria to delineate "significance". Council Member Dote said acreage could be a consideration but there are lot splits that may be controversial and should receive increased notice. Planner Khatami stated there have been no increases in attendance at any of the meetings receiving a higher notification.

Council Member Monroe asked if the applicant paid the fees for the process and Director Harris said current fees are not adequate and would need to be increased. City Manager Kirkwood said this is an opportunity to require that projects needing a land use change utilize the billboards on the site indicating the proposed change.

On a motion by Council Member Monroe, seconded by Council Member Peart and carried by the Members present, Council directed staff to return with an Ordinance to reverse the notification process from 1,000 to 300 feet with guidelines on criteria to be utilized when that notification should be increased on specific projects.

RESOLUTIONS 4358 AND 4359 ON PROPOSITION 4 GANN LIMITATIONS

Finance Director Margaret Vicars advised Council that the Federal Government had determined not to utilize the "under count" percentage factor for our population effective January 1, 2001. Recalculations of the Appropriations Limit must be done to correct that decision. The Resolutions for 2001-02 and 2002-03 will reflect those figures and the associated Appropriation Limit.

On a motion by Council Member Monroe, seconded by Council Member Peart and carried by the Members present, Council adopted the following Resolutions:

Resolution 4358 "A Resolution to Set the Appropriation Limit for the City of Woodland in Accordance with Article XIII-B of the State Constitution for Fiscal Year 2001-02". Such



Appropriation Limit is based upon the population of 49,942 and a formula calculation.

Resolution 4359 "A Resolution to Set the Appropriation Limit for the City of Woodland in Accordance with Article XIII-B of the State Constitution for Fiscal Year 2002-03". Such Appropriation Limit is based upon the population of 50,370 and a formula calculation

At 10:45, on a motion by Council Member Dote, seconded by Council Member Peart and carried by the Members present, Council extended the meeting until 11:00.

APPOINTMENT OF MEMBER TO MANUFACTURED HOMES FAIR PRACTICES COMMISSION

On a motion by Council Member Peart, seconded by Council Member Dote and carried by the Members present, Council appointed Robert Noren as Vice Mayor Rexroad's designee to the Manufactured Homes Fair Practices Commission.

MEMORANDUM OF UNDERSTANDING ON PRESERVATION AND PROTECTION OF AGRICULTURAL LAND AND OPEN SPACE

Mayor Flory said that Supervisor Dave Rosenberg and Davis Mayor Susie Boyd had requested consideration of this Memorandum of Understanding in an effort to preserve and protect agricultural land and open space in the County between the Cities of Davis and Woodland. This is a statement of intent and is not binding on the parties, but simply a policy statement which could be changed at any time.

On a motion by Council Member Dote, seconded by Council Member Monroe and carried by the Members present, Council approved a "Non-Binding Memorandum of Understanding Between the County of Yolo, City of Davis and City of Woodland for the Purpose of Protection and Preservation of Agricultural Land and Open Space North of County Road 29 and South of County Road 27".



ORDINANCE

None.

ADJOURNMENT

Mayor Flory adjourned the regular meeting of the Council at 10:57 p.m.

Sue Vannucci, City Clerk