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

March 6, 2001

CITY COUNCIL SPECIAL SESSION/CLOSED SESSION

The Woodland City Council met in special session at 6:00 p.m. in the second floor conference room of City Hall in order to convene a closed session. The Council held a conference with labor negotiator, Assistant City Manager Phil Marler regarding the Woodland Professional Firefighters' Association (Section 54956); a conference with Legal Council regarding anticipated litigation, significant exposure to litigation pursuant to Section 54956.9(b), one case; and anticipated litigation, initiation of litigation pursuant to Section 54956.9,(c), one case.

Council Members present were Steve Borchard, Martie Dote, David, Flory, Jeff Monroe and Neal Peart. In addition, City Manager Rick Kirkwood, Assistant City Manager Phil Marler, and City Attorney Ann Siprelle were present.

The special session and closed session were adjourned at 7:12 p.m.

CITY COUNCIL REGULAR SESSION

CLOSED SESSION ANNOUNCEMENT

Mayor Borchard advised that the Woodland City Council met in special session at 6:00 p.m. in the second floor conference room of City Hall in order to convene a closed session. The Council held a conference with labor negotiator, Assistant City Manager Phil Marler regarding the Woodland Professional Firefighters' Association (Section 54956); a conference with Legal Council regarding anticipated litigation, significant exposure to litigation pursuant to Section 54956.9(b), one case; and anticipated litigation, initiation of litigation pursuant to Section 54956.9,(c), one case. The Council received reports and gave guidance on these three issues.

PLEDGE OF ALLEGIANCE:

Mayor Borchard invited all in attendance to join him in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Steve Borchard, Martie Dote, David Flory, Jeff

Monroe, (Council Member Peart arrived at 7:40

p.m.)

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Richard Kirkwood, Phillip Marler, Gary

Wegener, Henry Agonia, Ann Siprelle, Steve Harris, Sue Vannucci, Gus Bush, Dan Bellini,

Mitch Dion

MINUTES

Council Member Dote requested the City Clerk to expand upon the statements made at the February 6, 2001 Council Meeting by Diane Adams and Marjorie Brown for future reference. On a motion by Council Member Dote, seconded by Council Member Monroe and carried by unanimous vote of the Council Members present, the minutes of the regular Council Meeting and the Woodland Finance Authority Meeting held on February 6, 2001 were approved with those statement expansions as requested by Council Member Dote.

WRITTEN COMMUNICATIONS:

- 1. <u>From Congressman Doug Ose</u>, a copy of a letter to Joe Allbaugh, Director of the Federal Emergency Management Agency requesting a delay in FEMA Floodplain Map Implementation.
- 2. <u>Receive and Reject a Claim filed by John E. Malnar</u> The Council received information regarding a claim filed by Mr. Malnar in regard to an alleged theft of his bicycle while in custody of Officers of the Woodland Police Department.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote of the members present, Council rejected the Claim for Damages filed by Mr. John E. Malnar and referred this item to the City's Insurance Representative.

COMMITTEE REPORTS:

- 1. From Library Services Director Marie Bryan, a report was received transmitting the minutes of the Library Board meeting held on February 5, 2001.
- 2. From Public Works Director Gary Wegener, a report was received transmitting the minutes of the Traffic Safety Commission meeting held on February 5, 2001.
- 3. From Director Wegener, a report was received transmitting the minutes of the Tree Commission meeting held on February 12, 2001.
- 4. From Parks, Recreation and Community Services Director Henry Agonia, a report was received transmitting the minutes of the Commission on Aging meeting held on February 13, 2001.
- 5. From Senior Planner Robert MacNicholl, a report was received transmitting the minutes of the Historical Preservation Commission meeting held on February 14, 2001.
- 6. From Director Agonia, a report was received transmitting the minutes of the Parks, Recreation and Community Services Commission meeting held on February 15, 2001.

Council Member Dote asked for clarification on Page 4 of the minutes under Committee Reports where a Commissioner feels that youth program representation is not at an acceptable level. Director Agonia stated there is a meeting this evening of the Commission and the representation for youth has increased. They will be monitoring the involvement in an effort to maintain that representation.

- 7. From Community Development Director Steve Harris, a report was received transmitting the summary of the Planning Commission meeting held on February 15, 2001. Items under discussion were as follows:
 - a. continued a request for certification of a Negative Declaration and approval of a Conditional Use Permit and Design review for the Holiday Inn Express proposed for construction on Freeway Drive.

- b. directed staff to enforce the Zoning Ordinance on portable signs and notify property owners of the requirement to remove same within 30 days.
- c. received recommendations from Staff on vision and image statement for the Interstate 5/County Road 102 area. Recommended adoption of an Urgency Ordinance imposing a moratorium on new construction in this "Gateway Area".
- 8. From Director Harris, a report was received transmitting the minutes of the Community Development Block Grant meeting held on February 22, 2001.

Council Member Dote asked what the Woodland Youth Services program requests were. Director Harris does not have specific information on where the funds will be spent but will provide such information to the Council.

PUBLIC COMMENT:

Stephanie Rominger, who resides at 1052 Powers Circle in Woodland, addressed Council regarding the anticipated noise problem which may arise as a result of moving Gibson Road closer to her property. She apologized for not bringing this matter before Council earlier, but she has been unable to attend the last two meetings. However, the matter has not been diminished in importance by the delay. Her house backs up to Gibson Road and like her neighbors, she supports the efforts to keep the Olive trees where they are. However, against the voice of the people, Council decision was made otherwise. She is not here to discuss the merits of this recommendation by the Council but rather to draw attention to a more serious subject that is being overlooked in the hasty process to widen Gibson Road and implement the development as specified in our City's General Plan.

She is here to call attention and ask Council to find answers and solutions to the following issues. Over a year ago, one of her neighbors submitted a formal complaint to the City on the noise and vibration coming from Gibson Road as a serious disruption to the peaceful enjoyment of their homes. Trucks are rolling by and rattling the windows like an earthquake. The complaint went to the Traffic Safety Commission who then gave it to Public Works. A video-taped study was done which concluded that 400 trucks per day travel on that section of Gibson Road on a regular basis. Many people in the neighborhood have put velcro behind their pictures on the walls to keep them from moving. This is how bad it has gotten at two lanes on Gibson Road. Public Works wants to expand the road from two to four, but Council also wants to bring it closer to us, a road known by Public Works to have noise and vibration complaints on file. She has a copy of her neighbor's letter sent to Public Works. She imagines Council can get

copies as well. In response to her neighbor's formal complaint, someone on City staff did make a phone call to Target and ask them to re-route the trucks. Simply asking is not enough. The trucks are still going by at all hours of the day and night. A policy change needs to be made. As Council will read in the official minutes and memo briefings, there was a promise to do a follow-up video surveillance; a promise to meet with staff, the TOC group, and City Departments to consider the possible EIR issues. None of this has ever happened. She has copies of the minutes and the memos prepared by the Traffic Safety Commission, the minutes dated February 7, 2000, where it says, "after much discussion it was decided that during the next 90 days City staff will make an effort to make sure all groundwork has been covered, will complete additional research that includes talking with TOC to determine and explore EIR issues". That has not happened. She does not know and suggests we find out. After learning of her neighbor's complaint that went unresolved and unstudied, she began to question how City leaders are able to accurately assess the circumstances that surround the issues that they are entrusted to decide on behalf of the citizens. How is it that the Council can vote to remove the trees and move Gibson Road closer to an existing residential area without having concrete evidence, not hypothetical models as to the impacts of environmental noise and public safety. Can Council tell me you know the current day and night noise levels associated with the existing traffic on Gibson Road? Our General Plan has numbers associated with it but does Council have the real, actual figures, what happens their every day and every night. If not, she suggested the Council needs to know those, so if we exceed that there, are ways to get around it.

Can the Council tell her that they are confident that by removing an existing line of established trees which is a natural safety barrier against ongoing vehicles that the soundwall will provide adequate protection to the citizens to whom Council serve? Does the Council have evidence that a mature row of trees provide no sound absorption effects with respect to the actual noise levels experienced by the occupants of these homes right now. Actually she found in the long-term General Plan where the Council does make reference on page 819 that factors such as roadway curvature, roadway grade, shielding local topography, which she assumes means trees......Mayor Borchard asked Ms. Rominger if she was close to completing her comments. She said she would be close when she had put the issues before the Council. He asked when she thought that would be and she said five more minutes. He suggested one more minute. She said that was not adequate time to address the issues and concerns of the City. He said that her perception was duly noted but he would like her to conclude within one minute. She then requested a time where she could address the issues properly with the City Council. Mayor Borchard said the issues could be addressed with any City Council Member individually, the City Manager and Council could decide to bring it up at a subsequent meeting, but she must know that this issue has been on this dais on and off for the last year and one-half. If she has some concluding remarks that would be great. She asked if he was familiar with the California Environmental Quality Act?

Mayor Borchard stated the Council was familiar with CEQA. She said if Council is familiar with the Act then they are familiar that Council is charged with upholding that Act and it is enforced by the public. In the Act it states there are significant environmental effects and define that in terms of any change to the physical conditions within the affected area by a project including land, air, water, flora, ambient noise, objects of historical significance or aesthetic significance. She has a lot to say regarding this issue and she does believe the Council's approval of trying to put Gibson Road closer to the existing housing development creates some issues for which they made decisions that you do not have the adequate numbers to make those decisions by. This particular environmental quality act says that the citizens can and have the right to make sure that those particular processes are done in the right order.

Mayor Borchard thanked Ms. Rominger and asked her to take her seat. She requested Council to tell her exactly when she could come back and address this fully in a manner in which she...City Attorney Siprelle addressed the Mayor and stated there have been two Environmental Impact Reports done for this project and the comment period for public comment closed some time ago. If she didn't comment during that comment period then her comments......it is past comment period, and City Attorney Siprelle asked if Ms. Rominger had commented during that time. City Attorney Siprelle does have the draft. Ms. Rominger said she doesn't want the draft. What she wants is information on if the City has conducted noise level studies. City Attorney Siprelle stated the City had conducted the noise level studies. She told Ms. Rominger she could get a copy from the Community Development Department, they have a copy of the EIR and there are noise studies in the EIR. Ms. Rominger said she did not want projected, she wanted actuals and City Attorney Siprelle said they were actuals. Ms. Rominger said she wanted a time where she could be put on the schedule, without time constraints. City Attorney Siprelle asked if she commented on the EIR, did she send in a written comment on the EIR. Mayor Borchard said this discussion could be more productive if it was within the City Manager's Officer or if she were to contact one of the Council Members individually. He stated he appreciated her time at the Council meeting. She asked what if she has a matter she wants to be put before study? Does one of the Council have the authority to do that? Mayor Borchard said they operate through the City Manager and he suggested she talk with the City Manager. thanked her for coming forward. She said Council has not heard the last of this issue.

COUNCIL STATEMENTS AND REQUESTS:

Council Member Dote recently found that Statewide reduction in power usage is about 8% so our City is addressing the mandate adequately. She was recently in Ashland, Oregon and they have adopted some traffic calming in a new development where streets had been narrowed, bulb outs added and parallel parking between the

bulb outs. The housing was relatively dense but the garages were behind the front porches and the front of the housing had the craftsman look.

Council Member Monroe recently attended the Hispanic Chamber of Commerce Recognition and Awards Dinner. Those receiving special recognition were Sylvia Reyes, Lydia Saucedo and Jennifer Pearson-Cruickshank. Woodland High School held an "Every Fifteen Minutes" program today. This program addresses the death of a student due to alcohol use and driving. Students are pulled from class in fifteen-minute intervals as a means of indicating how often these deaths occur. He commended those who participated and the effectiveness of the program.

Council Member Monroe said that on April 18, 2000, a Council Communication stated there was a Community Park project to be developed South of Woodland. He asked for a report on the status where and when this park would be constructed.

Council Member Peart arrived at 7:40 p.m.

Council Member Monroe asked why the trees on Bourn Drive are marked. Public Works Director Wegener said some of these trees are scheduled to be moved to a new development but he and Community Development Director Harris will return with a report on this issue. Mayor Borchard said this is the subdivision on the East side of Bourn, North of Gum Avenue. The developer wants to incorporate as many trees as possible into this area.

Mayor Borchard announced that he has been approached to coordinate tour of Woodland by a delegation from China this Thursday and Friday.

City Manager Kirkwood said on February 13th he informed the Council that the Management Team will be attending emergency training in Emmetsburg from August 6 through 10, 2001. Council Member Peart will be attending as well. Council Member Monroe expressed his interest in attending.

PRESENTATIONS:

REDEVELOPMENT CITIZENS' ADVISORY COMMITTEE ACTIVITIES

This item was deferred as no member of the Redevelopment Citizens' Advisory Committee was available to make the presentation. Mayor Borchard reminded citizens there are two Board and Commission vacancies at present:

Parks, Recreation and Community Services Commission and the Redevelopment Citizens' Advisory Committee. He encouraged participation and urged citizens to apply. The next interview session will be on Thursday, March 8, 2001.

TREE CITY USA DESIGNATION

Director Wegener said the City has been awarded the Tree City USA Designation. He presented this award to the Council. The City applied in December for this designation as we meet the criteria required. On March 10th from 10:00 a.m. to noon, this award will be officially recognized at the Woodland Arbor Day Celebration. Richard Rominger, former Deputy Secretary of the U. S. Department of Agriculture, Helen Thomson, 9th District Assemblywoman, Members of the Board of Supervisors, and our Council Members will be speakers at this event. Trees will be planted on Bush Street, First Street and College Street. Council Member Monroe will be the Master of Ceremonies.

On a motion by Council Member Dote, seconded by Vice Mayor Flory and unanimously approved, the Council accepted the designation of Tree City USA awarded by the National Arbor Day Foundation.

NATIONAL AGRICULTURE WEEK - MARCH 18-24, 2001

Mayor Borchard read the document proclaiming March 18-24, 2001 as National Agriculture Week. He reminded the members of the community of our farming heritage and the plight that farming has been facing as of late. He urged continuing support for the farming community and the achievements they have made in feeding, clothing and sheltering the citizens of our Country and other Countries. Council Member Monroe said farming is very difficult and he has great respect for the farming community.

On a motion by Council Member Dote, seconded by Vice Mayor Flory and carried by unanimous vote, the Council proclaimed the week of March 18-24, 2001 as National Agriculture Week.

CONSENT CALENDAR

Council Member Dote requested the following items be removed from the Consent Calendar:

- 4. <u>MONTHLY STATUS REPORT FROM PARKS, RECREATION AND</u> COMMUNITY SERVICES
- 5. MONTHLY STATUS REORT FROM COMMUNITY DEVELOPMENT
- 10. REQUEST FOR CITY WATER SERVICE OUTSIDE OF THE CITY LIMITS

On a motion by Vice Mayor Flory, seconded by Council Member Monroe and carried by unanimous vote, the Council approved the following Consent Calendar items:

MONTHLY STATUS REPORT AND CAPITAL BUDGET IMPLEMENTATION REPORT FROM PUBLIC WORKS

The Council received the monthly Status Report and Capital Budget Implementation Report from Public Works for the month of February, 2001.

TREASURER'S INVESTMENT REPORT FOR JANUARY 2001

The Council reviewed and accepted the monthly Treasurer's Investment Report for January 2001.

RESOLUTION 4266 - TRANSPORTATION DEVELOPMENT ACT CLAIM

The Council adopted Resolution 4266,"A Resolution Authorizing Filing the Annual Transportation Development Act Claim with the Sacramento Area Council of Governments".

REQUEST FOR BIDS FOR RENOVATION OF YOLO COUNTY HOUSING AUTHORITY GYM AT YOLANO PARK

Council authorized the Request for Bids for the Yolo County Housing Authority gym at Yolano Park.

AWARD BID FOR REPLACEMENT COMPUTER PURCHASES TO GOLDEN STATE BUSINESS COMPANY

The Council awarded the bid for replacement computer purchases to Golden State Business Company in the amount of \$38,498.98.

WOODLAND OPERA HOUSE STATE PARK GRANT FUNDING REQUEST

The Council acknowledged the request of Woodland Opera House, Inc. for State Park grant funding in the amount of \$75,000 for the replacement of the scenery fly system at the Woodland Opera House.

ITEMS REMOVED FROM THE CONSENT CALENDAR:

MONTHLY STATUS REPORT FROM PARKS, RECREATION AND COMMUNITY SERVICES

Council Member Dote asked about the Storz Park facilities and the potential of flooding in the Southern portion of the field. She noticed the entire field was flooded during this last rain. Will the development of this put in some type of drainage system? Parks, Recreation and Community Services Director Henry Agonia said there is some concern about flooding as this is a detention basin. They will be looking at this closely but the flooding here happens only during heavy rain and does not compare with Dubach Field, which has ground water table issue. Council Member Peart asked if there will be any dirt movement and Director Agonia said they are looking at moving some dirt, lowering some at the drain and raising the other end of the field to help facilitate movement of water towards the drain.

MONTHLY STATUS REPORT FROM COMMUNITY DEVELOPMENT

Council Member Dote said that in relation to the Sacramento Valley Organizing Committee project on Sutter Street, there was a revised timeline. She requested that Council be given an update on adherence to that timeline by SVOC. City Manager Kirkwood said that 30 days prior to an identified element of the timeline, a staff member will investigate adherence and report to Council.

CITY WATER SERVICE OUTSIDE THE CITY LIMITS

Council Member Dote asked if it was possible to provide City water outside the City limits. Director Wegener said this piece, which is one-quarter mile North of Kentucky Avenue on West Street, will be annexed into the City at some point. The City will bear no cost on the project.

On a motion by Council Member Dote, seconded by Council Member Peart and approved by unanimous vote, the Council approved the request for City water service to one single family home outside of the City limits.

PUBLIC HEARINGS

None.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

FEDERAL AND STATE APPROPRIATIONS REQUESTS

City Manager Kirkwood said the City had been asked by their legislators to outline any requests for State Appropriations. We had approximately one week to respond. The total requests for Federal resources are \$4.3 million and State requests are \$6.9 million. These requests for State and Federal funds will dramatically assist us, especially in relation to lost ERAF funds. They will assist the City in meeting the tenants of Resolution 4264 adopted by the Council to establish the policies, goals, objectives and strategies for budget preparation.

Federal requests consist of: (1) Transportation, Community and Systems Preservation Program (TCSP) for \$2 million for improvements to Main Street. The City will identify and implement improvements for public safety, traffic and community revitalization; and, (2) new Police Station (Measure H) site work, off site work and technology costs in the amount of \$1.5 to \$3 million. Voters had been advised the City would continue to seek grants to assist in the funding of the Police Station. This will facilitate that process.

State requests consist of: Public Safety Issues: Police Station Construction in the amount of \$1.7 million for site improvement; and Fire Prevention and

Suppression Training Facility for \$2.6 million to complete the outside training facility at Station #3. Parks Bond Act (Proposition 12) Issues: \$200,000 for conversion of the Woodland National Guard Armory to a Community Center; improvement to the Yolano Soccer Fields in the amount of \$200,000; \$300,000 to improve the Storz Soccer Field Complex; and, \$50,000 to assist in the development of a comprehensive Urban Forest Master Plan. The Water Bond Act (Proposition 13) funds will be utilized for the restoration of the storm drain outflow capacity and we are requesting \$2.4 million. Other revitalization initiatives include: \$120,000 for Economic Development/Technical Analysis for mixed use development; and \$325.000 for replacement of street lighting on Main Street, (former Highway 16).

The City will continue to contact the various legislators and encourage support and funding of these requests.

Council Member Monroe asked where the new streetlights would be located. Director Wegener said there are various sections with the older lighting, which will be replaced first. Council Member Dote asked if these were the same lights where cut outs for tree planting were considered at one point and Director Wegener stated they were.

Council Member Peart said the staff should be commended on submitting these excellent requests.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the Council approved the Federal and State appropriations requests as submitted by the City Manager.

REVISE ACTION ON SPRING LAKE SPECIFIC PLAN CONSULTANT CONTRACTS

City Attorney Siprelle reminded Council they had adopted Resolution 4253, "A Resolution of the City Council of the City of Woodland Authorizing an Amendment to the Spring Lake Specific Plan Budget" at their January 16, 2001 Council meeting and authorized extension of the Engineering and special Planner Contracts for Services. In the minutes, the actual motion passed was to adopt the Resolution with the addition of the statement that Turn of the Century could terminate the contracts with thirty day's notice. The concern that was raised is that Turn of the Century is not a party to the Contracts with the Engineer and the Planner. It is very important to make it clear that the Planner and Engineer do not have financial interest in the recommendations it is making. There must be a separation between the Developer who is funding the Contracts and the

Consultants who are doing the work. She recommends Council readopt the Resolution but without that statement. She believes Turn of the Century's intent was that they wanted to be able to give the City notice that they could discontinue funding of the Contracts, but not that they could terminate the Contracts. This would be a clarifying motion to correct the minutes and correct Council action. Council Member Peart asked if this is so the Consultant is not working for the Developer. City Attorney Siprelle said it was and the City entered into an Agreement for an advance of funds with Turn of the Century which is basically an agreement requiring Turn of the Century to pay the City's costs in processing their application for the Specific Plan, including the Engineering and Planning Consulting fees, but that Agreement clearly says that the Developer will not have any control over or will not be able to direct the Planner or the Engineer. This is due to the Conflict of Interest rules of the Political Reform Act.

On a motion of Vice Mayor Flory, seconded by Council Member Dote and carried by unanimous vote, the Council readopted Resolution 4253, "A Resolution of the City Council of the City of Woodland Authorizing an Amendment to the Spring Lake Specific Plan Budget" to add \$39,000 for a total of \$1,234,830 and to extend the expiration date of the Agreements with the Contract Planner and Contract Engineer for a three-month period to March 31, 2001; and acknowledge that Turn of the Century may discontinue funding of the contract(s) upon thirty days written notice, by providing such notice to the City Manager no later than the twenty-fifth day of the month. Termination of funding by TOC shall in no way affect the City's Agreements with the Contract Planner and/or the Contract Engineer.

Council Member Monroe left the dais at 8:25.

RESOLUTION 4267 - CERTIFYING THE SUPPLEMENT TO THE SOUTHEAST AREA SPECIFIC PLAN EIR FOR THE SYCAMORE RANCH CFD NO. 1, PHASE 2 IMPROVEMENTS PROJECT, APPROVING THE PROJECT AND MAKING FINDINGS

Director Harris said that on February 6, 2001, the Council gave intention to approve the Project Phase 2 improvements with mitigation measures in relation to the Gibson Road realignment which had been identified in the Supplemental EIR. The alteration of public views was added to the impact and heard discussion on the noise and safety impacts, which result in the removing of or moving the Olive trees on Gibson Road. Council Member Dote said that in reading the Resolution, the four mitigation measures listed appear to be the original mitigations in the original EIR, but in fact this is not what Council

approved. The mitigations have been changed or modified at the last Council action on this. Director Harris advised that on page two of the Resolution beginning with mitigation (b) where it discusses incorporating the Olive trees into the new landscaping on either the North or the South of Gibson Road, which was a change. City Attorney Siprelle said that (c) did say it would be at the expense of the person relocating the tree and that statement was removed. It had been decided that the City would pay for relocation. These mitigation measures, with those two minor changes, were those as recommended by the EIR Consultant as being broad enough to allow for the specific choices that Council made. As the language states either South or North, it gives the latitude needed and is consistent with Council's specific direction.

On a motion by Council Member Dote, seconded by Council Member Peart and carried by unanimous vote of the Members present, the Council approved Resolution 4267, "Certifying the Supplement to the Southeast Area Specific Plan EIR for the Sycamore Ranch CFD No. 1, Phase 2 Improvements Project, Approving the Project and Making Findings.

Council Member Monroe returned to the dais at 8:30.

EXTENDED PAYMENT PROGRAM WITH VETERANS TO RESERVE GRAVES

Director Agonia stated that the Yolo County Veterans' Service Office had requested approximately 60 graves to be held in reserve. The rates for reservation of these sites is \$400 for the gravesite fee and \$100 for the endowment care. These fees would be paid over the next four years.

On a motion by Vice Mayor Flory, seconded by Council Member Dote and carried by unanimous vote, the Council approved an extended payment program with the Yolo County Veterans' Office to reserve approximately $60\pm$ graves for their use at the rate of \$400 (gravesite fee) and \$100 (endowment fee) per grave.

ELM TREE REPORT AND MAINTENANCE PROGRAM

Director Wegener said earlier study of the City's Elm trees indicated that 99 trees were in need of removal. In a re-review, it was determined the City should look at any options in which to extend the life of the trees. There are 19 trees that need additional work and review. There are 2 trees which were

removed due to very poor health issues, as well as, 8 additional trees which need to be removed due to very poor condition. The remaining trees are in a general state of decline and removal can be phased over a 5 to 10 year period. As many properties have multiple trees which need to be removed, this phasing will allow the new trees to be planted as old are removed at varying intervals. This phasing will also take place within blocks to minimize the overall appearance to the tree canopy. The work will be done in conjunction with the property owners.

Council Member Monroe asked if the Tree Commission had reviewed these trees and Director Wegener stated they had. John Murphy, Chairperson of the Tree Commission said the Commission had received the report at the last meeting, but had not had the opportunity to review it in depth. Council Member Monroe would like the Tree Commission to have the opportunity to review and comment on the report prior to proceeding with tree removal. Director Wegener said the trees were not scheduled to be removed until this summer so the Commission should have an adequate opportunity to review and comment.

Council Member Dote asked how long it take for this type of tree to reach Commissioner Murphy stated all of these trees are their present stature. approximately 100 years old. She then asked what other Cities have experienced with Elm trees of this age. Commissioner Murphy said there are three types of problems with Elms. One is Dutch Elm Disease, another the Elm Beetle, and we do not have an extensive problem with either. problem is the introduction of weakness and disease into the tree through previous pruning wounds. The standards of the day were to cut these trees She asked if the property owners have expressed concerns regarding keeping or removing the trees. Director Wegener stated the process suggested was to have Council receive the report and get concurrence that the twelve trees behind the walk would be looked at for specific work. Notices will be sent to the property owners advising them of the condition of the trees and the proposal of phasing the removal and replanting. They did not want to start the process without Council concurrence.

Vice Mayor Flory asked that staff keep in mind that Commissions need to review these materials prior to Council review and action. He asked that the Commissioners contact the City Manager as well when issues are to come before the Council which they may not an opportunity for adequate review. Director Wegener said he had understood the Commission had more time to review, but their discussion will come more in working with the property owners. Vice Mayor Flory said the memo doesn't indicate it is to be forwarded to the Commission and that is where the communication breakdown appears to lie. Director Wegener

said the Council Communication does state these efforts will be fully coordinated with the fronting property owners, in concert with the Tree Commission.

Vice Mayor Flory mentioned it had been suggested that on development a 4 by 8 sign stating that the property will be experiencing some change. On the trees to be removed, he suggested a sign be posted so that others would be aware of the action to be taken. The Council was in consensus that some type of posting should be done. Commissioner Murphy said there is a Public Works policy on posting of the trees. This is a 30-day notice. Director Wegener said these notices are 8 ½ by 11. The property owners said others have removed these signs. Council Member Peart said there was a sign on the tree which was pruned on Casa Linda Drive. City Manager Kirkwood asked if the information provided met the wishes of the Council and Vice Mayor Flory said the Tree Commission could devise something which would be adequate.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the Council moved to receive the report on the Elm trees and refer it to the Tree Commission for a recommendation to be returned to the Council.

City Manager Kirkwood asked if on items where judgement is to be made to bring Council information which they may then direct to be submitted to a Commission for review, would the Council prefer the item go before the Commission first. Mayor Borchard said that the City Manager should take the prerogative to submit to individual Council Members ahead of time. On an official basis, we should be sure the Commissions are in the loop on this, and that the Commissioners have a responsibility to contact the City Manager's office as well. This insures the lines of communication are open. If the City Manager feels it is important to bring before the Council first, with the understanding that the issue will go to a Commission following initial discussion, he should so proceed. Council Member Peart said the Council is just "receiving", not taking action. They can then forward to a Commission with a request for information and recommendation, and then have it returned to the Council for action following the input and recommendation from the Commission.

City Manager Kirkwood said it is not unusual to bring issues to the Council to seek their reaction and direction, then have it transmitted to the advisory body. When there is a clear issue such as this, it could have gone before the Tree Commission first. There will be issues which he feels will go to first Council prior to a Board or Commission. His charge is to give the Council the first opportunity to engage issues so they can give instruction on the direction they wish to move.

Council Member Dote agreed the City Manager should utilize his judgment on those issues which he feels should be seen by Council prior to Boards and Commissions. Vice Mayor Flory stated that a note in the Council Communication which indicates the route the item will or has taken will assist the Council in making a determination. City Manager Kirkwood said when the Council receives information there is no deterrent to sending to an advisory body desired by Council.

ADJOURNMENT:

At 8:56 p.m., the Council meeting was adjourned.	
	City Clerk of the City of Woodland