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

June 20, 2000

<u>CITY COUNCIL</u> 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. Before the closed session the Council in the City Hall Council Chambers announced the closed session topic.

At 6:00 p.m. Council had a conference with legal counsel regarding anticipated litigation [Sec. 54956.9(b)1] (one case).

Council Members Neal Peart, Jeff Monroe and Martie Dote arrived at 6:00 p.m. Vice Mayor Flory arrived at 6:45 p.m., and Mayor Borchard arrived at 6:50 p.m. Council Members absent: None. In addition City Manager Richard Kirkwood, Assistant City Manager Phillip Marler and City Attorney Ann Siprelle also attended the closed session.

The special session and closed session were adjourned at 6:45 p.m.

CITY COUNCIL REGULAR SESSION

Mayor Steve Borchard opened the regular Council meeting at 7:08 p.m.

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.

CLOSED SESSION ANNOUNCEMENT:

Mayor Borchard advised that Council just held a closed session for a conference with legal counsel regarding anticipated litigation (one case), and Council gave guidance to legal counsel.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Borchard, Dote, Flory, Monroe, and

Peart

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Richard Kirkwood, Phil Marler, Jean Kristensen, Ann Siprelle, Gary Wegener, Margaret Vicars, Steve Harris, Henry Agonia, Terry Brown

MINUTES:

On motion of Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the City Council approved the minutes of the regular meeting of May 16, 2000 and adjourned meeting of May 23, 2000, as prepared.

WRITTEN COMMUNICATIONS:

- 1. From the State Department of Alcoholic Beverage Control a copy of an application was received for an off sale beer and wine license for J Wu, Inc., 615 East Street (Chevron Station). The City Clerk advised that Community Services Officer Mini Paredes has indicated that the Police Department has no concerns with this application which is a person to person transfer.
- 2. From the State Department of Alcoholic Beverage Control a copy of an application was received for an on sale general alcoholic beverage license for 800 Main Street (Shanty). The application is for a person to person transfer, and the Police Department has no concerns with the issuance of the license.

COMMITTEE REPORTS:

- 1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board of Trustees meeting of May 15, 2000.
- 2. From Parks, Recreation and Community Services Director Henry Agonia a report was received transmitting the draft minutes of the Parks, Recreation and Community Services Commission meeting of May 22, 2000.

Mayor Borchard said in regard to the Cal Ripken and Little League Concession Agreements he hoped the City staff treats both organizations equally.

- 3. From Finance Director Margaret Vicars a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority Board meeting of May 24, 2000.
- 4. From Public Works Director Gary Wegener a report was received transmitting the minutes of the Flood Plain Task Force meeting of May 25, 2000.

Council Member Neal Peart said the City needs to keep the issues before the Task Force in the public eye. He said the impacts of the flooding, the maps and the need to resolve the problems are the most significant issues facing the community today.

The City Manager noted that the next Task Force meeting scheduled for June 22, 2000 has been postponed pending the delivery of a written report to the Task Force members as well as the City Council.

- 5. From Police Chief Del Hanson a report was received transmitting the minutes of the Yolo County Communications Emergency Services Agency Board meeting of May 26, 2000.
- 6. From Community Development Director Steve Harris a report was received summarizing action taken by the Planning Commission at its meeting of June 1, 2000, as follows:
 - a. Commission approved a Tentative Parcel Map and categorical exemption for a lot split to divide a 6.5+ acre parcel into two parcels, one containing 1.36 acres and the second containing 5.10 acres. The project site is located at 1500 East Kentucky Avenue and is zoned Industrial.
 - b. Commission continued the public hearing on the Turn of the Century Specific Plan to June 8, 2000.
- 7. From the Public Works Director a report was received transmitting the minutes of the Traffic Safety Commission meeting of June 5, 2000.

Mayor Borchard asked if the members of the Elks Lodge were advised of the Commission's consideration of their request for short term parking on Bush Street. (There was no one present at the Commission meeting from the Elks Lodge. The Commission approved staff's recommendation that no changes be made to the existing parking designation at this time.)

The Public Works Director said the normal procedure is to notify the applicant of the meeting at which their request will be considered.

- 8. From the Public Works Director a report was received transmitting the draft minutes of the Tree Commission meeting of June 7, 2000.
- 9. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of June 8, 2000. The Commission recommended approval of the Spring Lake (Turn of the Century) Specific Plan to the City Council.

PUBLIC COMMENT:

Alan Smith, former member of the Traffic Safety Commission and currently a WAVE board member, invited the Council and members of the community to attend the

Relay for Life cancer relief fund raiser to be held on July 8 and 9, 2000, at Lee Junior High School. Council Member Monroe said he will be participating in the event and will be sitting at the dunk tank.

COUNCIL STATEMENTS AND REQUESTS:

Council Member Monroe requested a report back to Council on painting fire hydrants throughout the City. He said they are in poor condition, and he suggested hiring some temporary employees to do the repainting. He said he would also like a future Council discussion regarding tree planting on Main Street.

The City Manager said he will ask the Public Works Director and the Fire Department to respond to Council Member Monroe's requests.

Council Member Peart noted that the Economic Development Committee met yesterday for six hours making some headway. Council Member Monroe who also attended the meeting said the Economic Development Strategic Plan dates back to 1994 and there were many issues raised at the meeting.

Council Member Dote reported on the WERC meeting held on June 16, 2000 and the 3rd Gaining Ground in Yolo County forum on June 19th. She also requested that the City Manager schedule a presentation by Valley Vision regarding quality of life indicators.

Vice Mayor Flory advised he was appointed by the Mayor's Selection Committee as an alternate to LAFCO.

The City Manager said the County/City 2 x 2 will be discussing the issue of parking in the downtown on June 16^{th} , and he will report back to Council on the matter in September.

RESOLUTION NO. 4201 - LEROY TAYLOR:

On motion of Council Member Dote, seconded by Council Member Peart and carried by unanimous vote, the City Council adopted Resolution No. 4201, a Resolution of Appreciation for Leroy Taylor for his 31 years of service to the City of Woodland.

Mayor Borchard presented the Resolution to Leroy Taylor.

CONSENT CALENDAR:

Council Members requested the removal of the following items from the Consent Calendar:

2. Award construction contract for West Cross at California Realignment, Project No. 95-23

- 3. Award construction contract for STIP Road Rehabilitation, Project No. 99-03
- 6. Introduce ordinance to repeal alcohol restrictions at Clark Field

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

TREASURER'S REPORT FOR APRIL 2000:

The City Council received Treasurer's Investment Report for April 2000.

REPORT ON EMERGENCY UTILITY REPAIRS:

The City Council received an update on the emergency utility repairs on East Main Street.

RESOLUTION NO. 4202 - APPLICATION FEE FOR FILMING PERMITS:

The City Council adopted Resolution No. 4202 establishing an application fee for filming permits. The non-refundable permit application fee to cover the costs of processing and investigating permit applications and administering the City Filming Permit Program was established at \$100.

RESOLUTION NO. 4203 - DESTRUCTION OF RECORDS:

The City Council adopted Resolution No. 4203 authorizing the destruction of certain Human Resources records.

YOLO COUNTY HOMELESS COORDINATOR'S REPORT:

The City Council received the May 2000 Yolo County Homeless Coordinator's Report.

RESOLUTION NO. 4204 - DISADVANTAGED BUSINESS ENTERPRISE PROGRAM:

The City Council adopted Resolution No. 4204 implementing the DBE (Disadvantaged Business Enterprise) Program.

ORDINANCE NO. 1326 - CABLE TV FRANCHISING:

The City Council introduced Ordinance No. 1326 adding Chapter 8C to the Code of the City of Woodland relating to Cable Television Licensing.

AGENDA ITEMS REMOVED FROM CONSENT CALENDAR:

WEST CROSS AT CALIFORNIA REALIGNMENT, PROJECT NO. 95-23:

Council Member Peart said he just wanted the public to know that the City did receive five bids for the West Cross and California realignment project and three bids were from local contractors. He said the City encourages local contractors to submit bids.

On motion of Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the City Council awarded the construction contract for the West Cross at California Road Realignment, Project No. 95-23, to Collet Construction Company for \$155,544; authorized the Public Works Director to execute the construction contract; authorized the Public Works Director to approve additional expenditures up to \$15,550 (10%); and authorized the execution of a Quality Assurance/Materials Testing contract not to exceed \$5,000

STIP ROAD REHABILITATION, PROJECT NO. 99-03:

Council Member Peart noted that two contractors bid on the STIP Road Rehabilitation project, one local and one in Sacramento. He said there is a 2% spread of the bids. He also said he wanted to call to the public's attention that part of the funding for this project is coming from the Measure H sales tax dollars.

On motion of Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the City Council approved the revised Project Programming Summary Sheet authorizing an increase in funding of \$376,000 for the State Transportation Improvement Program (STIP) Road Rehabilitation Project, Project No. 99-03; awarded the construction contract to Granite Construction Company, Inc. for \$1,433,762; authorized the Public Works Director to execute construction contract; authorized the Public Works Director to approve additional expenditures up to \$143,376 (10%); and authorized the execution of a Quality Assurance/Materials Testing contract not to exceed \$25,000.

ORDINANCE NO. 1325 - CLARK FIELD ALCOHOLIC BEVERAGE RESTRICTIONS:

Mayor Borchard asked what change will occur with the proposed ordinance to repeal alcohol restrictions at Clark Field.

Parks, Recreation and Community Services Director Henry Agonia said the proposed ordinance will repeal that section of the City Code that deals specifically with Clark Field. He said one of the reasons there was a prohibition of alcoholic beverages at Clark Field was its close proximity to the High School. He said Clark Field also has many adult programs, and the proposed revision will allow alcoholic beverages at Clark Field with the approval of a permit by the Parks, Recreation and Community Services

Director which is the same process for consumption and possession of alcoholic beverages at other parks in the City.

On motion of Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the City Council introduced Ordinance No. 1325 repealing Woodland City Code Section 15-22 "Clark Field – Alcoholic Beverages."

HEARING - STRENG POND LANDSCAPING MAINTENANCE DISTRICT:

Mayor Borchard said the first public hearing scheduled is for the purpose of receiving comments and to consider approval of Streng Pond Landscaping Maintenance District annual levy of assessments.

Finance Director Margaret Vicars said there is no proposed increase in the fee for this district. She said in accordance with Proposition 218 without a ballot measure the City cannot increase the fees. She said the budget has been adjusted over the last two years to bring it within line of the fees that the City is charging. She said the Council following a public hearing may adopt a resolution to set the fees. The fees will then be placed on the tax rolls for the next fiscal year.

Mayor Borchard opened the public hearing. There being no comments, he closed the public hearing.

Resolution No. 4205:

On motion of Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the City Council adopted Resolution No. 4205 confirming the Streng Pond Landscaping District Map and ordered assessment for FY 2000-01 as set forth in annual report.

HEARING - GIBSON RANCH LANDSCAPING AND LIGHTING DISTRICT:

Mayor Borchard said the second public hearing scheduled is for the purpose of receiving comments and to consider approval of Gibson Ranch Landscaping and Lighting District annual levy of assessments.

The Finance Director said the Gibson Ranch Landscaping and Lighting District is the one district that does have an escalation clause. She said the actual assessment for this year is \$130 per unit, and the reserves are still being used.

Mayor Borchard opened the public hearing. There being no comments, he closed the public hearing.

Resolution No. 4206:

On motion of Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the City Council adopted Resolution No. 4206 confirming the Gibson Ranch Landscaping and Lighting District Map and ordering assessment for FY 2000-01 as set forth in annual report.

HEARING - NORTH PARK LANDSCAPING AND LIGHTING DISTRICT:

Mayor Borchard said the third public hearing scheduled is for the purpose of receiving comments and to consider approval of North Park Landscaping and Lighting District annual levy of assessments.

The Finance Director said there is no proposed fee increase for the North Park Landscaping and Lighting District. Under Proposition 218 there cannot be a fee increase without a ballot measure. The budget has been adjusted to stay within the collection. She said there is a small reserve within the district, which is being maintained at about \$7,500, and within the next few years that will be depleted. Responding to a question from Council Member Peart, she said the work is going out to bid as well as the maintenance work at Klenhard Park and Gibson Ranch District.

Mayor Borchard opened the public hearing. There being no comments, he closed the public hearing.

Resolution No. 4207:

On motion of Council Member Dote, seconded by Council Member Monroe and carried by unanimous vote, the City Council adopted Resolution No. 4207 confirming the North Park Landscaping and Lighting District Map and ordering assessment for FY 2000-01 as set forth in annual report.

<u>HEARING - SOUTHEAST AREA SPECIFIC PLAN EIR FOR COMMUNITY</u> FACILITIES DISTRICT NO. 1, PHASE 2:

Mayor Borchard said the fourth public hearing scheduled was for the purpose of receiving comments on the Draft Supplement to the Southeast Area Specific Plan Environmental Impact Report for Sycamore Ranch Community Facilities District (CFD) No. 1, Phase 2 Improvements Project.

Council Member Jeff Monroe said he had a conflict of interest with respect to this agenda item, and he temporarily left the meting at 7:49 PM.

Community Development Director Steve Harris said the action before the Council is to conduct a public hearing on the Draft Supplemental Environmental Impact Report that has been prepared for a series of roadway and utility improvements in the Southeast Area. The Southeast Area is also known as Sycamore Ranch and is

generally bounded by County Road 102 on the east, Gibson Road on the south, Bourn Drive on the west, and Interstate 5 on the north. The Southeast Area was originally approved by Council in 1990. At that time there was an environmental impact report prepared and certified for the build out in the Southeast Area to include approximately 2,500 homes, approximately 6,000 eventual residents, and commercial areas as well as the first phase of the public improvements. The first phase of those public improvements were the major infrastructure, the streets, the water lines, and the sewer lines. Those all began to build a couple of years after the approvals. The Phase 2 project came in the remainder of the public improvements, the improvements to the roadways, the widening of the roads, and the additional utility lines. That project has been anticipated for a number of years, and Council has approved the design drawings. That was an agenda item that came before the Council last year; however, at that time there was a little miscommunication. Further direction was given to staff than what staff had actually asked for at that time. Council gave direction to go forward with the bidding and the construction of the project, but what staff failed to do at that time was to inform the Council what the proper environmental document should be. Since that time staff has come back to the Council and received direction to place the project on hold until the appropriate level of environmental review can be done. He said staff had determined that a supplemental EIR would be sufficient to analyze the impacts and the mitigation measures for the Phase 2 improvements. CEQA allows for a supplemental EIR when the original EIR, the one that was certified in 1990, is still considered adequate with just some minor changes or additions. In this case he said staff felt that a long enough period of time had elapsed since the 1990 EIR that it was probably in our best interests to go forward with the supplemental to analyze more carefully those specific impacts dealing with the public improvements. The improvements in Phase 2 involve roadway and utility line installations along Pioneer Avenue, Gum Avenue, Bourn Drive, Gibson Road, Ogden Street, County Road 102, County Road 23 and Kincheloe Drive within the Southeast Area. He said there was a Notice of Preparation prepared and circulated on April 5, 2000 indicating the City's intention to prepare the Supplement He said CEQA allows for a Notice of Preparation to go forward so that any pertinent comments from any of the public agencies or interested members of the public could be raised at that time and could be incorporated in that draft document. The City did receive several comments on the Notice of Preparation. Those comments are in the draft EIR in the appendix. Once those were received the draft EIR was released and those comments were taken into consideration. At the release of the document on May 23, 2000 the Notice of Availability was published. That Notice was sent to the State Clearinghouse with a number of copies to all of the State Agencies, and the Notice of Availability was published in the local newspaper. Individuals received a direct mailing that the draft EIR was ready for circulation. There is a 45-day public review period so that written and oral comments can be received on the draft EIR. Although the California Environmental Quality Act does not require a public hearing, staff felt it was in the best interests that the Council conduct this public hearing to receive oral comments. Members of the public are invited to step to the podium during the public hearing comment period, voice their comments and concerns about the EIR and its adequacy, but not about the project itself or the validity of the project. Written comments will be accepted until 5:00 p.m. on July 6, 2000. Oral comments will be accepted at this

meeting on the EIR, and as part of the environmental process those comments are addressed and incorporated in the final EIR with possibly suggested changes to the That final EIR will come back before the City Council for certification and appropriate action on the project itself, which is all of the various roadway improvements. The Tree Commission held its first meeting two weeks ago and staff distributed the draft EIR to the Tree Commission and discussed what the EIR process is, what the public improvement project is, and how the Commission would be involved in the process. He said staff's suggestion to the three Tree Commission Members present was that they could comment as individuals; however, staff felt it was best and would serve the process best that they comment not on the draft EIR but on the final EIR and their recommendation would come to the Council before its action. He said this would give the Tree Commission the benefit of reviewing all of the comments that come in as well as the responses that staff has prepared and then comment on those and forward their concerns to the Council on the EIR and the project. The Tree Commission Members do have copies of the draft EIR and will hold an August meeting. He said an EIR is an information document, which describes the project and the various roadway segments and what is going to occur for each one, discussion of the impacts associated with the construction project as well as proposed mitigation measures. measures are aimed at reducing any of the impacts to a level of less than significance. Also there are a couple of alternatives that are discussed in the EIR as proposed mitigation measures dealing basically with Gibson Road improvements, including road widening. That is why most of the people are present at this hearing. Although the Gibson Road widening was addressed in the original 1990 EIR staff thought it would be best to look at the impacts since the roadway design is such that we know what the alignment will be and what impacts there will be to the possible removal of the stand of olive trees on the north side of Gibson Road. He said staff has asked the consultants to prepare a couple of exhibits in the mitigation section of the draft EIR which give a computer simulation of what the roadway would look like along Gibson Road just east of Bourn Drive where the single family homes are on the north side which show Crepe Myrtles on the right-of-way as well as Sycamores or London Plane trees in the median. The alternatives show the Sycamores being replaced by the existing olive trees, thinned out, trimmed up, planted on the north as well as the south side of the street along with the trees in the median. The Community Development Director said one exhibit not included in the agenda packet is another mitigation measure which would replace the Crepe Myrtle trees with Sycamore trees or London Plane trees so that there would be the same on the north side of Gibson Road, the south side as well as on the median of Gibson Road. He said at the June 7 Tree Commission meeting the Commissioners thought it would be very important that the olive trees be trimmed up to what they would potentially look like as part of the more formal landscaping tree planting pattern along Gibson Road. He said one of the Tree Commissioners had been contacted by a member of the community wishing to volunteer to trim the trees. He said staff felt for a number of reasons it would be best that a trained tree trimming crew go under the direction of a licensed arborist and trim up three, four or five of the trees rather than have volunteers do the trimming. He said the Tree Commission concurred and that is part of the staff recommendation. Following the public hearing and the comments, staff suggestion to Council would be to direct staff to trim a few of the trees within the next

week or so before the 45-day public review period is over. He said this would give the Council and members of the public an idea how these trees could be incorporated into a planting plan. He noted that the environmental consultants were in the audience in case the Council had any questions. He then made a presentation on the public improvements planned for the Sycamore Ranch area. Improvements include the widening of County Road 102 and utilities, the widening of Gibson Road, Pioneer Avenue widening, straightening and intersection improvements, and Bourn Drive improvements. He said the project will improve the circulation enhancements in the Sycamore Ranch area. He then presented a picture of what Gibson Road looks like today as well as Bourn Drive. He showed a picture of how the improvements were originally planned with computer simulation. Crepe Myrtle trees were planned on Gibson Road going easterly toward Pioneer Avenue. In the median London Plane/Sycamore trees were planned. He said improvements on the south side of Gibson Road would come later as that property is developed. The curb, gutter and sidewalk would come on the south side at a later date. As a mitigation measure discussed in the EIR Gibson Road would be realigned to the south as well as requiring additional right of way that would need to be acquired. He said the proposal with the Sycamore and London Plane trees in the median show a 7 to 8 year growth of 20 to 25 feet high. A mitigation measure not included in the EIR involves approved landscaping plans with modifications replacing the Crepe Myrtle on the north side of Gibson Road with Sycamores or London Plane trees. The olive trees would be removed leaving Sycamores on the left and right and Sycamores in the middle. This proposal would involve improvements on the south side of Gibson Road earlier than originally anticipated.

Steve Harris responded to questions from Council Member Dote regarding the two options with the olive trees still in place and the Sycamores on the north side and the distance between curb/guttering on the north side of Gibson Road and the sound wall. She asked if the north side would accommodate the olive trees and the Sycamore trees. Mr. Harris said there would be realignment to the south.

Vice Mayor Flory inquired about the ingress and egress with landscaping planted earlier than anticipated. Mr. Harris said Gibson Road is designed to be a limited access road. He said staff is dealing with the issue of timing of development in general on that side of the street and how to pay for it.

Responding to a question from Council Member Dote, Mr. Harris said the alignment of Gibson Road assumes four lanes to County Road 102. He said if the road were to be realigned to the south along the westerly stretch of Gibson Road, they would try to swing the road back to Ogden and this would require additional right of way at the future high school site and two other private properties.

Council Member Peart inquired about the additional cost of the alternatives. Mr. Harris said staff has no cost estimates it feels comfortable with. There were some earlier estimates of the cost for the realignment, which includes the cost of additional right of way, revising improvement plans as well as the actual hard costs. He said

approximately \$350,000 was a number which was looked at a couple of months ago. He said staff will have exact costs by the time the Council makes a decision, and that is part of the purpose of the public comment period. If there are comments on the costs, he said staff's response will be the final EIR and the project analysis. He said the City's engineering department can give an estimate.

Vice Mayor Flory said he was looking for something clearer than our Public Works Department giving an estimate because a precise estimate is needed. Mr. Harris said a more accurate cost estimate would require some time and money, including how far the road would have to be realigned, any additional right of way and any additional landscaping.

Mayor Borchard said the draft supplement EIR addresses all of the improvements except for what it will cost and who will pay for it. He said this is important. Every proponent who wants to save the trees needs to think about who will pay for the improvements.

The Public Works Director said he anticipated that the cost information would come with the final staff report on the final EIR. He said this hearing is just for public comment and input on the mitigation issues. The intent was that the final EIR will come back with comments in the staff report. At that time Council will be asked to make a decision on it.

Mayor Borchard said having the figures is the main issue, and the fact that the cost information is not in the report there could be a wide range of figures. Vice Mayor Flory said he concurs with the Mayor on this issue. He said he has opinions about trees and the quality of life issues, but to make some decisions the Council has to see some figures. He said the question is what is the cost to realign the road, and what is the cost to do some of the mitigation?

City Attorney Ann Siprelle said the draft Supplement to the Southeast Area Specific Plan Program EIR for the Sycamore Ranch Community Facilities District No. 1, Phase 2 project addresses project impacts on the environment, so it is not a fiscal analysis. The EIR looks at noise, visual impacts, habitat, and other environmental issues. She said where the dollars do become relevant is in the feasibility of the mitigation measures. She said all of the Council comments are very valid tonight as well as the comments from members of the public. She said all of these comments will be addressed in the final EIR. She said the consultant after tonight will respond to the comments. The Council is not being asked to make a decision tonight; Council is only being asked to receive comments and give comments.

Vice Mayor Flory asked how can the Council make a decision without having the financial figures? He said staff is saying that once the Council makes their comments and the public has input, they are put into a package. He said he did not see how consultants and staff can come back in two or three weeks with a good analysis of what the financial package will be.

Steve Harris said the process we are following is that the Council conducts a public hearing on the draft EIR to discuss the environmental impacts and the proposed mitigation measures. The comment period closes on July 6, 2000. After July 6th staff will meet with the various environmental consultants, analyze each one of the comments, oral and written that have been received, and then write responses to them, forming the final environmental document. He said that will come back to the Council as well as a more thorough project description, and at that time staff will have numbers/dollars for each one of the alternatives. The Council then will be allowed to certify the final EIR and approve the project to go forward, and Council will have the financial information at that time.

The City Attorney said that will occur in September. Mr. Harris said that information will be released a couple of weeks before the Council meeting and the final EIR will be available as well as the staff report of the project and the cost numbers. He said the Council does not have to make a decision on July 6th on what to do about the financial information, but the information will be out to the Council and the public before the Council needs to make its decision. He estimated the final EIR will be ready mid September.

Vice Mayor Flory and Mayor Borchard both reiterated that they wanted to see the financial information before making a decision.

The City Manager said he hears the Council saying the initial discussion was based upon an estimate of \$150,000 to \$200,000 to obtain additional right of way and shift the roadway over, etc. He said now that the Council has the benefit of the focused environmental impact report there are some alternatives that are being discussed -- at least three alternatives. Whether the olive trees are left in, thinned out, moved partially to the other side of the street, or do different types of landscaping, there will be cost implications. In order to do cost estimates you have to get the options out so that we can get the cost estimates. Once we get the alternatives, the Council is saying that rather than relying on the City's engineering staff to give and provide estimates, the engineering staff could provide the scope of work and an outside consulting engineer could confirm the data so that the Council has a second set of information to give a range. He said until the project is built we will really not know what the real costs are. He said he hears that the Council wants to hire an additional consulting firm to confirm the data for the engineering cost estimate.

The City Attorney said the consultant could also provide a report as to the sources of financing the project.

Council Member Peart entered into the record two documents. One was dated March 2000 and covered possible solutions to the tree problem only after the focused EIR is completed. The title is "Adopt a Tree Program". (1) He said any property owner backing up to Gibson Road from Bourn Drive to Road 102 would have first choice to adopt a tree on their property. (2) Any property owner in the City of Woodland would

have the second choice of adopting a tree on their property. (3) The Woodland Community College and the future Woodland high School would have third choice to adopt a tree on their site. (4) If none of these people take an olive tree who want to save them, possibly locate them at the Regional Park located on County Road 102 or align the trees along East Street between the railroad and the street. He said both locations would be enjoyed by the whole community. He said another letter is from the Yolo County Fair Board stating that they would be willing to accept the 50 olive trees along Gibson Road to be placed on the Fairgrounds property for public benefit and enjoyment. The letter stated that historically these trees were part of the original Blower Ranch of which the Yolo County Fairgrounds was the main headquarters. The letter was signed by Lonnie Wunder, CEO of the 40th District Agricultural Association.

Mayor Borchard asked staff to explain how some staff input in the summer and fall action of last year was not accurate.

Steve Harris said the matter came to the Council in June of 1999. At that time staff had asked Council to give authorization to proceed with the design drawing plans of the project.

The City Attorney said the motion that was made and approved on that meeting date was to approve the design and construction of the Gibson Road improvements. She said that was not the recommended action; however, that was the motion that was made and approved. She said she thought it was an inadvertent action to add approval of the construction, not just the design.

The Public Works Director said everybody understood that the intent was the direction on the design issues that had been brought forward. He said it is inconceivable to him that the City would be awarding the contract for construction without further Council action on this. He said there certainly would have been Council action on the actual construction award.

Mayor Borchard opened the public hearing.

Adrienne Monroe said she lives in the Southeast Area adjacent to the olive trees. She said she surveyed roughly 1,900 residents in the Southeast Area, and she presented the names and survey opinions of those people who responded but could not attend the public hearing. She said they asked the Council to allow her to speak on their behalf. She then summarized the surveys and their names. She said she concurred with the EIR on the classification of the impact to the aesthetics of the Southeast Area. She said if these trees are removed as significant and unavoidable she asked that all of the surveys she received during the 45-day period could be included in the final draft of the EIR as public comment supporting this finding. She had two posters displayed for members of the viewing audience. She said under "significant and unavoidable impacts" as discussed in Section 4.2 of the draft EIR "Visual Resources and Aesthetics", the removal of olive trees to accommodate roadway improvements would result in a significant effect because it would permanently alter the

visual environment. Although new landscaping would be installed and the proposed mitigation measure involving the realignment of Gibson Road to the south with the incorporation of olive trees into the landscaping has been identified, the impact would remain significant and unavoidable. She asked what is "significant and unavoidable?" She said the EIR includes ranking and definition of the impact findings as "worst case scenario." "Significant and unavoidable" is defined as "an impact that exceeds the design standards of significance and cannot be eliminated or reduced to a less than significant level through implementation of feasible mitigation efforts." "Significant" is then defined as the same thing, but mitigation can reduce or eliminate the level of impact." Regarding mitigation measures, she said the loss of the olive trees would be a permanent alteration of the existing visual conditions; therefore this would remain a "significant and unavoidable" impact even with the implementation of one or more of the project specific mitigation measures. She said regarding the mitigation page 4.2-17 of the EIR, the 3rd paragraph indicates that "the realigned roadway option (Mitigation Measure 4.2-1[b]) would not further reduce the significance of this impact to a level of insignificance, " She then made comments on points not included in the draft EIR. She asked why on one of the mitigation proposals would we uproot every other tree and transplant them to the other side if that is more costly. She said why not leave them all as they are, find some matching like trees and just plant those. She said it seems odd that we would uproot every other tree if the point of keeping the trees is to not only preserve the aesthetics and preserve the historical value but to save on costs. She said she would like to know why we would do that and she requested that we have a mitigation without every other tree.

Responding to a request from Mayor Borchard the City Attorney recommended that the comments and questions be received, and at the very end of the public hearing Council could direct the consultant to prepare written responses.

Ms. Monroe said another issue that was not adequately covered was the importance of the privacy for people, particularly those who live directly adjacent to the olive trees. She said when prisoners from the County Jail are released many use that She said without the trees for privacy many would feel less than secure. Regarding historical impact, she said page 4.1-11 defines "local" in terms of state, federal and local definitions for historical significance. She said the draft EIR mentions historical patterns and other criteria. Quoting a statement from the EIR, she said other criteria include those "possessing uniqueness or singular physical characteristic or is a view or vista representing an established and familiar visual feature of a neighborhood." She displayed a picture of a view of Gibson Road from the row of olive trees behind it. She said the homes with the backyard view are most impacted, but this is also the view for the entire neighborhood. She said the EIR mentions the historical aspect of olive orchards in Yolo County, olive oil once being a big industry in Yolo County. industry declined and farmers left the trees on the outer perimeters to distinguish their property lines. She said she has lived in Woodland about 7 years and has always wondered why there are so many boundaries of olive trees. She said she thinks that is an interesting historical trend and point of interest. She said she thinks that is of local historical interest. She requested that the local Historical Preservation Commission be

put to the task of examining these trees and placing a value on them to be included in the final decision making process. These trees were county property; now they are ours. She said we should decide their value to us. She also requested that the new Tree Commission also be required to give a review of the EIR and submit a subsequent recommendation in light of this new information from the EIR and these public comments. Regarding the surveys, she said that most of the 1,900 surveys went to residential, but the employees of the Sheriff's office were asked to complete the surveys because they commute back and forth at least twice a day and enjoy the aesthetics of the trees. The employees at Monroe Detention Facility and the Woodland Community College all have a vested interest in the aesthetics of their commute. Also, she said she is engaging a conversation with County Supervisor Dave Rosenberg's staff regarding getting statistics on the County property (Jail and Sheriff's Office and the College) requesting the 36 feet of right of way to be donated in the interest of saving these trees in our history. In conclusion she asked that the Council Members set aside their personal emotions on this hot topic and simply think about the fact that these trees are roughly 130 years old, drought resistant and will last the City another 150 years according to arborist Jody Woods, district manager for Davy Tree Company in Sacramento. She said the EIR states that it will take 30 to 50 years for the replacement trees to equal the olive trees in their greatness. The replacements may never equal in historical value. She then read the names of the people surveyed who do support the removal of the trees (approximately 6) and the names of those who want the trees left as they are (approximately 178). She said she still plans to interview the employees of the Sheriff's Department and the College and will bring the Council those statistics. She said when the Council is considering who pays the cost of the road improvements, the Council should consider who uses that road (Gibson Road).

She submitted the survey forms to City Manager Rick Kirkwood.

Joy Cohan, 720 First Street, Woodland, said it is important to consider not should trees be kept or trees removed, but should consider how complete the draft EIR is, how thorough it is, what may have been overlooked or under looked. She said she felt the primary area that has been under looked is page 4.1-16 of the EIR which states that "moreover, the removal of the olive trees would not result in the loss of a unique resource, as other examples of olive trees of similar age and character exist in Woodland and vicinity." She said it is true there are other areas where olive trees have appeared in a similar fashion along the sides of a country road. She said the draft EIR represents the Yolanda Area near County Roads 99 and 25A. She said there are other examples of these trees but for how long? She said she was not sure that has been addressed. As the City grows and as more and more country roads and country areas become incorporated in the City of Woodland and developed by the City or the County, she asked how many more of those examples do we stand to lose. She said she hoped that can be looked at in a bit more depth. She said the draft EIR states that the original farmstead for which the trees were planted at the borders is no longer there so the draft EIR says how significant are the trees without the farmstead being in existence. She said in her view the trees speak to the heritage of the area, the heritage of the southeast area prior to its current development, and play a significant role in making Woodland

stand out in the way it is becoming developed versus other cities. She said the Crepe Myrtles and the Sycamores are nice trees, and in an area where there are no trees in existence they would be a wonderful addition. In this particular case to overlook the presence of mature trees, what they do aesthetically and what they do for homes backing up to them, makes for a unique appearance to a gateway road into a newly developed area. The Crepe Myrtle and the Sycamore tree example looks like "cookie cutter", a development you could see in Roseville or in Southern California or the Bay Area or any place else. She said she hoped that we could look further into how unique these resources are. She said she felt this was just cast aside and needs to be looked at further. She said to her the realignment alternative is preferable. Another thing she said she was not aware of prior to tonight was the plan for meandering sidewalks. She said she realizes those are aesthetically nice looking as well but perhaps eliminating the meandering sidewalk and going for a straight sidewalk could provide some extra room and help cut down on ultimate cost involved with saving the olive trees. Looking at more alternatives she said there were not enough alternatives presented in the draft EIR, and looking at additional alternatives would be preferable. In regard to the concerns about the cost she said it is important to consider do we want development that looks the cheapest way possible, or do we want to do development in the southeast area in a way that will hold for generations as a source of pride. She said with the olive trees along Gibson Road and Bourn Drive we will go a long way toward making that difference for the long term.

Bruce Jacks, resident of Woodland since 1971, said he has seen a lot of growth in Woodland. He asked the Council to visualize the sidewalk at the Fairgrounds along the eastside corridor. He said for much of the year this is a messy stained walkway littered with rotten olives, and this is what the landscaped strips along Gibson Road could look like if the olive trees are retained. He said he has heard that the olive trees can be sprayed to retard the fruit bearing abilities, and this may work. But he asked if it is guaranteed to work. Again, along the Fairgrounds he said he did not see any effort being made to keep the sidewalk clean, and it's a terrible mess. He said a few years ago the trees were cut back and the fruit stayed off the sidewalk for a year or two, and now they are growing back again. He said no one is taking care of them. Financing is a significant issue. Widening the northerly landscape strip will significantly increase the construction costs, and we do not have a handle on that yet. He said he thinks the Council is very wise in being forthright in saving the Council wants to see what that cost is. He said there is a Mello Roos assessment district in the Southeast Area which is financing all of these improvements and there is a cap on the financing available that they have some reserves, but if the cost exceeds what is available in the bond sale there is an incremental cost that is going to have to be born by somebody. He said he did not want that to be him as a taxpayer in the City of Woodland. He said he did not want to share in that; he said he already pays enough taxes. He said he will be paying another 1/2 cents in sales tax just to make the roads drivable in Woodland. In conclusion, he said he has worked on major projects all over northern California for the past thirty years and every project will have a landscaping plan. He said he has never seen an olive tree in a new landscaping plan. He said they are poor candidates for landscaping. They are like eucalyptus trees; they just do not work. He said we try to

save them in projects and they are just messy. He said olive trees are meant for production for fruit. He said he commiserates with the people who have purchased homes along the olive trees because the trees make a nice backdrop, but he said he believes that for the short term we should live with planting some new trees that will not have the mess and avoid the financing issue which will be significant.

Steven Sprague said he is a Woodland resident and lives on Power Circle near the sound wall. He said that for many of the people who purchased homes in his area there has almost been a bad faith issue. He said when they purchased their homes they were shown wonderful renderings of the bike path, the greenbelt and the current olive trees on the other side of their sound wall as a major selling point. He said this was sold as a nice buffer between the sound wall and the traffic on Gibson Road. He said they were also told by the builder, not the City, that these trees were historic and protected and that no energized equipment could come within ten feet of the trees. He said they felt pretty secure that they were not going to lose their trees that were behind their house. In the future he suggested the City look into what builders promise with respect to landscaping. Also, he said he looked up in the General Plan Policy Document under "Land Use and Community Design", specifically Section 1.K.5. which states that "The City shall endeavor to protect tree canopy created by mature trees and heritage trees in existing developed areas and undeveloped areas." He said he found out that this is a major arterial coming into Woodland, and there is a lot of growth there. He said we need to do everything we can to have it say what we want it to say about Woodland -- that we are the "City of Trees." These are trees that cannot be replaced. He said if we plant more trees, we will get that size back again in 30 years or 50 years. He said we already have trees that size now that we can work with. With respect to cost he said right now at State Route 16 and County Road 98 there has already been \$1,000,000 spent to beautify that gateway (if I'm correct). He said that is a lot of money to beautify a gateway from some very remote areas in Yolo County versus a gateway and major arterial that is right near State Route 113 and Interstate 5. He said the estimated cost figure of \$250,000, which was mentioned earlier for this road widening, is not nearly as much. He said we are all going to win on this issue or we are all going to lose. He said also with respect to cost that these trees provide more beauty than just for an arterial. He said the olive trees provide shade, stop dust, and reduce noise. He said all along it has been clear that Gibson Road would become a four-lane road, and that's great even though the road was to be pulled closer to the sound wall than they thought when they first purchased their home. He said there is a 6-foot sound wall along Gibson Road, and it is very easy for the noise to come through. He said many who live there would like the City to factor in the cost of moving trees, making the changes and the fact that they will insist through whatever avenues they have to use to increase the sound walls by at least two feet. He said Gibson Road is being considered a truck route right now and that may change with the interchange for State Route 113 and I-5 in five years or so. He said that is a lot of traffic.

Marjorie Brown said she is a long time resident of Woodland, a Yolo County native and a farm girl, which is important because of the agricultural heritage of our community and these trees specifically. She addressed points about the DEIR. First

with respect to the draft EIR she said page 4.2-11 states that because the new trees would be planted in the place of olive trees noise, air quality, safety, etc. and the wild life value of the trees will be replaced. She said that is true they will be replaced eventually, and she said "eventually" is there. She said she would like to see the draft EIR discuss more intensively the temporary aspect referred to. In order to replace those trees adequately it will require, particularly with Crepe Myrtles, 30 to 50 years to reach the same sizes. She said Crepe Myrtles can get quite huge over time, but they are slow growing trees. The advantage of the Crepe Myrtles is that they are strong, but the disadvantage is their slow growth rate. She said they also do not necessarily do well in alkaline conditions. She said there is no such thing as a low maintenance tree, especially if you want a nice one. She pointed out that the trees can be replaced with new trees that eventually will grow but you cannot replant the character of the olive trees and what they represent. The second point she made was that in regard to Woodland's General Plan Goal 6A: "To preserve and maintain sites, structures, and landscape that serve as significant visible reminders of the City's social, architectural and agricultural past." She said it is obvious to her that the removal of those trees in fact violates Goal 6A. If the City has as part of the General Plan Goal to maintain and preserve landscapes which are to remind us of our agricultural past, then removing the trees is contradictory to that. With regard to the cost she agrees that costs need to be very clearly delineated both in terms of removing the trees and putting in the new landscape. She requested that the costs not be based on the engineer's best guess but rather on a very specific marketing research, such as calling up the landscapers and finding out how much it is going to cost specifically for this area. She said those numbers are critical. With respect to Section 4.1-16 of the draft EIR stating that "the removal of the olive trees would not result in the loss of a unique resource as other examples of olive trees of similar age and character exist . . . " She said we should look at these trees as a historical asset to the community. Many years ago Woodland put a tremendous amount of effort into saving our Opera House. She said we could have said that we have a lot of other brick buildings; why do we need to save this one. This is the same with the Gibson Mansion. We have a lot of old farm houses; why do we need to save this one? With that attitude she said why don't we just put a sign on one olive tree and say this is our historical tree. We can save one brick building and say this is our history. She said she did not think we as a community really want to do that. She said the draft EIR did not really address that particular issue. Finally she pointed out that many people are in favor of finding a fiscally responsible and creative way to save these trees and utilize the trees as an asset for Woodland, and she said it might be easy to assume that those who are speaking in defense of the trees are driven by some political agenda. She said as far as she is concerned nothing could be further from the truth because people from all walks of life have approached her about saving the trees.

Terry Jessen said she is a Woodland resident and lives behind the olive trees. She spoke of things she felt were supported by the EIR. She said as a homeowner she is concerned about decisions this City has made that may have been presumptuous and naïve. As a concerned citizen she said she bought her house in Woodland versus a house they had a deposit on in Davis because they thought that Woodland valued its heritage. She said they were told by the builders of the homes that they trees were

protected and historical, so they chose to live along the sound wall and put up with noise knowing that this street would be expanded because they appreciated the trees. She said they appreciated the trees versus living in Davis. She said she has lived in Woodland about five years and feels it is important that the residents pay attention to the decisions that are being made. She said the residents also need to look at the historical value of their assets. The EIR supports that the trees are of historical significance to this town, and she felt it was important that we preserve them. She said she hoped in the future we do not make presumptuous decisions. She felt the EIR was a very good step in that direction -- to make careful and informative decisions. She thanked the Council for taking the time to slow down a little bit, to spend a little more money in staff time and hiring consultants to do a little bit more work on this. She said the greatest asset of an older neighborhood is the mature landscaping. She said this (Sycamore Ranch area) is a new development and it is pretty baron. The trees are very valuable because of their age and their ability to sustain. She recommended that the City look into not only just keeping the trees but into making them officially landmark trees. She said in a City ordinance there is a definition of that: "landmark tree" shall "mean a tree or a stand of trees which is of historical or public significance as designated by the City Council upon the recommendation of both the Tree Commission and the Historical Preservation Commission." In the Woodland General Plan Policy Document it states that the City shall ensure that landmark trees and major growth of native trees are preserved and protected. She said she thinks the olive trees meet that criteria, and that is the route she would like the City to pursue. Also in the General Plan Policy Document under Land Use and Community Design she noted item 1.K.5. which states that the City shall endeavor to protect the tree canopy created by mature trees and heritage trees in existing developed areas and undeveloped areas. She said she wish we had not made presumptuous decisions that may cost us more money to have to move that road and move some of the work that has already been done but it may be worth it in the long run. She said removing the trees would be a devastating impact on the aesthetics of that neighborhood. Those streets that the trees are aligned on is a major gateway, and she felt Woodland has some very valuable assets in its trees and its historical buildings.

Candy Tutt said she moved to Woodland in 1979 from Los Angeles to get away from the kind of thing that we are borderline discussing. She said down there they just rip out everything whether it is old or what, and they put up asphalt and there are no trees except for 5-gallon trees. She said it is important to her that there are animals that live in the olive trees. She said spraying the olive trees so that they do not bear fruit does work. She suggested moving the road instead of the trees.

David Wilkinson, 745 First Street, Woodland, said he has lived at his home for about 15 years which is about three to four miles away from the olive trees along Gibson Road in the Southeast Area. He said he feels strongly about the history of Woodland and has studied its history in depth. He said he is concerned about issues that affect the quality of life of Woodland, growth issues that have the potential to erode what he felt is a very special town character we have here and our connection to the county and the country's agricultural roots. He said the City's wealth was historically

derived from agriculture. In regard to the draft EIR he commended Community Development Director Steve Harris and the City for commissioning a very professionally done report. He said there are some inadequacies. In general he said the consultants who did the report did a very professional job. He said there are inadequacies related to the historical and cultural significance of the olive trees. He said several speakers mentioned 4.1-12, which cites Goal 6A of the City's General Plan, which he felt, is extremely important. Goal 6A is to "preserve and maintain sites, structures and landscapes that serve as significant, visible reminders of the City's social, architectural and agricultural past." He it does not appear to have been used by the consultants when they looked at standards of significance used to determine if removal of the olive trees would be a significant historical impact. He said that's is a major inadequacy. He said if you look at the local criteria adopted by the City's Historical Preservation Commission and by the City Council a few years ago, the olive trees appear clearly eligible to be listed on the City's historical resources inventory based upon what are considered other criteria for local historical significance. He noted on page 4.1-11 in the draft EIR one criteria identified as follows: "identification with persons or events significant in local, state or national history." He said this means it can have local historical significance. He said there is one last old remaining farmhouse in this area. He said the property owners refused to sell the property when the Southeast Area was developed, and their name is Farnham. The farmhouse is located directly across from the CHP office. He said the Farnham family recalls that olive trees have been there since 1890. He said the trees are very connected with our historical heritage, and this needs to be brought out much more clearly in the draft EIR. He said another criteria on judging whether something is of local historical significance states "something possessing uniqueness of singular physical characteristic or is a view or vista representing an established and familiar visual feature of a neighborhood." He said clearly the olive trees have local historical significance, and they are the only thing growing in that area. He said on page 4.1-15 of the draft EIR the consultant states that the olive trees are not eligible for listing under standard criteria or as a designated landscape or rural historic landscape nor do they meet local criteria. He said he feels the trees do meet local criteria. The major problem is that the City's historical resources inventory is way out of date; he said it as not been updated for 15 to 20 years and that is one of the problems. He said Yolo County's historical resources inventory actually includes stands of historic trees in it as historic resources. He said on Page 4.1-15 in the conclusion section the consultant states that the integrity of the Gibson Road farmstead no longer remains; therefore these olive trees do not meet the criteria for listing under local designation by the City of Woodland. He said while it is true that most of the farmstead no longer remains; however does loss of context by itself preclude an intact row of 110 year old trees associated with prominent Woodland farming families and an established and familiar visual feature of a neighborhood from being designated as a local historic resource. Furthermore, he said the olive trees appear to be eligible for designation by the Tree Commission, the Historical Preservation Commission and the City Council as a landmark tree under City Ordinance No. 1230 related to tree preservation. He said this ordinance was adopted seven or eight years ago but is not mentioned in the draft EIR. The ordinance defines a landmark tree as a tree or a stand of trees which is of historical or public significance and designated by the City Council

upon the recommendation of both the Tree Commission and the Historical Preservation Commission. He said he thinks the consultant did a very good job in establishing the olive trees as a visual and aesthetic resource as consistent with the City's General Plan. He said Goal No. 1.K.5. of the General Plan states that "the City shall endeavor to protect tree canopy created by mature trees in existing developed areas and undeveloped areas" of the City. As is consistent with the General Plan to protect mature trees in the City, Woodland the City of Trees, he said he believes mitigation measure 4.2-1(a) on page 4.2-14 of the draft EIR should be expanded as an alternative to the City's proposal to widen the road and destroy the olive trees. He said the mitigation [4.2-1(b)] states that "Realign Gibson Road between Old County Road 101 (Bourn Drive) and Ogden Street to the south, retaining some existing olive trees into the landscaping on the north side of Gibson Road and incorporating remaining olive trees into new landscaping on the south side of Gibson Road." He said this is not really proposed as an alternative, and he felt this is another weakness of the draft EIR. He said there really are not specific alternatives proposed in the draft EIR, which he felt, was an oversight. He said there are three or four mitigations proposed but no real succinct alternatives, which he thought, was required. The proposed mitigation is getting closed to what he thinks should be adopted as an alternative to the City's plan to widen and destroy the trees. He said another extremely important point is that the realignment of Gibson Road to the south away from the olive trees is consistent with the recommendations of the Planning Commission in the recently adopted Spring Lake Specific Plan in order to create what is envisioned as a 50-foot wide planting around the whole perimeter of the Spring Lake Specific Plan Area. He said this important point is mentioned in the draft EIR; however he said he is not in favor of relocating half of the olive trees to the south side because we risk losing the integrity of this historical stand of Those remaining should lose some of their original historic context. trees. recommended leaving the olive trees where they are and planting ground covers below the trees to absorb the messy olive pits. He said in his in depth written comments he will be submitting an article from Sunset magazine all about olive trees. He said today there are many varieties of hybrid olive trees that will grow as tall as these olive trees and they do not have fruit. Sunset magazine also has a listing of two dozen ground covers they recommend planting under the olive trees to take up the messy pits. He said he would (1) save the trees, (2) realign the road to the south as is consistent with the Spring Lake Specific Plan, also known as Turn of the Century Specific Plan, and (3) place a historical marker in the vicinity of the olive trees describing their local significance, their relationship to agricultural history, the well-known farming families that have lived there who cared for the trees. He said there will be many new people moving to Woodland and this acknowledgement would be a great way to connect people to Woodland's agricultural roots. On the south side of Gibson Road he envisioned new olive trees planted that are a modern hybrid variety and fruitless that would grow to the same height as the other historical trees on the north side. He said he thought olive trees were being planted in new communities and are consider a very hearty, drought free, basically pest-resistant tree. He said widening the road to the south provides an opportunity for a win-win for the entire community. He said this would be consistent with the recommendation for the Spring Lake Plan and will result in a lushly landscaped Gibson Road and gateway to the eastern side of town. He said cost

is extremely important, but he said we have the opportunity to spread the cost over different sources of funding. He said he understands there is money set aside currently for this project, some through the Mello Roos District for the Southeast Area. He said if Gibson Road is widened with a 50-foot perimeter of landscaping around it on the south side as part of the Spring Lake Plan, there is a major opportunity for the City to incorporate the widening project with the Spring Lake Plan and do them concurrently even if the widening is delayed until the Spring Lake project can come on line and funding is available. He said there is an opportunity for the developers of the Spring Lake Plan to share in the widening cost of Gibson Road and the realignment of Gibson Road. Those costs would be spread over three or four thousand houses to be built in that area. He said in that context the cost of this project will be much more affordable than the numbers will indicate. He said he hoped when the cost report is prepared it will be clear that this cost sharing could occur. He said he will submit written comments to cover what he just said.

Dan Ryhal, former Council Member, said from his understanding the draft EIR indicates that there is no significant impact, so now were are not dealing with a real issue other than the emotion of some people who really want to save these trees. He said financially this is impossible. He said the Council Members have to make a significant decision, and the Council decision will have a significant impact on the City. The Council will have to decide if it is worth spending upwards to \$300,000 to save the trees, and that included moving some of them to the south side of Gibson Road or leaving them all on the north side. The most expedient was to remove the trees. He said the trees have no historical significance; they are olive trees. He said they are an orchard tree that you would cut down and replant if you wanted to grow olives. He said there was analogy made between the Opera House and the trees, and he felt it was inappropriate because there is only one Opera House. He said there are thousands of olive trees. With respect to quality of life he said the Council Members have a responsibility to every citizen in this community for that quality of life and how the Council spends that money to provide that quality of life. He said that is a significant issue. He said there are a lot of projects that need to be done that affect all of the citizens of Woodland, so the Council needs to take the emotion out of the decision and look at what the responsibility is. He said that is his advice to the Council: take the emotion out of the decision and then make a decision. He said the Council could do an "adopt a tree" program. He said the Council can ask people if they want to adopt a tree and if they would be willing to pay an assessment for the next 30 years. He said when surveying the community about the trees the whole question should be asked.

Tom Stallard (County Supervisor and Woodland resident) said life without emotion is like life without color, richness and soul; we are a community that does have a soul. He said we have prided ourselves on our historical attributes, our classical buildings, and they have not always looked as good as they do now. He said they look they way they do now because we care. In many cases he said the projects were brought back from almost a point close to demolition. He said he has made this a part of his life work. He said he tries to leave City affairs to the City but he is a member of this City. He said when he participated in the Gibson Road discussion as part of the

Southeast Area discussions the plans shown for Gibson Road prominently featured the trees and a meandering bike path between the trees and the sound wall that was to be behind the homes. He said he always had the expectation that those trees would be a part of our ultimate plan, so he said it was a big shock to him that that was not going to be the case. He said he cannot dispute that amenities have a cost associated with them. He is looking for the plan to save these trees, not waste these trees. As a representative of the County he said he would be happy to work with the City in terms of right of way issues. He said he is skeptical about the amount of right of way that is being discussed, but he said he was not a technical expert. He said another thing which bothers him is that there are many farmers in the rural areas who maintain beautiful rows of trees for all of our benefit completely at their own expense. He asked what the message is to these farmers if the City views this row of olive trees as a bother and added expense. He said this is not just the responsibility of the Southeast Area or the Spring Lake Area, this is a City issue. The entire City will enjoy the trees in the future as they have in the past.

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

Vice Mayor Flory raised the issue previously discussed about the cost. He said the issue of the cost is we do not know if it is those people in the southeast area that have to pay for this themselves or if it can be a City-wide assessment. He said that is why we need to know what the cost is and who is going to pay for it. He said the Council has not been given that information yet, so he said that is a big issue to him. The other issue with the cost he said is that the other Council Members feel this is an issue also, so it is important that this be addressed so that the Council can have the best possible figure on the cost of changing the road or rearranging the trees, etc. He noted that a couple of speakers indicated that the builders promised that the trees are historical, and he said in his opinion they are historical and that they will be left there. He said in the 1980's when he was first on the Council the City made sure the developers were informed about what they could and could not say to the new homebuyers. He said City representatives actually met with developers and real estate companies regarding development in the Southeast Area. He said the City cannot legally be responsibility for what those realtors told people, but he said the City has a record of trying to get out the right information to everyone.

Council Member Dote said the points about the draft EIR were well taken, and she said she would like to see the mitigation measure described as the realignment to the south more fully explored as an actual alternative project. Also as part of the cost analysis she said there was a good point that there is some savings by not having to plant trees on the north side of Gibson Road, and by utilizing the mature landscaping that is available there is a cost benefit. Also, she said she would like the analysis of removing the meandering path into a straighter path if that saves a sufficient amount of right of way to reduce the cost of the realignment. She said she would not expect the cost of the roadway itself to be different; if there are 40-foot lanes it will cost the same no matter where it will be. On the issue of messiness of the trees, she said she has Crepe Myrtle as well as Sycamore trees in her front yard and they are both messy also.

Page 4.1-16 of the EIR she said indicates that the removal of the olive trees would not result in a loss of the resource, and she disagreed. Under the mitigation she said the draft EIR listed visual resources and aesthetics, and she said we have a significant and avoidable impact. She wanted to see some sort of mitigation developed where we do not have the unavoidable aspect of that significance before she will certify the draft EIR.

Council Member Peart said no one wants to destroy the trees but he said he wonders if relocating the trees is bad. He said the public in general can realize this is our heritage regardless of there the trees are located. He said he would personally like to see them planted right along East Street, down the railroad tracks. He said that would be the ideal spot, especially since the City is going to be landscaping along East Street this summer. He said he wanted to see a lot of different alternatives, a true cost, and funding sources. He said the Council can then make a decision, but he said there will be some who will not like the decision.

Mayor Borchard noted that The Daily Democrat indicated the Council would be making a decision at this meeting on the removal of the olive trees, and Council Member Monroe was quoted. He said again that is not correct; the Council is not voting on that issue tonight. He said tonight was a public hearing, and he thanked the speakers for their input.

City Manager Rick Kirkwood said there is one recommendation to Council to direct staff to undertake a pruning process for a number of the olive trees so that we can take a look at the visual possibilities of the trees. He said that was discussed by the Tree Commission and recommended by staff. That is one item on which staff needs direction from the Council this evening.

On motion of Council Member Peart, seconded by Council Member Flory and carried by unanimous vote, the Council directed City staff to perform a trim job on the first three trees west of Pioneer Avenue at the intersection of Gibson Road and Pioneer Avenue to be done by the City staff guided by an arborist.

Council Member Monroe returned to the Council meeting at 10:05 p.m. He said he wanted to clarify that he was not the source for The Daily Democrat article. He said he hoped he got elected for a whole lot more reasons than the olive trees.

Council took a recess from 10:05 p.m. until 10:15 p.m.

TEMPORARY CONVENING OF REDEVELOPMENT MEETING:

Mayor Borchard temporarily adjourned the City Council meeting and convened a meeting of the Woodland Redevelopment Agency Board at 10:15 p.m. See Agency minutes attached to these Council minutes as Exhibit A.

On motion of Agency Member Dote, seconded by Agency Member Peart and carried by unanimous vote, the Agency Board extended the Agency meeting from 10:35 p.m. until 11:30 p.m.

At 10:44 p.m. the Redevelopment Agency meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

ENFORCEMENT OF PARKING ON MAIN STREET AT HOTEL WOODLAND:

Vice Mayor Flory said according to the City Attorney he does not have a conflict of interest with respect to the issue of parking enforcement on Main Street in front of the Hotel Woodland but there is a perceived conflict, and he temporarily left the meeting.

Police Captain Terry Brown reported to the Council that with the renovation of the Hotel Woodland there has been an increase in the tenants and long-term residency at that location. He showed slides of the parking problems along Main Street within the 400 block (south side).

After discussing several options the City Council directed the Police Department to send a letter to the Hotel Woodland management to request that they develop procedures to encourage the Hotel residents to park on the south side of the Hotel not on the 400 block of Main Street and requested that the Hotel owner include the parking restrictions in the tenants' leases.

Mayor Borchard suggested that the Police Department report back to the Council in September on the results of their request.

Mayor Flory returned to the Council meeting.

PRELIMINARY BUDGET 2000-01:

Finance Director Margaret Vicars said on May 2nd the Council discussed the FY 2000/01 Preliminary Maintenance and Operations Budget. For clarification she said the Parks, Recreation and Community Services Department had requested that a 75% recreation coordinator position be increased to a 100% position as part of the new programs planned at the Armory. She said the Finance staff had interpreted this change as a Temporary Part Time position increase, when it is a Regular Part Time position increase. She said the correct dollar amounts are in the budget, and the designation has now been corrected. She said the only change the Council made on May 23rd was the \$2,100 donation to the Chamber of Commerce for the design and printing of their brochure. She said there were several other items discussed at that meeting.

The City Manager said the FY 2000-01 Budget came in at 3.18 percent more than last year's budget, so the overall the General Fund change is 3.72 percent which is reasonable. The overall total budget of all funds is about \$35 million, and this year the Measure H funds are incorporated. There were some residual issues. He said there was a request from the Woodland Economic Renaissance Corporation to continue the funding as in the past for \$63,500, but there was an additional request this year to increase that by another \$63,500. He said based on conversations Council Members Peart and Monroe have had with WERC and his conversation today with Bryce Birkman there is the complete understanding that it is in the budget to continue the funding at \$63,500 and that at mid-year after they develop a Strategy Action Plan for economic development the City will consider how additional funds could go towards that effort. He said he appreciates the Council's attitude on this in that the City should be extremely inclusive with our community, the Downtown Business Association, the Woodland Economic Renaissance Corporation, and the Chamber of Commerce. He said there is good effort being made to understand all of the economic development issues and then distribute those resources to achieve the new plans. He said he anticipates that before the end of 2000 the Council will have a strategy and action plan that accomplishes the new objectives. He said there is a plan that is several years old which is outdated. He recommended supporting the allocation of \$63,500, which is in the Budget, and discuss this as we move forward with the strategy action plan. He said the Chamber of Commerce is fully understanding that when we ask them what their highest priority was at the May 23rd meeting they indicated that it was the \$2,100 to do the graphic design for the California Classic color brochure. He said they are satisfied with that at this point, and the additional \$18,700 for the rack display cards and AAA Northern California Tour Book were deferred until the Strategy Action Plan. With respect to WAVE he reported that there was a meeting with WAVE representatives. He said based on their conversations he recommended that the Council approve \$8,800 for the WAVE operations but he did not recommended acting on the \$22,015 for equipment pending discussions that the Assistant City Manager will be having with Charter Communications. He said an additional request was submitted by the County of Yolo for the City to participate (\$12,000) in a Multi-disciplinary Interview Center to better serve victims sexual assault.

Alan Smith spoke in support of the funding request from WAVE and gave a letter of support to the City Manager from Red Cross.

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

The City Manager said the recommendation for WERC, which is already contained in the budget, is in the amount of \$63,500. He said there will be a mid-year review to take a look at any continuation or any additional funding at mid-year based on the parameters that we have been discussing. He recommended that the Council concur with that recommendation.

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council approved the addition of the following to the Preliminary Budget for FY 2000-01: WERC \$63,500; Chamber of Commerce \$2,100; Yolo County (for Multi-Disciplinary Interview Center to serve victims of sexual assault) \$12,000; and WAVE \$14,440 for equipment in Fall of 2000, if franchise negotiations are still underway/did not include equipment funding for public access TV.

On motion of Council Member Dote, seconded by Council Member Peart and carried by unanimous vote, the City Council adopted Preliminary FY 2000-01 Budget as amended.

CITY WEB SITE DESIGN:

The City Council postponed the presentation on the City Web Site Design.

MEASURE H PROGRESS REPORTS/NEGOTIATIONS FOR PROFESSIONAL SERVICES:

The City Council postponed the Measure H progress reports and authorization of negotiations for professional services contract for the new police station.

CITY'S HOME FIRST-TIME HOME BUYER ACQUISITION PROGRAM:

The City Council postponed authorization of a contract with the Rural California Housing Corporation (RCHC) to administer the City's HOME First-Time Home Buyer Acquisition Program.

TURN OF THE CENTURY/SPRING LAKE SPECIFIC PLAN:

The City Council postponed an update on the Turn of the Century (Spring Lake) Specific Plan.

REVISED RATES FOR THE SOUTHEAST AREA INFRASTRUCTURE FEE:

On motion of Council Member Flory, seconded by Council Member Dote and carried by unanimous vote, the City Council adopted revised rates for the Southeast Area Infrastructure Fee (attached as Exhibit B).

TRAFFIC SAFETY COMMISSIONER APPOINTMENT:

On motion of Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the City Council appointed Martin Torres to the Traffic Safety Commission for a term ending December 31, 2003.

COUNCIL MEETING SCHEDULE FOR AUGUST 2000:

The City Council postponed consideration of the Council meeting schedule for August.

ADJOURNMENT:

At 11:50 P.M. the regular meeting was adjourned to June 26, 2000, 7:00 p.r	n

City Clerk of the City of Woodland