

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

May 2, 2000

**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. Before the closed session the Vice Mayor in the City Hall Council Chambers announced the closed session topics.

At 6:00 p.m. Council discussed the public employee appointment (Sec. 54957) of the Administrative Assistant to City Council/City Clerk. Council Members present for the closed session were: Martie Dote, David Flory, Jeff Monroe, Neal Peart, and Steve Borchard (arrived at 6:20 PM). Council Members absent: None. In addition City Manager Rick Kirkwood, Assistant City Manager Phil Marler, City Attorney Ann Siprelle, and City Clerk/Administrative Assistant to the City Council Jean Kristensen also attended this closed session.

At 6:40 PM the Council discussed the public employee performance evaluation (Sec. 54957) of the City Attorney. All five Council Members were present. City Manager Richard Kirkwood and City Attorney Ann Siprelle also attended the closed session.

The special session and closed session were adjourned at 7:03 p.m.

**CITY COUNCIL
REGULAR SESSION**

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

CLOSED SESSION ANNOUNCEMENT:

Mayor Borchard reported that the Council just completed a closed session regarding the following items:

- C.1. Public Employee Appointment (Sec. 54957)
Title: Administrative Assistant to City Council/City Clerk
- C.2. Public Employee Performance Evaluation (Sec. 54957)
Title: City Attorney

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He said that during the closed session Council gave direction to staff regarding the public employee appointment of the Administrative Assistant to City Council/City Clerk. Regarding the Council discussion of the public employee performance evaluation of the City Attorney, the City Council approved the new City Attorney services contract effective July 1, 2000.

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: Borchard, Dote, Flory, Monroe, and Peart

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Richard Kirkwood, Phil Marler, Jean Kristensen, Ann Siprelle, Gary Wegener, Mike Horgan, Margaret Vicars, Heidi Tschudin, Steve Harris, Del Hanson, Bruce Pollard, Greg Moutinho, John De Weerd

MINUTES:

On motion of Council Member Flory, seconded by Council Member Dote and carried by unanimous vote, the City Council approved the minutes of the adjourned meeting of March 28, 2000, and the regular meeting of April 4, 2000, as prepared.

WRITTEN COMMUNICATIONS:

1. From Thomas Flynn a letter was received submitting his resignation from the Traffic Safety Commission due to work commitments.

2. From Pacific Gas and Electric Company a notice was received regarding an application filed with the California Public Utilities Commission to decrease natural gas rates beginning January 1, 2001.

COMMITTEE REPORTS:

1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board of Trustees meeting of April 3, 2000.

The City Manager said with regard to the Library Board minutes he noted that the Board will be asking Council to consider placing a clarification of Measure A on November 2000 ballot regarding the location of Library services in Woodland.

2. From Community Development Director Steven Harris a report was received summarizing action taken by the Planning Commission on April 6, 2000, as follows:

- a. Commission conditionally approved a use permit for a veterinary clinic which will provide spay and neuter services, vaccination clinics and other veterinary care. The project is located at 130 Court Street and is zoned C-2.
- b. Commission conditionally approved a use permit for a double-sided drive-through with one walk-up window, serving expresso based drinks and prepackaged pastries. Commission instructed staff to work with the applicants on design review and bring it back to the Commission at the next meeting.
- c. Commission conditionally approved tentative Parcel Map No. 4431 to allow the division of one parcel into two parcels of .616 acres and .972 acres. The project site is located at 445 Matmor Road and is zoned C-3.

3. From Parks, Recreation and Community Services Director Henry Agonia a report was received transmitting the minutes of the Commission on Aging meeting of April 11, 2000.

PUBLIC COMMENT:

Angie Roddan gave a report on the Scottish Games, which were held at the Yolo County Fairgrounds on April 29 and 30. She said this is the 124th year of the event (the fourth year in Woodland) and the numbers of participants and attendees continues to rise each year.

COUNCIL STATEMENTS AND REQUESTS:

Council Member Monroe acknowledged the efforts of Steven Sprague, Davis firefighter and a member of the City's Traffic Safety Commission, at the Scottish games last weekend in administering CPR to one of the participants. He also invited Council Members to participate in the Human Race 2000 to be held Saturday May 6 at Freeman Park, which includes a 5K walk. He said the Walk benefits more than 30 nonprofit community groups in Yolo County, and there is a \$20 registration. He said he will be competing, and he urged the other Council Members to join him.

Council Member Peart commended those involved with organizing the Scottish Games and asked that the City Manager send a letter of appreciation to the organizing committee. He also asked that staff prepare a letter of endorsement for AB 1978 (Dick

Dickerson of Tehama County) which would reimburse cities and fire departments for State mandated services performed by Caltrans, such as Interstate 5.

The City Manager said AB 1978 will be coming out of committee tomorrow and he is waiting for a letter from the staff person of Assembly Member Dickerson. He said he will prepare the letter of endorsement to make a timely response.

PROCLAMATION – OLDER AMERICANS MONTH:

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council proclaimed May 2000 as “Older American’s Month.”

A representative from the Commission on Aging was not present at the meeting to accept the proclamation, and Council agreed to present the proclamation at the May 16 Council meeting.

REPORT FROM COMMISSION ON AGING:

A representative from the Commission on Aging was not present at the meeting to make a report to the Council, so Council postponed the agenda item until May 16.

Council Member Monroe requested a press release on the newly appointed board and commission members.

PROCLAMATION - "POPPY WEEK":

On motion of Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the City Council proclaimed May 14 through May 20, 2000 as "Poppy Week" acknowledging those who sacrificed their lives and health to keep our nation strong and free.

Mayor Borchard presented the proclamation to Mary Lavorico of the American Legion Auxiliary.

PROCLAMATION - "CLEAN AIR DAY":

On motion of Council Member Monroe, seconded by Council Member Peart and carried by unanimous vote, the City Council proclaimed May 15, 2000 as "City of Woodland’s Clean Air Day.”

Vice Mayor Flory presented the proclamation to Brooke Hall, a senior at Woodland High School.

PROCLAMATION - "WATER AWARENESS MONTH":

On motion of Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the City Council proclaimed May 2000 as "Water Awareness Month."

Council Member Peart presented the proclamation to Public Works Director Gary Wegener.

CONSENT CALENDAR:

Council Member Dote requested that the Council remove the following items from the Consent Calendar:

7. Receive monthly status report from Community Development Department
11. Introduce Filming Permits Ordinance

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

PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT REPORT:

The City Council received the monthly status report from the Parks, Recreation and Community Services Department.

PUBLIC WORKS AND CAPITAL BUDGET IMPLEMENTATION REPORTS:

The City Council received the monthly status report and Capital Budget Implementation Report from the Public Works Department.

CERTAIN GENERAL SERVICES JOB DESCRIPTIONS:

The City Council approved the following General Services job descriptions: Supervising Electrician, Electrical/Electronic Technician, Electrician's Assistant, Park Maintenance Technician, Park Maintenance Worker I/II, Park Maintenance Worker III, and Park Supervisor.

RESOLUTION NO. 4184 – EMPLOYER PAID MEDICAL CONTRIBUTION:

The City Council rescinded Resolution No. 4167, implementing the paying of employer paid member contributions to PERS for employees in the Woodland City Employees' Association.

The City Council adopted Resolution No. 4184, implementing the paying and reporting of employer paid member contributions to PERS for employees in the Woodland City Employees' Association.

The City Council directed staff to incorporate this change in benefits with the Woodland City Employees' Association.

PROCLAMATION - "VETERAN APPRECIATION MONTH":

The City Council proclaimed May 2000 as "Veteran Appreciation Month."

REPORT ON DELAY OF UTILITY BILLS:

The City Council received a report on delay of City utility bills. Assistant Finance Director advised that in December of 1998 Council approved the purchase of a new financial software package. As part of the implementation process the Finance staff planned to phase in the use of software modules. During January of 2000 the staff went live with accounts payable, payroll, and the general ledger modules. Then in February the receipts manager module was brought on line. Because of its size and complexity the utility billing module was saved for last. During the month of April many problems arose and the April utility bills are extremely late. Finance staff was hopeful the problem would be resolved soon and the bills would be mailed within the first week of May.

AGENDA ITEMS REMOVED FROM CONSENT CALENDAR:

COMMUNITY DEVELOPMENT DEPARTMENT REPORT:

Community Development Director Steve Harris responded to an inquiry from Council Member Dote regarding the Walgreen Warehouse expansion project landscaping.

On motion of Council Member Dote, seconded by Council Member Flory and carried by unanimous vote, the City Council received the monthly status report from the Community Development Department.

ORDINANCE NO. 1322 - FILMING PERMITS:

Council Member Dote thanked the City Attorney and the Community Development Director for the changes to the proposed ordinance establishing procedures for the review and issuance of permits allowing work associated with the production of commercial filming activities in Woodland and eliminating the regulations for still photography.

On motion of Council Member Dote, seconded by Council Member Monroe and carried by unanimous vote, the City Council introduced Ordinance No. 1322 relating to the issuance of filming permits.

PUBLIC HEARING – ABANDONMENT OF DRAINAGE EASEMENT:

Mayor Borchard said the first public hearing is for the purpose of receiving comments regarding the abandonment of a drainage easement south of East Main Street and east of County Road 102.

Associate Civil Engineer Greg Moutinho gave a background report on the proposed vacation of the drainage easement. He indicated that the Planning Commission at its March 9, 2000 meeting made the finding that the proposed vacation is consistent with the General Plan.

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

Resolution No. 4185:

On motion of Council Member Monroe, seconded by Council Member Dote and carried by unanimous vote, the City Council adopted Resolution No. 4185 vacating the public service easement pursuant to the provisions of the public Streets, Highways and Service Easement Vacation Law.

PUBLIC HEARING – ABANDONMENT OF PORTION OF EASEMENT:

Mayor Borchard said the second public hearing is for the purpose of receiving comments regarding the abandonment of a portion of an easement for a “No Ingress/No Egress” zone at 550 North Pioneer Avenue.

Associate Civil Engineer Greg Moutinho gave a background report on the proposed vacation of the drainage easement. He indicated that the Planning Commission at its March 9, 2000 meeting made the finding that the proposed vacation is consistent with the General Plan.

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

Resolution No. 4186:

On motion of Council Member Peart, seconded by Council Member Monroe and carried by unanimous vote, the City Council adopted Resolution No. 4186 vacating the public service easement pursuant to the provisions of the public Streets, Highways and Service Easement Vacation Law.

HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT 5 YEAR
CONSOLIDATED PLAN:

Mayor Borchard said the third public hearing scheduled is to receive comments regarding the 2001-2006 Community Development Block Grant (CDBG) Five-year Consolidated Plan.

Community Development Director Steve Harris said this is the first hearing on the Consolidated Plan. The second hearing will be held on May 16 at which time Council will be asked to consider adoption of the Plan. He said HUD requires each city to prepare a Consolidated Plan on how the block grant monies are going to be spent and includes a five-year plan with a strategy as well as an annual action plan. He said the plan can be amended throughout its five years. The plan relates to how the City spends its Block Grant monies and HOME funds as well as the City's housing element. He said the housing element is scheduled to be updated next year.

Associate Planner Paul Hanson said for the last six months the CDBG Committee and staff has been going through the process of getting input to update the Five-Year Consolidated Plan. He said the Plan includes a community profile, a needs assessment, available resources, a five-year strategy and a fair housing plan. He said the Plan is designed to administer the Block Grant program and oversee the adoption of the Annual Action Plan. He said Woodland is an entitlement City and receives Block Grant funds every year in the amount of \$500,000, approximately, and the funds are designed to assist low to moderate-income persons, to remove blight in communities and for urgent community needs.

Council Member Peart questioned the data the City is using for the Plan. He said he felt the data was too old.

Contract Planner Heidi Tschudin said it is a timing issue. The census is every ten years and the type of detailed questions for the Plan only come out of the census or a special study. She said one of the reasons the housing element has been postponed is that census data will not be available until the end of 2001 or early 2002. She said the Consolidated Plan is consistent with the City's current housing element. She discussed the distinction between affordability issue and the multi-family issue.

Vice Mayor Flory said several agencies in our area do not come close to meeting their responsibility in moderate and low-income housing. He said at one point the City of Woodland was No. 1 in the State in meeting its low to moderate income housing requirement. He said he was concerned about the housing factor.

City Attorney Ann Sipelle said the Consolidated Plan is linked to the existing Housing Element, which has been approved by HCD, and if the Council approves the Consolidated Plan it is consistent with the Housing Element and the City will be safe from any legal challenge. Later on when the Council is on schedule do amend the Housing Element and changes the percentages then the Consolidated Plan would have

to be amended right after that. She said she agrees with the staff recommendation. She pointed out that the timing of when the City amends the Housing Element is a State requirement.

The City Manager said on page 32 of the Plan regarding construction of new housing there is discussion regarding Turn of the Century. He said because the Planning Commission is in the process of having a specific plan recommendation in June and the Council will be hearing the matter, it seems as if the TOC project will likely have a specific plan to accommodate the 35 percent multifamily unit figure. He said the Council has some concerns about the land use mix, the affordability criteria and quality issues.

Vice Mayor Flory said he felt the 35 percent figure was too high.

Ms. Tschudin urged the Council not to go down with the percentage in this Consolidated Plan at this time. She said if the Council feels compelled to reduce the 35 percent it should be done through the housing element in the General Plan. Following that the Council will need to amend the affordable housing ordinance. She said if the Consolidated Plan is not adopted by the Council the City runs the risk of being out of compliance with the Federal requirements for the whole CDBG monies. She recommended proceeding with the public hearing at this time with a continuation on May 16 and make a decision for updating the housings element.

The Community Development Director said the Council adopted a resolution in 1991 dealing with development fees and the deferral or waiver of development fees for affordable housing. Also, he said an affordable housing ordinance was adopted in 1995, which specified certain percentages for certain income housing. He said he asked his staff to prepare a report on the number of units that have been constructed since 1995 under the affordable housing ordinance, the number of in lieu fees that have been collected, the number of development fees that have been deferred or waived for affordable housing. He said that report will come back to the Council in the next month or month and a half.

Council Member Monroe said he would also like to look at what works or does not work in other communities with respect to affordable housing.

Mayor Borchard opened the public hearing.

The following persons spoke: Sally Snell, Director of Yolo Family Service Agency, and Judy West, staff member of Yolo Wayfarer Center.

There being no further comments Mayor Borchard continued the hearing until May 16, 2000.

TEMPORARY CONVENING OF REDEVELOPMENT MEETING:

Mayor Borchard temporarily adjourned the City Council meeting and convened a meeting of the Woodland Redevelopment Agency Board at 8:37 p.m. See Agency minutes attached to these Council minutes as Exhibit A. At 8:55 p.m. the Redevelopment Agency meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

ORDINANCE NO. 1323 - ANIMAL KEEPING:

Community Development Director Steve Harris gave background on the proposed animal-keeping ordinance. He said the ordinance was before the Planning Commission several times, and there was considerable neighborhood and community input with the various drafts of the ordinance. The ordinance before the Council at this time is a product of that input.

Associate Planner Ron Pinegar reported on staff findings regarding the extent of the problem with animal keeping in the City. He said there were about three livestock complaints per month during 1999 at the County Animal Control Office for about 26 service hours. The calls pertained to rooster, chickens, goats, pigs, horses, ducks and turkeys. He said staff also checked how many lots there were of one acre or larger that were zoned residential, and there were only 21 such lots.

Evelia Genera said she was supportive of the proposed ordinance. She then spoke about her reservations about the ordinance allowing pigmy animals.

City Attorney Ann Siprelle advised that the ordinance would be introduced at this time, and a public hearing will be scheduled for May 16 for adoption of the ordinance.

Following Council discussion the following action was taken:

On motion of Council Member Dote, seconded by Council Member Flory and carried by unanimous vote, the City Council introduced Ordinance No. 1323 regulating domestic animal keeping within the City of Woodland.

The Council took a recess from 9:10 PM until 9:23 PM.

TURN OF THE CENTURY PUBLIC HEARING DATES:

The Community Development Director gave Council an update on the Turn of the Century Specific Plan review process. He said the plan before the Planning Commission on May 18 will be the plan, which will be presented to the City Council. He said two dates of June 26 and 27 have been scheduled for Council hearings. He said the Plan will be the only item on the agenda for those dates. If additional hearings are needed those can be scheduled following the meeting of June 27. He said between now and June 27 a new traffic study needs to be run based on the new land use configuration of the plan as well the financial and fiscal reports from EPS.

On motion of Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the City Council tentatively scheduled June 26 and June 27 as public hearing dates for the Turn of the Century specific plan.

FISCAL YEAR 2000/2001 BUDGET:

The City Manager Rick Kirkwood reviewed his report on the Fiscal Year 2000-01 Preliminary Budget.

On motion of Council Member Monroe, seconded by Council Member Peart and carried by unanimous vote, the City Council received the Fiscal Year 2000/2001 Budget and confirmed May 23, 2000 as a Budget review workshop.

WASTE WATER TREATMENT PLANT, PHASE III CONTRACT:

Contract Engineer Nick Ponticello gave Council background on the recommended award of the Wastewater Treatment Plant, Phase III contract.

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 base bid plus Additive Bid Item 6B to Kirkwood-Bly, Inc. from Santa Rosa in amount of \$2,220,478.00; authorized expenditures in amount of \$2,442,526 for construction and contingency; authorized the Director of Public Works to execute the contract on behalf of the City; and approved the revised Project Program Summary Sheet (PPSS).

EMERGENCY UTILITY LINE REPAIR:

The City Manager gave Council a report on the emergency utility line repair on East Main Street.

City Attorney Ann Siprelle advised that the agenda item regarding the emergency utility line repair indicated information only. In order for the Council to

take action on any additional expenditures for the project the Council will need to approve by 2/3's vote the addition of the action item.

On motion of Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the City Council added an agenda item for Council action with respect to an allocation for additional work for the emergency utility line repair project.

On motion of Council Member Flory, seconded by Council Member Peart and carried by unanimous vote, the City Council approved \$58,000 for emergency work to repair street, water, sewer and storm drainage facilities on East Main Street.

PUBLIC WORKS STAFF AUGMENTATION CONTRACTS:

The City Manager and Public Works Director gave staff a report on proposed staff augmentation.

On motion of Council Member Monroe, seconded by Council Member Peart and carried by unanimous vote, the City Council authorized the Public Works Director to execute contract for services with Ponticello Enterprises in an amount not to exceed \$8,000 per month to provide staff augmentation services, capital project construction and project management, for a period not to exceed 6 months.

On motion of Council Member Dote, seconded by Council Member Flory and carried by unanimous vote, the City Council extended the City Council meeting from 10:30 PM until 10:45 PM.

ALTERNATIVE COUNCIL MEETING DATE ON JULY 4TH:

On motion of Council Member Flory, seconded by Council Member Dote and carried by unanimous vote, the City Council cancelled the regular Council meeting for July 4, 2000 and agreed to hold regular Council meetings on July 18 and July 25, 2000.

APPOINTMENT OF NEW TREE COMMISSION MEMBER:

On motion of Council Member Monroe, seconded by Council Member Flory and carried by unanimous vote, the City Council appointed Angela Dennie to Tree Commission for term ending December 31, 2002.

ORDINANCE NO. 1321 (LAND GRADING):

On motion of Council Member Dote, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted by roll call vote, and read by title

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only Ordinance No. 1321, "An Ordinance Adding Article III to Chapter 6 of the Code of the City of Woodland Relating to Land Grading."

ADJOURNMENT:

At 10:37 P.M. the regular meeting was adjourned.

City Clerk of the City of Woodland