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

December 2, 1997

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 Mayor announced that the closed session scheduled was for the purpose conferring with Legal Counsel regarding existing litigation (Subdivision (a) of Sec. 54956.9). The name of the case was United States District Court Eastern District of California, Case No. CIV-S-97-0141 GEB JFM, Joseph Hernandez, Jr. v. City of Woodland, Carol Souza and Does 1 through 10, inclusive.

Council Members present at the special meeting were: Rominger, Borchard, Flory, Losoya and Ryhal. Council Members absent: None. City Manager Kris Kristensen, Assistant City Manager Phil Marler, City Attorney Ann Siprelle and other legal counsel representatives were present.

The special session and closed session were adjourned at 6:50 p.m.

The Woodland City Council met in regular session at 7:00 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Rominger opened the meeting and invited everyone present to join her in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Rominger, Borchard, Flory, Losoya, Ryhal

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Siprelle, Marler, Ruggiero,

Wegener, Winnop, Barry, Vicars, McDuffee,

MacNicholl, Mitchell, Ponticello

AGENDA ITEM REMOVED:

Mayor Rominger announced that the Regular Calendar item regarding a loan agreement for a grease trap interceptor has been removed from the agenda.

CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the City Council just completed a closed session dealing with existing litigation. He said this item is permitted for closed session pursuant to the Government Code.

MINUTES:

On motion of Council Member Losoya, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved the minutes for the regular Council meeting of September 16, 1997, as prepared.

COMMUNICATIONS:

1. From Pacific Bell a claim against the City was received regarding damage by City crews to an underground duct structure at 798 County Road 101 in Woodland. The City's insurance representative recommended that the City reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council rejected the claim against the City filed by Pacific Bell and referred the claim to the City's insurance representative.

- 2. From Teichert Construction a claim against the City was received regarding construction equipment and labor furnished by Teichert relating to fire damage at 1429 East Beamer Street. The City Clerk advised Council that a letter was received from Teichert Construction by certified mail that Teichert has withdrawn its claim against the City. She said the City's insurance representative advised that no Council action was necessary with regard to the claim.
- 3. From Ernie Woolner, Chair of the Commission on Aging, a memo was received requesting a one-year extension of the term of Commission on Aging Member Linda Joseph. The City Council recently appointed two new Commissioners Betty Martin and Burr Shafer effective November 4, 1997 and also appointed Michael Radford to the Commission effective January 1, 1998. The City Clerk said at the present time there are no new applicants, and the Commission would like to maintain some continuity with the extension of the term of Linda Joseph for one year. Ms. Joseph also represents the Commission at the County Commission on Aging meetings.

On motion of Council Member Losoya, seconded by Council Member Borchard and carried by unanimous vote, the City Council approved a one-year extension of the term of Commission on Aging Member Linda Joseph (for a term ending December 31, 1998).

COMMITTEE REPORTS:

- 1. From City Manager Kris Kristensen a report was received transmitting the minutes of the Economic Renaissance Foundation Board meetings of August 22, September 26, October 10, October 24 and November 6, 1997.
- 2. From Marie Bryan, Library Services Director, a report was received transmitting the minutes of the Library Board meetings of October 6 and October 20, 1997.

Mayor Rominger inquired about the October 6 Library Board minutes regarding missing funds from the Friends drop box. The City Manager agreed to inquire about the specifics.

- 3. From Community Development Director Janet Ruggiero a report was received summarizing issues discussed at the Historic Preservation Commission meetings of November 12 and November 19, 1997.
- 4. From Parks, Recreation and Community Services Director Tim Barry a report was received summarizing action taken at the Commission on Aging meeting of November 13, 1997.

PUBLIC COMMENT:

Calvin Barton complained about the City Code provisions regarding peddlers and the placement of fliers at front doors in the residential portions of the City. He said he did not want material left on his door step, and he has a "No Solicitors" sign posted.

City Attorney Ann Siprelle said she could place this matter on a future agenda, so that the Council can consider an amendment to the City Code.

Dudley Holman said during the General Plan discussions Council Member Borchard stated that he had a conflict of interest and could not participate in the discussion or action regarding the General Plan. He said the public has a right to know the specifics regarding the conflict of interest.

The City Attorney said she could not recall the specifics regarding Council Member Borchard's conflict of interest.

Dudley Holman inquired whether the City is proceeding with the study of the area east of County Road 102.

The City Manager said the City is working with the County of Yolo regarding a number of different annexation proposals, including this area. He said the Council voted to seek annexation of this area in the Spring. He said he spoke with the County Administrative Officer today about a number of annexation proposals, including this one.

Joshua Johnson, 949 County Road 101, Woodland, said he addressed his concerns to the Community Development Director regarding olive trees on Gibson Road on October 29. He said he noted that this matter will be discussed on this meeting's agenda under regular calendar items. Secondly, he said he has a problem with storm sewage openings, and he has one at the end of his driveway. He said cats are living in there and going in and out.

Public Works Director Gary Wegener said Mr. Johnson is probably referring to a storm drain inlet, and he will have the inlet checked.

In regard to a previous question from Dudley Holman the Community Development Director said the Urban Reserve section was included in the Plan. At that time the Plan stated that in order to address any development in the area east of County Road 102 there first needs to be a study. The language in the Plan stated that the City shall when deemed necessary consider the appropriateness of development of the Urban Reserve Land based on factors. She said earlier this year staff brought to Council the issue of whether the Council wanted to consider the study as well as some cost estimates of what it would take to undertake the study. At that time the Council decided not to proceed with the study, and there was no actual time line spelled out within the Plan to commence that study. At this point, she said, the study is not being looked at and not being undertaken.

MONTHLY REPORT FROM TRAFFIC SAFETY COMMISSION:

Traffic Safety Commission Member Rod Hersom reported to the Council on the issues considered by the Commission last year and the duties of the Commission.

HEARING - TURN OF THE CENTURY REQUEST TO PREPARE A SPECIFIC PLAN:

Mayor Rominger said this time was set for a hearing to consider a petition filed by Turn of the Century requesting approval to prepare a specific plan for the area south of the existing City limits, east of East Street, west of County Road 102 and north of County Road 25A.

Council Member Borchard stated that he had to excuse himself from the meeting

because he has a conflict of interest.

Senior Planner Colleen McDuffee gave the staff report. She said the General Plan designates about 1,200 acres of land south of the City as "Planned Neighborhood." She said those areas constitute the future residential growth areas of the City through the year 2020. The General Plan also states that before any residential development can occur in those areas that a specific plan must be prepared. She said two policies in the General Plan (Policy 1.C.3 and Policy 1.C.4.) specifically address preparation of a specific plan and the criteria the City should consider before embarking on the preparation and review of a specific plan. She said last June the council adopted the Specific Plan Procedures and Preparation Guide. This Guide outlines the procedures a private party would need to go through to prepare a specific plan. The first step is to get permission from the City Council to prepare a specific plan, and that is the request before the Council tonight. Once the party is given permission by the Council they will submit the plan to the City, and the City will be in the role of reviewing the specific plan and bringing the plan to the Planning Commission and the City Council for public hearings and consideration. She said the Turn of the Century development group submitted a petition application to the City requesting approval to prepare a specific plan. The proposed specific plan area includes about 977 acres located south of Gibson Road on the west side of County Road 102 and extending across State Route 113. The focus of tonight's hearing, she said, is to decide whether the Turn of the Century group should be allowed to prepare a specific plan, and if they should what the boundaries should be. Over the last few months the Planning Commission discussed the Turn of the Century petition on several occasions. On November 6 the Commission recommended on a 4-2 vote approval by the City Council of the Turn of the Century request to prepare the specific plan subject to modifications of the boundaries of the She then pointed to a map indicating the Planning Commission's specific plan. recommended boundaries for a revised area of 948 acres. She said the Commission recommended changes to the boundaries because they felt the boundaries proposed by Turn of the Century group were not consistent with Policies 1.C.3 and 1.C.4 of the General Plan and felt their recommendation would constitute a more logical boundary. She said staff supports the recommendation of the Planning Commission and feels that the Commission's recommendation is a more logical block of land that will facilitate good planning. She said the Commission's recommendation does exclude a major peninsula of land that was of concern to staff, and staff feels the recommendation will help foster the creation of a neighborhood as opposed to disjointed subdivisions. She said if the Council authorizes the preparation of a specific plan by Turn of the Century there are some related items Council needs to address. First is the formation of a Technical Advisory Committee (TAC) involving several City departments and other entities to review the plan. Another issue is the formation of a Citizens' Advisory Committee (CAC) to also participate in the draft review of the specific plan. She said staff is recommending that a Citizens' Advisory Committee not be formed because the boundaries of the specific plan will have only a minimal impact on existing areas of the City. Also, with the deadline for the specific plan which the City Council has already directed, the Citizens' Advisory Committee would make it difficult to meet the deadline. Finally, she said the Council has directed staff to complete the specific plan process by July 1999 (1 1/2 years after completion of the master plans). Council previously received a tape of the last Planning Commission meeting when this issue was discussed as well as previous Planning Commission staff reviews.

Mayor Rominger opened the public hearing.

The following persons spoke: Applicant Tom Lumbrazo, Dennis Merwin, Dudley Holman, Bruce Bailey, Dick Hoppin, Lauren Van Tassel, Tim Taylor, Kent Calfee, Jim Wilson, and David Whitlow.

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

Council took a recess from 8:32 p.m. until 8:40 p.m.

Council discussed the specific plan and the boundaries.

Resolution No. 4024:

On motion of Council Member Ryhal, seconded by Council Member Losoya and carried by the following vote, the City Council adopted Resolution No. 4024 authorizing the preparation of a Specific Plan by the Turn of the Century group for the area described on Exhibit A (attached to these minutes):

AYES: COUNCIL MEMBERS: Flory, Losoya, Ryhal

NOES: COUNCIL MEMBERS: Rominger

On motion of Council Member Losoya, seconded by Council Member Flory and carried by unanimous vote, the City Council directed the Community Development Director to form a Technical Advisory Committee to review the specific plan; decided not to form a Citizens' Advisory Committee; and directed staff to develop a detailed timeline aimed at having the plan adopted by July 1999.

The City Manager said the Council needs to respond to the issue raised by Turn of the Century group regarding phasing.

City Attorney Ann Siprelle said she gave Council a letter indicating that in her opinion it is not appropriate to commit to phasing at this point, but if the Council would like to express its approval of the concept she drafted some language.

On motion of Council Member Losoya, seconded by Council Member Flory and carried by unanimous vote, the City Council directed staff to consider and analyze the concept of phasing within the Specific Plan Area.

Steve Borchard returned to the Council Chambers. He said he was disappointed with comments made by Dudley Holman. He said he has a financial conflict of interest with respect to the General Plan. He said if Mr. Holman were to call him he would tell him what his leasehold agreements are.

REPORTS OF THE CITY MANAGER:

CONSENT CALENDAR:

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

PARKS, RECREATION AND COMMUNITY SERVICES PROJECTS:

The City Council received an update on Parks, Recreation and Community Services projects.

CAPITAL BUDGET EXECUTION STATUS REPORT:

The City Council received a report on Capital Budget Execution.

COMMUNITY SERVICE AWARDS:

The City Council agreed to select a 1998 Community Service Award Nominating Committee at the December 16, 1997 regular meeting.

COMPLETION OF EAST MAIN STREET REHABILITATION PROJECT:

The City Council accepted the East Main Street Rehabilitation Project, Federal Aid Project No. STPLE-5046 (010), City of Woodland Project No. 95-02, by Teichert Construction as complete; directed the City Clerk to file a notice of completion; and authorized the Mayor and City Manager to sign the notice of completion.

RESOLUTION NO. 4025 - TRANSPORTATION DEVELOPMENT ACT CLAIM:

The City Council adopted Resolution No. 4025 entitled "Resolution Authorizing Filing of Annual Transportation Development Act (FY 1997-98) Claim with Sacramento Area Council of Governments."

CITY TREASURER'S INVESTMENT REPORT:

The City Council receive the City Treasurer's Investment Report for October 1997.

RESOLUTION NO. 4026 - DESTRUCTION OF RECORDS:

The City Council adopted Resolution No. 4026 authorizing destruction of certain Human Resource Records.

AWARD EQUIPMENT SHOP OFFICE IMPROVEMENT PROJECT:

The City Council (1) awarded the contract for construction of the Equipment Shop Office Project, City Project No. 97-08 to Dana Construction of Esparto in the amount of \$14,200.00; (2) authorized expenditures up to \$15,600.00; and (3) authorized the Public Works Director to execute the contract on behalf of the City.

RESOLUTION NO. 4027 - APRIL 14, 1998 MUNICIPAL ELECTION:

The City Council adopted Resolution No. 4027 requesting that the Yolo County Board of Supervisors permit the County Elections Official to render special services to the City of Woodland relating to the conduct of the April 14, 1998 Municipal Election.

REGIONAL TELECOMMUNICATIONS EFFORTS:

The City Council (1) approved a contract in the amount of \$10,000 for consultant services in support of regional telecommunications policy development; and (2) authorized the City Manager to execute the contract on behalf of the City as the fiscal agent for this regional telecommunications policy development effort.

RESOLUTION NO. 4028 - LIGHT EMITTING DIODE (LED) TRAFFIC SIGNAL HEADS:

The City Council adopted Resolution No. 4028 authorizing the Finance Director to enter into a financing agreement with the California Energy Commission for the financing of the Light Emitting Diode (LED) traffic signal heads, Capital Project No. 97-01.

COMPLETION OF SYCAMORE POINTE IMPROVEMENTS:

The City Council accepted as complete the improvements constructed as part of Subdivision No. 4256, Sycamore Pointe; directed the City Clerk to file a notice of completion; and authorized the Mayor and City Manager to execute the notice of completion. The subdivider, Sycamore Pointe Partners, entered into Agreement No. 96-

01 to install the public improvements.

UTILITY BILL PROCESSING:

The City Council authorized Finance Director Margaret Vicars to enter into a service contract with Standard Register for printing, stuffing, and mailing of utility bills and delinquent notices.

REGULAR CALENDAR:

Parks, Recreation and Community Services Director Tim Barry reviewed a lease agreement with Woodland Adult Sports Association (WASA). The City Council at its meeting of May 6, 1997 voted to approve certain fee and cost waivers for WASA. He said the Parks, Recreation and Community Services Commission reviewed and recommended approval of the agreement at their November 24, 1997 meeting.

Buck Ratliff, representing WASA, was available for any questions from Council. He requested Council approval of the lease agreement.

Mayor Rominger noted some changes to be made in the proposed agreement.

On motion of Council Member Ryhal, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the revised Lease Agreement with Woodland Adult Sports Association for maintenance of softball fields (Harris Field at 100 Imperial Street and Dubach Softball Complex, 755 North East Street).

LOCAL SALES TAX BALLOT MEASURE:

The City Manager said the Council discussed some of the parameters involved in a local sales tax ballot measure at the October 21 Council meeting. He said the State has given the City authority to place a general sales tax measure before the voters, but the measure would have to be placed before the voters on the basis of a 4/5's vote of the Council. This measure could only be placed on a ballot for a City Council election. The next election is April 14, and in order to place the matter on that ballot the Council would need to decide by January 16, 1998. The last Council meeting prior to that is January 6.

Lou Harris, President of the Woodland Chamber of Commerce, reviewed the efforts of the Chamber in getting the legislators to approve the legislation to allow the voters of Woodland to decide whether or not to increase the sales tax. At the October Chamber Board meeting the Board reaffirmed its position with regard to the sales tax. A group called "Partners for Progress" was formed. He said the Board recommended that the sales tax be increased by one-half cent with a sunset clause of 4

years. The Board strongly recommended that the funds raised by the sales tax be used for road maintenance backlog and for Fire, Police and Parks/Recreation Departments. He said the Partners for Progress will be meeting to discuss a possible political action committee to receive funds for support of the measure.

Doug Worl said the Partners for Progress met three times and voted to endorse a sales tax increase up to one-half cent with a four-year sunset clause. He said there will be a meeting on Thursday with some people who conduct polls. The Partners feel that perhaps a poll is necessary to see what the potential opposition is. He said they understand that it would be legal for the City to help fund one of those polls. He said the City Manager has made it very clear that the City cannot put any money into a campaign. He said they are in the process of seeking funds. He noted that 39 percent of our sales tax dollars come from outside the community.

The City Manager said one-half cent sales tax generates about \$2.8 million per year on a net basis.

The Public Works Director said there is a \$7.8 million road maintenance backlog.

Responding to a question from Council Member Borchard, the City Attorney said the Council can state that road maintenance is one of the Council's priorities, but the Council cannot commit that the funds will be used for a specific purpose.

Council discussion followed.

Doug Worl said the Partners for Progress is ready for a good solid effort to get this measure passed.

OLIVE TREES ALONG EAST GIBSON ROAD WIDENING:

Associate Planner Bob MacNicholl said the City Council has asked staff to look into the preservation of the olive trees which have historically lined the north side of East Gibson Road. He said his staff report to Council includes a recommendation to Council that the trees be relocated when the final plan and specific design for widening Gibson Road are prepared. He said the trees could be moved in such a way that they become part of the landscaping. He said there are approximately 52 trees on East Gibson Road between County Road 101 and County Road 102, and he said the trees could provide a significant component to the total softscape along the meandering walk and bikepath location on the north side of East Gibson Road. He said the 1995 cost figures in his report indicate that the transplanting cost would be \$400 to \$450 per tree. He added that there are ways to deal with the mess of the olive trees.

The Community Development Director said when the road is widened, all of the trees will be removed or relocated, or the road needs to be redesigned. With respect to cost, the tree removal/transplanting would become part of the district cost in terms of the total cost of the widening and landscaping which is required as part of the Sycamore Ranch Project.

The Public Works Director said they have not started on the design of East Gibson Road. He said the major requirement will be the acquisition of land on the south side. There will be a change in the street alignment because the east end is locked in near the Jail and the Animal Control Shelter. He said the cost would weigh in favor of relocating the trees. He said he will report back to the Council on some alternate designs for the road.

Joshua Johnson said that rather than relocating the olive trees the emphasis should be on redesigning the road and incorporating the olive trees in a reasonably well designed landscape. He said along County Road 101 there are also olive trees, and he signed a legal document when he purchased his house. He said he was having difficulty talking to the City about having some type of homeowner agreement for the maintenance of the trees. He also said there are some products currently registered by the Department of Pesticide Regulation which minimize the problems with the fruit, and they are called plant growth hormones.

DESIGN FOR NEW PIONEER PARK:

Associate Civil Engineer Alan Mitchell reviewed the conceptual design for new Pioneer Park. He said on October 17, 1997, the City entered into a contract for services with RRM Design Group in the amount of \$98,600 for design phase services, bid phase services, and design support services during construction.

Mark Marney with RRM Design Group reviewed the various components of the Park. He reviewed the input received from the community at a workshop held on October 30 and a second workshop on November 20.

On motion of Council Member Flory, seconded by Council Member Losoya and carried by unanimous vote, the City Council extended the Council meeting from 10:30 p.m. to 11:00 p.m.

David Whitlow commented on the design.

Council discussion followed.

On motion of Council Member Losoya, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the conceptual design for the new Pioneer Neighborhood Park and authorized staff to proceed with the remainder of the design.

LOAN AGREEMENT FOR GREASE TRAP INTERCEPTORS:

The City Council pulled off the agenda the item regarding a promissory note with Burger King for a grease trap interceptor installation (per wastewater discharge and pretreatment regulations).

FIRE STATION 1/CITY HALL IMPROVEMENT PROJECT:

Alan Mitchell reviewed the recommended amendment to the Fire Station 1/City Hall improvement project contract for architectural services.

On motion of Council Member Flory, seconded by Council Member Losoya and carried by unanimous vote, the City Council (1) approved Amendment No. 3 to the Contract for Services between the City and Wirth+McCandless, increasing the contract by \$9,500 for the design and construction design support phases of the City Hall Expansion (Fire Apparatus Bay), Project No. 96-38; (2) authorized the increase of total expenditures for Wirth+McCandless, from \$32,000 to \$41,500; and (3) authorized the increase of total expenditures for construction in the amount of \$11,000, from \$170,000 to \$181,000.

On motion of Council Member Losoya, seconded by Council Member Borchard and carried by unanimous vote, the City Council extended the Council meeting from 10:55 p.m. to 11:30 p.m.

HIGH SCHOOL BLEACHER PROJECT:

Council Member Ryhal had requested that the Council discuss the idea of the City supporting a project dealing with the bleachers at Woodland High School (south side of Woodland Avenue).

Rob Rinaldi, representing the Woodland baseball community, made a request for \$42,700 in financial support from the City for the Woodland High School bleacher project. Representatives from other local schools were also present at the meeting in support of the project. He explained the various improvements which have been accomplished at the project, and the only thing missing is bleachers which he estimated would accommodate about 400 spectators. He said that \$20,000 to \$30,000 has already been expended on the ball park. He said they are proceeding with donations and fund raising for the project.

Council expressed a desire to receive a recommendation from the Parks, Recreation and Community Services on the project.

Parks, Recreation and Community Services Director Tim Barry said that the project is good, and some great improvements have been made to the Woodland High School baseball field over the years. He said this is a much better playing field than Clark Field. He said the Baseball Committee is trying to even out the usage of the four full-sized fields available in our community. He said he would be interested in access to this field in the future if the City were to contribute money toward the project. With respect to Capital Budget funding he said he could not pull anything off the existing three-year plan and would need an additional allocation. He said he wanted to discuss the matter with the Parks, Recreation and Community Services Commission.

Council Member Ryhal said any funding would help the project.

With respect to a time line Mr. Rinaldi said the games will go on without bleachers, but there are several tournaments planned, and people are anticipating there will be bleachers by March 1. He said eventually there will be a restroom facility.

Mr. Barry said the next Parks, Recreation and Community Services Commission meeting will be on December 22, and he will schedule the matter for that meeting.

BOARD AND COMMISSION REAPPOINTMENTS:

On motion of Council Member Losoya, seconded by Council Member Borchard and carried by unanimous vote, the City Council reappointed the following persons for four-year terms ending December 31, 2001:

Parks, Recreation and

Community Services Commission: Debbie Peterson

Planning Commission: Jack Mahan

and Council reappointed the following person for a three-year term ending December 31, 2000:

Library Board: Sandra Briggs

The City Council appointed Mayor Rominger and Council Member Ryhal to interview applicants for Parks, Recreation and Community Services Commission.

UPCOMING EVENTS:

Council Members were reminded of the following upcoming events:

1. December 9, 1997 joint meting with the Yuba College Board,

beginning with a 6:30 p.m. reception at City Hall.

- 2. December 10, 1997, 4:30 p.m. to 6:00 p.m. reception for new Fire Chief Miles Julihn.
- 3. December 12, 1997, 5:00 p.m. at the Senior Center, annual employee service recognition reception.

ADJOURNMENT:

At 11:18 p.m. the meeting was adjourned.

City Clerk of the City of Woodland