Council Chambers 300 First Street Woodland, California

November 16, 1993

The Woodland City Council met in regular session at 7:30 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Rominger 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, Flory, Crescione, Sandy, Slaven

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Murphy, Quinn, Wegener, Buchanan, Barry, Nies,

O'Toole

MINUTES:

On motion of Council Member Flory, seconded Council Member Sandy and carried by unanimous vote, the City Council approved the minutes of the regular meeting of August 4, 1993, as prepared.

COMMUNICATIONS:

- 1. From Finance Director Peter Woodruff a memo was received advising of claims paid by City for payroll and accounts payable for October 1993. No Council action was necessary.
- 2. From Julie Hernandez a letter was received in support of using tennis courts for roller hockey. Parks and Recreation Director Tim Barry gave Council a memo of an update on this issue.
- 3. From Laurie King a letter was received in opposition to a Wal-Mart locating in Woodland. Senior Planner Tim Bach had advised that the Community Development Department received the EIR and economic report for Wal-Mart on November 8. The reports will be distributed, and the project will then undergo a 45-day review period with a public hearing to be scheduled before the Planning Commission at the first of the year.
- 4. From Yolo County Drug, Alcohol, and Tobacco Advisory Council a letter was received in support of a no smoking ordinance in Woodland. This item will be discussed under the Regular Calendar.

5. From Arch White a claim against the City was filed in regard to a water line leak. The City's insurance representative recommended that Council reject the claim and refer the claim to them.

On motion of Council Member Sandy, seconded by Council Member Crescione and carried by unanimous vote, the City Council rejected the claim against the City filed by Arch White and referred the claim to the City's insurance representative.

6. From Bonnie Freshwater, President of Woodland Access 43, a letter was received expressing appreciation for the Council's approval of the Woodland Access 43 grant for its cable access project. Woodland Access 43 also requested permission to move into the Parks and Recreation Department office at 1017 Main Street when that Department relocates.

The City Manager said the Parks and Recreation Commission could put together a task force to consider all of the different proposals the City is likely to receive on the use of that building after the Parks and Recreation Department relocates to the Diamond Lumber building at 1022 Main Street. He said the building is highly sought after by many organizations, and the Council should be clear on what proposals will be considered and what criteria to use.

7. From the law firm of Balfrey and Abbott a letter was received requesting that the Woodland Greens development proposal for property on the east side of County Road 102 immediately south of the proposed Lasher auto mall property be considered with the City's General Plan update. Associate Planner Colleen McDuffee has advised that the applicant had not been aware of the scheduled joint meetings of the Council and Planning Commission regarding the General Plan update and made a late plea on October 7 to have their project presented. They were advised to submit their written report to the Council and the Commission.

COMMITTEE REPORTS:

- 1. From Fire Chief John Buchanan a report was received transmitting the minutes of the Yolo County Communications Emergency Services Agency meeting of September 10, 1993. No Council action was necessary.
- 2. From City Manager Kris Kristensen a report was received transmitting the minutes of the Yolo County Transit Authority Board of Directors meeting of September 22, 1993. No Council action was necessary.
- 3. From Parks and Recreation Director Tim Barry a report was received summarizing action taken at the Commission on Aging meeting of October 12, 1993. No Council action was necessary.
- 4. From the Parks and Recreation Director a report was received summarizing action taken at the Parks and Recreation Commission meeting of October 13, 1993. No Council action was necessary.
- 5. From the Parks and Recreation Director a report was received summarizing action taken at the Child Care Commission meeting of October 25, 1993. No Council

action was necessary.

6. From Director of Public Works Gary Wegener a report was received transmitting the minutes of the Traffic Safety Commission meeting of November 1, 1993. No Council action was necessary.

PUBLIC COMMENT:

Art Apodaca said several gentlemen who play cards at Freeman Park asked if they could be allowed to paint and fix up the existing restrooms at the Park. He said they are prepared to paint the facility and fix the plumbing at no cost to the City. He said they would also take on the responsibility at the end of the day to lock up the restrooms.

City Manager Kris Kristensen said there are extensive improvements needed at the restroom facilities at the Park, and steps had to be taken to close the facility because of the problem of vandalism. He said he will work with the Parks and Recreation Director, the park users and Mr. Apodaca on the request and report back to Council.

Mr. Apodaca also asked the Council to reconsider a method for participation in the selection of members of the Parks and Recreation Commission. He asked the Council to consider some type of committee to participate in the process.

Mayor Rominger said the process of selecting board and commission members is currently in place, and the Council held a special study session to consider changes to that process. She said those who were in attendance at that meeting agreed to further consider the process after the League of Women Voters comes back to the Council with its completed analysis of board and commission recruitments. She said the selection process is public so everyone is welcome to attend the interviews. She asked that those persons who are interested in applying for membership to contact the City Clerk.

Mr. Apodaca said he was more interested in a task force so that representatives of his community might work with the City Council or the City Manager to develop a method to bring some resolution to the perceived inequities.

Al Rojas, President of North Americans for Democracies, requested some assistance from the Council in helping members of the Mexican-American community as well as members of the white community of Woodland to resolve the economic impact of the Contadina Cannery layoffs. He said they have contacted Congressman Vic Fazio's office to see if the problem can be presented to the City Council and the County Board of Supervisors. He said a task force would be helpful to relate to those people who have lost their jobs. He said these people are part of the tax base of the community. He said the whole issue of democracy is deeper than just repair to some park restroom facilities but more of an involvement in the community.

Mayor Rominger thanked John Buchanan for serving as camera operator for the

meeting.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 7:51 p.m. in order to convene the meeting of the City of Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit A. At 8:06 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

Mayor Rominger inquired about the Yolo County Habitat Management Program and asked that the item be removed from the Consent Calendar. Council Member Crescione also requested removal of the Downtowners' request for Christmas banner purchase from the Consent Calendar.

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

LEASE AGREEMENT FOR USE OF BUCHIGNANI LITTLE LEAGUE FIELD:

The City Council approved the lease agreement for use of Buchignani Little League Field at the Yolo County Fairgrounds. The lease runs from September 10, 1993 through September 9, 2003 (10 years). In exchange the City agrees to maintain the Little League facility, including paying any costs associated with its use, and agrees to stripe the parking lot annually, prune trees as needed at the Fairgrounds, provide the City water truck during the annual County Fair (equipment only), and provide lights at the Little League Field evenings during the annual County Fair.

LIGHTING MODIFICATION AND CONTROLS PROJECT:

The City Council authorized staff to prepare a Request for Proposals to implement the lighting system modifications as recommended in the final draft of the City of Woodland's Energy Efficiency Study.

GIBSON RANCH (SOUTHEAST AREA) CONSTRUCTION AND INSPECTION SERVICES:

The City Council authorized issuance of a Request for Proposals for Construction Management and Inspection Services for the Gibson Ranch

(Southeast Area) Mello-Roos District.

RESOLUTION NO. 3778 - COUNTY ELECTION SERVICES:

The City Council adopted Resolution No. 3778 calling for the April 12, 1994 General Municipal Election to be held in the City of Woodland and requesting the Board of Supervisors of the County of Yolo to permit the County Clerk to render specified services to the City of Woodland relating to the conduct of the General Municipal Election.

RESOLUTION NO. 3779 - CANVASS ELECTION RETURNS:

The City Council adopted Resolution No. 3779 ordering the City Clerk to canvass the returns of the April 12, 1994 General Municipal Election prior to the first Tuesday after the Election.

CHARGE FOR PRINTING CANDIDATE STATEMENTS:

The City Council agreed that candidates for elective office for General Municipal Elections in Woodland shall be charged for their pro rata share of the total cost of printing the candidate's statement in English; that such candidate's statement shall be limited to 200 words per statement; and that no other material prepared by candidates or committees shall be sent to the voters with the sample ballot and voter's pamphlet.

REGULAR CALENDAR:

DOWNTOWNERS REQUEST FOR CHRISTMAS BANNER PURCHASE:

With respect to the Downtowners' request for purchasing Christmas banners Council Member Crescione said when things get difficult people come up with innovative solutions, and this approach is a good compromise since the City's budget does not provide for Christmas decorations.

On motion of Council Member Flory, seconded by Council Member Crescione and carried by unanimous vote, the City Council approved the expenditure of \$2,200 by the Woodland Downtown Improvement Association for Christmas banners and hardware. The purchase will be funded from the special fund set up April 4, 1989 from proceeds of the "Buy a Brick" program. The Public Works Department will install the hardware and put up/take down the banners.

YOLO COUNTY HABITAT MANAGEMENT PROGRAM:

Mayor Rominger said her concern with amendments and agreements proposed for the Yolo County Habitat Management Program deals with the

reimbursement agreement.

Senior Planner Howard Nies said staff is confident that the City will be reimbursed in accordance with the provisions of the agreement.

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council approved agreements necessary to initiate the planning process for the preparation of the Yolo County Habitat Management Program, which include:

- 1.Amendment No. 1 to the Memorandum of Agreement approved by the Woodland City Council in November, 1992 to establish a program for Habitat Management and Conservation of Threatened and Endangered Species in Yolo County;
- 2.Participation Agreement between the County of Yolo and the Cities of Yolo County in which the City of Woodland agrees to participate in the Program;
- 3.Reimbursement Agreement which specifies the manner in which any public funds paid into the Program will be reimbursed to the City of Woodland;
- 4.Minor Technical Amendments to the previously approved Memorandum of Understanding; and

Council reaffirmed the City of Woodland's previously approved financial commitment to the project (\$97,694.80) with specific payments to be authorized subject to the approval of the City Manager.

PROPOSED SMOKING ORDINANCE:

The City Manager reported that on October 19, 1993 the Council received a proposal from Representatives of the Committee for a Smokefree Woodland. The proposal deals with the prohibition of smoking in public places and workplaces and prohibits the sale of tobacco products from vending machines throughout the City. At this meeting, he said, Council will hear an explanation of the proposal, and if the Council desires to consider the request further public comment should be solicited prior to making a decision. He recommended that Council set public hearings on the topic and ask for a report from the City Attorney.

Mayor Rominger said she spoke with the City Manager earlier and requested Council's concurrence in hearing first from the Committee for a Smokefree Woodland. Then the Council can discuss the proposal and decide if it wants to proceed with public hearings.

Kathryn Shack, employee with Yolo County Department of Public Health, said she is technical advisor to Committee for a Smokefree Woodland. She then summarized the ordinance.

Council discussed the issues of second hand smoke and the economic impact of a smoking ordinance on businesses in the community.

City Attorney Bob Murphy said he has superficially examined the proposal, and he said the Council could adopt the proposed ordinance as is but he would have some technical changes to make. He said there are other areas which raise policy concerns. He noted in the chart within the proposal of Northern and Central California smoking ordinances the different treatment which other jurisdictions use in the workplace and other facilities. He said he would seek some direction from Council if it desires to go forward with the proposal. He said the draft ordinance makes a distinction between enclosed restrictions and non-enclosed restrictions. He said some of the aspects of the proposal would be difficult to enforce, but he said these provisions have been carried forward in most ordinances.

The City Manager said enforcement of a smoking ordinance would be the responsibility of the Police Department, and when calls are received a Community Service Officer would be dispatched to the site. He said the response would not be instantaneous and would be among the lower levels of priority. He said the City would probably get some challenges in the beginning of adoption of such an ordinance, and the success with which the City can deal with the regulation lies with public understanding of the ordinance and public acceptance. He said the community will need a chance to debate the issue so that everyone understands the provisions, although not everyone will agree with the regulation.

Council Member Crescione inquired about the possibility of placing the matter on the ballot. The City Manager said it would be costly to place a measure on the ballot. Vice Mayor Sandy said placing the issue on the ballot is an open invitation for organizations to spend millions of dollars to try to defeat the measure.

Mayor Rominger proposed that the City Council direct the City Attorney to provide the Council with an analysis of the proposed ordinance and highlight some issues that would be of concern to the Council. She said the Council should also set two public hearings on the ordinance.

On motion of Council Member Sandy, seconded by Council Member Crescione and carried by unanimous vote, the City Council set December 7, 1993, and January 4, 1994 for public hearings to consider the proposed no smoking ordinance and directed the City Attorney to prepare an analysis of the ordinance, highlighting some of the important policy issues.

The City Attorney pointed out that the public hearings will be for discussion of a draft and that no actual ordinance for reading has been presented or is currently before the Council. The City Manager said he contemplated that if any action will be taken, action will be taken following the second hearing.

Council took a recess from 8:50 p.m. until 9:00 p.m.

REQUEST FROM LEISUREVILLE MOBILE HOME PARK TENANTS:

The City Manager said last August there was a dispute between tenants of Leisureville Mobile Home Park and their owner over rent increases that had been imposed. The result of some substantive talks garnered an agreement to deal with stabilizing some of those rent increases over a period of time. More importantly the tenants took steps to acquire the property themselves. He said there are State programs that enable tenants to get involved in acquisition of mobile home parks, and the tenants have discussed this with several potential consultants who could help them through the acquisition process. He said they have selected David Thompson as their consultant to assist them, and he has advised the tenants to first conduct a comprehensive survey of the tenants themselves to determine issues about how the tenants would like to own the facility. The survey process will cost \$6,150. Owner of the Park, James Kirkpatrick, has agreed to pay one-half of that cost (\$3,075). The tenants have agreed to pay \$500 toward the cost, and the balance of the cost, approximately \$2,575, would be an amount the tenants are seeking City's assistance in paying. The City has housing monitoring funds accumulated over recent years acquired through issuance of mortgage revenue bonds. He said staff is proposing to pay the \$2,575 with housing monitoring funds. The understanding is that the actual process of securing the acquisition following will involve further negotiations with property owners. The City would not be a part to that process. He said the City currently has approximately \$20,000 in housing monitoring funds.

Vice Mayor Sandy said he felt this is a very appropriate course of action for the Council.

The City Manager pointed out that the City is not aware if more than 50 percent of the Leisureville residents are low income elderly. He said this is not a requirement for the use of these funds. He said the survey will help determine some of these issues.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized an expenditure of Housing Monitoring funds in a sum not to exceed \$2,600 toward a study to determine a course of action for the tenants of Leisureville Mobile Home Park to achieve park ownership.

CHILD CARE POSITION JOB DESCRIPTION/SALARY RANGE:

The City Manager said there are still discussions remaining regarding the Child Care position job description and salary range with the employee bargaining unit which deals with this position. He said staff has requested that the item be removed from the agenda, and staff will report back at a later date.

PARKS AND RECREATION COMMISSION APPOINTMENT:

On motion of Council Member Sandy, seconded by Council Member Slaven and carried by unanimous vote, the City Council appointed Cosme Munoz as a member of the Parks and Recreation Commission for a term ending December 31, 1995.

FUTURE MEETING AGENDA ITEMS:

The City Manager reported that Council received tonight a summary of the changes to the Brown Act (open meeting law) which go into effect on April 1, 1994, and a copy of the Brown Act itself.

The City Attorney said his office will provide a seminar on the Brown Act changes on November 30, 1993.

ADJOURNMENT:

At 9:15 p.m. the meeting	was adjourned to November 23, 1993, 7:00 p.m.	
	City Clerk of the City of Woodland	-