Council Chambers 300 First Street Woodland, California

December 17, 1991

The Woodland City Council convened a special session at 6:45 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall to discuss a personnel matter. All Council Members were present at the meeting except Council Members Flory and Sandy (present were Holman, Crescione, and Timothy). City Manager Kris Kristensen and Assistant City Attorney Ann Finan were also present at the meeting.

Council adjourned the closed session and the special session at 7:25 p.m.

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

### PLEDGE OF ALLEGIANCE:

Mayor Holman invited everyone present to join him in the pledge of allegiance to the Flag of the United States of America.

## **ROLL CALL**:

COUNCIL MEMBERS PRESENT: Holman, Crescione, Timothy

COUNCIL MEMBERS ABSENT: Flory (arrived later), Sandy

STAFF PRESENT: Kristensen, O'Toole, Finan, Ruggiero, Horgan, Suhr,

McDuffee, Bach, Blankenship

### CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the Council met in closed session from 6:45 p.m. until 7:32 p.m. to discuss a personnel matter as provided by the California Government Code. He said no Council action was taken at the meeting.

## **MINUTES**:

There were no minutes submitted for Council approval.

#### COMMUNICATIONS:

- 1. From Marguerite Jull, 1313 Midway Drive, Woodland, a letter was received suggesting that the City consider leasing or purchasing the building formerly occupied by J. C. Penney's on Main Street for use as a Senior Center and to house the Police and Parks and Recreation Departments. No Council action was taken.
- 2. From the California Public Utilities Commission a notice was received advising of Pacific Gas and Electric Company's application to increase its rates and charges for electric and gas service effective January 1, 1993. No Council action was necessary.
- 3. From Tom Ward, 812 Brookside Drive, Woodland, a petition was received urging the City to reduce the speed limit on County Road 101 between East Main Street and Gibson Road and at the east end of Gum Avenue to 30 m.p.h. The petition contained 271 signatures. Council also received a letter supporting the request from Woodland Joint Unified School District Bob Watt.

On motion of Council Member Crescione, seconded by Council Member Timothy and carried by unanimous vote, the City Council referred the petition to reduce the speed limit along County Road 101 between East Main Street and Gibson Road and the east end of Gum Avenue to the Traffic Safety Commission.

The City Manager said the first meeting the Commission can review this matter will be January 6, 1992.

### **COMMITTEE REPORTS:**

- 1. From Chief of Police Bob McDonell a report was received transmitting the minutes of the Yolo County Communications Emergency Services Agency Board of Directors meetings of September 5 and October 24, 1991. No Council action was necessary.
- 2. From Finance Director Peter Woodruff a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority meeting of November 1, 1991. No Council action was necessary.
- 3. From Parks and Recreation Director John Suhr a report was received summarizing action taken at the Commission on Aging meeting of November 12, 1991. No Council action was necessary.
- 4. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Undergrounding Committee meeting of November 20, 1991. No Council action as necessary.

- 5. From Senior Engineer Dan Blankenship a report was received transmitting the minutes of the Traffic Safety Commission meeting of December 2, 1991. No Council action was necessary.
- 6. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of December 5, 1991, as follows:
  - a.Commission received a report on parking requirements at senior housing projects.
  - b.Commission recommended to the City Council that they approve an amendment to the General Plan that will expand Off-Street Parking District No. 1. Commission also certified an NDEIR on this item.
  - c.Commission approved the Final EIR for the Lasher auto park project at the southeast corner of County Road 102 and the I-5 Freeway. The Commission also approved a conditional use permit/planned unit development for the auto park site and a tentative map that will split the 56.5 acre parcel into 17 parcels.
  - d.Commission continued action to an indefinite date on the Oil Can Henry project at the Westgate Shopping Center. This proposal is for an auto lubrication and car wash facility that would be located at the undeveloped pad at the northeast corner of County Road 98 and West Lincoln Avenue. The reason for the continuance was to allow an Addendum to the original EIR be prepared to address the issues of neighborhood compatibility and noise.
  - e.Commission determined that the acquisition of property at the southwest corner

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On motion of Council Member Timothy, seconded by Council Member Crescione and carried by unanimous vote, the City Council set January 7, 1992 for a hearing to consider expansion of Off-Street Parking District No. 1.

7. From Management Analyst Sherri Martin a report was received transmitting the minutes of the Tree Commission meeting of December 9, 1991. No Council was necessary.

### **PUBLIC COMMENT:**

Utilities Engineer Mike Horgan and Water Conservation Coordinator Harrison Phipps gave Council a status report on the City's current water situation.

Parks and Recreation Director John Suhr announced that on Sunday December 22, 1991 the Elks Lodge will be providing breakfast for the homeless at the Diamond Lumber building (1022 Main Street).

Mayor Holman reminded members of the audience that the full binder of Agenda material is on file in the City Library as early as Friday before each regular Council meeting. He also reported that there will be a recycling of Christmas trees on Saturday, January 4, 1992. Mayor Holman also announced that the filing period for anyone wishing to be elected to serve on the City Council is January 16, 1992 through February 6, 1992, and if an incumbent Council Member does not file, that filing deadline will be extended to February 11, 1992.

## PRESENTATIONS - "STROLL THROUGH HISTORY":

Mayor Holman and Historical Preservation Commission Chairperson Lisa Shelley presented certificates of appreciation to "Stroll through History" committee members.

### HEARING - APPEAL OF NORMA TURNER AND CHRISTIAN WILDE:

The City Manager said this time had been set as a public hearing to consider the appeal filed by Norma Turner and Christian Wilde of Planning Commission's approval of a conditional use permit/planned unit development modification for an existing home located at 1574 Owens Valley Drive to allow a reduced rear yard setback of 12 to 14 feet.

## Council Member Flory arrived in the Council Chambers at 7:58 p.m.

Associate Planner Colleen McDuffee gave the staff report. She said the Zoning Ordinance normally requires a rear yard setback of 20 feet. She said the applicant, Shirley Brown, sought the Planned Unit Development modification in order to accommodate a house that was recently constructed on the property. She said the property owner applied for a building permit for a single family home; the plot plan that was submitted with the building plan showed a 15 foot rear yard setback; and the building permit was issued with a 15 foot setback. An error was made in issuance of that permit because the Zoning Ordinance normally requires a 20 foot rear yard setback. That permit was issued in April and construction continued on the building. In August through a letter from Christian Wilde who owns property just to the south of Shirley Brown's lot there was an inquiry if there was an exception made to the setback. She said staff advised Ms. Brown of the error and gave her options of removing the rear portion of her house or applying for a PUD modification to the Planning Commission. Ms. Brown did the latter and the Planning Commission considered the matter at its meeting of November 21, 1991. Ms. McDuffee said the Commission considered conditions proposed by Christian Wilde. Ultimately, she said the Planning Commission approved the PUD on a 5-0 vote and did not approve any of the mitigation measures. In regard to the appeal by Norma Turner and Christian Wilde Ms. Duffee noted that the section (25-27-30) of the Zoning Ordinance referenced in appeal notice is taken out of context and incorrect. She said staff recommends that Council uphold the Planning Commission decision and deny the She noted that a letter was received today from Mr. Wilde appealing the Commission's finding regarding the environmental assessment done for the project.

Assistant City Attorney Ann Finan said the letter from Mr. Wilde was received today, December 17, 1991, and beyond the time limit for appealing actions of the Planning Commission which is ten days from the date the action was taken (November 21, 1991).

Mayor Holman opened the hearing.

Persons offering comments were: Norma Turner, appellant; Stewart Turner; Shirley Brown, applicant; Ellen Telner (Shirley Brown's daughter); Rita Rau; and Fran Hoberg.

After some comments from staff and discussion by Council, the following action

#### was taken:

On motion of Council Member Timothy, seconded by Council Member Flory and carried by unanimous vote, the City Council continued the hearing to January 7, 1992 and directed staff to meet with the applicant and appellants to attempt to reach some agreement.

### **HEARING - BED AND BREAKFAST INNS:**

The City Manager said the second public hearing scheduled is to consider a proposed revision to the Zoning Ordinance to regulate bed and breakfast inns in NP/T, C-2, C-3, and C-H zones.

Senior Planner Tim Bach gave the staff report. He said the Planning Commission on November 21, 1991 unanimously voted to recommend amendments to the Zoning Ordinance to regulate bed and breakfast inns through the conditional use permit process in the NP/T, C-2, C-3 and C-H Zones.

Mayor Holman opened the hearing.

The following persons spoke: Dennis Gay, 527 College Street, Woodland; and Judy Boyer, 638 First Street, Woodland.

There being no further comments, Mayor Holman closed the hearing.

### Ordinance No. 1200:

On motion of Council Member Timothy, seconded by Council Member Flory and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1200 amending certain sections of the City Zoning Ordinance (City Code Chapter 25) to regulate bed and breakfast inns in the NP/T, C-2, C-3 and C-H Zoning Districts.

# **HEARING - ACQUISITION OF 340 WEST KENTUCKY AVENUE:**

The City Manager said the third hearing scheduled is for the purpose of considering acquisition of property at the southwest corner of Kentucky and Ashley Avenues (340 West Kentucky Avenue).

Assistant City Manager Kristine O'Toole reported that a sales agreement has been signed with the property owner to acquire the property for a sales price of \$180,000 plus 50% of the closing costs (\$581 to City), but she recommended that Council proceed with opening and closing the hearing.

Mayor Holman opened the public hearing, and there being no comments, he closed the hearing.

## Council took a recess from 9:30 p.m. until 9:40 p.m.

### TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Holman temporarily adjourned the meeting of the Council at 9:40 p.m. in order to convene the meeting of the City of Woodland Redevelopment Agency. See Agency minutes attached to these Council minutes as Exhibit A. At 9:41 p.m. the Redevelopment Agency meeting was adjourned, and the Council meeting was reconvened.

### **REPORTS OF CITY MANAGER:**

### **CONSENT CALENDAR:**

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

### COMPLETION OF LIBRARY COURTYARD PROJECT:

The City Council accepted the Library Courtyard Alterations, Projects No. 91-07, by Hill 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.

### AUTHORIZED RIGHT-OF-WAY ACQUISITION ON WEST GIBSON ROAD:

The City Council authorized staff to acquire the right-of-way and public utilities easement required to widen West Gibson Road from Gary Way to Ashley Avenue and to implement the City's Underground Utility District No. 11.

### AWARD PARK PLAYGROUND EQUIPMENT PURCHASE:

The City Council awarded the purchase of the Play equipment at Beamer Park to Ross Equipment Company for \$43,995, Crawford Park to Ross Recreation Equipment Company for \$49,995, and Harris Park to Beckwith Associates, Ltd. for \$48,258.91.

## BID AWARD FOR STREET TREE REMOVAL AND TRIMMING CONTRACT:

The City Council awarded the Street Tree Removal and Trimming Services Contract to Richards Tree Service of Yuba City.

### **COMMUNITY SERVICE AWARD NOMINATING COMMITTEE:**

The City Council appointed Mayor Holman, Henry Delp, Jean Sisson, Mabel Thomas and Melba Whitehead to the 1992 Community Service Award Nominating Committee.

#### REVERSION TO ACREAGE HEARING SET FOR HOFMANN COMPANY:

The City Council set January 7, 1992 for a hearing to consider a Reversion to Acreage for Hofmann Company covering 8.98 acres in an area west of Santa Anita Drive.

### FINAL MAP NO. 3987 FOR VALLEY OAK TOWNHOMES:

The City Council approved Final Map No. 3987 for Valley Oak Townhomes, a 22 unit (1.775 acre) subdivision located on the west side of North Cottonwood Street, south of Kentucky Avenue.

#### AGREEMENT WITH UNION PACIFIC RAILROAD RE TRAFFIC SIGNAL:

The City Council approved a license agreement between the City of Woodland and Union Pacific Railroad Company for a traffic signal to be installed at the intersection of East Main Street and Matmor Road, Woodland, in the railroad right-of-way. A one-time license fee of \$600.00 (from Fund 37) is required to execute the agreement.

### RENEWAL OF JANITORIAL SERVICES CONTRACT:

The City Council extended the current contract for janitorial services with Bailey's Cleaners to October 31, 1992, with the addition of cleaning for the Police modular building at the rate of \$225 per month.

### BID CALL FOR EQUIPMENT PURCHASES WITH SEWER BOND FUNDS:

The City Council authorized the calling of bids for a mid-sized pickup with two-way communication radio; a mid-sized sedan with two-way communication radio; a four-wheel drive full-sized pickup; and a trailer-mounted compressor with tools. The vehicles and equipment will be used for the maintenance of the City's sewer collection system by the Public Works Utilities Division and Wastewater Treatment Plant.

#### BID AWARD FOR SOUTHLAND PARK AREA STREET LIGHTING:

The City Council awarded the contract for construction of the Southland Park area street lighting modifications, Project No. 91-16, to M & M Electric Company and authorized expenditures up to \$64,000.00.

### ABSORPTION STUDY AND APPRAISAL FOR SOUTHEAST AREA FINANCING:

The City Council authorized a contract for absorption rate consultant services with Empire Economics and a contract for appraisal services with Clark-Wolcott Company for the Southeast Area financing.

### **REGULAR CALENDAR:**

### DOGS OFF LEASH IN PARKS:

Park and Recreation Director John Suhr reported that three Park and Recreation Commission members, two Park and Recreation Department staff members and four dog owners met to address the issue of the City's existing dog leash law, and developed the following four-step plan:

- 1.A procedure be approved whereby responsible dog owners, through a permit process, would be allowed to exercise and train their dogs off leash in City parks.
- 2.That the City's existing dog leash ordinance be amended to allow through the permit process, dogs off leash in City parks.
- 3. That dog owners be required by ordinance to clean up after their animals.
- 4. That a publicity and education program be developed to raise the consciousness of all dog owners.

Kim Norris and Robert Milsap, who served on the committee to develop the plan, gave their comments.

On motion of Council Member Flory, seconded by Council Member Timothy and carried by unanimous vote, the City Council approved the Parks and Recreation Commission's recommendation to permit dogs off-leash in City parks and directed staff to report back to Council with the draft ordinance.

### 1992 TRANSPORTATION WORK PROGRAM:

Senior Engineer Dan Blankenship reviewed the list of proposed transportation improvement projects for the upcoming calendar year.

On motion of Council Member Timothy, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the 1992 Transportation Work Program.

## LAKE COUNTY REGIONAL WASTEWATER TREATMENT PLANT EIR:

Associate Planner Colleen McDuffee reviewed for the Council the draft Environmental Impact Report on the Lake County Southeast Regional Wastewater Treatment Plant.

On motion of Council Member Timothy, seconded by Council Member Crescione and carried by unanimous vote, the City Council authorized the Mayor to sign a letter prepared by staff with the City's response to the Lake County Southeast Regional Wastewater Treatment Plant Draft Environmental Impact Report.

### SOUTHEAST AREA ANNEXATION NEGOTIATIONS:

The City Manager gave Council an update of the negotiations regarding the Southeast Area annexation. He said the negotiating team of Mayor Holman and Vice Mayor Timothy have been trying to determine how the County can be made financially whole with regard to the project. He said both the staff and the negotiating team have been trying to come to some agreement with regard to what it is going to cost the County to provide County services to the fully developed Southeast Area and what kind of revenues under current conditions is the County likely to receive and match whether they balance out. He said the City and County have had difficulty in coming to agreement on that. He then reviewed with Council some charts prepared by the City's Finance Director Pete Woodruff giving the County's position and the City's position with respect to costs and revenues. The differences are in (1) current per capita County costs and in (2) the factor used to estimate future cost increases. The City believes the County's current operating costs applicable to the Southeast Area to be \$205 per capita (up from the consultant's first estimate of \$190) while the County advocates a \$215 per capita figure (down from their October estimate of \$226). The City feels the percentage increase to be used to estimate increases in those expenses over time should be 5.5% while the County supports 7.1%.

After discussion by Council the City Manager said based on Council's comments the negotiating team will talk in terms of property tax trade-offs in order to reach some settlement as long as the City's revenue and ability to provide services is dealt with somehow.

## DEFERRED COMPENSATION PLAN FOR TEMPORARY EMPLOYEES:

Assistant City Manager Kristine O'Toole explained that under Section 11332

of the 1990 Omnibus Budget Reconciliation Act passed by the federal government, all state and local government employees must be covered by Social Security or by a qualifying retirement system or plan by January 1, 1992. This includes part-time temporary and seasonable employees. She said it is the intent of this law to provide non-benefited employees with the opportunity to participate in a retirement plan, either utilizing the Social Security System or an alternate approved plan.

On motion of Council Member Timothy, seconded by Council Member Crescione and carried by unanimous vote, the City Council approved an agreement between the City of Woodland and Sacramento Savings to establish a 457 Plan (retirement system) for part-time, temporary, and seasonal employees in compliance with Section 11332 of the 1990 Omnibus Budget Reconciliation Act.

On motion of Council Member Timothy, seconded by Council Member Crescione and carried by unanimous vote, the City Council approved extending the meeting from 11:00 p.m. until 11:30 p.m.

### ORDINANCE NO. 1201 - REVISED STREETS AND SIDEWALKS ORDINANCE:

Senior Engineer Dan Blankenship and Assistant Engineer Jon Tice explained to Council text changes to totally revised the City's Streets and Sidewalks Ordinance.

On motion of Council Member Timothy, seconded by Council Member Flory and carried by unanimous vote, the City Council introduced Ordinance No. 1201 amending Chapter 20 of the Code of the City of Woodland, California, 1955, concerning Streets and Sidewalks.

### BID CALL FOR OIL AND GAS LEASE:

On motion of Council Member Crescione, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized a bid call for an oil and natural gas lease for City property located west of County Road 102 between East Kentucky Avenue and East Beamer Street.

### RESOLUTION NO. 3641 - RELOCATION RULES:

On motion of Council Member Timothy, seconded by Council Member Crescione and carried by unanimous vote, the City Council adopted Resolution No. 3641 approving rules and regulations to provide relocation assistance to persons displaced by actions of the City of Woodland.

## **SPECIAL MEETING DATES SET:**

The City Council set January 9, 1992 and January 11, 1992 as special

meeting dates to address various issues.

# ORDINANCE NO. 1198 - REZONING FROMMELT PROPERTY:

On motion of Council Member Timothy, seconded by Council Member Crescione and carried by the following roll call vote, the City Council adopted and read by title only Ordinance No. 1198, rezoning the Frommelt property located on the east side of North Walnut Street and south of Emerald Avenue to R-2/PD:

AYES: COUNCIL MEMBERS: Crescione, Flory, Timothy, Holman

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Sandy

### ORDINANCE NO. 1199 - OFF STREET PARKING REQUIREMENTS:

On motion of Council Member Timothy, seconded by Council Member Flory and carried by unanimous roll call vote, the City Council adopted Ordinance No. 1199 amending off street parking requirements for auto body and repair shops:

AYES: COUNCIL MEMBERS: Crescione, Flory, Timothy, Holman

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Sandy

### **ADJOURNMENT**:

At 11:32 p.m. the meeting was adjourned.

City Clerk of the City of Woodland