

Council Chambers
300 First Street
Woodland, California

July 17 1990

The Woodland City Council met in regular session at 7:30 p.m. (A closed session was scheduled but was not held.)

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, Flory, Sandy, Timothy

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: McPherson, Hanson, Moe, Golnik, Ruggiero, Buchanan, Suhr

MINUTES:

On motion of Council Member Sandy, seconded by Council Member Timothy and carried by unanimous vote, the City Council approved the minutes of the adjourned meeting of April 24, 1990, and the adjourned meeting of June 26, 1990, as prepared.

COMMUNICATIONS:

1. From the State Department of Alcoholic Beverage Control a copy of an application was received for an off sale beer and wine license for El Sombrero Foods, Inc., 451 Third Street, Woodland. Lt. Bob Jones had advised that the Police Department has no objection to the issuance of this license. No Council action was necessary.

2. From the law firm of Millsap, Millsap & Thompson a letter was received requesting that the City consider an ordinance or policy regulating the placement of existing utility lines underground in residential areas. The request was submitted on behalf of their clients, Mr. and Mrs. Bernie Gorman, Sr., owner of property on Kentucky Avenue. Council was advised that after reviewing this request staff will make a recommendation to Council.

COMMITTEE REPORTS:

1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the June 4 and June 18, 1990 meetings of the Woodland Public Library Board of Trustees. No Council action was necessary.

2. From Finance Director Peter Woodruff a report was received transmitting the minutes of the June 7 and June 22, 1990 meetings of the Yolo County Public Agency Risk Management Insurance Authority. No Council action was necessary.

3. From Community Development Director Janet Ruggiero a report was received summarizing action taken by the Historical Preservation Commission at its meeting of June 11, 1990. No Council action was necessary.

4. From Assistant to the City Manager Sandy McPherson a report was received transmitting the minutes of the June 27, 1990 meeting of the Recycling Committee. No Council action was necessary.

5. From the Community Development Director a report was received summarizing action taken by the Planning Commission at its meeting of July 5, 1990, as follows: (1) Commission cancelled the July 19, 1990 meeting; (2) Commission approved a variance to construct a fence with zero setback at 656 College Street; (3) Commission certified an NDEIR and approved a conditional use permit for a mixed use project with retail and automotive uses, warehousing and offices on the south side of Main Street between 5th and 6th Streets; (4) Commission certified an EIR, recommended rezoning of property, approved Tentative Subdivision Maps 3794 and 3714 and approved extension of the linear park system for the Clanton Project in the vicinity of West Kentucky Avenue; County Roads 98 and 98-B (Ashley Avenue); (5) Commission received a staff report on noise walls; (6) Commission advised staff to set a public hearing on deep lot development in the NP Zone; and (7) Commission directed staff to request an opinion from the City Attorney regarding possible changes to the nonconforming use provision of the Zoning Ordinance to allow expansion of existing uses.

On motion of Council Member Flory, seconded by Council Member Sandy, and carried by unanimous vote, the City Council set August 7, 1990 for a public hearing to consider the rezoning of the Clanton Project located near West Kentucky Avenue, between County Road 98, County Road 98-B and Ashley Avenue.

PRESENTATION FROM EXCHANGE STUDENT FROM ARGENTINA:

Eduardo Menando, a foreign exchange student from Argentina, presented Mayor Holman with a letter and a flag from the Mayor of his city in Argentina. Mr. Menando came to Woodland on August 12, 1989, and attended Woodland High School as a senior on the Rotary exchange program. Mark Mezger told the Council that he has been staying with Gloria Childers, a teacher at Woodland High School, and will be returning to Argentina in early August this year. Mayor Holman then presented him with a letter and some City pins to take back to the Mayor of his city.

HEARING - COLLEGE PARK PROJECT PREZONING:

Assistant to the City Manager Sandy McPherson announced that this time had been set for a hearing to consider the prezoning of the College Park Project.

Community Development Director Janet Ruggiero said the College Park Project is located on the south side of Kentucky Avenue between North College Street and Palm Avenue. The proposal is to prezone the property to R-M/P-D and R-1/P-D prior to annexation to the City. She then described the proposal to Council as well as some of the issues presented to the Planning Commission. A second public hearing to be held is an appeal of the Planning Commission's approval of a conditional use permit for the College Park Project. The Community Development Director said the focus of the prezoning hearing is on the ramifications of the R-M Multiple Family Residential zoning and a proposed 96-unit apartment proposal.

Mayor Holman opened the public hearing.

Mark Milton (appellant regarding conditional use permit for College Park Project), 610 Kentucky Avenue, Woodland, asked on behalf of other concerned property owners for a continuance of the public hearing to allow them time to get some advice from legal counsel. He requested that the hearing be continued at the next regular Council meeting.

Lou Fox, developer, offered to give Council additional information about his project.

The Community Development Director and City Attorney Ron Moe advised Council that the Council was not being asked to approve a particular apartment project at this time. Council is only being asked to prezone the 32+ acres with the zoning proposals.

Kathy Smith, 51 Pershing Avenue, Woodland, said she and other residents in the area feel there should be a reduction in multiple zoning and allow only single family residential, some duplexes and existing commercial. She suggested keeping the zoning as R-1 and R-2.

Susan Ochoa, 208 N. College Street, Woodland, also asked for a continuance of the public hearing. She said there are already 100 apartment units across the street from the proposed project, and with the 96 apartment units proposed there will be considerable traffic congestion at College Street and Kentucky Avenue.

Joanne Vokl, P. O. Box 458, Woodland, said she was a resident on Kentucky Avenue and she expressed her support of improvements to the north side of town and

the proposed single story townhouses which she said will make a good buffer to the residential area that is being developed. She urged the Council to approve the multiple zoning as proposed.

A resident at 721 Borchard Court, Woodland, voiced support of the project and allowing Mr. Fox who is from Yolo County to develop the property.

Leon Crum, 704 Kentucky Avenue, Woodland, said he owns other property in this area totalling three acres, and he supports improvements in the area and in particular Mr. Fox's proposed project.

Mark Milton said none of the property owners are against annexation. He said they support the R-2 zoning but are opposed to the proposed development of 5.6 acres into apartments, and this would be doubling the area for multiple family zoning. He said this is too close to their single family residential property and will affect future use of their property.

Council Member Flory said he did meet with property owners regarding their appeal, but they did not discuss the rezoning issues. He asked Mr. Milton if property owners will agree to annexation depending on an agreement reached with Lou Fox.

Mr. Milton said the property owners would like to reach an agreement that would be acceptable to them and still benefit Mr. Fox.

Cheryl Bremer, 240 North College Street, Woodland, voiced her opposition to the proposed construction of apartments. She said a proposal to develop apartments with some sort of access to Beamer Park would be ideal. She said she was not against improvements but she is against apartments.

Lou Fox said he did not feel it was good to construct single family homes fronting a major arterial. He said this is a lower density type project, a town home project with each unit having its own private yard. He said he felt the higher density going off College Street was making appropriate use of the land.

Responding to a question from Council Member Flory, the Community Development Director told Council that the property owners cannot appeal the rezoning after Council takes action, and that is why they have appealed the conditional use permit for the project. After some discussion Council took the following action to continue the hearing:

On motion of Council Member Timothy, seconded by Council Member Flory and

carried by unanimous vote, the City Council continued the hearing on the rezoning of the College Park Reorganization to August 7, 1990.

Council Member Timothy asked that Community Development Department staff provide Council with the number of students expected with the proposed College Park development and the impact on Beamer School. She also asked for figures on the number of apartments in the area and the number of residents.

HEARING - APPEAL OF MARK MILTON RE COLLEGE PARK PROJECT:

The Assistant to the City Manager said the second hearing scheduled is regarding the appeal filed by Mark Milton of the Planning Commission's approval of a conditional use permit for the College Park project.

The City Attorney recommended that Council continue this hearing as well to August 7, 1990.

Mayor Holman opened the public hearing.

Mark Milton, appellant, asked for a continuance of the hearing.

On motion of Council Member Sandy, seconded by Council Member Crescione and carried by unanimous vote, the City Council continued the public hearing on the appeal filed by Mark Milton to the August 7, 1990 Council meeting.

HEARING - 1990 CLEAN LOT PROGRAM CHARGES:

The Assistant to the City Manager said the third public hearing is for the purpose of considering the account of the cost of the Clean Lot Program for 1990.

Fire Chief John Buchanan gave the staff report. He noted that only two property owners did not pay for Clean Lot charges which contrasts to previous years when several pages of charges had to be added to the tax rolls. He thanked the Fire Department staff for their efforts.

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

Resolution No. 3559:

On motion of Council Member Flory, seconded by Council Member Sandy

and carried by unanimous vote, the City Council adopted Resolution No. 3559 approving the account of the cost of the Clean Lot Program for 1990 and directing the Tax Collector for the County of Yolo to collect the cost of abating the weeds and cleaning the lots.

HEARING - DELINQUENT REFUSE ACCOUNTS:

The Assistant to the City Manager said the last public hearing scheduled is for the purpose of approving tax liens for delinquent garbage/yard refuse accounts with Woodland Disposal Company.

Accounting Manager and City Treasurer Ann Hanson gave the Council background on the proposed tax liens. Tim Magill, General Manager of Woodland Disposal Company, was also present to answer questions from the Council. He said the garbage/yard refuse collection service is mandatory and Woodland Disposal has no means of discontinuing service for nonpayment of accounts.

Mayor Holman opened the public hearing.

Melissa Nixon, City resident, said she works for a title company and asked how the tax lien process will work. Ms. Hanson responded to her concerns, and Mayor Holman invited her to contact Woodland Disposal for further inquiries.

Resolution No. 3560:

On motion of Council Member Flory, seconded by Council Member Crescione and carried by unanimous vote, the City Council adopted Resolution No. 3560, directing the Yolo County Tax Collector to collect the amounts of delinquent refuse accounts.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Holman temporarily adjourned the meeting of the Council at 8:30 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 8:40 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 Sandy, seconded by Council Member Crescione and carried by unanimous vote, the City Council approved the following Consent Calendar items:

CLASSIFICATION PLAN CHANGES:

The City Council approved the following changes to the City's classification plan: (1) delete the title "Civil" from all of the engineering job descriptions that do not require a registration; (2) add the Librarian III job description; and (3) add the Facility Maintenance Worker I/II job description.

HEARING SET FOR CDBG PERFORMANCE REPORT:

The City Council set a public hearing for August 7, 1990 for the Performance Report for the Community Development Block Grant Program for 1989-90.

RESOLUTION NO. 3561 - GUIDELINES FOR HOUSING REHABILITATION PROGRAM:

The City Council adopted Resolution No. 3561 establishing the "City of Woodland Housing and Community Development Program Housing Rehabilitation Guidelines."

RESOLUTION NO. 3562 - UNDERGROUND UTILITY DISTRICT 10:

The City Council adopted Resolution No. 3562 which changes the dates for affected property owners to be ready to receive underground service and for the removal of poles, overhead wires and associated overhead structures and the underground installation of wires and facilities in Underground Utility District No. 10 (where undergrounding work is now in progress).

REGULAR CALENDAR:

YOLO COUNTY TRANSIT AUTHORITY BUS SHELTER PROPOSAL:

Community Development Director Janet Ruggiero said the Council needs to postpone action on the proposed Yolo County Transit Authority bus shelter proposal. She said she had a late meeting today with Transit Coordinator Terry Bassett and there is some confusion about what 20 square feet in signage means.

She said she will bring the proposal back to Council at a later date after the differences are resolved.

Council Member Timothy asked staff to report back on the illumination of the bus shelters and whether they would be shielded from residences. She also asked if the trash receptacles will be inside or outside the shelters.

DIAMOND LUMBER PROPERTY SALE (1122 MAIN STREET):

Assistant to the City Manager Sandy McPherson said about two weeks ago Diamond Lumber announced the sale of their 1.92 acre parcel at 1122 Main Street (south side of Main Street between Sixth Street and the Southern Pacific Railroad property adjacent to East Street). She said Parks and Recreation Director John Suhr and Park and Recreation Commissioner Skip Davies looked at the site for a possible new department office. Diamond Lumber is asking \$770,000 for the site which contains two buildings, approximately 4,000 square feet in size. There is a third structure which is not usable and would have to be demolished. This year's capital improvement budget contains \$470,000 for acquiring a new site for a Recreation Center/Department Office site, and if the Council decides to proceed with the purchase additional funds would have to be allocated for this project. Ms. McPherson reviewed for the Council and viewing audience the advantages as outlined in a report by City Manager Kris Kristensen of acquiring the site. She said Council can either authorize staff to obtain an appraisal and report back or take no action.

Mayor Holman asked if Council can consider rezoning for all four corners at Sixth and Main Street with some kind of control on future development that would be more attractive than some development under the present zoning.

The Community Development Director said the zoning for this area was recently changed from Industrial to Service Commercial to avoid the industrial concerns. She said to retain absolute control over development of this property the Redevelopment Agency can buy the land, and send some requests for proposals on development. She said the Council could also apply an overlay zone to the property which would require a use permit for any use on the property.

Council discussed long range plans for this property in terms of having

control over land which represents an entrance to the City. Council also discussed use of the property by the Park and Recreation Department. Council Member Flory said he favored acquiring the property and then deciding if it is an appropriate site for Parks and Recreation Department offices.

Parks and Recreation Director John Suhr said the subcommittee of the Parks and Recreation Commission which has been looking into sites views the Diamond Lumber property as only a temporary site for five years. He said the City wide game plan is the development of a Community Center, and his department's administrative offices would be at the Center which he said would probably be at Freeman Park. He said this acquisition proposal is a very legitimate Redevelopment fund expenditure.

The Council directed the Community Development Director to bring to Council a resolution at the next study session to initiate the overlay zoning of the property to C-3/PD.

On motion of Council Member Crescione, seconded by Council Member Sandy and carried by unanimous vote, the City Council directed staff to proceed expeditiously with obtaining an appraisal of the Diamond Lumber property (1122 Main Street).

EAST MAIN STREET ASSESSMENT DISTRICT ACQUISITION:

On motion of Council Member Timothy, seconded by Council Member Sandy and carried by unanimous vote, the City Council approved the negotiated value for right-of-way and utility easements from Sambucetti Land and Building Company and from Wesco Truck and Trailer Sales in connection with the East Main Street Assessment District and authorized the City Manager or his designee to execute all documents related to the acquisition of the easements.

NEEDS ASSESSMENT STUDY FOR PLANNING AREAS M & N:

The Community Development Director said her staff mailed out requests for proposals (RFP's) to a list of consultants in order to select a consultant for the needs assessment for the Taormino project. She gave Council a schedule indicating that from July 29, 1990 through August 3, 1990 the proposals would be reviewed and the Council would approve the contract on September 4, 1990. The

interview panel for selecting a consultant was to include a member of the City Council, a member of the City Planning Commission, a member of the public appointed by the City Council, a planner from another jurisdiction, and a member of the Community Development Department.

Council Member Timothy said she questions the need for a needs assessment study and suggested that Council continue this matter to the August 7, 1990 Council meeting to reconsider the necessity for a study.

Mayor Holman said since the printed and posted agenda does not state that the Council will be considering the need for the study, the Council cannot act on that issue at this meeting.

Council Member Sandy said he has no problem with the needs assessment study but felt there should be an environmental assessment, not an EIR, but a cataloging or some recognition of some of the environmental factors associated with the study area. He said maybe that should be done at a future meeting.

The Community Development Director suggested that this matter be continued in its entirety to the August 7 meeting so that the agenda item could be expanded to take in all of the Council's issues. She said she will need to let the consultants know the Council is continuing the whole item to August 7. She noted that the environmental review process would not normally occur until after the needs assessment study is completed.

Council Member Timothy then said she is opposed to the study because of the location of the project. She said it would be a waste of the consultant's time as well as Council and staff's time to proceed if the Council decides it does not want the study.

Dave Taormino said he felt the Council should proceed with the RFP's at this time, and Council could make an addendum to the consultant's contract for the environmental assessment. He said they will be glad to pay for the additional expense.

After other comments from the audience City Attorney Ron Moe advised the Council that this matter is not a public hearing, and the Council is receiving testimony on information well beyond the scope of the stated agenda item. He said he has a concern regarding the Brown Act, but he said the Council can choose to listen to other testimony or not.

Council Member Timothy moved that the Council reconsider the issue of the necessity of the needs assessment study and that the Council continue the issue to the next appropriate City Council meeting.

City Attorney Ron Moe said before further action on that motion that it might be prudent for Council to move to continue this agenda item with some direction to staff to expand the agenda item to include issues discussed by Council tonight. He said the Council can either act on the agenda item or continue the item. Anything beyond that would be a violation of the Brown Act.

Council Member Timothy moved that the agenda item regarding the appointment to the needs assessment consultant selection panel be continued to the next appropriate Council meeting.

Council Member Sandy said he needed a clarification of the motion. He asked if the need for environmental assessment was part of the motion. Council Member Timothy said that was not part of the motion.

The City Attorney said the Council can move to continue the agenda item and with a separate motion direct staff to expand the agenda item for the next appropriate agenda to include the items the Council wishes to discuss.

Council Member Flory seconded Council Member Timothy's motion to continue the agenda item regarding the appointment to the needs assessments consultant selection panel to the next appropriate Council agenda.

Council Member Timothy said her motion was to reconsider the issue of the necessity of the needs assessment study and to continue the matter of the appointment to the needs assessment consultant selection committee to the next appropriate meeting.

The City Attorney said his recommendation was to continue this item (appointment to the consultant selection committee) to the next appropriate meeting. He said to act on Council Member Timothy's motion would be a violation of the Brown Act.

Council Member Timothy withdrew her motion.

On motion of Council Member Sandy, seconded by Council Member Flory, and carried by unanimous vote, the Council continued the appointment to the needs assessment consultant selection committee to the next appropriate meeting.

Mayor Holman told members of the audience that the agenda item will be expanded to include the issues raised by the Council at this meeting. The Community Development Director said she has a clear indication of how to expand the agenda item to include Council concerns.

COMMUNITY BROCHURE:

The Assistant to the City Manager explained the type of community brochure that will be distributed to the public, and Council offered comments.

TREE COMMISSION APPOINTMENT:

On motion of Council Member Timothy, seconded by Council Member Sandy and carried by unanimous vote, the City Council appointed Lloyd Ingraham to the Tree Commission for a term ending December 31, 1992.

COMMUNITY CENTER/POLICE STATION TASK FORCE:

Council Member Flory and Mayor Holman volunteered to review applications for the Community Center/Police Station Task Force Executive Committee and make recommendations to Council.

ORDINANCE NO. 1170 - REZONING VALLEY OAKS PROPERTY:

On motion of Council Member Flory, seconded by Council Member Timothy and carried by the following roll call vote, the City Council adopted and read by title only Ordinance No. 1170, "An Ordinance Amending the Zoning Map of the City of Woodland by Rezoning Certain Property R-M (Medium Density Residential)":

AYES: COUNCIL MEMBERS: Crescione, Flory, Sandy, Timothy, Holman
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None

ORDINANCE NO. 1171 - ESTABLISHING LOT COVERAGE FOR VARIOUS ZONES:

On motion of Council Member Crescione, seconded by Council Member Timothy and carried by the following roll call vote, the City Council adopted and read by title only Ordinance No. 1171, "An Ordinance Amending Chapter 25 of the Code of the City of Woodland Establishing Lot Coverage for Various Zones":

AYES: COUNCIL MEMBERS: Crescione, Flory, Sandy, Timothy, Holman
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None

ADJOURNMENT:

At 10:22 p.m. the meeting was adjourned to July 24, 1990, 6:30 p.m.

Deputy City Clerk of the City of Woodland