

Council Chambers  
Woodland, California  
July 5, 1989

Council met in closed session at 6:45 p.m. to discuss labor relations until 7:15 p.m.; then met in regular session at 7:30 p.m.

PLEDGE OF ALLEGIANCE:

Mayor Nofziger invited everyone present at the meeting to join in the pledge of allegiance to the flag of the United States of America.

ROLL CALL:

PRESENT: COUNCILMEMBERS: Nofziger, Flory, Holman, Sandy

ABSENT: COUNCILMEMBERS: Peyton

Staff Present: Kristensen, Woodruff, Moe, Baxter, Ruggiero, Suhr,  
Buchanan, McPherson, McDonell

MINUTES:

On motion of Councilmember Flory, seconded by Councilmember Holman and carried by unanimous vote, the City Council approved the minutes of the regular Council meeting of April 4, 1989; the adjourned meeting of June 6, 1989; and the adjourned meeting of June 23, 1989, as prepared.

COMMUNICATIONS:

1. From Bill and Zelda Kaymeyer, 456 Elm Street, a notice of appeal was received in regard to the Planning Commission's June 15, 1989 action on the rezoning of property on the north side of Lincoln Avenue between Elm Street and College Street to C-2 General Commercial. The rezoning did not include the Kaymeyer's property. The City Clerk advised the Council that the appeal had been withdrawn.

2. From Bill and Zelda Kaymeyer, 456 Elm Street, a letter was received requesting that their property be rezoned from NP Neighborhood Preservation to C-2 General Commercial. No Council action was taken.

COMMITTEE REPORTS:

1. From Chief of Police Bob McDonell a report was received transmitting the May

25, 1989 minutes of the meeting of the Governing Board of the Yolo County Communications Emergency Service Agency (YCCESA). No Council action was necessary.

## CITY COUNCIL MINUTES - JULY 5, 1989

### COMMITTEE REPORTS (Continued):

2. From Director of Public Works Ron Tribbett a report was received transmitting the minutes of the June 12, 1989 meeting of the Traffic Safety Commission. No Council action was required.

3. From Community Development Director Janet Ruggiero a report was received summarizing action taken by the Planning Commission at its meeting of June 15, 1989. The following items required no Council action: (a) Commission continued until July 20, 1989 a discussion of the Woodlands Preliminary Needs Analysis; (b) Commission instructed staff to initiate zone change from R-2 to R-2 in eight areas of the City which are currently zoned R-2; (c) Commission denied a request to rezone four parcels of land from Neighborhood Preservation to General Commercial; the subject land is located on the north side of Lincoln Avenue between College and Elm Streets; also instructed staff to hold a public hearing on amending the Transitional Overlay Zone which would allow a broader range of uses through the conditional use permit process; (d) Commission approved a Tentative Parcel Map to divide a 18,900 square foot parcel, located at 918 Lincoln Avenue, into 3 parcels and a variance for each of the parcels; (e) Commission approved a modification of a conditional use permit for the Wayfarers Mission, 201 - 4th Street, that will allow food distribution on Tuesdays, Thursdays and Saturdays; (f) Commission deferred consideration of the NDEIR for the improvements to the Library block until such time as the Tree Commission has considered the proposal; and (g) Commission approved a Tentative Parcel Map to divide a 5.51 acre parcel into two parcels; the subject land is located on the south side of East Beamer Street between Matmor Road and Harter Avenue. The Planning Commission also recommended to Council the approval of two amendments to the City's guidelines for implementing CEQA. The first amendment is the addition of a mitigation plan to implement AB 3180. The second amendment allows the Community Development Director to certify categorical exemptions and negative declarations for minor projects. Council was advised that it will be asked to set this matter for hearing on July 18, 1989.

4. From Finance Director Peter Woodruff a report was received transmitting the minutes of the June 16, 1989 meeting of the Board of Directors of the Yolo County Public Agency Risk Management Insurance Authority (YCPARMIA). No Council action was necessary.

5. From the Community Development Director a report was received transmitting the minutes of the June 19, 1989 meeting of the Steering Committee for the Southeast Area Specific Plan. No  
CITY COUNCIL MINUTES - JULY 5, 1989

COMMITTEE REPORTS (Continued):

Council action was necessary.

6. From the Community Development Director a report was received transmitting the minutes of the June 26, 1989 meeting of the Steering Committee for the Southeast Area Specific Plan. No Council action was necessary.

7. From Parks and Recreation Director John Suhr a report was received summarizing action taken by the Parks and Recreation Commission at its meeting of June 21, 1989. The following action as taken: (a) Commission was briefed by staff on the modification to the existing Joint Use Agreement with the Woodland Joint Unified School District for Roy Hobbs, Inc. use of Lee Junior High School baseball field; Commission recommended approval of this modified agreement to the City Council; (b) staff updated the Commission on how the Circulation Element of the City's General Plan addresses the need for an overpass for bicycle and pedestrian traffic from the greenbelt going north between Ashley and Cottonwood Streets; Commission recommended that the Circulation Master Plan address this need; (c) Commission appointed Skip Davies as the Parks and Recreation representative to the Senior Center Expansion Committee; (d) staff briefed the Commission on the proposal of a 180 acre golf course for Woodland; Commission appointed Commissioners Johnson and Ramirez to a Golf Course Feasibility Committee; (e) Commissioner Davies updated the Commission on the progress the Swim Pool Committee has made for the expansion of the building at the Community Swim Center; (f) staff updated the Commission on the progress being made on the Master Plan for softball and baseball fields at the Woodland Regional Park; and (g) Commission recommended that the City Council approve the relocation of the Los Caporales and Sheriff's Posse at the Woodland regional Park, and that a new lease agreement be authorized for both organizations, and that the Sheriff's Posse be compensated \$4,000 for materials that cannot be salvaged. No Council action was taken.

8. From Director of Public Works Ron Tribbett a report was received transmitting the minutes of the June 26, 1989 meeting of the Tree Commission. No Council action was necessary.

9. From the Parks and Recreation Director a report was received transmitting the minutes of the June 13, 1989 meeting of the Commission on Aging. No Council action

was necessary.

PUBLIC COMMENT:

Mayor Nofziger commended those involved in the July 4 celebration, including the Parks and Recreation Director and the  
CITY COUNCIL MINUTES - JULY 5, 1989

PUBLIC COMMENT (Continued):

Commission, the Fire Department and the Police Department.

Marianne Nix, owner of property at 428 Walnut Street in Woodland, said the City has a terrible problem with the homeless. She said Layton Knaggs owns property behind her property and to the north of her property, and they have had people living in their backyards. She said she is tired of cleaning up wine bottles and other debris. She felt the City should remove the people from her property. Mayor Nofziger advised Ms. Nix that she has the power to have the people arrested for being on her property.

HEARING - SETTING APPROPRIATION LIMITATION:

City Manager Kris Kristensen said this time had been set for a public hearing to consider setting the appropriation limitation for fiscal year 1989-90 in accordance with Article XIII-B of the State Constitution.

Finance Director Peter Woodruff gave a brief staff report.

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

Resolution No. 3480:

On motion of Councilmember Holman, seconded by Councilmember Holman, seconded by Councilmember Flory and carried by unanimous vote, the City Council adopted Resolution No. 3480 setting the fiscal year 1989-90 Appropriation Limitation in accordance with Article XIII-B of the State Constitution at \$15,050,036.00.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

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

SEWER FARM DUCK HUNTING LEASE:

The City Council authorized the City Manager to execute a renewal of last year's Sewer Farm duck hunting lease with Don Plank and Hong Fong for the 1989-90 duck hunting season.

CITY COUNCIL MINUTES - JULY 5, 1989

REPORTS OF CITY MANAGER (Continued):

CONSENT CALENDAR (Continued):

DOWNTOWN/FARMERS MARKET FUNDING REQUEST:

The City Council authorized an advance of \$2,500.00 to the Woodland Farmers' Market Board of Directors with funds from the Downtown Improvement Association's parking meter sales profits.

HEARING SET FOR CLEAN LOT PROGRAM:

The City Council set July 18, 1989 for a hearing to receive the report on the cost of the 1989 Clean Lot Program.

REGULAR CALENDAR:

CONFLICT OF INTEREST REGULATIONS:

City Attorney Ron Moe said the Fair Political Practices Commission (FPPC) has adopted some conflict of interest regulations and came to the attention of the Community Development Department. He said Planning Commissioners and others may have a real problem in dealing with the regulations. One of the biggest problems is trying to understand the regulations as relegated by FPPC, and he said after a number of telephone conversations with FPPC the City received five different answers to the same question. He said most answers are just not practical. Basically, he said the concern is that any decision that is made affecting primarily business interests or property holdings of councilmembers and planning commissioners. The direct impacts are not as difficult to

understand because they are fairly straight forward, but the indirect impacts are a problem. The regulations deal with whether or not the impact on the public official is material. FPPC has set forth some guidelines that talk about an official's business interest or real property whether it is within 300 feet or a proposed project, whether it is within 300 feet to 2,500 feet and whether it is beyond 2,500 feet. He said the decision is "material" if it effects dealing with real property interests, effects the value of your property if it is owned property to the extent of \$10,000, if it is leased property whether or not it effects rent that you pay by \$250 (per year) or whether or not it would effect the term of your lease or cause a termination of the lease. If the property indirectly involved is within 300 feet the presumption is that any impact is going to be material (50 cents and up). If the property is within 300 feet to 2,500 feet it is material if the fair market value is changed by \$10,000 up or down. If the property is more than 2,500 feet it is not material unless

CITY COUNCIL MINUTES - JULY 5, 1989

#### REPORTS OF CITY MANAGER (Continued):

#### CONFLICT OF INTEREST GUIDELINES (Continued):

it meets those requirements; in other words, it would effect the value by \$10,000 but it did not effect more than 25% where the same effect was less than 25% of the population or there were less than ten property owners. Mr. Moe said the net result is that it does have an effect and there is no way we can make the statement that under all circumstances we look for "x, y and z", and we will know what we should or should not do. Each case will have to be looked at, and determinations will have to be made as to the materiality -- whether the property is within 300 feet or 2,500 feet, whether it has a financial impact of \$10,000 or more, etc. He said staff asked FPPC how to make a reasonable good faith determination whether there is an impact of \$10,000, and FPPC said they did not know but the assumption is to deal with the issue at the time the action is taken. He said staff has also been in contact with the League of California Cities expressing our concerns, but he said the League has little concern but that will change. He said there are some very unrealistic guidelines and unrealistic methods for meeting those guidelines.

Mayor Nofziger noted that the regulations provide that "if enough officials are disqualified because of conflict of interest so that no action can be taken on a project, a random selection of the disqualified members may be used to obtain a quorum." This means that if there are two nondisqualified members any disqualified members who are selected may not discuss the action or make or second a motion; they may only vote. A disqualified member cannot be qualified to vote in order to break a tie, nor may a disqualified member be considered legally required to vote when the vote of the other

members is a tie.

Mr. Moe said that until the City receives better guidelines we will deal with each issue on a case by case basis.

COUNTY HUMAN SERVICES INFORMATION SYSTEM/SICK CHILD CARE:

Meg Sheldon, Director of Yolo County Department of Social Services, and Phil Walker, Director of Yolo County Health Services Agency, presented requests for funding certain County Social Services Programs.

On motion of Councilmember Sandy, seconded by Councilmember Flory and carried by unanimous vote, the City Council appropriated \$1,000 to the County of Yolo's Human Services Information System Project and \$1,000 to the County of Yolo's Sick Child Care Task

COUNCIL MINUTES - JULY 5, 1989

REPORTS OF CITY MANAGER (Continued):

REGULAR CALENDAR (Continued):

COUNTY HUMAN SERVICES INFORMATION SYSTEM/SICK CHILD CARE (Continued):

Force project.

REFINANCING LIBRARY CERTIFICATES OF PARTICIPATION:

Susan Rutledge, Vice President with Security Pacific Securities, explained to Council the proposed refinancing of the certificates of participation for the Library remodel project. She said this is called an "advance refunding" which is the new issue of certificates of participation and the proceeds of the new issue would be used to fund an escrow which pays the debt service on the outstanding certificates of participation. She said since the interest rates have declined and we are approaching the "call date" it is an opportune time for the City to consider the advance refunding.

On motion of Councilmember Holman, seconded by Councilmember Flory and carried by unanimous vote, the City Council gave conceptual approval to the refinancing of the Library Certificates of Participation and authorized staff to retain the services of Security Pacific Merchant Bank and Jones, Hall, Hill & White as underwriter and bond counsel respectively.

RELOCATION OF LOS CAPORALES REGIONAL PARK SITE LEASE:

Council discussed the proposed relocation of Los Caporales and the Sheriff's Posse from the northwest section of the Woodland Regional Park to the southeast section. Parks and Recreation Director John Suhr explained that the move will allow more land for ball fields. He recommended that seven-year leases with both groups be prepared.

After some discussion Council agreed to postpone action on the relocation of Los Caporales and the Sheriff's Posse at the Regional Park until July 18, 1989 Council meeting.

OPERATING AGREEMENT WITH WOODLAND OPERA HOUSE:

On motion of Councilmember Sandy, seconded by Councilmember Flory and carried by unanimous vote, the City Council approved the operating agreement with the Woodland Opera House to expire on November 19, 2004.  
CITY COUNCIL MINUTES - JULY 5, 1989

REPORTS OF CITY MANAGER (Continued):

REGULAR CALENDAR (Continued):

POLICE BUILDING SITING COMMITTEE:

Council agreed to form a committee to review alternative sites for a new police facility. Council also agreed that the committee shall include: a representative from the Police Department; a representative from the Public Works Department; the City Manager; a member of the Chamber of Commerce Safety Committee; and a citizen-at-large approved by the full Council. Councilmembers Sandy and Holman will interview citizen-at-large candidates.

FIRE DEPARTMENT USE OF SUTTER STREET CORPORATION YARD:

On motion of Councilmember Holman, seconded by Councilmember Sandy and carried by unanimous vote, the City Council agreed to allow the Fire Department to occupy the Sutter Street Corporation Yard as a temporary fire training center.

BID CALL FOR TOTAL STATION SURVEYING EQUIPMENT:

On motion of Councilmember Holman, seconded by Councilmember Sandy and

carried by unanimous vote, the City Council authorized advertisement for bids for the purchase of a total station with related surveying equipment and software to be used for reestablishment of the City-wide level network and other survey projects.

EAST MAIN STREET CONSTRUCTION INSPECTION SERVICES:

On motion of Councilmember Flory, seconded by Councilmember Holman and carried by unanimous vote, the City Council authorized issuance of Request for Proposals for East Main Street Assessment District construction management and inspection services.

NEXT MEETING AGENDA ITEMS:

Councilmember Flory requested a report from the Police Chief on August 1, 1989 regarding a request from the County Assessor's Office informing him of the assets of illegal drugs and other goods which the Assessor's Office can assess.

Councilmember Flory requested an update on August 1, 1989 on proposed modifications of the City sign ordinance regarding campaign signs.

CITY COUNCIL MINUTES - JULY 5, 1989

ADJOURNMENT:

At 9:50 p.m. there being no further business the meeting was adjourned to July 11, 1989, 7:30 p.m.

---

City Clerk of the City of Woodland