

CITY COUNCIL
REGULAR MEETING
MINUTES
DECEMBER 16, 2008
6:00 P.M.

CALL TO ORDER

At 6:02 P.M. Mayor Davies called the regular meeting of the Council to order.

ROLL CALL

COUNCIL MEMBERS PRESENT: Martie Dote (arrived at 6:03 p.m.), William Marble, Jeff Monroe, Artemio Pimentel, Marlin Davies

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Sue Vannucci, Mark Deven, Greg Meyer, Akintunde Okupe, Carey Sullivan, Sandy Briggs, Jamie McLeod, Evis Morales, Cynthia Shallit, Andrew Morris, Barry Munowitch, Dan Gentry, Cynthia Norris, Kim McKinney, Amber D'Amato, Tod Reddish, Devon Horne, Dan Sokolow, Rex Greenbaum, Lynn Gatie, Bob MacNicholl, Doug Baxter

PLEDGE OF ALLEGIANCE

Mayor Davies invited all in attendance to join in the Pledge of Allegiance led by Bob MacNicholl.

COMMUNICATIONS – COMMITTEE REPORTS

Council received the minutes of the Library Board of Trustees meeting of November 17, 2008.



Council received the minutes of the Water Resources Association meeting of July 1, 2008.

Council received the minutes of the Planning Commission meetings of September 4 and 18, and November 6, 2008.

Council received the minutes of the Historical Preservation Commission meetings of September 10 and October 8, 2008.

Council received the minutes of the Yolo Emergency Communications Agency Board meetings of October 1 and 20, 2008.

Council received the minutes of the Parks and Recreation Commission meeting of October 27, 2008.

Council received the minutes of the Commission on Aging meeting of October 27, 2008.

MAYOR ANNOUNCEMENTS

Mayor Davies said that due to a posting error the Council will not introduce tonight an Ordinance on Art in Public Places. The Ordinance will be introduced on January 6, 2009. Mayor Davies also announced that the Council meeting is not being broadcast live tonight but will be replayed at a later time.

COMMUNICATIONS-PUBLIC COMMENT

Carlos Jackson said he is an associate Professor at UCD working in the Chicano Studies Center. He and Lisa Baker are directing a project in partnership with the Yolo County Housing Authority involving the high schools and the junior highs with community art classes. The project is centered in the Donnelly-Yolano homes area and will begin January 9, 2009. Lisa Baker representing Yolo County Housing invited the Council to come and participate in the project.

John Jarold spoke on behalf of the Woodland Soccer Club, asking for funding for the completion of the Community Center soccer field and requesting that the project not be postponed because of budget cutbacks. Woodland Soccer Club offers year round soccer in the City, and the number of participants is increasing every year.



PRESENTATIONS

CERTIFICATE OF APPRECIATION - ROBERT MACNICHOLL

Council approved a Certificate of Appreciation for Robert MacNicholl and Council Member Monroe presented the Certificate of Appreciation.

Assistant City Manager Munowitch said that Mr. MacNicholl has spent 35 years working in the planning field, serving members of the public and spent most of his years in Yolo County. He served 18 years working for Yolo County, was Planning Director for the City of Winters and served two terms for the City of Woodland as Planning Manager.

CERTIFICATE OF COMMENDATION - DUSTIN PEDROIA

Mayor Davies presented to the parents and brother of Dustin Pedroia a Certificate of Commendation. Former Woodlander, Dustin Pedroia, received Major League Baseball's Rookie of the Year Award in 2007 and Most Valuable Player for the 2008 season and joined his team mates in attainment of the pennant for the Boston Red Sox. He was also recipient of the Golden Glove and Silver Slugger awards.

CERTIFICATE OF APPRECIATION - TANYA MCKAY

Council approved and presented a Certificate of Appreciation to Tanya McKay, who served 10 years as an outstanding member of the Parks and Recreation Commission.

TRAFFIC SAFETY COMMISSION ANNUAL REPORT

Council delayed the Traffic Safety Commission Annual Report pending the arrival of a Commission representative.

CONSENT CALENDAR

Council Member Marble had questions regarding the following Consent Calendar items: the Monthly Status Report from Public Works and the filing of a Transportation Development Act (TDA) Claim. He questioned the dates for the first three items in the Public Works monthly status report and asked if all of the



funds noted are going to the Transportation District. Public Works Director Meyer said he will report back to Council on the Status Report dates. Senior Accountant Greenbaum explained the TDA funding.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried unanimously, Council approved the following Consent Calendar items:

MONTHLY STATUS REPORT – FIRE DEPARTMENT

Council received the Monthly Status Report from the Fire Department.

MONTHLY STATUS REPORT – PARKS AND RECREATION

Council received the Monthly Status Report from the Parks Department and Recreation.

MONTHLY STATUS REPORT - PUBLIC WORKS

Council received the Monthly Status Report from the Public Works Department.

MEASURE E RECEIPTS AND EXPENDITURES

Council received the Annual Report on Measure E receipts and expenditures for the fiscal year ending June 30, 2008. Notice of the report will be published in The Daily Democrat.

ASSEMBLY BILL 1600 ANNUAL REPORT

Council accepted the AB 1600 Annual Report for the year ended June 30, 2008.

RESOLUTION 4974 - WATER METER IMPLEMENTATION PROJECT 07-51 (08-08) SOLE SOURCE FINDINGS



Council adopted Resolution 4974 establishing findings pursuant to Public Contract Code Section 3400(b) to authorize the City to sole source Sensus-brand name meter reading equipment for Project 07-51 (08-08) to reduce City costs by creating uniform meter-reading equipment in the City, facilitating maintenance and improving reliability of equipment.

EQUIPMENT PURCHASE CONTRACT - WATER METER IMPLEMENTATION PHASE 1, PROJECT NO 07-51 (08-08)

Council awarded the equipment purchase contract to Golden State Flow Measurement Inc., in the amount of \$1,330,862.92 for the Water Meter Implementation Phase 1, Project 07-51 (08-08) and authorized a contract contingency in the amount of \$150,000 for change orders.

PUBLIC IMPROVEMENTS FOR SUBDIVISION NO. 4754, TURN OF THE CENTURY VILLAGE 4

Council accepted the in-tract public improvements constructed by Centex Homes for Subdivision No. 4754, Turn of the Century Village 4 and authorized a reduced warranty period of six months.

ORDINANCE - MONTHLY UTILITY BILLING

Council introduced, waived first reading, and read by title only an Ordinance to amend Chapter 23C of the City of Woodland Municipal Code to revise the procedure for utility services billing.

ORDINANCE 1501 - FEE DEFERRAL PROGRAM

Mayor Davies requested Council action on an Urgency Ordinance allowing for a fee deferral program prior to Council consideration of other Reports of City Manager. A 4/5th vote is required, and Council Member Monroe was leaving the meeting early.

On a motion by Council Member Monroe, seconded by Council Member Marble and carried unanimously, Council adopted Urgency Ordinance 1501 adding Chapter 6B to the City of Woodland Municipal Code allowing for the deferral of certain impact fees for market-rate residential and non-residential projects. On roll call the vote was as follows:



AYES: Council Members Dote, Marble, Monroe, Pimentel,
Davies
NOES: None
ABSENT: None
ABSTAIN: None

Council Member Monroe left the Council meeting at 6:53 p.m.

PUBLIC HEARING - COUNCIL

NEIGHBORHOOD STABILIZATION PROGRAM AWARD

Redevelopment/Housing Analyst Horne said the Neighborhood Stabilization Program which is part of the Housing and Economic Recovery Act provided \$4 million nationwide to aid in the purchase of foreclosed homes. The City is eligible for \$468,395, but to receive the funds the City must apply with the City of West Sacramento and Yolo County. The Council needs to receive comments regarding how the funds will be used in our community.

At 6:55 p.m. Mayor Davies opened the Public Hearing. There being no comments, Mayor Davies closed the Public Hearing.

Mayor Davies again invited comments from the public.

Dave Taormino asked if the applicants can get a final inspection in advance.

Assistant City Manager Munowitch said for residential construction there is no certificate of occupancy. The City's last discretionary action on home building is a final inspection which requires the full payment of any deferred fees for residential units to take place prior to the inspection.

On motion by Council Member Marble, seconded by Vice Mayor Pimentel and carried the Members present, Council adopted the Neighborhood Stabilization Program as presented.

Vice Mayor Pimentel left the Council Chambers at 6:54 p.m.



PRESENTATIONS (continued)

TRAFFIC SAFETY COMMISSION ANNUAL REPORT

Ron Mikalson, Chairperson of the Traffic Safety Commission, presented the Commission's Annual Report.

Vice Mayor Pimentel returned to the Council Chambers at 6:57 p.m.

REPORTS OF THE CITY MANAGER

RESOLUTION 4976 - MAJOR PROJECTS FINANCING PLAN FEE

City Manager Deven said the City is in a challenging situation with the economy for development. In 2007 the staff began to update the Major Projects Financing Plan (MPFP) and the Spring Lake Infrastructure Fee (SLIF) documents to define the City's development impact fees, and both documents apply to development in the Spring Lake area. One option discussed was looking at ways to deal with the infrastructure improvements that are needed and develop a "pay as you go" concept. This led to Council action on July 15, 2008 wherein staff looked at using some funds from the initial facilities requirements of the Spring Lake Specific Plan Area. These funds were to widen Pioneer Avenue by two additional lanes, making a four-lane configuration and for a signal at the entrance to Pioneer High School. A recommendation was considered to reduce development fees based on removing some projects from the MPFP schedule.

Senior Management Analyst Gatie said the MPFP is the nexus study that allows the City legally under AB 1600 to charge fair share development fees for new development. The City first adopted the MPFP in 1991 and the Plan has been periodically updated. During the last five years the MPFP has been updated every year. The different components that go into the MPFP include all of the City's projects, development assumptions about what is left open for development, and the fair share for each of the projects that can reasonably be placed on new development. With respect to the economic downturn the City Manager put together a Task Force made up of City employees, consultants and members of the development community to take a hard look at the MPFP to see what could be done to the fees to assist the development community. The Task Force meetings



have resulted in a reduction of the fees for single family residences with respect to the other fee categories. The single family residential unit rate has been reduced from \$26,000 per unit to \$19,000 per unit. There are similar reductions in the other land use categories. Some other land use categories were added, including high density single family, age restricted single family and age restricted multi-family. Additionally the Task Force looked at the non-residential development projections, including land left for future development. There were flooding constraints placed on the industrial area. Additional information was released and the non-residential development projections were increased between now and 2020 by approximately 25%, which will spread the burden of the project cost over the additional land uses. About \$54 million in projects were moved out of the fee program but were kept visible in the MPFP. The projects can be reviewed at a future date.

City Manager Deven said the cost of housing has reduced dramatically, and infrastructure costs in the Spring Lake Area require financing which is a significant issue with the whole economy. The City needs to send a message to the business and development community that the City is willing to meet them half way and reduce the impact fees.

Mayor Davies invited comments from members of the audience.

John Murphy, Chair of the Parks and Recreation Commission, said about one-third of the reductions are parks projects, approximately \$28 million. He asked that Council not take action tonight and allow for public input. There is an expectation that projects are moving forward because they are in General Plan document and specific plan documents. Some of the fees are the fair share of City-wide projects and some are fees for building the development, infrastructure. He was not sure why the infrastructure fees were being reduced.

Alain Traig, representing the Woodland Library Board of Trustees, said the Library Board has some concerns about the impact fees relative to the Library. He said the Board is aware of the fiscal challenges the City faces and appreciates the actions taken by the Council thus far. The Board agreed to postpone the Library expansion project funded by Measure E funds to 2020 and beyond, so the funds could be used to meet more urgent City needs. The new furniture for the Library was financed by Friends of the Library, and the books and audio visual media have been paid for from the Library's own reserve fund. Increased services at the Library have been accomplished with a shrinking staff, but the Board fears that the burden of cost savings will fall disproportionately and much more



heavily on the Woodland Public Library than on other City departments. The Library will have a 94% reduction and the inventory will never recover.

Bud Goding, Chair of the Library Board, said the long term effect of the development fee reduction will cause irreparable harm to the Library and will reduce use of the Library. Developer fees represent a majority of the books and materials budget and without the inventory there is not much to offer to the public.

John Jarechi of Centrex Homes said he represents one of the builders in the Spring Lake Area and said the housing market is much worse than it was even 60 days ago. There are a limited number of permits that can be pulled in the next year, but there are only 50 permits left in one neighborhood and 84 homes left to sell. If the City can help, there is a greater chance the builders can stay in business. He asked that the City look at the costs and the consumption in the construction field.

Dennis Rogers, Senior Vice President of the North State Building Industry Association (BIA), stated that previously a person's ability to purchase a home was based on his earnings. Builders purchased land to build houses based on those earnings, but those inflated prices for land were based on assumptions that were rooted in a market that no longer exists and will not exist in our lifetime.

Dave Taormino, representing Russell Ranch, Meritage, Heidrick and Cal West Seeds in Spring Lake, said 1,000 homeowners who have purchased in Spring Lake have paid about \$97 million in fees and there has been an 80% drop off in permits. Without the permits there are no funds. He said Meritage is new to the community and will close escrow in a few days. They have taken on parcels which are on the verge of foreclosure. The goal is to get more permits, and if the Council adopts the interim fee reduction the fees will drop from \$90,000 to \$74,000, we will still be 60% higher than they were in 2003 when the Spring Lake Specific Plan was approved.

Council Member Marble said one of the City's highest priorities is public safety, and he wanted to make sure the Council is not cutting from public safety.

Police Chief Sullivan said staff worked together on the reductions. Funds that directly affect the personnel on the street are the Police personnel expense which has been reduced. A minimal fee pays for start up costs for new officers are added as a direct result of development. He said the City Manager will be looking at incremental property tax and sales



tax increases to cover those fees, which totals about \$16,000 per year. The other funding affecting the Department is the radio communications phase 2 which was eliminated, and this funding is the City's share for revising the communications system that everyone relies on every day and impacts the Police and Fire Departments. He has concerns about the future, and public safety will miss out on the expansion fees that could be developed from houses to be built in the interim, but that project is not going to occur until three to four years.

Council Member Marble noted that a recommended cut is rebuilding of City streets and said Kentucky Avenue will no longer be made into a four-lane road.

Analyst Gatie said "rebuild city streets" is a project that has been in the MPFP since its inception in 1991 and is a project that represents the wear and tear of additional vehicles on City roads. That development fee component was used to work with other revenue sources to repave roads. Reconstruction of existing roads is not funded by development but a share of the deterioration is picked up based on the increase in traffic volumes. With the current economic climate, the City can no longer continue to assess that type of a fee. Regarding the Kentucky Avenue project, there are several components and a good portion has to do with the reconstruction of the road. There are several places in the fee program where the reconstruction of the road fits, but the widening has been removed. Because the growth has shifted more towards the Southeast part of the community instead of the North primarily due to flooding issues, the move to four lanes is not warranted.

Council Member Marble said the funds assume a 25% increase in building square footage over prior projections.

Analyst Gatie said the City is assuming there will be a 25% increase in what will be built between now and 2020, so the assumptions have been modified. In 2006 based on the FEMA maps the City had an almost nonexistent growth in the industrial area. The City changed assumptions about industrial growth and commercial growth in that section of town. Based on new FEMA information as well as change in the market for the Natomas area, the City believes there will be more development in that area between now and 2020 than was projected several years ago.

Mayor Davies asked why it is necessary to stimulate the growth in the housing market and asked what kind of loans the City has to pay back.



City Manager Deven said there are about \$4 million in debt service payments being financed by development impact fees. Staff has not proposed to revise any of the development impact fees projected against the loans but it is important for the City to keep development moving forward to generate the impact fees that will allow the City to make those debt service payments. If the City does not, the debt service payments would have to be made from some other funding source, and the only applicable source is the General Fund.

Mayor Davies asked if the proposed reductions in fees would last until 2020 and the effect of reinstating the reductions. Analyst Gatie said staff envisions updating the proposed reductions annually, and 2020 is the projected build out time until the General Plan is updated.

Council Member Dote asked if projects would be reinstated if there is an improvement in the economy in two to three years. Analyst Gatie said that is correct and the staff's intent are to look at the fees on an annual basis. City Manager Deven said the projects proposed for removal from the MPPF will be reviewed and alternative funding will be explored.

Council Member Dote suggested that the City indicate it is deferring the projects rather than removing them. Analyst Gatie said if the City states the projects will be deferred there should be a date specific when the projects will be reinstated. The projects will be listed in the Plan but the Plan will be reviewed annually.

Vice Mayor Pimentel noted that some of the reduction in fees is a direct nexus to the reduction of infrastructure in the Spring Lake Specific Plan. He suggested that Council set a reauthorization date for the reductions and proposed June 30, 2011 as a sunset or reauthorization date.

Mayor Davies said the fees apply to all development even though the focus is on Spring Lake. The community needs to decide which items are essential and which items are going to be built with development. Development fees are only part of the solution, not the total solution. The City needs to look at affordable housing, the Library, a Sports Park, Police facilities, Park facilities, and roads, and needs to decide what are the most important projects to be addressed with development fees. Then decisions will need to be made as to funding the other projects.

Mayor Davies asked for a motion by Council.

In response to comments from Vice Mayor Pimentel, City Attorney Morris suggested that Council clarify that the reductions are temporary and



on June 30, 2011 the fees will return to what they are now. The Resolution in the staff report does not reflect that concept, so the Resolution needs to be revised.

City Manager Deven said it is better for the City to keep the commitment to update the MPFP on an annual basis which requires a Nexus Study, requires Council to look at the Capital Improvement Program, and which projects were completed and not completed. This approach would be following the requirements of AB 1600.

On a motion by Vice Mayor Pimentel, seconded by Council Member Dote and carried by the Members present, Council received the draft Major Projects Financing Plan dated November 2008, prepared by Economic and Planning Systems, adopted Resolution 4976 making findings and adopting the Major Projects Financing Plan and associated fees relating to general City, Fire, Library, Parks and Recreation, Police, wastewater, water, and roads, to the Resolution to be made to state that fees will be reviewed annually by the Council to determine if they accurately reflect the cost of construction of the facilities relating to design, construction installation and acquisition costs, and agreed that other funding strategies will also be explored.

Council Member Marble left the Council Chambers at 8:10 p.m.

RESOLUTION 4977 - SPRING LAKE INFRASTRUCTURE FINANCING FEE

City Manager Deven said Council is being asked to consider the Spring Lake Infrastructure Fee (SLIF) update which includes updated costs, land values and requirements of the infrastructure.

Council Member Marble returned to the Council Chambers at 8:14 p.m.

Senior Accountant McKinney said staff began the update of the SLIF some time ago and currently the City is trying to provide some relief to developers. Of the total fee burden, the SLIF represents about \$35,000 of the \$54,000 paid in Spring Lake. The projects in the Specific Plan were reviewed and cost reductions were considered, specifically land costs and contingencies in projects. In addition, the original fee did not assume that all of the maximum allowable units would be developed, but assumed about 5% would not be developed in the fee calculation. At the request of developers the City has assumed that 100% of the developable units in



Spring Lake will be developed, and the result was spreading the cost over more units and reducing the fees. The methodology of calculating the road impact fee was changed to be consistent with the MPFP adopted in 2006. There were projects modified in terms of funding, but no changes were made to the Specific Plan or the Master Plan.

Vice Mayor Pimentel left the Council Chambers at 8:14 p.m.

Dave Taormino, Spring Lake property owner, said the rest of the community will not be subsidizing Spring Lake. Modifications were made to the Spring Lake Infrastructure Fees.

Vice Mayor Pimentel returned to the Council Chambers at 8:16 p.m.

Vice Mayor Pimentel said the Council is committed to making sure the quality of infrastructure in Spring Lake is not reduced and he appreciated staff working diligently on the project.

On a motion by Vice Mayor Pimentel, seconded by Council Member Marble and carried by the Members present, Council adopted Resolution 4977 making findings and adopting a Spring Lake Infrastructure Fee decrease with an amendment to add a statement that fees will be reviewed annually to determine accuracy of cost in providing public facilities in the Spring Lake Specific Plan with change in public design construction, installation and acquisition costs.

ORDINANCE - ART IN PUBLIC PLACES

Council postponed action on Art in Public Places Ordinance until January 6, 2009.

ORDINANCE

ORDINANCE 1502 - HOURS OF PARK OPERATION

On a motion by Council Member Marble, seconded by Council Member Dote and carried by the Members present, Council adopted



Ordinance No. 1502 to amend the Municipal Code changing the operating hours of all parks located within the City of Woodland to between sunrise and sunset, with a thirty minute grace period before and after these times, respectfully.

ADJOURNMENT

At 8:20 P.M. Mayor Davies adjourned the regular meeting of the Council.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk

Transcribed by: Jean Kristensen, Deputy City Clerk

Adopted by Council: June 29, 2010