City of Woodland

300 First Street
Woodland, CA 95695

Meeting Minutes - Final

Tuesday, March 15, 2016

6:00 PM

MINUTES ADOPTED BY COUNCIL

Council Chambers

<u>City Council</u>

CITY COUNCIL
CLOSED SESSION AGENDA
5:00PM

A. CALL TO ORDER

B. CLOSED SESSION

B.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Properties: Yolo County Assessor's Parcel Numbers 027-340-030, 027-340-011, 027-340-020, 005-720-099, 005-720-021, 005-720-023, 005-720-005, 005-750-003, 005-692-054, 005-692-060, 005-692-002, 005-750-001, 027-340-015, 027-340-017, 027-340-021, 027-340-023, 027-340-025, 027-340-029

Agency Negotiators: City Manager, Community Development Director, City Engineer, City Attorney, City's Right-of-Way Agent Bender Rosenthal, Inc., and City's Project Manager

Negotiating Parties: Pioneer Self Storage, Syar, Bunge Milling, Pacific Gas and Electric, Geraldine R. Ferro & Geraldine R. Ferro Revocable Trust, Thomas W. Canevari & Joan E. Canevari, Nick Canevari & Dorothy Canevari, Elizabeth J. Crum & Elizabeth J Crum Revocable Trust, Devinder Sahota & Susvir Sahota, Jose Rolon Orozco & Hector M. Gonzalez, Elizabeth Crum, Mark Milton, ICH Inc., North Kentucky Partners II, T&J Rental Investments LLC

Under Negotiation: Price and terms of payment

B.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): 2 potential cases

B.3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Pursuant to Section 54956.8

Property: Approximately 4.7 acres of land located at 1585 East Gibson Road, Woodland, CA 95776, known generally as the District's former Willow Spring School site

Agency Negotiator: City Manager, Community Development Director and City Attorney

Negotiating Parties: Woodland Joint Unified School District (WJUSD)

Under Negotiations: Price and Terms of Payment

JOINT REGULAR CITY COUNCIL/WOODLAND FINANCE AUTHORITY
MARCH 15, 2016
6:00 P.M.

A. CALL TO ORDER

B. ROLL CALL

Present: 5 - Council Member Jim Hilliard, Council Member Sean Denny, Council Member Angel Barajas, Mayor Tom Stallard and Mayor Pro Tem William Marble

C. PLEDGE OF ALLEGIANCE

Pledge of Allegiance led by Gary Goodman, District Manager for the Sacramento-Yolo Mosquito & Vector Control District.

D. COMMUNICATIONS-PUBLIC COMMENT

Lora Auteri spoke regarding a hit and run that took place in Woodland involving her daughter.

E. COMMUNICATIONS-COUNCIL/STAFF STATEMENTS AND REQUESTS

Verbal updates provided by Council Members/Staff.

Mayor Pro Tem Marble attended the Water Resources Association (WRA) meeting on March 14th and adopted a Resolution to submit to Department of Water Resources (DWR) a boundary modification for the subbasin to put boundary largely within the County boundary and use the Yolo County Flood Control and Water Conservation District (YCFCWCD) as the vehicle to submit the boundary modification request. This is supported by various entities. The date of the submittal is required to happen prior to March 31st by DWR. Mayor Pro Tem Marble would like the Council to consider an emergency agenda item to adopt a Resolutuion supporting the boundary modification.

This item needs immediate action, as it came to the City's attention after the agenda was posted.

On a motion by Council Member Denny, seconded by Council Member Hilliard and carried unanimously, Council Members adopted Resolution No. 6608, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND IN SUPPORT OF THE YOLO COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT INTENT TO SUBMIT A BASIN BOUNDARY MODIFICATION REQUEST.

Ayes: 5 - Council Member Hilliard, Council Member Denny, Council Member Barajas, Mayor Stallard and Mayor Pro Tem Marble

16-414 SUBJECT: Long Range Calendar

Recommendation for Action: Staff recommends that the City Council receive the Long Range Calendar for informational purposes only.

F. PRESENTATIONS

1. 16-413 SUBJECT: Sacramento-Yolo Mosquito & Vector Control District Presentation

Recommendation for Action: Staff recommends that the City Council receive a presentation from Gary Goodman, District Manager for the Sacramento-Yolo Mosquito & Vector Control District to provide the latest update regarding mosquitoes, Zika virus, West Nile, invasive mosquito species, threats to public health and services offered by the Sacramento-Yolo Mosquito & Vector Control District.

G. CONSENT CALENDAR

2. 16-399 SUBJECT: General Plan Update Progress Report

Recommendation for Action: Staff recommends that the City Council receive progress report #4 regarding the General Plan Update Project

Received progress report no. 4 regarding the General Plan Update Project.

3. 16-397 SUBJECT: Public Works Quarterly Status Report for the period of December 2015 through February 2016

Recommendation for Action: Staff recommends that the City Council accept the Public Works Department's Quarterly Status Report

Accepted the Public Works Department's Quarterly Status Report.

4. 16-375 SUBJECT: Approve the addition of a Senior Associate Civil Engineer and deletion of an Associate Civil Engineer in the Community Development Department

Recommendation for Action: Staff recommends that the City Council approve the addition of a Senior Associate Civil Engineer position and deletion of an Associate Civil Engineer position in the Community Development Department

Approved the addition of a Senior Associate Civil Engineer position and deletion of an Associate Civil Engineer position in the Community Development Dept.

5. 16-411 SUBJECT: Police Supervisors Association Unit Modification allowing representation of Mid Management Non Sworn Police Employees

Recommendation for Action: Staff recommends that the City Council approve the unit modification to allow the Police Supervisors

Association to represent Mid Management Non Sworn Police employees.

Approved the unit modification to allow the Police Supervisors Association to represent Mid Management Non Sworn Police employees.

6. 16-403

SUBJECT: Adopt Ordinance No. 1598, Approving a Zoning Ordinance Amendment to Allow the Construction of an 80-unit Apartment Project on 4.49 acres at 180 West Beamer Street, the site of the Former Yolo General Hospital/Peterson Clinic

Recommendation for Action: Staff recommends that the City Council conduct the second reading and adopt Ordinance No. 1598, approving an amendment to the Zoning Ordinance Zoning Map for the 180 West Beamer Street Apartments Project (Attachment A).

Adopted Ordinance No. 1598, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND AMENDING THE ZONING CODE ZONING MAP FOR THE 180 WEST BEAMER STREET APARTMENTS PROJECT TO CHANGE THE ZONE FROM SINGLE FAMILY (R-1) TO MULTI-FAMILY (R-M).

7. 16-387

SUBJECT: Adopt Resolution No. _____, a resolution accepting Public Improvements and Authorizing the City Clerk to file the Notice of Completion for Subdivision No. 4818 (Heritage Park Phase 2)

Recommendation for Action: Staff recommends that the City Council adopt Resolution No. _____, accepting the public improvements constructed by Subdivision Map 4818 and authorize the City Clerk to file the Notice of Completion.

Adopted Resolution No. 6603, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND ACCEPTING THE PUBLIC IMPROVEMENTS FOR SUBDIVISION FINAL MAP 4818 BY MERITAGE HOMES OF CALIFORNIA.

8. 16-410

SUBJECT: Memorandum of Understanding (MOU) with Yolo County Regarding Bail Bond Judgments

Recommendation for Action: Staff recommends the City Council adopt Resolution No. _____, approving and authorizing the City Manager to execute the attached Memorandum of Understanding Regarding Bail Bond Judgments concerning the apportionment of costs and fees and related reimbursements between the City and the County of Yolo for bail bond judgments.

Adopted Resolution No. 6604, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND APPROVING A MEMORANDUM OF UNDERSTANDING WITH YOLO COUNTY REGARDING BAIL BOND JUDGMENTS.

On a motion by Mayor Pro Tem Marble, seconded by Council Member Hilliard and carried unanimously, Council Members approved Consent Calendar items No. 2 through 8.

Ayes: 5 - Council Member Hilliard, Council Member Denny, Council Member Barajas, Mayor Stallard and Mayor Pro Tem Marble

H. PUBLIC HEARINGS

9. 16-412

SUBJECT: Downtown Woodland Mixed-Use Hotel Project - Disposition and Development Agreement and Conditional Use Permit (APNs 005-645-010, -011, -012, -014 and -015)

Recommendation for Action: Staff recommends that the City Council:

1. Receive the Staff Report; and
2. Conduct the Public Hearing; and
3. Adopt Resolution No. _______, approving a Conditional Use Permit (CUP), Site Plan and Design Review application (PLNG16-00006) allowing a five-story, 81-room, mixed use hotel project in the Central Business District, Downtown Specific Plan Area, District A4, including a reduction in the number of required on-site parking spaces, and a modification to sign height limit requirements, based on the findings presented and a determination of project consistency with the Downtown Specific Plan; and
4. Adopt Resolution No._______, authorizing the City Manager to enter into a Disposition and Development Agreement (DDA) with Ganesh Hospitality, LLC, a California limited liability company for the sale of city owned property at 1001 and 1017 Main Street to allow for the development of a mixed-use hotel project.

NOTE: Council Member Hilliard left the Council Chambers for the remainder of the meeting.

On a motion by Council Member Denny, seconded by Council Barajas and carried on a 4 - 1 vote, Council Members adopted Resolution No. 6605, RESOLUTION OF THE OF WOODLAND CITY COUNCIL APPROVING A CONDITIONAL USE PERMIT, SITE PLAN, AND DESIGN REVIEW APPLICATION FOR AN 81-ROOM EXTENDED STAY HOTEL LOCATED AT 1021 MAIN STREET IN THE DOWNTOWN BUSINESS DISTRICT, DOWNTOWN SPECIFIC PLAN AREA – DISTRICT A4 with changes indicated below.

Ayes: 4 - Council Member Denny, Council Member Barajas, Mayor Stallard and Mayor Pro Tem Marble
Absent: 1 - Council Member Hilliard

On a motion by Council Member Denny, seconded by Mayor Pro Tem Marble and carried on a 4 - 1 vote, Council Members adopted Resolution No. 6606, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND AUTHORIZING THE CITY MANAGER TO ENTER INTO A DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) WITH GANESH HOSPITALITY, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY FOR THE SALE OF CITY OWNED PROPERTY AT 1001 AND 1017 MAIN STREET TO ALLOW FOR THE DEVELOPMENT OF A MIXED-USE HOTEL PROJECT with changes as indicated below.

Ayes: 4 - Council Member Denny, Council Member Barajas, Mayor Stallard

and Mayor Pro Tem Marble
Absent: 1 - Council Member Hilliard

The modified language to Condition of Approval #13:

Project shall include not less than 90 parking spaces, but shall strive to provide the minimum required spaces based on use and square footage requirements. Required parking spaces can be provided through a combination of on-site parking and parking secured through shared use agreement(s) with the city and other property owners within 300 feet of the site. Any reduction in parking below the required minimum, based on hotel rooms and retail/restaurant square footage, shall be subject to the Downtown Parking District In-lieu fee payment provision.

A final parking plan, including parking structure, if applicable, and shared use agreement(s), shall be submitted for review and approval by the City Planning Division and Traffic Engineer prior to building permit issuance.

The final amended language for the DDA:

3.12.4 Excluded Environmental Claims. Developer obtained a Phase 1 Environmental Site Assessment prepared by Wallace Kuhl & Associates dated August 31, 2015 ("Phase 1 Report"). The Phase 1 Report identified potential contamination on the City Property described as a discharge of petroleum hydrocarbons, metals and VOCs resulting from prior uses of the property for automotive washing and maintenance purposes and USTs operated by prior businesses located east of the City Property ("Existing Contamination"). Developer is in the process of obtaining a Phase 2 Environmental Site Assessment Report ("Phase 2 Report") in conformance with the recommendations set forth in the Phase 1 Report, which Phase 2 Report shall be provided to the City upon completion. In the event the Phase 2 Report identifies contamination requiring mitigation or remediation measures, the City shall be responsible for all costs and expenses of such mitigation as, or if, may be required in compliance with all applicable laws, provided that City's responsibility to pay such costs and expenses shall not exceed the Purchase Price as set forth herein.

3.12.4.1 Following the completion and delivery of the Phase 2 Report to the City, the City shall, within ninety (90) days of receipt of the Phase 2 Report, obtain and deliver to Developer a third party cost estimate (from no less than two qualified contractors) of the cost of mitigation of the Existing Contamination. The ninety (90) day period for obtaining estimates may be extended by the City as reasonably necessary to complete additional testing or obtain additional information in order to secure accurate cost estimates. In the event that the cost estimate is in excess of the Purchase Price, Developer shall have thirty (30) days to determine whether Developer is willing and able to pay for such excess costs as described above or terminate this Agreement. In the event that Developer desires that the City proceed with the mitigation of such Existing Contamination, Developer shall notify the City in writing, and make a deposit with the City equal to 105% of the estimated cost of the mitigation (which shall be an average of the estimates obtained by such qualified contractors), less the Purchase Price (the "Mitigation Deposit"). The City shall only use the Mitigation Deposit to pay the cost of mitigation after the City has paid mitigation costs equal to the Purchase Price, and any funds remaining

from Developer's deposity upon completion of the mitigation work shall be returned to Developer. In the event that Developer does not provide notice that it desires to proceed along with the required deposit to the City within the thirty (30) day period required hereunder, this Agreement shall automatically terminate, the Deposit and all interest accrued shall be refunded to Developer in its entirety, and the parties shall have no further obligations or liability to each other under this Agreement.

I. REPORTS OF THE CITY MANAGER

10. 16-415

SUBJECT: Appointments, Reappointments and Resignations of Board and Commission Members

Recommendation for Action: Staff recommends that the City Council consider the appointment and reappointment and accept the resignations of members to the various Boards and Commissions.

On a motion by Mayor Pro Tem Marble, seconded by Council Member Denny and carried on a 4 - 1 vote, Council Members approved the appointment and reappointment and accepted the resignations of members to the various Boards and Commissions.

Ayes: 4 - Council Member Denny, Council Member Barajas, Mayor Stallard and Mayor Pro Tem Marble
Absent: 1 - Council Member Hilliard

11. 16-401

SUBJECT: Award Construction Contract for 2016 Road Maintenance Project, CIP 16-01

Recommendation for Action: Staff recommends that the City Council:
1. Adopt Resolution No. _____, to award the construction contract in the amount of $1,667,739.13 for the base bid plus Alternates A and B to Intermountain Slurry Seal, Inc. for the 2016 Road Maintenance Project, CIP 16-01, authorize a contract contingency up to 20%, and authorize the City Engineer to execute the construction contract and change orders; and
2. Authorize the reallocation of $150,000 of Water Enterprise Funds from the Water System Leak Detection and Repairs, CIP 09-23, to the 2016 Road Maintenance Project, CIP 16-01, to fund costs associated with water conflicts with the project; and
3. Appropriate $110,000 of additional Measure E Funds to the project to fund two bid alternates; and
4. Approve a consultant services agreement for construction management and inspection services with Associated Engineering Consultants, Inc., in the amount of $295,250 for the Project and authorize the City Engineer to execute the agreement and amendments as necessary up to 10% of the agreement amount.

On a motion by Council Member Barajas, seconded by Council Member Denny and carried on a 4-1 vote, Council Members adopted Resolution No. 6607, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND

REALLOCATING $150,000 OF WATER ENTERPRISE FUNDING, APPROPRIATING $110,000 OF ADDITIONAL MEASURE E FUNDING AND APPROVING A CONSTRUCTION CONTRACT AND CONSULTANT AGREEMENT FOR THE 2016 ROAD MAINTENANCE PROJECT, CIP 16-01.

Ayes: 4 - Council Member Denny, Council Member Barajas, Mayor Stallard and Mayor Pro Tem Marble
Absent: 1 - Council Member Hilliard

12. 16-416 SUBJECT: FY 2016/17 SPRING BUDGET WORKSHOP

Recommendation: Staff recommends that the Council receive a presentation on the FY2016/17 Budget and Five-Year Forecast and provide direction to staff to guide refinement of the FY2016/17 budget proposal as well as development of the November ballot measure to extend half-cent sales tax.

Received a presentation on the FY 2016/2017 Budget and Five-year Forecast and provided direction to staff to guide refinement of the FY 2016/2017 budget proposal as well as development of the November ballot measure to extend half-cent sales tax.

J. ADJOURNED AT 8:18 PM.

Respectfully submitted,

/s/ Ana B. Gonzalez, City Clerk

Adopted by Council: April 5, 2016