Council Chambers 300 First Street Woodland, California

June 18, 1996

The Woodland City Council met in special session at 6:15 p.m. in order to convene a closed session. Before the closed session the City Manager announced the purposes of the three closed session topics. The first item was a conference with Legal Counsel regarding anticipated litigation and initiation of litigation pursuant to subdivision (c) of Sec. 54956.9 (one case). The second item was a conference with Labor Negotiator Kris Kristensen (Gov. Code Sec. 54957.6) regarding the following Employee Organization: Woodland Professional Firefighters' Association. The third item was a conference with real property negotiator (Government Code Section 54956.8) involving negotiating parties: P G and E Enterprises and City of Woodland. Property discussed was the Conaway Ranch and the topic under negotiation was the price and terms of payment. Council Members present at the meeting were: Rominger, Borchard, Flory, Ryhal; Council Members absent: Losoya. City Manager Kris Kristensen also attended the closed session. Director of Public Works Gary Wegener, and Senior Civil Engineer Nick Ponticello were in attendance during the first closed session topic, and Community Development Director Janet Ruggiero attended during the discussion of the third closed session topic. The special session and closed session were adjourned at 7:22 p.m.

The Woodland City Council met in regular session at 7:26 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

Mayor Rominger opened the meeting and invited everyone present to join her in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL:

COUNCIL MEMBERS PRESENT: Rominger, Borchard, Flory, Ryhal

COUNCIL MEMBERS ABSENT: Losoya

STAFF PRESENT: Kristensen, Ruggiero, Siprelle, Wegener, Barry, Utterbach,

Ponticello, Ostebo, Wickstrom, Mancilla, Zeier, Martin,

Horgan

CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the Council just completed a closed session to discuss three different items (See minutes above) as permitted by the California Government Code. No Council action was taken.

MINUTES:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the minutes for the regular Council meeting of May 7, 1996, as prepared.

COMMUNICATIONS:

1. From Euna Thomas a claim against the City was submitted in regard to an injury which occurred on December 2, 1995, on Sierra Street near Schuerle Street. The City's insurance representative recommended that the Council reject the claim and refer it to them.

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council rejected the claim against the City submitted by Euna Thomas and referred the claim to the City's insurance representative.

- 2. From Robert Hollingsworth a letter was received advising that he resigned from Library Board effective June 1, 1996. The City Clerk advised that a recruitment will begin to replace him, and a letter of appreciation will be sent. The City Clerk said she will ask Council at the July 2 meeting to appoint two Council Members to interview candidates for Library Board.
- 3. From Finance Director Margaret Vicars a memo was received advising of accounts payable and payroll paid by City for May 1996.
- 4. From the Citizens Advisory Committee to the Water Resources Association (WRA) of Yolo County a copy of letter to WRA was received urging continued support of its efforts.

Mayor Rominger, the Council's representative on the Water Resources Association, said the Members of the Citizens Advisory Committee are listed in the letter. She said the Committee is a diverse group and it took them over a year to put together the letter. She said the letter was approved by all of the organizations represented on the Committee, and the letter sends a strong message about the value of the Water Resources Association.

COMMITTEE REPORTS:

1. From the City Manager a report was received transmitting the minutes of the Yolo Solano Air Quality Management District Board meeting of May 8, 1996.

Council Member Flory noted that the Board received a fax that the City of Woodland had been the recipient of a \$10,000 grant from the Air Quality Management District for an alternative fuel program for automobiles. He said evidently a City employee who was in charge of this program was in the process of leaving the employ of the City, and the District tried to contact the employee. He said the District was going to rescind the \$10,000 grant, so he and the City Manager asked that the Board postpone that action for one month until they could find out what has happened to the program. He said the Board asked the Council to send back a memo that states that the program is still viable and why the District did not get a response to their letters. He said the District Board wants a report for its July 3 meeting.

- 2. From Finance Director Margaret Vicars a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority Board meeting of May 8, 1996.
- 3. From the City Manager a report was received transmitting the minutes of the Water Resources Association meeting of May 10, 1996.
- 4. From the City Manager a report was received summarizing topics discussed at the Davis/City 2 x 2 meeting of June 5, 1996, including: Conaway Ranch sale, Davis/Woodland spheres of influence, Davis water studies, Septage disposal issues, Woodland General Plan referendum, Cache Creek gravel mining regulations, and County Habitat Conservation Plan.
- 5. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of June 6, 1996, as follows:
 - a.The Commission approved a modification of a conditional use permit and certification of a Negative Declaration for the inclusion of two modular classrooms for Liberty Christian Academy at 386 West Beamer Street.
- 6. From the City Manager a report was received transmitting the agenda for the Yolo Mayors/Vice Mayors meeting of June 10, 1996.
- 7. From the City Manager a report was received transmitting the agenda and related materials from the Local Agency Formation Commission meeting of June 10, 1996.
- 8. From Parks, Recreation and Community Services Director Tim Barry a report was received summarizing action taken at the Parks, Recreation and Community Services Commission meeting of June 11, 1996.

The City Manager said the Commission requested that the Council consider funding certain unmet needs for the Parks, Recreation and Community Services Department in the FY 1996-97 Budget. He recommended that the Council consider this series of budget recommendations during the Council's discussion of the 1996-97 Budget under the Regular Calendar item.

9. From the City Manager a report was received transmitting the agenda for the Chamber/City 2×2 meeting of June 12, 1996.

PUBLIC COMMENT:

Mary Ann Smith, resident along County Road 101 and resident within Sycamore Ranch, gave the Council an update on the traffic issues regarding County Road 101 at

Gibson Road. She said the situation is worse, and there have been no changes. She said the neighbors are becoming aggravated, and people continue to make illegal left turns.

Parks, Recreation and Community Services Director Tim Barry gave the Council an update on repairs at Dubach park and advised of the upcoming community informational meeting to be held on June 27, 1996, at Yuba College for Southeast Area residents.

Council Member Flory said the Nugget Market has agreed to be a sponsor for the July 4th fireworks display and will contribute \$5,000 for that event. As a result, he said, the community event which was previously cancelled will be held.

Mayor Rominger requested that a letter of appreciation be sent to Nugget Market for their generosity.

PRESENTATION FOR V. SANTONI AND COMPANY:

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council approved a Certificate of Appreciation to V. Santoni and Company for 100 years of business in Woodland.

Mayor Rominger presented the framed proclamation to Chuck Santoni.

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 7:47 p.m. in order to convene the meeting of the City of Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit A. At 8:20 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

Mayor Rominger said action will not be taken on the Consent Calendar item regarding construction inspection services for Community Facilities District No. 1. Council Member Flory requested that the item regarding the purchase of hand guns be removed from the Consent Calendar.

Mayor Rominger declared a possible conflict of interest regarding proposals for surveying and engineering services for the East Street Beautification Project.

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

JANITORIAL SERVICES:

The City Council awarded the bid for janitorial services for one year to Matt's Janitorial from West Sacramento, CA, in the amount of \$61,980.00.

RESOLUTION NOS. 3959, 3960 AND 3961 - STRENG POND, NORTH PARK & GIBSON RANCH LIGHTING & LANDSCAPE DISTRICTS:

The City Council approved the annual reports for Streng Pond, North Park and Gibson Ranch Lighting and Landscape Districts; adopted Resolution No. 3959, a Resolution of Intent to impose FY 1996-97 levy of assessments for Streng Pond Landscaping Maintenance District and setting a July 16, 1996 hearing date; adopted Resolution No. 3960, a Resolution of Intent to impose FY 1996-97 levy of assessments for North Park Lighting and Landscaping District and setting a July 16, 1996 hearing date; and adopted Resolution No. 3961, a Resolution of Intent to impose FY 1996-97 levy of assessments for Gibson Ranch Landscaping and Lighting District and setting a July 16, 1996 hearing date.

SYCAMORE RANCH EAST UNIT 3 FINAL MAP/SUBDIVISION AGREEMENT:

The City Council approve the final map and subdivision agreement for Sycamore Ranch East Unit 3 (Subdivision No. 4286) which is a 4.6 acre subdivision located west of County Road 102 and south of Maxwell Avenue.

CONSTRUCTION INSPECTION SERVICES FOR COMMUNITY FACILITIES DISTRICT NO. 1:

Council postponed action on the award of a construction inspection services contract for Community Facilities District No. 1.

RESOLUTION NO. 3962 - FY 1996-97 APPROPRIATIONS LIMIT:

The City Council adopted Resolution No. 3962 utilizing population and inflation factors for calculating the FY 1996-97 Appropriations Limit for the City of Woodland and setting \$23,841,669 as the FY 1996-97 City Appropriations Limit.

CITY ATTORNEY SERVICES AGREEMENT:

The City Council approved a new City Attorney service agreement with Kronick, Moskovitz, Tiedemann & Girard for a two-year period beginning July 1, 1996.

EAST STREET BEAUTIFICATION PROJECT:

The City Council (Mayor Rominger abstained) authorized issuance of a request for proposals for topographic surveying and engineering services for the East Street Beautification, Phase 1 project, for designing a Class 1 bike path along East Street within the Railroad Right-of-Way between Gibson Road and Main Street.

TRAFFIC SIGNALS/LIGHTING ON COLLEGE STREET AT DOUGLASS JUNIOR HIGH SCHOOL:

The City Council (1) approved plans and specifications for the traffic signals and safety lighting at College Street and Douglass Junior High School, Project No. 95-06; (2) awarded the construction contract for traffic signals and safety lighting at College Street and Douglass Junior High School, Project No. 95-06 to Richard A. Heaps Electrical Contractor, Inc. for \$60,576.00; (3) authorized the Director of Public Works to execute the contract on behalf of the City; and (4) authorized the Director of Public Works to execute contract change orders up to 15% (\$9,000) of the value of the project.

PURCHASE OF HAND GUNS FOR POLICE DEPARTMENT:

Council Member Flory asked if the hand guns proposed to be purchased for the Police Department are the same models discussed last year. Police Lieutenant Lansburg responded to the question.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council awarded the bid for the purchase of 20 Glock Model 19, 9mm semi-automatic hand guns and 25 extra magazines to L. C. Action Police Supply from San Jose, CA, in the amount of \$9,054.58.

REGULAR CALENDAR:

PRELIMINARY FY 1996-97 OPERATING BUDGET:

Finance Director Margaret Vicars said this is the third meeting the Council has looked at the Preliminary Fiscal Year 1996-97 Budget. On May 28, 1996 a workshop was held to review the budget. At that time the Council requested additional charts regarding Department expenditures, and she said those have been distributed separately to Council. She said there have been no major changes proposed to date except the recommendations from the Parks, Recreation and Community Services Commission.

The City Manager pointed out that the Council is being asked to approve the Budget which allows the City to start the Fiscal Year with a plan of expenditures

and revenues, and the Budget is not a final document. He said changes are anticipated particularly within the first six months of the Fiscal Year.

Mayor Rominger said throughout the budget she sees there are educational incentives. She said she did not recall ever seeing a list by department of who takes advantage of those, how long the employee has been with the City before he or she takes advantage of it, and how long the employee stays with the City after the employee takes advantage of it.

The Finance Director said the educational incentive is a part of each of the memoranda of understanding with the bargaining units, and every employee in the bargaining unit is eligible to use it under the guidelines that are set forth. She said the departments do not budget the full amount but budget for the amount they anticipate will be expended. She said staff could check how much is spent on educational incentives, but that would not change the dollar amount in the budget.

Mayor Rominger said just to make sure the educational incentives are serving their purpose which is to make our work force be the best it can be she wanted to see where dollars are going and how they are being applied. She wanted to see if the dollars are actually allowing those people who are receiving those incentives to move up the ladder and to be promoted in the manner in which the expenditures were intended.

The Finance Director said a separate document could be prepared for Council with that information.

Mayor Rominger said it is good that as employees attain a certain educational level they should be recognized as well to thank them for their efforts.

The City Manager said staff will get that information to Council.

Mayor Rominger said one thing that is not in the budget is some sort of a measurement of work performed with any kind of accountability to the Council. She said she has said this before, but she would really like to see some. She said this is something we can use to measure the performance of our organization. This would also allow us to recognize those people who do an exemplary job.

The City Manager said the City currently evaluates employees on their performance, but he said what the Mayor is talking about is related to progress on a departmental level or City level on missions that we have. Those kinds of measurements as they relate to the budget are not in place. He said we do not have any of those types of systems, but these are the kinds of things that will come out of the recommendations of the competitiveness group that deal with some of those topics. He said he did not think that will be a quick program because the budget covers many different services, and applying appropriate

measures on each of them will take quite a bit of time. He said this is something we would like to strive for.

Mayor Rominger said she would like the Council to be able to recognize those employees who do an exemplary job, and the only way the Council can do that is to measure performance and have a good standard with which to measure.

The City Manager said he did not want to leave the impression the City does not evaluate the performance of employees, but the type of performance measurement that the competitiveness group has been talking about is more at the departmental level or City-wide level in terms of services performed. He said staff can provide the Council lists of outstanding employees today, but that is a little different than trying to equate performance measurements through the budget process.

Mayor Rominger said she has spoken with the City Manager about this before, and she said she did not mean to pick on the Parks, Recreation and Community Services Department. She said it is unclear, for example, how many parks a person could maintain in one week, whether it is two parks or three parks or whatever. She said maybe some parks take more work. She said if the Council understands that the Council could give more weight to that. She said that is just one example of what goes on in the entire organization.

The City Manager said that is precisely what the competitiveness group would like to establish -- those department-wide goals and City-wide goals based on the services provided.

The Mayor said we could compare to the private sector and other public sector entities.

Council Member Ryhal said when the City starts its preliminary budget review in January he would like to be involved. He said he would like to understand all of the line items that make up the budget.

The City Manager said the Council will be involved. He said the review process will start before January to familiarize Council Members with the Budget. He said the Chamber of Commerce Task Force recommended getting away from the "line item" budget and recommended a two-year performance budget measurement concept. He said decisions about how we will budget are still to be made. He said he will work with Council Member Ryhal to clarify those line items.

Tom Stoffregen, Chair of the Parks, Recreation and Community Services Commission, outlined recommendations to the Council made at its June 1, 1996 meeting on items not currently in the Preliminary 1996-97 Budget. (Attached to these as Exhibit B is a memo on the recommendations.)

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted the Preliminary FY 1996-97 Operations and Maintenance Budget.

The City Manager said the list of items in the Commission's memo were excluded from Council's approval of the Budget. He said we will need to spend the next couple of months reviewing the recommendations and outlining ways these priorities listed can be dealt with in the FY 1996-97 Budget or beyond.

CONAWAY RANCH WATER ACQUISITION EFFORT:

The City Manager said the Council has not had an opportunity to publicly discuss the Conaway Ranch water acquisition effort, and he wanted to allow the Council to comment.

Council Member Flory said the City needs to find out how much water is there, the availability, and the use of the Ranch.

The City Manager said the City will be in contact with PG & E Properties trying to identify what kind of water rights are available to them and trying to find out what is possible in the way of acquisition versus the needs the City has. He said the City has not quantified its needs.

Mayor Rominger said her understanding from meeting with PG & E Properties representatives is that once the City's letter of interest is received and all of the letters of interest have been received in regard to the Conaway Ranch then PG & E Enterprises will take over from the Grubb and Ellis property management firm. She said the City will begin negotiating with those entities which are legitimate potential purchasers of either the Ranch or portions of the Ranch. She said they told her they would be willing to be creative in selling the Ranch but they were intent on selling the Ranch.

Council Member Flory said their first loyalty would be to people who are interested in buying the Ranch in its entirety or pieces of the Ranch.

Mayor Rominger said she was not given that impression at all. She said they were interested in selling the Ranch, and they could make a good deal with one purchaser or there could be a group that might come together as a coordinated or unassociated entities. She said they were willing to be very flexible in finding a buyer or buyers for the Ranch. She said they were interested in continuing the dialogue until the process is completed and they decide on the buyer or buyers. She said when progress has been made the Council will receive an update.

PUBLIC HEARING SET ON GENERAL PLAN REFERENDUM:

Council Member Borchard declared a conflict of interest regarding the General Plan issue on the agenda and left the Council Chambers at 8:40 p.m.

Mayor Rominger said the Council needs to determine a process for deciding how to respond to the General Plan referendum. She said she and Vice Mayor Losoya asked that this matter be placed on this agenda to solicit input from the community and let the Council Members know that Vice Mayor Losoya was interested in holding a town hall meeting.

The City Manager said the Council needs to deal with the deadline of placing the matter on the ballot. He said if the Council decides to place the matter on the November 1996 ballot, the Council needs to make that decision in July.

Council Member Flory said the Council has already held two or three discussions on the General Plan referendum which were open to the public, and he asked what Vice Mayor Losoya was looking for.

The City Manager said he was interested in public input and to gather as many comments from the public as possible so that he and other members of the Council can get a good sense as to what approach the Council should take.

Council Member Flory said he has mixed feelings about a town hall meeting because the Council has been through it so many times. He said he would like the Council to make a decision on what it is going to do.

City Attorney Ann Siprelle said the Council needs to either repeal the Plan and reopen the process or put it on the ballot. She said that decision needs to be made by the first of August. She said if the Council decides not to place the Resolution approving the 1996 General Plan on the ballot, the Council has chosen the other option. The Council has to do one of the two. The Council must either repeal the Plan or put it on the next regular election ballot or a special election ballot.

Council Member Ryhal said if it is in the best interests of the community he has no problem with holding a town hall meeting. He said he hoped the turnout would be better than this meeting's turnout.

Annamarie Barros said a town hall meeting would allow additional input on the General Plan referendum and would allow for a dialogue.

Dave Rubes said he wanted the Council to consider trusting the voters, and he said a town hall meeting is good. He commended the Council Members for the way they were handling the issue.

Council Member Flory said he is still confused because the issue is the referendum. He said the issue all along has been that the referendum supporters have stated that the Council did not follow the wishes of the Planning Commission and that the Council split 3 to 1 over a hybrid plan that was developed at the last minute as the Council was trying to come up with a unanimous vote. He said the proponents of the referendum came forward and said the people should have a right to vote on the 1996 adopted General Plan, and that is the issue before the Council -- whether the Council thinks the people should have a right to vote on the Plan. He said he is hearing tonight that the Council may want to open the issue up for debate. He said he does not know if the Vice Mayor wants more comments at the town hall meeting about whether to put the matter on the ballot or not put it on the ballot or if Vice Mayor Losoya wants a forum to listen to people before the Council votes to put the matter on the ballot.

The City Manager said Vice Mayor Losoya probably wants information on both of those issues, whether or not the matter should be put to a vote and secondly if there are objections to the 1996 General Plan what are they. He said the Vice Mayor would then be able to gage what level of change in the Plan would be necessary.

Council Member Flory said then he would propose an alternative that the Woodland City Council propose a proposition to put on the ballot along with the referendum which says the voters shall approve or not approve the other (land use) alternative that was unanimously approved by the Planning Commission which had the support of several Council Members. He said that alternative was heard as many times as the alternative that was approved in the 1996 General Plan and has gone through CEQA. This gives the voters two alternatives: the 1996 Plan which was developed and supported by the Council or the 1996 alternative Plan which was endorsed unanimously by the Planning Commission. He said this would cost far less to the voters than redoing a new Plan. He said the measure with the highest vote would win as he understands State law. Those people who want something other than that can just campaign that people not vote for either one.

Council Member Ryhal said that is probably not a bad idea, but he said there were two options originally. He said eventually there was a hybrid of the two alternatives which became the 1996 General Plan. He said if anything else is placed on the ballot it would have to be a third alternative.

Council Member Flory said there have been many newspaper articles from the referendum proponents which state that the reason they went with the referendum was because the Council voted for a Plan that was not endorsed by the Planning Commission. He said that why we should place both alternatives on the ballot. Mayor Rominger said that sounds very logical, but she said one of the big reasons she voted "no" on the General Plan was because the area east of County Road 102 was not considered at all. She said the City is now gathering the information with which to better decide whether or not it is feasible and practical to grow in that location. She said the Council did not have that information when it made its decision on the General Plan. She said what Council Member Flory proposed sounds good but does not cover all of the bases and does not address all of the issues we have been talking about.

Council Member Flory said then the Council should not have gone ahead with the General Plan at that time if the idea was to wait for that information. He said what it boils down to is the referendum proponents really want to change the General Plan, but that is not what the proponents originally came forward and said. He said if that is the Mayor's goal or the goal of any member of the Council, the Council should come forward and say that it is not in favor of any alternative other than bringing in land to the east. He said the reason the Council approved the hybrid was because former Mayor Sandy at the time tried to get former Council Member Slaven and him to come over to Mayor Rominger's side or cut down on land that they wanted to bring into the General Plan, and they tried to get Mayor Rominger to vote for it. He said as it turned out he and former Council Member Slaven gave up some concessions because they gave up half of what they favored. He said they voted on that, and when it came to the final vote Mayor Rominger voted against the General Plan.

Mayor Rominger said in response to that during the entire discussion on the General Plan she was asking for more information on growth to the east. She said she was so persistent she was told to give it up several times. She said we are now in the process of getting that information, and that is important information with which to make a decision. She said she agrees that it was not a good idea to make a decision in February on the General Plan because the Council did not have all of the information it needed on the direction of growth for the community for the next 25 years.

Council Member Flory said for what the Council has been looking at for the last two years the Council had enough information. He said the Council was opposed to getting information about growth to the east but Mayor Rominger was not opposed. He asked if we came back with a proposal that did not have growth to the east, would Mayor Rominger support it.

Mayor Rominger said she would not support such a proposal.

Council Member Flory said if the Council redid the General Plan, the referendum supporters would state that the Council did not support going east or did not get a unanimous vote. He said then we would be right back where we started. He said the referendum is hurting economic development. He said he felt

it was best to have the voters decide to adopt one of the two alternatives, and then amendments could be considered to the Plan.

Mayor Rominger said with respect to the two alternatives there were compromises and votes taken as to what was going to be included in those alternatives. Each time the vote was skewed to one side, and she was almost always losing the vote. Those two alternatives did not include the concepts she had. She said during the process of reviewing the goals of the General Plan there have been some independent surveys done. One was done by Conaway and American Farmland Trust, and the other was done by the Heidrick family. Even though they were done by developers and a nonprofit group, a couple of the questions stood out. She said one question was if people wanted to grow on prime farm land and was it important to grow on poor farmland and save the soils. She said the overwhelming number of answers were that they did not want to grow on prime farm land, and they like the small town flavor of the community. She said we cannot overlook some of the surveys that have been done in making these decisions.

Council Member Flory said he remembers a developer sitting in his office and telling him they had taken a survey and why did the Council not understand that the people of this community did not want growth, did not want to grow on prime farm land, did not want more commercial growth, and wanted higher paying jobs and bigger lots. He said the developer basically was saying he was crazy for not going along with his plan because they would probably get a referendum and put the matter on the ballot. At that time he said he was really angry and felt the people of this community would never put up with that. Now he said there is a referendum which may go on the ballot, and he said anytime that you do surveys the questions can be phrased so that you get a favorable answer. He said the people who signed the referendum petition thought they were signing for the right to vote on the General Plan, and the circulators who asked people to sign the referendum petition were not giving a complete story about what the City Council was doing with the General Plan. He said the Planning Commission which unanimously endorsed and voted for the other alternative was made up of a diverse group of people, including farming interests, government interests, merchants, etc., and they all came together and said this is the best plan and they could support it. He said the Planning Commission members individually might have said they did not like the Plan but they passed it on to the Council for the betterment of the community. He said some of the referendum supporters have said that the Planning Commission is made up of knowledgeable people, who are people who know planning, and the Council does not have that experience. If that is the case, then the Planning Commission's recommendation is still a good one to put on the ballot.

Mayor Rominger said there were only two alternatives for the Planning Commission to look at, and the third alternative did not have the information with

which to back a position. Commission and Council did not have the information.

Council Member Flory said the Planning Commission has the authority to request that additional information. He reiterated that he would support placing the referendum on the ballot as well as the alternative plan.

The City Attorney said if the referendum and the measure which Council Member Flory proposed were both placed on the ballot at the same time, that would not necessarily preclude some other plan from being adopted because the outcome could be that neither of the measures would pass.

On motion of Council Member Ryhal, seconded by Council Member Rominger and carried by unanimous vote, the City Council agreed to hold a town hall meeting regarding the General Plan referendum as soon as possible to see how much information the Council can obtain.

The City Manager said staff will poll the Council Members to establish a date for the town hall meeting, and he said it would be helpful to have a facilitator.

Council took a recess from 9:18 p.m. until 9:30 p.m. and Council Member Borchard returned to the meeting.

KLENHARD YOUTH BALLFIELD COMPLEX:

Parks, Recreation and Community Services Director Tim Barry explained to the Council and the public the design for the Klenhard Youth Ballfield Complex. He said the Complex will be located in the Sycamore Ranch area of town along East Gum Avenue. The Complex is designed to be contiguous to a new elementary school site. There were six bids opened for construction on June 6, 1996, and the low bidder as Olympic Landscaping of Sacramento.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council awarded the bid for construction of the Klenhard Youth Ballfield Complex to Olympic Landscaping of Sacramento, California, in the amount of \$950,216.

ANNEXATION OF CITY PROPERTIES EAST OF COUNTY ROAD 102:

The City Manager said consideration of possible annexation of City properties (1,538 acres) east of County Road 102 was continued from the last Council meeting. The property includes the City's domestic and industrial waste treatment facilities and a park site (former City landfill), generally located east of County Road 102 and south of I-5.

Council Member Borchard said at the previous meeting he thought he had a

potential conflict of interest with regard to this issue, and he did not take part in the discussion. After discussing the matter with the City Attorney, he said he was assured he has no conflict of interest.

Council discussed the \$20,000 in property taxes paid by the City for the parcels involved.

Senior Engineer Mike Horgan responded to questions regarding the current lease and updated ten year lease with Contadina Cannery on a portion of the property.

Council discussed the possible reuse of the property. The Community Development Director pointed out that one issue that has not been resolved is that this property was originally Williamson Act land that went into waste treatment, and the question is whether the land has to go back to Williamson Act.

Mr. Horgan said there would be a substantial study required to evaluate all of the conditions and circumstances of changing the use.

The Council heard comments from Rick Elkins, Joe Crescione, Neill Rabon, and Dudley Holman.

The City Attorney said she wanted to clarify some things. She said the property taxes are assessed based on the land use of the property, so if the property continues to be used in the same way that it is being used now, whether it is part of the City or part of the County it will not make any difference with respect to property taxes. She said the fact that the land is in the County right now gives the County land use authority over it and theoretically the County could change the land use and that could affect the property taxes. On the other hand if the City annexed the property the City would have the land use authority. She also pointed out that right now cities and counties are exempt from each others zoning ordinances and building regulations so that the City can really do whatever it wants to on that property without being subject to the County zoning. The one exception is if the City were to lease the property to a private entity, and the private entity used the property for purely private purposes the property would become subject to the County's zoning laws. Responding to further Council questions, she said the purpose of a moratorium would be to put a hold on all development applications while the Council is considering a different zone or different land use designation. She said if the property is zoned open space there is no need for a moratorium.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by the following vote, the City Council directed the Planning Commission to proceed with possible annexation of the City's properties east of

County Road 102 and south of I-5:

AYES: COUNCIL MEMBERS: Borchard, Ryhal, Rominger

NOES: COUNCIL MEMBERS: Flory

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council extended the meeting from 10:30 p.m. until 11:00 p.m.

ROAD MAINTENANCE ASSESSMENTS:

Mayor Rominger asked if there were any questions from Council regarding the proposed road maintenance assessments.

Council Member Borchard said that Woodland Partners for Progress met with Senator Johannessen on June 6, and the Senator was very adamant about his opposition to a general sales tax authorization. He said it would have to be a specific purpose tax to adhere to his principles of Proposition 13 and what it embodied. He said the group has not met since that time, and his feeling is that the group is not willing to vote for any kind of property assessments. He said the group needs to decide if it wants to put together a marketing campaign to push a sales tax which would require a two-thirds majority vote or look at a general obligation bond which is a two-thirds vote as well but would not need the legislature's approval. He said, however, he does not want to lose a window in case all of the options are negated by not getting through the legislature or if a general obligation bond is not possible.

Council Member Ryhal said he has been in contact with Trent Smith who works for Assemblyman Tom Woods, and he said Mr. Smith has been helpful. He said Senator Johannessen was very specific in stating that to get a bill through the Senate and Assembly it is not going to happen this year. He said to get a bill that is already through the Senate and is in the Assembly and have an amendment made through it carrying the City's sales tax legislation is doable this year and could be on the November ballot. He said the problem was finding someone in the Assembly that would champion the amendment and send it back to the Senate. He said Senator Johannessen was very encouraging in the sense that he said if the bill was sent to back at him with the amendment he would see to it that it would get to the Senate. Council Member Ryhal said he started calling around trying to get people to support the measure in the Assembly, and after talking to a lot of people he came up with Assemblyman Woods. He said Trent Smith who works for Woods was very helpful, and he put him in contact with Mr. Lucero who is the chief consultant to the Revenue and Tax Committee. Also he said the Council always has the window with the road assessments, but he said people need to be educated about a general obligation bond. He said he has the understanding that it is possibe to get the legislation on the November ballot this year, and he said he

will find out more tomorrow.

Council Member Borchard said there is a glimmer of hope that something can get passed through the legislature, but the Council cannot lose the window and the Council needs to pass an unfunded assessment district.

Director of Public Works Gary Wegener said he called Senator Johannessen's office after the meeting to clarify some of the issues, and the Aide he spoke with said even with specific purpose super majority tax initiative passage in the legislature is not assured next year. The Aide said it was going to be a fight to get it through the legislature. He said even though the legislation may find a bill and get it introduced he was not sure it would pass within the legislature. He also said as originally structured the initial road project was scheduled for this summer to get a construction season. He said now that has lapsed and the earliest the construction can start is next summer. He said if we have to go with the assessments because the other options do not work, the assessments as they are structured are for a five year period beginning 1996-97 for the high amount and then going down to the maintenance level. If the assessments are not enacted for the full amount this year we will have lost \$1.6 million out of the \$7 million.

After further discussion the Council agreed to consider setting a zero road maintenance assessment at the July 2, 1996 Council meeting.

CITY TREE MAINTENANCE PROGRAM:

Management Analyst Sherri Martin gave Council a status report on the Street Tree Program. She said during the past year since the City cut back on the regular tree maintenance program the tree maintenance crew has spent a lot of time trimming trees, responding to storm damage, and dealing with many split ash trees. She said the street tree inventory is almost completed, and she will be meeting with the Tree Commission to discuss some issues regarding ordinance revisions and the permit process.

The Public Works Director said the City had a good tree trimming program going, but as more of those trees fill out and property owners do not take on the responsibility they should in keeping the trees trimmed, there will be more problems in that area. He said the Tree Commission will discuss increasing their role in educational outreach to make sure property owners are aware of the need to do proper maintenance.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council extended the meeting from 11:00 p.m. until 11:30 p.m.

ORDINANCE NO. 1289 - VICIOUS DOGS:

City Attorney Ann Siprelle said the Municipal Code authorizes the City to regulate vicious dogs and defines vicious dogs to include any pit bull or pit bull mix, but she said it is not permissible to discriminate by breed. She said the proposed ordinance given to Council eliminates that portion of the definition of vicious dogs.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote the City Council introduced and read by title only Ordinance No. 1289, "An Ordinance of the Council of the City of Woodland Repealing Section 3-3-1(e) of Article III of Chapter 3 of the Code of the Woodland Municipal Code Regarding Vicious Dogs."

ORDINANCE NO. 1290 - STREET CLOSURES:

The City Attorney said currently the Municipal Code requires the Council to adopt a resolution before there is a temporary street closure for celebrations, parades, and local special events. She recommended approval of an ordinance to delegate that function to the City Manager or his designee.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1290, "An Ordinance of the Council of the City of Woodland Amending Section 14-8-6 of Article VIII of Chapter 14 of the Code of the Woodland Municipal Code Regarding the Temporary Closure of Streets."

WATER SYSTEM MASTER PLAN PHASE 2 STUDIES:

Senior Engineer Mike Horgan said Council is being asked to approve Phase 2 of the Water System Master Plan studies. He said currently the Master Plan will consist of three phases. The first phase has been completed establishing some information regarding the General Plan process and establishing some goals and objectives for the City of Woodland concerning water which will carry forward regardless of how the growth issue is finally resolved. He said he said there are other issues to be addressed dealing with water supply. The additional information and a method to analyze the following projects is necessary for a better understanding of their potential impacts: (1) Cache Creek Recharge and Recovery Project; (2) In-lieu recharge project near Woodland; (3) Cache Creek Mining and Resource Management Plans; (4) Gravel Mining Ordinance; (5) Sacramento River water rights application; (6) ground water management plans; and (7) ground water transfer ordinance.

On motion of Council Member Borchard, seconded by Council Member Ryhal and carried by unanimous vote, the City Council authorized the Public Works Director to begin negotiations with Montgomery-Watson, consulting engineers, to

perform Phase 2 of the Water System Master Plan.

BREAK IN COUNCIL MEETING SCHEDULE:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council agreed to hold the August 6, 1996 regular Council meeting on July 30, 1996, and agreed not to hold any Council meetings during the month of August 1996.

COUNCIL CHAMBERS AUDIO/VIDEO EQUIPMENT:

The City Manager said on March 19, 1996 Council approved an allocation (\$66,000 from surplus PERS funds) for a new audio visual system for the Council Chambers. He said staff is now ready to submit request for proposals. The current audio system was purchased in the early 1970's.

Management Analyst Sherri Martin explained the proposed improvements.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized staff to request bids for proposals for an audio/recording/visual system for the Council Chambers.

FUTURE MEETING AGENDA ITEMS:

Council Member Borchard said he was approached by a Yolo County Supervisor requested that the Council discuss again the legislation to establish the Yolo County Transportation District. He requested that this matter be scheduled on a future agenda.

ADJOURNMENT:

At 11:20 p.m. the meeting was adjourned to June 25, 1996, 7:00 p.m.
City Clerk of the City of Woodland