



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: January 6, 2009

SUBJECT: Introduce Ordinance to Amend Section 15-26(m) of the
Municipal Code

Report in Brief

The City's current noise policy is included in Chapter 15 of the Woodland Municipal Code. The principal features of Section 15-26 lists acts that are considered to be unlawful loud, unnecessary noises which can disturb the comfort or safety of others within city limits.

The proposed ordinance would add Part M to Article 26 of Chapter 15 of the Woodland Municipal Code relating to the noise generated from use of backup generators for City facilities and the drilling of City of Woodland water wells. The ordinance would allow any noise made by the use of operation or testing of backup generators and drilling of municipal water wells within the City limits.

Staff recommends that the City Council introduce and read by title only an Ordinance to amend Section 15-26(m) of the Woodland Municipal Code relating to the use of backup generators for City of Woodland facilities and the drilling of City of Woodland water wells.

Background

Currently the Woodland Municipal Code does not cover noise levels coming from emergency backup power generators and well drilling operations. The addition to this section will allow for any noise made within the City limits during backup generator operations in an emergency, electrical maintenance, or during testing. It will also allow for drilling of City of Woodland water wells.

The proposed Woodland Municipal Code amendment has been reviewed in accordance with the California Environmental Quality Act (CEQA) and it is determined to be exempt from CEQA under Section 15061(b) (3). The proposed amendment is also consistent with the goals and policies of the General Plan and contributes towards the maintenance of a safe, reliable, and sufficient water supply for the City's residents.

Discussion

The City is currently pursuing the purchase of three new generators to provide backup power to the City wells and facilities in case of a power outage during a storm event or during a summer outage. These units are standard reduced noise manufactured units and any additional modifications to lower

the sound levels of the generators will cost the City approximately \$50,000 extra per unit. The hours of operation of a generator are limited to power outages during an emergency situation, incidental maintenance, and thirty minutes once a week for testing requirements. While sound attenuation is difficult in an emergency situation, staff will make every effort to mitigate the noise impacts associated with the prolonged use of the generators and will respond to resident complaints.

Drilling of a well requires a 24 hour drilling operation. Sound attenuation will be managed to minimize noise due to proximity of work areas to dwellings. Sound attenuation measures shall include providing construction equipment and performing construction activities in a manner that will minimize noise generations from drilling and affected residents will be notified of such operations in a timely manner. Well 15 and Well 22 are being considered for replacement in 2009. These wells are being replaced due to sand production, structural damages and well screen failures.

Fiscal Impact

There is no fiscal impact associated with the proposed Ordinance.

Public Contact

Posting of the City Council agenda.

Alternative Courses of Action

1. Introduce and read by title only an Ordinance to amend Section 15-26(m) of the Woodland Municipal Code relating to the use of backup generators for City of Woodland facilities and the drilling of City of Woodland water wells.
2. Do not approve an Ordinance to amend section 15-26(m) and request that staff return at a later date with modifications to the Ordinance as directed by Council.

Recommendation for Action

Staff recommends that the City Council approve Alternative No. 1.

Prepared by: Clara Olmedo
Associate Engineer

Reviewed by: Doug Baxter
Senior Civil Engineer

Reviewed by: Greg Meyer
Public Works Director

Mark G. Deven
City Manager

Attachment: Proposed Ordinance

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND
ADDING SECTION 15-26(M) TO THE WOODLAND MUNICIPAL CODE
RELATING TO BACKUP GENERATORS FOR CITY OF WOODLAND FACILITIES AND THE
DRILLING OF CITY OF WOODLAND WATER WELLS**

The City Council of the City of Woodland, State of California, does hereby ordain as follows:

Section 1. Purpose. The purpose of this ordinance is to add Section 15-26(m) to the Woodland Municipal Code.

Section 2. Authority. The City of Woodland has authority to adopt this ordinance pursuant to the general police power granted to cities by Article 11, Section 7 of the California Constitution.

Section 3. Findings. The City Council hereby finds and declares:

1. Public testimony on the proposed Municipal Code amendment was taken; and
2. The proposed Municipal Code amendment has been reviewed in accordance with the California Environmental Quality Act (CEQA) and the City Council has determined that the amendment is exempt from CEQA under Section 15061(b)(3), General Rule Exemption, of the CEQA Guidelines; and
3. The proposed Municipal Code amendment is consistent with the goals and policies of the General Plan and contributes towards the maintenance of a safe, reliable, and sufficient water supply for the City's residents.

Section 4. Amendment. Section 15-26(m) is hereby added to the Woodland Municipal Code to read as follows:

SEC. 15-26(m) Emergency Operation of Backup Generators for City of Woodland Facilities and the Drilling of City of Woodland Water Wells.

A backup generator used for the emergency operation of a City of Woodland water well or other City facility and the drilling of a City of Woodland water well shall not be considered loud, disturbing, or unnecessary noises.

Section 5. Effective Date and Notice. This ordinance shall take effect thirty (30) days after its adoption and, within fifteen (15) days after its passage, shall be published at least once in a newspaper of general circulation published and circulated within the City of Woodland.

PASSED AND ADOPTED this _____ day of _____, 2009 by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

ATTEST:

Sue Vannucci, City Clerk

Marlin H. Davies, Mayor

APPROVED AS TO FORM:

Andrew J. Morris, City Attorney