



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: January 19, 2010

SUBJECT: Council Minutes

Report in Brief

Attached are the minutes of the following joint meetings and special meeting for your review and adoption:

- September 2, 2008 - Joint Regular City Council and Redevelopment Agency Board Meeting
- September 16, 2008 - Joint Regular City Council and Woodland Finance Authority Board Meeting
- September 30, 2008 - Special City Council Meeting

Recommendation for Action

It is recommended that Council adopt the minutes of the joint regular Council/Agency Board meeting of September 2, 2008, the joint regular Council/Finance Authority meeting of September 16, 2008 and the special meeting of September 30, 2008.

Prepared by: Sue Vannucci, Director of
Administrative Services

Mark G. Deven
City Manager

Attachments: Minutes

Woodland City Council Meeting
City Hall, Council Chambers
300 First Street
Woodland, California

**JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD
REGULAR MEETING**

SEPTEMBER 2, 2008

6:00 P.M.

CALL TO ORDER

At 6:02 p.m. Mayor/Chairperson Davies called the joint regular meeting of the Council and Redevelopment Agency Board to order.

PLEDGE OF ALLEGIANCE

Mayor Davies invited all in attendance to join in the Pledge of Allegiance led by Council Member Dote.

ROLL CALL

COUNCIL MEMBERS PRESENT: Martie Dote, William Marble, Jeff Monroe, Artemio Pimentel, Marlin Davies

COUNCIL MEMBER ABSENT: None

STAFF MEMBERS PRESENT: Mark Deven, Sue Vannucci, Greg Meyer, Barry Munowitch, Carey Sullivan, Tod Reddish, Cynthia Shallit, Brent Meyer, Bruce Pollard, Sandra Briggs, Dan Sokolow, Dan Gentry, Kim McKinney, Andrew Morris, Amber D'Amato, Dick Donnelly, Sue Bigelow

Woodland Finance Authority: Bond Counsel Jon Cristy, Financial Advisor Ken Dieker

COUNCIL/REDEVELOPMENT AGENCY AGENDA ITEM PULLED

Mayor Davies said Item 15 regarding the contract for Downtown Plaza Project planning under Council/Redevelopment Agency action has been pulled from the agenda, and the item will be considered at a later date.



COMMUNICATIONS – WRITTEN

Council received notification from Pacific Gas and Electric Company regarding a 1.3% increase to gas and electric rates.

Council received notification from Pacific Gas and Electric Company regarding a 1.6% increase to electric rates.

Vice Mayor Pimentel said P. G. & E. has given notice of its 20th and 21st rate increases in less than two years since the election to annex Sacramento Municipal Utility District into Woodland. These are significant costs to Woodland residents.

Council received notice from Alcoholic Beverage Control regarding a new on-sale beer and wine license for Steve's Pizza, 714 Main Street, Woodland.

Council received notice from Alcoholic Beverage Control regarding a person to person transfer of an on-sale beer and wine license for Target Corporation, 2185 Bronze Star Drive, Woodland.

COMMUNICATIONS – COMMITTEE REPORTS

Council received the minutes of the Library Board of Trustees meetings of June 9, July 7 and July 12, 2008.

Council received the minutes of the Commission on Aging meeting of June 23, 2008.

Council received the minutes of the Parks and Recreation Commission meeting of June 23, 2008.

COMMUNICATIONS – COUNCIL/STAFF STATEMENTS AND REQUESTS

Vice Mayor Pimentel reported he had attended a Yolo County 2 x 2 meeting whereby the Mayor and Supervisors Rexroad and Chamberlain, met with County and City officials and discussed several issues. The Affordable Housing Sub-Committee also met and gave direction to staff regarding specific changes in the Spring Lake Specific Plan. He presented the Mayor with a plaque from the Mayor of the City's sister City, La Puidad, Mexico, where he traveled last weekend. Council Member Monroe said the Sports Council met and discussed neighborhood complaints about Douglass Park. They directed staff to add more garbage cans, empty the cans more frequently and add port-a-potties to the Park. They discussed the new soccer and softball schedule at the Community Center.



Council Member Marble reported that the Senior Volunteers were recognized at their annual recognition dinner and commended the volunteers for their work. There is a concern about the water feature at Ferns Park as a number of children falling on the concrete due to algae and green growth.

Council Member Dote met with neighbors from North Street to talk about their need to add street lighting for safety and crime prevention.

City Manager Mark Deven introduced Andrew Morris, the new City Attorney. Mr. Morris has background on land use issues, planning, environment regulations, open space and annexation. Sigrid Asmundson will continue to serve as Assistant City Attorney.

CONSENT CALENDAR

At the request of Council Member Dote and with concurrence of the Council, Item 7 on the Consent Calendar, a Proclamation for National Alcohol and Drug Addiction Recovery Month, was pulled for discussion. Council Member Dote wanted to call attention to the information that there are places where people who suffer the addictions can get help.

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

MONTHLY STATUS REPORT-COMMUNITY DEVELOPMENT

Council received the monthly status report from the Community Development Department.

CAPITAL BUDGET EXECUTION STATUS REPORT

Council received the Capital Budget Execution Report from Community Development.

TREASURER'S INVESTMENT REPORT

Council received the Treasurer's Investment Report for June 2008.

ORDINANCE - ENCROACHMENT ON STREETS AND SIDEWALKS

Council introduced, waived the first reading and read by title only an Ordinance to amend Chapter 20 of the City of Woodland Municipal Code regarding encroachment on streets and sidewalks.



SUBDIVISION 4837 - HANSON RANCH FINAL IMPROVEMENTS

Council accepted the in-tract public improvements constructed by Dave Snow Homes in Subdivision No. 4837, Hanson Ranch, as complete and directed the City Clerk to file a Notice of Completion.

RRESOLUTION 4951 - PROJECT 00-06 - INTERSTATE 5/STATE ROUTE 113 INTERCHANGE REPLACEMENT

Council approved the Replacement Cooperative Agreement with CalTRANS for the Interstate 5/State Route 113 Interchange Project No. 00-06; adopted Resolution 4951 authorizing the City Manager to sign the agreement on behalf of the City.

PROCLAMATION - NATIONAL ALCOHOL AND DRUG ADDICTION RECOVERY MONTH

The City Council proclaimed September as "National Alcohol and Drug Addiction Recovery Month."

PROCLAMATION - NATIONAL FAMILY DAY, SEPTEMBER 22, 2008

Council proclaimed September 22, 2008 as Family Day.

STATUS REPORT - YOLO COUNTY GENERAL PLAN UPDATE

Council received a Status Report on the Yolo County General Plan Update.

PROJECT 07-18 - PARK IRRIGATION REHABILITATION - CITY AND HARRIS PARKS

Council approved plans and specifications for the Park Irrigation Rehabilitation at City Park and Harris Park, Project No. 07-18; authorized the public advertisement for bids.

AGREEMENT - BEST, BEST AND KRIEGER FOR CITY ATTORNEY SERVICES

Council approved the revised Agreement with Best, Best and Krieger to provide legal services for the City of Woodland designating Andrew J. Morris as City Attorney and authorizing the City Manager to execute the Agreement.



2007-08 HOMELAND SECURITY GRANT PROGRAM EXPENDITURES

Council authorized the expenditure of \$29,000 from the General Fund to purchase three (3) SIMRAD Night Observation Devices that will be reimbursed by Homeland Security Grant funds.

PRESENTATIONS

On a motion by Vice Mayor Pimentel, seconded by Council Member Dote and carried unanimously, Council proclaimed September 2008 as Latino Health Awareness Month and September 8, 2008 as International Literacy Day.

PROCLAMATION - LATINO HEALTH AWARENESS MONTH

Vice Mayor Pimentel presented the Proclamation for Latino Health Awareness Month to representatives of the Gold Country Region.

PROCLAMATION - INTERNATIONAL LITERACY DAY - SEPTEMBER 8, 2008

Council Member Marble said there are about 65 literacy tutors in Woodland, and our nation has an illiteracy rate of one in five. Library Services Director Briggs said the Yolo County Library System has opened up a literacy program County-wide. Sue Bigelow, Literacy Services Coordinator at the Woodland Library, coordinates the one-on-one tutoring program and also tutoring at the Monroe Detention Program. She also works with developmentally disabled adults and the Wayfarer Center, who are some of the hardest to serve and highest risk individuals.

COUNCIL/REDEVELOPMENT REGULAR REPORTS

The following item was removed from agenda.

CONTRACT - DOWNTOWN PLAZA PROJECT PLANNING

REPORTS OF THE CITY MANAGER

RESOLUTION 4952 - ISSUANCE AND SALE OF 2008 WATER RESOURCES BONDS

Assistant Finance Director D'Amato said Council approval of a Resolution authorizing issuance of water revenue bonds not-to-exceed \$20 million would be for a variety of capital projects, including water meter acquisition and installation, water storage tank replacement, well rehabilitation and other projects. Council would be adopting the Council



Resolution only. Debt service requirements will not require increasing rates over the current rate structure. The City has contracted with HDR Engineering to perform a water system rate study which will be presented to Council for discussion for future projects, such as surface water.

Ken Dieker, Financial Advisor with Del Rio Advisors, LLD, said the bond issuance was part of a cash flow issue. He reviewed the projects to be covered by the bond revenue and the financing team's efforts to pursue a bond rating. The current project list is estimated for use of the bond proceeds totals \$16.9 million.

On a motion by Council Member Marble, seconded by Vice Mayor Pimentel and carried unanimous, City Council adopted Resolution 4952 approving the issuance of the 2008 Water Revenue Bonds with a principal amount not to exceed \$20,000,000; approved the form; and authorized distribution of the official statement and other related documents.

AGREEMENT - YOLO COUNTY APPLICATION OF DEVELOPMENT IMPACT FEES

City Manager Deven said the County Board of Supervisors, the Cities of West Sacramento, Winters and Davis have all approved the Agreement with Yolo County regarding application of development impact fees. The Agreement allows the County to charge development impact fees which they have been charging since 1995 for development projects in Woodland that have impact on County services. It addresses the process for how future development impact fee increases would be facilitated in a collaborative manner. In January the Council expressed some concerns, including the application of fees for infill projects and that Council wanted periodic review of the Agreement. In relation to infill projects, the County presented a letter from Assistant County Administrator Pat Leary stating County Code and County policy regarding development impact fees. Impact fees for infill projects are assessed based on the difference between the former use and the proposed use if any. If there are no changes to the proposed use there would be no application of additional fees. If there is a change that would result in an additional impact, only the difference would be applied. Regarding periodic review of the Agreement, staff discussed making this element a part of the overall Agreement, but since all of the cities have been on a track to approve the Agreement, at that point it was determined unworkable. The proposed Agreement requires that all agencies work together approximately every five years to develop a methodology they would agree with, and staff concluded a good time to report to Council would be after the fee update process is conducted.



City Manager Deven said the authority for the fees is based on AB 1600, and the County implemented that without talking to the Cities in 1995. Should the City approve the Agreement, we will have periodic review. If the City does not approve the Agreement there would be a battle in terms of collection of development impact fees.

City Attorney Morris said if the Council does not approve the Agreement, the County would not be stopped from collecting the fees within Woodland.

City Manager Deven said the parks fees are the issue that led to the proposed agreement. The County intended to increase the existing fees in 2005 and add two new impact fees which were parks and open space, and traffic. In response to the concerns expressed by the City, the County limited the adjustment to an increase of existing fees. The County is not collecting fees on Woodland development for parks, open space and traffic.

Vice Mayor Pimentel said the City does need to have some kind of process, and he felt the agreement is the right document to move forward. It allows the City to work with the County even though the City may disagree with specific fees.

Mayor Davies said the County is using logic for assessing development fees for City residents because they use County facilities. Many times County residents use City facilities, and many times the City tries to collect non-resident user fees.

The City Attorney said there is not a way for Cities to impose development impact-related fees outside their borders. Cities recover their cost of having those outside the City using their facilities and services is by charging a higher fee for non-City residents, but he was unaware of any city finding a way to charge fees to people who live outside the City in connection with development.

Robert Millsap asked how this Agreement applies to areas annexed to the City. He understands that no area can be annexed unless a study is performed and agreement made between the City and the County on the sharing of taxes. The purpose of the study is to determine what the impacts are of the annexation so that a proper agreement can be arrived at regarding property taxes and sales taxes.

City Attorney Morris said tax sharing agreements between Cities and Counties in areas that are annexed is extremely complicated because there is not a single formula that defines how that sharing works. As a result the



existence of this proposed agreement is something the City would want to bring up with the County the next time land is annexed.

City Manager Deven said the Agreement does contain language discussing alternatives to the conditions, specifically Section IV "Limited Exemption for Certain Projects and Vesting; Other Waivers." The Agreement provides for that element and if the City were to open a master tax sharing agreement, the City as the ability to raise the issue at that time.

Assistant City Manager Munowitch noted that a Development Agreement is a contract between a land owner/developer and the City of Woodland. That Agreement will not likely prevent the imposition of County development impact fees.

On a motion by Council Member Marble, seconded by Council Member Dote and carried unanimously, the Council approved the

Agreement regarding application of Development Impact Fees collected by Yolo County for development projects located within incorporated cities and directed staff to evaluate the implementation of the Agreement after each fee update/adjustment and report the results to the City Council.

GRANT AND CONTRACT - WOODLAND JOINT UNIFIED SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER

Police Chief Sullivan proposed an Agreement with Woodland Joint Unified School District to provide a School Resource Officer to target alcohol abuse on the school campuses or at a school event. This request came from a grant application made by the District with the U.S. Department of Education to target alcohol abuse on the campuses. There were several incidents involving alcohol use over the past year and the School Resource Officer will be specifically detailed to target alcohol abuse on and outside the campuses at school related events. There will also be merchant enforcement to make sure they are abiding by the law and not selling or distributing to under age minors. The grant is for three years and requires the City to fully fund the Officer for the three years. If the funding is not available at the end of three years, the School District may be able to help with additional funding to keep the program going. There may also be opportunities to continue the grant funding. The position cannot become a general fund burden at the end of the grant period.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried unanimously, Council approved the addition of one Police Officer position to be funded through the grant from the United



States Department of Education, Office of Safe and Drug Free Schools, to pursue the grant objectives of reducing alcohol abuse among secondary school students.

ADJOURNMENT

Vice Mayor Pimentel asked that Council adjourn the meeting in the memory of Matt Garcia who was killed yesterday at age 22. He served as a Fairfield City Council Member.

At 7:00 p.m., Mayor Davies adjourned the regular meeting of the Council in honor of Matt Garcia.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk

Transcribed by: Jean Kristensen, Deputy City Clerk

Adopted by Council:

Woodland City Council Meeting
City Hall, Council Chambers
300 First Street
Woodland, California

**JOINT CITY COUNCIL/WOODLAND FINANCE AUTHORITY BOARD
REGULAR MEETING**

SEPTEMBER 16, 2008

6:00 P.M.

CALL TO ORDER

At 6:05 P.M. Mayor Davies called the joint regular meeting of the Council and the Woodland Finance Authority to order.

PLEDGE OF ALLEGIANCE

Mayor Davies invited all in attendance to join in the Pledge of Allegiance led by former Mayor Gary Sandy.

ROLL CALL

COUNCIL MEMBERS PRESENT: Martie Dote, William Marble, Jeff Monroe,
Marlin Davies

COUNCIL MEMBER ABSENT: Artemio Pimentel

STAFF MEMBERS PRESENT: Mark Deven, Sue Vannucci, Greg Meyer,
Barry Munowitch, Carey Sullivan, Tod
Reddish, Cynthia Shallit, Bruce Pollard,
Sandra Briggs, Dan Sokolow, Dan Gentry,
Andrew Morris, Amber D'Amato, Dick
Donnelly, Mark Hierholzer, Christine
Engel, Devon Horne, Russell Cole, Marie
Wickstrom, Debra Fann

COMMUNICATIONS – COMMITTEE REPORTS

Council received the minutes of the Water Resources Association meeting of April 28, 2008.

Council received the minutes of the Yolo Emergency Communications Agency Board meetings of May 7, 2008, June 4, 2008, June 20, 2008 and July 2, 2008.



Council received the draft minutes of the Planning Commission meeting of June 19, 2008.

Council received the minutes of the Historical Preservation Commission meeting of July 9, 2008 and the draft Commission minutes for August 13, 2008.

COMMUNICATIONS – COUNCIL/STAFF STATEMENTS AND REQUESTS

Council Member Marble said he and a number of County representatives participated in a tour of the Lower Bypass and inspected the areas in relation to flood protection, ecosystem and projects taking place. The Water Resources Association (WRA) Executive Committee met to discuss the update of the Integrated Regional Water Management Plan (IRWMP) which will eventually come to the Council. There will be a board meeting of the WRA with a presentation relating to ground water monitoring currently taking place and the impact on City and County entities. He was involved in a regional flood management discussion and a group has been formed in a larger regional setting than Yolo County alone. This is called the Sacramento Valley Flood Protection Group and is formulating a white paper in relation to flood control issues that involve Sacramento, Yolo County and more northern areas as part of the Central Valley Flood Protection Plan. The white paper will be developed within a couple of months and some draft principles for that entity and work continues to go on which involves Woodland in a very direct way.

Council Member Monroe said last week he and the Mayor met with members of the American Legion about the Bush Street Plaza Project and all of the issues have been addressed. The Woodland Tree Foundation will be planting throughout the City, and volunteers are needed. The Youth Substance Abuse Conference is to be held at the Woodland Community Center.

Council Member Dote said water conservation funding opportunities will be coming to Council through the efforts of the City of Davis.

PRESENTATIONS

LIBRARY BOARD OF TRUSTEES ANNUAL REPORT

Bud Goding, President of the Library Board of Trustees, presented the Board's Annual Report. He also noted that on Friday, September 26 the Library will have an open house, and on September 18 the Board will have some author presentations at the Library. The Woodland Library is the oldest operational Carnegie Library in California and the only one that is still functioning as a Library. The Library was first established in 1892, and the existing structure was built in 1905. In 2005 the Library was the



centerpiece of the Stroll which coincided with the Library's centennial. It has over 20,000 visitors a month, and becomes the face of the City that most people see. Some of the repairs and repainting has been accomplished with Measure E funds.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried by the Members present, the Council proclaimed September 20, 2008, as "Woodland Dynamite Chili Cook-Off Day" in the City; adopted a proclamation to express congratulations and commendation to the University of California at Davis on the celebration of their Centennial; proclaimed support for the 2008 American Cancer Society Relay for Life scheduled for October 4 through October 5, 2008 at Woodland High School; and, proclaimed the week of October 5 through 11, 2008 as Fire Prevention Week.

PROCLAMATION - WOODLAND DYNAMITE CHILI COOK-OFF DAY

Council Member Monroe presented the proclamation for Woodland Dynamite Chili Cook-Off Day to Chamber Executive Director Kristy Wright.

PROCLAMATION - CENTENNIAL CELEBRATION OF UNIVERSITY OF CALIFORNIA AT DAVIS

Mayor Davies presented the proclamation recognizing the Centennial Celebration of the University of California at Davis to former Mayor and Council Member Gary Sandy.

PROCLAMATION - AMERICAN CANCER SOCIETY RELAY FOR LIFE

Council Member Dote presented the Proclamation for the Annual American Cancer Society Relay for Life to American Cancer Society representative Darleen Beskeen Bendella.

PROCLAMATION FOR FIRE PREVENTION WEEK

Council Member Marble presented the Fire Prevention Week proclamation to Fire Chief Tod Reddish and Fire Marshal Cole. Marshal Cole demonstrated the Stop, Drop and Roll technique.

CONSENT CALENDAR

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

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

MONTHLY STATUS REPORT - PUBLIC WORKS DEPARTMENT

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

CONFLICT OF INTEREST CODE

Council directed the City Clerk to review the City's Conflict of Interests Code and report to Council should changes to the adopted Code be necessary.

PROJECT 00-04 - CONTRACT FOR LEMEN AVENUE/NORTH STREET/EAST UTILITY IMPROVEMENTS PROJECT

Council awarded the Construction Contract for the Lemen Avenue Utility Improvements Project, Project No. 00-04, in the amount of \$212,025 to Navajo Pipelines, Inc.

PROJECT 03-28 - CONTRACT FOR WASTE WATER TREATMENT PLANT CHEMICAL FACILITIES AND MISCELLANEOUS IMPROVEMENTS PROJECT

Council authorized the City Manager to execute a Construction Contract with R. E. Smith Contractor, Inc. in the amount of \$490,000 for the base bid; authorized expenditures in the amount of \$539,000 for construction of the Wastewater Treatment Plant Chemical Facilities and Miscellaneous Improvements, Project No. 03-28.

SUBDIVISION 4577, HUTCHISON VALLEY FINAL IMPROVEMENTS

Council accepted the in-track public improvements constructed by Rick Price Custom Homes for Subdivision No. 4577, Hutchison Valley and directed the City Clerk to file the Notice of Completion.



GENERAL PLAN ANNUAL PROGRESS REPORT

Council accepted the General Plan Annual Progress Report required by the State of California and directed staff to forward the Report to the Governor's Office of Planning and Research and the State Department of Housing and Community Development for filing.

PROJECT 07-18 - CHRISTENSEN PARK, CAMARENA AND PEDROIA BALL FIELDS

Council waived the bid errors identified as minor irregularities as described as immaterial not impacting the price of Jensen Landscape's bid or providing Jensen Landscape with an advantage not afforded other bidders; and, authorized the City Manager to execute a Construction Contract with Jensen Landscape in the amount of \$379,222 for the Base Bid plus Additive Alternates #1 and #2 and authorized expenditures in the amount of \$417,144 for construction.

PROJECT 07-37 - TRAFFIC SIGNAL IMPROVEMENTS AT GIBSON ROAD AND COTTONWOOD STREET AT WOODLAND MEMORIAL HOSPITAL

Council accepted as complete Project 07-37, traffic signal improvements constructed by Catholic Healthcare West at the intersection of Gibson Road and Cottonwood Street and authorized the City Clerk to file a Notice of Completion.

PROJECT 08-42 - PURCHASE AGREEMENT FOR SOFTWARE PROGRAM - FITNESS CENTER

Council authorized the City Manager to enter into a contract with Active Networks, Inc. for implementation of a Park and Recreation Management Software System that will include a Fitness Center Management module, Project No. 08-42.

PROJECT 05-34 - GROUNDWATER MONITORING STATION FOR WELL 25

Council accepted Water Well 25, Phase 1, Construction of Monitoring Well, Project No. 05-34 as complete and authorized the City Clerk to file a Notice of Completion.

REPORT OF WOODLAND FINANCE AUTHORITY

Mayor/Finance Authority Board Chairman Davies opened the joint meeting of the Council and the Woodland Finance Authority Board at 6:45 p.m.



RESOLUTION 08-01 - 2008 WATER REVENUE BONDS

On a motion by Finance Authority Board Member Marble, seconded by Finance Authority Board Member Monroe and carried BY THE Members present, the Woodland Finance Authority Board adopted Resolution 08-01 approving the issuance by the Woodland Finance Authority of not-to-exceed \$20,000,000 aggregate principal amount of Woodland Finance Authority Water Revenue Bonds, Series 2008 for water meters, demolition of water storage tank, construction of replacement tank, construction and modification of existing wells and associated equipment, approved the forms; and authorized distribution of the official statement and other related documents.

REPORTS OF THE CITY MANAGER

STATEMENT OF SUPPORT - PROPOSITION 6, SAFE NEIGHBORHOODS ACT

Police Chief Sullivan said Proposition 6 is an initiative that will appear on the November 4, 2008 statewide ballot. It is a gang reduction bill and addresses issues related to gangs and increases the sentences imposed on gang members. It also requires members of gangs to register with the local police agency for five years after release from prison and increases penalties for possession and possession for sale of methamphetamine to the same level as cocaine. The Proposition streamlines civil procedures to initiate gang injunctions should they be appropriate, increases penalties for multiple acts of gang-related graffiti, and requires gang members previously convicted of car theft or joy riding be subject to felony penalties for any subsequent car theft or joy riding. If someone is found to be selling or distributing illegal drugs or engaged in gang activities in public housing, the privilege to live in public housing would be revoked. Chief Sullivan said COPS funding is subject to debate every year. The Governor's revised budget included a contingency that COPS funding would have a 10 percent reduction. Currently COPS provides \$115,000 in funding per year for the City of Woodland.

On a motion by Council Member Monroe, seconded by Council Member Marble and carried by the Member present, Council authorized a letter of support for the Safe Neighborhoods Act measure on the November 4, 2008 ballot.

FALL COUNCIL AND STAFF SPECIAL SESSION RETREAT

Council set October 28, 2008 as the Council/Staff fall study session to discuss the budget.



2007-08 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Devon Horne, Redevelopment/Housing Analyst, made a presentation regarding the 2007-08 Community Development Block Grant Program and the Consolidated Annual Performance and Evaluation Report (CAPER). She said there were three housing rehabilitation loans: a continuous housing rehab program totaling \$20,000 wherein loans are given to homeowners to improve their homes, three home-buyer assistance loans to low income families in the Spring Lake area totaling over \$100,000, public service operations totaling \$110,000, support of public facility improvements, and residential services for homeless and special needs population.

Analyst Horne said the City is limited on its allocation of public service funds. Only 15 percent of the City's allocation can be spent on public service according to HUD. The City has tried to work with the non-profits with the public facilities fund allocation.

Council acknowledged receipt of the 2007-08 Community Development Block Grant Consolidated Annual Performance and Evaluation Report and Annual Action Plan amendments.

ORDINANCE

ORDINANCE 1499 - AMENDMENT TO CHAPTER 20 REGARDING STREETS AND SIDEWALKS

On motion of Council Member Monroe, seconded by Council Member Marble and carried unanimously by the Member present, Council adopted Ordinance 1499 to amend Chapter 20 regarding Streets and Sidewalks, specifically encroachment permits for working or placing obstructions within the public right of way.

ADJOURNMENT

At 7:05 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:

Woodland City Council Meeting
City Hall, Council Chambers
300 First Street
Woodland, California

MINUTES

CITY COUNCIL SPECIAL STUDY SESSION

SEPTEMBER 30, 2008

6:00 P.M.

CALL TO ORDER

At 6:05 p.m. Mayor Davies called the special study session of the Council to order.

ROLL CALL

COUNCIL MEMBERS PRESENT: Martie Dote, William Marble, Artemio Pimentel, Marlin Davies

COUNCIL MEMBER ABSENT: Jeff Monroe

STAFF MEMBERS PRESENT: Mark Deven, Sue Vannucci, Mark Hierholzer, Doug Baxter

PLEDGE OF ALLEGIANCE

Mayor Davies invited all in attendance to join in the Pledge of Allegiance led by Doug Baxter.

REPORTS OF THE CITY MANAGER

WASTEWATER DISCHARGE PERMIT; SURFACE WATER PERMIT; COST IMPLICATIONS

Engineer Baxter said the City has received a tentative waste discharge permit. The solutions for water supply and compliance for the waste discharge permit are very connected. The State limits are tied to environmental issues, including selenium, boron and salt. He indentified



which water wells in the City were over 30 years old, those approaching the State limits for nitrates, those pumping sand, and those with diminished pumping capacity. Some wells have failed and are permanently off line because of the elevated nitrate levels. Wells 15 and 22 which pump sand and gravel will be re-drilled at half the cost of a new well. All of the wells are increasing in nitrate concentration. Although development has paid its fair share and has drilled wells for new users, the City of Woodland has not made up for the lost capacity. The City cannot replace the wells at the same location because of nitrate problems. At peak hours there needs to be adequate production to keep the system fully pressurized. Instead of relying solely on wells, the City is increasing both the capacity from the new elevated tank and putting in some piping improvements, so that instead of 2,400 gallons per minute at peak hour, the City will be able to get almost 4,200 gallons per minute. The City will also be putting in some new ground level tanks with booster pump stations rather than replacing some of the wells.

Waste Pollution Control Facility Superintendent Hierholzer said the National Pollution Discharge Elimination System (NPDES) Permit governs what kind of materials the City has to treat in the Wastewater Treatment Plant and what the City is allowed to discharge out into Tule Canal. All municipalities and industrial users have these permits. Permits stem from the Clean Water Act of 1972 which gave the Environmental Protection Agency (EPA) authority to govern the discharge that goes into navigable waters. The City received its tentative discharge permit on August 28, 2008. The Regional Water Quality Control Board (RWQCB) has until 5:00 p.m. today to receive public comments on the permit. Today's agenda will deal with the electrical conductivity (EC), boron and selenium, and if all goes according to plan, staff will be attending a hearing before the RWQCB on October 24, 2008. The hearing allows everyone to make their comments and the RWQCB will make a ruling based on what they hear. The City has already made some comments on small parts of the permit which the Board will take under consideration.

Vice Mayor Pimentel asked what the impact is on the different levels of discharge for salinity, boron and selenium. Superintendent Hierholzer said salinity and boron relate directly to crop production. Salinity binds the soil so it takes more water to penetrate. The farmer will have to use more water or will suffer a reduced crop yield. Boron goes to the roots of certain crops and interferes with the root development. Selenium has a direct effect on eggshell development of birds.



Engineer Baxter said the standards are set to protect the environment. There are also standards to protect people who drink the water, and those standards are not the same. The City's drinking water is fully in compliance with State standards for human consumption, but due to the sensitivity of the ecosystem there is a higher standard.

Mayor Davies asked what the potential penalties are if the City does not meet the requirements. Superintendent Hierholzer said if the City does not meet the requirements for EC, boron and selenium, the Board will start assessing mandatory minimum penalties. The City had to pay a fine of \$12,000 for exceeding the limit, and other cities have paid fines in excess of \$450,000. U.C. Davis has an EC limit of 700, and received a fine of \$150,000 for each test in which they exceeded the EC limit. Every time the City takes a test, which is three times a week for EC, we could receive a minimum penalty of \$3,000 for exceeding the limit. A separate penalty would be received for exceeding the limits for boron and selenium and results in at least a \$3,000 fine. Fines could go up to \$10,000 per event. The Board wants a solution. The City has since partnered with the City of Davis which utilized several scientists from UC Davis to determine the City could get by on a discharge limit without any adverse effect on the crops. If the City decides it does not want to pursue the surface water project, the regional board will take action and impose penalties. If the City does not pursue some solution to the ground water, the Board would immediately rescind the interim limits and apply the basic plan limits.

Engineer Baxter said as the City moves forward in addressing the solutions for both the wastewater discharge permit and how to best serve the needs of the public there will be significant rate increases. The City needs to minimize the cost on the wastewater side as well. In addition to the salinity, boron and selenium, there are nitrates. The Sacramento River is essentially free from nitrates, iron, manganese, and arsenic. The City will be able to blend well water with the Sacramento River water and have significantly better water quality. Water softeners will not be necessary. Hard water that comes from groundwater creates problems with water heaters, faucets, plumbing, clothes washers, and dish washers. On average most households will be saving \$18 per month with surface water. With surface water the City will not have to replace as many wells, and reverse osmosis treatment, which is costly, can be avoided. Once the capital cost of the surface water is over, water rates can be stable for a period of time. The City of Davis wanted to have an independent study, but the City of Woodland had a very detailed study done in 2004, which indicated that it was feasible for Woodland to go alone and solve the water supply project with a benefit to cost ratio of 2.2. The City of Davis did a



study about a year earlier and concluded that surface water was the way they needed to go. The two cities decided to save some costs by joining together.

Vice Mayor Pimentel asked what would happen if the City of Woodland moved forward with the surface project and the City of Davis and UCD decided not to move forward. He asked if Woodland would be able to charge the City of Davis and UCD for their use of the line. Engineer Baxter said some of the costs are huge, and it would be difficult to build enough for all of the partners unless the City knew the other agencies were going to come in. Construction would take place in a few years. Staff believes the partners will stay together as the project moves forward. Our City will utilize about 52% of the project water. The diversified water supplies for the project partners will involve on average the use of approximately 32 thousand acre feet per year of surface water, 15 thousand acre feet of purchased water per year, and 6.5 thousand acre feet per year of groundwater.

Alan Lilly, Attorney from Bartkiewicz, Kronick and Shanahan in Sacramento has been working with all of the partners for this project. He is confident that summer water will be available to purchase, but the real question is the cost. The plan is to have farmers pump groundwater which they use for irrigation. He said the City would have to pay the farmers the cost of developing new wells and pump the new wells.

Mayor Davies is concerned with the supply of surface water from the Sacramento River with all of the competing interests. The City is faced with the option of building a \$200 million plant, and he asked what assurance the City has that there will be water available. Mr. Lilly said he did not think Woodland or Davis could go forward with the project unless they had the water right permit and the necessary contracts for seasonal water. For appropriate water rights, the first agency to develop the diversion system with irrigation systems has the senior most right. Most of the development in the Sacramento Valley is for agriculture, and that is the summer demand for irrigation. In the other months there is plenty of unappropriated water in the Sacramento River, October through April. He said the State Water Resources Control Board has a process where every year they determine exactly when that date is, and he is confident the City will be able to get the permit for surface water obtained by new water right permit for those months.

Vice Mayor Pimentel left the Council meeting at 6:55 p.m.



Council Member Marble asked if the City secures the rights, could the State preempt that right. Mr. Lilly said for the State to make that effort to preempt the right, there would have to be a major change in State law. If there is any condemnation of water rights by Southern California against Northern California, the State would condemn agricultural rights and not municipal rights because the just compensation, the value of the water, would be so much smaller. The City is on solid legal ground if we can get the surface water project going.

Vice Mayor Pimentel returned to the Council meeting at 6:58 p.m.

Mayor Davies asked what "wet water" is and how purchasing groundwater that is pumped effects the City's water. Mr. Lilly said if the City enters into an agreement with a farmer North of Woodland to have water pumped from the Sacramento River rather than water from the irrigation district, the concern of the Department of Water Resources is that the farmer is still depleting the surface water. That would be considered "wet water." The transfer of waters has been going on for about 20 years in California. The Department of Water Resources requires that the wells used in the programs be at least two miles from the Sacramento River.

Engineer Baxter said a JPA is being developed to spell out the water right and the full 45,000 acre feet of water could be used by any or all of the entities. It is probable that UCD will not be able to use all of the water they were originally intended by the year 2040, so the City of Woodland could use an additional 3 or 4 thousand acre feet of water. If the partners are not using the 45,000 acre feet of water, the partners will not have permanent entitlement of that full amount. Only the amount used by 2040 is what the partners will get. There will not be much capital outlay at the outset, but in 2012 major construction will start with significant capital outlay.

Vice Mayor Pimentel asked if the financing could be increased because of the interest rates. City Manager Deven said the financial market is in complete disarray at this time, and the City is delaying the issuance of water bonds waiting for the market to settle down. The hope is that Congress and other entities act and the financial markets are finally calmed down. Engineer Baxter said if the current economic conditions exist in the year 2012 there would be significant impact on the cost of issuance of the bonds.



Council Member Dote asked if the City intends to use the surface water to dilute the groundwater to comply with the City's discharge permit. Engineer Baxter said that is the plan and the vast majority of the customers will be using 100% surface water. During the hot months the City will be utilizing groundwater, approximately one gallon of groundwater for every two gallons of surface water.

Mr. Lilly said there are certain risks of temporary shut downs in a surface water supply, so 100 percent groundwater is the best backup. He said it is extremely unlikely that after a surface water system is running that there would be a permanent regulatory shut down.

Engineer Baxter said Superintendent Hierholzer will be preparing an annual report and will address these important issues. If development does not pay its fair share, the water rates will go up significantly. The City is looking at low use life line rates for low water users and a subsidy for low income households.

Mayor Davies feels the City has to go forward with the staff recommendation because the alternative is so much more expensive.

On a motion by Vice Mayor Pimentel, seconded by Council Member Marble and carried by the Members present, Council affirmed its support for the Davis-Woodland Water Supply Project as the most feasible means to comply with the new NPDES permit effluent limits for EC, Boron and Selenium and directed the development of a fiscal plan for complying with the new NPDES permit to include an update to the City of Woodland Water Pollution Control Facility Master Plan, water and sewer rate studies, and an evaluation of impact to development and other fees.

ADJOURNMENT

At 7:30 p.m. Mayor Davies adjourned the special study meeting of the Council.

Respectfully submitted,

Sue Vannucci, CMC, City Clerk

Transcribed by: Jean Kristensen, Deputy City Clerk

Adopted by Council: