

Council Chambers  
300 First Street  
Woodland, California

July 2, 1996

The Woodland City Council met in regular session at 7:00 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, Losoya, Ryhal

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Vicars, Siprelle, Wegener, Barry, Ahlgren, Gualco, Horgan

MINUTES:

On motion of Council Member Losoya, seconded by Council Member Borchard and carried by unanimous vote (Council Member Flory abstained), the City Council approved the minutes for the regular Council meeting of May 21, 1996, as prepared.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote (Council Member Losoya abstained), the City Council approved the minutes for the adjourned Council meeting of June 11, 1996, with a correction to indicate that Council Member "E. Rominger" was present and Yolo County Flood Control and Water Conservation District Board Member "D. Rominger" was present.

On motion of Council Member Flory, seconded by Council Member Losoya and carried by unanimous vote (Council Member Borchard and Mayor Rominger abstained), the City Council approved the minutes for the adjourned Council meeting of June 25, 1996, as prepared.

COMMUNICATIONS:

1. From Lewis D. Bojorquez, Sr. a claim against the City was submitted in regard to an arrest by the Woodland Police Department. The City's insurance representative recommended that the Council reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council rejected the claim against the City submitted by Lewis D. Bojorquez and referred the claim to the City's insurance representative.

2. From Raul P. Lizarraga and Carman Lizarraga a claim against the City was submitted in regard to damage to claimants' pickup truck. The City's insurance representative recommended that the Council reject the claim and refer it to them.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council rejected the claim against the City submitted by Raul P. Lizarraga and Carman Lizarraga and referred the claim to the City's insurance representative.

3. From Robert and Arlene Bell an amended claim against the City was submitted in regard to the transfer of title to claimants' real property on County Road 101. The original claim against the City filed by Mr. and Mrs. Bell in 1995 was rejected by the Council on December 5, 1995. The claim was for breach of agreement and/or inverse condemnation, and the City Attorney recommended that the Council also reject this amended claim and refer it to her.

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous vote, the City Council rejected the amended claim against the City submitted by Robert and Arlene Bell and referred the claim to the City Attorney.

4. From Pauline A. Keehn a letter was received requesting that the City Code be revised to require that every property owner in the City pay for yard refuse pickup service. Attached to the letter was a section of the City Code which provides that "After November 1, 1987, yard refuse service shall be mandatory except for those persons who, prior to November 1, 1987 have exempted out of the yard refuse service program and except for commercial and industrial accounts. All new noncommercial and nonindustrial property owners after November 1, 1987, shall subscribe to the yard refuse service program." The City Manager recommended that this letter be referred to the City Solid Waste Committee for review.

On motion of Council Member Ryhal, seconded by Council Member Borchard and carried by unanimous vote, the City Council referred the request that all property owners be required to pay for yard refuse pickup service to the City Solid Waste Committee for review.

#### COMMITTEE REPORTS:

1. From Library Services Director Marie Bryan a report was received transmitting the minutes of the Library Board meetings of May 6 and May 20, 1996.

2. From City Manager Kris Kristensen a report was received transmitting the minutes of the Yolo County Transit Authority Board meeting of May 22, 1996.

3. From Community Development Director Janet Ruggiero a report was received transmitting summaries for the East Street Specific Plan Committee workshops of May 29 and June 19, 1996.

4. From Assistant City Manager Kristine James a report was received transmitting the minutes of the Personnel Board meeting of June 13, 1996.

5. From the Community Development Director a report as received summarizing action taken at the Planning Commission meeting of June 20, 1996, as follows:

- a. Commission elected Alex Seiberth to serve as Chairman of the Planning Commission and Dennis O'Bryant as Vice Chairman.
- b. Commission reviewed a draft letter on the Woodland Christian School EIR. The Commission had no additional input to be incorporated in the letter.
- c. Commission voted to cancel the July 4, 1996 Planning Commission meeting.
- d. Commission reviewed the staff recommendations contained in the staff report concerning the proposed division of a .48 acre parcel between Chandler Court and Palm Avenue, by Robert Nearn. The Commission concurred with the proposed conditions for approval, and affirmatively found the proposal to be justified, with the conditions of approval contained in the staff report. The Commission voted unanimously to support the applicant's requested parcel map, with special consideration given to preservation of mature oak trees on the site.

6. From the City Manager a report was received summarizing topics discussed at the Woodland Joint Unified School District/City 3 x 2 meeting of June 24, 1996.

PUBLIC COMMENT:

Cecilia Villegas said she wanted to speak about the increased fees for the North Park Lighting and Landscaping District.

Mayor Rominger said Ms. Villegas could speak on the issue under regular calendar items.

Rick Elkins said he has permission from the owners to obtain a permit for a golf/teaching course just east of County Road 102 where East Gibson Road dead ends. He said they are breaking ground now, and the engineering report shows the water table at 42 inches.

Also, he said he wanted to clarify some comments he and Mayor Rominger have had in the newspaper regarding the annexation of area east of County Road 102. He said the Mayor's comments in the newspapers indicated that the City would receive appropriate water rights by annexing the land.

Mayor Rominger said she said that annexing the land would help the City in its endeavor to acquire appropriate rights from P G and E Enterprises.

Mr. Elkins said the appropriative water rights are rights that can be transferred to different people whether you abut the land or you do not, and there is no contiguous need for that. In fact, he said, in 1991 and 1992 PG and E did sell water off to Northern California and there was no annexation requirement or abutment requirement. He said he could not see the connection. He said PG & E has been selling water to other places not contiguous to the area.

Mayor Rominger said PG & E Enterprises has not sold the right, they have transferred the water and sold it on a temporary basis. She said the City is looking at acquiring the rights whereby the City would buy the rights, and the rights would belong to the City in perpetuity or until the City decides to sell. She said the ability to acquire the rights is changed because of the annexation, and it would be helpful to the City if the City were to annex the property.

Mr. Elkins said the newspaper article also included comments from Jim Eagan who stated that the annexation would actually help in his efforts for the Yolo County Flood Control and Water Conservation District to acquire the rights.

Mayor Rominger said she has not talked to Jim Eagan about the District. She said their discussions have not centered around the District acquiring rights to the water also. She said the District has filed for unused appropriative rights on the Sacramento River on behalf of the City of Woodland, the City of Davis and the University of California at Davis. She said that is a separate issue from the annexation.

#### PRESENTATION - PROCLAMATION FOR PARKS AND RECREATION MONTH:

Parks, Recreation and Community Services Director Tim Barry briefed the Council on the events for the upcoming July 4th celebration. He said Nugget Market is the primary sponsor for the fireworks show to be held at the High School.

On motion of Council Member Borchard, seconded by Council Member Losoya and carried by unanimous vote, the City Council proclaimed July as National Parks and Recreation Month in Woodland.

Mayor Rominger presented the proclamation to Tim Barry in the absence of Tom Stoffregen from the Parks, Recreation and Community Services Commission.

#### HEARING - DELINQUENT GARBAGE/YARD REFUSE SERVICE BILLS:

Mayor Rominger said the only public hearing scheduled is to consider adoption of a resolution approving liens for delinquent garbage/yard refuse service accounts with Waste Management of Woodland.

Finance Director Margaret Vicars said when the City negotiated a new agreement

with Waste Management several years ago one change was that Waste Management would take over billing for garbage/yard refuse service. Part of the agreement stated that Waste Management would have permission to file liens to recover delinquent bills. Before that can be done, she said a public hearing must be held to allow for protests. She said all accounts in the lien listing have been noticed repeatedly by Waste Management. She said Tom Norris from Waste Management was present at the meeting to respond to any questions Council Members might have.

Mayor Rominger opened the public hearing, and there being no comments she closed the hearing.

Resolution No. 3962-1:

On motion of Council Member Flory, seconded by Council Member Losoya and carried by unanimous vote, the City Council adopted Resolution No. 3962-1, a resolution approving the list of delinquent refuse accounts and directing the Tax Collector of Yolo County to place liens on the tax rolls and collect the amounts of delinquent refuse accounts.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

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:

HEARING SET FOR 1996 CLEAN LOT PROGRAM:

The City Council set July 16, 1996 for a hearing to receive the report on the cost of the 1996 Clean Lot Program.

RESOLUTION NO. 3962-2 - PRE-TAX PAYROLL DEDUCTIONS:

The City Council adopted Resolution No. 3962-2 allowing City employees the option to make pre-tax payroll deductions for service credit purchases with CalPERS. (As of July 1, 1996 PERS will provide the option to allow employees to purchase prior service credits [i.e., redeposit, service prior to membership, military, etc.] with pre-tax payroll deductions. Any purchases for prior service credits are always at employees expense.)

MUNICIPAL SERVICE CENTER ROOF REPLACEMENT:

The City Council authorized a request for proposals for design of a roof repair project for the Municipal Service Center.

REGULAR CALENDAR:PUBLIC MEETING - NORTH PARK LIGHTING & LANDSCAPING DISTRICT:

The Finance Director said the under State law the Council is required to hold two meetings regarding the proposed increase in fees for the FY 1996-97 North Park Lighting and Landscape District. She said the first is a public meeting scheduled for tonight to gather information regarding the annual levy increase. On July 16, 1996 the Council will hold a public hearing at which time Council will invite further public testimony and will be asked to approve or disapprove the levies to be added to the tax rolls. She said the annual levy report which was distributed to the Council at its June 18, 1996 meeting proposes an increases in the levy in 1995-96 from \$78.80 to \$231.40 per parcel in 1996-97. Council Members received a copy of the budget. She said the primary reason for the substantial increase is that the facilities in the North Park District are now on line and for the most part are completed, except for lot 70. The budget reflects the first full year of complete operations. She said the levy in North Park Lighting and Landscaping District has fluctuated significantly since 1993 due to the timing of the completion of the project. She said at the end of May 45-day notices were sent to the property owners in the district advising of this meeting as well as the July 16 public hearing. Approximately 10 days later the City received notice from the developer that the last section of North Park was completed and received a listing of the new owners. The new owners also received the notice. She said the original Engineer's Report for the District in early 1993 estimated the minimum cost per parcel to be \$172.00 per year. The levy placed in 1994 was \$86.00 per parcel and the park facility was not completed and accepted by the City during that time period. The money was kept in reserve, and in the 1994-95 year the reserve was used for the budget and only a \$10.00 levy was imposed. Beginning with 1994-95 the City had to reimpose a fee of \$78.80, and the City went through this process of two meetings to allow comments. She said last year a neighborhood meeting was held and a group was formed to work with staff on the budget. A second neighborhood meeting was held in May 1996. She said protest letters will be presented at the July 16 hearing.

Mayor Rominger invited comments from the audience.

Cecilia Villegas said she has only lived in the North Park District for one month and received the notice. She felt the increase was very large from \$78.80 to \$231.40, and her understanding was that the levy was for maintenance of the sound wall and grass area on Dove Drive and the park. She asked for clarification of the costs. She said she and her husband were not informed of the levy when they purchased their home. She said maybe the property owners can work together with the City to do the maintenance themselves.

Vice Mayor Losoya asked if there is any requirement or way of notifying

potential buyers in the District to let them know about the fees.

The City Manager said it is very difficult. He said the fact that the property is within a lighting and landscaping district is a recorded element of each parcel so that when the property owner purchases the parcel this information shows up in the title search. He said with the District there is the obligation to conduct the annual budget meeting, so that information is sent to the property owners. He said the City has taken some extra steps in trying to work with the neighborhood to review the budget. He said the reason the cost is so high this year is that this is the first full year for the cost of maintaining the facilities. He said the property owners in the district have not before had to pay a full years cost. He said they discussed with the neighbors the possibility of taking on the maintenance, and the City informed them they could form some type of homeowners association. A second option is to take the work slated for the parks and put it out for bid to see if there is a contractor in the community who could work for a smaller price that the City estimates. He said the Parks, Recreation and Community Services Director has already started to gather some information to set the standards for the bid process. He said the City still has the obligation of setting some sort of levy for this upcoming year. If the bid price is smaller, the savings could be applied to the following year.

City Attorney Ann Siprelle said State law requires that when an assessment district is formed there is a notice of assessment recorded against all of the properties within the district. That notice appears on the title report, and when a new buyer purchases the property and looks at their title report there is a notice of assessment which states that there is a landscaping and lighting district and this property is subject to annual assessments.

Monica Villegas said she also purchased her home in the North Park District and heard about the increased fees from her in-laws. She said when they negotiated with the Stanley M. Davis realtors to buy their home they inquired about the fees and were told that the fees would remain the same for a while. She said they put 25 percent down on the house to bring the payments down, but she said the \$231 will really cut into their budget. She said the property owners would be willing to participate in the maintenance to reduce the costs.

Paul Rowe said they just purchased their first home in the North Park District, and he inquired about a newspaper article which stated there was a mistake in the District budget.

The City Manager said the City underestimated the cost that would be actually incurred in doing the work when the City set up last year's budget. The costs actually incurred were approximately \$10,000 higher than what had been budgeted before.

Mr. Rowe said he is certain the property owners can help to cut the hours necessary for maintenance. He suggested that the lawn mowing be cut back.

Parks, Recreation and Community Services Director Tim Barry said the four hours per day for the temporary part time position included in the budget is an estimate of time based on their department's experience with similar types of work. He said this includes maintenance of turf irrigation, shrub beds, trees, playground equipment, drinking fountain, etc. Other expenses in the district are maintaining the sound wall areas, the planted areas along Kentucky and County Road 98 and Ashley Avenue, as well as maintaining the greenbelt strip in Woodland West subdivision. He said in an effort to save money they have contracted out the greenbelt strip maintenance and sound wall maintenance, so City employees are only involved with the greenbelt park. In an effort to analyze whether they are doing the work in the most economical way possible staff is getting together with the citizens advisory committee to look at specifications for what it would take to maintain that park and put it out to bid. He said through that process they will find out if direct City services is the least expensive way or contracting out. He said the City still has to maintain standards for safety and aesthetics that meet the expectations of the City as well as the neighbors.

Mr. Rowe said he was concerned about how much the costs will be escalating. He said if the cost is \$231 per year they can deal with it but he just wanted to know if it was not going to get any higher. He asked how the neighbors can help.

Mr. Barry said the hearing will be held on July 16 and the Council will decide then what the levy will be. He said he would contact Mr. Rowe to participate in the work of the citizens advisory group which is putting the specifications together. He said if the neighborhood group wants to put together a proposal the City would have to analyze it with other proposals.

Debbie Scott said the CC and R's (covenants, conditions and restrictions) state that their parcel is part of the landscaping and lighting district, but they do not state the particular fees and whether the fees will go up or down. She said the two real estate agents representing the developer in the area have not communicated very well with the new home buyers.

Vice Mayor Losoya said there must be some way of making the new home buyers aware of the requirements and fees before they purchase.

Mark Krummenacker said he has been serving on the North Park Committee, and he invited other property owners to contact him. He said he has been working with the City staff over the last year, and they have been very helpful. He said he was a little shocked with the increase in the budget. He said the whole purpose of the committee was to improve communication, but they did

not find out about the increase until April. He suggested that financial reports be sent to him on a monthly or quarterly basis, and he could share them with the other committee members.

Council discussed methods of informing new home buyers of fees such as landscaping and lighting district levies. The City Attorney said the City does not have any jurisdiction over what real estate agents and title companies do, and in that respect the City cannot add regulations on how they perform their job. She said the City can certainly provide information and request that they give the information to potential buyers.

The Community Development Director said she and the City Manager have been talking about holding annual meetings with the Board of Realtors to allow the City to advise them of new subdivisions going up for sale and giving them information to hand out regarding sound walls, lighting and landscaping districts, etc.

Mayor Rominger thanked the members of the audience for their comments and invited them to attend the public hearing scheduled for July 16, 1996.

#### PROPOSED ROAD MAINTENANCE ASSESSMENTS:

Director of Public Works Gary Wegener said the recommended action for the proposed road maintenance assessments is that the Council approve the Engineer's Report and Addendum No. One; determine the proposed assessments are in proportion to the benefits received; adopt the assessments proposed in the Engineer's Report; determine the assessments will be levied at \$0.00 for each parcel in fiscal year 1996-97; and direct appropriate filings with the County Recorder. He said as the Council has discussed during several of the past Council meetings a decision needs to be made on how to proceed with the assessment process. The required hearings were held, and if the Council wants to take advantage of the proceedings that have taken place the Council needs to act on the Engineer's Report and proposed assessment. He said the City has the latitude of setting the assessments at zero for the first fiscal year which would effectively preserve Council's option to raise the full amount of the assessments for the remaining four years for addressing backlog. Thereafter there would be the maintenance amounts. He said the Council received in their mail information about the Howard Jarvis Citizens' Right to Vote on Taxes initiative that did qualify for the November 5, 1996 ballot and is expected to significantly change procedures for enacting assessments as well as other issues related to revenues for cities. He said if the Council forgoes this opportunity on the proposed assessment and the City initiates proceedings next year, the initiative if approved would require a ballot be mailed to the property owners stating the amount of the proposed assessment. The ballots mailed back supporting that would have to total a dollar value greater than those opposing before the assessments could be enacted.

Vice Mayor Losoya said he is in favor and supports continued research into other possibilities and revenue sources for road maintenance. At the same time he said he supported adopting the resolution tonight to approve the district to have something in place.

Council Member Ryhal said the City still has other avenues available although it is not likely there will be anything this year. He said he still views the road assessments negatively, and he said he views them as a property tax which requires a vote of the people. He said he understands the City has a road problem, but he is still against the assessment.

Mayor Rominger invited comments from the audience.

Ron Lopez said he is a Woodland resident, and he supported Council Member Ryhal's views. He said he would like some more information about what the Engineer's Report states and what the exact numbers are. He said he was concerned that the assessments may increase as the North Park Lighting and Landscaping District fees have.

The City Manager said the District fees represented a problem of under estimating, and he hoped that problem would not occur with the road assessments.

Mayor Rominger pointed out that the City has been talking about the road assessments for about two years. She said Mr. Lopez could contact the Public Works Director for more information.

Gene Chaffin said the residents of Woodland will pay for the road assessments, and those who live outside the City and do not pay will also use the roads. He said there must be a better way if assessing for road maintenance.

Council Member Borchard said this is one of the toughest decisions he has had to make since he has been on the Council. He said he was elected in April of 1994 and then in June of 1994 he voted for a landscaping and lighting district and road assessments. He said has always been touting the efficiency angle of curbing the degrading City road system now so we can pay less in the long run. He said citizens want to have a say in how their taxes are being spent and do not want to be told by a group of five individuals that this is good for the community. He said he used to think this was a cost effective way to go. Even though it is unfunded now it could be funded with three votes. He said we can try again next year to have the sales tax legislation passed. He said that is the most equitable way to pay for the roads. He said there were over 800 protest letters filed but not that many people submitted letters in support of the assessments.

Mayor Rominger said two years ago the Council voted 3 to 2 not to approve the road assessments, and she and Council Member Borchard voted in favor. Today she said she and Council Member Borchard are voting against the assessments. She said she has been very much affected by the number of letters (850) the Council received against the assessments. Also she said the Council tonight heard from property owners in the North Park Lighting and Landscaping District, and this road assessment would add another \$56 per year. She said there are good reasons for approving the assessments, but she said she is weary of taking up the slack and filling the void left by the State with reduced property tax revenue to the cities. She said the State is taking the cities' property tax dollars, not being responsible for their own budget, and placing the burden on the cities. The cities are then passing the loss on to the residents of Woodland. She said the Council needs to look again at the Preliminary Budget just adopted (on June 18, 1996) and see if there are any dollars that can be shifted into road maintenance.

Council Member Flory said he changed his position from "no" to "yes" because after two years he realized there are no options. He said we need to pass the road assessments even if they are not funded to secure the investment of the people who lived in this community before us and the people in the future by protecting our streets and infrastructure. He said just because the legislature has been irresponsible by denying funding to the cities which they previously had to meet their obligations the Council should not shirk its responsibilities to the citizens. He said there could be a lot of areas that could be cut in the Preliminary Budget. He said we could cut back on mowing the lawns at the parks and maybe mow them once a month. The City could not buy any new equipment and spend more money repairing the existing equipment. He noted that the staff in the Community Development Department are in cramped quarters and have no privacy. He said the City would get better productivity from City employees if the City gave them better facilities to work in. He said he supports a sales tax for road maintenance dollars, but he did not feel the community would vote in favor. He said he would pledge his support and money for the passage, but he said Council Members who do not support the road assessments tonight should pledge their time and money to getting the sales tax initiative passed.

Vice Mayor Losoya said he feels the City should review the Preliminary Budget to see if there is any possibility of transferring funds to take care of some of the cost of the road maintenance. He said he only supports the road maintenance assessments at this time to secure an option, and his intent at this point is not to use this as a means of getting funding. He said he feels the road maintenance assessments would be a last resort funding option.

Council Member Ryhal said he is willing to work toward the passage of the sales tax initiative next year, and he said he feels the voters of Woodland will pass a sales tax increase by a two-thirds vote.

A motion by Council Member Flory and seconded by Council Member Losoya to "adopt a resolution to approve the Engineer's Report and Addendum No. One; determine the proposed assessments are in proportion to the benefits received; adopt the assessments proposed in the Engineer's Report; determine the assessments will be levied at \$0.00 for each parcel in fiscal year 1996-97; and direct appropriate filings with the County Recorder" failed to carry by the following vote:

AYES: COUNCIL MEMBERS: Flory, Losoya  
NOES: COUNCIL MEMBERS: Borchard, Ryhal, Rominger

Mayor Rominger thanked the Public Works Director and other members of the City staff for the time and effort given to the Council Members in helping them make their decision.

#### GUM AVENUE NOISE STUDY FINAL REPORT:

The Community Development Director said the Council received a letter from George Moffett with an enclosed petition requesting that the City erect a sound wall for Idle Wheel Estates and Royal Palms on Gum Avenue. She said the Council approved the preparation of a noise study by the firm of Brown-Buntin to determine if the requested sound wall should be installed. The Southeast Area Specific Plan EIR indicates that a noise wall is not necessary for County Road 101 or Gum Avenue at Idle Wheel Estates and only required a sound wall along Pioneer Avenue to the east of Idle Wheel Estates.

Jim Brennan of Brown-Buntin outlined the final report. He said they were asked to look at whether future traffic noise levels would exceed a 24 hour average of 65 db for the outdoor activity areas. He said the outdoor activity areas are generally patios or the side facades of the mobile homes, so they used ten feet toward the road way from the closest facade of the mobile homes. He said the noise analysis relied heavily on modeling of traffic noise levels which is necessary when looking at future traffic noise levels. However, he said because models tend to be models they can vary based on what assumptions are used, so they tried to supplement the noise study with noise data out there. He said there was not only modeling of traffic noise but also short term traffic noise measurements at each of the mobile home parks, and some 24-hour average noise level measurements. He said the results of the analysis indicated that worst case traffic noise levels were going to be less than 65 db hourly average in the future. He said it was a very close because they predicted 64.4 db, and they feel confident in their predicted noise level. He said they did not feel a sound wall was necessary to achieve future acceptable traffic noise levels, and he said there was no further action needed on their part.

The Community Development Director asked Mr. Brennan to point out the

difference between Idle Wheel Estates and Royal Palm Estates because of the way Gum Avenue crosses.

Mr. Brennan said with Idle Wheel Estates based on the elevations of the roadway and the back yards if a sound wall were required, a sound wall would have worked at Idle Wheel Estates. At Royal Palm Estates because the roadway is elevated you need to break line a site to the noise sources, and because the road way was elevated you would need a fairly tall sound wall to break line a site to the traffic on the roadway. Responding to questions from the Council Mr. Brennan said 24-hour measurements were not done at Idle Wheel Estates. He said the real utility of doing a 24-hour average noise level study was to find out what that measured noise level is so that when they try to predict existing noise levels they can determine if they are close to what they measured for that 24-hour period. Also the 24-hour average noise levels study helps them with its inputs to the model. He said they did do short term noise levels at both trailer parks.

Council Member Borchard asked how much a sound wall would cost.

The Community Development Director said she has not done an estimate on what a linear foot sound wall would cost, but she said staff does have those figures for the Southeast Area. She said much would depend on the type and design of the sound wall in terms of the cost. She said the type and pattern of the sound wall in the Southeast Area would probably be continued. She said she can get that figure to Council. She said if the issue is that the Council is desirous of a sound wall going along Idle Wheel Estates then the Council needs to discuss funding for it as it relates to the district in the Southeast Area. The other factor is that there is no landscaping along the existing wood fence whatsoever, and that comes in at a later period on terms of phasing. She said that will not add a lot in terms of sound attenuation.

Mr. Brennan said at the Royal Palms Estates to block line a site to the noise source an 8-foot wall will be needed. The cost of an 8-foot wall goes up significantly greater than a 6-foot wall because there are larger footings needed.

The Community Development Director agreed to bring back to Council information about sound walls and funding. She said she did send a copy of the noise study to Mr. Moffett and to the owners of the mobile home parks but she was concerned that neither were present at the meeting.

**Council took a recess from 9:08 p.m. until 9:17 p.m.**

CONAWAY RANCH SALE:

Mayor Rominger said that Lois Wolk, Mayor of the City of Davis, requested to speak to the Woodland City Council regarding the Conaway Ranch sale issue.

Also present at the meeting was Marge Dickerson, Director of Government and Community Relations with UCD, and Tom Stallard, Chair of the Board of Supervisors.

Ms. Wolk said in addition to Ms. Dickerson and Mr. Stallard Bob Haggin, who is the chair of the Yolo County Flood Control and Water Conservation District, would have also been present but is attending a District Board meeting. She asked that the Woodland City Council renew its partnership with them as they confront a challenge and opportunity regarding the Conaway property sale. She said they should meet together on Conaway because it is bigger than any of the individual entities, and she felt that each entity's ability to act alone will be very limited. She said Governor Wilson's Resources Agency Director Doug Wheeler recognized this with some comments he made the other day. She said Mr. Wheeler said the State is very much interested in studying a wide range of resource issues on the Conaway Ranch including water rights though he said it would be best for all of the local agencies to sit at the table together with the State. He said the State is very happy to discuss water within the context of these other issues such as ag land preservation and wetlands habitat. She said he has taken the initiative to convene all of the entity representatives at a meeting in response to the City of Woodland's initiative requesting to do so. She said he is convening the meeting because the possibilities for a dramatic State, Federal and local initiative are just beginning to evolve. The meeting scheduled for July 30, 1996 will include people at the highest level at the State: David Kennedy, the head of the Department of Water Resources; Jackie Schaefer, the head of the Department of Fish and Game; Ian Miller, the head of the Department of Conservation; Hershel Reed from the Federal Department of Agriculture, who manages the wetland reserve program in California; Yolo County representatives; Yolo County Flood Control and Water Conservation District; City of Davis; City of Woodland; and the University of California at Davis. She said the Secretary from the U.S. Army Corps of Engineers said with this year's Federal Water Resources Development Act which is currently being discussed and voted on in Congress there will be Federal money in increasing amounts for wetlands restoration in the current legislation. She said those are 1135 funds for wetlands restoration in the By-Pass and other areas. She said there are a lot of interests that are becoming involved in this potential project. Many of the interests, she said, if not all are mostly compatible. The City of Woodland, the University of California at Davis, the County and the State have interests in water and habitat preservation. She said they believe it is important to put up a collaborative effort and a united front to the State agencies, Federal agencies, and most importantly to PG & E. She said PG & E is undergoing great changes statewide because of deregulation, and it is a time of chaos in the utility industry. She said it is also a time of great creativity and great opportunity. She said PG & E Properties is not immune to those dramatic changes. She said partnerships are something the City of Woodland, City of Davis, and the University have had with respect to water issues since 1990 when she first took office. In 1991 she and Mayor Rominger co-chaired the interagency coordinating group

which was the first effort to set aside many years of disunity, distrust and suspicion in the water resources area. She said that effort led to the Water Plan Update, and she and the Mayor jointly stood before the Board of Supervisors asking the Board to accept the Water Plan and to form the Water Resources Association of Yolo County. In 1992 the Cities together in cooperation with the District and the University and Solano County participated in a supplemental water supply study. She said joint efforts make the costs less for each entity, and costs include expensive environmental documentation.

Mayor Rominger thanked Mayor Wolk for her presentation. She said one of the things she wanted to make clear is that when the Council decided it did not want to pursue purchase of the Ranch and just wanted to pursue the water she communicated with each of the agencies represented at the meeting. She said she indicated that the Woodland City Council would be happy to have the other entities to join them in Woodland's pursuit for the water because that is the City's main interest. She said it is not that the City of Woodland is unwilling to jointly participate with another entities, the City is focused on the water rights and welcomes participation from the others. She said if the City of Davis, the University or the County want to pursue that one element of the property the City of Woodland would be happy to work with them.

Council Member Ryhal said one of his concerns has always been no matter how many entities are involved is where does the money come from. He said if the City were to buy the property he was not certain what the City would do with it.

Lois Wolk said that is the same type of question the Davis City Council has. She said the fact is that none of the entities has \$68 million to buy the property, and the entities do not know all of the resources that are available on the property. She said she was not certain acquisition is the way to go, and she said there is more than just a dollar value to the property.

Council Member Flory said in other words the committee was not just looking at the purchase but was coordinating agencies so that we have some say so or influence on whatever happens to the property. He said we do not even know if there is water available.

Vice Mayor Losoya asked if there was any estimated cost just to pursue getting the information about the property.

Lois Wolk said when the staffs of the various agencies get the information together and their respective attorneys look at it, they will be able to make some sense of whether to move forward or not. She said there will be costs and there will be costs associated with analysis.

Supervisor Tom Stallard said this is a very useful thing that the Mayor of Davis has come to address the Council of Woodland. He said this symbolizes that we are moving into an era where we have to cooperate as partners. He said this is an ag county, and ground water protection is important. As we go into the 21st century he said we are going to have to work together to protect the quality of life we enjoy. He said he would rather see one buyer come to PG & E instead of three.

Council Member Flory said he would like the Council at its next regularly scheduled public meeting to consider joining with the City of Davis, Yolo County and the University of California at Davis in continued meetings regarding Conaway properties.

Mayor Rominger said when she talked to each of the three representatives of the entities they asked if the City of Woodland would continue to participate, and she assured them the City of Woodland would if they wanted Woodland to be there. She said she felt it would be advantageous for the City of Woodland to continue to participate with that group and meet with them to see what is going on and to share information.

Council Member Flory said he is worried about Woodland trying to get water rights on its own and not getting the best deal, and none of them know what water is out there and what the quality of the water is.

Council Member Borchard said he is ready to talk but he is not interested in the City buying the Ranch. He said he is interested only in the water rights, and if we can do that together, that is okay.

Vice Mayor Losoya said he was concerned about the cost to research potential purchases. He said the Woodland Council already decided it did not want to commit to that expenditure. He said the Council did not want to lead the rest of the entities on so the Council wanted to make it clear that the City of Woodland did not want to pursue it any more. He said if it is a matter of talking to see what might develop and if something looks appealing, we can do that. He said he did not want the City to spend a lot of money for something that is uncertain.

Lois Wolk said going after water rights whether alone or with other entities will cost money. She said the Sacramento River application that was filed by the District on our behalf involved environmental work which will cost \$500,000. She urged the City of Woodland to stay in the group to see what the real costs are and see what the choices are.

Mayor Rominger thanked Lois Wolk and Tom Stallard for addressing the Council. She said the City of Woodland wants to continue to participate with the other entities but in a focused way. Council Member Ryhal said the City of

Woodland wants to continue to look at our options together as a group.

CONAWAY RANCH SURFACE WATER ENTITLEMENTS:

Mayor Rominger asked the Council to consider sending a letter to the Yolo County Flood Control and Water Conservation District to ask if they would assist the City in developing an offer for water from P G and E Properties.

Council Member Flory said the City does not have any information to make an offer. He said the draft of the proposed letter states that the City is requesting assistance in developing an offer, but he said there is not information about whether there is water available.

Mayor Rominger said the City has received confidential information from PG and E Enterprises, and that is in the City's possession.

Council Member Flory said all of the Council Members should look at that information before approving the letter.

Mayor Rominger said the intent of the request is to work with the District to pursue water rights. She said in preliminary and past talks with the District, the City has found that the District has a vast amount of information and knowledge of water and the rights that go along with the Conaway property.

Vice Mayor Losoya suggested a change in the wording of the letter to state that the purpose of the letter is to request assistance and expertise of the District in developing information relative to the Conaway Ranch water rights.

On motion of Council Member Losoya, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized the Mayor to sign the letter as amended to the Yolo County Flood Control and Water Conservation District for assistance in developing information regarding Conaway Ranch water rights.

WOODLAND CHRISTIAN SCHOOL DEVELOPMENT EIR:

Council Member Borchard stated that he has a conflict of interest regarding the Woodland Christian School project, and he abstained from any discussion or action on the matter.

The Community Development Director said staff received a copy of the EIR for the Christian School project, and staff prepared a letter of response. She said the Planning Commission reviewed the response letter on June 20, and the

Commission had no additional comments to the letter. Since the Planning Commission meeting the Public Works Department made some additional comments regarding the EIR. She recommended that the Council authorize signing the letter.

On motion of Council Member Flory, seconded by Council Member Ryhal and carried by unanimous vote, the City Council authorize the Mayor to sign the letter to Yolo County Community Development Department regarding City comments on proposed Woodland Christian School EIR.

#### REQUEST FOR CITY SERVICES AT HUTCHISON VALLEY DRIVE:

The City Manager said staff has been dealing with residents in the Hutchison Valley Drive area for quite some time, and they have talked to staff about forming an assessment district to provide some public services for the area which has no paved street, City water, City sewer, or City storm drainage services. He said they have been unable to come to agreement about how those cost should be allocated and what costs should be involved. This year some inspections were done by the County Health Department, City Fire Department, City Community Development Department which outlined some significant deficiencies they needed to address. He said the residents are still trying to deal with some of those problems, and last month submitted a letter to the City asking for information on creating some water and sewer services. He said staff is preparing information about what the minimum would be necessary to do that, and staff will meet with them later this month. He said staff will present a proposal to Council at a later date on how to create some of those services. He said this is what happens when cities annex properties that were originally developed in the county and are not to city standards.

#### VEHICLE THEFT DETERRENCE PROGRAM:

Mayor Rominger said approval of the Memorandum of Understanding regarding Vehicle Theft Deterrence Program has been removed from the agenda, and Council will consider the matter on July 16, 1996.

#### CITY WASTEWATER TREATMENT PLANT IMPROVEMENT REQUIREMENTS:

Utilities Division Director Mike Horgan gave Council an update on pending City Wastewater Treatment Plant improvement requirements. He said last fall the Council was informed of the need to upgrade the Treatment Plant with a clarifier which is a planned element for growth to the plant. Based on some changes experienced over the last nine years since the initial design report was prepared staff felt it was prudent to relook at the whole plant, its operation and each element and how they relate to each other. In doing so staff knew of some new requirements, and one in particular coming from the new Fire Code to provide containment enclosures and chemical scrubbers for the chlorine and sulfur dioxide

gases at the plant. He said a report for that change is under review now and is planned to be presented to Council on July 30. With respect to the changing parameters at the plant, the oxidation ditches (currently three) are operating at about 30 percent higher than the plant capacity, so the City is really getting by on just two now. He said this gives the City a greater capacity in the ditches themselves. He said the design report supplement which will be presented on July 30 will describe existing plant conditions and identify revised expansion staging requirements along with recommendations for phasing of construction. He said the work should be completed by the end of 1997 at a cost of approximately \$5 million. It is a part of a revised stage 1 expansion estimated at approximately \$7.6 million that would occur over a longer period dependent upon actual wastewater flow and loading growth.

#### STATUS OF CLEAN AIR FUNDS GRANT:

The Director of Public Works said there are two grants that are pending with the Yolo Solano Air Quality Management District. One is a 1995-96 Clean Air Grant (clean fuel category) in the amount of \$10,000 for conversion of the Public Works sign truck to allow it to use compressed natural gas. The original request was three times the approved amount. During the change over when Ernie Medina left the Equipment Services Manager position and the City hired Sean Stanbrough something got lost in the transition. Some correspondence came to the City from the Air District which was unanswered inquiring about the status of the grant. He said the City was recently advised by the District Board that they were going to rescind the grant because they had not heard anything from the City. Since then a letter was sent to the Board asking for an extension until October 1, 1996, and the City has been advised that the grant is in the process of being approved. There is also a 1994-95 Clean Air Grant (alternative fuel category) in the amount of \$6,667. He said the City has requested and has been advised that the Board is approving an extension to October 1, 1996 for obligation of these funds. He said Mr. Stanbrough is researching different uses for these funds, and one possibility is to get the recently approved purchase of new pickups as additional alternative fuel vehicles. He said staff has reevaluated how it handles the grants and has established a status report on where we are with executing the grants to assure there are no problems like this in the future.

#### LIBRARY BOARD APPLICANT INTERVIEWS:

Council agreed that Council Members Losoya and Ryhal shall interview Library Board applicants to fill the vacancy from the resignation of Robert Hollingsworth.

#### FUTURE AGENDA ITEMS:

Council Member Ryhal said there is a parcel of land east of County Road 102. He said he was approached to ask the Council to discuss the uses for the site.

Mayor Rominger said she had four future agenda items. First, she said in regard to water acquisition she wanted the City to look at the ownership of the City's property at County Road 102. She said there are 900 acres the City does not own outright. Also, she said she received a phone call from someone in the community about the Student Work signs that are placed throughout the City. She asked for a report back on whether they have a business license and if they are operating in accordance with the City's rules and regulations. Third, she said it has come to her attention that certain employees in the City after a period of time are eligible to continue to receive health benefits from the City.

The City Manager said all City employees with ten years of service or more are eligible to receive health benefits. He said this includes miscellaneous and public safety employees. He said this benefit has been in effect for a long time.

Mayor Rominger said that is quite an expense, and she said the Council needs to revisit the benefit to be sure the Council likes it. She said the fourth issue is something that came up in the League of California Cities Policy Committee meeting on Environmental Quality. She said they were talking about the Gann III Initiative, and someone mentioned that the State is allowing taxing authority backwards. Currently a majority vote is required for a general sales tax and a super majority (two-thirds) vote for special sales taxes. She said this should be the other way around with a super majority vote for general taxes and simple majority for a special tax. She asked that the Council allow her to put together a resolution to consider passage and submit to the League of California Cities for consideration at the annual conference.

#### ORDINANCE NO. 1289 - VICIOUS DOGS:

On motion of Council Member Ryhal, seconded by Council Member Borchard and carried by unanimous roll call vote, the City Council adopted 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:

On motion of Council Member Borchard, seconded by Council Member Flory and carried by unanimous roll call vote, the City Council adopted 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."

ADJOURNMENT:

At 10:26 p.m. the meeting was adjourned.

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City Clerk of the City of Woodland