

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

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

OCTOBER 21, 2008

6:00 P.M.

CALL TO ORDER

At 6:00 P.M. Mayor Davies called the regular meeting of the Council to order.

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,
Akin Okupe, Jimmy Stillman, Barry
Munowitch, Carey Sullivan, Andrew
Morrison, Charlie Wilts, Tod Reddish,
Cynthia Shallit, Shelby McNay, Roberta
Childers, Mark Cocks, Josie Castillo,
Stacey Brigham, Theresa Monroy, Cathy
England, Cindy Martinez, Bruce Pollard,
Jim Heath, Dick Donnelly, Amber
D'Amato, Daniel Letamendi

PLEDGE OF ALLEGIANCE

Mayor Davies invited all in attendance to join in the Pledge of Allegiance led by Dane Gallagher and Stuart Zane.



MINUTES

On a motion by Council Member/Board Member Monroe, seconded by Vice Mayor/Board Vice Chair Pimentel and carried, the City Council/Redevelopment Agency Board approved the minutes of the November 6, 2007 Joint Council/Redevelopment Agency Board meeting as presented. Council Member/Board Member Dote abstained.

On a motion by Council Member Monroe, seconded by Vice Mayor Pimentel and carried, the City Council approved the minutes of the November 13, 2007 special meeting as presented. Council Member Dote abstained.

COMMUNICATIONS – COMMITTEE REPORTS

Council received the minutes of the Library Board of Trustees meetings of August 4 and September 22, 2008.

Council received the minutes of the Yolo Emergency Communications Agency meetings of August 6 and September 3, 2008.

COMMUNICATIONS-PUBLIC COMMENT

John Gerald said on June 15, 2008, Yolo County Deputy Sheriff Tony Diaz was fatally shot following a high speed chase. Deputy Diaz called for backup and the shooter fled. He died shortly after the incident at the hospital. Sheriff Diaz chose to protect those he was sworn to defend. He spoke with the Parks and Recreation Commission and the Parks and Recreation Foundation and asked if one of the new soccer fields at the Community and Senior Center could be named after Deputy Tony Diaz. The Commission said they had created guidelines and in order to name a field the cost would be \$25,000. The funds would be used for additional upgrades at the facility. He considered fund raising for the project but he said it did not feel right to ask people for that amount of money to honor a fallen Deputy Sheriff and asked Council to waive the \$25,000 fee so that the entire community can honor Deputy Diaz by naming one of the soccer fields in his name.

Council Member Monroe said Deputy Diaz did love soccer and his actions on June 15 were nothing short of heroic. He asked staff to look into the process for naming a field after Tony Diaz so hopefully the matter will come back to Council.

Chris Stanford said her daughter played soccer with Coach Diaz, and she had known him for years. She also asked that a soccer field be named after Diaz,



but she said she was surprised and shocked that the fee for naming a field was \$25,000.

Mayor Davies said most organizations, such as school districts and colleges, have a series of prices for naming rights. The theory is for an opportunity to generate dollars to build more facilities and the reason this is done is to name facilities for someone who has passed. Council cannot take action on matters presented under Public Comment.

COMMUNICATIONS – COUNCIL/STAFF STATEMENTS AND REQUESTS

Vice Mayor Pimentel reported he had attended the Yolo County Transportation District Board meeting on October 13, 2008, and that ridership in the City of Woodland on Yolo Bus is up 52 percent over last year. This increase is due to doubling the routes within Woodland and the gas prices. He requested that an item be placed on a future agenda regarding an Ordinance encouraging owners to pickup after their pets in parks and the entire City of Woodland. Council concurred.

PRESENTATIONS

CERTIFICATES OF APPRECIATION - DANE GALLAGHER AND STUART ZANE

Police Chief Sullivan introduced Dane Gallagher and Stuart Zane. On the morning of July 24, 2008 someone had broken into a neighbor's home. Mr. Gallagher and Mr. Zane tracked two of the suspects who had fled the scene. They restrained the suspects until the Police arrived. The third suspect was later apprehended as well.

Council Members approved the Certificates of Appreciation and presented the Certificates to Dane Gallagher and Stuart Zane.

PROCLAMATION - LAW ENFORCEMENT RECORDS AND SUPPORT PERSONNEL DAY

Council approved a Proclamation declaring November 5, 2008 as California Law Enforcement Records and Support Personnel Day in Woodland.

Council Member Dote presented the Proclamation.



PROCLAMATION - VETERANS' DAY OBSERVANCE

On motion a motion by Council Member Monroe, seconded by Council Member Marble and carried by unanimous vote, the Council approved the proclamation for Veterans' Day observance.

Council Member Monroe read the proclamation.

CONSENT CALENDAR

At the request of Council Member Dote and with concurrence by the Council, the following item was removed from the Consent Calendar for discussion:

MONTHLY STATUS REPORT FROM FIRE DEPARTMENT

Council Member Dote said the numbers in the report are scrambled. Fire Chief Reddish said Council Member Dote was correct and that the numbers in the difference column are incorrect.

At the request of Vice Mayor Pimentel and with concurrence by the Council, the following item was removed from the Consent Calendar for discussion:

MONTHLY STATUS REPORT FROM PARKS AND RECREATION DEPARTMENT

Vice Mayor Pimentel questioned the reimbursement agreement, requested an update on parks in Spring Lake and asked about the Rite Aid building at East and Main Streets. He was aware some of the travel mitigation funds for the turn lane, but he asked about the direct nexus between the Rite Aid project and the turn lane.

Assistant City Manager Munowitch said there was an original Capital Improvement Project for improvements on Main Street which is being funded by the Tribal mitigation fees. Additional work is being funded by Rite Aid, which includes median construction, signal timing and some road widening. Engineer Pollard said the total project was about \$400,000 including contingency and about \$236,000 was Tribal mitigation money.

Vice Mayor Pimentel asked if the turn lane would still be constructed should Rite Aid not go to that location. Engineer Pollard said there was a turn pocket project that went in with the Wiseman building which included two through lanes one-way and a left turn lane and two through lanes



coming from the other direction. The Public Utilities Commission required the railroad crossings be upgraded with a median, but the turn lane was lost. The result was that the Caltrans right-of-way for a planned alignment of that intersection would help the City maintain the capacities that were included in the Tribal mitigation money plan. The Capital project was going to compensate for the median that was installed with the railroad and the rest of the crossing and widening.

Vice Mayor Pimentel asked about the \$96,000. Engineer Pollard said the Traffic Engineer is looking at another capital project to address ADA issues and transition issues on the other side of the intersection, which will be included in the Capital Budget.

At the request of Council Member Dote and with concurrence by the Council, the following item was removed from the Consent Calendar for discussion:

EMERGENCY GENERATORS

Council Member Dote asked what fuel will be used with these three new emergency generators. Director Meyer indicated diesel fuel would be used in the generators. Two of the generators are portable, and the third generator will be placed against residential which would be difficult to install a large propane tank, thus the need for diesel rather than propane.

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

MONTHLY STATUS REPORT - FIRE DEPARTMENT

Council received the monthly status report from the Fire Department. (further discussion above)

MONTHLY STATUS REPORT - PARKS AND RECREATION DEPARTMENT

Council received the monthly status report from the Parks and Recreation Department. (further discussion above)



MONTHLY STATUS REPORT - PUBLIC WORKS

Council received the monthly status report from the Public Works Department.

MUNICIPAL STORM WATER PERMIT UPDATE AND CONSTRUCTION SITE RUNOFF ENFORCEMENT PROCEDURES

Council received a report on the Municipal Storm Water Permit Annual Update and Construction Site Runoff Enforcement Procedures.

FINAL IMPROVEMENTS-WOODLAND MARKET PLACE (GATEWAY) PROJECT

Council accepted the off-site public improvements constructed for Subdivision 4606, Woodland Market place (Gateway), as complete, and directed the City Clerk to file a Notice of Completion.

FINAL IMPROVEMENTS--2008 ROAD MAINTENANCE PROJECT

Council accepted the 2008 Road Maintenance Project by Bond Blacktop, Inc., as complete and directed the City Clerk to file a Notice of Completion.

RESOLUTIONS 4957 through 4967-AMEND EMPLOYEE AND RETIREE PUBLIC EMPLOYEE RETIREMENT SYSTEM MEDICAL ALLOWANCE FOR 2008

Council adopted the following Resolutions fixing the employer's contribution under the Public Employees' Medical and Hospital Care Act:

- Resolution 4957 - City Manager
- Resolution 4958 - Management
- Resolution 4959 - Confidential
- Resolution 4960 - Mid-Management
- Resolution 4961 - Fire Mid-Management
- Resolution 4962 - Police Mid-Management
- Resolution 4963 - Police
- Resolution 4964 - Police Supervisors
- Resolution 4965 - Fire
- Resolution 4966 - General Services
- Resolution 4967 - City Council



SPRING LAKE BOND ACCOUNTABILITY REPORT

Council accepted the Fiscal year 2007-08 Spring Lake Community Facilities District 2004-1 Local Agency Special Tax and Bond Accountability Report as presented.

NOVEMBER MEETING SCHEDULE

Council eliminated the first regular meeting in November 2008 due to the election night activities and set November 18, 2008 as the only regular meeting for November 2008.

PROJECT 07-16 - FINAL ACCEPTANCE-LIBRARY MAINTENANCE PROJECT

Council accepted the Library Maintenance Project, Project No. 07-16, constructed by SGC Construction, Inc., as complete and directed the City Clerk to file a Notice of Completion.

REIMBURSEMENT AGREEMENT - MAIN & EAST, LLC TO WIDEN NORTH SIDE OF MAIN STREET AT EAST STREET

Council approved the Reimbursement Agreement between the City of Woodland and Main & East, LLC (M&E), A.K.A. Petrovich Development Company at a cost not to exceed \$279,500 for reimbursement of proportional design and widening of the north side of Main Street at East Street.

EMERGENCY GENERATORS

Council authorized the City Manager to purchase three new generators through the bid process or use existing cooperative purchase agreements not to exceed \$150,000 for each generator. (further discussion above)



PUBLIC HEARING

RESOLUTION 4968 - APPEAL HEARING REGARDING CONSTRUCTION OF FAIRFIELD INN AND SUITES HOTEL ON FREEWAY DRIVE

Associate Planner Stillman reported that the Council received an appeal of the Planning Commission decision granting a Conditional Use Permit to allow for the construction of a 63,275 square foot, 105 room Fairfield Inn and Suites Hotel on Freeway Drive. This parcel is adjacent to previously approved like applications for a Comfort Inn and Suites and is currently in plan check in the Building Department. The subject site is also adjacent to Holiday and Hampton Inns which are currently in operation. The Fairfield Inn and Suites project application was submitted as a conditional use permit, as well as, site plan and design review conducted by staff. Review and approval was done by the Planning Commission for compliance and consistency with design requirements and other requirements as stated in the Zoning Ordinance. The application was reviewed with comments from all agencies in the jurisdiction, and a public hearing was set for September 4, 2008 before the Planning Commission. At that meeting the Commission continued the item because of a change in design which was submitted by the applicant after the public notice was submitted. That request came with the applicant's desire to ensure substantial compliance with the design requirements of the Entryway Overlay Zone (EOZ). There was also a request from adjacent property owners to ensure they had ample time to review the application and site plan with revised elevations.

The Planning Commission scheduled a September 18 continuation and the project was re-noticed with the appropriate design., At that meeting the Commission specifically looked at height requirements, design compliance and unanimously approved the Conditional Use Permit for a 105 room hotel. Ten days later Ram Sah of Sah Group, Inc. and Arvind Patel of Hampton Inn and Suites, adjacent property owners, submitted a request for an appeal to the City Clerk. They stated three specific items in the appeal, stating that it exceeded the overall height requirement of 40 feet in a Highway Commercial Zone, inconsistency with design requirements in the EOZ, and inconsistency with processing time for the Conditional Use Permit and getting the Permit to the hearing. The appellants were heavily involved in the review of this process and did attend all public hearings prior to the submittal of the appeal. The appellants state the overall height requirement in this zone is 40 feet from base of foundation to the top of the roof line. The project proposed is 39 feet 2 ½ inches, so the project does fall under the height requirement. Similar to other adjacent properties, specifically Hampton Inn and Comfort Inn, there are



architectural features that extend above the 40 foot height requirement, and the City ordinance does allow for parapet walls which are a rail feature that extends 4 feet above the height limit. There are multiple tower features that extend above the height limit to approximately 10 feet with an overall height of 49 feet and 2 ½ inches. Another point on the appeal was that the project was inconsistent with the design requirements and was not harmonious with adjacent parcels. The project is four stories versus the three story hotels previously approved at the Planning Commission level. The EOZ does require multiple things, including design elements to be pulled from structures in downtown Woodland as has been done on all buildings in the Gateway project and all other parcels on Freeway Drive. The proposed project was specifically designed around the Richardsonian Romanesque style of design which is found in the Downtown on the Jackson-Armfield building, Ludy's, and McCandless and Associates Architects. The proposed site is one acre larger than the adjacent hotel sites to allow for additional parking stalls, landscaping and other installations that were required of the other hotels. The appellants claim the application was unfairly expedited through the process. There were numerous meetings on the application. The application did move quickly because the applicants did incorporate local architects and local engineers who worked with City staff giving conceptual drawings to get the elevations to comply with the design requirements. The project is important for Woodland because it does serve the intent of the Entryway Overlay Zone and the Highway Commercial Zone, serving the residents of the community and the traveling public that are frequenting I-5.

Mayor Davies opened the public hearing at 6:40 p.m.

William Kopper, attorney representing Ram Sah and Arvind Patel, presented a letter to the Council. His two clients have approved hotels in the same area on Freeway Drive. Arvind Patel owns the Hampton Inn and Suites, and when he processed the hotel with City staff he was told he could not construct a four-story hotel on Freeway Drive. Mr. Patel had the opportunity to buy additional land that would allow him to have enough parking for a four-story hotel. Because Mr. Patel could not have a four-story hotel he was at a competitive disadvantage with those who can because it is cheaper to operate and build. He said also the proposed application for the Fairfield Inn was presented to the Community Development Department, Planning Division, on July 2, 2008, and on July 9 the application was already forwarded to the Planning Commission. Mr. Patel's application was in the Planning Division for two years, and during that time there were always more requirements placed on the project making it much more expensive. Because the Fairfield Inn project requires a conditional use permit, the City had the option to place on the CUP that



the building only be three stories like the other hotels in the area. Section 25-25-10 of the Zoning Ordinance states that those buildings in this EOZ are supposed to be of the same height and mass. He said there is also a problem with the way staff has interpreted the City's height ordinance. In the letter he presented to the Council he cited 25-25-10c of the Zoning Ordinance which states that the applicant is limited to 40 feet, but the applicant can have an additional parapet wall of 4 feet. He said the staff has ruled that the towers in the application can be more than 4 feet, but the parapet wall is limited to 4 feet. The project with the additional features violates the height limitations of the Zoning Ordinance. His clients are asking that the Council send the application back to the Planning Division to come back with a design that complies with the height regulations, is three stories and compatible with the other hotels that have been built. All applicants should be treated fairly, and one applicant should not be given special treatment by being rushed through the process.

Planning Commissioner Wurzel said the Commission was asked to consider whether the applicant's project was consistent with the design guidelines and all of the other findings. The Commission heard testimony during the hearing with respect to the prior applicant and other hotels in the area. The Commission's decision was specifically whether the design guidelines were met. Their interpretation was that the architectural features were tower features, and the overall height of the proposed building was consistent with the Zoning Ordinance. The Commission did not take into consideration the fairness issue because the Commission was not asked to rule on that. With respect to the appeal, he said, the Council is being asked to make a decision on the compliance with the Zoning Ordinance.

Ken Bowman, one of the owners of the proposed hotel, said he owns the Holiday Inn Express in the area which has been in operation for five years. The owners have worked with the community and worked with local architects and engineers to try to propose a project that the City wanted. A total redesign was done after the original proposal. The parapets and towers in question are architectural matching those in the Downtown and the proposed building itself is less than 40 feet.

Arvind Patel said he developed the Hampton Inn Hotel on Freeway Drive. When he was developing the property he approached the City for permission to build a four-story hotel instead of three stories. His request was rejected. A Senior Planner with the City responding to his request for a four story building, specifically told him that he could not build the four-story building. If the four-story Fairfield Hotel is approved as submitted it will put him at a competitive disadvantage, and it will appear that the City



is not using a uniform standard for all development. He urged Council to reject the four-story Fairfield Inn Hotel project as submitted. The building height should be lowered to comply with the City's Code.

Mike Poelman who did the layout for the project said many of the Hotels in the area with their pitched roofs will be higher than the proposed Fairfield Inn with the parapets. A parapet is a wall and not an enclosed structure. He said they worked very closely with the City on the design elements and tried to expedite the process by collaboration rather than submitting a proposal and waiting.

There being no further comments, Mayor Davies closed the public hearing at 6:55 p.m.

Assistant City Manager Munowitch said staff researched the four-story question, and there is no documentation in the previous hotel files indicating the applicants were told they could not build four-story buildings. The height is consistent with the Code language. All applicants are treated the same. Staff had been reviewing the project for a long time and revised plans were submitted on July 2, 2008. The revised plans were submitted to the Planning Commission on July 9th. The Commission continued the matter and recommended that Council deny the appeal and adopt a resolution with the findings for the denial.

Council Member Dote asked how Fairfield Inn is getting four stories into 40 feet, and Hampton Inn can only get three stories.

Assistant City Manager Munowitch said the number of stories are in the height of the building and relates to how tall the individual rooms are. He said generally for most commercial buildings average stories are about ten feet. Generally four stories equate to 40 feet, and he said with the previous hotel projects there was not enough square footage to provide additional parking if an additional row of rooms were added.

Vice Mayor Pimentel asked if there will be signage for the hotel near the Welcome to Woodland sign on the Freeway.

Associate Planner Stillman said the signage was addressed on the map which subdivided the parcel into three prior to the application and was reviewed by the Planning Commission. The Commission placed a condition that stated any future freeway monument sign take into consideration the adjacent parcels and possibly include the elimination of the existing tower monument sign to incorporate enough tenant panels for all adjacent properties.



Council Member Monroe said he viewed both Planning Commission meetings on cable on this matter, and he felt the project is within the height requirement. The design is consistent with what the City wants.

Council Member Marble asked what legal issues surround this project in relation to the City's exposure if the City were to deny the appeal. City Attorney Morris said the applicant could bring an action against the City to invalidate the approval of the Conditional Use Permit.

On a motion by Council Member Monroe, seconded by Council Member Dote and carried unanimously, the City Council adopted Resolution 4968 denying the appeal of Ram Sah and Arvind Patel, thereby supporting the actions of the Planning Commission from the September 18, 2008 Planning Commission meeting granting approval of a Conditional Use Permit for the construction of a 63,275 square foot, 105 room hotel, Fairfield Inn & Suites on Freeway Drive.

Vice Mayor Pimentel left the Chambers at 7:03 p.m.

WOODLAND REDEVELOPMENT AGENCY REPORTS

RESOLUTION 08-05 - ECONOMIC DEVELOPMENT AGENCY GRANT APPLICATION, PARKING GARAGE

Redevelopment Manager Shallit said Council recently received the news that Governor Schwarzenegger signed a State budget to approve funds for County Court improvements throughout the State. The Yolo County Court system received funds to consolidate and expand the Court system in Woodland. Funding assures that Court system will remain in Woodland and expands and creates new jobs. The City has made a commitment to try to support this project and would like to help provide adequate parking for the new facility. To provide the 600 spaces or more for the parking facility will cost over \$13 million. Staff has discovered the City/Agency can apply for funds from the U.S. Department of Economic Development Administration (EDA) that provides grant funds for infrastructure projects to stimulate economic development and provide new jobs in the private sector. She asked the Board to authorize the Executive Director to submit a preliminary application to EDA asking for matching funds in the amount of \$125,000 if the grant is awarded. The source of the funds would be the Redevelopment bond funds approved last year (2007). She said the parking garage is expected to benefit private sector businesses as well, and there is an immediate proposal from a movie theater which would like to locate downtown and use the garage for parking spaces. The



movie theater could be very advantageous to the City and may attract other businesses to the Downtown.

Vice Mayor Pimentel returned to the Chambers at 7:05 p.m.

Council Member Dote noted that the budget includes \$125,000 in-kind staff costs. Manager Shallit said part of the \$125,000 also includes County and State staff.

Council Member Monroe asked where the remaining \$10 million would come from. Manager Shallit said part of the \$10 million will come from Redevelopment bond funds. Assistant City Manager Munowitch said part will be from bond funds. If a theater is developed, there will be in lieu parking fees for the theater's share and the State courts have the construction budget. The final numbers have yet to be determined.

Council Member Marble said there is no mention of possible sites for the garage. Assistant City Manager Munowitch said staff is currently undergoing a site selection review process for the Downtown core facility that will include a parking facility.

Council Member Marble asked staff what the City's chances are to be successful in the grant application. Manager Shallit said EDA has asked the City to go to Seattle to make a personal presentation. EDA has told the City if the Agency does receive the Planning grant award, the Agency will likely receive the construction funds in the next year.

On a motion by Board Vice Chairman Pimentel, seconded by Board Member Marble and carried unanimously, the Woodland Redevelopment Agency Board adopted Resolution 08-05 authorizing the Executive Director to submit the pre-application to EDA and allocated \$125,000 in Redevelopment bond funds to match the grant, if the application is approved.

REPORTS OF THE CITY MANAGER

RECONSIDERATION OF PLANNING COMMISSION APPOINTMENT

City Manager Deven said on October 7, 2008 Council took action on the appointment of a Planning Commissioner which was slightly out of order on a technical matter. The interview process and the background check had not been completed for the Planning Commission applicant that Council approved. There had been an amendment to the Municipal Code



governing the appointment of commission members, so staff felt it was appropriate to bring this matter back and advise Council of staff's oversight.

On a motion by Council Member Monroe, seconded by Council Member Marble and carried, Council appointed Fred Lopez to the Planning Commission pending background and reference checks.

AYES: Council Members Dote, Marble, Monroe, Davies
NOES: Council Member Pimentel

PROCESS FOR SELECTION OF BOARD AND COMMISSION MEMBERS

Director Vannucci said staff had received suggestions from some Council Members regarding the process the City currently uses to for selection of board and commission members. In order to formally solidify those suggestions an actual process and guidelines can be developed to determine which of the suggestions should be codified into the City Code. Clarification and comments by Council was requested. One item in the interview process was the use of specific questions of the applicants, particularly with the Planning Commission appointments.

Council Member Marble feels some guidelines for selection would be helpful but he did not want the process to discourage applicants. It would be appropriate to have a staff member present during the interviews and suggested the interviews be held at the Community Center where staff members are already present.

Council Member Monroe agreed the Community Center would be a better facility for the interviews than City Hall and having a staff member present would help. He favors set questions, but does not want to consider applicants that might have a number of parking citations and warrants. Background checks should not take place until someone is appointed. Director Vannucci said the appointment could be conditioned on the background check.

Mayor Davies asked what level of parking citations would be used to disqualify an applicant.

Vice Mayor Pimentel suggested that each Council Member recommend an appointment, and the Council could choose whomever they want to appoint.



Council Member Monroe said this suggestion was made before, and Council has always rejected it because the Council wants the independent appointments with independent view points.

Council Member Marble said each Council Member working on the sub-committee should make their individual assessment and recommendation on an appointment. Recommendations would be presented to the Council one month before Council action.

Council Member Dote asked about a third Council Member interviewing applicants and making recommendations based on that. City Attorney Morris said a third Council Member interview applicants is acceptable under the Brown Act, but the individual Council Members who interview the applicants cannot talk to each other. Two Council Members interviewing applicants can make a recommendation but a combination of three or more Council Members cannot discuss a recommendation.

Council Member Dote agrees with the recommendations in the staff report and regarding the need for background checks.

Mayor Davies said the Parks and Recreation Commission responsibilities relating to youth programs, trees, working with the Commission on Aging, etc., would indicate a need for Commissioners with different backgrounds. Council needs to look to the City's management staff to see if there is any stratification that would benefit the various commissions.

Director Vannucci said the Board of Building Appeals currently has stratification because of the requirement to represent different trades. The Redevelopment Advisory Committee also has stratification representing a downtown business owner, a property owner, etc., but she said some of the boards and commissions are extremely difficult to fill and to place some requirements would restrict filling vacancies.

Mayor Davies said the Council in interviewing candidates could do a better job if they know what the needs are. With respect to reappointments, Council needs to know attendance records and other information to make a good decision.

Council Member Marble said rather than codifying all of the guidelines maybe the Council could have a handbook to help them interview candidates. Director Vannucci said a handbook would be easier to use because changes would not necessitate a change to the City Code.



PROJECT 07-49 - NEW ELEVATED WATER TANK PROJECT

City Manager Deven said bonds authorized on September 16, 2008, have not been issued yet because of the challenging conditions in the financial market.

Director Meyer said at the beginning of the year 2000 the City started looking at its water system and the tower as it is reaching the end of its service lifetime. The tower requires a significant amount of maintenance and staff has determined the current water tower does not meet the seismic requirements. Maintenance far exceeds the value of the tower and the ability to use that tower in the future. In 2006 staff moved forward with the process and identified three different replacement types: Pedosphere, Multi-column and Fluted Column/Pillar. He said this information was presented to the Infrastructure Committee and public meetings were held to discuss the different types and the advantages. Presentations were also taken to the Parks and Recreation and Planning Commissions. All three types were examined to look at the comparative costs and the two stood out, the Pedosphere and the Multi-Column. Staff concluded both would work and the Commissions approved both models. Currently the Multi-Column is about \$500,000 cheaper to build, but staff is recommending the Pedosphere model because the Multi-Column would necessitate constructing a building to house the pumps and electronics. There would be a three month delay in redesign and which would drive up construction costs. There is a significant safety factor with a Multi-Column as it has been proven less difficult for people to climb even with barbed wire and fences. The maintenance costs are excessive. To accommodate the new tower the Armory was removed, and the new tower can be placed directly over the site of the Armory. There would be no impact on the baseball fields so there will be no delay in the games. The tank has increased significantly in cost in the past year mainly due to the price of steel. Some additional piping was included so the water can get into the system more efficiently for higher pressure throughout the City. The cost will be \$4.8 million of which \$3.5 million is the construction cost for the tank and pipeline. The purchase will be funded through water bonds and debt service will be paid out of the Water Enterprise Funds. Staff is recommending Council approve the bid documents for the Pedosphere tank, authorize the bid advertisement, and authorize the revised budget funding in the amount of \$4,830,000. He asked Council to authorize the City Manager to award the construction contract in an amount not-to-exceed \$3.5 million which is 105 percent of the engineer's estimate for the project.



Council Member Dote said the construction cost is \$3.5 million and asked what the other \$1.3 million was for. Director Meyer said it was the design cost, administrative costs and \$486,000 in modeling costs plus engineering costs at \$427,000.

Council Member Marble said when the tank project was presented to the Infrastructure Committee earlier this year the costs were at \$900,000 for a Multi-column unit and the costs were \$1.2 million for the Pedesphere tank. He asked what has changed. Director Meyer said the major change is the increase in the cost of steel and the addition of the transmission pipeline that will go into the street to allow the City to push the water into the system at a much faster rate. The price of steel has almost doubled the cost of the tank in one year.

Council Member Marble asked about deflation and price lowering for steel. Mayor Davies said he talked to Dave De Blasio of Gayle Manufacturing today about steel prices. Mr. De Blasio indicated steel had been on a steady increase until July of 2008, and the cost was 83 cents a pound for 3/8 inch plate. He said today the cost is 72 cents a pound, so the July estimates are somewhat high. The low point will be in January or February. Mr. De Blasio suggested the City bid the project and if prices keep going down then rebid the project because there is tremendous competition.

Council Member Marble said the staff report indicates the debt service cost for the bonds will be funded within the existing water rates and will not require an increase in the rates. Director Meyer said if the water tank, meters and pipelines were the only projects the City would do in the future, the projects could be accomplished with the City's current rate structure. However, there are future projects that do not fit within that realm.

Council Member Monroe said one of his concerns was the debt service. The cost of the tank originally did not show need for a rate increase and now the cost has gone up substantially. Director Meyer said staff first brought the project before Council we looked at the ability of the Water Enterprise Fund to service a debt. Staff increased the debt service to a \$20 million bond with the caveat that the City does not have to go after all \$20 million of that bond.

Council Member Monroe asked about the doubling costs of steel and how much of that was related to the economy and fuel costs. Director Meyer said the cost of steel is a world-wide issue. The Enterprise Fund is paying for the project. If the City can try and achieve a lower cost, but will



not rebid unless something dramatic happens as the amount of time spent on a rebid may not be cost effective.

Vice Mayor Pimentel understands the need for the tank, but the more the numbers are crunched it appears that the numbers are inflated for government. Director Meyer noted that in 2007-08 there was \$486,000 budgeted for the design that went to the water study for the entire City system. It was to determine the needs for the tank, sizing, water pressure needs and looking at the entire system. In the 2008-09 budget \$427,000 was for the actual design of the tank and surrounding pipelines, landscaping, and sound walls. The construction management and inspection is the actual on-site personnel the City will be hiring who are responsible for tank management and have the specialized skills for large steel construction. The administration and project management includes hiring a project manager who will oversee the entire project, and administration is in-house.

Mayor Davies asked about the old tank demolition and removal. Engineer Okupe said the cost of demolition is included.

Council Member Dote asked if there will be separate bids for the design and the construction management and project management. Director Meyer said staff is currently working with the design team and construction management will be pre-approved. The firm of West Jost and Associates did the water study.

Ken Dieker, Bond Financial Advisor with Del Rio Advisors, bond financial advisor to the City, gave Council an update on the financing of the water tank. The bond and credit market has been tumultuous and has been closed for the last eight weeks, including the municipal bond market. It is difficult for Cities to find financing at this time. With the existing water rates last increased in 2005 through 2008 the debt service will be covered for a \$20 million bond issue. Unfortunately the timing has been very poor because the financial market has gone into a tailspin. The only buyers of municipal bonds now are retail investors, the moms and pops who buy bonds with their own portfolios, and a few money managers. The money market funds for large institutions who generally would buy bonds are actually net sellers of bonds now because they have been hit with redemptions. Del Rio Advisors regrouped with a unit of retail underwriters who have nothing but retail they sell bonds to, and the transactions were downsized to approximately \$10 million. The City could at least get \$9 million into the Enterprise Fund to do the immediate project. Next year staff will return to Council for approval to get another \$8 million for some of the other Capital Improvement Projects not an immediate need at present.



The interest rate will be approximately 6 ½ percent which is a very expensive debt. The City received a AA minus credit rating which is great, and a bond insurance commitment from Insured Guarantee. Del Rio Advisors came up with the idea of looking at a private placement with a commercial bank, and yesterday the City received a commitment from Umpqua Bank. There is a branch in Woodland and they will do a private placement at a 5.12 percent rate with a 30 year amortization. The payment back to the bank will be due in 10 years. This method would save the City \$3 million over the life of the bond as compared to the public offering, but refinancing would be required over the next ten years. Late today a proposal was received, called Municipal Finance Corp, which is a broker that deals with North County Bank out of San Diego. The proposal was for \$10 million at 4.63 percent, which is considerably lower than the public offering and is an \$8 million improvement over the life of the bond versus the public offerings. Del Rio Advisors is proposing to come back to Council on November 18, 2008 with a proposed plan. He said in general private placements are sometimes more expensive than public offerings and have to be amortized over a 20 year period.

Council Member Dote asked if the Municipal Finance offer of 4.63 percent was amortized over 30 years. Mr. Dieker said the 4.63 percent would be amortized over a 20 year period. The City cannot refinance existing bonds.

City Manager Deven said because of the volatility of the market, if he is authorized by Council to award the bid, he could be ready to approve the award expeditiously. If the Council wants to take that action, staff can bring the matter back to Council for approval.

Mayor Davies said he preferred the matter come back to Council for approval and agreed that a special meeting may be called for action on awarding the construction contract.

On a motion by Council Member Marble, seconded by Council Member Dote and carried unanimously, Council approved the bid documents for the Pedesphere tank, authorized the bid advertisement, authorized revised budget funding in the amount of \$4,830,000 and directed staff to request Council approval of awarding the construction contract for the Water Tank Replacement Project No. 07-49.



ORDINANCE

ORDINANCE 1500 - REVISE CHAPTER 21 IN RELATION TO SUBDIVISIONS

On motion of Council Member Monroe, seconded by Council Member Dote and carried unanimously, the City Council adopted Ordinance 1500, "An Ordinance of the City of Woodland Repealing and Replacing Chapter 21 of the Woodland Municipal Code Relating to Subdivisions."

ADJOURNMENT

At 8:11 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: March 2, 2010