

Council Chambers
300 First Street
Woodland, California

March 21, 1995

The Woodland City Council convened a special session at 6:15 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall for a conference with Labor Negotiator Bill Avery regarding the General Services Unit, Mid-Management Association, Woodland Professional Police Employees' Association, Police Mid-Management Unit, Woodland Professional Firefighters' Association, Fire Mid-Management Unit, Confidential Employees, and Management Employees (Government Code Section 54957.6). Council Members present at the meeting were: Sandy, Borchard, Flory, Rominger, Slaven; Council Members absent: none. Staff members present at the meeting were City Manager Kris Kristensen, Finance Director Margaret Vicars and Assistant City Manager Kristine James.

Council adjourned the closed session and the special session at 6:58 p.m.

The Woodland City Council met in regular session at 7:07 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

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

ROLL CALL:

COUNCIL MEMBERS PRESENT: Sandy, Borchard, Flory, Rominger, Slaven

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Ruggiero, Vicars, Siprelle, Bryan, Wegener, Barry, Hanson, Brown

CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the Council met in closed session from 6:15 p.m. until 6:58 p.m. for a conference with Labor Negotiator Bill Avery regarding the General Services Unit, Mid-Management Association, Woodland Professional Police Employees' Association, Police Mid-Management Unit, Woodland Professional Firefighters' Association, Fire Mid-Management Unit, Confidential Employees, and Management Employees (Government Code Section 54957.6). He said no Council action was taken at the meeting.

MINUTES:

On motion of Council Member Slaven, seconded by Council Member Borchard and

carried by unanimous vote (Vice Mayor Rominger abstained), the City Council approved the minutes for the regular Council meeting of January 17, 1995, as prepared.

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote (Council Member Flory abstained), the City Council approved the minutes for the adjourned Council meeting of February 28, 1995, as prepared.

COMMUNICATIONS:

1. From Dell Gray a letter was received submitting his resignation as a member of the Tree Commission. The City Clerk advised Council that a letter of appreciation will be sent to Mr. Gray and recruitment will be started to fill his position.

2. From Melton Losoya, President of the Yolo County Hispanic Association for Professional Development, a letter was received requesting that Council designate March 31 as "Cesar Chavez Day."

Jesse Ortiz spoke on behalf of other organizations, including Yolo County Concilio, Yolo County Hispanic Chamber, Yolo County Hispanic Association for Professional Development, Yuba College MECHA, and UCD Hispanic Staff Association, asking for support for the proclamation for "Cesar Chavez Day." He said Governor Pete Wilson declared this day a holiday last year, and he briefed the Council on Cesar Chavez' accomplishments and his importance to the Latino farm working community.

The Council agreed to consider the request at the adjourned Council meeting of March 28, 1995.

3. From Neal Peart a letter was received in regard to the inclusion of his property at 1225 East Oak Avenue on the Preliminary Historical Preservation List and requesting that the Council review the City's ordinances regarding historical preservation, demolition regulations and the historical preservation process. The City Clerk reminded Council of its joint session with the Historical Preservation Commission on March 28 and said that Mr. Peart plans to attend that meeting.

4. From Michael Lien, Chair of the Yolo County Waste Advisory Committee, a letter was received advising of its review of the City's Nondisposal Facility Element and suggesting that the City remove mention of the Yolo County Central Landfill as a site for disposal of solid waste, since the intent of the Element is to define nondisposal waste management functions. The City Clerk advised that this matter will be discussed under the public hearing portion of this agenda.

COMMITTEE REPORTS:

1. From Assistant City Manager Kristine James a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority meeting of January 13, 1995.

2. From City Manager Kris Kristensen a report was received transmitting the minutes of the Yolo County Transportation Task Force meeting of February 2, 1995.

3. From the City Manager a report was received transmitting the minutes of

the Yolo-Solano Air Quality Management District Board meeting of February 8, 1995.

4. From the Assistant City Manager a report was received transmitting the minutes of the Woodland Access meetings of February 8 and 22, 1995.

5. From the City Manager a report was received transmitting the minutes of the Water Resources Association of Yolo County Board meeting of February 9, 1995.

6. From the City Manager a report was received highlighting topics discussed at the Chamber City Operations Task Force meeting of February 21, 1995.

7. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Planning Commission meeting of March 2, 1995, as follows:

a. Commission approved the Panattoni Tentative Parcel Map No. 4237 to divide 53 acres into two (2) parcels. The property is zoned Industrial (I) and is located at the southeast corner of County Road 101 and Tide Court.

b. Commission indicated an intent to certify the EIR and approve the conditional use permit for Yolo Polo Plaza. The property is zoned C-2/PD and is located at 1716 East Main Street.

c. Commission approved a comprehensive sign for the Shadow Motel in the C-H (Commercial Highway) Zone at 584 North East Street.

d. Commission continued Howard Beeman's presentation regarding his property.

8. From Director of Public Works Gary Wegener a report was received transmitting minutes of the Traffic Safety Commission meeting of March 6, 1995.

9. From the City Manager a report was received highlighting topics discussed at the Woodland Joint Unified School District/City 3 x 2 meeting of March 6, 1995.

10. From the Community Development Director a report was received transmitting the minutes of the Community Development Block Grant Committee meeting of March 6, 1995.

11. From the City Manager a report was received summarizing topics discussed at the Chamber/City 2 x 2 meeting of March 8, 1995.

12. From the Community Development Director a report was received summarizing action taken at the Historical Preservation Commission meeting of March 8, 1995.

13. From the Assistant City Manager a report was received transmitting the minutes of the Economic Development Committee meeting of March 9, 1995.

14. From the City Manager a report was received highlighting topics discussed at the County/City 2 x 2 meeting of March 14, 1995.

PUBLIC COMMENT:

Neal Peart, Woodland resident, said he sent the Council a letter regarding the inclusion of his property at 1225 East Oak Avenue on the Preliminary Historical Preservation List and requesting that the Council review the City's ordinances regarding historical preservation. He said he plans to attend the joint session of the Council and the Historical Preservation Commission on March 28. He said he will present some constructive criticism as well as possible solutions to the problems regarding historical designations.

Mayor Sandy thanked Brian Kreuser and Dudley Holman for serving as camera operators for the meeting.

Council Member Flory thanked City staff and particularly Parks, Recreation and Community Services Director Tim Barry for responding to the request for replacement of lighting at Beamer Park.

PRESENTATIONS - HIGH SCHOOL ACADEMIC DECATHLON TEAM:

Mayor Sandy said the City of Woodland is proud of the Woodland High School Decathlon Team for finishing first in the County in the 14th Annual Yolo County Academic Decathlon in February.

Michael Barbano, Team Captain, briefed the Council on the Team's accomplishments in February as well as attendance at the State finals held in Fresno on March 10, 11 and 12.

Mayor Sandy and Council Member Slaven presented certificates of commendation to the following members of the Woodland High School Academic Decathlon Team: Nico Singh, David Watson and Bibiana Zaragoza from the Varsity; Tammie Huff, Michael Barbano and Robert Thompson from the Scholastic division; and Jeff Vail, Dylan Turner and Brett Atwell of the Honors category. A certificate was also presented to Woodland High School physics teacher Kim McGreevey who was the team coach.

PROCLAMATION - NATIONAL AGRICULTURE WEEK:

On motion of Council Member Rominger, seconded by Council Member Borchard and carried by unanimous vote, the City Council proclaimed March 20 - 26, 1995 as National Agriculture Week in Woodland.

Mayor Sandy and Council Member Borchard presented the proclamation to Dona Mast, President of the Yolo County Farm Bureau.

HEARING - ALLOWING CHURCHES IN NEIGHBORHOOD COMMERCIAL ZONE:

Mayor Sandy said this time was set for a hearing to consider a Zoning Ordinance text amendment to allow churches in the Neighborhood Commercial (C-1) Zone as a conditional use.

Senior Planner Colleen McDuffee said the Planning Commission on March 16 recommended approval of the amendment, and she said the Commission also certified an NDEIR for the amendment. She said staff feels the amendment is appropriate; currently churches are allowed as a use in all of the other commercial zones of the City as well as the residential zones of the City. She noted that the amendment is being presented because a few months ago the Church of Christ of Yolo County approached the Community Development Department about locating a church in an area zoned C-1 at the southwest corner of College and Kentucky Avenue. She said the Zoning Ordinance currently does not allow a church in this zone, and staff felt an amendment would be appropriate. Staff told the Church that if the Church wanted to apply for a use permit, staff would initiate this amendment to the Zoning Ordinance. On March 16 the Planning Commission also approved a conditional use permit for the Church, so the Church has an approved use permit subject to the approved amendment. Secondly, she said a bar was proposed to locate across the street from the Church which is the former Derby Bar location, and this created a potential problem because of the City's existing ordinance which does not allow churches and bars to locate within 500 feet of one another. At the time, she said, there was sense of urgency to get this amendment approved to allow the Church to obtain its valid use permit prior to any bar opening up; however since that time staff met with the bar owner and Church representatives, and the bar owner has reconsidered its proposal to locate across from the Church. This late change eliminates the urgency of the amendment.

Mayor Sandy opened the hearing, and there being no comments he closed the hearing.

Ordinance No. 1259:

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1259, "An Ordinance Amending Article 13 of Chapter 25 of the Code of the City of Woodland Concerning the Commercial Land Use Table."

HEARING - NONDISPOSAL FACILITY ELEMENT:

Mayor Sandy said the second public hearing scheduled is to consider adoption of

the City Solid Waste Management Plan Nondisposal Facility Element.

Rebecca Brown, Waste Reduction/Recycling Coordinator, said the hearing on the Nondisposal Facility Element is similar to the hearings required for the Source Reduction and Recycling Element (SRRE) and the Household Hazardous Waste Element (HHWE) for meeting the Integrated Waste Management Act regulations. The Nondisposal Facility Element contains information describing nondisposal facilities, such as a transfer station, a composting facility, or a municipal recovery facility. Following the public hearing, she said the Council is asked to adopt a resolution approving the Element.

Mayor Sandy opened the hearing, and there being no comments he closed the hearing.

Resolution No. 3872:

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 3872 approving the Nondisposal Facility Element (NDFE).

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

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

UPDATE OF CERTAIN CITY JOB DESCRIPTIONS:

The City Council approved the job descriptions for Building Inspector I, Building Inspector II, Equipment Services Manager, Equipment Service Worker, Heavy Equipment Mechanic, Light Equipment Mechanic, Maintenance Worker I, Maintenance Worker II, Maintenance Worker III, Senior Maintenance Worker and Senior Planner.

UTILITY INFRASTRUCTURE SYSTEM MASTER PLAN CONSULTANTS:

The City Council selected Montgomery Watson Americas, Inc., as the Phase 1 Water System Master Plan Consultant, and authorized the Director of Public Works to execute an agreement with Montgomery Watson Americas, Inc., for Phase 1 of the Water System Master Plan at a final negotiated amount that will not exceed \$45,000.00.

The City Council selected CH2M Hill, Inc., as the Phase 1 Wastewater System Master Plan Consultant, and authorized the Director of Public Works to

execute an agreement with CH2M Hill, Inc., for Phase 1 of the Wastewater System Master Plan at a final negotiated amount that will not exceed \$45,000.00.

The City Council selected Borcalli & Associates, Inc., as the Phase 1 Storm Drainage System Master Plan Consultant, and authorized the Director of Public Works to execute an agreement with Borcalli & Associates, Inc., for Phase 1 of the Storm Drainage System Master Plan at a final negotiated amount that will not exceed \$45,000.00.

HEALTHY START PROGRAM AT LEE JUNIOR HIGH SCHOOL:

The City Council approved the Memorandum of Understanding between the City of Woodland and Woodland Joint Unified School District for the Healthy Start Program at Lee Junior High School.

CITY MAINTENANCE OF POLICE VEHICLES:

The City Council received an update on City maintenance of Police vehicles. With Council action in April 1994 authorizing the Police Department to transfer its vehicle maintenance to the Public Works Department there has been an annual maintenance savings of \$45,500 in FY 1994-95.

REGULAR CALENDAR:

GENERAL PLAN UPDATE STUDY AREA:

Council Member Borchard declared a conflict of interest with regard to the General Plan and left the Council Chambers.

Community Development Director Janet Ruggiero said at the Council meeting of February 21 Council agreed to analyze two study area alternatives as part of the General Plan update. Since that date the Council received one letter from the Chrysalis Group asking for inclusion of 292 acres of land bordering Willow Slough within the study area alternatives. Another letter was received from Hallmark Properties asking that their property be included within the study area alternatives. She had provided Council Members with a map indicating how the two areas related to Study Area Alternatives 1 and 2. She said the Council can decide if it wants to include these two properties, but she said staff is asking for an end to the process of adding new properties.

Reed Youmans, Hallmark Properties, requested that the balance of the 75 acres which Hallmark owns on the west side of East Street north of County Road 25A be included in the General Plan study area because the parcel would be separated in half by excluding the property. He said to separate the property will not address issues, including drainage, water source, and water usage, that would be affected by cutting the parcel in half. A portion of the land which is being

considered in the General Plan study area now is in Urban Reserve and under Williamson Act provisions and will not likely be brought into the City, so the balance of the land may be needed to be shifted to another area. Finally, he said there was a needs assessment done on this area and was found favorable. He said at the time the Council reviewed the needs assessment the property was to be included in the General Plan study area for the future, and there were no promises as to what would happen after the study area and General Plan update were completed.

Rick Elkins, representing the Chrysalis Group, said his request to be included in the study area is a concern of business related activity on poorer soils, and the other request is for homes on prime soils. He asked that the Council consider the two requests separately. He said the Chamber of Commerce conducted an economic summit in 1993, and biotech and ag related businesses were identified as the number one type of business everyone wanted to attract to the area. The Economic Strategic Plan adopted by the Council addresses bringing these types of business to town. He said the 292 acres which border the north side of the willow Slough east of Road 102 has been the site for Plant Genetics, Calgene, etc. He said the request for inclusion of this land is a job-related, poorer soils issue.

Bev McWhirk, 624 Wildwood Way, Woodland, said although she felt each request has its merits she asked the Council to keep the requests separate. She said as a local banker her interests are with economics and having new businesses locate in our area.

After some Council discussion about the inclusion of the two properties in the General Plan study area, the following action was taken:

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council rejected the requests of Chrysalis Group and Hallmark Properties for inclusion of their properties in the General Plan Study Area and agreed staff will not consider additional requests to include other land in the General Plan Study Area.

REQUEST FOR WAIVER OF APPEAL FEE:

The Community Development Director said that Martha Fuchslin has sent the Council a letter requesting that the Planning Commission appeal fee be waived. She said that Ms. Fuchslin is seeking to appeal the Planning Commission decision on the Yolo Polo Plaza project.

Martha Fuchslin said her concern is for the community. She said there are many vacant facilities all over the City. She said the public has a right to know everything about the businesses that come to the City and if the businesses might

harm somebody. She said the public needs to know if other businesses may have to close if certain businesses come in. She said she did not feel she should pay \$50.00 to appeal the Planning Commission decision and felt filing an appeal is a democratic privilege. She said members of the public already pay too much to the City of Woodland in other types of fees.

The City Manager reminded the Council that as the City has gone through the 1990's trying to deal with plans for paying for basic services that the City provides, the City has identified the various costs, and the Council has been aggressive about trying to recover the costs for services. The Council has also taken a look at fees for appeals and identified what costs are incurred in considering an appeal. The Council has also considered keeping the fee at a reasonable level so that people are not deterred from filing.

After discussion the Council agreed to reject the request for a waiver of the Planning Commission appeal fee and directed staff to look into a method of allowing a waiver of the appeal fee in the case of indigency or poverty.

RESOLUTION NO. 3873 - TERMINATION OF LOCAL EMERGENCY:

The City Manager said in response to the March 9, 1995 Cache Creek flooding he declared a state of local emergency, and then the Council on March 15, 1995 ratified that declaration. He said State law requires the City Council to review the need for continuing the local emergency at least every 14 days and to proclaim its termination at the earliest possible date. He said to date the City has incurred a total of \$34,400 in expenses for this emergency which included \$22,623 for supplies and services (sand and sandbags) and overtime costs of over \$10,000. He said the situation has changed since March 9, and the levels of Cache Creek are down considerably. He said the City will continue to monitor all of the conditions, but staff feels the City has control of the current conditions. He said the City handled the emergency well, but staff will continue to work with the County agencies to see how they can improve their response to these emergencies.

On motion of Council Member Rominger, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 3873 proclaiming the termination of the local emergency.

Vice Mayor Rominger asked that the Council send thank you letters to the staff who worked during the flooding, the school district for its assistance and for those responsible for donating sand.

STREET ADDRESS CURB PAINTING:

Jerry Smith of Stewart's Curb Service, 128 Kern Street, Woodland, asked that the Council make a change to the City ordinance requirements that property owners must give written consent to the painting of addresses on street curbs. He

said he is willing to paint addresses on curbs even if the residents do not pay.

After comments the Council agreed to take no action to change City Code Section 20-7-5 regarding the regulation of painting of addresses on street curbs.

YARD REFUSE WASTE PROPOSAL:

The City Manager provided the Council with a proposal from the Witham family under the name of Environmental Reclaiming Solutions (ERS) to take the yard refuse waste, called "green waste", produced in Woodland, process it into compost and offer it to local farmers as a soil amendment. He said this is a comprehensive type of concept which needs some additional analysis done to it. He suggested that the Council refer the proposal to the City's Solid Waste Committee for further analysis and recommendation. He said Waste Management will review the proposal, and the Finance staff will conduct their analysis as well. He said in April the Withams will meet with the Solid Waste Committee to deal with the proposals.

Rick Witham, responding to questions from Council Member Borchard, said the initial goal of ERS is to recover its cost of transporting the green waste to the farmer and spreading it with fees from the farmers. He said he did not yet have an estimate on the charge to the farmers in terms of dollars per ton, but he said he will have that cost figure later.

The City Council referred the March 1995 proposal from Environmental Reclaiming Solutions to the City's Solid Waste Committee for review and recommendation back to the City Council.

GROUND WATER PROTECTION AND BASIN-WIDE COOPERATION:

Water Conservation Coordinator Harrison Phipps (also representing Water Resources Association of Yolo County) said the water supply in Woodland comes from wells, and for years the City just had to drill another well to meet the City's needs. He said now other activities in the County and State have the potential to affect the areas from which the City's water is recharged. The water from the wells comes from areas outside the City, and the City does not have any influence on those areas. In order to enhance and protect the City's water supply the City needs to look at activities in the recharge area. He said California is one of only a few states that has no mandatory groundwater management laws even though the Environmental Protection Agency (EPA) has mandates for groundwater management. To fill this gap, Assembly Bill 3030, the Groundwater Management Act, was signed in 1992. The act lists 12 components that may be included in a Groundwater Management Plan. He said the City does not need to file a plan; the City just needs to go through the twelve steps to see which ones apply to the City of Woodland for augmentation of the City's ground water.

On motion of Council Member Flory, seconded by Council Member Borchard and carried by unanimous vote, the City Council (1) authorized staff to send a letter to the Water Resources Association (WRA) Board of Directors and to other agencies in Yolo County indicating the City of Woodland is interested in cooperating with other agencies in our watershed in order to best manage our groundwater through development of applicable components of a Groundwater Management Plan; and (2) directed staff in conjunction with the WRA and other interested agencies to determine how to best address the various components of a Groundwater Management Plan and report back to Council with a plan of action for plan development.

Council took a recess from 8:50 p.m. until 9:02 p.m.

SCHOOL-CITY JOINT FACILITY USE AGREEMENT:

Parks, Recreation and Community Services Director Tim Barry recommended approval of a joint facility use agreement with Woodland Joint Unified School District and measures to settle the District's debt to the City. He said he presented four measures to the School District staff to settle the debt, and the School District submitted a counter proposal. The counter proposal includes a three-year, at \$15,000 for each year, value going to the City from 1994 through 1997 to offset an imbalance the City projects in its use of School facilities for the next three years. Secondly, the District proposes to absorb the cost of the two-hour per day groundskeeper at Woodland High School from 1994-95 through 1997-98, totalling \$20,000. Finally, the District proposes to forgive reimbursement from the City for the two crossing guards for the half year 1993-94, totalling \$6,289. This counter proposal totals \$71,289. Mr. Barry said he and the City Manager discussed the issues and are amenable to the resolution, and in the spirit of the joint use agreement the City staff was not looking for an exact total reimbursement for this debt. He said it is apparent that after the next three to four years an imbalance in the use of facilities will favor the School District, so the City staff intends to work with the School District to encourage more use of City facilities by the District. He said currently the City's use of school facilities is more intense than the District's use of City facilities.

The City Manager asked if there will be a more rigorous annual review so the imbalance does not get out of hand. Mr. Barry said the annual review will include itemized ways to resolve the imbalance, and there is a step-by-step process to assure all of the data is correct.

Mayor Sandy asked how the lighting improvements will be paid at Recreation Field. Mr. Barry said the City Manager has agreed to financing of the lighting improvements through the contingency fund.

Vice Mayor Rominger noted that the imbalance in favor of the City is \$73,406, and the list in the counter proposal from the School District only amounts to \$71,300. She said considering the Council is looking at a new multi-year agreement with a one-year review she would feel better if there was some elimination of the debt to the City and reduce the approximate \$2,000 difference. She did not want to just forgive that amount.

Mr. Barry said the way he and the City Manager approached the School District on the use agreement is the City does not have to be exact on the balance of uses.

The City Manager said staff can go back to the School District and see in three years if the City's costs for services will be greater than the School District's, and that \$2,000 can be applied at that time.

On motion of Council Member Rominger, seconded by Council Member Slaven and carried by unanimous vote, the City Council approved the Woodland Joint Unified School District/City Joint Use Facility Agreement and Measure to Settle the District's Debt to the City, including the future resolution of the \$2,000 difference in the District's debt to the City.

POLICY FOR NAMING PARKS AND RECREATION FACILITIES:

The Parks, Recreation and Community Services Director said the Parks and Recreation Commission received the input from Council on February 15 regarding the policy for naming City parks and recreation facilities, and the Commission has added wording to respond to Council's concerns. He said the revised policy states that if a facility is named after a person, the person should be a former or current resident of the City of Woodland. The naming of parks and recreation facilities, he said, shall reflect the cultural diversity of our community.

After some discussion the Council agreed to amend Policy statement No. 5 to state that "other commissions shall recommend the naming of a facility if deemed by City staff to be within their scope of responsibility."

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the Policy for Naming Parks and Recreation Facilities as amended.

BLUE RIBBON ROAD MAINTENANCE COMMITTEE:

Director of Public Works Gary Wegener said he has a couple of members yet to be announced for appointment to the Blue Ribbon Road Maintenance Committee. He said the Hispanic Chamber of Commerce has submitted the name

of Steve Whitehouse.

Mayor Sandy submitted the name of Robert Beggs for a member selected by the Council. Council Member Flory asked staff to check with Ray Chermack to determine his interest in serving. Vice Mayor Rominger suggested that Bruce Jacks might be interested also.

The Director of Public Works said he will report back to Council at its next meeting for final appointments.

LOCAL AGENCY FORMATION COMMISSION/AG EASEMENTS:

Vice Mayor Rominger said State law requires that the Mayor Selection Committee which is composed of the four mayors of the Cities in the County appoint the representatives to Local Agency Formation Commission (LAFCO). She said she was appointed along with Lois Wolk from the City of Davis. Also appointed as an alternate was Bill Kristoff from West Sacramento. An informal arrangement which is not in State law is that the cities in the County have agreed there will be a two-year track for each representative to include two years as an alternate, two years as a representative, another two years as a representative and two years off of LAFCO. She said this provides an organized representation of each city within a reasonable amount of time. An issue surfaced last November when the City of Davis came to LAFCO with an annexation proposal. She said LAFCO approved the annexation even though it was difficult because the proposal was revenue negative to both the City and the County, was being constructed in a flood plain, included issues surrounding drainage, and the school adjacent to the proposal could not accept the increased enrollment generated by the annexation. She said the students who lived within the annexation area would have to bike across State Route 113 to attend school. The issue coming back to LAFCO is that for the first time in the County's history the City of Davis imposed a condition that there be mitigation of loss of agricultural land on a one to one basis. In the condition the City of Davis specified that it be the grantee of that agricultural conservation easement. Also a habitat conservation easement would be placed on the annexation to be worked out with the State of California which would hold the easement. She said the LAFCO vote was unanimous in regard to the annexation and the conditions. The modification which LAFCO made on one condition to the conservation easement was that there be three grantees to the conservation easement; LAFCO determined that a land trust should be the grantee. LAFCO was not certain that the Yolo Land Trust was in place and organized sufficiently to accept the easement, so LAFCO designated itself as the recipient until they were certain about the Trust. Vice Mayor Rominger said she thought conservation easement grantees could transfer their rights to another entity or individual, but the City of Davis staff representative said the City of Davis would also like to be a grantee. LAFCO finally named three grantees, and the problem arose when the City of Davis did not file a timely appeal. By State law after 30 days and no appeal

is filed LAFCO cannot change the conditions to the annexation. LAFCO then received a letter on the issue, and at the next LAFCO meeting the matter was discussed when another Davis annexation proposal came forward along with the City of Winters proposal. She said the City of Davis was very upset with the determination to place three grantees on the conservation easement. LAFCO commissioners agreed to continue the procedure they had already established with the first conservation easement to name the three entities as grantees but to allow a 12-month period for LAFCO to educate itself and get public input about conservation easements. She said the City of Davis has pursued the issue with tenacity. Finally, she said she met with Mayor Sandy after the initial LAFCO meeting because the City of Davis had suggested that if the City representatives did not vote the way the Mayors Selection Committee felt it should vote the City representatives could be removed. She said she asked for and received from the City of Davis a written letter outlining their concerns. The Council received copies of the letter which she said contained several inaccuracies, and she asked the other cities to respond. She pointed out that in the letter from Lois Wolk, Davis Mayor Pro Tem, indicated there was still disagreement on the agriculture conservation policy at LAFCO between representatives but that the majority vote upheld the flexible view thus averting a crisis. She said, however, after a review of the minutes there was a unanimous vote of LAFCO. The Mayors Selection Committee will meet tomorrow at 3:00 p.m. in the Board of Supervisors Conference Room to discuss LAFCO and the City's representation on the LAFCO Board. She asked for the Council's support for her continued representation on the Board.

The City Council conveyed its support for Vice Mayor Rominger's position on the LAFCO Board. Mayor Sandy and Council Member Borchard said they would be attending the Mayor's Selection Committee meeting to lend their support to Vice Mayor Rominger.

CLOSED SESSION/ADJOURNMENT:

At 9:38 p.m. the regular Council meeting was adjourned to March 28, 1995, 7:00 p.m.

Council then convened a special meeting at 9:40 p.m. to meet in closed session for a conference with Legal Counsel regarding existing litigation (Government Code Section 54956.9) regarding McBee vs. City of Woodland. Staff members present at the meeting were City Manager Kris Kristensen, Assistant City Manager Kristine James, Parks, Recreation and Community Services Director Tim Barry, and Assistant City Attorney Ann Siprelle.

The Council adjourned the closed session and special meeting at 10:25 p.m.

City Clerk of the City of Woodland