

Council Chambers  
300 First Street  
Woodland, California

January 18, 1994

The Woodland City Council met in regular session at 7:33 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

In the absence of Mayor Rominger Vice Mayor Sandy 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: Flory, Crescione, Sandy, Slaven

COUNCIL MEMBERS ABSENT: Rominger

STAFF PRESENT: Kristensen, Ruggiero, Siprelle, Wegener, Chancellor, Nies, O'Toole, Woodruff, Ponticello

MINUTES:

On motion of Council Member Flory, seconded Council Member Crescione and carried by unanimous vote, the City Council approved the minutes of the regular meeting of October 5, 1993, as prepared.

COMMUNICATIONS:

1. From the State Department of Alcoholic Beverage Control a copy of a notice was received for an off sale beer and wine license for 98 Cent Clearance Center, 18 W. Court Street. Police Lieutenant Del Hanson had requested that ABC withhold its action on the application until he completes his review; however, no Council action was necessary.

2. From the State Department of Alcoholic Beverage Control a copy of a notice was received for an on sale beer and wine license for El Tex Mex, 329 College Street. Police Lieutenant Del Hanson had advised that the license of the former owner of El Tex Mex has been suspended indefinitely, and the new applicant has not yet obtained a business license. Council was advised that Lieutenant Hanson is working with ABC on this application.

3. From Finance Director Pete Woodruff a memo was received advising of claims paid for payroll and accounts payable for the month of December 1993.No Council action was necessary.

COMMITTEE REPORTS:

1. From Fire Chief John Buchanan a report was received transmitting the minutes from the Yolo County Communications and Emergency Services Agency meeting of November 3, 1993. No Council action was necessary.

2. From City Manager Kris Kristensen a report was received transmitting the minutes of the Water Resources Association meeting of November 18, 1993.

Council Member Flory pointed out that the Council is receiving the minutes from the Association meetings, and he wanted the Council to be aware of the Association's search for a Coordinator.

3. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Historical Preservation Commission meeting of December 14, 1993.

Council Member Crescione inquired about Commission discussion in regard to relaxing the fire sprinkler ordinance, and he said he would be very cautious about allowing fire sprinkler systems installed by unlicensed contractors.

The Community Development Director said there has been a bill introduced in the Legislature to allow homeowners to install their own fire sprinklers. The installation would still have to be inspected, but the owner would be allowed to install it.

Vice Mayor Sandy requested that the Community Development Director or Fire Chief Buchanan pull the bill and keep the Council informed about its status.

4. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of January 6, 1993, as follows:

a. Commission set a General Plan study session for January 13, 1994.

b. Commission held a discussion with the City Attorney on the indemnification clause which is currently placed as a condition of approval on all discretionary items before the Planning Commission. This clause holds harmless the City in any legal action stemming from a project approval and also requires that the applicant pay the City for any legal costs incurred in defending their project. Some Planning Commissioners expressed concern with this condition as a policy of the City. This issue was continued to the January 20, 1994 meeting.

c. Commission continued a tentative parcel map for a project at the southwest corner of Emerald Avenue and North Walnut Street. This map will divide a 16,200 square foot parcel into four parcels for two split lot duplexes. Commission continued action until January 20, 1994.

d. Commission approved a conditional use permit modification for Woodland Memorial Hospital which will allow two existing modular trailers to remain on the premises for an additional three years. Commission

also certified an NDEIR on this item.

e. Commission recommended approval to the City Council of a proposed amendment to the Zoning Ordinance concerning off-premise signs (billboards). Commission also certified an NDEIR on this item.

f. Commission held the first hearing on the Wal Mart draft EIR and continued the public hearing to February 17, 1994. Commission set a study session for February 3, 1994.

Vice Mayor Sandy asked if the City has a policy regarding modular units.

The Director reported that the Commission has asked staff to come back with a report on modular units. She said some applicants keep coming back for re-permits for trailers, and there is the question about the point in time when enough is enough. She said there may be the condition that the applicant either construct a permanent building or the permit will not be renewed. She said the Commission requested a more definitive policy, and this will come back to Council.

On motion of Council Member Flory, seconded by Council Member Crescione and carried by unanimous vote, the City Council set a February 1, 1994 hearing for the Zoning Ordinance amendment regarding billboards.

5. From the City Manager a report was received transmitting the agenda for the Chamber/City 2 x 2 meeting of January 12, 1993. No Council action was necessary.

PUBLIC COMMENT:

Don Wells, President of Leisureville Mobile Home Association, said he is a ten-year resident of Woodland, and he was accompanied by twelve residents in Leisureville. He said today they received a call from the park owner who resides in North Carolina inquiring about their intent to purchase the park. He said they desire to explore the possibility of park purchase, and in November 1993 the residents elected officers and interviewed and selected consultants with experience in mobile home park conversions. He thanked the City Council, the park owner and some park residents for providing funding for consultant help. He said 120 residents of the 150 mobile home spaces participated in a survey, and 77.5 percent gave their support to purchase the park. With survey and feasibility results in, their park board called for an official residential vote on the purchase and financing. On January 8, 1994, the vote was held, and 78 percent voted with a 70 percent "yes" vote. He said they have applied for funding with the Community Development Block Grant program, and the application was submitted on January 14. He urged the Council to approve the funding request.

The Community Development Director said the request will be processed working with the Community Based Organization committee, and the matter will be presented to

Council at a public hearing. She said this is related to the priority funding of the (CHAS) Comprehensive Housing Affordability Strategy.

Vice Mayor thanked Steve Borchard and Dudley Holman for serving as camera operators.

HEARING - STORM DRAIN UTILITY ENTERPRISE FUND/FACILITIES FEES:

Vice Mayor Sandy reported that this time was set for a hearing to consider a proposed ordinance for establishing the storm drain utility enterprise fund and facilities fees.

The City Manager said last August the Council set about to deal with a significant problem with the General Fund and set a target of changing the General Fund budget by \$1,000,000 this fiscal year. On October 5, 1993 the Council concluded a series of public hearings reviewing potential cutbacks for approximately \$130,000. Subsequent to that the Council outlined some revenue sources to explore, including the establishment of a storm drainage enterprise fund.

Management Analyst Lynn Gatie said the storm drain enterprise fund would function similarly to both the water and sewer enterprise funds. She presented a fee structure which is intended to equitably distribute the cost of operation and maintenance of the City's storm drain system. The fee is based on land use and runoff coefficients. There are five categories: residential (including multifamily residential up to four units); multifamily units with greater than four units; commercial, industrial, hospitals and churches; public schools; and an exempt category.

Senior Civil Engineer Nick Ponticello explained that runoff coefficient is a factor which measures the amount of impervious surface to the surface area that absorbs water into the ground.

Ms. Gatie then itemized the proposed fees. For residential the fee is \$0.48 per residence per month. This applies to residential with four units or less. With multi-family units for more than four units each unit would pay the residential cost and then each additional unit would pay \$0.26 per month. For category three properties which are the commercial, industrial, hospitals and churches the proposed fees are \$3.77 per acre per month. For the fourth category of public schools the proposed charge is \$2.96 per month. Open space, undeveloped and agricultural land is exempt from the fee at this time. She said these charges will appear on the City utility bills.

Vice Mayor Sandy opened the public hearing.

Mike Volonte, retired building contractor, said basically he is in favor of what the City is intending to do because it is a user fee, and he is an advocate of user fees. He said he is concerned about the runoff coefficient. He said in a previous Public Works

administration there were regulations specifying large parking lots to be constructed for large commercial structures, and this triggered the requirement for the installation of trench drains. He said they built dams to trap the water on site, and the water was to go into the drain and go underground into large ditches filled with rock. The water was to be absorbed on site to reduce the water going to the storm drain system. Since then he said the City has changed its policy and decided to allow water runoff or the same drain has a pipe that goes underground and goes directly into the storm drain system. He said the commercial person who constructed a building back ten or fifteen years ago with the previous policy is absorbing 30 to 50 percent of that runoff onto his property. The person who constructed his parking lot under the new code is allowing the water to runoff into the storm drain system. He asked if this was factored in when the runoff coefficients were developed.

Mr. Ponticello said this was not factored in, and he said he was unaware of that particular policy. At this point he said he is not certain the City has information recorded about which properties have those design mechanisms built in. He said he was also uncertain about the condition of those systems today, and it would take a considerable amount of engineering and public works effort to determine that.

Director of Public Works Gary Wegener said included in the rate schedule are land uses which do not fall under a defined category and would be reviewed on a case by case basis and assigned a fee by the Director of Public Works. He said those types of installations which Mr. Volonte discussed could be placed in that category.

Community Development Director Janet Ruggiero said that trench drainage requirement was in effect at one time but the City stopped the requirement because the trench drains were not being maintained. She said with remodels or additions her department has observed that most of the trench drains over the years silted up and are totally ineffective. She questioned how many installations have been maintained and are functioning over the years. She said her staff could pull the major building permits during that time period, but she felt very few have been maintained.

Mr. Volonte said he believes in equity, and he felt the investors which built the structures at that time based on City law and City Code. By looking back into the previous Building Code, he said the City could look up which building permits were issued. He said he hoped that would be factored into the rates. He also asked if a trust fund will be developed with the collection of these fees for improving the storm drain system. He asked what the purpose of the funds is.

The Public Works Director said the fees are to be established for the acquisition, construction, reconstruction, operation, maintenance and repair of the City's storm drainage facilities. The fees would operate similar to the enterprise funds for water and sewer in that the funds can only be used for storm drainage facilities.

Assistant City Attorney Ann Siprelle pointed out that there is a limited use provision

in the ordinance which specifies the purpose, and the funds can only be used for that purpose.

There being no further comments, Vice Mayor Sandy closed the comment period.

The City Manager said at one time the Council formed a committee consisting of residents throughout the City to try to deal with the investment into the storm drain system. The recommendation of the committee was that the improvements were not warranted, so the standards the City has today are the standards that the committee felt should be continued based on the cost benefit that was being proposed at that time. He said that standard is incorporated in the Storm Drainage Master Plan.

Ordinance No. 1242:

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council introduced and read by title only Ordinance No. 1242 which adds Section 23C-5-1 to Chapter 23C of the Woodland Municipal Code relating to storm drainage services; and Council continued the public hearing to February 1, 1994.

HEARING - TRANSFER OF CDBG FUNDS:

Vice Mayor Sandy said the second public hearing scheduled is to consider transferring Community Development Block Grant (CDBG) funds from the Fair Housing Specialist Program and Rehabilitation Principle Return to the Project Administration Program.

Community Development Director Janet Ruggiero said the original estimate for the Project Administration Program for CDBG funds for this year was \$47,000; however it is apparent that the cost for the Program will be \$56,500. She said this is still within the City's limits as required by HUD. The two reasons the cost is higher than the estimate are that fringe benefits for salaries were underestimated and publication costs and HUD meetings were underestimated.

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

On motion of Council Member Crescione, seconded by Council Member Slaven and carried by unanimous vote, the City Council approved transferring \$1,963.43 from the Fair Housing Specialist Program (1993-94) to the Project Administration Program (1993-94) and approved transferring \$7,536.57 from Rehabilitation Principle Return (Income) to the Project Administration Program (1993-94).

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 8:34 p.m. in order to convene the meeting of the City of Woodland Redevelopment Agency Board of Directors. See Agency minutes attached to these Council minutes as Exhibit A. At 8:37 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

#### 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:

##### 1992-93 FINANCIAL REPORT AND AUDIT:

The City Council approved the Comprehensive Annual Financial Report and audit for the fiscal year ended June 30, 1993.

##### RESOLUTION NO. 3784 - ELECTION RESULTS FOR COMMUNITY FACILITIES DISTRICT NO. 1:

The City Council adopted Resolution No. 3784 declaring the results of the ballot measure submitted to the voters of Community Facilities District No. 1 (Gibson Ranch). Ballots were received from landowners within Community Facilities District No. 1 for voting on the following measure: "Shall the City Council of the City of Woodland be authorized to issue up to \$16,000,000.00 in bonds for certain public facilities, and to levy a special tax to pay for those facilities, including repayment of the bonds with interest, by and through its Community Facilities District No. 1 (Gibson Ranch), all as specified in its Resolution No. 3763; and shall the appropriations limit for Community Facilities District No. 1 (Gibson Ranch) for fiscal year 1994-95 be set at \$1,600,000.00?" Each land owner was entitled to cast one vote for each acre and fraction of acre owned. With a total possible of 459 votes there were 433 ballots returned with a "yes" vote, and no ballots received with a "no" vote. The measure thus was declared passed and approved by the voters within the District.

##### RESOLUTION NO. 3785 - VALIDATION ACTION FOR COMMUNITY FACILITIES DISTRICT NO. 1:

The City Council adopted Resolution No. 3785 authorizing the City's Special Counsel, Sturgis, Ness, Brunsell and Assaf, to proceed with validation action for Community Facilities District No. 1 (Gibson Ranch).

##### YOLO COUNTY COMMUNICATIONS & EMERGENCY SERVICES AGENCY:

The City Council appointed Fire Chief John Buchanan as primary representative and Police Chief Russ Smith as alternate representative for the City of Woodland to the Yolo County Communications and Emergency Services Agency Board of Directors.

LABOR RELATIONS SERVICES:

The City Council authorized a new two-year agreement with William Avery and Associates to provide labor relations services.

REGULAR CALENDAR:

FINAL 1993-94 OPERATIONS AND MAINTENANCE BUDGET:

Finance Director Pete Woodruff presented to Council the Final 1993-94 Operations and Maintenance Budget which he said represents the summation of all of the action the Council has taken to date with respect to the Budget. A preliminary budget was approved in June of 1993, and the Council went through the process of the itemized cuts by departments. He said all of the cuts approved by the Council are included in the Budget as well as the updated revenue figures. The Budget reflects the State budget actions, the County action to move to the Teeter Plan for property tax administration, and minor changes in revenue volumes under various categories. He said the Budget does not include revenue from the storm drain utility enterprise, and there are no other revenue alternatives the Council discussed factored into the Budget. The total General Fund expenditures are \$16,213,227, and the total General Fund estimated revenues total \$15,558,100.

On motion of Council Member Crescione, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted the Final Operations and Maintenance Budget for 1993-94.

The City Manager said on February 1 staff will discuss with Council the process for reviewing the 1994-95 Operations and Maintenance Budget.

REORGANIZATION OF PARKS AND RECREATION DEPARTMENT:

Vice Mayor Sandy announced that the agenda item regarding the approval of the department title change, job description and salary range for the Park, Recreation and Community Services Department has been pulled and will be scheduled on a future agenda.

RESOLUTION NO. 3787 - WORKER'S COMPENSATION COVERAGE FOR VOLUNTEERS:

The Finance Director said staff needs a clarification on the City's policy with respect to volunteers. He said since he started working for the City and during the time he has been the City's risk management representative he does not recall receiving a claim from any volunteer for any injury sustained while on City business, but he said there is a need to clarify our policy with respect to volunteers. He said the proposed resolution which Council received provides that clarification and provides coverage to volunteers. The proposed policy poses some conditions upon the City to make the volunteers eligible which includes record keeping provisions to verify that the volunteers were working on the days on which they claim to be injured and were recognized and supervised by City staff or at least working under the auspices of the City.

The City Manager said as we go further and further into budget problems the City relies more and more on volunteer services.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 3786 declaring that volunteers be considered as employees for purposes of Workers' Compensation coverage.

RESOLUTION NO. 3787 - MOU WITH GENERAL SERVICES UNIT:

Assistant City Manager Kristine O'Toole reviewed the highlights of the proposed Memorandum of Understanding with the General Services Bargaining Unit. She said basically the MOU is a status quo contract, and there is no significant cost or cost savings to the City. The contract is for one year commencing July 1, 1993, and there is no salary increase during the term of the contract. She said contingent upon the other bargaining units agreeing there is an increase to the drug card co-pay. The educational reimbursement as well as bilingual pay has been increased to be in line with other bargaining units. The eligibility for merit increases has been moved from six months eligibility to one year, and this coincides with the term of probation, either on a promotion or with hire. She said the remaining changes are relatively minor, including a \$10.00 increase in safety shoe allowance increasing this benefit from \$75.00 to \$85.00 annually for positions required to wear safety shoes. The MOU includes a catastrophic leave policy where employees can donate their vacation or compensatory time off to other employees in the event of catastrophic illness or injury. Finally, she said the City will need to update the MOU to incorporate Federal and State rules on the Family Leave Act.

Council Member Crescione inquired about the qualifications necessary to receive bilingual pay. (The benefit for bilingual pay is proposed to increase from \$35.00 to \$100.00 per month.)

The Assistant City Manager said there must be two conditions for employees to be eligible. First there must be a need in the operating department for this service. Second the employee is required to pass a proficiency test. She said there are currently not many employees to are paid bilingual pay, and the City is hoping this benefit increase will stimulate the interest. She said there are about five employees City-wide.

The City Manager said there is probably going to be an increasing number of situations where the City will have the need for this service. He said the Human Resources Office administers the proficiency tests for this benefit. Just the fact that an employee speaks Spanish, he said, does not automatically qualify the employee for bilingual pay; there must be a need and a testing process.

On motion of Council Member Crescione, seconded by Council Member Slaven and carried by unanimous vote, the City Council adopted Resolution No. 3787 approving a one-year Memorandum of Understanding between the General Services Bargaining Unit and the City.

ADJOURNMENT:

At 8:55 p.m. the Council meeting was adjourned to January 25, 1994, 7:00 p.m.

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City Clerk of the City of Woodland