Council Chambers 300 First Street Woodland, California

December 7, 1993

The Woodland City Council convened a special session at 6:45 p.m. and immediately adjourned to closed session in the Second Floor Conference Room of City Hall to discuss a personnel matter. Council Members present at the meeting were: Crescione, Flory, Sandy and Slaven; absent: Rominger. City Manager Kris Kristensen, Assistant City Manager Kristine O'Toole and Parks and Recreation Director Tim Barry were also present at the meeting.

Council adjourned the closed session and the special session at 7:35 p.m.

The Woodland City Council met in regular session at 7:40 p.m. in the City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

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

COUNCIL MEMBERS ABSENT: Rominger

STAFF PRESENT: Kristensen, Nies, Siprelle, Wegener, Buchanan, Pinegar,

Bryan, Woodruff, Smith, O'Toole, Martinez

CITY MANAGER ANNOUNCEMENT:

City Manager Kris Kristensen announced that the Council met in closed session from 6:45 p.m. until 7:35 p.m. to discuss a personnel matter permitted under State Government Code Section 54957. He said no Council action was taken at the meeting.

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 August 17, 1993, as prepared.

COMMUNICATIONS:

1. From the State Department of Alcoholic Beverage Control a copy of an

application was received for an on sale beer and wine (public premises) license for 11 East Street (Harvey's Sports Bar and Grill at the southeast corner of Beamer and East Streets). No Council action was necessary.

- 2. From the California Public Utilities Commission a notice was received regarding P G & E's application for funding of its low-emission vehicle program. No Council action was necessary.
- 3. From the City of Carson a copy of a resolution was received in support of maintaining an adequate level of local public safety services and reforming of State government to resolve financial issues of statewide concern. No Council action was taken.
- 4. From the County Department of Public Health a letter was received in support of a no smoking ordinance. This matter was scheduled as a public hearing later in the meeting.
- 5. From Gold Country Tobacco Prevention Coalition a letter was received responding to an inquiry from Mayor Rominger regarding existing law to protect non-smokers on the job. No Council action was necessary.
- 6. From Michele Giguiere, attorney, a claim against the City was filed on behalf of Brenda Leonard in the amount of \$15,000 in regard to the City's contract with Connerly and Associates and release of CDBG funds under a construction contract.

On motion of Council Member Crescione, seconded by Council Member Slaven and carried by unanimous vote, the City Council rejected the claim against the City filed on behalf of Brenda Leonard and referred the claim to the City Attorney and the City's insurance representative.

7. From Ursula Steele a letter was received regarding the road condition of Woodland Avenue between North College Street and Palm Avenue.

Senior Civil Engineer Nick Ponticello said a letter has been prepared to Ms. Steele addressing the issues of the roadway, and he said Council will receive a copy within the next couple of days. He said that roadway was identified about six years ago for reconstruction and is an old problem. He said the funding for road reconstruction and maintenance is lacking, and he estimated that that portion of Woodland Avenue may be reconstructed in about four to six years provided that current levels of funding remain the same. He said the City will continue to monitor the condition of that road and patch potholes and broken areas to reduce any vehicle safety issues.

- 8. From Louis H. Ostrach, Ph.D. a letter was received expressing concerns about adopting a no smoking ordinance. No Council action was necessary.
- 9. From Sacramento Area Council of Governments (SACOG) a letter was received requesting support to resolving the metropolitan planning area boundary for SACOG. Council also received a memo from Community Development Director Janet Ruggiero responding to the inquiry and indicating she would send a letter to SACOG.

- 10. From the Board Members of Hopes and Dreams Assn., Inc. a letter was received submitting a public request for assistance in its efforts in purchasing and maintaining existing subsidized housing and assisting low income families through job training and education. Staff had suggested that the group consult with the Community Development Department about applying for Community Development Block Grant (CDBG) funds.
- 11. From the Board Members of Hopes and Dreams Assn., Inc. a letter was received requesting assistance and donations from the community for sponsoring a Christmas Program for kids. Staff has advised the group to inquire with local service clubs for possible donations.

COMMITTEE REPORTS:

- 1. From Library Services Director Marie Bryan a report was received transmitting minutes from the Library Board meetings of October 4 and 18, 1993. No Council action was necessary.
- 2. From City Manager Kris Kristensen a report was received transmitting the minutes of the Water Association meeting of October 14, 1993.

Council Member Flory noted the Association has been accepting applications for a Coordinator position, and he said he was not sure the City of Woodland has committed long range to this association.

The City Manager said the topic of where the Association is will be discussed under regular calendar items on the December 21 Council meeting. He said the Association is in the process of trying to select a Coordinator.

No Council action was necessary.

- 3. From the City Manager a report was received transmitting the minutes of the Yolo County Transit Authority Board meeting of October 27, 1993. No Council action was necessary.
- 4. From Parks and Recreation Director Tim Barry a report was received summarizing action taken at the Child Care Commission meeting of November 3, 1993. No Council action was necessary.
- 5. From the Parks and Recreation Director a report was received summarizing action taken at the Commission on Aging meeting of November 9, 1993. No Council action was necessary.
- 6. From Community Development Director Janet Ruggiero a report was received summarizing action taken at the Historical Preservation Commission meeting of

November 9, 1993. No Council action was necessary.

- 7. From the Parks and Recreation Director a report was received summarizing action taken at the Parks and Recreation Commission meeting of November 17, 1993. No Council action was necessary.
- 8. From the City Manager a report was received summarizing topics discussed at the Chamber/City 2 x 2 meeting of November 17, 1993. No Council action was necessary.
- 9. From the Community Development Director a report was received summarizing action taken at the Planning Commission meeting of November 18, 1993, as follows:
 - a. Commission recommended approval to the City Council of several technical amendments to the Zoning Ordinance concerning: setbacks, lot coverage, accessary buildings, R-2 duplex zone uses, multi-family minimum density requirements, and off-street parking requirements. The Commission also certified an NDEIR on this item.
 - b.Commission continued action on an amendment to the Zoning Ordinance which would increase the minimum spacing requirement between billboards from 500 feet to 1,000 feet. This item was continued in order that the additional language could be added which would require that landscaping be installed in conjunction with new billboards.

On motion of Council Member Crescione, seconded by Council Member Flory and carried by unanimous vote, the City Council set December 21, 1993, for a hearing to consider technical amendments to the Zoning Ordinance.

10. From the Community Development Director a report was received transmitting the minutes of the Community Based Organization (CBO) Committee meeting of November 29, 1993. No Council action was necessary.

PUBLIC COMMENT:

Vice Mayor Sandy thanked Hugo Rodriguez and Steve Borchard for serving as camera operators for the meeting.

PROCLAMATION - DRUNK AND DRUGGED DRIVING PREVENTION MONTH:

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council proclaimed December as Drunk and Drugged Driving Prevention Month in the City of Woodland.

CERTIFICATES OF APPRECIATION - STROLL THROUGH HISTORY VOLUNTEERS:

Marcia Cary, Chairperson of the Historical Preservation Commission, and Vice Mayor Sandy presented certificates of appreciation to Dennis and Karen Gay, Stroll Co-Chairpersons, and Peter Holmes, Communications Chairperson, for their efforts in organizing the Stroll Through History held September 11, 1993.

Dennis Gay thanked the Stroll Through History Committee.

RESOLUTION NO. 3780 - RESOLUTION OF APPRECIATION FOR BOB BARKWILL:

Fire Chief John Buchanan read a proposed Resolution of Appreciation for Fire Engineer Bob Barkwill.

On motion of Council Member Crescione, seconded by Council Member Flory and carried by unanimous vote, the City Council adopted Resolution No. 2780, Resolution of Appreciation honoring Bob Barkwill for 27 years of service with the Woodland Fire Department.

Vice Mayor Sandy presented a signed proclamation and a plaque to Mr. Barkwill.

LITERACY COUNCIL PRESENTATION:

Martha Proctor, President of the Woodland Library Board of Trustees, presented the Council with a check for \$16,000 from the Yolo Literacy Council as its share of the 1993-94 budget for the Woodland Library Literacy Service. The Yolo Literacy Council serves as a county-wide support group raising funds, and \$16,000 represents over 35 percent of the current City Literacy Service budget.

HEARING - PROPOSED SMOKING ORDINANCE:

Vice Mayor Gary Sandy advised that this time was set for a hearing to receive input on a proposed smoking ordinance. He said some Council Members asked him to convey to the audience its sincere hope that even though this is a controversial topic we will remember in the context of this public hearing that we are a community, that people are entitled to hold different views, and that spirit will prevail.

City Manager Kris Kristensen said this is the first of two public hearings that the City Council has set for a proposed no smoking ordinance that was presented to the Council in October by a group called Citizens for a Smokefree Woodland. He said staff has outlined the proposed ordinance, and the Council recognizes that to adequately address this issue the public needs to be fully informed and needs to be given opportunity to have their say about the topic. The Council also received a report from the City Attorney.

Assistant City Attorney Ann Siprelle said her report outlines the major points of the proposed ordinance. In regard to what areas may be preempted by State law she said the regulation of smoking and long term health care facilities such as retirement homes and other health care facilities is preempted by state law. She said although the proposed ordinance prepared by the American Cancer Society does purport to regulate smoking in those kinds of facilities, she recommended that those facilities be exempted. She said that is the only area preempted by state law. Everything else in the proposed ordinance is within the City's authority, and the Council has quite a bit of discretion in either adopting those proposed regulations or any modifications to the proposed The Council has the authority to ban smoking completely in bars and restaurants, or the Council can phase in those requirements over time. The Council can also ban a certain percentage of smoking in space in restaurants, for example. Most cities, she said, have continued to permit smoking in bars, except for the City of San Louis Obispo. She suggested that tobacco shops should be exempted from the prohibition since typically customers will try different kinds of tobacco while they are in those shops. The Council can either prohibit vending machines selling cigarettes altogether or if the goal is to prevent minors from buying cigarettes from the machines the Council can limit the locations of the machines to bars that are restricted to adults over 21.

Vice Mayor Sandy invited presentations regarding the proposed ordinance.

Susan Willis Ramirez, President of the American Cancer Society, Yolo Unit, and Chairperson for the Committee for a Smokefree Woodland, gave Council a brief history on how her group was formed. She said in May of 1993 the American Cancer Society received a petition circulated among citizens of Woodland in support of the passage of a smoking ordinance. Through the petition and articles that were placed in the newspaper the Cancer Society held a number of community meetings with representatives from the local health professions, local schoolS, businesses and community members. Together they drafted the proposed ordinance which has been presented to Council.

Velma Stepp, a waitress at a local restaurant, said she originated the petition for a Smokefree Woodland, and she presented the petition containing about 450 signatures in support of an ordinance to Council.

Sandy Littlefield, employee of a local restaurant, said that her father passed away in 1990 from lung cancer. In 1991 her mother was diagnosed with emphysema and is not a smoker. She said she also is not a smoker but works in a smoking environment, and her doctor has issued a statement not wanting her to work in the smoking section of the restaurant. She said people have a right to smoke, but when the airspace of others is invaded, their rights are removed. She said smokers need to think about the lives that will be saved by considering the rights of nonsmokers. She urged the Council to ban smoking.

Laura King, resident of Woodland and a volunteer spokes person for the American Lung Association in Sacramento (Emigrant Trails), spoke as a proponent of a smokefree ordinance. She said research clearly shows that secondhand smoke causes cancer in humans. In fact second hand smoke is a human lung carcinogen and is responsible for approximately 3,000 cancer deaths annually to U.S. nonsmokers. The public needs the protection the proposed ordinance would provide, particularly for workers in the work place where adults spend more of their time than any other indoor environment. She said workers do not have the luxury of going somewhere else when smoke bothers or affects them. Communities all around Woodland are taking the step to regulate smoking, generally with very favorable public response. She said that statistics show that over 75 percent of the adult population of California does not smoke, and 95 percent of the adult Americans believe that cigarette smoking is harmful to health. Eighty-five percent agree that smokers should refrain from lighting up in the presence of nonsmokers. As a nonsmoker, she said, she feels she has a right to breath clean air in any public place. Second hand smoke is offensive and unhealthy, and she stated that she does not patronize the stores that smell like smoke when she enters. She urged the Council to support the proposed ordinance.

Jim Bivens, Executive Director for the American Cancer Society, said the ordinance was created by Citizens for a Smokefree Woodland and not the American Cancer Society. The citizens volunteered their time and held their meetings at the Cancer Society office. He said the American Cancer Society does support ordinances which will protect the health and safety and comfort of nonsmokers in the work place and offers ongoing support to employees in providing work site cessation programs wherever needed. In regard to vending machines the American Cancer Society does not feel it should be legal for children to have access to the sale of cigarettes or alcohol. These items should not be sold as if they are candy or soda pop. He said statistics show that 60 percent of the people who smoke started by the age of 14, and 90 percent of the people started when they were 19 years old.

Dr. Robert Bates, Physician and Yolo County Health Officer and Director for the County Public Health Department, said he supports smoking ordinances. He said everyone is concerned about the cost of health care, but the best way to save cost is to prevent the illness and prevent the need for medical care. He said tobacco smoke itself is the leading cause of illness and death in the United States. There are 400,000 deaths per year from tobacco; alcohol is number two with 125,000 deaths per year. Environmental tobacco, second hand smoke, kills over 50,000 people per year, and 3,000 people die each year just from lung cancer. He said people look to government for health protection, and he felt it was Council's responsibility to enact some sort of ordinance for the City of Woodland.

Dr. Robert Watt (former Superintendent of Woodland Unified School District), 213 Monte Vista Drive, Woodland, said Council has a difficult situation by considering an ordinance relating to smoking. He said smokers have a right to smoke, but once they invade the space of nonsmokers they no longer have the right. He said if the Council does not enact an ordinance the Council is saying to the community as a role model that it is alright to smoke, and it is alright for people to receive second hand smoke which has

the opportunity to kill people. He said the Council has the option of putting the issue to a vote, but the Council needs to make the decision based on protection to the health of our citizens.

Bill Flynn said no one can state from the studies conducted that the lung of a person who died was dissected and the death was actually caused from second hand smoke. He said he does not smoke, and everyone feels smoking is not good, but he presented a petition signed by 530 members of the community in opposition to smoking controls.

Vice Mayor Sandy opened the hearing for public comment.

Martha Fuchslin, resident of Woodland, reported on her discomfort from second hand smoke.

Robert Abel, 535 Elm Street, Woodland, said his father was a smoker and a coal miner and died of old age. His mother, he said, also was a smoker and died of old age. He said he did not receive second hand smoke problems, and he has not given his children any second hand smoke problems. He said the Council was elected to vote with the desires of the majority. He said he opposes the proposal and opposes anyone who supports it. He asked the Council to do its job and run this town the way it should be, free from the minority rule. He asked the Council to make Woodland prosper and make it a convenient place to live. He said the City is in trouble because services have been cut. He questioned the use of the Police Department to enforce a smoking ordinance.

Kim Abel, 535 Elm Street, Woodland, provided the Council with a collection of newspaper articles with pros and cons to smoking controls. She said she is a smoker, and she said an Environmental Protection Agency study on second hand smoke and a National Cancer Institute report indicate that there is no increased risk of lung cancer with childhood passive smoke and no link with exposure to second hand smoke. She said smoking may be distasteful to some and politically incorrect, but smoking cigarettes is legal. She said each year 1,000,000 Americans die from fat and cholesterol in their diet, but she asked if the Council should adopt an ordinance outlawing "Twinkies." She said government should not be allowed to tell citizens what their vices should or should not be or what their lives should be. To do so would mean that citizens would lose their control and their freedom. She urged the Council not to approve the ordinance, and advised that Council Members from Oroville were recalled after approving a smoking ban.

Leonard M. Kirkpatrick, Jr., 1736 El Paseo Drive, Woodland, said he has been a life long smoker and is opposed to the proposed ordinance. He cautioned against relying on the statistics on the deaths caused by smoking.

George Berrettoni, resident of Woodland, said he has two businesses in town, and he feels the ordinance is an invasion of everyone's privacy and everyone's rights. He said business owners should have the right to restrict smoking.

Kathy Trott, 617 Cross Street, Woodland, spoke in support of the proposed smoking ordinance. She said she has been tested and is very allergic to smoke as well as other airborne elements. She said she ran a fund raiser at the County Fair Mall, and there were many complaints about the smoking at the Mall.

Sandi Smith, 408 Baylor Drive, Woodland, said she is a waitress and supports the proposed smoking ordinance.

Gale Ellingson, 880 Ridgeview Drive, Woodland said he strongly supports the proposed ordinance.

Corlin Barrus, 1315 Colette Way, Woodland, spoke in support of the ordinance. She said she has been diagnosed with asthma and has been given everything the Woodland Clinic could provide, but nothing helps. She said she cannot go to any facility where smoking occurs because it causes physical discomfort.

Gene Chaffin, 36 Hacienda Lane, Woodland, said he is a smoker and spoke in opposition to the proposed ordinance. He said he felt the matter should be put to a vote of the people.

Kim Sheppard said on behalf of the American Heart Association she wanted to address the issue of restaurants. She said restaurant employees are the occupational group that is most heavily exposed to second hand smoke, therefore they are the ones most likely to suffer the health effects caused by second hand smoke.

Dudley Holman said he is not a smoker now and does not like to be around smoking but can tolerate it. He said he has some reluctance to supporting an ordinance which states that people cannot smoke and eliminates individual choices particularly where it comes to business operations. Business people should be allowed to chose if they desire to tolerate smoking and are willing to risk the loss of business for it. He said there are at least two restaurants in Woodland which prohibit smoking. He said the proposed ordinance is much too severe. For example, the Christmas Parade would be considered a public function and smoking would not be allowed under the proposed ordinance for the entire length of Main Street. He said he hoped if the Council adopts an ordinance that it revises the ordinance presented.

Paul Knepprath said he is a member of the Gold Country Tobacco Production Coalition, a multi-county, multi-agency effort to provide information about tobacco production. He gave Council a packet of information about current ordinances regulating smoking in California. The ordinances are from the cities of Auburn, Chico, Colfax, Davis, Grass Valley, Lodi, Modesto, Roseville, Sacramento, Placerville, and South Lake Tahoe as well as the counties of Butte, El Dorado, Placer, Sacramento and Shasta Counties. In several of the jurisdictions, the measures were placed on the ballot by the tobacco industry and the voters voted overwhelmingly in support of the ordinance. He also gave Council information from other jurisdictions regarding the loss of business due to

imposition of smoking regulations. Basically, he said the results are that the ordinances have had no real effect on their businesses. He said in regard to smoke free restaurants the latest report from the Institute for Health Policies from the University of California at San Francisco which analyzed many cities throughout California and some cities in Colorado charted out the sales tax data on how the ordinance affected sales tax before and after the ordinances took effect. The result is that the ordinances did not have a negative effect on restaurant sales within the respective communities. He said that will be disputed by many people but the figures from the State Board of Equalization, tax data available to anybody from the public, show that the ordinances do not have an effect on business sales. He said he was available for any questions from staff during the process of adopting this ordinance.

Debra Driessel said she does not have a problem with the ordinance with respect to people smoking inside a restaurant where people are enclosed, but she did not feel anyone should tell her that she cannot smoke walking down the street away from enclosed buildings. She said she is highly allergic to perfumes but would not ask someone wearing perfume to move.

Terry Bassett, 1236 Eunice Drive, Woodland, said he is a victim of second hand smoke because his mother smoked during his childhood. He said he was diagnosed as a sophomore in high school as a very likely candidate for emphysema. About three years ago he had an acute bronchitis problem which caused him to stop breathing several times during a six month period and being around smoke exacerbated the situation. He said this is an issue before the Council about the welfare of the residents of Woodland. He said the Council or the public should vote on this issue, but the issue of second hand smoke needs to be addressed. He said it is a matter of individual rights versus his right to live long and prosper.

Vice Mayor Sandy thanked those for giving testimony, and he said another hearing is scheduled for January 4, 1994. He said this may be a problem because this proposed ordinance has its supporters and its detractors, and with Christmas coming people are preoccupied. He question whether people would have adequate time to spread the word to the community for their reaction. He requested that the second public hearing be moved to a later date to afford people more time to receive more information.

The City Manager suggested that since the Council has already talked about having the second hearing on January 4 that the Council hold that hearing, and the Council can then hold additional sessions beyond that.

Council then agreed it will hold its second hearing on January 4, 1994 and continue discussions after that session.

Council took a recess from 9:25 p.m. until 9:34 p.m. Council Member Crescione did not return to the meeting.

HEARING - COMPREHENSIVE HOUSING AFFORDABILITY STRATEGY:

Vice Mayor Sandy said the second public hearing scheduled is for the purpose of reviewing the Comprehensive Housing Affordability Strategy (CHAS) for 1994-1998 and annual report for 1993.

Senior Planner Howard Nies said the primary objective of the CHAS program is development of viable urban housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. The City of Woodland CHAS includes a Community Profile, a Five-Year Strategy and a One-year Plan with the following priorities: (1) provide 92 housing units and retain 80 housing units for very low income people -- 925 North Street (4 units), Southeast Area (48 units), Downtown Area (80 units retained and 40 new units); (2) provide 356 housing units for low income people -- 925 North Street (4 units), Southeast Area (192 units), and Downtown Area (160 units); (3) emergency shelter and transitional housing; (4) transition of homeless to permanent housing (48 people); (5) prevention of homelessness; and (6) 178 housing units for moderate and above moderate people. Council also received the Annual Performance Report which indicates progress for 1993 and assesses the City's performance in relationship to meeting the overall CHAS priorities and objectives.

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

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the Comprehensive Housing Affordability Strategy (CHAS) and instructed the staff to forward it to the Housing and Urban Development Department (HUD).

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 9:36 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 9:44 p.m. the Redevelopment Agency Board meeting was adjourned, and the Council meeting was reconvened.

REPORTS OF CITY MANAGER:

CONSENT CALENDAR:

Council Member Flory requested that the item regarding the letter to the State Department of Parks and Recreation regarding the Opera House be removed from the 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:

SOUTHEAST AREA PROJECT FINANCING:

The City Council authorized solicitation of bond underwriting services for the Southeast Area Project financing.

BOARD AND COMMISSION APPOINTMENTS:

The City Council received a report from the City Clerk advising which City board and commission members have terms ending December 31, 1993, and which are eligible to serve additional terms.

REGULAR CALENDAR:

WOODLAND OPERA HOUSE REQUEST:

In regard to the proposed letter to the State Department of Parks and Recreation on the Woodland Opera House request Council Member Flory asked if hard alcoholic beverages will be served at the Opera House.

Assistant City Manager Kristine O'Toole said the application for an alcoholic beverage license has not been filed but her understanding is that the application was for serving beer and wine only.

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council agreed to verify by letter to the State Department of Parks and Recreation that the City Council does not object to the sale of alcoholic beverages during Opera House productions and special events with the stipulation that only beer and wine be sold.

REVISED PARKING ENFORCEMENT PROCEDURES/PARKING FINES:

Police Chief Russ Smith reported that A.B. 408 changed the way the Police Department does business in terms of parking citations. Currently he said a person receives a citation and then goes to a processing agency to pay the fine or receive a delinquency notice. A hold is placed on the vehicle registration until the fine is paid. If the person wants to plead not guilty the person could present a case to the traffic referee. A.B. 408 changes that process effective January 1, 1994, so that if someone receives a parking citation, the person will have an interview with the Traffic Sergeant at the Woodland Police Department, and the Sergeant would rule on the particular citation if the issuance was valid or if there was an error made and the citation could be dismissed. There will be a second level review by Traffic Safety Commission members who will be trained. The

legislation is intended to reduce the workload of the courts, allow cities more control and efficiency in the administration of parking fines, eliminate the need for the citing officer to appear in court, and enhance the collection of parking fines for greater revenue to the cities. Revenues generated from parking fines (except a few mandated "add-ons", currently \$2.50 court construction and \$2.50 jail construction) will be kept by the City rather than the traditional county-city split. Chief Smith explained the proposed ordinance and resolution to approve the new procedures and fees. He said that Traffic Sergeant Larry Martinez was present to answer any questions Council might have. Responding to a question from Vice Mayor Sandy he said that effective January 1, 1994 the Courts will no longer be hearing parking violations. The City Traffic Safety Commission members will perform that function.

Assistant City Attorney Ann Siprelle said there is a desire to have the fines in place by January 1 and an urgency ordinance was contemplated which requires a four-fifths vote of the Council. There were only three of the five Council Members present.

The City Manager suggested that the matter be brought back to Council on December 21.

PROPOSITION 172 FUNDS:

The City Manager said on November 2, 1993 state-wide voters passed Proposition 172. He said this measure generates some sales tax funds which must be used for public safety purposes for which the City has not yet budgeted. He asked for Council discussion about how those funds should be allocated. He said Proposition 172 was created during the State's adoption of its FY 1993-94 budget in June 1993. In an effort to balance the budget the Governor and Legislature approved a reduction of \$2.3 billion in property taxes from cities and counties. Being concerned that this may harm local public safety services provided by those agencies, the Governor and Legislature wanted to provide cities and counties with an ability to offset those losses. They approved the continuation of a one-half cent sales tax that would have expired on June 30, 1993, for another six months; required that the funds be given to cities and counties, based on specific formulas, to be used for public safety purposes; and placed Proposition 172 on the November 1993 ballot to seek voter approval of continuing the tax thereafter. If Proposition 172 had been defeated the one-half cent rate would have been eliminated after December 1993. The City Manager said he has been told the City of Woodland can expect to receive \$180,000 annually from this tax. He said early receipts indicate that \$180,000 may be optimistic and in reality the City may collect from \$120,000 to \$150,000. The question facing the City is how the funds should be allocated. The City can use the funds to support existing public safety services or the City can restore previous cuts to Police and Fire Department budgets. The

City can also allocate to provide new public safety services or do a combination of those proposals. He said the City is still anticipating another General Fund budget shortfall next fiscal year beginning July 1994 which is currently estimated to total \$600,000 assuming the State does not make further cutbacks to cities and counties. He said Proposition 172 funds can be used to reduce that problem by allocating them to existing services.

Vice Mayor Sandy said Proposition 172 stipulated that public safety is now the number one priority for local government. The City Manager said the Council clearly established that public safety is a number one priority.

Council Member Slaven said if it were not for the fact that there is a general fund budget shortfall anticipated next fiscal year he would be in favor of allocating the funds for new police and fire services and a combination of restoring previous cuts. He said, however, that the City needs to look to next year's budget problems. In view of those facts he said it would be best to temporarily allocate these funds for Fire and Police and make a permanent decision for next year when the City will know what its budget problems are.

Council Member Flory recommended setting up a special public safety fund and placing the Proposition 172 funds into that fund.

Vice Mayor Sandy said he feels strongly that the funds should be accounted for and should be spent directly on additions to Police and Fire Department forces.

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council established a public safety fund that will be a depository for Proposition 172 funds, designated those funds for public safety, and directed staff to report back to Council with appropriate needs for that funding.

The City Manager said staff will report back to Council in January regarding the use of Proposition 172 funds.

DRAFT YOLO COUNTY TRANSIT STUDY:

Senior Planner Tim Bach said the Yolo County Transit Authority reviewed at its last meeting a draft County-wide conceptual service plan for public transit service improvements. The Council has been invited to comment on the proposal. He said Woodland has an intra-city service by bus on Routes 210 and 211. This plan would make a major rearrangement of the routing and would make two clockwise routes that would connect around the vicinity of Main and Third Streets. That rerouting, he said, the staff finds difficulty with mainly because it would change service from Court Street to Main Street. While there has been discussion of a Main Street shuttle bus, there was not consideration of a large bus which the

Transit Authority would be using. He said this would require removal of more parking on Main Street. Also, people who live generally west of College Street would have to transfer to get to the Mall. Now, he said, there is four-minute service along Gibson Road from Woodland Memorial Hospital to County Fair Mall going eastbound. Under the new service the route would take 15 to 20 minutes. Mr. Bach said staff would like to have the Transit Authority give more thought to giving more direct service to the Mall. Another concern, he said, is that the plan recommends a downtown transit center, and the City has applied for funding for a transit center in the Southeast Area.

Transit Authority Director Terry Bassett said he agreed with staff concerns because the Mall is the main focal point for activity. Regarding whether the route is changed from Court to Main Street, the Council will have to decide. He said there is not a large capital investment, only about four or five bus benches which can be changed to another shelter. He pointed out that the transit center proposed for County Road 101 is really intended to be a park and ride lot for people going to Sacramento and was not intended to be the epicenter for the entire Yolo bus system. He said the Plan needs to be reviewed to see how the Center integrates into the whole system.

The City Manager said his main reason for bringing this topic to the Council is that the Council needs to recognize that the Transit Authority is trying to deal with a County-wide transit plan and talks in terms of what we ultimately want to strive for.

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the Council directed staff to send the following concerns to the Yolo County Transit Authority regarding the Draft County-wide Conceptual Service Plan for public transit service improvements:

- 1.Service to the County Fair Mall will become more indirect for most of the existing community.
- 2.The rerouting would change service from Court Street to Main Street. Court Street is presently served by a number of bus benches and a bus shelter which would no longer be used for bus patrons.
- 3.The Main Street routing would require removal of on street parking on Main Street in order to establish new bus stops.
- 4.The routing along East Gibson Road and County Road 102 would be premature until such time as the southeast area is developed. Additionally the Southeast Area Plan indicates that future service should be routed into and through the Plan area rather than around the periphery as depicted in the Plan.

5. The proposal recommends a Downtown Transit Center in downtown Woodland.

On August 17, 1993 the Council approved application for funds under the AB 2766 Program of the Yolo-Solano Air Quality Management District. These funds would provide \$27,384 for the Southeast Area Intermodal Transportation Center.

CITY-WIDE LANDSCAPE AND LIGHTING DISTRICT:

Director of Public Works Gary Wegener recommended Council approval of a contract with Vail Engineering Corporation for preparation of a preliminary benefits memorandum to proceed with the process on the City-wide landscaping and lighting district. In November, he said, Council gave staff direction to proceed with the district. Implementation of the district requires assessments to be on the tax rolls by August 1, 1994. He said his staff has done a great deal of checking on Vail Engineering, a reputable firm which has done a lot of this type of work in Davis and Sacramento. Because of the time frame, he said staff feels the selection process should be cut short to get a consultant on board. The intent is to get the preliminary benefit analysis and report back to Council on how to proceed.

The City Manager said staff is recommending a \$9,400 contract and there may be some additional contract costs down the road which will be presented to Council when those costs become necessary. If a district is formed the City can recover the costs. If the district is not formed the City cannot recover those costs.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council authorized the City Engineer to contract with Vail Engineering Corporation for preparation of a preliminary benefits memorandum to assess the formation of a City-wide landscape and lighting district in an amount not to exceed \$9,400.

COMMUNITY SERVICE AWARD SELECTION PROCESS:

The City Manager said at the end of last year's Community Service Award program the Council commented about expanding the program. He suggested expanding the nominating committee from five people to seven people. The seven would include the Mayor, two previous award winners, and one member appointed by each Council Member. He said the Council could also approve setting up a system to actively invite the public to submit names for consideration by the nominating committee.

On motion of Council Member Slaven, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the formation of a seven-member Nominating Committee for the 1994 Community Service Awards to consist of the Mayor, two previous Award winners, and one member appointed by each Council Member, and City Council agreed to invite the public to suggest names for the Nominating Committee to consider.

The City Manager said he will need all four Council Members to pick names by December 21, 1993 for Council action at that meeting.

FUTURE MEETING AGENDA ITEMS:

Council Member Sandy said a date needs to be set for a joint meeting of the Council and the Child Care Commission.

The City Manager said in April 1993 the Commission asked for a joint meeting with the Council. He said because of the budget problems and Council's desire to meet on the fourth Tuesdays to discuss the General Plan update there has not been time since then to consider other issues. Because of the staffing changes, he said the Commission needs to talk to the Council about the goals and purposes of the Child Care Commission. The City Manager said he will poll the Council to try to find a date in late January or early February for a joint meeting.

Council Member Slaven said at the next Redevelopment Agency meeting he would like an update on the Hotel Woodland. The City Manager said staff is very close to having the Owner Participation Agreement (OPA) in final form, and he said on December 21 the Agency will have the OPA or will ask the Agency for a special meeting prior to that date.

ADJOURNMENT:

At 10.25 p.m. the meeting was adjourned):29 p.m. the meeting wa	as adjourne	d.
---	--------------------------	-------------	----

City Clerk of the City of Woodland	