

Council Chambers
300 First Street
Woodland, California

June 15, 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 pending litigation. Council Members present at the meeting were: Rominger, Crescione, Flory, Sandy and Slaven; absent: none. City Manager Kris Kristensen, City Attorney Bob Murphy and Public Works Director Gary Wegener 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:

Mayor Rominger invited everyone present to join her in the pledge of allegiance to the Flag of the United States of America.

ROLL CALL:

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

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Kristensen, Ruggiero, Murphy, Wegener, Woodruff, O'Toole, Moutinho, Costa, Tice, Gatie

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. pursuant to Government Code Section 54956.9(b) to discuss significant exposure to litigation and Section 54956.9(c) regarding the initiation of litigation. He said no Council action was taken at the meeting.

MINUTES:

On motion of Council Member Sandy, seconded Council Member Crescione and carried by unanimous vote, the City Council approved the minutes of the regular meeting of March 16, 1993, as prepared.

COMMUNICATIONS:

1. From Walter DeBolt, Woodland, a letter was received in support of making Court Street and Lincoln Avenue one-way streets on a permanent basis. No Council action was necessary.

2. From Finance Director Peter Woodruff a memo was received advising of accounts payable and payroll paid by the City for the month of May, 1993. No Council action was necessary.

3. From Marilyn Byquist, Davis, a letter was received offering comments on the destruction of public facilities and activities at Freeman Park. No Council action was necessary.

4. From Chris Marshall, Woodland, a letter was received regarding Section 8 housing assistance. This letter had been referred to the Yolo County Housing Authority which administers Section 8 provisions, and Council received a copy of a response letter from Paulette Mortensen, Housing Programs Supervisor, Yolo County Housing Authority to Mr. Marshall advising of the Section 8 program.

5. From the U.S. Army Corps of Engineers a notice was received advising of the initiation of the reconnaissance study concerning flood protection along the westside tributaries to the Yolo Bypass. Council was advised that the City Manager is the City's representative to the Yolo County Flood Control Task Force, and he will be monitoring the progress on this project and reporting results back to Council.

6. From Skyline Corporation a letter was received withdrawing its protest to the formation of the Beamer-Kentucky Assessment District. This letter was considered during the public hearing portion of the agenda.

7. From Zieman Manufacturing Company a letter was received withdrawing its protest to the formation of the Beamer-Kentucky Assessment District. This letter was considered during the public hearing portion of the agenda.

COMMITTEE REPORTS:

1. From Finance Director Peter Woodruff a report was received transmitting the minutes of the Yolo County Public Agency Risk Management Insurance Authority meeting of April 21, 1993. No Council action was necessary.

2. From Assistant City Manager Kristine O'Toole a report was received transmitting the minutes of the Woodland Access "43" meeting of May 12, 1993. No Council action as necessary.

3. From City Manager Kris Kristensen a report was received transmitting the agenda of the Yolo County Water Group meeting of May 27, 1993, and accompanying minutes of its April 8, 1993 meeting. 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 June 2, 1993. No Council action was necessary.

5. From the City Manager a report was received summarizing topics discussed at the County/City 2 x 2 meeting of June 9, 1993. No Council action was necessary.

PUBLIC COMMENT:

Mayor Rominger invited members of the public to speak on any issue not on the agenda, but there were no comments presented. She thanked Bob Gillette for serving as camera operator for the meeting.

CONTINUED HEARING - BEAMER-KENTUCKY ASSESSMENT DISTRICT:

Mayor Rominger said this time was scheduled for a continued public hearing on the proposed formation of the Beamer-Kentucky Assessment District.

Director of Public Works Gary Wegener reported that Council already received letters advising that Skyline Corporation and Zieman Manufacturing have withdrawn their former protests to the formation of the district. He said there are still 60% protests, and approximately 70% of those protesting are covered by property development agreements which were prepared when the properties were initially developed. He said the initial construction cost estimate of \$7.7 million has been reduced to about \$4.6 million due to favorable bid prices and deletion of portions of the work. He said of the costs as currently estimated property owners will be able to save approximately 14.5% off that amount if they paid now rather than going to the bond financing method. Additionally, the first payments under the assessment district would not be due until December 1994. He said approximately 65% of the cost of the project is attributable to the roadway work that is being proposed. The basic issue is what roadway width the City should work with. He said the City road width standard of 48 feet will allow two 18-foot lanes and a 12-foot center lane for turning movements. He said the major roadways in the Assessment District area are Beamer Street, County Road 101 and Kentucky Avenue, and there are no collector streets. He said staff cannot recommend a smaller road width.

Mayor Rominger reopened the public hearing.

The City Clerk advised that she received a letter from JTP, Inc. (Johnson's Trading Post, Inc.), reaffirming its opposition to the formation of the Assessment District. She said she also received a letter from Richard Jenness of Laugenour and Meikle, the

engineering firm which prepared the engineer's report for the Assessment District giving his views on the formation of the District.

The following persons spoke: Bruce H. Kemp of Buzz Oates Enterprises; David Young, attorney representing Cotter and Company; Ed Ramirez of Johnson's Trading Post; James Horn of Johnson's Trading Post; Fred Duchi, property owner on County Road 101; Jason Rolls of Johnson's Trading Post; Jack C. Reed, Jr. of Johnson's Trading Post; Miguel Martinez, II; Chris Sloan of Payless Drug Stores; Phil Carroll of Payless Drug Stores; and Guy Blanchard of Johnson's Trading Post.

There being no further comments, Mayor Rominger closed the public hearing.

After comments from the Council Bond Counsel representative Bob Brunsell outlined the resolutions the Council was being asked to adopt.

Resolution Nos. 3737 and 3738:

A motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous roll call vote, the City Council adopted Resolution No. 3737, "Resolution Overruling Protests (Majority Protest) to the Beamer-Kentucky Assessment District", and adopted Resolution No. 3738, "Resolution Approving Amended (Engineer's) Report and Assessment and Ordering Improvements for Beamer-Kentucky Assessment District":

AYES: COUNCIL MEMBERS: Crescione, Flory, Sandy, Slaven, Rominger
NOES: COUNCIL MEMBERS: None

The City Manager said that at a Council meeting in July the Council will be asked to award the contract for the assessment district.

Mayor Rominger thanked the Public Works Director and his staff for their work on the Assessment District.

HEARING - TAX LIENS FOR DELINQUENT GARBAGE/REFUSE ACCOUNTS:

Mayor Rominger said the second public hearing scheduled is to consider approval of tax liens for delinquent garbage/refuse service accounts with Woodland Disposal Company.

Finance Director Peter Woodruff said the City Code provides that garbage and refuse service is mandatory and makes the collection of past due accounts a problem for Waste Management, the franchisee. To accommodate Waste Management, the City has agreed to open up the process of filing liens with the County on an annual basis for those accounts that are severely past due and uncollectible.

Mayor Rominger opened the public hearing.

Wayne Berlin voiced his objections to mandatory yard refuse service and the filing of a lien on his property.

There being no further comments, the Mayor closed the hearing.

Resolution No. 3739:

On motion of Council Member Flory, seconded by Council Member Sandy and carried by unanimous vote, the City Council adopted Resolution No. 3739, "A Resolution Approving List of Delinquent Refuse Accounts and Directing Tax Collector of County of Yolo to Collect Delinquent Accounts."

TEMPORARY ADJOURNMENT OF COUNCIL MEETING:

Mayor Rominger temporarily adjourned the meeting of the Council at 8:33 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 8:42 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 Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council approved the following Consent Calendar items:

BID CALL FOR 1993 WATER AND SEWER IMPROVEMENT PROJECT:

The City Council authorized the bid advertisement for 1993 Water and Sewer Improvements, Project No. 93-02.

SOLID WASTE ASSESSMENT TEST PROJECT AT OLD LANDFILL:

The City Council authorized staff to execute Change Order No. 1 in the contract with EMCON Associates for the Solid Waste Assessment Test (SWAT) project at the old City-owned landfill site (east of Woodland) in the amount of \$5,604, and further authorized a contingency fund of \$5,000 (ten percent of the project total of \$50,000), to be set aside to address future situations which may be encountered.

ORDINANCE NO. 1235 - PLANNING COMMISSION APPEALS:

The City Council introduced and read by title only Ordinance No. 1235 extending the time period for appealing Planning Commission actions from 10 days to 14 days.

BID CALL FOR 1993 STREET IMPROVEMENT PROJECT:

The City Council authorized the advertisement for competitive bids for the 1993 Street Project, Project No. 93-05.

NATIONAL ORGANIZATION ON DISABILITY/ACCESSIBLE VAN CONTEST:

The City Council authorized the Mayor to submit an entry into the National Organization on Disability - Accessible Van Contest. (The winning entry will receive a free wheelchair accessible van.)

UNDERGROUND UTILITY DISTRICT NO. 12 TIME SCHEDULE:

The City Council adopted Resolution No. 3740 modifying the time schedule regarding Underground Utility District No. 12 (East Main Street from Johnston Street to County Road 101). The deadline pertaining to customer conversions and the removal of poles and overhead structures was changed from July 31, 1993 to March 31, 1994.

REGULAR CALENDAR:

PIRMI REQUEST FOR WATER SERVICE FOR FIRE PROTECTION:

Community Development Director Janet Ruggiero said PIRMI (rice mill) has requested authorization from the City to connect to City water for the purpose of fire protection. PIRMI's property is located at the northwest corner of Kentucky Avenue and East Street. She said this property was the topic of an annexation proposal several months ago, and the City has still not finalized the annexation because negotiations have to be entered for a property tax agreement with the County. Because of the fact that PIRMI has capital monies in their budget to install fire sprinklers and to connect to City water and because the City Fire Department is anxious to get the fire sprinkler in place for the facility, staff is submitting the request to Council. She said staff supports the request through entering into an agreement between the City and PIRMI with conditions as outlined in her staff report. Given the need that exists and the fact that this authorization will only be dealing with water for fire protection purposes and not domestic water, staff recommends approval. She said there is a need for fire protection to the facility and the City would gain the capital funds even though the City has not provided for annexation of the property.

Karen Diepenbrock, attorney representing PIRMI, requested Council's

support of staff's recommendation. She said PIRMI promises to enter into an agreement with the City for annexation as soon as the City and County resolve the property tax issues.

Responding to comments from Council Member Crescione, the City Manager pointed out that PIRMI has never backed away from its intent to annex to the City, and the City will draft an agreement that continues to make sure that PIRMI's interest are toward annexation of the property.

On motion of Council Member Slaven, seconded by Council Member Sandy and carried by unanimous vote, the City Council authorized the City Manager to enter into an agreement with PIRMI to allow extension of water service to PIRMI solely for the purpose of fire protection subject to the following conditions:

1. PIRMI would agree to file its petition for annexation and diligently pursue its annexation application in conjunction with the Volk property;
2. PIRMI would pay all applicable fees;
3. PIRMI would extend all necessary utility lines in compliance with all applicable City standards and specifications;
4. City would allow reimbursements for the water line improvements from adjacent property owners at such time as the adjacent property owners are annexed and receive such services; and
5. The water service is for fire protection only and not domestic water service.

RESOLUTION NO. 3741 - WOODLAND ACCESS 43 (CABLE TV):

Assistant City Manager Kristine O'Toole said at Council's budget meeting on May 25 Vice Mayor Sandy requested that staff provide Council a report on various access channels as well as a policy recommendation on support of Woodland Access 43. She said the access channels are called PEG (**P**ublic access, **E**ducation access, and **G**overnment access channels) which stands for the various types of access channels available. She said the City currently utilizes government access Channel 31 to air Council meetings as well as commission meetings. The education channel is not being used at this time by any of the School Districts but it is available. The Council, she said, has been very interested in and has assisted in the development of a nonprofit corporation to provide for local access which provides a teaching tool for the community for local people to learn how to operate video equipment and make productions. She said the subcommittee on Communications which includes Mayor Rominger and Council Member Slaven reviewed the issue of providing a contribution to the nonprofit corporation Woodland Access 43. In light of the budget shortfall this year the subcommittee

recommends that the Council grant for FY 1993-94 a contribution of \$25,000 to Woodland Access. This contribution would provide for rent, utilities and a part time staff member, but would not provide monies for office equipment. Woodland Access 43 would be required to either utilize part of their funding from Sonic Cable to buy office equipment or seek donations within the community, but the \$25,000 would get them started. Ms. O'Toole said the subcommittee further recommends an allocation of \$50,000 for FY 1994-95 with an ability for Woodland Access 43 to come back to Council with any equipment needs that they have. Finally for FY 1995-96 the subcommittee recommends another \$50,000 allocation as was originally requested. After that date the subcommittee recommends that Woodland Access come back to the Council and provide an overview of production, costs and goals. At that time a contribution rate could be discussed. Finally, in light of lack of sufficient funds and wanting not to duplicate efforts in government the subcommittee recommends that Government Access 43 assist the City in filming its various Council, commission and board meetings as well as informational productions. She said this will be critical next year as the City tries to reformulate what local government is going to be.

Bonnie Freshwater, Chair of Woodland Access 43, was present to answer questions from Council. She said that when the Council allocates \$25,000 for FY 1993-94 Woodland Access 43 will also be receiving \$40,000 from Sonic Cable. Next year, she said, that will not be true. She pointed out that the amount of money requested is not enough to do a professional job which begins with the hiring of a professional with a great many skills. She said that the cable industry is proposing that all of the franchise fees go to the access channels. She said the Council needs to make an effort to really help to keep the cable industry from going to that extreme. After some discussion Council took the following action:

On motion of Council Member Flory, seconded by Council Member Slaven and carried by unanimous vote, the City Council adopted Resolution No. 3741 establishing a grant and rate of contribution to Woodland Access 43, a nonprofit corporation for local access cable television (allocating \$25,000 to Woodland Access 43 for FY 1993-94, \$50,000 for FY 1994-95, and \$50,000 for FY 1995-96 with annual review each May).

PRELIMINARY FY 1993-94 OPERATIONS AND MAINTENANCE BUDGETS:

City Manager Kris Kristensen said the draft FY 1993-94 Operations and Maintenance Budgets were presented to Council on May 4, 1993. On May 25 Council held a workshop to review the document, and tonight is the last meeting prior to the new fiscal year for Council action to adopt the preliminary budget so that there is a plan to start the new fiscal year. He said the State action is the biggest factor in determining the changes that will be needed in the budget document after tonight's approval. He said the Preliminary Budget has been

prepared based on over \$800,000 worth of cuts in annual expenses based on Council action taken over the past year plus a series of revenue raising measures which should generate over \$300,000 of additional dollars. He said it is likely the Council will have to make some additional changes, but this budget represents where the City stands at this point in time. He said some recommended changes to the Preliminary Budget are included in the staff report, and Council will need to include the \$25,000 just approved for Woodland Access 43.

On motion of Council Member Slaven, seconded by Council Member Sandy and carried by unanimous vote, the City Council adopted the City's Preliminary Fiscal Year 1993-94 Operations and Maintenance Budgets with revisions as noted in the staff report (Exhibit B) and with the addition of a \$25,000 allocation for Woodland Access 43.

AGREEMENT WITH KUNZ AND CO. FOR FREEWAY BILLBOARDS:

Community Development Director Janet Ruggiero said Council is being asked to approve a settlement agreement with Kunz and Company requesting that they withdraw their prior approval for a billboard on East Main Street in exchange for approval of two billboards further north. She said this approval would be contingent upon approval of a conditional use permit by the Planning Commission. Secondly, she said Council is being asked to consider amending the General Plan to permanently ensure a billboard cannot be placed in the future at the East Main Street location. She said that General Plan amendment is currently being processed. Lastly, the City will accept cash (\$9,755.95) in lieu of the monument sign. The City will use the money to construct a monument sign. She noted a change in the draft settlement agreement (page 2, paragraph 2) to request that the City Planning Commission shall take action on the building permit application for two signs within so many days (approximately 140 days). She said Council is also being asked how to proceed with the design of the monument sign. She noted that the Blue Shield developer has donated the placement of one sign on the City's property, and Council may have comments regarding similar designs for each.

On motion of Council Member Sandy, seconded by Council Member Slaven and carried by unanimous vote, the City Council authorized the City Manager to sign a mutual release and settlement agreement with Kunz and Company regarding outdoor advertising display with modifications as described by staff.

Council Member Flory in regard to the monument signs asked that staff look for donations and consider landscaping. The Community Development Director said service clubs have previously assisted in this manner. Council agreed the signs should be similar in nature. Council Member Sandy suggested that the monument sign say "Welcome to Woodland" rather than "Woodland, City of Trees."

Staff advised that a report will be presented to Council at a later date on the monument sign design.

ORDINANCE NO. 1236 - MORATORIUM ON ERECTION OF NEW BILLBOARDS:

The Community Development Director said a proposed moratorium on the erection of billboards that will go in effect for 45 days will give a time frame to allow a General Plan amendment to proceed and to address the issue of modifications to the Zoning Ordinance that will be prepared by staff.

On motion of Council Member Sandy, seconded by Council Member Flory, and carried by unanimous vote, the City Council adopted emergency Ordinance No. 1236, "An Ordinance of the City Council of the City of Woodland Imposing a Moratorium on the Erection of New Billboards in the City."

ENERGY EFFICIENCY STUDY:

Management Analyst Lynn Gatie reported that in May 1992 the two-council member budget committee recommended that the City look at ways to reduce its high energy bills. She said the California Energy Commission (CEC) has a program whereby cities can seek their assistance in hiring a consultant to perform energy efficiency studies. The City went through that process, she said, and hired a consultant out of San Francisco from Newcomb Anderson Associates who looked at all of the City's facilities. She said the consultant's recommendations fell into three different areas: lighting modifications and energy control systems; a System Control and Data Acquisition (SCADA) system and water well pump improvements; and the installation of variable frequency drive (VFD) motors on the swimming pool pumps. She said funding for all three project areas totals \$755,389 with an estimated annual savings in utility bills of \$131,899 and an average 5.7 year payback. At this time she recommended breaking the projects into two types of funding. SCADA and any water well change outs should be funded from the Capital Budget where there are funds allocated through Fund 3 (water fund) and Fund 85 (water development fund). The lighting and energy control systems and variable frequency drives are not identified in any of our funding documents. For these improvements she recommended third party financing. She said there are some very good rates now, and the energy savings could be used to repay the borrowed funds. She requested authority to work on plans and specifications and more cost detail for the lighting and control systems portion so that modifications can be made by the end of the year. The variable frequency drive motors issue will be brought back to Council at a later date, and she said she hoped to get started on a System Control and Data Acquisition system next year.

Council Member Sandy commended staff for moving ahead with this budget committee recommendation to reduce energy usage.

On motion of Council Member Flory, seconded by Council Member Crescione and carried by unanimous vote, the City Council conceptually approved the recommendations of the Draft Energy Efficiency Study.

BEAMER-KENTUCKY ASSESSMENT DISTRICT:

A proposed interim ordinance on the agenda enacting a moratorium on the issuance of building permits in the Beamer-Kentucky Assessment District was not necessary since Council approved the formation of the district.

REGIONAL PARK LANDSCAPE MASTER PLAN PREPARATION:

Parks and Recreation Director Tim Barry requested Council approval of an agreement with Paul Deering Design for the Woodland Regional Park. To date, he said, Vail Engineering has been working on the project, and now a landscape master plan is needed so that the City can proceed with preapproval stages to the Water Quality Control Board and Solid Waste Management Board. He pointed out that a preliminary diagram of the Park shows a softball complex of four ball fields with a snack bar and refreshment facility in the center, a large soccer field, a large baseball field, and appropriate parking. There are bermed nature areas proposed from the former landfill areas. Picnic areas with trails are also proposed. He said the agreement with Deering Design for the development of a landscape master plan is in the amount of \$17,250.

Paul Deering responded to Council questions regarding the history of the development of the park.

Council Member Flory pointed out that with the agreement with Aeromodelers who lease a portion of the park there is a portion of a proposed lake area which the City will not be able to use. He said at one time an amphitheater was proposed with the berms. He said he was concerned with how the City will get the \$1.5 million to finish this project so that it can be utilized.

Council Member Sandy said the park should be planned as a total area, but instead the City is hampered by existing leases.

Paul Deering said with the landscape plan the City will get closure from the State on the former landfill site, and that is important because the City cannot move forward without it. The landscape master plan will also help toward building these facilities, and he said he is aware there are no funds to construct except for the \$100,000 grant money from Proposition 70. He said as part of the landscape master plan he intended to set up the minimum the City can do now so that we do not redo the design work next year. He said he wanted to address in the plan how we landscape the berms with little funds available.

The City Manager suggested that staff discuss the landscape master plan with the Parks and Recreation Commission and report back to the Council. He said we need to reevaluate where we are so that we can proceed with a project that Council feels is appropriate.

On motion of Council Member Sandy, seconded by Council Member Flory and carried by unanimous vote, the City Council referred the development of a Landscape Master Plan for Woodland Regional Park to the Parks and Recreation Commission.

CERTIFICATION TO REGULATE CABLE TELEVISION RATES:

The City Manager recommended deferring action for another 90 days on a proposed certification to the Federal Communications Commission (FCC) that provides notice that the City intends to regulate the basic tier rate and associated rates for equipment and installation of Sonic Cable Television in the City of Woodland. He said FCC has delayed its action on implementation of the rules regulating the Cable Act of 1992.

COUNTY ROAD 98 SOUNDWALL:

Council Member Sandy left the meeting at 10:45 p.m.

Council Member Crescione advised the Council that there have been several meetings at which Lewis Homes representatives have been very receptive to achieving a solution to the sound wall problems along County Road 98. He said Lewis Homes now wants to contribute more than it committed in past discussions. He said an agreement will be drawn up between the various parties, but he said Lewis Homes denies that it has any legal obligation to assist in replacing the sound wall. He said he cannot disclose Lewis Homes contribution because the homeowners have not yet agreed.

I-5 CORRIDOR LANDSCAPE PLAN:

Council Member Crescione said he and Council Member Flory are waiting to find out who the Planning Commission will be appointing as a representative to continue discussions with property owners and business representatives regarding on the I-5 corridor landscape plan.

The Community Development Director said the Planning Commission will be appointing a representative on June 17.

SOUTHEAST AREA SCHOOL IMPACT TALKS:

The City Manager said staff is close to coming to a conclusion in talks with

the School District as to what would be the appropriate mitigation of the impacts on public schools from the Southeast Area development. He said staff has outlined a plan which it feels has potential for agreement between the School District, developers and the City. The plan incorporates the vast majority of concerns identified previously. He said he plans to bring the agreement back to Council on July 6.

FUTURE MEETING AGENDA ITEMS:

Council Member Slaven requested an update at a future meeting on water chlorination as well as a report on Redevelopment revenue projections and whether organization objectives are being met.

ADJOURNMENT:

At 10:52 p.m. the meeting was adjourned.

City Clerk of the City of Woodland

