Woodland City Council Minutes Council Chambers 300 First Street Woodland, California

October 23, 2001

CITY COUNCIL SPECIAL SESSION

CALL TO ORDER

Mayor Borchard called the meeting to order at 7:05 p.m.

PLEDGE OF ALLEGIANCE

Mayor Borchard invited those present to join in the Pledge of Allegiance.

ROLL CALL

COUNCIL MEMBERS PRESENT: Steve Borchard, Martie Dote, David Flory, Jeff

Monroe, Neal Peart

COUNCIL MEMBERS ABSENT: None

STAFF PRESENT: Richard Kirkwood, Phillip Marler, Gary

Wegener, Terry Brown, Dick Donnelly, Steve

Sante-Croce

PUBLIC COMMENT

None heard.

COUNCIL STATEMENTS AND REQUESTS

Council Member Peart thanked Daily Democrat reporter Kathleen Stinson for here comprehensive article regarding the Flood Task Force deliberations. He attended the F-4 Conference with the Army Corp of Engineers, the Department of Water



Resources and other entities and took a tour of Cache Creek. He urged the other Council Members to take this tour.

Council Member Dote reported at the F-4 Conference with the Army Corps of Engineers, there was a great deal of information shared regarding the processes. The Harvest Festival this past weekend was very successful.

Vice Mayor Flory reminded staff and Council about the Sacramento Valley League meeting to be held in Yuba City on November 2nd.

Mayor Borchard urged citizens to remain calm but cautious in regard to the anthrax scares of late.

City Manager Kirkwood announced the November 2, 2001 Chamber of Commerce Retreat and suggested that a Council Member speak regarding the State of the City as requested by the Chamber. Council Member Peart will speak at the event.

REPORTS OF THE CITY MANAGER:

REGULAR CALENDAR:

<u>SET PUBLIC HEARING - APPEAL OF NUISANCE ABATEMENT HEARING BOARD</u> DECISION

On a motion by Council Member Peart, seconded by Council Member Dote and carried by unanimous vote, the Council set a Public Hearing for November 6, 2001 to hear an appeal filed by the City Manager regarding property located at 520 Cleveland Street in regard to a Nuisance Abatement Hearing Board decision.

APPOINTMENT OF PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION MEMBER

On a motion by Council Member Dote, seconded by Council Member Peart and carried by unanimous vote, the Council appointed Don Permenter to the Parks, Recreation and Community Services Commission. Mr. Permenter had been appointed to the Historical Preservation Commission at the October 16, 2001 Council meeting and is requesting reappointment to the Parks, Recreation and Community Services Commission.



Mayor Borchard read a statement regarding the policies and procedures in the conduct of a Council Meeting and asked members wishing to speak to adhere to those policies.

UPDATE ON FLOOD PROTECTION ISSUES

Public Works Director Wegener stated there have been and continues to be several sessions on this issue in an effort to address all questions and concerns. A Flood Task Force meeting will be held on October 24th and will be making a recommendation to Council regarding funding options.

Tom Meagher, Study Manager from the Army Corps of Engineers (ACE) presented information on the two proposals for flood protection. The setback levee would consist of an additional levee system sixteen miles in length and two to eighteen feet in height. Two and one-half miles of existing levees would also be raised between one and three feet. It would also necessitate replacement of three bridges and installation of riprap protection. This would provide a 100 year FEMA level of protection with a 90% reliability. Agricultural lands and riparian habitat in the channel would be impacted.

The Lower Cache Creek overflow barrier would entail six miles of barrier levee from two to seventeen feet in height. There would be an internal drainage canal on the water side and a flood warning system in place. A 2,500 foot inlet weir on the West side of the settling basin would be installed as well. This would accomplish a 200-year plus level of protection for the City. It would alleviate long-term flooding South of the overflow barrier that includes Interstate 5, State Route 113 and the Northern California Railroad. There are minimal impacts to the agricultural land and the environment with this option. Costs for the two options are consistently updated, but it appears that the setback levee system would cost approximately \$20 million more than the overflow barrier at present.

Council Member Peart left the meeting at 7:25 and returned at 7:26.

The overflow barrier has a higher benefit with the lower cost and is more likely to receive support and investment from the Army Corp of Engineers (ACE). Council Member Dote asked for elaboration on 100 year, 200 year and 500 year protection and Joe Countryman, Consultant, said it is based upon the historical data. The flows may not occur but the hydrologists predict what would happen. It has a equal probability of happening every year. The bridges



would need to be replaced because they are narrow and would constrict the flows. In looking at the barrier, the real estate costs and construction costs vary. All of the possible alternatives and the costs associated were studied. If the barrier is the choice, the State will still be required to maintain the Creek levees. Director Wegener read a letter from the ACE which indicated the Federal policy requiring the them to identify the plan that has the highest net benefits over costs. This plan is entitled the National Economic Development Plan (NED) and preliminarily identifies the flood barrier as the plan likely to provide the highest new benefits over costs to justify participation by the Federal and State Governments. We must also consider the environmental concerns with the Bank Swallows and utilization of minimal rock with the setback levee option.

Council Member Peart asked about the \$9.9 million for existing system repair, was it not stated in the F-4 this would be done because it was a Federal levee and under law, must be maintained in the proper condition. Mr. Meagher stated the State must repair and maintain the existing system and provide the current level of flood protection, with whatever additional flood protection is provided. The \$9.9 million shows as a benefit, not a cost. Council Member Peart asked for clarification on the local sponsor selecting a plan of choice. Director Wegener stated it is misleading. The Federal funding would only be on the NED Plan. If another alternative was to be chosen, the funding supplied will be based on the NED Plan. The projected cost is \$50 million for the barrier with the City share at \$8.8 million. The setback levee estimated is at \$108 with the 200-year protection. The graphs indicate costs for a 100-year protection. There are many variables dependent upon the 100-, 200- or 500-year levels of protection, the option chosen applying the levels of protection and other possible cost factors, i.e., riprap, bridge upgrades. Council Member Dote asked which roads would be closed if the setback was instituted and City Manager said the bridges on Interstate 5, County Road 99, State Highway 113, County Road 102 would all be closed until when, and if, they were replaced. Wegener said bridge replacements would not be affected by a super-setback. The practicality of a super-setback has not been studied. It would still necessitate the closure of I-5, Roads 99 and 102, Highway 113, and the railroad bridge.

The Locally Preferred Plan (LLP) is a consideration but the NED is generally the most economical and of the best benefit. Possible funding options as per Bob Cermak from Parsons Brinckerhoff, include a ½ cent sales tax, special benefit assessment district, or a general obligation bond. With an assessment district, the average assessment is based upon the amount of land. The commercial use is the higher amount of land and would carry the vote. He



presented a graph on the funds which would be obtained based upon the methodology selected.

Council Member Peart left the meeting at 8:20 and returned at 8:21.

The setback would be feasible if the barrier was not, then our share would be 15% of the \$108 million. Council Member Dote asked if an assessment district in the County would take action by the Board of Supervisors. Director Wegener said it would require the consent of the County Board. Council Member Peart asked for clarification on the property owner demographics to reach the 67%, which is the percentage of industrial land in the identified area. Mr. Cermak said it is weighed on their assessment not the property value, one dollar of an assessment equates to one vote. The industrial properties include 240 industrial properties occupying 1200 acres. Member Peart said then the industrial properties control whether this would be an assessment district or not. A simple majority is all that is needed but they would be paying 67% of the costs. This would be \$4,000 per acre per year and about \$200 per parcel per single family resident per year. Mayor Borchard asked about the time frame for a sales tax and assessment district implementation. Mr. Cermak said the limitation of keeping the sales tax is based upon the amount of need. Utilizing sales tax as a fund source equates to more funds in a shorter time period. The assessment district and associated costs to administer would equate to a twenty-year time period. One of the differences to be considered as well, is the assessment district costs would be paid by those within the special benefit assessment district, while sales tax would be paid by anyone purchasing goods within the City. Mayor Borchard clarified that sales tax would be voted on by everyone in the City. assessment district is considered only by the owners of record on the properties in the benefiting area.

Pete Rabbon, General Manager of the Reclamation District said the Governor is considering a Task Force to look at the issues in the 1997 Flood report. The Boards' primary consideration is public safety. The feasibility report is one way of looking at those issues. They are trying to answer many questions that are arising as reports are issued on the project. He urged using this report to justify the actions which will be taken.

Council Member Peart said he has heard many comments that maintenance on the Creek had not been properly handled. However, he toured the area and visually noted that statement was incorrect and maintenance is ongoing. Council Member Dote asked who is the lead on the EIR/EIS and Mr.



Rabbon said that has not been established as yet. The intent is that the Reclamation Board would prefer to be non-Federal sponsor, so they would have their obligation with the Corps and the City would be the local sponsor. There would be a separate agreement between the City and the Reclamation Board. The Reclamation Board has an agreement with the Federal government and the City has an agreement with the Board. There is a new Board and it appears they prefer a 200-year minimum in an urban area. Global climatic changes should be considered as the at it may reduce the level of protection. The NED plan is at 500 years.

Director Wegener stated that Staff recommendation to Council would be to accept the Flood Task Force recommendation.

Brenda Cedarblade addressed Council and asked several questions. Mayor Borchard advised Ms. Cedarblade should she desire responses to her questions now or in the future, she should submit them in writing for consideration.

Council Member Peart asked if the Wastewater Treatment Plant would be allowed to remain at that site without protection as it is now in the Flood Plain. There would be a significant cost to protect that facility. Director Wegener said we must have 100-year protection for the facility to maintain our permit. We would need to berm around the facility at an estimated cost of \$3 to \$4 million. Of concern is that even though the facility would be protected, the sewage could back up into the City. Director Wegener said the Flood Task Force will be receiving the listing of discussion points, funding points and staff recommendations. Mayor Borchard said the overflow barrier data is quite clear on moving that direction. We must find the funding mechanism prior to deciding on a plan. He is looking for the best cost benefit ratio and the fairest to the property owners, as well as the option most likely to be acceptable to the voters.

Council Member Dote asked that the minority opinions of the Task Force be forwarded to the Council.

ADJOURNMENT:

Mayor Borchard	l adjourned	the Special	meeting of	f the	Council	at 9:01	p.m.
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City Clerk		